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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, March 29, 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
- William Tibbs, Member
- Pamela Winters, Member
- Steven Winter, Member
- H. Theodore Cohen, Member
- Charles Studen, Associate Member
- Ahmed Nur, Associate Member

Brian Murphy, Assistant City Manager for
Community Development

Susan Glazer, Deputy Director 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, William Tibbs, Pamela Winters, Steven Winter, H. Theodore Cohen, Charles Studen, Ahmed Nur.)

HUGH RUSSELL: Welcome, this is the meeting of the Cambridge Planning Board. The first item on your agenda is we review the Board of Zoning Appeal cases.

LIZA PADEN: Yes, and unfortunately Mr. Anninger is not here because we have two telecommunication presentations. Oh, you made it.

THOMAS ANNINGER: Must be an antenna.

LIZA PADEN: So, this is similar. Mr. Kelley is here again to present similar cases. This is addition and replacement of existing antennas.

Do you want to come up?

FRANCIS KELLEY: Yes. For the

1 record, my name is Frank Kelley. I'm an
2 employee with SCI Communication. I'm here
3 representing AT&T. And I think the first
4 case is 215 First Street; is that correct?

5 Okay. Currently we have six antennas
6 mounted on the rooftop on three separate
7 sectors. One sector is on a raised section.
8 I have extra photo sims if you want to pass
9 this -- here's an extra one. There's three
10 separate sectors. They're mounted on sleds
11 on upper portions of the rooftop that are set
12 back from the building edge quite a ways, and
13 the -- and I know that the location of those
14 were discussed quite a bit with abutters and
15 such when the original Special Permit was
16 granted on this. The, you know, the concerns
17 were to protect the visibility from the front
18 of the building. This is Athenaeum building.
19 And so one of the sectors on the front of the
20 building, there's a triangular and brick
21 section that comes up on the front, and one

1 of the sectors is the raised roof, the flat
2 roof that's behind there. And that sector
3 faces the south along First Street. And
4 because of its location on the rear of that
5 raised section of the rooftop, the -- I
6 haven't found any place where they're
7 visible. I'm sure you'll see them if you're
8 further away or higher up. But you can't see
9 it if you're coming in from First Street or
10 Edward Land Boulevard from either direction.

11 There's also two sectors that are on
12 the extreme west end of the building, which
13 it's just the opposite side from First Street
14 on the raised section of the roof. One
15 sector faces towards the Linsky Way, towards
16 the parking lot across the way. And another
17 sector faces that, the large building that's
18 located west of that across that narrow
19 Second Street.

20 What we're proposing to do is basically
21 we're going to add one antenna to each

1 sector. Some of the -- some of the sectors
2 we're relocating, one of the existing
3 antennas in mounting the new antenna in a
4 different spot, that's just because of the --
5 it's driven by the RF coverage objectives on
6 it. So, you know, you can see, if you look
7 at the photo sims, the antennas, you can see
8 it, the picture 1, location 1, that's --
9 that's going I guess it's west on Edward Land
10 Boulevard looking across. And you can see
11 the antennas are -- that are visible. You
12 can't see the ones that are in the front.
13 The antennas that are visible on the far
14 opposite side of the building, they stick up
15 from the rooftop, and they -- there's other
16 higher buildings behind it and there's other
17 components with the cooling towers and other
18 stuff that's on either our rooftop or the
19 other rooftops that are on there that are
20 behind it.

21 HUGH RUSSELL: Okay.

1 FRANCIS KELLEY: So. . . .

2 HUGH RUSSELL: It appears to me that
3 any changes are visually insignificant.

4 (All Members in Agreement).

5 HUGH RUSSELL: Okay. Shall we go on
6 to the next one or did you spot something
7 that I haven't?

8 THOMAS ANNINGER: What you just
9 said, that the changes are insignificant?

10 HUGH RUSSELL: Right.

11 PAMELA WINTERS: Visually.

12 HUGH RUSSELL: Right.

13 THOMAS ANNINGER: Oh, I see.

14 Am I not right that we saw this once
15 before and you --

16 FRANCIS KELLEY: No.

17 THOMAS ANNINGER: No?

18 FRANCIS KELLEY: This is a new
19 application.

20 THOMAS ANNINGER: This is a new one.
21 It's never going to stop, right?

1 FRANCIS KELLEY: We've got some
2 more, too. It's all coming in right now with
3 this new roll out.

4 THOMAS ANNINGER: G4?

5 FRANCIS KELLEY: Yes.

6 HUGH RUSSELL: So I think we have no
7 comment on that.

8 FRANCIS KELLEY: Okay.

9 HUGH RUSSELL: The others are more
10 visible.

11 FRANCIS KELLEY: It's a very big
12 building. The other one is 150 Cambridge
13 Park Drive. And Cambridge Park Drive we have
14 six antennas that are currently
15 facade-mounted on the building.

16 THOMAS ANNINGER: Is this the Summer
17 Shack building?

18 FRANCIS KELLEY: It's the office
19 building.

20 H. THEODORE COHEN: It's the tallest
21 office building.

1 FRANCIS KELLEY: It's 140 feet high.

2 The antennas are 140 feet high.

3 THOMAS ANNINGER: That's not the one
4 on Fawcett Street?

5 FRANCIS KELLEY: No. Cambridge Park
6 Drive is like a cul-de-sac that comes off of
7 -- it's a dead end. It comes off of like 16
8 -- and on one side -- you know, so on --

9 THOMAS ANNINGER: Beyond Bertucci's
10 and so on?

11 H. THEODORE COHEN: Yes.

12 THOMAS ANNINGER: Yes, I'm with you
13 now.

14 FRANCIS KELLEY: Yes. All right.
15 So, yeah, if you look at -- do you have the
16 photo sims on those?

17 THOMAS ANNINGER: No, I don't.

18 PAMELA WINTERS: No.

19 THOMAS ANNINGER: Oh, I see. It's
20 surrounded by parking lot. Okay.

21 FRANCIS KELLEY: All right. Yeah,

1 there' s si x antennas. They' re all
2 facade-mounted and they' re 144 feet near the
3 center line, and they' re painted to match the
4 background. What one of the sectors faces
5 the rail road tracks across the way. One of
6 the sectors faces towards the end of the
7 cul -de-sac. And the third --

8 THOMAS ANNINGER: Yes, I see, from
9 Fawcett Street you can see it.

10 FRANCIS KELLEY: Yes. So, they' re
11 very high in the air. It' s a commerci al and
12 industri al area. There' s rail road tracks
13 across the way. It' s the tallest bui lding in
14 the area. We' re painting to match them. The
15 other equipment' s going to be set back from
16 the bui lding facade, the other equi pment.

17 THOMAS ANNINGER: What about the
18 exi sti ng ones, are you pai nti ng those, too?

19 FRANCIS KELLEY: I thi nk they' re --
20 exi sti ng, they' re pai nted al ready. We' ll
21 repai nt them i f they have to be.

1 THOMAS ANNINGER: Your picture shows
2 a kind of dish that sticks out a little bit.
3 More than just a little bit.

4 HUGH RUSSELL: You're on what
5 location?

6 THOMAS ANNINGER: I'm on the Fawcett
7 Street view.

8 FRANCIS KELLEY: Which location are
9 you looking at?

10 HUGH RUSSELL: Three.

11 FRANCIS KELLEY: Yeah, that dish is
12 not our dish. If you look at the next
13 picture, it's not ours.

14 THOMAS ANNINGER: That's what I was
15 afraid you would say. Are you allowed to
16 paint somebody else's?

17 FRANCIS KELLEY: No. I have no idea
18 whose it is.

19 CHARLES STUDEN: Can you do it
20 accidentally?

21 FRANCIS KELLEY: I think we may have

1 done that in the past.

2 CHARLES STUDEN: Just say "Oops."

3 FRANCIS KELLEY: Yeah, you can see
4 that picture 3, that's the new antenna that
5 we're going to put over there.

6 HUGH RUSSELL: I think the impact is
7 minimal where this is a case where this is
8 the strategy of sort of sprinkling them
9 around and painting them as a result as
10 they're almost invisible.

11 THOMAS ANNINGER: It's an
12 unfortunate building.

13 H. THEODORE COHEN: Except for the
14 dish.

15 FRANCIS KELLEY: Yeah, I mean
16 there's some advantages with, you know, for
17 having them that high for the network. You
18 end up with less sites that you need. So the
19 building is there.

20 PAMELA WINTERS: Can I ask you a
21 question?

1 THOMAS ANNINGER: To whom --

2 PAMELA WINTERS: Oh, I'm sorry. Can
3 I ask you a quick question? So we're up to
4 what, like 4G's now? If we can keep going up
5 to 5G's and 6G's, are there going to be more
6 and more antenna? Is that what dictates the
7 number of antenna?

8 FRANCIS KELLEY: I can tell you when
9 I worked on the UMTS project, and when --
10 that was basically when they combined the
11 AT&T and the old Cingular Networks.

12 PAMELA WINTERS: Right.

13 FRANCIS KELLEY: And a lot of -- on
14 most of those sites we reduced the number of
15 antennas that were up there. It was just the
16 new antennas had better technology on it.
17 What we're doing here with the 4G, they're
18 also adding a frequency range which it's
19 going to be a different technology on the
20 other antennas than the two that are up
21 there. And, you know, I don't -- you know, I

1 don't know what's gonna happen if this, if
2 the --

3 THOMAS ANNINGER: The merger.

4 FRANCIS KELLEY: The merger with
5 T-Mobile goes through. And what they'll do
6 at that point -- you know, I worked on the
7 AT&T Cingular site. And what happened was
8 there were a number of sites that they
9 decommissioned that they didn't need any
10 longer. There were some sites where they
11 both had antennas up there where we didn't
12 need all the antennas that were up there. So
13 I would think that if that merger goes
14 through, I think, you know, I think what
15 they'll probably end up making them sell off
16 the -- the anti-trust people will make them
17 sell off portions of it. But if they have
18 two networks there when they integrate them,
19 there will be some consolidation and some
20 reduction in the number of antennas.

21 PAMELA WINTERS: So they take them

1 down if they are no longer usable, they
2 remove them from the facades?

3 FRANCIS KELLEY: Yeah, they remove
4 them. As a matter of fact, we're going
5 through -- the permits now we're going to put
6 them back up in the same place.

7 PAMELA WINTERS: Okay, thank you.

8 THOMAS ANNINGER: To whom does the
9 dish belong that we don't like?

10 FRANCIS KELLEY: I don't know. I
11 have no idea. I can tell you it's not ours.
12 Let me look at the plans. It's -- it
13 probably just says "Others" or something.

14 HUGH RUSSELL: Is there any advice
15 that anyone wishes to offer the Zoning Board
16 on this case?

17 CHARLES STUDEN: No, no.

18 THOMAS ANNINGER: Just that we maybe
19 should be looking always for opportunities to
20 decommission. Unfortunately this is not one
21 of them apparently.

1 CHARLES STUDEN: And painted.

2 THOMAS ANNINGER: And paint even
3 those that --

4 FRANCIS KELLEY: Yeah, and I think
5 that in the ability that you have is when
6 they come back up and see you for something,
7 then you have that ability to go and make
8 them do something. I'm not even sure if it's
9 a wireless one. It might be for other
10 communications.

11 HUGH RUSSELL: Okay. Are there
12 other cases on the agenda?

13 FRANCIS KELLEY: Okay, thank you.

14 CHARLES STUDEN: Thank you.

15 HUGH RUSSELL: Steve.

16 STEVEN WINTER: I'll have to wait
17 for Li za to come back.

18 BRIAN MURPHY: A question for the
19 group. Did you want that last point
20 communicated to the Zoning Board?

21 THOMAS ANNINGER: Sure, why not?

1 BRIAN MURPHY: Thank you.

2 LIZA PADEN: I wasn't here.

3 STEVEN WINTER: Okay, Liza, I had a
4 question on 10074.

5 JEFF ROBERTS: I wrote it down.

6 STEVEN WINTER: What I wanted to
7 know is it's a little vague. It says to
8 create habitable living space on the third
9 floor of the property by raising the roof.
10 So, is that adding a story? And is it adding
11 a story within the height guidelines that
12 they are already at or looking for a Variance
13 but over height?

14 LIZA PADEN: Okay, the Variance for
15 this particular one is the building is
16 currently at 31 feet and they're looking to
17 go to 34 feet in the Residence B District
18 which is a 35-foot height change. The house
19 is already over the FAR that's allowed the
20 Residence B District. It's at a 0.66 -- I'm
21 sorry, it's at a 0.57 now. So they're

1 altering this non-conforming structure.

2 STEVEN WINTER: Okay. The drawings
3 are fine. I have no other questions on that
4 one.

5 Thank you.

6 LIZA PADEN: Okay?

7 If I could take one moment and ask the
8 Board, one of the Planning Board Special
9 Permits, an old one back at Charles Square
10 and Harvard Square, was a multi-use
11 development. It was retail, office, the
12 hotel use, a lot of uses all in the area.

13 HUGH RUSSELL: That's case No. 1,
14 right?

15 LIZA PADEN: Actually No. 1 was
16 replacing No. 12. But, yes, it's going back
17 to the beginning. So, right now there is a
18 Charles Hotel and S, and I don't know what
19 the S stands for. Limited partnership, and
20 they're looking to renovate an existing
21 office space and convert it into retail

1 space. Now originally when the space was
2 being used -- this is in that section where
3 La Pl i Salon was, it was converted into
4 office space for a period of time. Now
5 they're looking to convert it back to retail
6 space. My question to you is whether or not
7 you feel this rises to the point you want to
8 see it?

9 CHARLES STUDEN: How many square
10 feet is it?

11 LIZA PADEN: So, it will be 1,500
12 square feet will be the office space that was
13 formerly was carpenter and company, and that
14 will be going back to the retail use that was
15 originally permitted.

16 HUGH RUSSELL: Is this project under
17 the jurisdiction of the Harvard Square
18 Overlay District? I think it's not, right?

19 LIZA PADEN: I don't think so, but I
20 don't know the answer to that.

21 HUGH RUSSELL: If there were any

1 significant exterior change, I'd be
2 interested in seeing it. If it's an interior
3 we don't need to --

4 PAMELA WINTERS: It's interior.

5 LIZA PADEN: No, it's flipping the
6 inside. It won't -- there's no change to the
7 outside of the building.

8 PAMELA WINTERS: And Liza, does that
9 also include, there's a little gym there or
10 something, will that include that area, too?
11 No, just the Le Pl i part. Yes, I'm all set.

12 THOMAS ANNINGER: I think the
13 original plan with retail was desired.

14 LIZA PADEN: Yes.

15 THOMAS ANNINGER: So if anything
16 that changed to office was a reluctant change
17 if it ever even came to the Board. So going
18 back to its original purpose, I would think
19 would be a good thing all and all and
20 therefore I don't think we need to see it.

21 STEVEN WINTER: I would concur.

1 CHARLES STUDEN: Yes.

2 LIZA PADEN: Okay. I just wanted to
3 make sure.

4 HUGH RUSSELL: Good question.

5 LIZA PADEN: Oh, it's a good
6 question. Oh, I have lots of them. And I
7 did read the transcript from March 1st and it
8 reflects the meeting that I was at.

9 HUGH RUSSELL: Is there a motion
10 regarding that transcript?

11 CHARLES STUDEN: So moved, approved.

12 HUGH RUSSELL: Okay. Second?

13 H. THEODORE COHEN: Second.

14 HUGH RUSSELL: All those in favor?

15 (Show of hands.)

16 HUGH RUSSELL: All Board members in
17 favor.

18 (Russell, Anninger, Tibbs, Winters,
19 Winter, Cohen, Studen, Nur.)

20 * * * * *

21 HUGH RUSSELL: The next item on our

1 agenda is a report from Brian.

2 BRIAN MURPHY: Good evening. I will
3 miss things. I'm sure Susan will help me out
4 by filling in.

5 The April 12th public hearing, we have
6 the Broad Institute coming in for urban
7 design but we also contact Traffic and
8 Parking. And we have another public hearing
9 for One Story Street, which is an elevator to
10 make the building accessible. It is part of
11 the Harvard Square Overlay. It is a setback
12 issue for that. For general business we've
13 got the North Mass. Ave. planning study. We
14 want to give you a sense of what we've been
15 doing, and talk about our thoughts on retail
16 of that and have a discussion with you. And
17 then we've got Planning Board No. 255 for
18 Fawcett Street, deliberation and possible
19 decision.

20 THOMAS ANNINGER: Which one is that?

21 BRIAN MURPHY: Fawcett Street.

1 THOMAS ANNINGER: Oh, that's
2 Fawcett?

3 BRIAN MURPHY: On April 26th we have
4 another public hearing for City/CRDD and the
5 continuation of public hearing 256 for
6 Hampshire Street.

7 May 3rd public hearing for the Harvard
8 Street/multi-family and Cambridge Housing
9 Authority for Central Square.

10 And some other interesting things that
11 have taken place, we had internally within
12 the city we had a presentation with some
13 folks talking about adaptation and what it
14 may mean for us going forward as we look at
15 climate change in the city. And the
16 beginning, I think, of an ongoing discussion,
17 but it was certainly a sobering but engaging
18 discussion to try to think about what we
19 might want to do for the changes and to adapt
20 to the changes that are coming. And
21 recognize that many of us were -- also had a

1 chance to stop by the Ordinance Committee
2 this evening to hear from the Miami
3 experience in terms of form base zoning which
4 they made the presentation, but a slightly
5 different set of circumstances. Among other
6 things we don't have the weather.

7 SUSAN GLAZER: Hugh, the other thing
8 I would add, is that just for the public,
9 there will be no Planning Board meeting on
10 our usual first Tuesday of the month which is
11 April 5th. We're on a second and fourth
12 Tuesdays in April. So our schedule is a
13 little bit different for that month.

14 HUGH RUSSELL: Okay, thank you.

15 So we are ready to proceed to the first
16 public hearing which is a petition by
17 Novartis Institute to amend the zoning map of
18 the City of Cambridge to create a new Special
19 District 15 zoned in several blocks. Good
20 evening.

21 ATTORNEY JAMES RAFFERTY: Good

1 evening, Mr. Chairman, Members of the Board.
2 For the record, my name is James Rafferty.
3 I'm an attorney with the law firm of Adams
4 and Rafferty located at 130 Bishop Allen
5 Drive in Cambridge.

6 I'm appearing this evening on behalf of
7 Novartis Institute for Biomedical Research.
8 They have filed a Zoning Petition with the
9 City Council seeking to have a portion of the
10 industry B zone on Mass. Avenue across from
11 their current facility at the former Necco
12 building -- across from the former Necco
13 building that is currently the headquarters
14 of Novartis's Institute for biomedical
15 research.

16 I know the Board is very familiar with
17 the site. Certainly the current Necco site.
18 A few years ago many of us spent a fair
19 amount of time with the Board involved in the
20 conversion -- of the permitting of the
21 conversion of that building, and it's really

1 a big part of the Cambridge success story
2 both in terms of life science adaptive reuse
3 of buildings. If you had an opportunity to
4 get inside the building, it really is
5 dramatic.

6 We had the pleasure of being there a
7 few months ago when the governor arrived for
8 the big announcement about the research
9 center, and it was noted by the mayor that we
10 were standing in a former loading dock where
11 candy was processed. And we, the Novartis
12 employees were gathered around and
13 Doctor Fishman, the CEO of the company
14 talking about how exciting it was for them to
15 be in Cambridge and to make this happen.

16 Tonight I'm just going to briefly walk
17 you through the petition. I'm sure you can
18 see that it's a rather simple petition in the
19 sense that it seeks to really make two
20 adjustments zoning-wise. So that might be
21 its advantage, and it might be also its

1 shortcoming, because the two areas that it
2 seeks changes in, one where we deliberately
3 did not include criteria for the Special
4 Permit, thinking that that would evolve in
5 this process. And we have had conversations
6 with the staff and even with some counselors
7 as to what might be the appropriate criteria.
8 It's always the case, as the Board knows, in
9 rezoning to be tempted to talk about
10 architecture, and you don't get to this point
11 at a project, of course, without the
12 proponent really having some understanding of
13 their programmatic needs. And that's what led
14 to the conclusion here to actually seek this
15 rezoning. This is a petition that attempts
16 to do two things:

17 It takes this portion of the Industrial
18 B site and creates a Special District 15.
19 There are a series of special districts that
20 march up through Cambridgeport, and this adds
21 to that litany of spaces. It's because it

1 has under the petitioner's proposed, it does
2 have a unique FAR. We are looking to
3 increase the FAR here from the 2.75 that it
4 was rezoned to in 2000 or 2001 from its
5 former 4.0 FAR. We're looking to rezone it
6 to 3.5.

7 In the second provision in the
8 amendment or in the district would be that
9 the Planning Board could by Special Permit
10 grant an increase in height from the current
11 120 feet to 140 feet.

12 In terms of pure numbers what a change
13 in FAR means GFA-wise at this site is about a
14 change of 118,000 additional square feet.
15 What might be considered a medium to small
16 size building in the life science world.

17 The site currently -- and
18 Mr. Sieniewicz will take you through this --
19 will, it contains two existing structures.
20 One is the E&R laundry building. That's a
21 designation that the Historical Commission

1 uses. I always considered it the castle
2 building. MIT calls it -- has a different
3 name because they've had IT working there.
4 But it's a 1910 or 1918 building that is
5 going to be part of this campus. So it
6 contains approximately 30,000 square feet.
7 And that's one of the reasons that the
8 increase is being looked for, because that
9 30,000 square feet can be used in a lot of
10 ways. And you'll hear from -- tonight that
11 one of the things is that it would be a
12 good place for a day care center, for a
13 gathering space. Novartis had an experience
14 across the street with the former generator
15 power plant on that site that they converted
16 to uses. So it's not really an
17 employee-generated space. There aren't a lot
18 of trips associated with it, but it's more
19 likely adaptable for a softer use and not a
20 pure research use.

21 I apologize, the first thing they teach

1 you in law school is you have to introduce
2 the people that are paying your bills, and I
3 neglected to do that. And they are lovely
4 people, and I want to point them out to you.

5 JEFFREY LOCKWOOD: Now the meter's
6 runni ng.

7 ATTORNEY JAMES RAFFERTY: The shy
8 man in the front row is Jeffrey Lockwood. He
9 is the global head of communications for
10 Novartis, and he's going to tell you a little
11 bit about this campus. And this is unique I
12 would suggest, that this is not a spec
13 develo per looking to find a tenant. This is
14 a known organization that has arrived in
15 Cambri dge and has had phenomenal success and
16 wi shes to expand and create a campus setti ng
17 here. He's joined by his col league, Kara
18 Cournoyer, C-o-u-r-n-o-y-e-r. And then
19 Robert Wi ggi ns, the campus proj ect di rector,
20 proj ect leader is also here. And from our
21 desi gn team is Thomas Si eni ewi cz, spel led

1 just like it sounds. He's with the firm of
2 Chan Krieger NBBJ. It used to be Chan
3 Krieger, but I understand there was a recent
4 merger.

5 TOM SIENIEWICZ: It used to be Chan
6 Krieger Si eni ewi cz.

7 ATTORNEY JAMES RAFFERTY: Oh, it
8 used to be Chan Krieger Si eni ewi cz. We'll
9 hear about him. Now that I covered that
10 mistake.

11 So the two pieces to the petition:
12 Increase in GFA, which will be 3.75 to 35.
13 And the Special Permit 120 to 140. There is
14 some initial understanding about what this
15 would look like or their hope to achieve, and
16 you'll hear that tonight both from the
17 programmatic side from Mr. Lockwood and also a
18 little bit more from the design side from
19 Mr. Si eni ewi cz.

20 There is an exciting architect that has
21 been commissioned, and you'll hear a little

1 bit about her tonight. But you don't get to
2 meet her until we get the zoning in place.
3 So you'll have to put up with us until that
4 point in time. We hope we can make the case
5 that this represents a modest adjustment in a
6 location where this particular user has been
7 able to demonstrate a real embracing of
8 Cambridge land use principles particularly
9 around transportation issues. You'll hear
10 from Mr. Lockwood, some very encouraging
11 statistics about their employees, the way
12 they get to work, the limited amount of
13 single occupant vehicles that occur there.
14 And really the opportunities here to create
15 some additional space for collaboration on
16 the research side. We essentially would --
17 the project in its simplest form would take
18 down the building, the Analog building, a
19 building build in 1982 that sits in the back
20 of the site. There's a street that goes
21 across the back of that known as State

1 Street, and that's, that's what frames the
2 back edge of the site, State Street. Windsor
3 Street is on the eastern edge of the site, or
4 the western edge I guess. And Osborn Street
5 meets Albany on the front corner.

6 So I think that's about the summary of
7 the petition itself. As I said, I think as
8 far as language, we don't a lot of TDR's and
9 clever mechanisms to move things around.

10 It's pretty straight forward. It's an
11 attempt to allow for the program to be fully
12 developed as it's envisioned. There has been
13 a series of tradeoffs built into the design
14 that Mr. Sieniawicz will share with you. But
15 I think it would be important for the Board
16 to hear from Novartis just briefly as to why
17 it is this petition is necessary. Why they
18 have come forward and what they hope to
19 achieve if in fact the petition is acted upon
20 favorably.

21 Thank you very much.

1 WILLIAM TIBBS: You didn't even wait
2 for a question. Can you talk about Smart
3 Street a little bit?

4 ATTORNEY JAMES RAFFERTY: You get a
5 prize for that. Because when I went to the
6 city engineer, I said -- I always have this
7 little game with him. So I said -- these
8 obscure streets, I said where do you think
9 Smart Street is? This is Bob Paterson. He
10 said well, I don't know, but it's got to be
11 somewhere around Harvard. No. MIT decided
12 to make a Smart Street. Smart Street, thank
13 you for asking, Mr. Tibbs, is a private way
14 owned by the landowner. And the landowner
15 here is worth noting, is MIT. MIT owns the
16 land. This will be a ground lease and we can
17 give you the details of that, but Smart
18 Street is not a public way. If you go on it,
19 you'll see it's parked and parking is
20 regulated on it by MIT. And that the lot
21 area of Smart Street is included in the

1 overall lot area for the development. But,
2 yes, it's -- I didn't know where Smart Street
3 was until I began this project.

4 WILLIAM TIBBS: Thank you.

5 HUGH RUSSELL: Mr. Lockwood.

6 JEFFREY LOCKWOOD: Thank you,
7 Mr. Chairman, Members of the Committee. My
8 name is Jeffrey Lockwood. I'm the global
9 head of communications for Novartis
10 Institute's environmental research. It's a
11 pleasure to be here with you this evening to
12 talk about our proposed project on Mass. Ave.
13 that would allow us to hopefully expand our
14 research footprint here in Cambridge.

15 In 2002 we came to Cambridge. We
16 arrived to set up a new division. This is
17 something that was new for our company. And
18 it was a new division with a mandate that had
19 never been given before, and that was to
20 reinvent the way that we discover medicines.
21 And it was quite honestly we're a Swiss-based

1 company, it was heresy in Switzerland and where
2 we would actually take the headquarters of
3 research from Switzerland and move it to the
4 United States. And it was not only radical
5 from that perspective, but it was also
6 radical that we took someone who was -- who
7 had never worked in the pharmaceutical
8 industry before, who was a physician at Mass.
9 General Hospital, and put him in charge of
10 that operation. And what his vision in our
11 CEO's vision and our Board's vision for
12 global research organization was to
13 completely wipe the slate clean in how drugs
14 were discovered for our company. And it was
15 an experiment. And at the time people
16 thought we were crazy. Many still do. But
17 it was a strategic decision that we've stuck
18 by and seen is now producing results. That
19 the discoveries that we're making here in
20 Cambridge and in our other sites around the
21 world are actually making it to the clinic

1 and to patients, and making a difference in
2 their lives.

3 And so, one of the other radical
4 elements of this other than reinventing the
5 way we were looking at it was also how we
6 were going to do it from a physical point of
7 view. The traditional model for our industry
8 had been if you're going to build a campus,
9 go out to Weston, buy 100 acres, put a fence
10 around it, build your campus and be done with
11 it. And what we believe is that's probably a
12 good model for manufacturing, for sales and
13 for marketing, but for drug discovery, it
14 doesn't make any sense. Because if you're
15 out in the suburbs, it's great. You can
16 control it. It looks pretty. No one is
17 going to bother you. No one is going to
18 interact with you. For drug discovery what
19 you need is to be with people, to be with
20 like-minded people, to be with smart people
21 that will help you solve the problems that

1 we're trying to solve. Because drug
2 discovery quite frankly is probably one of
3 the most complex endeavors on the planet.
4 It's not an industrial process where you put
5 raw materials in one end and out pops a
6 product at the other end. It's really a
7 combination of science, art, and serendipity.
8 That takes really smart people working really
9 long hours over long periods of time. The
10 numbers are staggering that the time to
11 market to get a medicine is somewhere between
12 12 and 14 years and over a billion dollars.
13 That's heavily front loaded to the research
14 process, and that's what we're doing here
15 primarily. It takes biologists, chemists,
16 bio-empyematic people, a whole host of
17 people, the list is long, working together in
18 an open, collaborative space where they can
19 test ideas, test hypotheses, really push the
20 envelope. No one company can do this alone.
21 We would be naive to think we could do it.

1 So what we've designed here and what
2 we've built here already is a space in the
3 city in close proximity to places like MIT
4 and Harvard and Dana Farber and Mass. General
5 and the Broad, all of which we have
6 collaborations with. All of whom are working
7 with our scientists on a daily basis to solve
8 these problems. And we're designing spaces,
9 and hope to design spaces that are unlike any
10 that have been seen before in our industry.
11 Lab spaces that are open where chemists and
12 biologists are actually working on the same
13 floor which, is a heresy if you're a chemist
14 or a biologist. The running joke if you're a
15 chemist is how do you know a biologist is
16 lying? His lips are moving. You know,
17 biologist will tell you the same joke about a
18 chemists. But we're trying to get these
19 people to work together in a space that where
20 they can share ideas and spark ideas, because
21 that's what drives our business which is drug

1 discovery. We're not in marketing, we're not
2 in sales, we're not in manufacturing. We're
3 in discovery. And this is why we chose
4 Cambridge, because there is no better place
5 on the planet for basic science. No better
6 place. We could go anywhere, and we chose
7 this place because it's the best. And it's
8 exceeded our expectations. We have dozens of
9 fruitful collaborations with some of the
10 institutions that I mentioned earlier. But
11 not only that, we found that we've been able
12 to recruit a lot of top talent from within
13 this community as well as from beyond who
14 want to come and work here. We've also found
15 that our associates who work here love being
16 a part of this community and love working
17 with organizations like Tutoring Plus and
18 Science Club For Girls and the list goes on.
19 Places like -- I lost my train of thought,
20 sorry. Barbara Fuller House. Being a part
21 of the community is important for us, and

1 it's something that we found being located
2 right in that part of the city has been a
3 tremendous benefit for our folks. And being
4 centrally located near public transit,
5 relatively close to the turnpike has shown us
6 that it's an easy place to get to. The
7 numbers that we have from PTDM show that 64
8 percent of our associates take an alternative
9 means of transportation to work. And of that
10 64 percent, roughly 43 percent take either
11 commuter rail, bus or subway to work
12 everyday. This is a very trans-po friendly
13 location. And so ironically while we don't
14 work in an industrial process as you know, we
15 settled in an industrial building, and have
16 converted it into a state-of-the-art
17 laboratory. And as we were looking at what
18 our program is going to be for the future and
19 how we wanted to design our lab space, how we
20 wanted to design our team space, we
21 recognized that we needed something that

1 would allow us to grow in close proximity to
2 where we already are, but also would give us
3 the flexibility to have a building that would
4 give us the freedom to really move around.
5 So we needed to create something new. And we
6 were thrilled that all we needed to do was
7 look across the street and find a place that
8 has the proximity we wanted and the lot size
9 that we wanted to build something that we
10 think will be a wonderful space for
11 inspirational science, an important part of
12 the fabric of the city, and really change the
13 dynamic of that end of Mass. Ave. where we
14 found a home and where we hope to have a home
15 for the foreseeable future. Our goal is to
16 really have a campus that's on both sides of
17 Mass. Ave., that's centered on creativity,
18 centered on science so that we can make a
19 difference for the patients that we serve.

20 And we're taking a little bit of a
21 different bet, we are working with a designer

1 who has not done any work in Cambridge, and
2 quite frankly has not done much work in a
3 building of this size before. Maya Lin who
4 many of you may know from her work, is
5 working with our campus team and with our
6 architect to design a space that will allow
7 us to, we believe, be inspirational and be an
8 important part of this city. And so, I hope
9 as we move through this process, if you have
10 any questions, we're happy to answer them.
11 Mr. Sieni ewicz will walk us through the
12 boards as how we're thinking about this as
13 part of the urban fabric, but I'm happy to
14 answer any questions you may have at this
15 time.

16 Thank you.

17 HUGH RUSSELL: Okay, thanks.

18 TOM SIENIEWICZ: Now, I promise to
19 handle my own boards. I'm Tom Sieni ewicz,
20 Chan Krieger NBBJ. I practice in Harvard
21 Square. Jeff finished with Maya Lin and

1 that's actually where I want to start. Why
2 Maya Lin? I mean, he also mentioned the fact
3 that there's an ambition here to create a
4 campus in a city that's full of campuses.
5 And that's not a mistake. So there's been
6 some very preliminary ideas and notions about
7 how this lot should be redeveloped, but Maya
8 Lin, if she's understood to be anything, she
9 is a designer that's incredibly sensitive to
10 site and to place, as she's the architect of
11 the Vietnam Veteran's Memorial in Washington
12 which really is a staggering piece of beauty
13 and incredibly sensitive to the place that it
14 is. And I think she's going to bring those
15 sensitivities to the creation of this campus.

16 So, I've had the good fortune to work a
17 little bit with her and talk to her about
18 what I know about this site and its
19 particularities and peculiarities that will
20 help her make a proper campus.

21 So, we've handed out these photographs

1 obviously to Members of the Board but to
2 members of the public who may not know Mass.
3 Ave. is pictured here. Kind of pictured here
4 is the existing campus, the large former
5 candy factory to the lower side. Windsor
6 Street here, next to this structure there.
7 Osborn on the other side, along the long
8 side. And State Street up above the Amgen
9 building.

10 So an important corner of Massachusetts
11 Avenue as you can see from this picture
12 tucked in behind MIT, zoned industrial at the
13 moment. So as of right, could be an
14 industrial site. As Jeff has pointed out,
15 that is not the intended use here. So if we
16 get a couple more of the photographs, Robert,
17 that would be great.

18 So the intention is to raise the Amgen
19 structure and to replace it with the new
20 campus. Now, you'll also notice that --

21 ATTORNEY JAMES RAFFERTY: Analog.

1 TOM SI ENI EWI CZ: Excuse me, Amgen.

2 Anal og.

3 JEFFREY LOCKWOOD: They might be
4 surpris ed wi th that.

5 TOM SI ENI EWI CZ: Anal og Devi ces
6 Bui l di ng. Busi nesses taki ng that down. That
7 woul d el i mi nate competi ti on.

8 JEFFREY LOCKWOOD: Qui te a headl i ne
9 i n tomorrow' s paper.

10 TOM SI ENI EWI CZ: That woul d create
11 the si te for thi s structure. Thi s i s a place
12 where Mass. Ave. turns, so we bel i eve the
13 corner of Mass. Ave. and Al bany Street woul d
14 be a very promi nent place i n our ci ty.

15 So to the peti ti oni ng i n parti cul ar and
16 how i t might affect the way i n whi ch we thi nk
17 about the si te, I' ll show a few more
18 pi ctures. Anal og bui l di ng. I n the
19 foreground of that pi cture -- we' ll just
20 pause for a mi nute there, i s the laun dry
21 bui l di ng that my col leagues have referred to,

1 also an MIT building. And is a building
2 that's probably not well suited to the
3 housing of laboratory structures. It's about
4 a 30,000 square foot structure. The
5 intention is that will be maintained in
6 perpetuity on this site in its current shape.

7 STEVEN WINTER: Excuse me,
8 Mr. Sieni ewicz. We've got a fan back here
9 and it's giving us a little background noise
10 and I want to hear everything you have to
11 say.

12 TOM SIENIEWICZ: Okay. Sorry, well
13 I'll speak directly into the microphone.

14 STUART DASH: You can hold it in
15 front of you.

16 TOM SIENIEWICZ: So let's flip to
17 the site plan, Robert. I think there's some
18 familiarity with the site.

19 So to the petition which contains two
20 requests, some flexibility in the height over
21 what's allowed now of 20 feet, 20 additional

1 feet, it's currently zoned for 120. And also
2 some additional FAR.

3 Firstly to the request of the height,
4 the additional height will allow us, allow
5 the designer some flexibility. As of right,
6 we can go to 120 feet on Mass. Ave. I
7 advised the design team that this is maybe
8 not the correct approach on that particular
9 corner in our city, and perhaps suggesting
10 that Mass. Ave. and deference to the historic
11 structure that's there that the structure in
12 front of the site should perhaps be lower.
13 And taking that into consideration, but that
14 means that FAR would be displaced
15 necessarily. There's also an atrium space in
16 the building that contains some FAR, but
17 that's not appreciably contributed to the
18 programming in the building.

19 And there's a significant amount of
20 about 30,000 square feet of FAR in the lower
21 levels of the building as well. So, the

1 combination of the historic structure really
2 I think good planning, good urban design to
3 set the height back from Mass. Ave., plus the
4 FAR in the basement means that the planning
5 of these building needs some flexibility to
6 go to the higher height.

7 The other thing, obviously the green
8 area, the campus area, the start of the
9 discussion, the additional height would allow
10 us to stack the program and provide a very
11 large open space both for the employees of
12 Novartis but perhaps more importantly as a
13 civic gesture giving us a sense of the campus
14 and a sense of the place really great and
15 wonderful green relief. And what I should
16 perhaps have pointed out in those photographs
17 we were looking at, you can see in your
18 package before you, there's virtually no
19 green space. Virtually and certainly no
20 grass. Some trees in that portion of
21 Cambridge so we think this would really be a

1 starting a really amazing transformation here
2 at this site. So the additional height
3 allows us to provide that space.

4 ATTORNEY JAMES RAFFERTY: Can you
5 talk about the proposed site on Mass. Ave.?

6 TOM SIENIEWICZ: The proposed height
7 of Mass. Ave. is in the order of 175 feet.
8 The proposed site on Mass. Ave. is between 70
9 and 75 feet at the corner of Mass. Ave. and
10 Albany Street.

11 HUGH RUSSELL: Is there any planned
12 parking going to be below grade?

13 TOM SIENIEWICZ: That's correct.
14 Parking will be provided below grade.

15 CHARLES STUDEN: How many levels
16 below grade of program space did you say part
17 of your programs being met below grade?

18 TOM SIENIEWICZ: It hasn't been
19 finally determined because we're in very
20 early stage of the design how many levels we
21 could go below. But the program spaces that

1 are counted in the FAR and in our current
2 calculations are at the first level below
3 grade.

4 ATTORNEY JAMES RAFFERTY: Just
5 following up on that response, there are two
6 issues that kind of led to the conclusion
7 that the existing FAR presented a constraint
8 and that is a likelihood of about 30,000
9 square feet of space associated with research
10 that's typically below grade will be part of
11 building. And that, that's four items that
12 are waiting in experimentation. And then the
13 other portion we're looking at the
14 possibility given the challenges with
15 excavation of having a portion of the floor
16 of the garage and the loading area above
17 grade. It would be berm but that you would
18 also lead to about another 20,000 square feet
19 of GFA. As you know, above ground in the
20 structured parking and loading areas do get
21 included. So when we put those numbers

1 together, the laundry building, we're almost
2 at about 80,000 square feet of the additional
3 118 is associated with ancillary functions,
4 not part of the core research, and that's how
5 we kind of arrived at this GFA increase
6 request.

7 TOM SIENIEWICZ: There's an
8 additional program element which is some
9 retail on that bow on the frontage of Mass.
10 Ave. that we think is really important which
11 would continue the pattern that we've
12 developed and supported on the other side in
13 the redevelopment of the candy factory.

14 CHARLES STUDEN: The reason I
15 mentioned the below grade space is it's
16 obvious the more you can put below grade, the
17 less you see above grade. I understand the
18 limitations that you, Jim, just explained.
19 So, yes, thank you.

20 HUGH RUSSELL: Any other questions?

21 WILLIAM TIBBS: I have questions,

1 but I'll wait until after the public hearing
2 portion.

3 TOM SIENIEWICZ: Jim points out at
4 this point an important detail. Maya Lin has
5 been commissioned to design one of the
6 buildings. And in fact Novartis has seen fit
7 to, given the scale of this development, to
8 actually hire yet another architect to do the
9 building, do a second structure on the
10 campus. So it won't be one hand. Maya Lin
11 is working with me in making a master plan
12 for the site, but the actual design and
13 detailing of the building and the structures
14 will actually be done by two different
15 architects.

16 HUGH RUSSELL: Okay. Does that
17 complete your presentation?

18 ATTORNEY JAMES RAFFERTY: Yes, it
19 does.

20 HUGH RUSSELL: Okay, shall we
21 proceed to the public hearing and the only

1 person that has signed up. Okay, the first
2 person and only person on the list is Charlie
3 Marquardt.

4 CHARLES MARQUARDT: I really don't
5 want to touch this thing. I want to start
6 with a couple of sort of process comments,
7 not directed at these guys, because I think
8 this building and what they're proposing to
9 do in bringing more biotech and expanding in
10 the city as well as all the other things that
11 are happening, is fantastic. But it would
12 help me if going forward, and I don't know if
13 this is you guys or Mr. Murphy, scale models
14 so we can see the entire thing from all the
15 way down into Central Square running all the
16 way down to Kendall Square. 120, 140, I
17 don't know, who the heck knows. I don't know
18 what it looks like. I'm sure we'll get to
19 that at some point.

20 I want to first of all, applaud them
21 for having two of my favorite stores outside

1 of East Cambridge and all of Cambridge with
2 Flower and Central Bottle, and I hope they do
3 something similar across the street. That's
4 awesome.

5 And I think we also have to just take a
6 step back and while this is a zoning relief
7 and this is a zoning relief for a very good
8 purpose, we also have to remember that it
9 could be somebody else in the future. What
10 struck me here is they're going to be
11 demolishing a building that was built in
12 1982. That's not all that long ago. I'm
13 willing to bet the Analog Device people
14 weren't thinking that was going to happen. I
15 hope we build something that's beautiful and
16 will last 100, 150 years. But we have to
17 thinking for what's best use along those
18 lines.

19 In terms of the FAR, I think it makes
20 total sense. I think we need to be faster at
21 this, not slower. The fact that for a good

1 purposes like this and all the other reuses
2 up and down, our zoning doesn't seem to be
3 matching. We need to rezone the city so we
4 can get faster. When you talk to people
5 building buildings, speed matters. Meetings
6 to have to rezone and then come back for the
7 architectural stuff, that kills the
8 competitive nature of the city. I think it
9 would help us if we could do something with
10 you folks maybe suggesting to the City
11 Council to change it.

12 And then I'll end with another biology
13 and chemistry thing, and I was going to say
14 to my friends here at Novartis, I hope we see
15 you on Friday night at another combination of
16 biology and chemistry, cooking for a cause.
17 It's good thing for Cambridge. I know your
18 counsel is going to be there so I hope you're
19 there.

20 HUGH RUSSELL: Thank you. Does
21 anyone else wish to be heard on this case?

1 (No Response.)

2 HUGH RUSSELL: I see no one. So I
3 would suggest that we would close this
4 hearing for public testimony. Is that
5 agreed?

6 (All Members Agreed).

7 HUGH RUSSELL: Okay.

8 IRAM FAROOQ: I just have something
9 for you.

10 HUGH RUSSELL: Do you have some
11 advice for us?

12 IRAM FAROOQ: So, I guess you've --
13 I think Mr. Rafferty mentioned that this site
14 was rezoned in 1991 during the citywide
15 rezoning. The whole thing -- it was 4.0 FAR
16 for all uses and it was reduced during the
17 citywide process where we really tried to
18 provide an incentive for residential as
19 opposed to commercial. So the residential
20 FAR was left at 4.0 and commercial,
21 non-residential was dropped down to 2.75.

1 Because at that point building, housing in
2 the city primarily -- particularly and also
3 trying to encourage affordable housing was
4 the primary goal that we were really pushing
5 for very hard. And as times have changed,
6 we're realizing how important it is in order
7 to maintain the sort of Cambridge's place in
8 the innovation economy to continue to allow
9 for life sciences uses and other high tech
10 uses which sort of what brings us to the
11 table today. And I think we're all
12 supportive in broad terms of what's being
13 asked for here. I think our thoughts are
14 just more having to do with minor
15 modifications and what Mr. Rafferty said
16 about the sorts of things that might be
17 Special Permit criteria or design guidelines
18 in this area.

19 So, one of the things is to think
20 about, we have that set of maps where we
21 zoomed out a little bit further than the maps

1 that you see there. And we see that the
2 parcel is actually not that far from the
3 residential neighborhood at Washington Elms.
4 And also the old Polaroid building which MIT
5 owns, which is right behind the buildings --
6 north of the building where it says -- yes,
7 thank you, Jeff. That one. Is not currently
8 residential use, but it could be envisioned
9 that it might be transformed use and if it
10 turns to residential use, then we would have
11 residential abutters pretty close to the
12 site. So it would be good to think about the
13 transition between this parcel and the
14 neighborhood. And perhaps some height
15 setbacks might be a good idea on that side.
16 So maybe not thinking about lower heights
17 along Mass. Ave., but along the north side of
18 the parcel instead.

19 Also, retail. Novartis has done
20 wonderful retail in their previous -- in
21 their other building, and it's not a

1 requirement here, but perhaps we might want
2 to consider should it be a requirement on the
3 Mass. Ave. front.

4 And finally in terms of the design
5 guidelines we're thinking the treatment or --
6 sorry, the Special Permit criteria, the
7 treatment on this street edge on Mass. Ave.
8 and Windsor Street which is really in need of
9 some help and it's really important
10 north/south street going off of Mass. Ave. so
11 a treatment on Windsor Street, also Albany.
12 So all of those should be thought about maybe
13 just active uses so not trying to prescribe
14 retail or anything, but goods not to see
15 parking garage entrances on those faces.

16 And then thinking a little bit about
17 open space and connections through the site.
18 So even though it's not formal, a lot of
19 people use the site to cut through -- there
20 is of course Smart Street right now. So --
21 and again, in their building across the

1 street, Novartis has very nicely managed the
2 open space and connections component. And
3 something similar as criteria or as
4 guidelines would be nice to think about that
5 maybe we all be conscious and thoughtful
6 about how we think about the open space and
7 connections going through the site,
8 especially since we're thinking of three
9 buildings potentially.

10 And, again, on the neighborhood side
11 also thinking about shadows and mechanical
12 noise, which you have criteria for that in
13 the broader Article 19, but maybe more --
14 something more explicit here.

15 And my final thing is about parking.
16 So, here the zoning actually allows for --
17 the zoning that is proposed allows for either
18 office -- general office or R&D use. And
19 Novartis's SOV component is very small, but
20 just because this is zoning and not Special
21 Permit, it may be good to think about maybe a

1 parking cap to manage potential
2 transportation impacts if something else goes
3 on the site sometime in the future.

4 So we've used another pieces 0.9 per
5 thousand square feet. That might be a good
6 starting point. We'd be happy to have more
7 discussion with our, we were hoping to have
8 more discussion with our transportation staff
9 to come up what might be a perfect number.
10 So that's all from us.

11 UNIDENTIFIED MALE: Can you identify
12 yourself?

13 IRAM FAROOQ: Oh, I'm sorry. I am
14 Farooq, Community Development.

15 HUGH RUSSELL: I would just add a
16 little bit onto that. There was another
17 goal, major goal on the citywide rezoning
18 which was to try to in some way fairly
19 allocate the limit to traffic resources of
20 the city and that -- and one of the things
21 that led to the down zoning of the industrial

1 districts. And it seems to me that it would
2 be reasonable to put in this district the
3 provision that the traffic impacts would be
4 limited to, you know, 27/35ths of the
5 normally permitted impacts. And i.e. that
6 traffic impacts shouldn't exceed the impacts
7 of a building of FAR of 2.75. I'm not quite
8 sure how to word this. I mean, you could
9 just do the math and say the 0.9 should be
10 reduced to 0.8 on the parking. And based on
11 the SOV and numbers cited, I think this
12 really doesn't require any additional kinds
13 of things that Novartis isn't already doing.
14 They're already, I'm sure, substantially
15 received a -- I don't know what the right
16 word is. But they're doing much better than
17 they have to across the street. And there's
18 no reason to think they're not going to
19 continue. But I think as a matter of zoning,
20 it might be nice to try to figure out some
21 way to do that.

1 Susan.

2 SUSAN GLAZER: If I can comment on
3 that. After our conversation this afternoon,
4 we did go back and look at what the citywide
5 zoning was predicated on, and at that time
6 along Mass. Avenue in this area, there were
7 more than 29,000 average daily trips, 29.6.
8 Using the same methodology, we looked at a
9 2009 count, and granted there had been some
10 construction in the area and the economy was
11 different than it was, but using the same
12 methodology, the average daily trips was
13 13,500. So clearly, at least in this area,
14 significantly less traffic. And in fact what
15 we're seeing citywide is less traffic than
16 what was done in the late 1990's which is the
17 time when we were studying the traffic in
18 terms of the citywide zoning.

19 HUGH RUSSELL: So the conclusion one
20 would draw from that is two reasons:

21 One is something good is happening.

1 And secondly, this small increase in
2 FAR isn't of any great concern.

3 SUSAN GLAZER: Yes.

4 HUGH RUSSELL: Charles.

5 CHARLES STUDEN: I actually have a
6 slightly different perspective on that, and I
7 think this came up during the Town Gown
8 presentations not too long ago, and we're
9 going to be talking about again later
10 tonight, and that is it has to do with a
11 cumulative impacts of all of the developments
12 being proposed in this general area,
13 including Kendall Square. Alexandria
14 recently approved one and a half million
15 square feet for them along Binney Street.
16 MIT came to us in the fall with a kind of
17 informational presentation suggesting that
18 they were going to add another million and a
19 half square feet along Main Street in Kendall
20 Square. And so I think that the traffic
21 needs to be looked at in a much broader way.

1 And I think the potential for significant
2 impact is really there as a result of what we
3 see coming on the horizon.

4 The other thing I'm a little bit
5 concerned about, and I think the Community
6 Development Department's suggestions about
7 additions to the petition are really good.
8 And I'd like to see them written up so I can
9 understand them a little bit better, has to
10 do with the residential issue. Everyone is
11 concerned -- MIT says they're concerned, and
12 I'm concerned about the vitality of Kendall
13 Square. And part of what makes a place vital
14 is having people living there and working
15 there. It's the thing that assures that you
16 have night life, otherwise people just get in
17 their cars and get on the subway and they
18 leave and it's a no man's land after that.
19 So I like the idea of the building to the
20 east of the site that has the potential of
21 being converted eventually to residential

1 use. And that does suggest a slightly
2 different height issue because that building
3 wouldn't be a very attractive or as
4 attractive as a residential use if that
5 building were too high. Again, it goes to
6 this idea that maybe more should go
7 underground if that was a possibility. So --
8 and I know the city has hired a consultant or
9 is about to hire a consultant to look at
10 Kendall Square Main Street into Central
11 Square, and I think that this site is very
12 much a part of that. It's not that far from
13 it. And I think we just need to all work
14 together as we develop this to make sure that
15 these impacts are properly addressed.

16 HUGH RUSSELL: Pam.

17 PAMELA WINTERS: Can I just -- I
18 agree with you, Charles. And not being an
19 architect it's really hard for me to
20 visualize what an extra 20 feet would do to
21 the surrounding buildings. So, you know,

1 perhaps a model or some other way of --

2 WILLIAM TIBBS: She's stating.

3 ATTORNEY JAMES RAFFERTY: I just
4 wanted to help.

5 PAMELA WINTERS: -- but just some
6 other of visualizing this for those of us and
7 the public that may not be architects would
8 be really helpful.

9 UNIDENTIFIED MALE: That's what this
10 is intended for.

11 PAMELA WINTERS: I got that in my
12 packet, but it's still hard for me to kind
13 of, you know, really see how that would
14 impact.

15 Thank you.

16 HUGH RUSSELL: Bill.

17 WILLIAM TIBBS: I'd like to comment
18 on that, too. I must admit, Susan, when you
19 said what said, my first reaction is I don't
20 believe it, but I do believe it's probably a
21 reasonable number. But I think that I'm

1 agreeing with Charles, is that I think that
2 needs to be -- I need to understand it in a
3 bigger context of what really is happening.
4 Were they just faulty -- and you don't have
5 to answer this right now. Were they just
6 faulty in their approach or are we using
7 different approaches in this time or
8 something fundamentally happened that would
9 cause that kind of drop? Or has it shifted
10 from here to somewhere else that we need to
11 be mindful of. I think these are things that
12 I think is helpful. I'll just go on to give
13 you my comments.

14 I'm always mindful on the zoning
15 petitions that they're zoning petitions as
16 much as -- and I first want to say that I
17 think your cause is noble and you've been a
18 great business to have here and a great --
19 and I think whatever we can do to help will
20 be helpful. But I think I need to feel
21 comfortable in making a zoning change that we

1 have -- we're using criteria, zoning criteria
2 or we have enough criteria that we understand
3 that it's not just a, we need a site to do
4 this, so can you change the zoning? Is there
5 some good reason to do the zoning? So I
6 think that's -- and I tend to -- my first
7 reaction when I saw that, when you started
8 talking about the building, it's, you know,
9 I'm glad there's not a lot of public here
10 because they always get confused about that
11 and start talking about the building and the
12 heights and stuff. And so my question, and
13 with the understanding that I'm supportive of
14 the idea but need to understand why you need
15 a zoning change in order to do it, I have
16 several questions.

17 One, is what can't you do with it in
18 the existing zoning? As I look at it,
19 basically what you're asking for other than
20 the height change, is a hundred thousand
21 dollars shift in the non-residential

1 versus --

2 CHARLES STUDEN: Square feet.

3 WILLIAM TIBBS: Square feet. Yes,
4 I'm sorry. Hundred thousand square foot
5 shift in the residential to non-residential.
6 And I think some of the questions that
7 Charles was asking in the sense of have you
8 looked at those things like putting more
9 underground so that you can, you know, have
10 those kind of balances. And I just wanted
11 to -- I just need to have an understanding of
12 that. I'm interested in but less concerned
13 at this stage about the design because I
14 mean, you could have presented anything to
15 us. You could have -- you could have open
16 space right on the corner of Mass. Ave. which
17 I think would be -- or you could have a
18 taller building on each -- you know, you can
19 put whatever. So I'm just interested in what
20 are the core reasons for the need even though
21 I'm not opposed to the idea of it?

1 The other thing is that I guess I'm
2 interested and I think this may be more of
3 the staff's question, what is the -- I mean,
4 there are several special districts in this
5 area. Your current building is in one. So
6 what is the special district strategy, so to
7 speak, from a zoning perspective? What is
8 the -- what are we trying to do and what are
9 some of the criteria there, and just how
10 does that fit into that strategy? And are we
11 accomplishing what we want?

12 And then this whole issue of not having
13 criteria, I kind of understand -- it's
14 probably a good idea to kind of build them as
15 you go along, but I certainly feel
16 uncomfortable what those criteria are.
17 Unless you're saying that as part of this
18 process you want us to start to build that
19 criteria.

20 And then there's Mass. Ave. This is a
21 very critical undeveloped piece of Mass. Ave.

1 in an area that is not all that great. So,
2 what is our attitude about Mass. Ave. there?
3 Does it need to be broader? Do we -- I mean,
4 your existing building was a big, huge
5 building. You've done wonderful job of
6 repurposing it. But if we could have lifted
7 that building up and done something
8 differently, we probably would have had a
9 different attitude about how we're treating
10 Mass. Ave. So, I'd like to get a sense of
11 what the criteria would say about Mass. Ave.
12 itself, and what we're trying to accomplish,
13 not just retail but not in terms of space and
14 size and those kinds of forms, and how the
15 open space, sort of how it gets there. And I
16 think that that's for the time being. I just
17 want to make sure that we talk about this in
18 the zoning perspective and really hone in on
19 why you need this zoning change as of, you
20 know, so that we are comfortable that we feel
21 that that's reasonable that we can go that

1 way.

2 HUGH RUSSELL: Okay. Tom.

3 THOMAS ANNINGER: I guess I am
4 started the process of building some criteria
5 to work with, and I guess I want to add to it
6 just in two areas.

7 One, the intersection of Albany and
8 Mass. Avenue now is -- I think you mentioned
9 it as becoming important. I think it has the
10 potential to be a new square. And I think we
11 ought to think in terms of what we learned
12 today a little bit form based zoning to try
13 to shape what it is what we would like to see
14 there as a square. Because whatever is built
15 there, others who build across the street and
16 so on will try to respond to. So I think we
17 have a real chance here to sculpt and shape
18 what it is that we're looking for. So I
19 think that would be one area where I'd like
20 to see if we could develop something. And I
21 don't know what quite that should be, but I

1 have an idea of how they do it across the
2 Atlantic when they shape an intersection,
3 they tend to turn it into a place. And we
4 haven't been quite as good at that as we
5 might be. I think this is an opportunity for
6 that.

7 The other area that I guess we're all
8 talking about is the height. There's a
9 pattern developing. I can think of three
10 areas where we've now said 120 feet is really
11 140 feet. One is the Boston Properties
12 building on, what's that street that connects
13 Broadway and Main Street? The one that was
14 residential and is now the --

15 UNI IDENTIFIED AUDIENCE MEMBER: Ames.

16 THOMAS ANNINGER: Ames. Then
17 there's of course Alexandria.

18 ATTORNEY JAMES RAFFERTY: There's no
19 change, the MXD. That petition didn't change
20 the height in the MXD district.

21 THOMAS ANNINGER: Is it 120 or 140?

1 ATTORNEY JAMES RAFFERTY: 250.

2 THOMAS ANNINGER: Oh, you're right.

3 You're absolutely right.

4 HUGH RUSSELL: That would be lower.

5 ATTORNEY JAMES RAFFERTY: It wasn't
6 a component. I'm familiar with that
7 petition. It wasn't a component of that
8 petition. It was strictly an increase in the
9 GFA cap of 300,000 square feet. It is true
10 with Alexandria that there were two buildings
11 permitted in 140.

12 THOMAS ANNINGER: That's right. I'd
13 forgotten. 250 really? My God. And put
14 aside the Ames that I didn't get quite right,
15 these are all three now biotech and not
16 residential?

17 ATTORNEY JAMES RAFFERTY: Right.
18 The building isn't proposed to be 250. It's
19 just that the MXD district height was at 250,
20 so that's why the petition didn't address the
21 height.

1 THOMAS ANNINGER: How -- well --

2 HUGH RUSSELL: Retail housing scheme
3 was pretty tall. It was over 200.

4 ATTORNEY JAMES RAFFERTY: It's about
5 the same height.

6 THOMAS ANNINGER: It was tall and
7 thin. Now it's not going to be quite so --
8 it's going to be bulkier building. But I
9 don't want to talk about Ames Street.

10 ATTORNEY JAMES RAFFERTY: We'll be
11 back in two weeks.

12 THOMAS ANNINGER: I want to talk
13 about the fact that we're raising heights and
14 we're substituting biotech life sciences,
15 laboratories for residential which has, among
16 other things, a big impact on the roof. The
17 rooftops now are going to be at least 20 feet
18 higher, so we're not talking 140, but we're
19 probably talking 160, maybe 170. There's a
20 -- that rooftop is unlimited. And I must say
21 we've talked a lot about rooftops and we even

1 put some language in zoning. It's more
2 auditory. We wish people would think more
3 about it. We haven't done a great job, I
4 don't think. And I was thinking about it the
5 other day when I looked at the top of the new
6 Harvard law school. That is a rather
7 ungainly rooftop that we didn't think enough
8 about. And that's not even a laboratory. So
9 I think when you get to 160, 170 feet, you
10 have a real responsibility to respond to that
11 height that you are really building, and that
12 has become a pattern throughout the whole
13 eastern side of the city. And as we start to
14 think about possibly rezoning the whole area,
15 somebody might have the bright idea that we
16 might go to 140 feet and have that use that
17 we now like of life sciences. We're going to
18 have a very tall and possibly bulky area to
19 deal with. And I think that places great
20 emphasis on the design and the architecture.
21 We just struggled with Alexandria, not

1 entirely successfully, but it's going to be a
2 very large building. I hope you will take
3 that on as a real challenge, because I think
4 there's a risk that we turn this side of the
5 city into something where we think of the
6 city as weighted down on the eastern side,
7 and I think that would not be good.

8 HUGH RUSSELL: Ted.

9 H. THEODORE COHEN: Well, I have a
10 different perspective on a lot of this. And
11 starting with Tom's comment about roofs, I
12 think we do not do a good job about roofs and
13 about penthouses, and I think we ought to
14 think about that a lot more. But moving that
15 aside, I've always been of the opinion that
16 Mass. Ave. could be much higher all along and
17 could be a main spine all through the city
18 with certainly the mixed use in a lot of
19 places with residential on the bottom -- I'm
20 sorry, retail on the bottom and residential
21 above it. I think if, you know, you may not

1 think the buildings around a thousand Mass.
2 Ave. are great buildings, but they're tall
3 and they don't weigh down anything. They're
4 just part of the city's fabric. I think this
5 part of Mass. Ave. -- first of all, right now
6 the intersection is a nothing intersection,
7 it's a parking lot. Anything that we can
8 help to put there that will improve it is
9 going to be a dramatic improvement. I think
10 there are a lot of very big buildings all
11 along in that area. You've got all the MIT
12 buildings. You've got the warehouse
13 building. You've got Genzyme -- I'm sorry,
14 you've got Novartis. You've got lots of
15 other buildings. I see no reason why this
16 can't be a large building if it's well done.
17 I think retail on the ground floor is
18 imperative. I do applaud what you've done
19 across the street, and I think those
20 buildings and, you know, when you talk about
21 Mass. Ave. and what's going to happen to it,

1 there has to be a lot of retail. Charles was
2 talking about we need residential to bring
3 people in. We need the retail to bring
4 people in to get them there. I mean, if you
5 look at that strip where there are now some
6 bars and some clubs and more restaurants,
7 there are a lot more people. There are a lot
8 more activity late at night. I think we do
9 need criteria, you know. I think the list
10 that was presented is a good start and that I
11 do think that we do need to see some language
12 and be able to comment about the language.

13 We've been talking about the need for
14 more residential and I, you know, it doesn't
15 trouble me in terms of rezoning whether this
16 is the right way to rezone it or rezone it
17 for this property or not, that we had allowed
18 or the city had allowed almost as high and
19 certainly a large gross floor area for
20 residential. I certainly been arguing for
21 more residential all over the city, but I

1 don't have difficulty if it seems the
2 appropriate thing to do to switch that size
3 that the city was already willing to do away
4 from residential to an appropriate commercial
5 or research and development or biotech
6 project.

7 And I guess my last point is, you know,
8 sure, whatever can be done underground would
9 be great. I wonder, though, what issue you
10 would have with the subway, whether that
11 impacts upon your underground proposal or
12 not.

13 HUGH RUSSELL: Steve.

14 STEVEN WINTER: Thank you,
15 Mr. Chair. My colleagues were providing some
16 very good perspective and feedback as usual,
17 and I just wanted to mention that in fact the
18 Board is proving itself to be the good Board
19 that it is. I just want to point out a
20 couple of things.

21 I concur about the traffic study. You

1 need to go up higher. I think that we need
2 to recognize that Novartis has a very
3 successful TDM, and along that line this is a
4 company that didn't build on a green field,
5 and didn't want to. They built in an urban
6 ecosystem of commerce and innovation. They
7 have our core values about what it ought to
8 look like and what it ought to be, and I feel
9 like they're going to take pretty good care
10 of it the same way that we would.

11 The conductivity across the avenue is
12 going to be very important as Tom mentioned.
13 And I think there's a lot of ways to make
14 that a really exciting connection across the
15 avenue, which is, you know, it's a huge part
16 of the heart of Cambridge.

17 The additional height, you know, if the
18 additional height allows in-fill development
19 with preservation of buildings, with
20 development of open space that's pedestrian
21 permeable, I think those are pretty good

1 tradeoffs.

2 And I think that Iram had some very
3 good points about the street edges needing
4 active uses and needing to be careful on how
5 we see the sides of this building, the edges
6 of this building. I think that's going to be
7 very important. I think we're really on the
8 right track here and I think we're headed in
9 the right way.

10 HUGH RUSSELL: Ahmed.

11 AHMED NUR: My colleagues have
12 covered all the points that I wanted to make.
13 The only thing that I wanted to add on to, on
14 to the criteria from Iram is the crossing.
15 I'd like to see the amount of industry for
16 workers that would be going between the
17 buildings. I often drive through Harvard
18 Square -- not Harvard Square, on Cambridge
19 Street between the school of designers,
20 there's two buildings that are like that.
21 And it's constant with people crossing on

1 that sign. And so with the rail road on
2 Albany Street on the one side and all the
3 traffic on Mass. Ave. and then Albany coming
4 in. Usually I drive in the evening from
5 Chestnut to go to Harvard Square, I ignore
6 Putnam and I go through Mass. Avenue and cut
7 across the back and it's really trafficky.
8 So, yes, I'd like to really just to see if we
9 could get some sort of idea as to how do we
10 get the people going back and forth between
11 the two buildings?

12 Thanks.

13 PAMELA WINTERS: Ahmed, can I just
14 piggy-back on what you just said? We did
15 want a tunnel. The Planning Board did want a
16 tunnel to go underneath Mass. Ave. but I
17 believe it was the residents that --

18 HUGH RUSSELL: Cambridge Street.

19 PAMELA WINTERS: Cambridge Street,
20 I'm sorry. But I believe it was the
21 residents that did not want that to happen.

1 But that might be a possibility here. The
2 Planning Board did think that would be a good
3 idea at the time.

4 AHMED NUR: There was a steam tunnel
5 under there by the way.

6 HUGH RUSSELL: It wasn't easy.

7 PAMELA WINTERS: Yes, it was not
8 going to be easy, but Harvard was willing to
9 do it.

10 HUGH RUSSELL: And of course given
11 that it's a Swiss corporation, maybe they
12 should do an aerial tramway.

13 ATTORNEY JAMES RAFFERTY: Please
14 don't give them any ideas, Mr. Chairman.

15 Would I be permitted two minutes just
16 to conclude?

17 HUGH RUSSELL: Sure.

18 ATTORNEY JAMES RAFFERTY: Thank you.

19 I apologize. But we did have -- we did
20 discuss a number of tradeoffs of criteria.
21 We think the most prominent one on the height

1 is that the building height along Mass. Ave.
2 is 50 feet below what's permitted. So the
3 idea really was to create some diversity in
4 form. So we would anticipate that a criteria
5 that would allow 20 feet and a portion of the
6 building higher than 120 would have to be
7 accompanied by a double reduction elsewhere.
8 Our initial thinking. So that's what that is
9 intended to depict.

10 The other criteria or component or
11 requirement, and we've been talking with
12 staff and counselors about this, is an open
13 space requirement. In the industrial B
14 district there is a zero open space
15 requirement. So if there's going to be added
16 density or added height, you shouldn't rely
17 on this Board to get it. It should be a
18 criteria for that.

19 Thirdly, it should be noted that up
20 until 2000 you couldn't do housing on this
21 site. We didn't allow housing in industrial

1 districts until we did the citywide zoning.
2 This is slightly different I would
3 respectfully suggest, an echo where we
4 created a housing district. I'm not sure
5 there was ever that an expectation for
6 housing going in this location. It has a
7 long industrial use.

8 And finally, with regard to the traffic
9 generation numbers here, we broadly asked for
10 an increase in FAR, to 3.5, without limiting
11 the uses. As you know, the industrial B
12 district is the most expansive district we
13 have. Nearly every use in the book can go in
14 this location. The traffic generation and
15 life science and technical office is limited.
16 It's different than general and some other
17 forms of industrial. And I don't think it's
18 likely that we're going to see big, you know,
19 ironworker plants here or whatever. But the
20 notion is that we could narrow, we, the Board
21 or the Council we would anticipate could

1 narrow the FAR increase to the 3.5 to this
2 use with an acknowledgement or a recognition
3 that this type of use has a reduced traffic
4 generation, because the populations and
5 buildings of this size we know are different
6 than similarly sized office buildings. So if
7 this were to be a general office building of
8 this size, it is reasonable to anticipate
9 you'd see greater traffic volume. We didn't
10 narrow that down because we frankly thought,
11 you know, that would be the type of
12 conversation we'd have here and hopefully be
13 able to reach that. But I think all of the
14 suggestions are consistent with what we're
15 hoping to do.

16 Our strongest limitation is the desire
17 to get some understanding that what's being
18 proposed here is workable and that we can
19 continue to talk about the design side.

20 We're going to be at the Ordinance Committee
21 next week and I'm sure we are going to

1 continue this discussion at a later time. I
2 would be happy to submit our proposed
3 criteria. And as I said, we thought maybe
4 people might be more excited about that
5 criteria if you came up with them yourselves.
6 But since you didn't I sort of gave you what
7 we I think might be good criteria. All of
8 those issues, I think there are mechanisms
9 and language within zoning that can reduce
10 this. And so that it's been said, well, you
11 know, you're Novartis, that's you, but what
12 about someone. When they build this facility
13 as a campus research center, it's not going
14 to change in ten years and become something
15 else. This is a long-term commitment. I
16 appreciate you allowing me the time to
17 elaborate on that.

18 Thank you.

19 HUGH RUSSELL: I am.

20 IRAM FAROOQ: I just wanted to
21 rectify an oversight that I neglected to

1 menti on. The consul tants that we wi ll be
2 getti ng on board for the Kendal l Central
3 study, and i t' s very much wi thi n thei r scope
4 to look at all of the rezoni ng proposa ls that
5 are comi ng al ong i n thi s area so that the
6 cohesi ve vi si on that' s devel oped for that
7 area i s sort of the gui di ng pri nci ple that
8 gets appl ied through each of these.
9 Unfortunatel y we don' t have them on board
10 just yet, and they were out of town so we
11 weren' t able to get them here today, but
12 we' ll certai nly be havi ng those conversati ons
13 pri or to.

14 THOMAS ANNINGER: Have they been
15 chosen?

16 IRAM FAROOQ: Yes.

17 CHARLES STUDEN: So we have a
18 consul tant to the ci ty that' s on board at
19 thi s poi nt?

20 IRAM FAROOQ: I' ll defer to Bri an.

21 BRIAN MURPHY: I woul d expect at

1 Monday's City Council meeting there will be a
2 proposal from the City Manager to request an
3 appropriation for the consultant. I believe
4 today we were finalizing the details with
5 him. We'll have him on board my hope is as
6 of Monday as soon as Council responds to the
7 appropriation.

8 CHARLES STUDEN: I just, on behalf
9 of the applicant, I wouldn't -- I can see a
10 timing issue here. A consultant's going to
11 be brought on board and looking at some
12 things that would be important to them moving
13 forward, again, I want to go on record and
14 saying that I think this is very exciting and
15 I'm delighted that Novartis wants to remain
16 in Cambridge and create this campus on the
17 other side of Mass. Ave. It's great. It's
18 just that all the issues that we talked about
19 tonight need to be flushed out, and I think
20 we're going to need the help of that
21 consultant to do that.

1 BRIAN MURPHY: Right. And they've
2 been made aware that they will have to hit
3 the ground not just running but sprinting at
4 great neck speed. They've been asked to
5 start thinking about it. And frankly we were
6 pleased with the level and the level, depth
7 and breadth and creativity of even their
8 response to our proposal that gives us a
9 great amount of confidence that they will be
10 able to do that and to do it in such a way
11 that does not impede this applicant and
12 others in terms of going forward.

13 CHARLES STUDEN: Good.

14 WILLIAM TIBBS: I just wanted to say
15 that we spent so much time on Mass. Ave,
16 particularly north Mass. Ave. in really
17 trying to make Mass. Ave. work. This is a
18 little pocket of Mass. Ave. that just needs
19 some work and needs some thought, and this is
20 such a significant potential project on the
21 -- in that pocket that I think I just want to

1 make sure we really are thoughtful about what
2 we're doing there.

3 HUGH RUSSELL: What I'd like on many
4 streets that need potentially a lot of foot
5 traffic there to support uses.

6 I think we've all said it in our own
7 way, that we all look favorably upon the
8 proposal. We would anticipate recommending
9 it favorably to the Council. And the
10 question is really how much we can get you to
11 the criteria. I would encourage Mr. Rafferty
12 to meet with the people in the department who
13 I think you know already, and if I could give
14 a piece of advice similar to Charles, which
15 is that you can state some criteria generally
16 and then when the project comes forward, you
17 can see how the project meets those more
18 general things or you can study it to death
19 up front. This may be a case to facilitate
20 Novartis's schedule which I'm assuming
21 they're wanting to move expeditiously on

1 this. You might want to think about it,
2 trying to have a nice tight schedule of
3 getting the zoning in place because I think
4 we all have confidence that even if every
5 nitche is not picked in the zoning it will be
6 addressed in the building and we've got a few
7 more months for that.

8 So are we complete on this?

9 ATTORNEY JAMES RAFFERTY: Thank you.

10 HUGH RUSSELL: Thank you. Let's
11 proceed. The Board will hear the Fox, et al
12 zoning petition to rezone a portion of
13 between Cottage Park Avenue and Edmunds
14 Street. This is a proposal which I believe
15 is being submitted in the identical form that
16 was submitted earlier. It's being
17 resubmitted because the Council failed to act
18 within the statutory time frame.

19 If I can give a piece of advice, you
20 probably don't want to have the whole piece
21 redone. But to know -- have a good summary

1 and to know what's happening in your thinking
2 in the last six months would be very helpful.

3 CHARLES TEAGUE: Yeah, I looked at
4 the transcripts and I decided that I really
5 sort of missed the point in the whole Fox
6 Petition. So I have some notes if you're
7 interested in the other topics, but it seemed
8 that the real issue was the spot zoning and
9 the reason why spot zoning -- why it wouldn't
10 be spot zoning or reverse spot zoning. So if
11 you're interested in the other concerns such
12 as splitting into multiple districts and
13 things like that, I have some handouts if we
14 can just pass these down.

15 HUGH RUSSELL: Okay.

16 CHARLES TEAGUE: My name is Charles
17 Teague, 23 Edmunds Street. And really, you
18 know, I'm not quite sure how I'm going to
19 arrange things here today. But anyways, if
20 you remember, the Fox Petition is just
21 rezoning a small section. And what happened

1 at the last Planning Board hearing is that
2 recommended against it without a more
3 detailed study even though you really did
4 understand really the classic, some of the
5 classic concerns of density and parking and
6 traffic. But there was the -- but reverse
7 spot zoning was really what I want to focus
8 on very quickly tonight. And a big change
9 that's happened is that the Fawcett
10 redevelopment has been announced. And so
11 this was all written by Les Barber and Bill
12 Fox and Bob Sear. The real defenders of
13 their street. They just couldn't bear to
14 come out again. And this as you announced
15 was re-filed and because there was a snow day
16 on the Ordinance Committee hearing.

17 So, at the last time Les Barber he gave
18 us this criteria for -- if the Board needs to
19 find that there's a legitimate public purpose
20 in making this change, the issue of spot
21 zoning wouldn't be an issue. And then Les

1 went on to provide some documentation as to
2 why he felt that would be the case. And so,
3 really the case is really about safety.
4 Cottage Park is, you know, everybody believes
5 their street is special. This is actually
6 special because it is so narrow. It's a dead
7 end. So it has to be two-way. It's so
8 narrow it should be a one way street. And
9 when we talk about Norris Street, that's a
10 one block long street, but it's one way. And
11 it has a dog leg. These other streets are
12 straight. So, what I'm trying to illustrate
13 here is that you can't see around this
14 corner. And what's more, people are forced
15 on the wrong side of the road. This happens
16 to be when there isn't a car parked here.
17 Usually, usually with this shop here someone
18 is usually parked at the hydrant. But it's
19 really hard to understand the street without
20 experiencing -- I think Pam Winters has
21 experienced it many times. And it's really

1 when you face down the car there in your car,
2 and it's pretty impressive.

3 So, we don't have the star here, so
4 I'll try to fill in for him. We've had
5 trouble on the street ever since I've lived
6 there, one thing or another. So since 1955
7 which was a different time and place. And so
8 Fawcett had rented out to 18-wheel trucks and
9 they were careening down the street, and what
10 tipped him over the edge were those -- my
11 daughter walked onto the sidewalk and a
12 little dog went out in the street and the
13 truck killed it. And that was a big change
14 in his life because they spent two years at
15 the City Council every Monday and they
16 convinced the City Council to take action.
17 And he goes on to say, which resonated the
18 last time, the city has to do something with
19 the street to bring new traffic in and out.
20 You can't just build an island without a
21 road. And there's a man who is a very

1 practical guy. He's lived there forever, and
2 he's just spent a huge amount of time on
3 this.

4 So, here's the overview. This is a
5 little anomaly to use Les Barber's term, is
6 where Business A-2 is supposed to be a
7 hundred feet off of Mass. Ave. and here it
8 comes out deeper and it hits part of the
9 Emerson property. And their attorney I
10 assume will speak later.

11 And here's a little better depiction of
12 the complexity of this street which is that
13 here we have Residence B on the left, we have
14 Special District 2 on the bottom and we've
15 got Business A-2. Special District 2 is
16 designed to go to residential, and that's
17 what's happening in the Fawcett. Fawcett is
18 going to be entirely rental apartments.

19 So in this case you actually have a
20 fourth zoning district over here which is the
21 Mass. Ave. Overlay District. And further CDD

1 has been working with -- along north Mass.
2 Ave. to change Business A-2 to encourage
3 commercial use. So, that zoning would
4 actually amplify all the issues that we have
5 with commercial development.

6 So here's the overhead. We can see the
7 Special District 2 line. So Cottage Park is
8 the Residence B line. So this is all
9 Residence B. This is a nice low density
10 development. It's five units, two bedrooms
11 each. And this, this will be talked -- the
12 Emerson's attorney will be talking about a
13 lot. And what's important -- one of the many
14 things that's important is there's a good
15 section of the building, it doesn't look by
16 eye, but my calculation about 40 percent of
17 the building is in Special District 2 which
18 has an implicit set of development rights.

19 And then over here is Fawcett. Tyler
20 Court is one of the accesses to Fawcett Oil.
21 There's -- you can over here see Edmunds

1 Street. They own this property here and they
2 rent this parking to Marino's. The health
3 clinic right here, and Fawcett also rents
4 parking out in this other lot as well. So
5 it's going away. All these buildings are
6 getting torn down. Over here the Two Fawcett
7 building here and the building that caught
8 fire recently.

9 So, this is an abstract of the Nixon
10 Peabody letter that you all got once again
11 today. And it talks about uniformity and the
12 districts being uniform. District A-2 is
13 defined as 100 feet off Mass. Ave. This is
14 one of the three places that CDD was looking
15 at. So we look at this map. The blue is
16 right here. It's fallen off. This is what
17 we're talking about tonight. But CDD was
18 also looking at rezoning this area over by
19 Trolley Square and this area over on
20 Henderson Carriage. So here it is on CDD's
21 own handout, one of the five -- this handout

1 was delivered more than one time, and they
2 had five community meetings over the past
3 year to examine the appropriateness of the BA
4 District 2 boundaries of 100 feet. This is
5 exactly what we're doing here tonight.

6 This was going to be a better picture.
7 I'm not sure it is. This is the Trolley
8 Square bump out. This is the tiny bump out
9 over here that we're talking about. And then
10 over here is the Henderson Carriage building.

11 So CDD had this in process but it was
12 synchronized with encouraging more commercial
13 use. Right now Business A-2 allows more than
14 double the density in FAR for residential and
15 commercial. So, what we've had over here is
16 Trolley Square is residential. We've had the
17 Rounder complex. This is new condos. And we
18 had the Boyle's Liquor site go to condos and
19 we had Just-A-Start. So all along north
20 Mass. Ave. is the entire opposite of what all
21 the smart planning is talking about. So you

1 want to adjust the Business A-2 Zoning which
2 would be sort of unfortunate down this little
3 street.

4 So we go -- was there a reason for all
5 this? And the Emersons -- Jack Emerson was a
6 really great and good man. I've read a bunch
7 of articles on him. Entrepreneur, inventor,
8 humanitarian, patriot, and he was making
9 biotech equipment not just the iron lung
10 which we see next, which were huge for the
11 colonial epidemics and the children's
12 disease. And so -- but he passed away in
13 1997. He manufactured and long since -- and
14 the company was sold out of state. Which was
15 sort of a biotech theme here. So in the
16 Nixon Peabody letter it says at the time it
17 was zoned Business A-2, Cambridge
18 intentionally included Cottage Park Realty
19 and extended the Business A-2 south of Mass.
20 Ave. more than 100 feet. So they're saying,
21 yes, this was -- we were special. So -- but

1 we still have the uniformity in line. This
2 is again quoted directly from their letter
3 right above the test here. And it says: You
4 can change the zoning district if the public
5 safety, public welfare and it trumps the
6 economic gain to the owner. So, that's
7 the -- that's the criteria of this that you
8 get to follow.

9 And so I'm just gonna take you a quick
10 spin down the past because it's important.
11 That's -- it's May 1890. Here's the original
12 subdivision plan. It's -- there just were no
13 cars. Here's Bob Healy, baby Bob Healy our
14 city manager in 1943. He grew up around the
15 corner, one house over from the corner of
16 Cottage Park. He goes on to say how he
17 played stick ball next to the Quonset hut.
18 But the important thing is he talks about his
19 father running one of the trolleys up and
20 down Mass. Ave. So when you're in the
21 forties and fifties, we didn't have a lot of

1 cars. So this was a non-problem. And --
2 but, Bill Fox's daughter had a very close
3 call and Bill got all this done with the
4 city. Partners with the city. The city
5 admits that the street is dangerous. The
6 city took Tyler Court and closed Cottage Park
7 Ave., and they took Tyler Court from asset --
8 for commercial access to the Fawcett land.
9 So all commercial traffic was supposed to go
10 in and out there. And -- but the old -- but
11 the father Fawcett and his son sued the city
12 to open that up. And in '89, six years for
13 the court case, the court closed Brookford
14 Street permanently and went on to say no
15 commercial trucks on Cottage Park. '91 it
16 reaffirmed it. 2001 city reinstructs
17 Fawcett. The city just doesn't take
18 someone's land for no reason at all. This
19 was a good serious well thought-out process
20 and they've just continued on in the years.
21 So here in the present, we have these signs

1 up today, no -- commercial vehicles excluded.
2 Then at the head of the street -- I've
3 amplified this -- commercial vehicles
4 servicing Fawcett Oil use Tyler Court. We've
5 got two dead end signs. This is not a
6 through way. There's no trucks. Not
7 supposed to be doing that stuff.

8 So, two cars in 1955, it's only seven
9 houses, there's only 11 units. The Foxes had
10 two pets killed. Most of the residents
11 experienced the near head-on or seen the near
12 head-on. I was standing on the street with
13 Bill and I saw one. So, where is the
14 traffic? It's Fawcett, the health clinic
15 employee parking which is fairly subtle.
16 It's going to be a parking issue when they
17 lose their spaces. The dance studio
18 currently is the big problem. And then
19 office space when it goes to Fawcett.

20 But as Bill Fox says, if it's not one
21 thing it's another. It's the trucks, you get

1 rid of the trucks. Now it's the dance
2 studio. But the future, 104 rental
3 apartments on the Fawcett site, and this
4 might be more because the city's trying to
5 make a deal to take the garden, the community
6 gardens. That's actually is owned by
7 Fawcett. It's owned by Norberg. We have
8 more parking pressure.

9 And further, Fawcett has said there's
10 going to be some sort of gating system to
11 restrict the shortcuts. So, if you're on one
12 side of the property, you're going to be
13 funneled out one side, and the other side
14 you're going to be funneled out the other.
15 So Cottage Park where's the traffic going to
16 go? Brookford Street is closed remember, by
17 court order. Edmunds Street is significantly
18 worse because there's a little bump out on
19 Mass. Ave., it's blind. And you also have
20 the Dunkin' Donuts driveway.

21 Tyler Court, you can't fit two cars

1 side by side. If you go on Tyler Court,
2 someone's coming in you have to back down
3 Tyler Court and it's incredibly blind. They
4 build right out to the sidewalk there. So,
5 it's -- you're not going to be going out
6 those streets. You're going to be going in
7 and out Cottage Park.

8 So, what does Bill Fox want? No
9 commercial use. It's already restricted by
10 court order. Business A-2. It allows almost
11 anything as you know. Special District 2
12 allows several uses, office and lab. Retail
13 arts and crafts. Drive-in retail for these
14 three things which seems unlikely. So, you
15 look at office. Office, if you look at the
16 numbers and you need something like between
17 four and 800 -- a parking space for every
18 four and 800 square feet. You need a lot of
19 parking. It seems inappropriate and should
20 just be -- seems having commercial use is
21 just a bad idea.

1 And, Hugh, you actual ly sai d
2 resi denti al i s appropri ate on the fi rst
3 heari ng.

4 So now we come just towards the end,
5 the densi ty i n December. There' s a proposal
6 for 34 addi ti onal uni ts, 27 parki ng space.
7 Thi s woul d be a 400 percent i ncrease i n the
8 uni ts i n the street. More than a 400 percent
9 i ncrease. Fortunately the pl an needed
10 Vari ance. One of the questi ons we shoul d
11 consi der i s what' s an acceptabl e i ncrease on
12 thi s street? And there was talk when we
13 presented the fi rst time, the attorney got up
14 and sai d that we woul d be forci ng thi s to be
15 a two-fami ly house. Les Barber consul ted
16 wi th the Law Department, sai d 5.28 i s
17 appl i cabl e. That' s 25 to 30 uni ts. In any
18 case the amount of bui l di ng that' s i n SD-2
19 woul d provi de a fai r number of uni ts anyway
20 agai n by Speci al Permi t. So, i t' s not a
21 two-fami ly. Res. B does not mean two-fami ly.

1 Res. B means we're getting rid of commercial.

2 And so back to safety. My old joke,
3 Jack Benny, I'm thinking, I'm thinking. So,
4 there you have it. And that's your choice,
5 it's safety or some imagined value of a high
6 density development or commercial
7 development.

8 HUGH RUSSELL: Okay, thank you,
9 Charles.

10 CHARLES TEAGUE: I just want to
11 offer this track of safety because I thought
12 that what I really missed out on, I don't
13 really know what -- if you guys have -- did I
14 miss -- was there something that you're
15 actually interested in that I just didn't
16 cover at all?

17 CHARLES STUDEN: No.

18 CHARLES TEAGUE: Anyone? Any
19 question about the zoning boundaries? Or do
20 you want any particular map up?

21 HUGH RUSSELL: I think we're all

1 set.

2 CHARLES TEAGUE: I'll just leave a
3 map up here.

4 HUGH RUSSELL: Does the department
5 want to comment or provide some information?

6 IRAM FAROOQ: Just -- I think
7 Mr. Teague said most of what I was going to
8 say today. But last time when this petition
9 was before you, all you had asked for a
10 broader context, that it shouldn't be looked
11 at that's just this small section. And I
12 just wanted to tell you that we had last
13 year, we worked on a north Mass. Ave.
14 planning study where we had several meetings,
15 like five meetings in the community which
16 were very well attended, and there were a lot
17 of -- there were several elements that are
18 coming both in terms of non-zoning and zoning
19 recommendations. A lot of stuff about
20 streetscape improvements. Wanting to see
21 additional ground floor retail. And one of

1 the things that the community asked us to do
2 was to take a look at the BA-2 District and
3 the sections that extended beyond the 100
4 foot that is, that runs along. And
5 Mr. Teague showed you those sheets that these
6 other analysis for the sections where that
7 extension occurs. And for this particular
8 triangle, actually our recommendation is
9 consistent with what is proposed in the Fox
10 Petition. The only difference is that we had
11 sort of squared off the parcel so that the
12 line doesn't cut through the 22 Cottage Park
13 parcel and make that all Res. B. So that was
14 the only difference.

15 I guess the reason why we picked going
16 with the Res. B as opposed to the SD-2 which
17 I think was another question that came up,
18 was primarily the policy question about what
19 would you like to see this parcel turn to if
20 it changes from its current use, and is that
21 -- because if it were SD-2, it could in fact

1 be another residential office use. Whereas
2 if it were to be rezoned to Res. B, it would,
3 it would have to use 5.28.2 to change to a
4 residential use if they wanted to -- if the
5 existing use were to relocate.

6 So, I think that's really it in a
7 nutshell unless you had other questions
8 regarding that. We will be here on the April
9 12th meeting to talk about the process and
10 the broader subject of recommendations, so
11 we'd be happy to talk about this then if you
12 like.

13 CHARLES STUDEN: I do have a
14 question and it's been bothering me for
15 sometime. I'm trying to understand why when
16 the Special District 2 was created, the line
17 went through 22 Cottage Park the way it did?
18 And now you're suggesting that if you were to
19 do it again, you would make it Res. B and not
20 Special District 2? Because my feeling is
21 exactly the opposite. I would have made it

1 Special District 2. I still feel that way.
2 But I'd like to understand what the thinking
3 was at the time. It wasn't that long ago I
4 think is what's bothering me, and now the
5 applicants are coming back and trying to
6 change it. My sympathies are with frankly
7 with the owners of 22 Cottage Park because
8 they've gone through this so many times.
9 It's torture.

10 IRAM FAROOQ: I have to admit that I
11 don't know the rationale for that line. We
12 can delve into our archives and figure that
13 out for you and get back to. But it seems
14 Mr. Teague has an answer.

15 CHARLES TEAGUE: Yeah, actually Hugh
16 Russell answered the question last time. I
17 pulled out the maps back to 1943, and it was
18 done along the historic boundary lines. So,
19 I'm not exactly -- it seems to me Special
20 District 2 is just about obsolete now that
21 Cambridge Lumber is also announced. So 95

1 percent of Special District 2 will have been
2 transformed into residential within a very
3 short time. So I sort of question the having
4 commercial in Special District 2 anymore, but
5 as my understanding was this was the old
6 timing, the historic boundaries and this
7 thing in the transcript where you were
8 rustling a lot of papers.

9 HUGH RUSSELL: Everything is
10 faithfully copied. Thanks, I'd forgotten
11 that.

12 Shall we proceed to the public hearing?
13 Okay, the first name on the list is Ruth
14 Silman. Give your name, speak no more for
15 three minutes.

16 ATTORNEY RUTH SILMAN: Good evening,
17 Mr. Chairman, Members of the Board. Ruth
18 Silman, Nixon Peabody. We represent the
19 owners of Cottage Park Realty, the realty
20 property at 22 Cottage Park Avenue, the
21 Emersons. And I'd like to submit it today,

1 just resubmitting the letter from last
2 November which opposes the Fox Petition. If
3 you wouldn't mind passing a few of those
4 down. You may already have it.

5 CHARLES STUDEN: We do actually.

6 ATTORNEY RUTH SILMAN: And it
7 printed for some reason on yellow paper when
8 Liza printed it out on the machine. And she
9 caught me ahead of time and said that's no
10 judgment in any manner on the actual letter
11 on what it says. It's just that somebody
12 left yellow paper in. So I suppose we get
13 nervous when it's some interesting message.

14 Just briefly to respond to Mr. Teague's
15 presentation, I think I clearly articulated
16 when -- actually, my colleague Matthew Lynch
17 was here last time, but when we were talking
18 about the rezoning for Section 5.28.2, the
19 fact is that this is reverse spot zoning.
20 It's taking -- it's targeting a small portion
21 in Mr. Teague's words, just rezoning a small

1 section. And the CDD has obviously gone
2 through a process and they're going to have
3 some recommendations, and perhaps they will
4 then come out with some sort of formal
5 recommendation and formal conclusion to the
6 study which says maybe it should be SD-2 or
7 maybe it should be Res. B. But this petition
8 about safety seems to me, and the Emersons
9 are as concerned about safety as anyone, but
10 if the real problem is traffic and safety due
11 to the lack of enforcement on the Fawcett Oil
12 site, you can't penalize the owners of 22
13 Cottage Park for that. It's not -- and you
14 can't rezone their property to try to avoid
15 that problem. That is its own separate issue.
16 And I think that the Board needs to make sure
17 that it's being clear on the objective, the
18 problem, granted it's very hard to
19 distinguish them in the day-to-day of living
20 there when people are at risk or animals are
21 at risk. But the whole purpose of rezoning

1 is to ensure that there's a comprehensive,
2 thorough and thoughtful process. And this
3 reactionary view which in part I think was
4 also due to an earlier proposal by Synapse
5 which was a perspective purchaser of the
6 Emerson property for commercial use. You
7 know, it's not really a coincidence I don't
8 think that the Fox Petition was filed very
9 soon or around the same time that that
10 proposal had been presented. That proposal
11 is no longer. The current perspective
12 purchaser is thinking about doing
13 residential. But, again -- and I think that
14 the response to the last piece of
15 Mr. Studen's question regarding why is the
16 line through SD-2 and doesn't it make more
17 sense to rezone it if you're going to rezone
18 it as an SD-2. Just because an area is zoned
19 for one thing and is being used in its litany
20 of potential uses for something else due to
21 market forces or whatever may be happening,

1 doesn't then mean that you can or should
2 rezone to eliminate that entire comprehensive
3 list. And I think that right now this part
4 of Cambridge, the market is there for
5 residential. But let's hope that at some
6 point it comes back for something else in
7 some sort of thoughtful, safe manner. And I,
8 you know, I just want to reiterate as we say
9 in the letter, that doing it in this manner,
10 in this type of a rezoning petition, first of
11 all, under the case law, under Chapter 40-A
12 we think clearly would be construed as
13 reverse spot zoning, but also just flies in
14 the face of all of the very productive and
15 thoughtful ways in which CDD and the City of
16 Cambridge actually rezones things and study
17 things. And so we would urge you to again
18 send a negative recommendation, but think
19 through these very important safety issues
20 for this entire neighborhood. We're not
21 belittling them in any manner, but this isn't

1 the way to fix it.

2 Thank you.

3 THOMAS ANNINGER: May I ask the
4 counsel or a question?

5 CHARLES STUDEN: I do, too.

6 THOMAS ANNINGER: There are two
7 issues on the table that you have haven't
8 really fully addressed. I'd like your
9 client's attitude towards 5.28.2 and the next
10 one is SD-2 and talk to alphabetic terms and
11 numeral terms how do you feel about each one
12 of those proposals as solutions? Or not.

13 ATTORNEY RUTH SILMAN: I guess it
14 means what you mean by 5.28.2 as it sits
15 today --

16 THOMAS ANNINGER: That's right.

17 ATTORNEY RUTH SILMAN: -- or with
18 the proposed changes.

19 THOMAS ANNINGER: And that's a
20 problem.

21 ATTORNEY RUTH SILMAN: And those are

1 two very different questions.

2 THOMAS ANNINGER: And that's a
3 probl em.

4 ATTORNEY RUTH SILMAN: I think the
5 existi ng 5.28.2 as it's been interpreted by
6 the ci ty through the ages is something that,
7 you know, the Emersons are very comfortable
8 wi th. There's a process for a Special Permit
9 that would take into account things like
10 densi ty, traffi c, parki ng, congesti on, all of
11 those ki nds of i ssues. And I think the
12 ci ty's been very successful -- thi s Board's
13 been very successful at -- not rezoni ng, at
14 redev elopi ng those types of bui ldi ngs.

15 THOMAS ANNINGER: So that would
16 assume two thi ngs i n 5.28.2. One is the 900
17 square feet for determi ni ng the number of
18 uni ts you coul d have. And No. 2, it would
19 assume -- it would assume that the table that
20 says no mul ti -uni t housi ng i n Resi dence B is
21 real ly a mi stake, that we have interpreted

1 correctly as just a mistake.

2 ATTORNEY RUTH SILMAN: I think
3 that's wrong. I don't see how the policies,
4 the land use policies mesh if you say that
5 table should be construed literally. It
6 doesn't make any sense. And the 900 square
7 feet, obviously, you know, that's a lot of
8 space.

9 THOMAS ANNINGER: That's right.

10 ATTORNEY RUTH SILMAN: And the
11 proposed amendment to increase the square
12 footage is in -- we think are acceptable.
13 It's going to lead to, I think, to an inverse
14 result where you're just going to continue to
15 have empty buildings.

16 THOMAS ANNINGER: But by going down
17 the 5.28 path we eliminate commercial.

18 ATTORNEY RUTH SILMAN: Correct. But
19 I think that that's a --

20 THOMAS ANNINGER: You could live
21 with that?

1 ATTORNEY RUTH SILMAN: Well, right
2 now that's where the market is. But that's
3 an owner's choice. They have the choice.

4 THOMAS ANNINGER: Well, then why
5 have you not embraced SD-2?

6 ATTORNEY RUTH SILMAN: We haven't
7 not embraced it. We weren't given a choice.
8 The property was rezoned --

9 THOMAS ANNINGER: Well, I understand
10 that. But I guess I'd like your position on
11 that. I'm sorry?

12 CHARLES STUDEN: I'm confused,
13 though, because I thought the comments made
14 earlier by the Community Development
15 Department staff saying they were supporting
16 the Fox Petition now?

17 ATTORNEY RUTH SILMAN: That's the
18 first time I've heard that.

19 CHARLES STUDEN: Is that not what
20 you said earlier? That you think that what
21 they're proposing makes sense, that you've

1 changed your mind.

2 IRAM FAROOQ: No, what I did say
3 that the Fox Petition is consistent with the
4 recommendation that has emerged from the
5 north Mass. Ave. process.

6 CHARLES STUDEN: So your department
7 is supporting that petition is what you're
8 saying?

9 WILLIAM TIBBS: No, she's saying you
10 would change the line. That's different.

11 HUGH RUSSELL: Okay. If I can
12 explain what I think I heard Iram say which
13 was they've studied north Mass. Ave., they've
14 come to the same conclusion of this site that
15 the Fox Petition proposes but going through a
16 different process. So they don't support the
17 Fox Petition, they support the idea of Res. B
18 on the site based -- the Fox --

19 CHARLES STUDEN: That's so circular.

20 HUGH RUSSELL: No, it's not because
21 the Fox Petition was not the result of the

1 zoning study. So it's a procedural issue
2 that effects the legality from the action,
3 and I think that's a big distinction.

4 CHARLES STUDEN: Okay.

5 HUGH RUSSELL: Okay?

6 CHARLES STUDEN: So what are we
7 supposed to do? I mean, really.

8 PAMELA WINTERS: We have to listen
9 to the rest.

10 HUGH RUSSELL: Right. So is there
11 another question?

12 WILLIAM TIBBS: No, I mean -- and I
13 guess I was just getting to your -- as much
14 as I'm -- I think we can ask her what she
15 thinks about it. Their attitude about what
16 they can and can't do about their building is
17 to me not the issue here. I mean, their
18 attitude about what they want to do because
19 they're not bringing the petition to us,
20 they're just here commenting on this
21 petition. So when you were asking her what

1 does she feel about SD-2, that's -- I don't
2 know, I was --

3 THOMAS ANNINGER: I think it's
4 central. I think it's absolutely the heart
5 of it.

6 ATTORNEY RUTH SILMAN: I mean part
7 of the -- you know, this, the -- the, what is
8 it? Western side, yes?

9 HUGH RUSSELL: We'll call it the
10 right side.

11 THOMAS ANNINGER: Right, left works
12 fine.

13 ATTORNEY RUTH SILMAN: The western
14 side is in SD-2.

15 THOMAS ANNINGER: That's right.

16 ATTORNEY RUTH SILMAN: Right? I
17 mean, this building is chopped up.

18 THOMAS ANNINGER: That's right.

19 ATTORNEY RUTH SILMAN: And that's a
20 difficult, you know, place to be.

21 THOMAS ANNINGER: Well, we have a

1 recommendation to make, and I guess I'm
2 trying to figure out what the best solution
3 is. And you have a -- you can help us in
4 that because this is, whether we like it or
5 not, this is focussed entirely on No. 22.
6 That's what this is all about.

7 ATTORNEY RUTH SILMAN: We know that.

8 THOMAS ANNINGER: We don't care --
9 it's ridiculous to call it anything else but
10 that. So we need some help.

11 ATTORNEY RUTH SILMAN: But I do not
12 believe that this Board has the authority to
13 the Fox Petition to say that all of 22
14 Cottage Park Avenue should be rezoned SD-2.

15 HUGH RUSSELL: Okay. We can offer
16 any advice that we want to to Council.

17 ATTORNEY RUTH SILMAN: Well, I mean
18 I think certainly if it were a choice between
19 Res. B and SD-2, that SD-2 is clearly a
20 better choice.

21 THOMAS ANNINGER: Thank you.

1 CHARLES STUDEN: Of course.

2 AHMED NUR: Say no more.

3 WILLIAM TIBBS: I mean I just want
4 to say to focus on one property and start
5 from a zoning perspective is exactly what we
6 want to avoid.

7 PAMELA WINTERS: We don't want to do
8 that.

9 WILLIAM TIBBS: And so it really is,
10 I mean, I think that if anything, what you --

11 CHARLES STUDEN: I have the same
12 feeling.

13 HUGH RUSSELL: So I'm a student of
14 the Myers Briggs personality type indicator,
15 and we have very different types on this
16 Board. Bill and I are completely opposite.
17 I realized that a few years ago. I felt much
18 better about Bill, and this is great public
19 policy because we're looking at every issue
20 differently. So, I think this is a classic
21 Myers Briggs thing. It's like yes, Tom,

1 you're right, it is all about No. 22. And
2 yes, it ought to be based on big policy. And
3 it's going to be our job to try to wrestle
4 with that.

5 ATTORNEY RUTH SILMAN: I would like
6 to -- right. And I would like to say, I mean
7 this is very valuable information that's
8 up -- now, this is the CDD summary. But this
9 was not what supported the Fox Petition.
10 This is what we should be debating and
11 talking about and having, you know, some
12 discussion about. But an after-the-fact
13 study to support a zoning petition that's
14 just been re-filed, I just don't think that's
15 the way to cut.

16 Thank you.

17 THOMAS ANNINGER: Thank you.

18 HUGH RUSSELL: Thank you very much.

19 CHARLES TEAGUE: Just to correct you
20 once again, excuse me. These are all the
21 properties that are affected. It's not --

1 this isn't singling out any one property.

2 PAMELA WINTERS: We understand that.

3 WILLIAM TIBBS: We know that.

4 CHARLES STUDEN: Right.

5 CHARLES TEAGUE: But it does happen
6 to be a very big building, but I understand.
7 And CDD was actually -- you were recommending
8 the entire building. So CDD was more
9 expansive.

10 HUGH RUSSELL: Okay, can we can
11 maybe proceed here? I would propose that we
12 proceed with the public hearing, and then
13 that we kind of put this on the table until
14 we hear the report that we're going to hear I
15 guess at the next meeting.

16 STUART DASH: April 12th.

17 HUGH RUSSELL: April 12th. So the
18 next name on the list is John Morgan.

19 JOHN MORGAN: Good evening. John
20 Morgan, resident of 49 Whittemore Ave. This
21 is definitely a safety issue up there with

1 the streets as they are now, and the proposed
2 future of the 104 units that Fawcett would
3 like to come before us eventually I guess and
4 with their petition to build. And also what
5 the intent of exiting out towards Whittmore
6 Ave. So, I guess I'm against this project,
7 and I'm also going to be against Fawcett's
8 project when it comes before you. The reason
9 I say exiting out Whittmore Ave., the city's
10 just been going through a whole year of
11 reconstruction up there of new sewer lines
12 and they're ready to start new street
13 pavement. They're going to slow the traffic
14 down on Whittmore Ave. as it is now, so
15 to even think of possible exiting out from
16 the new Fawcett property out to Whittmore
17 Ave. I think is a definite bad idea. And I
18 know many of my neighbors would agree with me
19 a hundred percent on that one. And I don't
20 even know if they talked to anybody at all in
21 the city about the proposal and what they

1 want to do where we just put new sewer lines
2 in and have new curbing and whatever up
3 there. And -- but there's definitely a
4 traffic problem in that whole area with this
5 -- the way the streets with cut up and dog
6 legged, and it needs to be really addressed
7 and I don't know how you can address it. But
8 unless you gonna -- you're gonna turn
9 somebody upside down with a proposal if you
10 say okay, we're going to make this one way
11 in, and one way out. People are going to get
12 irate. I understand all that. But it's
13 going to be a real complex issue to get that
14 answer.

15 Thank you.

16 HUGH RUSSELL: Okay, thank you.

17 The last name is Marc Resnick.

18 MARC RESNICK: Hello. My name is
19 Marc Resnick and I am the proposed developer
20 of the 22 Cottage Park property so I may be
21 able to help you with some of your questions

1 that probably -- so, John, if I could ask a
2 favor if you could put the blue page back up
3 that lists the size of those properties? I'd
4 like to address one issue there first.

5 So that Cottage Park is totally
6 inaccurate. 22 Cottage Park is 36,000 square
7 feet. It is not 25,800 --

8 AHMED NUR: Can you hold the mic so
9 we can hear you.

10 MARC RESNICK: Oh, sorry.

11 AHMED NUR: You can pick it up if
12 you want.

13 MARC RESNICK: So first of all, 22
14 Cottage Park is 36,000 square feet. So, it
15 is not 25,000 square feet as that says. And
16 I do intend to do only residential. So I
17 have no interest in doing any commercial. I
18 don't want any offices. I'm going to be
19 investing several million dollars. This
20 property won't be redeveloped until most of
21 our grandchildren probably won't be alive

1 anymore. So I don't know what it will be 100
2 years from now, but after you do what I'm
3 going to need to do to make it residential, I
4 don't foresee anybody coming back in there
5 for many several lifetimes. So I don't think
6 you have to -- I don't see why you would
7 change the zoning at all. I've been to
8 Cambridge Zoning and redeveloped other
9 buildings. I've used the Special Permit
10 process before. I'm currently redeveloping
11 535-45 Cambridge Street. When I bought it
12 one year ago, it was all commercial. It's
13 currently four residential apartments with
14 commercial on the first floor. I went
15 through the Special Permitting process.
16 Everything was fine. The 5.28. I followed
17 all the right procedures, the city, the
18 neighbors, everyone was able to be involved.
19 I requested a roof deck. They did not allow
20 that. They allowed other things. You know,
21 so that all the zoning process that you

1 currently have is working really, really
2 well. And I think that -- I'm trying to say
3 this the right way. This is most certainly a
4 personal attack against 22 Cottage Park. And
5 this is not any kind of rezoning of any
6 neighborhoods. This is like a land taking.
7 I mean, I would be very upset if I already
8 owned this property and this was what was
9 going on to the property that I currently
10 owned. And my intention of buying it was to
11 buy it under all the current zoning laws and
12 rules and regulation that is currently exist,
13 and gladly accept the zoning relief or, you
14 know, as would be granted by the city under
15 all the current things. I only -- I
16 originally had looked at like 30 units
17 quickly because I did the analysis, the 900
18 square feet. I went back to the neighborhood
19 with only 23 units. I'm prepared to go as
20 low as 16 units in the entire building. I
21 don't see why we need to have -- it doesn't

1 make a lot of sense to do 16 units, but
2 basically the neighbors, when I met them, the
3 neighborhood group, they hired their own
4 attorney, and they're not really interested
5 in any, what I would consider reasonable or
6 proper use of development that the
7 neighborhood would actually demand or the
8 buyers would be interested in, but they're
9 mostly concerned with protecting their own
10 units. And I don't see how if I had 16 cars
11 going down the street or 20 or 23 or any
12 given number, that that would have a huge
13 impact. I understand why office use, if I
14 was going to put, you know, 200 employees
15 inside that building, then okay. Even that
16 building would need some kind of a permit.
17 The city again could use its -- all its
18 current zoning rules to, you know,
19 stipulations upon and reg -- and so I will be
20 building only residential. I will have -- I
21 will follow all the rules and regulations.

1 I'll gladly do that. I'm planning to come
2 before the Board again soon after these other
3 issues have worked themselves out to just
4 build the residential units. So if that
5 helps anybody to understand the future of the
6 property, I don't honestly have much impact
7 on the Fawcett property because I don't own
8 it, but if you change the -- in other words,
9 that building there having 15 to 25
10 apartments or however many actually went in
11 there, you couldn't really have less usage in
12 a building that size. I mean, it's just so
13 big. I mean trying to put four apartments in
14 there, you know, would be pretty silly, or
15 five or ten. It has to be a certain number
16 of units. It's a very large place. As I've
17 been trying to redevelop the building with
18 only 16 units. The units are ranging in size
19 from 1400 to 2500 square feet, because it's
20 just a lot of space in there. And it makes
21 much more sense to have more units, but I

1 usually do this in a -- I don't want to have
2 conflict with the neighbors. So I'm prepared
3 to do less units and satisfy their desires
4 the best I can. Do you have any questions?

5 HUGH RUSSELL: Okay, thank you.

6 MARC RESNICK: All right. Thank
7 you.

8 HUGH RUSSELL: Does anyone else wish
9 to be heard on this case? Charlie.

10 CHARLES MARQUARDT: Charlie
11 Marquardt, 10 Rogers Street. First of all,
12 kudos to Mr. Resnick. He did something that
13 I would like Norris Street would do as well,
14 get the zoning clarified.

15 This is really similar when you look at
16 the size and the scope to what Norris Street
17 is. Except here you have a building that
18 radically overwhelms a neighborhood versus a
19 school house that had a school house use and
20 prepared to put in 20, 29, 23, 36, whatever
21 the number was, and it caused a whole

1 reconsideration of what the right size unit
2 to go in is. Now we like to go around 900
3 square feet. That's 900 gross to about --
4 900 gross. So you're at 725 or so for the
5 developers here? So that's not a big unit
6 no matter what anybody says. It's a hard
7 thing to get two-bedroom, three-bedroom,
8 four-bedroom families in there. So, I
9 encourage what the City Council is doing to
10 go to 1600, to go to 2,000 to go to whatever
11 it ends up being, but the only way to get
12 there is to make sure that everything is
13 either in a Residential B or some other area
14 that would apply to the new 5.28.2 whatever.
15 Otherwise we we're left with for someone to
16 come in and develop without having to come
17 before a Board like yourself. So I remember
18 the discussion before Norris Street quite
19 nicely. The Board did a lot of good, strong
20 work there to come up with a saying that 20,
21 27 or 37, whatever the number is doesn't

1 work. I think I remember, Mr. Chairman, you
2 said 23 is a much better number. And then
3 the neighbors can go back and work it
4 through. But those two are never going to
5 come together. That's when American come in
6 and keep doing the good work he's been doing
7 so far. I think there's a similar case here,
8 until we get first the zoning for this
9 property and then 5.28.2, whatever the
10 numbers end up being, we need to put it so
11 that they come one after the other, less we
12 have something built that doesn't fit the
13 character of the neighborhood. I have no
14 issue of residential going in there. That's
15 going to be residential. I don't know, 16
16 sounds like a descent number to me. 2400
17 sounds like a great three-bedroom unit to me.
18 I think we need more of those, not less. I
19 think 1200 is good for a two-bedroom unit.
20 Maybe a good, one-bedroom unit. But I think
21 we need to give some room for people to live

1 and grow, and the best way to do is to get
2 this into a group of zoning areas that will
3 apply to the new 5.28, not something else so
4 they have to come before you to get that next
5 permit so you can apply your wisdom to their
6 decision.

7 Thank you.

8 HUGH RUSSELL: Thank you.

9 Does anyone else wish to be heard?

10 (No Response.)

11 HUGH RUSSELL: I see no hands.

12 What's the Board's pleasure? Close the
13 hearing for oral testimony leave it open to
14 written?

15 PAMELA WINTERS: Yes.

16 CHARLES STUDEN: Yes.

17 HUGH RUSSELL: Okay. Is there
18 anything more we want to say or should we
19 leave it?

20 H. THEODORE COHEN: Can I ask a
21 question?

1 HUGH RUSSELL: Sure.

2 H. THEODORE COHEN: We're going to
3 have a presentation April 12th? Will we know
4 anything more about 5.28 at that point?

5 SUSAN GLAZER: 5.28.2 is going to be
6 re-filed before the City Council meeting on
7 April 4th. So the process will start over
8 again. That petition also is running out of
9 time for the Council to act, and since it was
10 originally filed last fall, Stuart and Jeff
11 and I have been spending a lot of time
12 meeting with the Norris Street neighbors.
13 And the Mayor's convened these meetings, and
14 we've have drafted a much more extensive
15 language for both the Board and the Council
16 to consider. So you will have an opportunity
17 very shortly to hear it all over again.

18 THOMAS ANNINGER: Are you changing
19 the terms of 5.28.2? What are you doing to
20 it?

21 SUSAN GLAZER: We've looked at --

1 HUGH RUSSELL: A lot, apparently.

2 SUSAN GLAZER: To give you a

3 preview, we've done a lot.

4 STUART DASH: You're going to like

5 it.

6 SUSAN GLAZER: We've added many more

7 criteria that the Board can consider when

8 looking at a 5.28 request. Also, we've

9 looked at the differences and the density

10 among the different residential districts,

11 and we're proposing a two-tiered system

12 whereby if you have up to ten units, it's one

13 density. If you have more than ten units,

14 it's that density increased, you know. So,

15 that's the nature of the proposal.

16 We're also looking much harder at the

17 parking requirements and the criteria for

18 those. So, there's been a lot of work put

19 into this by both the neighbor -- the Norri's

20 Street neighbors who've done an extensive

21 amount of work, and the staff on this.

1 HUGH RUSSELL: Okay, great.

2 H. THEODORE COHEN: Just a follow-up
3 question. So I take it it's going to clarify
4 the language that the density table does not
5 apply and that it's going to be a Special
6 Permit pursuant to the criteria that's
7 developed?

8 SUSAN GLAZER: Yes.

9 HUGH RUSSELL: Okay. I'd like to --

10 PAMELA WINTERS: Go head.

11 HUGH RUSSELL: I want to move on to
12 the next item.

13 PAMELA WINTERS: Move on? Okay.

14 HUGH RUSSELL: Let's take a short
15 break and come back and hear the next
16 hearing.

17 (A short recess was taken.)

18 * * * * *

19 HUGH RUSSELL: Okay, let's go
20 forward now and we are hearing the petition
21 that is Chestnut Realty has been re-filled.

1 And since our last meeting, I don't know
2 whether the Council has done anything about
3 this. We've got a very strong report from
4 the city engineer, and several of our Board
5 members have gone and viewed some of the
6 property that Chestnut Hill thinks would be
7 appropriate.

8 So, if you would start and summarize
9 your petition and any changes that have been
10 made in it.

11 UNIDENTIFIED MALE: Excuse me, it's
12 hard to hear what you've said about the city
13 engineer's report.

14 HUGH RUSSELL: There's a city
15 engineer's report. Are there extra copies?

16 LIZA PADEN: Yes, there's copies
17 over here on the right-hand side of the room.

18 HUGH RUSSELL: I just characterized
19 it as strongly worded.

20 You may proceed.

21 MATTHEW ZUKER: Good evening, first

1 the Chestnut Hill Realty has been long time
2 property owners in the City of Cambridge, and
3 we are proud to provide quality housing in
4 the city. We live by our motto which is
5 managing people's home and pride, and we
6 appreciate the opportunity to be here
7 tonight.

8 First we want to thank the Planning
9 Board, the Ordinance Committee and the
10 Community Development staff for the time and
11 attention they've spent on the zoning
12 amendment.

13 A quick little reintroduction --

14 HUGH RUSSELL: Could you just
15 introduce yourself?

16 MATTHEW ZUKER: Matt Zuker from
17 Chestnut Hill Realty.

18 Many basements in the older larger
19 buildings in the city contain large areas of
20 wasted under-utilized space. The purpose of
21 this by-law is to add moderately-priced

1 housing that would provide a good quality of
2 life for its residents. This is an
3 environmentally smart way to add housing
4 because it's within the existing apartment
5 building's footprints. Again, all the units
6 must meet all building code requirements
7 (inaudible). I'd like to reiterate what this
8 amendment accomplishes:

9 One, it makes appropriate use of
10 wasted, underutilized basement space.

11 Two, it helps achieve the zoning code's
12 call to encourage housing for persons of all
13 income levels.

14 And, three, it encourages the use of
15 Mass. Transit or mitigating the need for
16 on-street parking.

17 Additional benefits include the
18 potential to add approximately \$150,000 in
19 annual tax revenue for Cambridge, and provide
20 new business for construction companies,
21 workers and area businesses. We conducted a

1 site visit of our three properties on March
2 24th. The purpose of the site visit was to
3 show one, the large areas of unused space
4 that's by law the (inaudible).

5 Two, the liveability of current
6 basement apartments.

7 And three, the necessary costs of
8 construction to create quality apartments
9 such as moving utilities and windows.

10 In addition to our previous Planning
11 Board hearings we have met with the Community
12 Development Department twice and the
13 Ordinance Committee. We'd like to address
14 questions that have arisen.

15 Why have at least one existing unit in
16 the basement? An existing apartment
17 demonstrates the liveability of basements in
18 an allowed building.

19 Could the new units be subject to
20 flooding or climate control issues? And the
21 by-law is written to only include buildings

1 that have already basement units. While we
2 are aware of flooding issues that occurred in
3 the city during last year's storms, there
4 have never been any flooding in our basements
5 in the 25 plus years we've owned the
6 buildings. Even so, we would work with our
7 engineers and the city on preventive
8 practices. We can modify the amendment to
9 ensure these practices are employed and
10 buildings that have had a history of
11 flooding. I do want to point out that these
12 basement spaces could be made part of an
13 existing unit. This amendment, what it does,
14 is allow these spaces to become their own
15 units which provides additional housing
16 within an existing footprint.

17 Will the new apartments impact bike
18 storage? No. We currently have bike storage
19 in our buildings, and we are happy to say, as
20 was evident in the site visit, many residents
21 take advantage of this. We will continue to

1 provide this bike storage, and additionally
2 we'll add one bike storage space for every
3 new basement unit created under this
4 amendment.

5 Why a distance limitation on location?

6 The purpose of this provision is to make sure
7 that residents are close to public
8 transportation to help limit the needs for
9 the use of cars. We had discussions with the
10 Community Development Department about
11 changing this distance requirements to a
12 walking distance measurement from a T
13 station. The idea being that using the T may
14 be more desirable to those that rely on
15 public transportation than using a bus. We
16 made a radius of one half mile from T
17 stations on a previously potentially affected
18 buildings map. So here we took the T
19 stations, did a half mile map, all the
20 buildings that we counted were put before are
21 in this except for one that falls outside

1 this half mile radius. And there was no new
2 buildings added to it. And this, we would
3 appreciate everyone's feedback on.

4 We also have been asked how Cambridge
5 inclusionary zoning section applies to this
6 amendment. Currently as we know, Cambridge
7 zoning requires that for ten or more new
8 units, 15 percent must be affordable. We
9 have decided that for every five units
10 created under this amendment, one unit must
11 be affordable. I also want to remind you
12 lastly, that before basement apartments are
13 approved under this amendment, it still must
14 go through a Special Permit process which is
15 an additional safeguard to make sure the
16 units are appropriate.

17 That concludes our brief little
18 description. We thank you, and we'll open it
19 up to discussion.

20 HUGH RUSSELL: Thank you. Does the
21 Department have anything they want to say to

1 us?

2 STUART DASH: Thanks. As Stef has
3 looked at this proposal over the last few
4 weeks, I think we remain with a number of
5 concerns about the project, some of which
6 have been discussed here and some of which
7 are more significant. I think we remain
8 concerned about -- and a few staff were on
9 the tour -- of the quality of the units in
10 terms of the nature of basement units in
11 general of the pipe and air, and also in
12 terms of the nature of basement units of the
13 inevitable pipes, moisture and vestige of oil
14 that are -- tend to be in basement units.

15 We have some concern about the
16 displacement of uses, and as the proponent
17 states, they had bike storage in their
18 existing unit. I think we have some concern
19 still about the bike storage that would
20 remain, and then gets -- how it's displaced
21 and what the ease of the movement in and out

1 of bikes for remote bike storage is in
2 basements and also possible displacement of
3 unit storage which we've also talked about.

4 More significantly our affordable
5 housing director Chris Cotter talked to us at
6 length about the concern of the quality of
7 units and affordable units. And as you know,
8 we get affordable units in inclusionary
9 buildings, we do not accept basement units
10 generally at all. And certainly wouldn't
11 have units that are specifically located in
12 one portion of the building which these would
13 be -- and these projects were not developed
14 under the Inclusionary Housing Ordinance so
15 currently contain no inclusionary units for
16 affordability that's a guaranteed.

17 And also the people going to the use
18 inclusionary zoning are generally there for
19 longer tenure. So they're not there for two
20 years and out as maybe a grad student would
21 be there, they're there for the long term.

1 And I think the qualities of the units and of
2 -- takes on more importance when you're
3 considering someone's plan to be there for
4 15, 20 years rather than sort of two years.

5 And probably most significantly as you
6 mentioned, is the letter of Owen O'Riordan of
7 the Public Works Department talking about
8 flooding in the city. We have a map over
9 here on the left side that shows the areas of
10 the city that are either combined sewers or
11 separated sewers. Only in green are they
12 separated sewers. The areas in the tan are
13 combined sewers. And many of the projects
14 that would be eligible under this proposal
15 are in areas that are combined sewers and
16 subject to flooding more than we would like.
17 And certainly Public Works has worked for
18 years to reduce these areas and to reduce
19 floodings, but there are some things in
20 areas, that are in very low areas, for
21 instance, Wendell Street is one of those

1 streets, that it's just not -- there's not
2 much they can do as he states in his letter
3 to you.

4 We also are looking forward to working
5 for the next probably year or so on issues of
6 adaptation for the sea level rise, and that's
7 part of something Cambridge has to be
8 concerned about and will cause more sort of
9 flooding problems than less. And also as
10 Owen's detailed in the last page of his
11 letter, that at the very least the issues of
12 having flooding in a street and sewerage
13 backup for basement apartments is very
14 critical. That when it floods, you're
15 storing things in cardboard boxes, it's sort
16 of disgusting, but if it floods your living
17 unit, it's a major problem. And he has to
18 deal with those problems. He's had to deal
19 with relocations and emergency pump outs and
20 things like that. And he does not look
21 forward to having to do that. So he has

1 stipulated, if you must consider that, you
2 would have to at least look at some very
3 significant alterations as part of that.

4 Thank you.

5 HUGH RUSSELL: Stuart.

6 CHARLES STUDEN: Excuse me, I have a
7 question, it's a process question actually.
8 When I read what's being proposed, I wonder
9 why it's a Special Permit as opposed to being
10 as of right? Because the way it's written,
11 it's so specific, either you meet the
12 criteria or you don't meet the criteria. I'm
13 curious as to why it's being proposed a
14 Special Permit through the Board of Zoning
15 Appeal just opposed as to the zoning.

16 STUART DASH: Yes, I mean, I'd have
17 to sort of sort of take a look. A lot of it
18 is yes or no kind of stuff in there.

19 CHARLES STUDEN: It seemed very odd,
20 you just look at it or you approve or you
21 don't. So you don't --

1 STUART DASH: Maybe small design
2 changes you might look at, but not major
3 ones. But I'll let --

4 MATTHEW ZUKER: Just real quick. I
5 think the idea was that if we could create
6 some additional safeguards and questions
7 about liveability so that there wasn't, you
8 know, if you made sure you had the ceilings
9 and the window size and there was another set
10 of eyes looking at it to say that's an
11 appropriate space for a basement, or other
12 issues that may come up so that there was
13 some additional protection that the units
14 created here were quality units. I mean,
15 there's -- it's in everyone's best interest
16 to provide quality units. So if there
17 wasn't -- sorry.

18 CHARLES STUDEN: I'm sorry to
19 interrupt. Go ahead.

20 MATTHEW ZUKER: We felt if there
21 wasn't that safeguard, maybe someone could

1 sneak in a unit that maybe wasn't up to the
2 quality of life standards that they should
3 be.

4 CHARLES STUDEN: Again, when I read
5 it, and I don't know how my colleagues on the
6 Board feel, when I look at it, I don't know
7 what else you would add. It's comprehensive.
8 I'm not taking a position yet one way or the
9 other, although I do have one. We'll get to
10 that in a minute. Okay, thank you very much
11 that was helpful.

12 H. THEODORE COHEN: Can I have a
13 follow-up question?

14 STUART DASH: Sure.

15 H. THEODORE COHEN: And maybe you
16 don't know the answer because I realize it's
17 not your letter. But do we, does the city
18 impose sewerage separation issues with other
19 basement units? Because clearly there are
20 bedrooms in the basements of condominiums and
21 of townhouses and two-family houses and lots

1 of other places.

2 STUART DASH: Not existing buildings
3 generally. Although they actually have gone
4 back in some cases worked on existing
5 buildings in this fashion. Much more
6 departments are going forward on newer
7 buildings, but they are facing, for instance,
8 issues of separating storm water runoff from
9 roofs of those buildings and having to take a
10 close look of that throughout the city. So
11 it's one of the things that may be coming in
12 the future, in general we have not gone back
13 to older buildings to do that.

14 H. THEODORE COHEN: But on a new
15 building, say, somebody is building a new
16 townhouse or converting -- let's say a new
17 townhouse, will they not be able to get a
18 building permit until they resolve these
19 issues?

20 STUART DASH: They look to us to try
21 to get to the best outcome that they can get

1 at the location that they're at. And so
2 often Owen will ask them to make some
3 changes, you know, significant changes on
4 their site. If they can, you know, to get to
5 the best outcome that they can get on their
6 site. They're generally not going to be
7 asked to put in, you know, two blocks of
8 sewer pipe. Although actually a very large
9 project might, but, you know, a small project
10 would just be asked to do the best they can
11 do on their site.

12 H. THEODORE COHEN: Thank you.

13 WILLIAM TIBBS: I just want to say
14 the separation of this sewer and storm water
15 is a city issue. I mean, it's just how it's
16 laid out in the street. So unless you have a
17 large project like maybe North Point or
18 something, where you're putting in that
19 infrastructure new, it's kind of hard, the
20 city has to go back and do the digging and
21 retrofitting.

1 STUART DASH: But the city at this
2 point, for a new building for instance, you
3 couldn't drain your roof into the sanitary
4 sewer. You'd have to -- so that kind of
5 thing, so that's correct.

6 HUGH RUSSELL: Is city's goal to
7 turn the whole map green?

8 STUART DASH: That's our long-term
9 goal.

10 PAMELA WINTERS: Stuart, can I just
11 ask you a quick question? Do these units
12 have windows?

13 STUART DASH: Generally on the tour
14 there were windows around the edges of the
15 building.

16 PAMELA WINTERS: So how is that in
17 terms of safety in terms of people breaking
18 in? Is it -- do they have bars on the
19 windows?

20 STUART DASH: It probably would be
21 tenant's choice. Just as anyone is on the

1 first floor, there's some level of exposure.
2 I mean, I think you have to make your own
3 choice as to how you feel. And, you know,
4 whatever your level of comfort as with
5 safety.

6 PAMELA WINTERS: Okay, thanks.

7 HUGH RUSSELL: Okay, should we move
8 on to the public hearing?

9 The first person is James Williamson.
10 Three minutes.

11 JAMES WILLIAMSON: Thank you. I
12 don't have anything against people making
13 money and I don't know -- I'm not
14 constitutionally opposed to people living in
15 basement apartments necessarily, but I do
16 think there are some concerns. I think that
17 the staff comments have been very helpful
18 insofar as I heard some of them at the
19 Ordinance Committee hearing and then the
20 additional report from the Engineering
21 Department tonight. What strikes me about

1 this proposal is that it's -- basically it's
2 an opportunity to make a windfall profits
3 from opening up basement apartments where
4 they have not been allowed in the past. And
5 I think it behooves us to ask so what are
6 really going to be the public benefits? And
7 one of those benefits may be affordable
8 apartments if they're acceptable. But,
9 again, I think the questions that have been
10 raised highlight some of the issues around
11 that.

12 A couple of the observations I have are
13 the following: It's described as workforce
14 housing. I think realistically it's probably
15 going to be graduate students for the most
16 part. So I think that's something to think
17 about. I think that the area that is
18 included depending on -- it doesn't seem to
19 matter too much how it's drawn, it's actually
20 a huge portion of the city would be covered
21 by this. It's -- and so, is that a good

1 thing or is it not a good thing? The
2 parking, the notion that somehow people are
3 not gonna want to have cars, I also don't
4 think it's a terribly realistic even though
5 people may be relatively near public
6 transportation, I just -- I think that would,
7 it would behoove you to give careful
8 consideration to that aspect of this. And
9 the affordable housing, the -- is an
10 interesting aspect of this, is market rate
11 housing going to be truly affordable and for
12 whom? But this notion of five units
13 triggering an inclusionary zoning, I wasn't
14 aware that basement units weren't included.
15 So, I was actually -- I find it heartening
16 that there's enough scrutiny of the -- of
17 what would constitute an acceptable
18 affordable unit in the inclusionary zoning to
19 be quite, I say heartening and positive
20 aspect of the scrutiny that this is getting.
21 And so I'm just weighing in in support of

1 cauti on and careful scruti ny and i t sounds
2 l i ke there' s al ready good work bei ng done by
3 the staff i n that di recti on, and I hope
4 you' ll gi ve i t careful consi derati on.

5 PAMELA WI NTERS: Thank you.

6 HUGH RUSSELL: Thank you.

7 Ski p Schol mi ng. I f you coul d spel l
8 your l ast name.

9 SKI P SCHOLMI NG: Ski p Schol mi ng.
10 Spel l i t?

11 HUGH RUSSELL: Yes.

12 SKI P SCHOLMI NG: S-c-h-o-l -m-i -n-g.
13 102 Rear Inman Street, and I' m al so executi ve
14 di rector of the smal l property owners
15 associ ati on and I' m speaki ng i n that capaci ty
16 here. I -- the basi c poi nt I' d l i ke to make,
17 I thi nk the pri nci ple behi nd thi s proposal i s
18 very good; namel y, i n the pri vate rental
19 market the most -- wel l , the most affordabl e
20 form of -- natural l y affordabl e form of
21 housi ng i n pri vate rental market i s roomi ng

1 houses. And the next category up that works
2 is what we call accessory apartments which
3 are usually small units, so studios or one --
4 single, one-bedroom apartments would qualify
5 as that, usually in spaces that are just a
6 notch below what would be considered the most
7 desirable location. So that's both attics
8 and basements. So they're naturally
9 affordable. And so I think that the
10 principle here is very good, because it's in
11 the history of affordable housing, it's very
12 hard to work it out with public funding, and
13 that's probably going to be coming less and
14 less available. And so, using the natural,
15 the natural capacity of the private market is
16 very important.

17 What concerns me about the proposal is
18 that it does not allow -- it is very narrowly
19 drawn, and it does not allow smaller owners
20 to take advantage of the opportunity to
21 create basement units. And in terms of the

1 making a supply and making an impact upon the
2 market, you know, by the greater the supply,
3 the smaller, the lower the rent's going to be
4 for almost everyone. So, or at least the
5 pressure on the rents will be kept low.

6 So I'd just like to suggest some
7 specific changes since I've read the language
8 of the proposal.

9 PAMELA WINTERS: You have one minute
10 left, sir.

11 SKIP SCHOLMING: Excuse me?

12 PAMELA WINTERS: You have one minute
13 left, okay.

14 SKIP SCHOLMING: I didn't realize
15 there was a time limit. Okay.

16 HUGH RUSSELL: There is a time
17 limit, but in this case I would actually like
18 to hear the suggestions.

19 STEVEN WINTER: I concur.

20 PAMELA WINTERS: Okay.

21 SKIP SCHOLMING: Okay. Well, I

1 don't think it will take much longer than a
2 minute.

3 Under -- I guess it's Roman Numeral
4 10.30 Section C it says: The building has to
5 contain at least 30 units. And I would
6 suggest that you could go down to maybe like
7 four units. I am making the exception not
8 for two and three families. I suppose there
9 would be consideration of density on that
10 point there.

11 I think on Roman Numeral 10.30 B
12 requiring that it be within 1200 feet of
13 Mass. Avenue, I think that restriction simply
14 could be removed, because all of Cambridge is
15 pretty accessible to public transportation
16 which I assume is what's the concern on that.

17 In that same section, Section E, the
18 building currently contains at least one
19 dwelling unit as a requirement. And I would
20 suggest that should be changed to no basement
21 units required. I mean, you have to adapt,

1 this plan and proposal needs to be adapted
2 for smaller owners I think to make it work at
3 all.

4 On the limitation on number of units,
5 that's Roman Numeral 10.20, it's limited to a
6 maximum of 15 percent of the legal units in
7 the building, but I think you have to change
8 it to but not less than one unit would be
9 allowed, and -- because until you get the
10 seven units, you don't even get one unit out
11 of it. And if you want to have four or five
12 and six-unit buildings allowed to do it,
13 that's what you'd have to do.

14 And then I would raise one other
15 concern under Roman Numeral 10.40, conditions
16 of granting of the Special Permit. Must
17 comply with all the building, health, safety
18 and accessibility codes. And I think this
19 one is probably we're going to need more
20 discussion. But off the top of my head
21 perhaps there should be no accessibility

1 requirement for basement units and buildings
2 with say four to 12 units. And I'm concerned
3 here -- you know, unless there is a -- this
4 is one of the things that the building
5 inspector can waive, I don't know whether it
6 is. My concern is both the cost and the
7 feasibility of creating accessible units in
8 smaller buildings.

9 Okay, those are my comments. Thank
10 you.

11 HUGH RUSSELL: Thank you.

12 PAMELA WINTERS: Thank you.

13 HUGH RUSSELL: Alex Steinberg.

14 ALEX STEINBERG: Alex Steinberg. I
15 live at Three Clinton Street, and I'm also
16 involved in the city as a property owner and
17 sometimes developer. In general I'm very
18 supportive of this proposal, and I think
19 there's some data, I'd just like to tell you
20 a little bit about our experience with
21 basement apartments because we have a lot.

1 We have -- probably I've been involved in
2 maybe 15 to 20 buildings in the city that
3 have had basement apartments. Most of them
4 were there before we arrived to buy. The
5 basement apartments, I don't know, at least
6 back into the early fifties and possibly
7 before then. But I think that's when most of
8 them went in. And then of course they
9 couldn't be removed and there was rent
10 control. But I would say that we've also
11 built basement apartments where they've been
12 legal. And, you know, this engineer's
13 report, I -- you know, I sort of -- it's a
14 little bit hard to believe in places because
15 most of these places, I would say 90 to 95
16 percent of the apartments that we've done in
17 basements, and there may be 100, 100 basement
18 apartments that we've owned or done, and
19 we've owned them for a long time, so we have
20 a lot of experience with different rainstorms
21 where there haven't been problems with leaks.

1 Occasionally there will be some water coming
2 in, groundwater. Occasionally when there's,
3 you know, when you really get a big flood, we
4 have a bit of a problem. And in some places
5 we've gone around the building and designed a
6 drainage systems that worked well. So I
7 think it can be done. I agree with,
8 particularly with the recommendation for
9 backflow preventers. I think that's separate
10 sewerage, I don't know. I'd have to see more
11 on that. Some, I think that depends on the
12 building, where there's a big building,
13 sewerage may be at capacity. Some of the
14 smaller buildings there's not as much a need
15 for.

16 Anyway, and so in general it's fine. I
17 think the philosophy of, you know, the
18 expansion of the population in Cambridge, we
19 just saw last week 105,000 people now. When
20 I can remember just, I don't know, maybe it
21 was ten years ago it was 95,000 and dropping.

1 Now it's 105,000 and growing. And to the
2 extent that we don't want to do a lot of
3 skyscrapers or height, this is a more easier
4 way to solve the problem I think with
5 allowing units. And I will say this, in a
6 lot of places now there is the ability and
7 the more dense zones you can duplex already.
8 So, you know, you don't -- this is for more
9 units, but you know, it's something about the
10 two things are FAR and parking I think.
11 Usually parking requirements you need a
12 Variance, and in some cases you're over the
13 FAR before you get to the basement. Okay,
14 I'll wrap it up.

15 The parts I don't like about it are
16 similar to some of the things that
17 Mr. Scholting said and particularly the
18 number of units. I think that, you know, if
19 it's a good idea, it should be a good idea
20 for the four-family and six-family and
21 eight-family, not just over 30 even though we

1 may own ourselves some big buildings.

2 The other thing I think is this idea
3 of, you know, is it good for affordable
4 housing versus graduate students? You know,
5 these units are sort of fungible. If there
6 are more opportunities at a lower price for
7 grad students they'll choose the lower price
8 units and the other units will be more
9 available. And I could go on.

10 PAMELA WINTERS: Thank you very
11 much. Thanks.

12 HUGH RUSSELL: Does anyone else wish
13 to be heard?

14 BARBARA BROUSSARD: Barbara
15 Broussard, Third Street, Cambridge.
16 Actually, I think this most offends me
17 because I'm always here talking to
18 developers. When you look a Section 10 on
19 the statement of purpose, the very last
20 sentence should be the first one. Raise
21 money to maintain older residential

1 buildings. I would be less offended if you
2 put that first because that's what I hear. I
3 can honestly tell you there will be many
4 small units for graduate students, elderly,
5 of all price ranges in East Cambridge because
6 they've been down here for the last couple of
7 years and they're all starting to be built.
8 I have a room in my basement. I don't have
9 flooding, but I can tell you that there are a
10 lot of residents in East Cambridge, including
11 Tim Toomey who I spoke to last week. The day
12 it rained last week flooded his basement
13 again.

14 Noise and light are two things you have
15 to think about in the basement. People
16 walking across the street down the sidewalks,
17 you hear that much more than you would when
18 you're on a first floor. And light, how much
19 light are you going to get in there? Being
20 older, light is very, very important to me.
21 I, I need it to survive and I need the

1 plants. These are kinds of things that
2 you'll need to think about before allowing
3 everybody who has a building who wants to
4 make a fast dollar, put a few more units in
5 there for themselves. I don't want to hear
6 any more about we're going to get more tax
7 revenue or we're making more affordable
8 units. The elderly can't go in there because
9 they're down in the basement and they're not
10 ADA compliant. Those are things we need to
11 think about when we're putting more units in.

12 Thank you.

13 HUGH RUSSELL: Thank you.

14 Charlie.

15 CHARLES MARQUARDT: I want to first
16 see if my memory recollects what people here
17 recollect and maybe you folks can fill me in.
18 I remember last time 1800 to \$2200 a month if
19 that serves me right.

20 THOMAS ANNINGER: No. 1400.

21 CHARLES MARQUARDT: No? 1400?

1 MATTHEW ZUKER: That was existing
2 rents upstairs.

3 CHARLES MARQUARDT: Those are
4 upstairs.

5 THOMAS ANNINGER: 13, 14.

6 CHARLES MARQUARDT: Okay.

7 THOMAS ANNINGER: That's what they
8 said.

9 CHARLES MARQUARDT: Okay.

10 THOMAS ANNINGER: That's what they
11 said.

12 CHARLES MARQUARDT: I get my numbers
13 mixed up. 1800 may have been Hampshire
14 Street the other day.

15 So we started talking about reasonably
16 priced, and is that reasonably priced? Let's
17 step back. There's a process where they can
18 get a Variance today. They can go to the BZA
19 and ask. Instead here we have a, I'm going
20 to call it sort of spot zoning with a twist.
21 The way it's written is in such a way that it

1 impacts so few units that it's written to
2 impact their units plus a few others. It
3 leaves out those without a basement apartment
4 already. All those buildings, no good. It
5 leaves out smaller buildings. So if you have
6 25 units, you're at a loss. If you have 20,
7 you're at a loss. Mr. Scholting made a
8 really good point, this could go across the
9 entire city if it's really, really that good,
10 and I'm not sure it is. If it's that good,
11 we should zone the whole city appropriately
12 and let's do it the right way so we can see
13 what the real impacts are. The impacts to
14 traffic. The impacts to parking. You're
15 looking at one space plus a potential
16 visitor's space. And that's two spaces now.
17 And we have to think about what that means.
18 And we have to step back and say what does it
19 mean to live in a basement? Not just the
20 fact that you're in the basement which has
21 its own connotations, but you have no

1 privacy. I mean, I've seen some of their
2 units. They're nice big windows. If you
3 have to keep them pulled shut all the time or
4 people are going to be able to look in at you
5 to see whatever you're doing, no privacy, no
6 sense of self. You have the potential for
7 mold, Radon, chemicals in the air, everything
8 is going to settle in your basement level.

9 You also have theft. Theft is so much
10 easier when you're in a first floor unit when
11 you want to open to get some of that nice air
12 in and someone could just come in and grab it
13 and scoot. I haven't seen anything in here
14 about screening for those windows in such a
15 way that they're set back. I haven't seen
16 anything about how far back they're going to
17 be from the parking areas. Is there a
18 parking area nearby? Going through a lot of
19 work to make sure that the cars are kept ten
20 feet back from houses, but look at some
21 houses where -- some buildings where because

1 testimony and leaving it open for written
2 testimony?

3 (Board Members in Agreement).

4 HUGH RUSSELL: Is it our pleasure to
5 discuss this more tonight or move on to the
6 next item of business?

7 THOMAS ANNINGER: I think we should
8 discuss it for a few minutes.

9 AHMED NUR: Maybe move on -- yes.

10 HUGH RUSSELL: Okay. Then in that
11 case I'm going to recognize myself and say
12 this is a proposal I've actually wanted to
13 see for years and years and years and years.
14 And because it seems what a waste all of this
15 basement space not being occupied is. When I
16 was a grad student, I lived in a market space
17 affordable housing unit in the basement on
18 the building in Mass. Avenue next to the
19 subway. What I've learned in all of this is
20 that what I thought was a good idea is
21 brought with all kinds of complexities. And

1 I -- it seems to me that we're not ready to
2 do this. The complexities that trouble me
3 the most actually are parking and the -- so
4 that's another many of these sorts of
5 buildings that are in places where parking is
6 very difficult and very competitive precisely
7 because the rest of the building is built at
8 a time when people didn't have cars, and many
9 of these buildings don't have parking of any
10 sort. So I would think that we're -- I'm not
11 ready to recommend in favor of this.

12 PAMELA WINTERS: Hugh?

13 HUGH RUSSELL: Sure, Pam.

14 PAM WINTERS: I'm sorry. I was
15 wondering maybe we could take a straw vote
16 from the Board, a straw poll from the Board
17 to see whether or not how many people are
18 so --

19 HUGH RUSSELL: Let people speak for
20 a minute.

21 PAMELA WINTERS: That sounds great.

1 HUGH RUSSELL: Okay. So do you have
2 an opi ni on?

3 PAMELA WI NTERS: Shoul d we start --
4 do you want to start?

5 HUGH RUSSELL: Sure.

6 PAMELA WI NTERS: I 'll start. Thi s
7 does not make me happy. I li stened to what
8 the ci ty had to say. I had my -- I had
9 sewerage backup i n my basement a coupl e of
10 years ago, and I woul dn' t wi sh that on my
11 worst enemy. I can sti ll smell the Cl orox.
12 There' s so many other i ssues that came up
13 about ai r qual i ty and, you know, for me
14 anyway, safety. And I j ust don' t thi nk that
15 I' d be wi lling to vote for thi s ri ght now.

16 HUGH RUSSELL: Ted.

17 H. THEODORE COHEN: Wel l, thank you.
18 Wel l, I went on the si te vi si t the other day
19 and -- to tal k about a coupl e of thi ngs.
20 There' s huge amount of space i n these
21 parti cul ar bui ldi ngs i n the basements. There

1 are windows. They're not bad. There's a
2 fair amount of light. They're not -- some
3 don't have the best views. Some of them have
4 nice views. Some of them are under
5 stairwells and other things. And the
6 proposal is that they would expand the
7 windows to meet building code requirements.
8 They are enormously expensive to do these
9 particular buildings because there are so
10 many lolly columns in the basements and
11 meters and waste pipes and things that would
12 have to be moved or have to be boxed in.

13 I don't think there would be a problem
14 with relocating bike storage or other storage
15 in these particular buildings. So having
16 said all that, I have no particular
17 opposition to their being basement units. I
18 assume the Health Department and the Building
19 Department can determine whether they're
20 actually, you know, a healthful environment,
21 a reasonable environment. However, I agree

1 that this is much too limited. That if we're
2 going to do it, it ought to be on a much
3 wider basis and not something that has been
4 drafted so specifically. I don't see the
5 reason for it. The size of the building or
6 the number of units in the building or the
7 age of the building, I think if we were going
8 to do it, then we really ought to consider
9 all the issues and make it available to, you
10 know, lots of people. You know, the idea of
11 maybe four units and above. I don't know if
12 that's the right number, but it seems if you
13 have a multi-family, that makes sense. But I
14 think it is something we shouldn't discount.
15 I'm just saying no, we're not going to do
16 this. You know, the Engineering Department's
17 letter certainly gave me pause, but I think
18 in many respects that's a city issue and not
19 an individual property owner's issue provided
20 that the property owner is complying with
21 whatever the city is now requiring in terms

1 of sewerage and separation. So, again, I
2 don't -- and, you know, parking and traffic
3 may indeed be issues. And maybe there's a
4 two-tier proposal that if within some a
5 certain distance of T or other public
6 transportation you don't need to provide
7 parking. But if you're within a certain
8 distance, you do need to provide parking.
9 You know, we struggle with parking on each
10 residential development and we'll address it
11 here, too. So I, you know, I don't know that
12 I'm ready to say that I recommend this
13 particular proposal, but I certainly don't
14 reject out of hand the concept of basement
15 apartments and the concept that we and the
16 department could draft something that would
17 work.

18 HUGH RUSSELL: Okay. Ahmed.

19 AHMED NUR: I'll be very fast. You
20 know, I remember when I was going to college
21 and I couldn't afford to have an upstairs

1 apartment, and I looked -- back then there
2 was through the Herald and an apartment for
3 rental for basement apartments. So I think
4 that they're long waited for. However, I
5 would vote for it under these four criteria
6 and only these. The rental should be
7 somewhere 30 percent less than the apartment
8 upstairs. Residential sticker, no. The city
9 should know that whoever lives in that
10 basement is not going to get a residential
11 sticker to park their car in the street. No.
12 3, there should be a mandatory sump pump, and
13 also and insurance on the owner's behalf to
14 clean it up. So this person just calls it in
15 and says give me a temporary shelter and
16 clean the place up. And I rest my case.

17 HUGH RUSSELL: Thank you.

18 Tom.

19 THOMAS ANNINGER: I too together
20 with Ted and Stuart and Li za visited the
21 apartments so I had a good view. So let me

1 just go through it in a few different ways.

2 One, when you go through the visit,

3 what impressed me was one, there -- as Ted

4 said, there's a lot of unused space. And I

5 can see how this might fit within sort of a

6 modern view that we do with what we have.

7 And I can see how there is a need for this

8 and I can see the market for it. The people

9 who have put this together, this concept have

10 done it with great thought, and they're

11 actually a very likeable group who took us

12 through a good tour and answered all our

13 questions. And I think they are sincere in

14 their desire to do a very good job. And I

15 walked away feeling pretty good about the

16 idea. I asked them -- I had a couple of

17 concerns. One was something that I'm still

18 not fully satisfied with. I have the feeling

19 that it's going to create somewhat of an

20 under class, somewhat of a tenement kind of

21 feel with it, and I'm very uncomfortable with

1 that. One could debate that. Let me move
2 on.

3 The issue that we've been debating here
4 about expansion or not, clearly the way they
5 designed it, they've designed it very tightly
6 around what is in their interests and I see
7 nothing wrong with that. They, they argue
8 that we want it to start out to see whether
9 this worked well under relatively good
10 conditions which are the buildings that they
11 have rather than to expand it and make it
12 something that we don't fully know the
13 unintended consequences of. But I think the
14 hearing tonight has clearly convinced me that
15 there's no stopping this. If we do it for
16 this group, you will have the arguments that
17 Ted and Mr. Scholming and others have made as
18 what's the rationale for stopping here? And
19 I must say that's when I start to worry. I
20 do think that this will become if it were
21 passed, unwieldy and undesirable in its

1 consequences and I can't imagine them all.
2 But I do think that when I listen to Stuart
3 and his reservations, where even if the
4 gentleman that I visited the apartments with
5 do a good job, and I think they will, we have
6 very little control of the quality of these
7 apartments as we go throughout the city.
8 Yes, there is a Zoning Board Special Permit
9 concept. I happen to think that Charles is
10 right, over time that could even disappear.
11 But even if it's there, I'm not sure that we
12 can count on the Zoning Board to worry about
13 quality. That's not typically their
14 jurisdiction. So, and I do think that we
15 are, by using up this space, eating it up for
16 possibly other purposes. And it's going to
17 leave a pretty cramped feeling down there for
18 washing and drying and bicycles and storage
19 and some of the other things. So I think
20 there are all these things to worry about.
21 The letter from Owen O'Riordan, I think puts

1 an end to the whole proposal. I don't see
2 how you can read this letter in any other way
3 than it says don't do it. That's the way I
4 -- that's what I think he's saying. And I
5 can't imagine this Board making a favorable
6 recommendation to the Council over the
7 objections that are that strong. How often
8 does the DPW send a three-page memo? I
9 haven't seen it yet. It's the first time.
10 And with language that's as strong as that.
11 I don't see how we can possibly make a
12 positive recommendation given what we've
13 heard from the Department of Public Works.

14 So I'm afraid I feel somewhat
15 uncomfortable because I thought we had a good
16 tour by responsible people who have come up
17 with actually a responsible and good idea.
18 But, I think we have to rise above that and
19 recognize that the underlying problems here
20 are just too great.

21 HUGH RUSSELL: Any other comments?

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21

Bill.

WILLIAM TIBBS: When I first saw this, I just had a real strong reaction to the title which was workforce housing. I'm getting beyond that and to look at the merits of what you're trying to do. But I too think it's just narrowly drawn, and even though I think you may have some building where some of these ideas might work it is narrowly drawn and it should be more broadly. But if it were more broadly, I think I'd like it even less with the concept and the idea. And the other thing, I wasn't convinced that the cost of these units were really going to be -- there's going to be enough of a differential to really make me feel like it was an option. And I guess I think the best basement apartments for me are the ones where when you're in them, you don't realize they're basement apartments. Typically those are ones that are along sloping sites where

1 one side of it gives you a better sense of
2 openness or whatever. So I just can't
3 support this at this point in time.

4 HUGH RUSSELL: Charles.

5 CHARLES STUDEN: I have a very
6 similar view to Bill's comments. I think
7 that this is way too narrowly drawn. Clearly
8 it benefits Chestnut Hill Realty primarily.
9 You read it it's all about Chestnut Hill
10 Realty basically. And I really have a
11 problem with the statement of purpose because
12 it sounds so noble in many of its aspects,
13 but when you really get into it, a lot of it
14 doesn't even make a lot of sense. I idea
15 that these are apartments that would somehow
16 promote the protection of the environment and
17 preserve the quality of the neighborhood.
18 How that would happen, I'm not sure. Or, the
19 purpose is to promote the maintenance of
20 older residential buildings. Again, I'm
21 assuming you're maintaining the buildings

1 anyway. To me it seems to be just simply
2 another way to make money and I believe
3 that's been suggested by other people who
4 commented as well. The thing I'm most
5 convinced about, though, is that we've gotten
6 this letter from the Public Works Department
7 which is extremely compelling, and also the
8 arguments that the Stuart Dash gave us from
9 the Community Development Department against
10 doing something like this. So I'm very much
11 -- I'm not in favor of it at all.

12 HUGH RUSSELL: Steve.

13 STEVEN WINTER: Thank you,
14 Mr. Chair. I want to congratulate the
15 proponent. I think that you worked very hard
16 to bring something forward and I appreciate
17 that. And I also want to note that the very
18 temperate and content rich testimony from
19 Mr. Scholming and Mr. Steinberg was terrific
20 to hear tonight. I think I have to say right
21 away that I concur with my colleagues. I

1 I like the idea of housing that's more
2 affordable. The idea of rooming houses,
3 SRO's, basement, attic apartments, it brings
4 a wonderful, terrific mix into the fabric of
5 our citizenry. It's terrific diversity. And
6 I don't know if you remember the Essex Hotel
7 across from South Station, but that was a
8 fabulous collection of SRO's with an
9 astonishing bunch of people in it. So, you
10 know, I like the idea. And I think there's
11 an idea in there somewhere, a really good
12 idea, but I don't think we've -- I don't
13 think we've got to it yet. You know, I will
14 say that the -- I wish that the engineer was
15 here tonight so I could ask him some
16 questions, but there were parts of his report
17 that I found very compelling and other parts
18 where I felt like it may have been setting
19 conditions that make basement residential
20 cost-prohibitive, and I don't want to do that
21 either. I don't think that's correct. I do

1 think that if we, if we do this, it has to be
2 for everyone. And I -- Tom, I just have to
3 agree, I don't think we're at any place in
4 that dialogue that is near a finish point so
5 I can't support this. But I do think there's
6 a terrific idea there. I don't think we've
7 gotten to it tonight.

8 HUGH RUSSELL: Okay. Anyone else
9 wants to add any other comments?

10 MATTHEW ZUKER: If I could make one
11 comment, too, is that we just got that
12 engineering letter this morning. And we
13 haven't really had a time to go through it to
14 discuss with the engineer options that may be
15 available, which ones he really thinks will
16 work and which ones he may not. So I mean it
17 seems like that was a big pause for a lot of
18 people on the Board. And I mean, you know,
19 we would appreciate the time to have a
20 meeting with the Engineering Department to go
21 over it as opposed to just getting it this

1 morning and kind of shuffling to prepare for
2 tonight knowing that was out there and
3 knowing we haven't had a chance to discuss it
4 with the city. If there was a way to do
5 that, I know there's other issues that have
6 been brought up, but that seems like a big
7 one in a lot of people's minds. Almost a,
8 you know, a deal breaker from the get go.
9 And not having that opportunity kind of put
10 us in a tough position of being able to
11 discuss that fully tonight.

12 WILLIAM TIBBS: Will there be an
13 Ordinance Committee meeting, or zoning?

14 HUGH RUSSELL: It is a zoning
15 matter.

16 WILLIAM TIBBS: In which case you
17 can bring your case there. The City Council
18 is who makes the decision. We just make a
19 recommendation. The zoning, we make a
20 recommendation but they make the decision.

21 STUART DASH: April 6th at five p.m.

1 is the Ordinance.

2 HUGH RUSSELL: So do we want to take
3 this up again in a little while? Do we want
4 to ask the staff --

5 CHARLES STUDEN: No.

6 PAMELA WINTERS: No.

7 HUGH RUSSELL: -- to take our
8 remarks and try to write a report and want to
9 see that recommendation before it goes.

10 SUSAN GLAZER: Hugh. Ordinance will
11 take this up again on May 5th.

12 PAMELA WINTERS: May 5th.

13 HUGH RUSSELL: May 5th. Okay.

14 STEVEN WINTER: Mr. Chair, I think
15 that we can make our recommendation. I think
16 we all know what it is. I would feel
17 comfortable if the proponent knew if they had
18 a venue where they could interact with the
19 engineer who wrote the report but at some
20 point further in this process. So if that
21 exists, I'd like to make a decision here

1 toni ght.

2 WILLIAM TIBBS: Yes. At least make
3 a recommendati on here toni ght. We' re not
4 maki ng a deci si on.

5 STEVEN WINTER: Thank you.

6 HUGH RUSSELL: I guess I woul d make
7 one other comment. I thi nk Ahmed' s remarks
8 were actual ly real ly got to the heart of it.
9 Whi ch is to make somethi ng l ike thi s work, we
10 have to impose some fai rly new ideas and some
11 drasti c thi ngs whi ch are real ly outsi de of
12 the frame of how we regul ate, but that' s what
13 it woul d take to make thi s work. And that
14 for me -- I mean that' s, you sai d it better
15 than I di d. But that' s real ly, I mean, when
16 you real ly get down to it, what is it do you
17 thi nk it' s goi ng to take to make thi s work?
18 You real ly have to thi nk way outsi de the box.
19 And maybe way outsi de the law.

20 STEVEN WINTER: I' m comfortabl e wi th
21 that.

1 HUGH RUSSELL: The Zoning Law. So I
2 guess we are not sending a favorable
3 recommendation. And our reasons are varied.
4 And so that's going to be the way it's going
5 to go in, right?

6 PAMELA WINTERS: Susan, you took
7 notes in terms of our reasoning?

8 SUSAN GLAZER: We're all taking
9 notes.

10 WILLIAM TIBBS: I think based on our
11 past history it should be clear as to if
12 there's a difference of opinion how we want
13 that expressed. Because we've had issues
14 with that.

15 CHARLES STUDEN: I believe that Ted
16 feels differently about it than we do.

17 PAMELA WINTERS: Right.

18 HUGH RUSSELL: Well, I think none of
19 us wants to go forward as done.

20 H. THEODORE COHEN: That's correct.

21 HUGH RUSSELL: The question is then

1 once you get passed that, do you try to find
2 something? Is it possible to find something?
3 We don't know.

4 STEVEN WINTER: Well, I would like
5 to add something to the letter that gives the
6 sentiment that you just gave a moment ago.
7 We think there's something here but it's a
8 major undertaking, and it's not something
9 that we're prepared to initiate or start or
10 pass judgment on. We don't even know if it
11 would work in that case. But I think we
12 could say there's something there.

13 HUGH RUSSELL: And my -- taking my
14 advice on this is just ask the Department to
15 draft a recommendation and we take the time
16 to look at the recommendation before it goes
17 in so that it does fairly represent the
18 diversity of your points.

19 CHARLES STUDEN: I just want to be
20 clear personally that I don't agree with
21 Mr. Winter. I don't think there's anything

1 to this proposal, so I want to go on record
2 as saying that. I think this is a very bad
3 idea in general.

4 HUGH RUSSELL: So, it's going to be
5 hard for the staff and so that's why I think
6 maybe you can come and back make sure that it
7 does capture our feelings.

8 WILLIAM TIBBS: I agree with you on
9 that one, but we've had much more tougher
10 issues where we didn't have to go through
11 that process, but I have no problem doing
12 that.

13 HUGH RUSSELL: But there's quite a
14 spectrum of people here.

15 WILLIAM TIBBS: There is. But it's
16 viewpoint. I guess the real question is do
17 we just want to give our feeling that this
18 particular zoning petition, we don't support
19 or do we feel that it's really important for
20 us to express those viewpoints? You know, I
21 can do either, but again we've had --

1 HUGH RUSSELL: You're in the middle
2 on that and there are people out at both
3 wings.

4 STEVEN WINTER: I think we can leave
5 it and let staff give us the draft.

6 HUGH RUSSELL: This has really
7 brought us to a point where we have less
8 agreement because it's a provocative proposal
9 and, there are things about it that some of
10 us like. And there are things about it that,
11 you know, so I'm not going to say it again.
12 So, let's go on to the next item.

13 THOMAS ANNINGER: What is the next
14 item?

15 HUGH RUSSELL: The next item is the
16 Town Gown recap. You don't think these
17 people are sitting in the back just because
18 they love being here.

19 Let's move forward now. Would somebody
20 like to set the stage for this conversation?

21 SUSAN GLAZER: It seemed so long ago

1 since we've had these presentations. And let
2 me see if I can set the stage for you. I
3 think that we have found that over the years
4 all of the schools have done a great job
5 where of summarizing where they are and --

6 WILLIAM TIBBS: Can you speak into
7 the mic so we can hear you.

8 SUSAN GLAZER: I'll just speak
9 directly into the mic.

10 As I said, I think the presentations
11 over time have gotten more to the point that
12 the Board is looking for. And so that I
13 think that the questions that we direct to
14 the schools really is helpful in keeping
15 those discussions as narrow as they can be,
16 but yet let the schools show what they've
17 done, what they hope to do and that has been
18 informative for everyone.

19 I think this year the primary focus has
20 been on MIT because they have a proposal that
21 they have shown to this Board on two

1 occasions, and they are bringing forward as
2 part of their continued effort to revitalize
3 Kendall Square. That all will be folded into
4 the Kendall Central study that we're about to
5 embark on.

6 Just reading through my notes, I did
7 not see any what I would call specific
8 questions that the Board had in part because
9 you really didn't have time to make any
10 comments. There were a number of comments at
11 the end of the evening by a number of the
12 City Councillors. And I'm just quickly
13 reading through the notes. It really -- a
14 lot of it focussed on the Kendall Central
15 study. There were some questions about
16 growth trends overall and the number of
17 students. There were some questions about
18 Lesley's growth because they're now adding
19 AIB. And I'll just see if there were any
20 other things that we wanted to talk about. I
21 think in general, and this is the thing that

1 you brought up, Charles, what's the
2 cumulative impact of all this development
3 from all of the schools on the city? And I
4 think that's probably the biggest overarching
5 question that was raised. And I really think
6 that was it from the Board's comments.

7 You may want to pick up where you left
8 off or you may ask specific things that
9 you're interested in that would explore
10 further for the schools.

11 HUGH RUSSELL: Okay. So I guess I
12 would ask are there comments from Members of
13 the Board who want to bring to our attention
14 and focus on?

15 WILLIAM TIBBS: I don't have a
16 specific thing right now, even though in my
17 mind I always had the hope that -- and I
18 don't think we've quite done it yet, but I've
19 always had the hope that these kinds of
20 conversations could be a real dialogue.
21 Where you present some stuff and we have a

1 chance to think about it and we just chat
2 about it and have some dialogue about some
3 stuff, just be able to talk. And so I'm
4 hoping in the course of folks talking will be
5 at this late hour, I'll be invigorated to do
6 that. But I thought it might be helpful to
7 at least just to let the Board know about how
8 I think about some of this stuff. I think
9 that was around when we first started doing
10 this, and if you look at sort of the trend
11 and what's happened over time, I think at
12 first we were just concerned about getting
13 the right information. So we spent sometime
14 making sure we were asking the right
15 questions, getting the right information.
16 And that seems to have fallen into place.
17 And then are you comfortable with what you're
18 hearing? And for me the key things that I
19 think has come out for me over the years is
20 really of being able to have an early
21 dialogue about some of the projects you're

1 doing even if they're still just on the
2 boards. I think Harvard was kind of first to
3 begin to do that, and I think MIT's now doing
4 that. So, as painful as it might be to you,
5 to put this stuff out and get all of the
6 feedback you're getting, I think that's very
7 helpful. I know for us it's very helpful.
8 And we talked about the cumulative impacts
9 which is kind of not your individual
10 purviews, but I think it's really up to us
11 and the city to really begin to think about
12 that.

13 And then for me I'm always looking at
14 the interface between what you're doing and
15 how it interfaces between the rest of the
16 community. We've gone through many things
17 over the years, you know, the Harvard housing
18 issues. Now MIT has sort of come into the
19 fray with their plans for Kendall and Central
20 so that which now has probably more community
21 impact than you normally have to deal with.

1 to -- this would be for MIT. Early on you
2 were probably here for that corner of Albany
3 and Massachusetts Avenue. I just had a
4 pretty quick question. Thomas had mentioned
5 that this is a potential square. But one
6 side of that square, which would be the
7 southwest corner, if you were going towards
8 the river on the right side across Albany,
9 the steam power plants, steam -- yes. I'm
10 personally bothered by just the exposure of
11 the steam and sort of factory-like it's an
12 industrial sized looking with the setback and
13 I just wondered if you could talk to the
14 city.

15 KELLEY BROWN: I want to be certain
16 what you're referring to.

17 HUGH RUSSELL: Is that a nuclear
18 reactor?

19 SARAH GALLOP: Is it a reactor on
20 the left or Cogen on the left?

21 AHMED NUR: It would be this corner

1 right -- let me see. I just circled it.
2 It's right here. It's literally across the
3 street. It's a Special District 6. That
4 corner there.

5 SUSAN GLAZER: Diagonally across
6 from Novartis.

7 KELLEY BROWN: The parking lot.

8 AHMED NUR: There is a parking lot.
9 That blue tank. I'm not sure if it's a
10 steam --

11 KELLEY BROWN: It's a nuclear
12 containment.

13 AHMED NUR: Okay. You know.

14 WILLIAM TIBBS: Well protected I
15 hope.

16 AHMED NUR: Right. So, in terms of
17 it's a visual -- being exposed to the
18 public --

19 SARAH GALLOP: Are you talking about
20 the lot?

21 AHMED NUR: The tank and the fence,

1 so on and so forth. As we talk about making
2 this a square, I just wanted to bring it up
3 to your attention and say the type of walls
4 of art -- what I really like in the main
5 campus on the right-hand side, a little
6 further down is that sculpture art, the
7 people go in and kids go in, that's really
8 nice. Something of that sort, you know, or
9 even by the Kendall Theatre there are some of
10 the things, you know, sculptures and screens
11 of that sort.

12 KELLEY BROWN: So some sort of a
13 screen element?

14 AHMED NUR: Yes, some sort of a
15 screen. It's not looking as unwelcoming
16 industrial as you (inaudible) nuclear
17 reactor.

18 HUGH RUSSELL: Is there going to be
19 a theatre building there at one time?

20 KELLEY BROWN: There was, yeah.
21 That's not going there.

1 WILLIAM TIBBS: I guess that -- and
2 by all means, I don't want to interrupt a
3 Board Member.

4 AHMED NUR: Go ahead.

5 WILLIAM TIBBS: I did have a
6 question earlier about what is MIT's feeling
7 for Mass. Avenue? A lot of these proposals
8 come from your real estate side.
9 Particularly when they're coming from
10 Novartis or your (inaudible) they tend to be
11 very focussed on the thing you're doing. But
12 what are your thoughts about Mass. Ave. as
13 you go from your front door, you know, up as
14 you go passed the Building 9 there where the
15 sculpture is and you get that -- that little
16 zone there is a funny little zone, the one
17 that you're looking at the power plant down
18 this way as you said, and the nuclear plant
19 this way, and the armory building and the --

20 KELLEY BROWN: Storage warehouse.

21 WILLIAM TIBBS: I'm happy to see

1 that their idea there is to hold on to the
2 graphics buildings, that's what I call it.

3 SARAH GALLOP: Right.

4 KELLEY BROWN: Right.

5 WILLIAM TIBBS: The little Tudor
6 building there.

7 KELLEY BROWN: And 42.

8 SARAH GALLOP: And 42.

9 WILLIAM TIBBS: But I just wonder,
10 because that's your front door kind of. And
11 I think of it relative as to how Lesley has
12 really thought about that little portion of
13 Mass. Ave. as they're looking at their new
14 kind of students and the church and stuff
15 like that, how it looks, how it feels, how
16 you're going down. But, you know, those are
17 -- I mean, you don't have to answer these
18 questions tonight, but those are --

19 KELLEY BROWN: Yeah, sure. I mean
20 we have -- the President Hockfield has long,
21 you know, wanted -- pushed on that, you know,

1 where the little bank kiosk in the parking
2 lot is as a real light, and she definitely
3 wants to get rid of that. And I think, you
4 know, the idea that that plus the -- and 10
5 and then 9, those two, the high voltage
6 electric buildings, those -- that site and
7 including the railroad track is, that's a
8 major development site for us. And I think
9 there's going to have to be some very close
10 interaction between, you know, the plants --
11 whatever plans emerge from that and what
12 takes place at the now Novartis site, the
13 former Analog Devices lot. Particularly that
14 corner there. I think there's a lot of
15 important opportunities both what happens
16 from Osborn and also what happens from as
17 you're coming from Boston, that -- you don't
18 realize it now because there's nothing there,
19 right? But it will be an extremely prominent
20 site and it will -- because that's where the
21 inflection in the road is as the Novartis

1 people pointed out. It's going to get a lot
2 of attention. I think the parking lot on the
3 other side is in some ways it's a very
4 challenging matter because it's just not that
5 big. We're not gonna, it's, you know, no
6 one's told me, we're keeping the nuclear
7 reactor and all of that, and you're just
8 dealing with that little parking lot size and
9 that's not a typical -- that's not a size
10 that we do our science buildings at. So,
11 it's just going to have to be a different
12 kind of program for that lot eventually.

13 WILLIAM TIBBS: One more indulgence
14 if you don't mind. A story that Charles Vest
15 says -- Charles Vest was the President of MIT
16 before President Hockfield, and he had a very
17 interesting -- he was going on a very
18 different context. As a matter of fact, he
19 was talking to a group of minority
20 administrators at MIT, and he said that -- he
21 said that he was walking up Mass. Ave.

1 towards Central Square and was kind of, and
2 it was in the winter, it was kind of dark,
3 and he was walking there. And a couple of --
4 he saw a couple of black young folks behind
5 him. And he was walking, and he noticed that
6 they were kind of keeping pace with him and
7 just kind of -- it was almost like they were
8 scoping him out or whatever. And finally he
9 kind of stopped and said -- and let them
10 catch up with him. And they turned out to be
11 MIT students. And they said, and they said
12 well, President Vest, this is a pretty rough
13 area here. We were just kind of keeping an
14 eye on you. But, you know, he said that in a
15 different context, but it says a lot about
16 that stretch. I mean, and so I think it's
17 changed somewhat as we're going to it. But I
18 mean that -- I don't want us to
19 underemphasize, and I know we're going to do
20 that as part of the study, but that little
21 piece -- I think when you can stand in the

1 center of Central Square and look down and
2 see the dome and point down and say, this is
3 MIT but you have to go through this little
4 teeny little no man's land spot, I just want
5 to make sure everybody is thinking about
6 that. You, the city, and your real estate
7 wing. I mean that is your prime -- that's
8 your address. So anyway, I'm -- I'll shut
9 up.

10 HUGH RUSSELL: Ahmed, have you
11 finished your remarks?

12 AHMED NUR: Yes. And I also wanted
13 to say thanks for the 150 year. Thanks.

14 SARAH GALLOP: That's very exciting.

15 HUGH RUSSELL: Charles.

16 CHARLES STUDEN: I think I'm going
17 to go out on a limb here in terms of the Town
18 Gown reports. Ten years ago I came back to
19 New England from California where I had been
20 living and I went to work as I think
21 everybody here knows, for Harvard. And

1 shortly after arriving one of my principal
2 responsibilities was around helping to
3 prepare Harvard's Town Gown report. And I
4 think that during that period in the early,
5 what, seven or eight years ago, the
6 environment was very different in Cambridge.
7 And at the time I came, I was told that the
8 reason we were doing these reports, it was a
9 City Council requirement. It wasn't coming
10 from the Planning Board, it was coming from
11 the City Council. And it was based on a
12 frustration that I think they had around not
13 fully understanding what the schools were
14 doing. At that time there weren't these
15 periodic updates from the schools which we
16 now have as you pointed out, Bill, which I
17 think are very, very helpful. And so, you
18 know, sometimes I wonder, for example,
19 Harvard's report the last couple of years has
20 been thoroughly, it's been very similar. I
21 mean, largely because there's not a whole lot

1 going on. I mean, I don't mean to diminish
2 the importance of what goes on in an
3 institution. But the real big building that
4 was going on earlier, partly because of the
5 economy, but partly because of a lot of other
6 programmatic things, it's slowed down. And
7 there's been a lot more communication. And
8 so sometimes you wonder do we need to do Town
9 Gown reports every year? Would it make sense
10 to do them bi-annually instead? But again, I
11 think the statistical information, for
12 example, that the schools provide I find very
13 helpful in enrollments and so on.

14 But in terms of the planning stuff I
15 think now I find that when you come to us, as
16 MIT has done recently with your Kendall
17 Square proposal, what we heard tonight in
18 terms of Novartis is what's really helpful
19 because you can have a meaningful
20 conversation. The Town Gown presentations to
21 me, as interesting as they are, seem very

1 kind of pro forma. In the last few years
2 we've had hardly anyone from the public come,
3 which I think is testimony to their comfort
4 and what's going on. And I don't know if
5 maybe there isn't -- this isn't a time, and
6 again it's probably not our call, it's the
7 City Council's call because this was their
8 requirement, but I would like to just suggest
9 that perhaps we should think about it a
10 little bit differently. And again, the way
11 we have dialogues is to have you come to us
12 with projects as they become -- as you begin
13 to think about something and where you want
14 some help because we do want to help you with
15 these things, or sometimes it doesn't
16 probably seem that way. But that would be
17 the more meaningful way than some report.
18 And maybe the report can be organized a
19 little differently. I don't know, I haven't
20 thought it through enough. But I just feel
21 like it's something that's not as effective

1 now as it was say ten years ago when I saw
2 that there was a real purpose to it.

3 HUGH RUSSELL: Pam.

4 PAMELA WINTERS: I think that you
5 hit the nail on the head, Charles. I know in
6 Harvard's case, I think that perhaps there's
7 not enough building going on there right now.
8 I was actually a little bit disappointed
9 until just now when you said that because you
10 spent over half of your time talking about
11 your green initiative. And not to diminish
12 that, that's a very important thing, but you
13 know, I like what's happening with your
14 buildings, and you know, I was thinking about
15 that little block that you have next --
16 adjacent to the new law building where Looks
17 was, all those little tiny buildings, if you
18 had any ideas as to what's going to happen
19 there, because they're pretty much empty now
20 I think except for the barber shop I think;
21 is that correct?

1 TOM LUCEY: No, that whole building
2 is empty. That's not part of (inaudible),
3 no.

4 PAMELA WINTERS: Oh, okay. Okay.
5 So something, you know, that's your property.
6 So something will be going in there. And I
7 was wondering gee, I'd like to hear more
8 about what they're planning to do in future.
9 So, at least that kind of explains why you
10 spent so much emphasis on the green
11 initiative because, you know, very little
12 building it sounds like is going up around
13 Harvard. So those are just my thoughts.

14 HUGH RUSSELL: Ted.

15 H. THEODORE COHEN: Well, it's
16 really interesting because I wanted to say
17 the same thing, and when I first got on the
18 Board and went to my first Town Gown, people
19 said oh, where your flax suit because they'll
20 be shooting bombs especially at Harvard. And
21 it was a little bit, and it's diminished over

1 the years. And I think the problem with -- I
2 like reading the reports. I think they're
3 very interesting and very informative. But I
4 think part of the problem may be that it's
5 done in the forum of a public meeting that
6 the public has the right to ask questions.
7 And I think the presentations get key to, you
8 know, being pretty for the public and filling
9 up time with what's already in the report.
10 And I think it might be much more valuable to
11 us and maybe to City Council and perhaps to
12 the schools, too, if it was a much more
13 informal, you know, it would obviously have
14 to be public and the public would have to be
15 invited to attend it, but not necessarily
16 that they would speak at that point. That it
17 would be much more one-on-one dialogue where
18 we can say, what are you doing with that
19 building? And what are your plans? You
20 know, what's going to happen once the Fogg is
21 done? When's it going to open? And, you

1 know, yes, Lesley we know you've got these
2 plans for Mass. Ave. and what do you really
3 plan to do? Those buildings are going empty
4 now. I think if it was a much more informal
5 one-to-one us and you. Not necessarily in
6 the context of a proposal, because when there
7 is an actual proposal, and we have a public
8 hearing and the public is here, and the
9 universities are not necessarily defensive,
10 but they're defending their proposal and
11 trying to convince us, and I think if it was
12 a, you know, every year, every other year,
13 whatever, but a less formal just round table,
14 let's sit down and talk so we know what
15 you're doing and you know what our concerns,
16 are and I think that would work better. And
17 I think the public sometimes hijacks the
18 process of the Town Gown report and don't get
19 much information.

20 CHARLES STUDEN: Didn't you feel,
21 Ted, that MIT for example, the presentation

1 they gave in the fall around their Kendall
2 Square proposal was good and kind of went to
3 the spirit of what we're talking about?
4 Because I did.

5 H. THEODORE COHEN: Yes.

6 CHARLES STUDEN: It was
7 non-confrontational. It was informational.
8 They're coming to us saying this is what
9 we're doing. You came to us and said this is
10 what we're doing. It's very conceptual. We
11 want to give you a head's up of what we're
12 thinking about. And I kind of liked that.
13 And to have that happen rather informally
14 throughout the year rather than at one forced
15 kind of event that has this ceremonial
16 feeling to it that has a stiltedness and
17 formality that's really very hard to have it
18 be really effective unless again there's a
19 lot of stuff in the report that we haven't
20 heard about. Usually I mean what seems to be
21 in those Town Gown reports we should know

1 about already. There probably is not going
2 to be anything in there where we go what? We
3 never heard about this before. So I think
4 this is the dilemma, and I'm not sure we're
5 going to solve it tonight, but I think it's
6 probably worth talking about a little bit
7 more. And who knows, we probably need to
8 engage the City Council in this again
9 obviously. Because this is their requirement
10 that the schools do these reports on an
11 annual basis. So I don't know.

12 PAMELA WINTERS: And the City
13 Council has requested a round table
14 discussion with the universities and with us.
15 So that should prove helpful, too.

16 CHARLES STUDEN: Yes.

17 THOMAS ANNINGER: I guess I'd like
18 to ask the people who have come here tonight
19 whether you find it of any use not only in
20 possibly two ways, one in thinking through
21 what it is that you have to write and

1 present, because sometimes writing things
2 down does make you see connections and puts a
3 certain discipline to it, but also I get the
4 feeling that you don't talk to each other
5 very much. I mean, you have all these
6 relationships, of course, but do you learn
7 something from the others by going through
8 this? Is anybody willing --

9 KELLE Y BROWN: Which others are
10 you -- between the institutions?

11 THOMAS ANNINGER: From each other.
12 Sometimes I get the feeling that there is
13 some usefulness to that.

14 ALEXANDRA OFFI ONG: Certainly.

15 THOMAS ANNINGER: If there's
16 anything I enjoy, I like to see the
17 juxtaposition, for example, of the green
18 stuff. That was kind of interesting. Your
19 two different ways of approaching it. And I
20 actually watched you watching them as they
21 were presenting, and it was interesting to

1 watch that. So maybe you would care to
2 comment on that?

3 SARAH GALLOP: I think there are
4 many things that are valuable to us, I think,
5 with the process, and one is the sitting down
6 and the writing. You know, we roll our eyes
7 and think oh, my God, we have to do this
8 again. And it becomes a very valuable
9 exercise where we're collecting information
10 and writing out our plans and thoughts in an
11 effort to share. So there's value in
12 creating the report. Our frustration that we
13 have about the report is that it's not clear
14 to us how many members of the public actually
15 read the report. And we do put a great deal
16 of effort into it, and then we'll go to a
17 community meeting and be accused of not, you
18 know, sharing something when, you know -- I
19 remember the words he wrote about that
20 particular project. And so that's a
21 frustration for us. That's not an unusual

1 frustration I think, but I don't know quite
2 what to do about that.

3 And then I do think we learn about one
4 another's projects. There's another point of
5 value for us at MIT, and that's good
6 coordination between the investment and the
7 academic side in preparing a report. You
8 will remember that we didn't really used to
9 report on the investment side in the report
10 and now we do. We have equal sections. So I
11 think there are several rules of value.

12 TOM LUCEY: I would just add that we
13 do like to come in on bigger things, but
14 little things come up, so having an
15 opportunity to come before you and just talk
16 about the whole spectrum. Some things that
17 we might not come normally, it's not big
18 breaking news, it is something we'd like to
19 share with you we get to put it together on a
20 report. And if you notice, when we give
21 ours, it's very much different from what

1 we're thinking in the report. We're coming
2 in a lot of times with the notion that you've
3 read the report and that you've understood.
4 And as Charles said, it's kind of understood.
5 So we do try. That's why I think we started
6 to think about the green things that we're
7 doing and let us go down there. That's where
8 our thinking was, there wasn't huge progress
9 was and that's what our thinking was. So I
10 do think it was valuable.

11 BRIAN MURPHY: Is this a good time
12 or would you rather it later?

13 BILL DONCASTER: I actually spoke
14 with my colleagues at the other universities
15 actually this evening questioning whether or
16 not all of this process is necessary each
17 year, especially as all of us are coming in
18 when we have projects to discuss. I think
19 all of the universities are doing a far
20 better job of staying engaged with
21 neighborhood groups. And I know the

1 neighborhood groups surrounding Lesley oh, I
2 heard next week's Town Gown, and, you know,
3 is there anything new? And the answer is no.
4 There have been -- anything we have up
5 they've generally been told. It is a
6 valuable exercise for us to have a point each
7 year to stop, think about what we're doing,
8 assemble the statistics which generally
9 aren't held for our purposes in the same way.
10 So we actually have to recalculate them which
11 is in itself an interesting exercise, and to
12 pause and say what are we doing? What are we
13 thinking about doing? And to present that in
14 a way that makes sense. So that part is a
15 valuable exercise.

16 I do sometimes feel like the
17 presentation is being put together in a way
18 we don't have a lot else to say other than
19 what's in the report. So it's basically a
20 summation. I don't see a lot of the members
21 of the public coming either. And I'm

1 wondering if it needs to be in a different
2 format, perhaps, you know, a different time
3 of the year. Perhaps, you know, if each
4 school were to have, you know, this kind of
5 time at the end of a meeting, you know, for a
6 more informal kind of discussions maybe a
7 couple times of the year rather than cramming
8 them all in one night. And then there was
9 another few years where there was the
10 discussion of do we do all three and then the
11 Q&A at the end? Or do we do one and Q&A? No
12 matter how you sliced it, it was a long night
13 for somebody. I think it can be
14 restructured. My understanding of the
15 original Council order which was I think 92
16 or 93. I don't think it's very specific as
17 to what form all of this needs to take. So I
18 think there is some adjustment that can be
19 done to the actual process.

20 STUART DASH: Let me clarify, the
21 Council order was asking the Community

1 Development to follow up on a report that had
2 been issued, I'm trying to think, in right
3 around '92 but it was a joint decision-making
4 negotiation between neighborhoods and the
5 universities that issued a report and sort of
6 two small sentences in the report it says the
7 university shall report on an annual basis
8 about their planning progress and the
9 Council, the thing you're referring to,
10 Charles, was a Council a few years after that
11 said we should get that into play. That it
12 had to be going on.

13 CHARLES STUDEN: I see.

14 HUGH RUSSELL: I guess my take on
15 some of this is the old adage if it ain't
16 broke, don't fix it. So, I been here I think
17 for the entire history of Town Gown reports,
18 and I must say looking through the reports, I
19 do wonder how much of the information do we
20 really need to know, and how difficult it is
21 to get some of it? And I think it could be

1 productive for you guys to all sit and have a
2 meeting around that to see if we can maybe
3 reduce the burden of the points that just
4 focus on the parts that are more interesting.
5 You say yourself having to do it as a process
6 is useful. I think in the, you know, the
7 relationship between Harvard and the
8 community was pretty difficult say 30 years
9 ago. Harvard always --

10 WILLIAM TIBBS: Not that far. More
11 even --

12 PAMELA WINTERS: Ten years ago, too.
13 Ten.

14 HUGH RUSSELL: Harvard was facing a
15 problem of expansion of academic programs and
16 continuing a policy of very long duration of
17 expanding into the community around Harvard
18 Square which probably started about 1660 or
19 so when they got the cow yard next to the
20 original cow yard. And so, that's very
21 different today. I think at that time we

1 sort of thought well, MIT down's there, we
2 don't really care because they're not near
3 any residential neighborhoods and it's pretty
4 cruddy all around them. Anything they do is
5 probably good. But things are different now.
6 Lesley was just a little school that had a
7 few houses on Walnut Street and a building on
8 the corner of Oxford.

9 BILL DONCASTER: We're catching up.

10 HUGH RUSSELL: So, you know, there
11 was a process that started looking at the
12 kind of the impact of academic operations on
13 the city. You know, parking and
14 transportation and students competing and
15 with other people for -- and those -- we've
16 reached kind of a steady state where we're
17 all pretty comfortable I think with how
18 that's working. And what we're realizing
19 it's the secondary impact of the
20 institutions, that's the most interesting
21 part. Lesley bringing to the city a dynamic

1 new program from Kenmore Square to Porter
2 Square that promises to be a real, you know,
3 inviting and enlivening agent working in the
4 part of the city that maybe wasn't known for
5 its peak. But I like Porter Square, but's
6 kind of a parking lot next to a shopping
7 center.

8 And MIT and Harvard both had growth of
9 the biotech industries, becoming incredible
10 drivers for the economy of the city. Really
11 our prosperity in that last 15 or 20 years is
12 due largely to that kind of activity. And
13 it's only because of the smart people or
14 maybe not only on Smart Street but they've
15 been around the city.

16 PAMELA WINTERS: And the people
17 donating the money, too.

18 HUGH RUSSELL: Right. I mean people
19 who would give hundreds of millions of
20 dollars for a wonderful building. Amazing.
21 And you know, the litany of people to say

1 well, I made a billion dollars and I wouldn't
2 have done it without MIT, so I'm giving it
3 back.

4 PAMELA WINTERS: Right.

5 HUGH RUSSELL: MIT is more and more,
6 you know, focussed on the notion of how can
7 we use our leverage in our commercial real
8 estate to advance the broader institutional
9 goals of what we're trying to -- why are we
10 here? I mean just tonight we saw this
11 incredible example of, you know, making a big
12 piece of chunk of land available to Novartis.
13 And I'm sure it will be a perfectly good real
14 estate deal, but that's not why you did it.
15 I mean, so... And that's, that's in some
16 ways those kinds of secondary impacts are
17 more interesting. But they're probably
18 somewhat beyond what we actually deal with on
19 a regular basis. So the informal meetings
20 around the different projects are probably to
21 us the most interesting part of it and not

1 something you want to do on the first Tuesday
2 in February. So I could see the, you know, a
3 big picture, look at it. But I don't think
4 the process is particularly broken. I think
5 what we've gotten out of as a result of
6 communications, and I would also say I
7 appreciate the fact that Lesley brought their
8 president down so that we could actually see
9 who he was and how he talks. And, you know,
10 senior administrators from the other two
11 institutions have been frequent guests on
12 these Town Gown nights, and it helps us
13 understand how the tempo and thinking of the
14 institution is changing. You can write that
15 in the report, but it's somehow much more
16 vital when somebody stands up and you can
17 size them up. And so I think that is an
18 advantage for us to see that. And if they
19 don't go to the Council, I don't know whether
20 they do or they don't. And I'm not saying,
21 you know, that you want the presidents here

1 unless you hear from every institution, but
2 when there's a message or there's something
3 important to be said, well, there's a
4 curiosity on the part of that administrator
5 to do it, great.

6 STEVEN WINTER: Hugh, I'd just like
7 to make a few comments. I know that it's
8 getting very late. I want -- Heather's out
9 in the audience and I do want to say that --

10 ALEXANDRA OFFIONG: I'm not Heather.

11 STEVEN WINTER: Oh, I'm sorry.
12 Heather from the office of sustainability was
13 invited by the Commonwealth of Massachusetts
14 to address municipalities on what the office
15 of sustainability was doing and it was a
16 remarkable presentation. It was wonderful.
17 45 or 50 planners from towns all over the
18 eastern Massachusetts came to listen. I
19 think the stuff, that green stuff is really
20 important, and I want to hear about it. I
21 think it's a perfect thing for the Town Gown.

1 And frankly, Harvard and MIT both have this
2 tremendous stuff going on that we all learn
3 from it. You model it for us, and that's the
4 important part. Oh, the food waste, yeah, of
5 course, you can do this with it. You know,
6 so I do think that's important.

7 But Heather also came to me and, Hugh,
8 I mentioned this to you, what does the
9 Planning Board really want from the Town Gown
10 things? And I didn't, I have to say I didn't
11 really follow up on that. And so what I'm
12 saying is I think it's our responsibility to
13 say to these folks, this is what we want.
14 This is what works. And I think to some
15 extent we do. And I think to some extent
16 that we leave them hanging a little bit.

17 And I want to just veer off a little
18 bit and say that this -- the dialogue that we
19 have right now, it's intimate and quiet and
20 not, you know, in a large public meeting,
21 this is really important dialogue to me.

1 It's too bad that we're having it at this
2 time of the night and we should never do this
3 to you again. But I will --

4 WILLIAM TIBBS: Or ourselves.

5 STEVEN WINTER: Well, it's our
6 responsibility. But I wanted to say to
7 Mr. Doncaster that the process that you went
8 through in the neighborhoods was quite
9 remarkable and quite terrific, and I think it
10 made a good product in the end. And I want
11 to encourage you to take it just a little bit
12 further and maybe look at that Appleton
13 Street as it goes from -- is that Appleton
14 Street?

15 SUSAN GLAZER: Rosel and.

16 STEVEN WINTER: Rosel and. Thank
17 you. Rosel and Street as it goes from the
18 avenue to the intersection Beacon and Oxford.
19 Yes, Beacon and Oxford. I think that's a
20 real interesting avenue for the university.
21 And it's a really interesting -- there's

1 going to be a hotel over there now on the --
2 astoni shingl y so bui l t i n Somervi l l e on that
3 l i t t l e t r i a n g l e o f l a n d t h a t u s e d t o b e a g a s
4 s t a t i o n . T h e h o t e l , w h e n i t ' s r e a d y t o g o .
5 B u t I t h i n k t h e u n i v e r s i t y c o u l d w o r k w i t h
6 t h e c i t y a n d b e g i n t o p a y a t t e n t i o n t o t h a t
7 a s a n a v e n u e , i t ' s a c o n n e c t o r , i t ' s g r e a t
8 n o w . I t ' s o k a y , b u t i t ' s a l i t t l e s h o c k
9 w a r n , a n d I t h i n k i t w o u l d b e h o o v e t h e
10 u n i v e r s i t y a n d t h e c i t y a n d t h a t h o t e l u p
11 t h e r e a n d o t h e r s h o p s t h a t a r e o p e n i n g u p o n
12 B e a c o n S t r e e t , t h e e s p r e s s o s h o p a n d a l l
13 t h o s e o t h e r l i t t l e s h o p a n d I w a n t t o a s k y o u
14 t o s t a r t t h i n k i n g a b o u t t h a t a n d I ' l l b e
15 h a p p y t o d o t h a t w i t h y o u .

16 B I L L D O N C A S T E R : T h a n k s .

17 H U G H R U S S E L L : H o w a b o u t h a v i n g t h e
18 A I B s t u d e n t s a n n u a l l y p a i n t t h e s t r e e t w i t h
19 o f c o u r s e a r e s i s t a n t p a i n t .

20 P A M E L A W I N T E R S : I t h i n k t h a t ' s a
21 g o o d i d e a .

1 WILLIAM TIBBS: There are a couple
2 of things. One is that again, like Hugh,
3 I've been around since the beginning. So we
4 went through all sorts of variations in the
5 process. And it has moved -- but the public
6 I think is something, when you say don't fix
7 -- I think it's not good that the public's
8 not there. We went from pretty
9 confrontational meetings, particularly in
10 Harvard's case, where it was almost like, you
11 know -- and I remember, I got to the point if
12 senior folks would ever come because they
13 would be stuck in a position where they might
14 have to make some commitment or not make some
15 commitment, whatever because the public would
16 tend to not use it as a Town Gown thing but
17 just in the way of using whatever issues that
18 bothered them that day. But, you know, by
19 chance having it on a day when it was
20 snowing, I mean, to have a meeting where
21 there's no public, I think we've got to work

1 that one out. Because just on variation of
2 the thing, we've done asking questions after
3 each presentation, that didn't work. And
4 then we had a split over a couple of nights,
5 that didn't work. And then waiting for all
6 your questions at the end. I remember the
7 first time we did that, we waited for all the
8 questions at the end and then everybody left.
9 So I mean, you know, there were a whole lot
10 of people there but by the time the questions
11 came there was nobody there. That was one
12 area, I'm not sure what the right thing to do
13 is.

14 And, Steve, I think your comment is
15 correct, it is us and our discipline, too.
16 One of the things we did early on, but I
17 think you just responded to and kept it going
18 was that we, we actually recorded questions
19 and sent them back to you. So that by the
20 time you came to that, we actually had
21 thought about it and you thought about some

1 answers. And I think in the past we didn't
2 have a chance to do the dialogue, but we did
3 get responses back to those questions. So
4 that I think that those -- and I think that
5 on any report we should be able to do that
6 even if our questions are, you know. And I
7 think, Hugh, I actually like the green, stuff
8 too, because I'm just fascinated by stuff
9 that you're doing that I didn't realize
10 people were doing and could do, but in
11 particularly in an institutional context,
12 which is a very different animal.

13 But I think, Charles, you commented on
14 the fact that the only problem there was that
15 some of it was the same. So that you might
16 want to focus on the new things you're doing
17 this particular year and just quickly say
18 we're still doing this, this and this. And
19 we're doing some new things. I think there
20 was a tendency to repeat itself.

21 And then the last thing is that one of

1 the things that I think we did a little bit
2 more in the future which I'm not sure if
3 we're doing as we were minding the data a
4 little. Looking at trends or asking
5 questions about trends. Is the staff
6 increasing over time? Or are you keeping --
7 is your enrollment increasing over time? I
8 know Harvard had goals that they were trying
9 to do about how many graduate students they
10 were actually housing because that whole
11 issue of students and housing -- so I just
12 want to make sure that -- and I think a lot
13 of it, the progress been positive enough that
14 we tend not to do that anymore. But I think
15 we should always, just, you know, just do
16 those things. Undergraduates -- I know MIT
17 went through that period where the
18 fraternities and you were housing all your
19 freshmen and stuff, those are all the things
20 that are interesting. And the housing issue
21 has been one of those things have been where

1 you used to get a lot of play and a lot of
2 conversation. And the public brought it up a
3 lot. And so the public's not there and we
4 may not focus on it, and that conflict it's a
5 uniquely Cambridge -- not uniquely Cambridge,
6 but it's specifically Cambridge conflict of
7 students and housing that can be a driver for
8 it being not as affordable because students,
9 because of whatever their compensation and
10 the scholarships they get and stuff like
11 that, they can afford to maybe pay a higher
12 price than maybe residents can. So the need
13 to have them on campus versus out -- you
14 know, those kinds of issues. Those are
15 issues we can always talk about. I think
16 we're at a comfortable place where we can
17 talk about those issues. But I think we
18 shouldn't in our -- get so laid back about
19 this that we don't do that anymore. There
20 are certain things like -- I mean, look at
21 all the millions of square feet that the two

1 of you have built and you're increasing your
2 square footage in a pretty fast way, but yet
3 is that affecting staff? Is that affecting
4 faculty? Is that affecting -- because all
5 those things make sense. And I think we
6 shouldn't make -- those kinds of questions
7 came out when we asked questions in a way
8 which because we've gotten a little licks in
9 our processing may not. So I want to make
10 sure that, you know, we don't lose that.

11 HUGH RUSSELL: Okay, I think I've
12 lost the ability to do anything more.

13 Are we complete?

14 CHARLES STUDEN: I think so.

15 HUGH RUSSELL: Thank you very much.

16 (Whereupon, at 11:30 p. m., the
17 meeting adjourned.)

18

19

20

21

C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.

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