

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, May 3, 2011 - 7:00 p.m.

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
H. Theodore Cohen, Member
Ahmed Nur, Associate Member

Brian Murphy, Assistant City Manger for Community
Development
Susan Glazer, Deputy Director for Community
Development

Community Development Staff:

Liza Paden
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AGENDA

GENERAL BUSINESS:

Board of Zoning Appeal Cases

Update by Brian Murphy

Adoption of Meeting Transcript(s)

Kendall Square Central Square

Study Update

AGENDA (continued)

PUBLIC HEARING:

PB#1258, 119-135 Harvey Street

Special Permit to construct 29 units of
housing and 29 parking spaces

Section 11.10 Townhouse Regulations.

11.15.5.1 Open Space Regulations. And

17.23.1 Multifamily Use.

Young Investments, LLC Applicant.

Forest City Commercial Group Zoning

Petition to extend the Cambridgeport

Revitalization Development District to an

area adjacent to Blanche and Green Streets

and Mass Avenue. And to create new

Sections in Article 15.000 to reflect this

zoning district extension.

AGENDA (continued)

GENERAL BUSINESS:

Novartis Zoning Petition discussion

P R O C E E D I N G S

HUGH RUSSELL: This is the meeting of the Cambridge Planning Board, and the first item on our agenda is the review of the Board of Zoning Appeal cases. My understanding is...

LIZA PADEN: We have Mr. Fandetti here from the hotel in Kendall Square, the Firehouse Hotel, and he wanted to explain his proposal that is going to the Board of Zoning Appeal for a variance and a Special Permit.

GERALD FANDETTI: Good evening.

HUGH RUSSELL: Good evening. If you would spell your name for the recorder.

GERALD FANDETTI: My name is Gerald,
G-E-R-A-L-D, Fandetti, F-A-N-D-E-T-T-I.

HUGH RUSSELL: Thank you.

GERALD FANDETTI: And we have made an application to the Board of Zoning Appeals for an addition to our hotel, which is at 350 Main

Street in Cambridge. The addition is for a separate building on a street that we own, and it is next to the MBTA subway station in Kendall Square.

LIZA PADEN: That's the addition
(indicating).

HUGH RUSSELL: So, is there a plan that shows how it relates to the rest of the building?

LIZA PADEN: Yep.

GERALD FANDETTI: We are looking for Special Permits which are for hotel use and for reducing the parking because of our location next to the subway station, and because we have what turns out to be excess parking available in our underground garage at 350 Main Street.

LIZA PADEN: So, this is what the building will look like. This is narrow end on the street. And this is right -- this is the width on the street going along the street. And

the existing hotel is a here (*indicating*).

PAMELA WINTERS: Oh, so that's the height of the existing hotel right here?

LIZA PADEN: No.

The existing height -- it's going to be the same height as what you got there, right?

GERALD FANDETTI: It will be slightly taller.

LIZA PADEN: Oh, is it?

GERALD FANDETTI: Yes. We are about 78 feet and this is going to be about 100 feet. So it's got a little peak on it, so...

THOMAS ANNINGER: How is this a Zoning Board and not a Planning Board issue?

LIZA PADEN: It goes to the Board of Zoning Appeal. It's in the CB3 District and it is a new structure. It's just a dimensional relief, and the variance for dimensional relief is always at the Board of Zoning Appeal.

The Planning Board doesn't do the variances. This actually has a little bit more, I believe, smaller scale of how the addition will come out.

GERALD FANDETTI: I've got another plan here also. To understand what we have here, this is the existing hotel. This section we built three or four years ago. It's over --

AUDIENCE MEMBER: Could you speak up, please?

GERALD FANDETTI: I'm sorry.

The addition that we put -- we built an addition about three or four years that is over Dock Street, and we also own Charlotte's Way and the addition is proposed to be over this section of Charlotte's Way. And that's the site plan how it will all look.

The City sold us the firehouse and the streets. So we have the streets and we want to

utilize the streets because of the location.

We also pay taxes and insurance and all that, so it's nice to be utilize the property that we have to spend money on.

THOMAS ANNINGER: I have been under the impression that was some connection to MIT, is that wrong.

GERALD FANDETTI: We have no connection to MIT, although MIT has been talking to us these last few weeks about how to work together on the two projects that are proposed, theirs and ours. Obviously, they have a much larger project on the -- in the works, and they would like to see how we can work together in some form. Those talks have not resolved themselves yet.

HUGH RUSSELL: So what is the zoning relief you're seeking?

GERALD FANDETTI: Special Permits for hotel use and parking relief. Those are the two

Special Permits. And also a variance on usable open space. We have -- are paying that variance in the past twice. Once, when we did the major portion of the renovation on the firehouse, we received that variance for usable open space for Summer Street, and second, where we did the addition which was over Dock Street, we received the same variance because we have what is a -- we call it a sun room, it's up on the top floor of the space. So it's a public open space that everybody in the building can use. So we mitigated that for that use. And it's the same thing. I mean, it's the same site requirement, this usable open space, the 15 by 15 feet, and we have a smaller space available at the front of the building that we use for outdoor dining.

HUGH RUSSELL: So the height of the structure, the foyer ratio and the setbacks are all conforming?

GERALD FANDETTI: All conforming.

HUGH RUSSELL: There's no setbacks
required?

GERALD FANDETTI: There's no setback
requirements. And we're actually lightly under
the required FAR, which is three for that area.

HUGH RUSSELL: Because you took the whole
street.

GERALD FANDETTI: We use all the street
as part of the FAR.

HUGH RUSSELL: Mm-hmm.

STEVEN WINTER: Liza, what is our action?

LIZA PADEN: It's a BZA case, so if you
want to recommend it or not recommend it or make
any comments...

GERALD FANDETTI: The materials would be
similar to what we used on the existing hotel,
the red brick, metal windows.

THOMAS ANNINGER: This space that you're

going to be building on, which is the new building, what is that now?

GERALD FANDETTI: That's the street right now. We're required by our agreement with the City, when we purchased the property, that we needed to have access on those streets, so this is essentially building over the street. It has a 14-foot high pass-through so vehicles can go through the street. And we did the same thing for the addition we added three years ago so cars can go through the building.

The street is not used much at all. I mean, it's probably got one vehicle every half-hour or something like that. And they are all MIT vehicles. I mean, it's primarily used by MIT for access to the back section.

THOMAS ANNINGER: You can't go through and out? You can't go from Main Street to Carlton, can you?

GERALD FANDETTI: You can.

THOMAS ANNINGER: You can.

GERALD FANDETTI: This is the subway station, and this is the Main Street, you can drive here, through here, through here and you will be once the building is built also because you can drive under it. Just like you can drive under this section that we did here.

THOMAS ANNINGER: Is this a two-way or one-way?

GERALD FANDETTI: It's two-way.

HUGH RUSSELL: Two-way given the amount of traffic.

GERALD FANDETTI: I mean, there's just no real traffic.

THOMAS ANNINGER: It's almost a dead street.

GERALD FANDETTI: It's almost a dead street.

THOMAS ANNINGER: You know, relic
history.

GERALD FANDETTI: Good description.

HUGH RUSSELL: At some point it was
probably occupied by factories.

GERALD FANDETTI: At one point there was
a dock owned by the City of Cambridge for taking
on coal from the Charles River, and at one point,
the street was a service street.

THOMAS ANNINGER: Well, we could say
nothing or we could -- it's my impression, if I
may, start to kick it off is we can't really
speak to the urban planning or architectural
aspects without going deeper into the plans,
which, I think, we have not been put in a
position to do, but that the use and the location
and the site, it seems to be appropriate for what
they're doing, and I see no reason to object to
that.

STEVEN WINTER: I concur.

HUGH RUSSELL: I think that the thing that's really strange about this is that it's a little sliver building that MIT is going to build around and they don't own the street, Mr. Fandetti owns it. That's the way it's. But it would seem to me that the existence of the structure is going to make it much more difficult for the general area to be developed, and this is just the area that MIT is trying to do.

On the other hand, this is America, if you own something, you basically follow the law. I don't believe that the relief they're asking for is unreasonable to grant, but I kinda wish they weren't doing the building.

THOMAS ANNINGER: Or put it perhaps in a different way, it seems unfortunate that getting together with MIT is, as you put it, unresolved.

GERALD FANDETTI: At this point it is.

THOMAS ANNINGER: Why wouldn't you do it in a different order? Why wouldn't you talk with MIT first before going to the Zoning Board?

GERALD FANDETTI: We talked to MIT about a year ago, and they came and made a very sketchy presentation to us.

And we had a plan two or three years before that, and we mentioned to them we have a plan for the street also, so the first time we had heard MIT's plans and we -- it just turned out to be a matter of circumstance where we submitted our proposal and then a week later MIT comes calling and says, "Well, we're going for a zoning change." You know, this is just a coincidence that this happened this way. And they said, "Let's talk about what we're all doing here." So we put on the table three or four methods where we can work together, and it will be no matter how we work together, we both said,

and I really believe this, that we will be working together in some form, because their building and their building, which are very huge and we're building our building, which we more or less have a right to do, we feel we have a right to do, we have to work together. And we think working together actually will improve the plan. We could have an exiting design and layout for what we're planning to do. So I think we will -- in the end we will make progress with MIT on this.

THOMAS ANNINGER: I guess I'm attempted to do something you perhaps wouldn't want to hear, but I think your point is a good one, Hugh, and maybe an alternative is to recommend to the Zoning Board that they continue resolution of the Special Permits until we have some evidence that there has been coordination with the MIT plans, which a year ago were just in the mind of a few

people, whereas today, I think they are a lot further long, and it would seem to me to make sense that before -- once you get a Special Permit from the Zoning Board, it makes it much harder for the City flexibility in terms of what you do compared to what MIT wants to you do.

GERALD FANDETTI: We do not feel that we would pursue the Special Permit until we have a resolution with MIT.

I don't believe we would -- MIT and ourselves have sort've come to that conclusion, that we want to present a unified front for planning purposes.

I mean, the bottom line on something like this if we're both beating each other up on what we're doing here without a plan, nobody wins. So in the end -- at the end of the day, we want to have a workable solution with MIT. So this is just a process we have had to go through. Liza

just called me and said, "Why don't you come and talk to the Board if there are any questions," and I didn't realize you guys were going to be reviewing this, but here we are, so...

But we do want -- and we will continue to work with MIT. I mean, we would like to get the Board's support for what we're doing, so when we do go in front of the ZBA, it looks like there's an agreement for what we're planning with a condition that the construction or whatever kind of relationship we have with MIT to proceed.

WILLIAM TIBBS: I don't -- one, I don't feel I understand it well enough to give that kind of the support, even though I kind've agree with the earlier statement, which is that I think in light of what you're asking for, it seems reasonable.

Also, in light of that particular site and what's done there, if you look -- I think

you're all familiar with it -- the old fire station and hotel stuff, it's a tight little site and I'm not quite sure of something this scale, even though it's small, I'm not sure it will have too much of an impact on what MIT is doing. And to play devil's advocate, we haven't even approved what MIT is doing. So, I tend to be somewhat neutral about this, one meaning, I don't feel that I can't support it, but I don't feel strong enough to say anything negative about it either.

The earlier statement which was -- which, I think, was yours, that seemed reasonable to me if we were going to say something that we -- as far as it's urban form and planning, we don't -- we don't know enough about it to say it, but in light of what they're asking for, it seems reasonable.

STEVEN WINTER: I feel very much the same

way that we don't have enough information about this. I mean we're supposed to hear from the Kendall Square/Central Square study update today which I assume this may be a part of. I think -- and, you know, in concept, I don't know that I'm in opposition to it, but, on the other hand, I don't know enough, and I don't really want to support it or veto it at that point, perhaps just remind the ZBA that there are numerous studies going on right now about this area and MIT has plans, you know, but who knows how long their plans may take and we have approved other things in the area.

I would be inclined to leave it with ZBA without a recommendation one way or another.

PAMELA WINTERS: Now, Ted, I agree with you, and as long as the ZBA knows that there are issues with the MIT, I feel comfortable in just sort've of letting it pass and letting the ZBA

take control of the situation.

HUGH RUSSELL: I guess I don't agree with that in the sense that I think if you were to look at this area and say, is the best place in this district to add some more hotels, and I think you would be very hard-pressed to defend that point of view.

You know, is it enough? Maybe there should be more hotels -- hotels have the availability to bring people onto the street to animate streets. I think it can be made part of this hotel, which actually has been very helpful. And so, if they were -- if this was part of an overall plan, then, you know, it might be that the hotel might be in a different place and we'd be saying, you know, MIT, you really need to do a land swap to provide a better site for the hotel, and it's more appropriate for the hotel in line with your vision for the area.

So I mean, I think we're agreed that hotel uses are good, that we don't know very much about this particular proposal, and we know that other plans and studies are going on and that we don't believe this is integrated with that planning process at this point.

WILLIAM TIBBS: I think he has every right as an owner, though, to request what he's requesting on a property that he does own, so...

Again, my mind is not big enough for me to feel like -- from our perspective that I would ask him to delay or overly delay. I think the ZBA might remind them of that fact that these things are there, that's something that they can take under consideration.

THOMAS ANNINGER: I understand you, Hugh, I think what you're saying is what I would like to say, which is that we think it's premature to resolve this issue given the Kendall Square study

and given the talks that have yet to mature between MIT and the owner of this building, or this prospective building, and this site, and that they ought not to deny it, but continue it or put it into some form of tabled status until we know what it wants, if that's a possible option.

GERALD FANDETTI: We just got a copy of the MIT zoning change request, and they carefully cut our property out of their PUD area.

So they're not looking out for us in any way. They're looking after their own interest. That's what that tells me.

HUGH RUSSELL: I think I want to -- if I can cut you off because there a lot of things on the agenda tonight, and I think we can't get more deeply into this. We have to really decide, you know, do we want to say nothing to the Zoning Board, or we want to say something along the

lines of what Tom says, or do you want to say what Bill is saying which is different?

STEVEN WINTER: Mr. Chair, I would not like to flag it in any way with a red flag. I would rather not comment, if that's where we're going.

WILLIAM TIBBS: Since I said I was neutral, I tend to fall into that category, too.

HUGH RUSSELL: I think Pam's in that category.

PAMELA WINTERS: Well, I am except I would just want them to know that MIT will be or may be involved in some way, shape or form.

THOMAS ANNINGER: I think we had a pretty good discussion for a ZBA case, and I think it would be a shame to let these comments just fall off the table and say nothing. I think they would be helpful to the Board in any event.

LIZA PADEN: Which comments do you want

me to put in?

HUGH RUSSELL: I think our discussion actually illustrates the core thing, which is we don't know enough about this. We don't know how it works with the other plans. We know there's other planning stuff going on, and we think that hotel use is great in this area. That's where we are. So, we can't make a recommendation one way or the other based on that view of the project.

LIZA PADEN: Okay.

THOMAS ANNINGER: I thought that integration with MIT and with the Kendall Square study might lead to a better result if we had some of that now instead of later.

STEVEN WINTER: Tom, I agree that that's correct. I don't think we need to put the burden on the proponent to line up MIT, which can be a very bulky mechanism to line up the way you want them lined up.

I don't know if that's fair to put that -- to put an unspecified timeline on his development. He can't monetize that. He doesn't know how much that's going to cost.

HUGH RUSSELL: I think that we don't have to tell them that MIT has a plan. I think that they will find that out for themselves, if they don't already know it.

And referring to that, I will be saying in highlighting, I think that may be the best way to do it.

Thank you very much.

GERALD FANDETTI: Thank you.

HUGH RUSSELL: Are there other cases that --

LIZA PADEN: I just wanted to draw your attention to the last two cases, these are Special Permit applications for a Planning Board Special Permit to convert the second and third

floor at 545 Cambridge Street, and this was the building that had offices and had some of the furniture storage. The ground floor was a furniture store. Now they're taking those retail spaces and converting it to fast order food and a fitness center, but it's a BZA Special Permit.

So, I just wanted to make sure you understood that that's what was happening on the ground floor. It's still going to be retail.

Any other -- that's it for the comments?

HUGH RUSSELL: I mean, we could simply tell them that we reviewed the case for the housing above, and it was part of our understanding that this was the sort of development that was going to be placed on the ground floor. So, it's working within the general plan that we reviewed and approved for the project for the building, that they can now look at the particulars of these uses and address

them.

LIZA PADEN: Okay. Thank you.

HUGH RUSSELL: This is a three-story building.

LIZA PADEN: At the corner of 7th Street in East Cambridge.

HUGH RUSSELL: There's apartments and there's a funny addition in the back and there's an alleyway that goes in. We're really thinking about could we get parking in that alleyway or not. Do you remember that?

THOMAS ANNINGER: Now it's coming back to me. That's a funky one, yeah.

HUGH RUSSELL: So this is good.

THOMAS ANNINGER: Can you show me Healey Street perhaps?

LIZA PADEN: Yeah. So the first case on the agenda is Healey Street, and they're adding a gas fireplace to the living room.

Currently, they're putting the fireplace where there's a set of doors out to a deck area and so they're extending -- the way the chimney will be constructed, it extends out onto the deck into the setback, so they're looking for dimensional relief.

THOMAS ANNINGER: There will be no doors?

LIZA PADEN: I believe the door goes away.

WILLIAM TIBBS: This reminds me on my house many, many years ago, I put an addition on the back of my kitchen, which was the equivalent of one four by eight sheet of plywood, but I still had to go to the BZA because I was poking out a little in a non-conforming building.

LIZA PADEN: Any other comments?

That's it? Okay. Thank you.

HUGH RUSSELL: Okay.

Brian, would you like to update us?

BRIAN MURPHY: Sure. I'll give you a preview of coming attractions. This week on the 5th, the Ordinance Committee had a hearing for both the Chestnut Hill Realty petition and also 5.2, 8.2.

In addition, on the Monday the 9th at the City Council there will be a round table featuring Mr. Clancy talking about the Kendall Square Central study.

On May 10th, here at the Planning Board we got a public hearing on the revised 5.2, 8.2, as well as a preapplication conference for EF. And at this point we don't have the agenda set for the subsequent meetings, which are tentatively held for the 17th, the 24th and the 14th.

WILLIAM TIBBS: We can talk about that afterwards.

HUGH RUSSELL: I think we probably don't

want to be here every week, if we can avoid it.

I don't believe that's your intention.

Are there any meeting transcripts?

Liza is out of the room, so I'm going to move on.

Now, the next item listed in order is the Kendall Square study update, but there's also a public hearing scheduled at 7:30.

And my question is: What shall we do?

BRIAN MURPHY: My suggestion would be since we've got members of the public here, why don't we do the public hearing so they're not inconvenienced.

HUGH RUSSELL: All right. Because there might also be members of the public for Kendall Square. But let's -- I think it makes sense to go on with the public hearing myself.

So, we'll hear the Planning Board case 1258, 119-135 Harvey Street.

Do you wish to proceed?

TERRY MORRIS: Thank you, Mr. Chairman.
For the record, my name is Terrence B. Morris,
I'm an attorney-at-law representing Young
Investments LLC. I have offices at 57 Elm Road
in Newton, Massachusetts.

We're here before you for a Special
Permit application on a piece of land on Harvey
Street, a 53,000 square foot parcel better known
as the Cambridge Lumber site.

I think one of the most important things
to start the presentation with is, obviously, the
history of that neighborhood and that part of
Cambridge.

Before the conversion of the creation of
bicycle path everyone knows that there was a rail
line that ran along parallel to Harvey Street for
most of its length, and in the development of
that rail line, there were commercial properties

that developed along that side of Harvey Street, so that for the longest time, the property was zoned industrial.

As time wore on and residential uses began to replace the residential uses on the street, the property was eventually -- that whole strip of Harvey Street was eventually rezoned from, I think, IA1 to Residence B, which is the predominate zoning clarification for the neighborhood.

Notwithstanding that fact then any commercial properties that remained after the rezoning became nonconforming, as you know, which always presents a challenge for land use planners particularly when the trend is to go in the other direction, and particularly, when there's been a demonstrated policy change that we would like to see residential by rezoning the property from industrial to residential use.

HUGH RUSSELL: Excuse me. Can everybody hear?

AUDIENCE MEMBER: No.

(Microphone is adjusted.)

TERRY MORRIS: I won't bore you with repeating what I already said.

So, as I said, there's a challenge particularly since there's been express policy to convert that land from commercial industrial use to residential. How do you accomplish that when, in fact, you're competing -- there are competing values associated with commercial versus residential properties.

Well, again, there was an overlay district that was created along that side of Harvey Street, Special District 2, for the express purpose of encouraging residential reuse of many of those commercial properties.

This particular property is one of the

last, if not the last, vestige of that industrial use going back to the 19 Century as best we know.

I think it's particularly important because we're proposing predominantly a townhouse development here. There's a 29-unit project, 25 units of which are townhouses, there are four flats.

Under the use regulations, townhouse development is permitted in the underlying Residence B zone subject to Special Permit requirements.

Those dimensional controls of Residence B essentially control this development, except to the extent that they're modified by Article 17, which is the dimensional regulations set forth for the SE district.

For the most part, starting out, there's a 5,000 lot area requirement. We have 53,000 square feet of land here. The lot area per unit

requirement is 1800 square feet which is particular important and we'll come back to that later in the presentation when we're trying to establish a context for this development.

The lot width is 50 required, we have almost 400 linear feet of frontage, 378 square feet. The unique feature is that for this particular land, it's not perfectly rectangular as you might respect. There are three privately owned lots that are interjected into the face of this frontage so as to break up the actual frontage in the street. And this was a defining element in the design and the planning of the siting of the units on the site.

The basic floor area ratio is .5, but, again, as you'll see under the Affordable Housing Regulation that may be increased by a 30 percent bonus under certain circumstances. The building height is 35 feet. Maximum number of storage is

three.

Ground cover, we have a limitation of 50 percent. As you will see in the course of the presentation, the proposed reuse of this property results in a ground cover of less than 40 percent, certainly well within the norm established for the use regulations for an RB zone. The minimum usable open space is 40 percent.

Presently, there's no, that is no, zero percent open space on this site. It's virtually entirely covered with either buildings or pavement, and what we're, proposing as you will see, is essentially an increase of over 40 percent of open space, close to 50 percent. I'll leave it to the architect to establish how that was determined, but we think this is a significant improvement.

As I said, there's also -- there are two

important provisions in Article 17, which override the dimensional standards set forth in Residence B zone. One of those is the maximum height, and under Article 17, that height may be increased to 40 feet as long as you maintain, as part of your design, a cornice line no higher than 30 feet and you adhere to certain design controls, which result in any part of the building above that 30-foot cornice being setback at a 45-degree angle.

Then I'll leave it to our architect, Jai Singh Khalsa, to go into some detail about how the building design complies with that provision.

The project here are 29 units. The 29 units result in a density of 1829 square feet per unit, which compares favorably with the 1800 square-foot dimensional standard for this zone.

I'm sure you will hear testimony tonight from certain residents of the area who will offer

you some constructive criticism about the scale and intensity of this project. I would like to point out some important facts about the existing land use pattern on Harvey Street.

On Harvey Street there are 44 lots that are dedicated to residential use. That's exclusive of the subject site and exclusive of two or three lots that are vacant land.

The average density of those properties that are on the odd side of the street, which is the side of the street that's subject to the SD 2 zone, the average density of those 23 lots, lot area per unit is 1955 square feet, slightly more than the 1800-foot standard.

If you look at those properties between House Nos. 45 and 115, there are ten properties, and I cite those properties because those are the properties basically leading up to the site as you go down Harvey Street.

STEVEN WINTER: Tell me where we are?

PAMELA WINTERS: There's no numbers.

TERRY MORRIS: The odd numbered houses are actually in the SD 2 zone, the even numbers are across the street. I'm sorry.

STEVEN WINTER: Thank you.

TERRY MORRIS: Those ten properties not one of them, not one, meets the 1800 square foot lot area per unit requirement.

They range from a low of 413, they go 898, 952, 1300, 17, 1,000. There are two at 1,060, none of them meet that requirement.

And I think that when one looks at why this part of the street was basically subject to an overlay zone is because the existing land use pattern was taking into account when one is planning for the future as to how this side of the street should be developed.

Also, you'll probably hear some criticism

of the floor area ratio that we're seeking. Floor area ratio with a bonus is one of the provisions in the SD 2 regulations that can override the RB is the floor area ratio, which can increase it from .5 to .65. With a density bonus you can go to .84, and, in fact, that is the floor area ratio that we're at.

If one thinks that this is excessive, I would point out to you that those same ten properties, on the SE2 side of the street, there are several of them -- there are five of those ten -- excuse me -- six of those ten do not meet the floor area -- they exceed the floor area ratio that we're establishing. There's one at 1.7, 1.45, 93, 1.096.

Again, I point this out only to establish a context for in which this development is being situated. It's not so far out of the norm as you might expect if -- I expect the testimony to be

from others in the room.

I think this project, the number of units that we're proposing, if we had gone to the maximum, it would be in the neighborhood of 37 or 38 units and we're at 29 units. We're providing three of those as affordable units. We think on balance this fits with the -- any master plan in considerations in the city for how this side of Harvey Street should be developed and consistent with the long-term goals in land use planning in the City of Cambridge.

I think time, I'll turn the microphone over to our architect, Mr. Jai Singh Khalsa. He'll actually go through the slides of the presentation, visuals of the building, floor plans, elevations.

And we also have here our traffic consultants who are prepared to comment on the traffic report, and we have a landscape designer

who also can talk to you about the treatment of the project from that same point of the view.

Thank you.

JAI SINGH KHALSA: I'm going to talk from over here. Can you pick me up that? Okay.

As Terry said, we're proposing a development on Harvey Street of 29 units of housing, four totally accessible flat units and the balance of the 25 is townhouses.

On the landscape plan here, I'll work on this to start with. The site is essentially divided down the middle by a large landscaped area and existing home, which is not part of the development. So that bisects the sites.

We have a cluster of ten units on the east side of the site, and a cluster of 19 units on the west side of the site.

I'll start on the east side. On the east side, we have two two-families facing the street.

We come down a central driveway, which is at about an eight percent slope, and we have a dedicated indoor parking for each unit, and again, on the six units here which face off to the bike path, again, we have dedicated indoor garage parking.

We have an apron outside of the garage spaces there of a change in pavement texture, so if you did happen to have a visitor with a smart car, which is about the only thing that would fit there, you would have some designated area that would stay out outside of the circulation pattern in general of the traffic.

The rear yard is 35 feet deep, and let me just stop for one second, and say, we -- there's one area of the site that does not now comply with zoning, and we know that, and that is, these two homes here and part of the flats here.

And in our initial interpretation of the

zoning we thought that where the lot is more than 100 feet deep, we have to go from a 25-foot rear yard setback to a 35-foot maximum rear yard setback. We're about 36 feet, 35 and change or 36 feet.

In my initial interpretation, when I analyzed it, I said, okay, well, this part of the lot is less than the 100-foot depth, my feeling was we didn't have to -- we didn't fall under that. Under further conversation with a combined meeting with the planning staff and the zoning staff, they determined that you really do need to keep that line at 35 feet all across.

So, in future iterations, when we come back to continue the process on the project, indeed, we will be reducing the depth of those buildings and reconfiguring that area of the site slightly to comply with that.

But, otherwise, in terms of all side yard

setbacks, rear front, front yard setbacks, we're in compliance.

My next graphic will be of the zoning and I'll walk through the specific compliance in the zoning.

So, in the back of the site here we have a 35-foot buffer. We're calling out to have 15 foot -- basically a 15 by 16-foot semi-private yard spaces here. They would be divided between the yards this way (*indicating*), but only a five-foot piece of fence at the end of each one of those to stabilize the fence and leave the back of those yards open to a common park and walkway area, which would be adjacent to the buffering to the linear part of the bike path.

We're proposing handicap access at grade coming all the way through at several locations all the way on this side of the site and again on this side of the site here to reach through. And

we're proposing a gate access, probably a combination-type access, points here to the bike path off of what we have as a large common landscape and play area for the children on the site.

We're calling for bicycles storage in the locations here, here and here (*indicating*). These ones, perhaps, will be in sheds.

So we're exceeding the requirement for on-site bicycle storage because the townhouses don't specifically require other designated spaces. The garages are a little deeper than they need to be and there is a potential for an individual to store their bikes in the garages.

The left hand or west side of the site, we have 19 units, and we have fronting two, three families, with a driveway coming in. We have a seven-unit building here, a two-unit building here and a two-story, four-unit flat building

here, and we're proposing to use ALULA in that building to provide access to the second floor. Technically, we don't have to provide any fully accessible units. It was an expressed desire in the neighborhood meeting that we should provide accessible units and that's where we are planning to do it.

STEVEN WINTER: ALULA is not a term I'm familiar with.

JAI SINGH KHALSA: A limited use limited access elevation, it's a residential grade elevation.

Additionally, in this corner of the property as well, the abutters on this side here, cornerstone, were concerned about the height and the shadows that the building here might pass so the proposed building on this site is pretty much within the height range of the existing building, however, it's significantly farther back from the

property line than the existing condition is to now.

I'll let the landscape architect go back to the pretty pictures later and I'll talk about zoning for a minute.

It's a little hard to see with this degree of lighting on here, but we have two different hatch patterns shown on the landscape areas in the graphic here. In the crosshatch pattern is the percentage of the site requiring to meet a requirement of 15 by 15 common open space under the townhouse ordinance, and there's just a single hatch on the other areas, which make up a total open space of approximately 45 percent of the site, exclusive of any paved areas on the site. All of the setbacks are a minimum of ten feet where the ordinance says seven and a half, some 20, we have kept everything at a minimum of a ten-foot setback on

the side lot lines. And we do have our 35-foot setback on the rear. We're, of course, not in compliance on the northwestern corner of the site and that will be modified for future presentation in that area.

Again, to reiterate, we have two accesses into the site. There's currently about -- there's like a pull-in parking off the street right now for five cars, which at this point in time, gives you about a 50-foot curb cut and we're proposing to have two, 18-foot curb cuts to access the property.

Interestingly, enough we have another strip of land over here that come out to the street frontage and wraps around this property, which is not part of the project, and that's about a 16-foot-wide strip that we will have a walkway into the project and landscaping in that area.

And, I'm sorry, it looks like a little washed out there, it looks better on my screen, but you got an aerial view here of the project here, the bike path being here, your two two-families here, your two three-families here, a six-unit cluster, a seven-unit cluster, a two-unit building and four-unit flats in this area.

This is a view here from the southwest -- I'm sorry -- southeast corner of the site showing the two two-families next to each other. They will have independent front doors, but the front doors are clustered on a common porch that has a shed roof on it and kinda standard vernacular columns and railing details in that area.

The corners of the buildings we have taken the opportunity to do a wrap-around style of a bay, and then up top, we have these little eyebrow dormers on this side here to pick up a

little bit light and extra head room into what would be the bathroom spaces up on the top floor.

And so, it's really looks like a two and a half story building from the streetscape.

That's also very similar appearance to what you will see from the bike path as well.

When you come -- this is your three families here and the view down looking through the three families, and you can see this is the inside court appearance here where you have your garage parking here, and then you've got your two stories up and then up into your eave line here with a series dormers on the eave line. A view from your southwest corner looking at the two, three families here, and a view here and here from standing inside of the parking court, for lack of a better word. We don't -- we haven't shown the trees, we're not hiding the buildings behind the trees obviously, there's a lot of --

we have taken an opportunity to build a lot of landscape area into the interior of it which will -- we can show you again when we go back to the landscape plan, but part of the concern was to create a good green buffer on the interior as well.

This is a view of standing across the bike path looking pretty much flat at the building. And that's the two-story building with the accessible units adjacent to cornerstone, a two-family home here and then a cluster of seven townhouses in that location.

The buildings -- the appearance of the buildings are vernacular. We pick up on Cambridge bays, we pick up on kinda of a vernacular front porches that you will see in the area.

But, yes, they're townhouses and we're trying to give it a smaller look residential

appearance along the street, and then it speaks for what it is when you go back to the bike path where you get a larger cluster.

But, again, when you hit the bike path, it appears, again, as a two and a half story building.

We did do the shadow studies and the benefit of the location of the site is that we're more or less due north up and down on the site. We have the bike path to cast shadows on, so it's got to be the most minimally impacting shadow impact that you can have or shadow trespass that you can have on the neighbors just because of the basic geometry of the site and the location on the street.

In your spring and autumn and equinoxes you have some earlier morning and late night shadow trespass. At the solstice time, summer solstice very little and, of course, at the

winter solstice everybody is pretty much casting shadows on everybody at that time during sunset and sunrise, and then throughout the middle of the day, you can see the bulk of the shadows are cast out towards the bike path.

AHMED NUR: Pardon me. Do you have a close-up picture of the shadow? Do you have a close-up both of the building itself and the shadow study instead of a little square?

JAI SINGH KHALSA: I'm not following you.

AHMED NUR: Can you zoom into these pictures, one of them, to the shadow studies and all season as opposed to just...

JAI SINGH KHALSA: You want me to zoom in right now?

AHMED NUR: Yeah, if I can just see some of the shadow studies.

JAI SINGH KHALSA: Let me try to escape out of this view and see if I can do that.

AHMED NUR: You can do it later, I don't want to interrupt you.

JAI SINGH KHALSA: As you wish. Okay. This is spring at 9:00 a.m., so this is our site here, the extent of our site here (*indicating*). And you can see that the buildings on the east side are casting shadows to the northwest. You have some shadow trespass happening in this area here. Where the building is the same height in this location and farther from the property line, the result in shadow trespass is actually less than it is today in that area.

You got to the middle of the day and we're casting shadows on ourselves, and pretty much very little trespass even under the bike path at that point.

And that's really, you know, your sort of midpoint of season spring and winter that that occurs. And then you got to 4:00 p.m. where your

sun is declining and you start to get shadows cast. Again, we're going to be trespassing on the bike path a little bit, and you will pick up some shadow being cast on the building to our -- at that point.

This is your summer solstice, sun rise again, and we're pretty much casting a little bit of shadow onto this building here, which casts shadow onto us. It casts a little bit of shadow over here and then the sun trespass over here again is reduced from what it was previously.

HUGH RUSSELL: Is your question answered?

AHMED NUR: Yes. You can go ahead. I just wanted to zoom in so I could see the shadow.

Thank you.

HUGH RUSSELL: As long as we're asking questions now, I have a question.

The current plan shows three houses on Harvey Street, and the existing condition surveys

shows three houses on Harvey Street, so what is happening to the third house? Is it a house?

JAI SINGH KHALSA: It's a house that is in this location here. It's really right up against this property line, the current condition, and we have not talked to Historic yet in terms of whether they deem that significant in any way. We are planning to demolish the house at this point, and contingent upon that conversation that we'll have at that time with Historic.

There's not a plan to integrate that in. It's in a pretty delapidated condition.

We have here a figure ground of the neighborhood, and our site is highlighted in yellow.

The house, one of the abutter's houses is here and one is here and there's a long mixed use building on this side of it, and this is the

cornerstone development on this side here. These are the greenhouses across the bike path.

So you can see that the massing of the buildings are somewhat similar to the neighborhood, some are smaller and some are larger. The blocks of the larger townhouses are smaller than the cornerstone building, smaller than the building adjacent here. We think we fit pretty well into the texture.

In terms of your street elevation, your streetscape, these are our two families here, our three families here, and that is the neighbor's house at that location and this location.

Where we're going to pull down the house is where this three family is going. Then you can see the abutters here and out towards Mass Ave. And this is a cross-section this way through the site looking to the east and you can see the location of our buildings here, the bike

path here, Harvey Street there, and just get a general sense of the relationship of the height of these buildings to what is going on in the neighborhood.

Photos of the area, are you generally familiar? I'll skip over this. If not, I'll walk you through it.

HUGH RUSSELL: Might just point out the house that's going to be demolished.

JAI SINGH KHALSA: Let me see if I can find it here. That's it right there (*indicating*). Where is it, right here next the brown house over here? The brown house is the one that's imbedded in the site -- to the left of the brown house, yeah. You can see it over here as well.

To give you a sense of how the buildings are organized, give me one second here so I can get organized.

Okay. The grade -- this is your garage site here and this is the side facing into the court.

You have a garage here at a half level, and you have a basement here, which is below seven feet, which a mechanical space. And you come up that half a level to your living room, which is a story and a half tall, about 13, 14 feet, the living room.

You come up half a flight and you have your kitchen and dining, which has an overlook into the living room, come up another flight, and you have two bedrooms on that level and a bath and then your master suite up on the top up into the dormers and up into the eaves of the building.

And that's the basic vertical organization.

On this side of the building here where

you face out to the bike path, the grade will be at this line here (*indicating*), so this is pretty much a walkout onto a patio at the bike path elevation, and then the site dips down there and there's a retaining wall that holds up the bike path at a higher elevation on the site.

The plan is actually to fill the site up to the retaining wall elevation, so that we're level with the retaining wall off the living room in the back rather than having a pit.

This one here is one that's facing the street, that's your stoop facing out to the street, your front porch. Grade is at the stoop level, you come down half a level to your garage here (*indicating*), and then the organization of the house going up through it is the same as the other one.

Most all the units are very similar in their organization.

And then over here (*indicating*) is a diagram of the four flats which will be accessible units.

These next drawings are somewhat repetitious in that there's a lot of variances on the themes of the same home, so I won't go through all of them with you, but this is your four unit, four-family accessible building two stories tall, and then this is your typical two family, say, on Harvey Street here where you come in, this is all under grade from this line down.

We clustered the front doors under the same porch to reinforce the view of it as a two family. We have some nice bays with gables on top and some eyebrow dormers up into the eaves for the bathroom.

Down below that as you come down the driveway, you get full access to the garage and you have your dining area here, bedrooms here and

bedrooms up above here (*indicating*).

And individually identified doors on the rear of the building.

On the end elevations, we have, again, wrapped the corners with the bays, so we have a nice expression on the ends of the building and both ends being very similar to each other.

We got plans of every building here. I don't know that it's a good use of our time to be going through every one, so I'll scroll through these quickly.

And we're back at the site plan, which is where we have the landscape grading plan, we have civil plans, we have landscape details following up that others can talk about.

If there's anything you would like me to address on the architecture before turning over to the landscape architect, I'll be happy to do that or we can just move ahead.

AHMED NUR: I want to know the distance that -- you mentioned that the handicap ramps are on each side -- yeah.

JAI SINGH KHALSA: That's not a ramp, that's a grade level entrance. It's not a ramp.

AHMED NUR: Oh, I see.

JAI SINGH KHALSA: That's a grade entrance that does not ramp. However, when you come across here, you have open parking here. And this does ramp up here to get back up to the elevation here. There will be a handicap ramp there.

Both of the driveways are pitched around eight percent -- I'm sorry, five percent -- I'm sorry, they're at five percent. So there is actually not a need to have handrails in those locations.

AHMED NUR: Okay, thank you.

HUGH RUSSELL: So the central parking

court is about three feet below the street level?

JAI SINGH KHALSA: Yes. Three and a half feet, yeah.

We looked at earlier schemes trying to get sort of extra parking in the middle and that type thing, and dimensionally, it would've required substantial variance to be able to accomplish that.

Let me go back to the rendered landscape plan. I'll have Blair Hines go over the landscaping.

BLAIR HINES: For the record, my name is Blair Hines. I'm the landscape architect working with Mr. Khalsa on the project.

I wanted to briefly go over the existing conditions, and then talk generally about the landscaping approach, and then end on the note of accessibility and bike parking, which I know are concerns that many people have.

As Jai indicated earlier on and Terry described, the existing sites was a large lumber yard, it's all entirely either building up to the property line or pavement. So when we went there to do the tree surveys, there really is virtually no trees on the site. There are about five or seven that have been taken down. Most of those are Atlantis trees. There are two trees that are blue spruce that are adjacent to the existing house that is being demolished in this location (*indicating*).

But the nicest part of the site in terms of my observation in the existing site is really its adjacent to the linear park which is completely full of trees, and in our overall approach, we wanted kind've build on, and that both, you know, for the residents of the new development to have the connection with that park, but also from the standpoint of the park,

to try to be friendly with it that reinforce additional plantings along the edge, so we're kind've blending in with the park that is located to the north of our site.

And the landscape concept consists of basically of four different areas. Along Harvey Street what we want to do is create a fairly typical urban streetscape with trees in front of the various houses, shrubs and ground covers, and as Jai described, there were a series of shared entrances, and one individual entrance on the three families, and then on the two families, again, the central shared entries.

So the idea was to create again a fairly typical streetscape along Harvey Street.

The other thing that Jai had mentioned was, and I'm going to talk about it a little more is this whole central courtyard as one of the most, I think, important things is we're trying

to get that depressed a balance of three, three and a half feet down below which minimizes the presence of the buildings along the streetscape as well as up against the public park land.

So within this courtyard, we wanted to break it up with special pavements, which is what you see in the gray tone, and then, again, create an individual entry places, kind of highlight the entrance to the individual units.

And you can see here there would be a whole series of trees that help to provide some buffering and make it more pleasant as opposed to a completely urban space.

The next thing I want to talk about is really the rear yards, all the rear yards, as Jai indicated earlier that are facing onto the greenway have individual private terraces, a lot of shrubbery and planting, and then along the edge or abutting area to the park a series of

shrubs, evergreen trees, flowering trees and so forth.

The other key feature of the site development is we wanted to create another common landscape area for the development which would consist of plantings, a seat wall and kind've common area that people can sit and perhaps they would have their own occasional picnics that might involve the whole development or other neighbors as life goes on in the community.

Lastly, I wanted to talk about access. We worked very carefully to make the site almost entirely accessible, and when we think about acceptable in terms of development in an urban area, we like to think about that as having all access at five percent or less not having ramps. Everything is at a modest grade. So the pedestrian walkway at the west end of the site is less than five percent, the two driveways are at

five percent, and then we have additional walkway on the far east edge of the site, which is, again, at five percent, so that the site is entirely accessible along the Harvey Street street edge.

We also have an accessible way up to this landscaped area for these places, and in earlier iterations Jai spoke there's not a pathway along this edge here although there is one here. We do have, as Jai indicated, a short ramp of about -- less than 20 feet that gets you up to elevation along the rear of the site, and then there's an accessible way again, five percent down into common landscaped area, and we're hoping that possibly we can create some type of an access into the park and beyond.

Jai indicated that we also have a series of bicycle parking. We have some by the flat unit, and we have some over this edge of the site

and there's also some bicycle parking here, and I think we exceed six -- I think there's 18 bicycle parking spaces there. There's largely what the overall plan is.

HUGH RUSSELL: The spaces are shared between cars, pedestrians and bicycles?

BLAIR HINES: Which spaces?

HUGH RUSSELL: The central courtyard.

BLAIR HINES: The central courtyard would be providing access into the various garage spaces. In addition to that, if someone was coming out of their garage or people were walking in they would, they walk across the courtyards to enter into the various entrances in there.

HUGH RUSSELL: But they would be sharing the driveway -- would be a shared space or other uses?

BLAIR HINES: Correct. Any other questions in terms of the landscaping?

PAMELA WINTERS: Sir, I was just curious as to what sorts of trees you're planning to use and also what caliber?

BLAIR HINES: Typical shade trees were being proposed at two and a half to three inch caliber and we were looking at red maples, river birch and a london plane trees, which were the three major shade trees, and then in addition to that, we had a variety of different flower trees which were typically either seven to eight-foot high in terms of shadow and flowering cherries and crab apples. So we're trying to be fairly generous in size. We did file a tree survey. And I think that we are providing, I think, like one and a half times the number of caliper inches as required.

PAMELA WINTERS: So the trees will be about eight feet tall?

BLAIR HINES: The caliper trees will be

taller than that. I think a three-inch tree should go 14 to 16 feet depending on the variety.

THOMAS ANNINGER: On these five percent ramps, where does the water go?

BLAIR HINES: There's a series of catch basins throughout the interior of the courtyard. So, I guess all the water going down more than anticipated. I'll will address that in more detail. But, yes, we have made accommodations for the water flow into it.

HUGH RUSSELL: Could you share the provision you're making for snow storage and snow removal and also for trash storage and trash removal? Maybe that would be a Jai question.

BLAIR HINES: One of the things that we have and it's not at this scale, it's not very distinguishable, but if you look in detail on submitted plans, we used a lot of ornamental grasses as the major landscaping elements so the

snowing can be piled on them between the various units as well as at the end of the site. This is grass over here. So this was snow storage. I think in the winter we just went through would probably involve a certain amount of shlepping the snow either around the site or off the site as many people experienced. I think the official word is schlep.

HUGH RUSSELL: The trash, how is that handled?

JAI SINGH KHALSA: The trash is handled individually in each unit in their garages. We don't have provision for central trash.

HUGH RUSSELL: So that means you -- you wheel your barrels out to the street, out the back door, up the slope to the street and put it in front of your house or your neighbor's house?

JAI SINGH KHALSA: Either that or if we do private trash collection, you wheel your

barrel out to your little -- you essentially have little yard areas outside of your doors at which point the maintenance for the private trash will come in, and the truck being able to pull down easily into these areas, and then they will have to jockey around to get the barrels to remove it.

HUGH RUSSELL: That would be a decision probably made by the condo owners ultimately?

JAI SINGH KHALSA: Correct. We have the civil engineer here if you would like to know in some detail --

WILLIAM TIBBS: I have some questions.

I'm still having a hard time understanding this parking court. Can you kinda go into a little bit more detail about what's the dark areas. There's entrances. Are cars parked in front of the garage? I'm just trying get a sense of how that lays down.

JAI SINGH KHALSA: Let me zoom in on that

a little bit.

WILLIAM TIBBS: I just want to tell you in general that I agree with Ahmed that the scale of these is kind've hard for us to grasp.

JAI SINGH KHALSA: Maybe this will make it easier. The way we have the landscape setup is that you got -- in most locations, you have your garage parking here. You have your unit entrance here. You have a paving strip here. And then you have entrance point here and plantings that buffer your entrances to the units.

WILLIAM TIBBS: Is it your intention to have -- can a car park on the paving strip?

JAI SINGH KHALSA: The paving strip is not adequate depth to take a car. It's there for my remark about a smart car or somebody with a motorcycle visiting or somebody with a bicycle visiting, you can certainly tandem behind your

space.

Quite frankly, we did look at trying to reduce the rear yard in a number of studies we did which would have given us more interior parking and we were advised that that would a variance and the likelihood of success of achieving that variance was very low, so we did not pursue that in the design.

WILLIAM TIBBS: But --

JAI SINGH KHALSA: So this is kind of your typical pattern of how your landscape, your entrance sequence works and your paving adjacent to the landscaping.

WILLIAM TIBBS: But someone could just park there, right, and just have the car stick out behind the paved area?

JAI SINGH KHALSA: And there would be an enforcement area, an enforcement situation for the condo association.

WILLIAM TIBBS: And in terms of the parking count, what is your -- I guess whether you're designing for numbers of parking?

JAI SINGH KHALSA: One per unit. You can see we have that pattern on both sides here and your drive-by all down the middle.

HUGH RUSSELL: What's the distance face to face between the townhouses?

JAI SINGH KHALSA: Good question.

It's -- well, I want to check the architectural drawing to give you an accurate dimension. It's about 40 to 45 feet or so between them. I'm going to reserve that as being an approximate number. The depth of the townhouse itself is about 35 feet, if you take that as a scale or 40 to 45 feet in there.

HUGH RUSSELL: If I run my scale on it, it's probably a higher number, 35.

JAI SINGH KHALSA: We did take advantage

of a provision in the zoning that allows the front yard setback to be reduced from 15 feet to ten feet.

We're actually in excess of 10 feet, we're closer to 11 feet, but where there's buildings adjacent on either side that have less than a 15-foot setback, we're allowed to average that, but go down a ten-foot minimum. The buildings on either side are actually substantially less than a 10-foot setback, so we're holding it at about 10 and a half, 11 feet along the street, which still gives us the opportunity to create more landscape on the interior and still do a nice streetscape and a reinforced landscaping along the street with nice little front yards and entranceways, which are intended to be a brick entrance walk to the front doors.

WILLIAM TIBBS: What do you anticipate

and what have you designed as the major way that the average townhouse dweller will actually go into these -- obviously, the backway because they're going in the car port in the front -- they have a front door and backdoor, so I'm interested to know what your circulation concept is.

JAI SINGH KHALSA: You have 30 percent of the units facing the street. One third of the units are access at 30 percent. So they're about 33 percent. So those are accessed off street like the typical house would be. If somebody was coming to visits, they would come in and come into the entrance off the parking court.

Let me just scroll up on the page here just a hair.

We're proposing to have patio doors out the back here into the private yards, semi-private yard spaces and that's your main

living area there where this is kind of your mud room and vestibule sequence coming in next to the garage, but, you know, if somebody could potentially come in at the living level as well as your second means, it's more of a semi-private area. But along the parking court, the main entrance points would be off the common-shared paving areas.

HUGH RUSSELL: Other questions, Ahmed?

BRIAN MURPHY: For the landscaper, how are you irrigating the trees or the grass?

BLAIR HINES: We're proposing that the site be irrigated.

JAI SINGH KHALSA: Let me -- let me add one -- I talk a little louder, so I'll repeat it.

We're proposing that the site be irrigated. Part of the drainage system is we have galleys and we have retention tanks underground. We want to have the ability to tap

into any retention tank and use that for irrigation when it's available, and then when it's not available, have it switch over to a water source to maintain the life of the plants.

AHMED NUR: The second question I had was the fire access and the fire engines, do you have adequate space between the buildings? I think you said 40, where would the fire engines come in?

JAI SINGH KHALSA: You got 18-foot fire line driveways coming in, you have 22-foot aisle ways in access of 22-foot aisle ways between the buildings, and that's quite adequate for a fire apparatus to access the interior of the site.

AHMED NUR: Thanks.

HUGH RUSSELL: I can't imagine you need a fire truck template making that turn.

JAI SINGH KHALSA: I'm sorry?

HUGH RUSSELL: If you apply a fire truck

turning template, I don't think they'll make those turns, but...

JAI SINGH KHALSA: We'll look at that for the next round. The buildings will be fully suppressed.

HUGH RUSSELL: I think the real question is: What the fire department thinks about it since they will undoubtedly be reviewing the plans, and I think we aren't going to substitute our judgment for the fire department.

JAI SINGH KHALSA: Is this a recent issue that has come up on other projects?

HUGH RUSSELL: No, it's a just reasonable question when you have a whole bunch of houses on a street, you know, the back, and it's a condition that occurs many times in the city, and this type of access is not at all dissimilar to many other projects, but it's -- if you were doing this in the suburbs, you could never do it.

JAI SINGH KHALSA: Right. Well, we'll have the civil engineer lay the templates over and make the appropriate adjustments and meet with the fire department in the interim and straighten it out.

HUGH RUSSELL: I think you offered to have the civil engineer stand up and -- because I would -- I am curious -- Cambridge is an area that has a lot of flooding, and it's not universal in every part of Cambridge, but there are many people that exhibit that and you seem to be digging a bathtub. That's why I'm curious to know what the engineer has to say about the flood conditions, and particularly, if you have a drain that the water might be coming out of, because that's been some of the worse floods in the city in recent years where water has been transported by city pipes to places we didn't want it to go.

JAI SINGH KHALSA: You have pressure

relief coming into the homes.

HUGH RUSSELL: Yeah, I mean, I was working on a project with the YMCA, they had five feet of water in their boiler room thanks to the drain system in the city in a storm, I guess it was last spring, which gave us more water per hour than storm put out in on time, it was flooding all over the city. Anyway...

JAI SINGH KHALSA: I'll introduce Joe Porter from VDP Associates. Joe is going to address the civil on the site.

HUGH RUSSELL: Have you reviewed this with the City Engineer?

JAI SINGH KHALSA: That's above my pay grade.

JOE PORTER: My name is Joseph Porter, I'm the president of VDP Associates. We're the civil surveyor on this project. I touched base with the engineer, but I haven't had a sit-down

meeting with the engineer.

But I will go over the design that we have done.

This is a completely on-site drainage system that we have developed. The water and sewer service by municipal, we have brought in water lines and there's hydrants proposed here on the first motor court and there's another one over here on the other motor court, so each motor court has a hydrant on site to service the property.

The motor court has several catch basins along the motor court, one here (*indicating*) one here (*indicating*) one here (*indicating*) and one here (*indicating*). And they're -- and also on the other portion of the site. All roof leaders are handled through an infiltration system, but the motor court has to be treated so it's brought through and going through a storm sector here and

then into a very large stone and pipe system on the rear of the site. That is a 24-inch pipe fitted in two foot of stone and it's in excess of 200 feet long and it's doubled up.

HUGH RUSSELL: So if the city drainage overflows, we're not connected to it and protected from it?

JOE Porter: We're independent of the City, we have handled it a hundred percent on site on our own, so we're not even connected to any storm surface from the city. All the ramps come down and it's collected through these catch basins in the central court.

So, again, the water comes down and there's a cash basin here and here (*indicating*) and that is all fed through and out to the storm sceptor tying into the stone and pipe system in the rear, so all the water, except for the roof, on the front units, the roof on the front units

are tied into some infiltration here along the site, but it's only for the roof of -- this area. All pavement goes through the catch basins and out to the system in the rear.

HUGH RUSSELL: As I recollect, the storm sceptor is a device that takes -- is a place for gravel and sand that get taken out of the water, right?

JOE PORTER: The main -- for the sand would be the catch basins, they all have four-foot sumps, but the storm sceptor is there for the TSS removal, which is the suspended solids in the water, the storm water, and that handles -- the storms handles that as well any grease and oils. It's separated it out before it's infiltrated back into the ground.

HUGH RUSSELL: How do you clean those?

JOE PORTER: The same as you would a septic system, periodically it has to be pumped

out through a same type of pump vacuum truck that would clean that out.

HUGH RUSSELL: So the truck can park in the parking bay and use a long hose, is that the way it works?

JOE PORTER: Yes. Same as you would a septic system or cesspool. They got to run a length of pipe out there.

HUGH RUSSELL: Okay.

JOE PORTER: Any questions?

AHMED NUR: Yeah, I have one. So water goes into the water retention, how deep is it anyway? You said you have two-foot of stone on top of the pipes.

JOE PORTER: It has a foot of stone underneath the pipe, the pipe is two feet in diameter with two feet of stone on all sides then I think it has another foot of stone over the top of it.

AHMED NUR: What happened after of the TSI gets cleaned out and you have the remaining of water, as Hugh Russell has mentioned, the water tables in this area, the flood zone is high, so you're not going to expect to stop the seeping through the ground at certain times of year, so do you have that tie into the (inaudible) hours or could it got -- the water itself. You catch all the water and you put it in there and it gets cleaned out, where does the water go?

JOE PORTER: Back in the ground. Back into the ground. And I mean --

AHMED NUR: If the water table is high back in the ground, it isn't going to happen.

JOE PORTER: If the water table's high, the red line that run here, would be underwater.

HUGH RUSSELL: So it's waterproofed the red line, yes. The tunnel is waterproofed.

JAI SINGH KHALSA: I think it's worth noting, too, that that infiltration system is above the existing grade, because the way the site is now, it all pitches back down and then there's a retaining wall along the bike path, and we're basically in that area and we're filling in the backyard is where that retention system is going.

JOE PORTER: The bottom of the system, I believe, about two to two and a half feet below the existing grade and the rest of it's built up from there.

HUGH RUSSELL: Okay. Well, I think -- again, having something from the city engineer that he's reviewed it, I see the logic of everything that you're telling me, but I'm not an engineer. And this is given the (inaudible) taking to the drainage on the site and the grading on the site I think it's important that

the city engineer be satisfied that this is the right thing to do.

Tomorrow has whispered in my ear this is not something we normally get into, but often we get reports from the city engineer on projects that are in areas of concern.

So are we done with the presentation?

JAI SINGH KHALSA: We've got our traffic engineer if you would like. Do you want the traffic engineer or are we exhausted at this point?

HUGH RUSSELL: I think it's probably useful to have a brief presentation from a traffic engineer to hear impacts about the project and about the street and the criteria that we have to apply in reviewing this project, traffic is not one of the criteria that we're supposed to be looking at, but you could ask your engineer to make a brief explanation of the

impact of this project.

WILLIAM CARLSON: I'll be brief. For the record, my name is this William Carlson, principal of Carlson Consulting Associates. Can everybody hear?

I have myself 30 years of experience in the field of traffic engineering and transportation planning, and I'm a member of the Institute of Transportation Engineers.

At the request of the project proponent, my firm was asked to do a traffic memorandum, a traffic assessment, not a full-blown traffic study. And a full-blown traffic study, I believe, is not necessary because when you see the numbers, you will realize that this proposed condominium development will generate less traffic than a viable or successful lumberyard/home improvement store, and I think I'll go through that with you.

Briefly the area is a bunch of -- Harvey Street especially -- can we show the site plan? Harvey Street is a one-way street, 20 feet wide with parking on one side. The whole neighborhood is basically a series of one-way streets with access coming from Mass Ave, Rindge Avenue and Harvey Street ends at the park. There will be two driveways. As shown on the site plan, there will be two driveways serving the site. Again, there's public access near the site with bus service on Mass Ave and bus service on Rindge Avenue and then you have the Alewife station not too far away.

As far as the trips go, I'll get into that because that's the key issue here. Trip generation is based on the Institute of Transportation Engineers. Trip generation manual which has categories for many types of developments. In order to get a proper

comparison of this project, I looked and compared the numbers with a 29-unit townhouse condominium development and compared those numbers with a, as I said, a successful fully operating lumberyard, 13,500 square feet lumberyard/home improvement store. The lumberyard now is basically dormant very little traffic right now. I actually went out there one morning and counted, and I basically wasted my time going out there because there was so little traffic going in and out.

But for comparison purposes, the morning peak hour a viable or successful lumberyard could generate in the range of 35 to 60 vehicle trips in the peak hours.

The residential condominium development with 29 units will generate 13 to 15 trips. Approximately a third of the traffic that would be generated by a viable lumberyard.

HUGH RUSSELL: I take exception to your

comparing this to a viable lumberyard. I want to know what the traffic is like on Harvey Street and how this will affect this traffic. We're not here asking for a permit to upgrade the Cambridge Lumber to a viable lumberyard, and I think we should concentrate on what's before us.

WILLIAM CARLSON: I'll try to do that.

In the morning peak, the condominium development will generate 13 vehicle trips in the peak hour, which is very small traffic volumes. The evening peak 15 trips. The total daily trips were 168 vehicle trips going in and out.

I would like to point out a vehicle trip is a one-way maneuver, a car goes in and then turns around and comes out, that's counted as two vehicle trips.

And one of my conclusions is that the additional 13 to 15 peak hour trips during the peak hours will have very little traffic impacts.

It won't even be noticeable on Harvey Street and the surrounding streets.

The site being opposite Clay Street, a lot of vehicles will exit and turn down Clay Street to leave the Harvey Street area.

I did not reduce the projected traffic volumes in my memorandum, which I will hand out to you in a minute. I didn't reduce it for any other mode of transportation such as public transit which is available. The bike way, which is right along the back of the property and people walk or ride share or whatever.

And as part of the welcome package, I believe, the project proponent will hand out a welcome package to all the new owners, which will include a -- I don't know how long the term will be -- Charlie pass, try to induce them to use public transportation, but overall this -- I hate to say it again is going to be a very passive use

for the site.

HUGH RUSSELL: Do you have any traffic volumes currently for Harvey Street?

WILLIAM CARLSON: No, I did not because a full traffic study was not needed.

HUGH RUSSELL: And probably the city doesn't have those either.

WILLIAM CARLSON: I'll answer any questions also.

(Passing out traffic materials.)

JAI SINGH KHALSA: I think that concludes our presentation.

HUGH RUSSELL: Okay. Thank you.

I guess we'll go next to the public testimony.

I would like to make a statement -- two statements. One statement is: We received in the last 24 hours six long emails probably from people who were intending to speak. I think you

should assume we have not had a chance to read them, because I scanned them, but, you know, I have a day job, and I get home and I have to prepare for this meeting, and reading six emails, detailed emails is not really something that I can do within any thoughtfulness.

But we like to receive our comments in writing in advance so that I can and I think many of us do this over the weekend, so that's a problem.

I guess it's going to be a problem that's never going away because the way the world is or changing to.

Second thing is, the really thing sought here is a Special Permit, and basically, it's a site plan review of the project and the things we're supposed to be looking at are key features of the natural environment, how the building relate to the existing built environment, the

location of the landscaping over the space, and the benefit to abutters and people who live there, parking areas and egress points, parking area, landscape and service facility, such as trash collection.

You will notice in that list, it doesn't say we don't -- we are not considering how many units would be nice to have on the site, we're not reexamining the basic parameters of the zoning. And I think it's important to understand what we're doing here. So with that, the first person who is on the list to speak is I think it's either Bulba or Bob Hunter, and following him is Dick Clarey.

Would you please limit your remarks to three minutes in accordance with our rules, and Pam is the time keeper and she'll start waving you at the end of three minutes.

ROBERT HUNTER: My name is Robert Hunter,

I live 9 Harrington Road in Cambridge, Mass.

I've lived in the house for about 60 years. And, number one, I heard a lot of good comments from the Board here. In regards to the fire trucks getting in and out, they possibly can go straight in. To make a turn, absolutely impossible. And for the 29 units, it should be cut down, I think, to maybe 15 units and I'll state why very briefly.

We just had units put in on Harvey Street on the even side. The guy reduced it, did a nice job. Up on Mass Ave, we got two units up there that have been up there for five years and they're still unoccupied and on the corner of Mass Ave and Cameron Ave, there's 90 units going in there. Traffic is absolutely horrendous, and with all due respect to the engineer here, that says on the traffic, he's way, way out of whack.

That traffic in the morning is

unbelievable and it's even difficult sometimes to get out of your street. You got not only school buses, you got everybody going down because it's a perfect shortcut to come off Rindge Ave because Rindge Ave is actually a disaster and Cedar Street is a disaster.

If people remember, just a couple years ago, they were going to put in speed bumps, but then they couldn't put in the speed pumps, and then they were going to put in the alternate parking. Cedar Street to Reed Street, you'd be able to park on the right-hand side, and then from Reed Street to Clay Street, you park on the left-hand side. That was all defeated because the traffic is just positively horrendous. If they cut the thing down, and I know it's an astronomical amount, he put in there 29 units. I don't think 29 units will ever go in there. 14, 15 units, fine, but other than that -- and as

somebody pointed out on the Board here, very good point, what we went through this past winter where are you going to put the snow? It's a high water level down there. I don't know what is going to happen to the water. He's says it's not coming in through Cambridge. The water has to go somewhere. And with 29 units, bringing in those trucks trying to pump it out, impossible.

And then as far as the trash, you see the size of these trash trucks today, you think they can go straight in, but to make the bend to pick it up, impossible.

With all due respect to the gentleman, he says that there's 15 cars that come in and then they'll 16 cars that come out, a total of 136 cars he said. To me, 16 and 15 is 31 when I went to school, try 136. That's all I really have to say, and the fire department will never, never get in because of those trucks, you get a hook

and ladder in there, somebody's going to die and you don't want to hear about anybody dying.

PAMELA WINTERS: Sir, could you conclude your remarks?

ROBERT Hunter: Thank you for your time.

HUGH RUSSELL: Thank you. Dick Clarey. And after him Charlie Marquardt.

RICHARD CLAREY: My name's Richard Clarey, 15 Brookridge Street, Chairman of the North Cambridge Stabilization Committee.

What I would first like to do is address the point that Mr. Russell made a few moments ago about the tardiness of communications with the Board, and I would like to call your attention to a very thoughtful letter that was written by the people who adversely possessed in this project.

From my reading of the maps they adversely possess on three sides, all three sides of their property are involved in adverse

possession issues in this project. If there's one person you would think the developer would want to contact and be nice to it would be the person who adversely possesses you, but they tell you in their letter that they have no notice at all -- as I understand it, they have no notice at all that this process was going on until our organization flier'd them for the meeting that we held on April 27.

I also understand they got no notice of this meeting until yesterday. They're both here. So if I'm making a mistake, they can speak otherwise.

PAMELA WINTERS: That's the letter from Amelia Westmark and Harold Jensen.

RICHARD CLAREY: Oh, I'm sorry. I should have identified it. Yes, that's the Amelia Westmark letter.

If it's true, they got no notice until

yesterday, how could the Board expect them to communicate in a more timely manner with the Board? I don't know what the rule in the absence of Michael Brandon, I don't know what the rule on notice is, but I'm sure there is one.

I've already reported by email of the vote that we took on our April 27th meeting. That vote refers to the use of a lot that the developer is proposing. The lot is the lot that shows on the plot plan to the south of Harvey Street.

And just very briefly, a comment of my own. If you want to use these garages, you better own a Mini Cooper because they're very narrow and a hobby horse of my own, which the Federal Government is moving into very slowly, there's never a mention of children in these projects. I never heard a mention of children because these projects -- these developments

aren't intended for children, but under the Affordable Housing rules, there will be three affordable units here with children in them. And the only thing these kids can do on this project is play stickball from what I can see.

This particular development is not as egregious as the St. James, for example, because the Russell Field is 200 yards to the west of it. That's it. Thank you.

HUGH RUSSELL: Thank you.

CHARLIE MARQUARDT: Hi, Charlie Marquardt, 10 Rogers Street, M-A-R-Q-U-A-R-D-T.

First of all, I'm mimicking the chairman because a lot of my questions sort of go long with what he said.

And my first comment is on trash. I went back and looked at and just did a quick calculation, they said no shared trash or recycling facilities. So 29 units, 29 trash

barrels, 29 recycling bins all rolled out to the street at the same time. That's 58 bins taking up that street. That's a lot of bins. That's already a very busy street. Where are they going to be, on the sidewalk or in the street or is there going to be somebody taking them back down so they're not clogging the street or clogging sidewalk. They talked an awful lot about handicap accessibility, I'm not sure how you have accessibility with 58 trash/recycling receptacles probably on the sidewalk because the street is already pretty full of cars and traffic.

Then we talk about parking, and I was sort've dismayed that if someone parks quote, unquote, against the rule, it's not illegal, but against the rules, it's up to enforcement. But the handicap accessible units are in the furthest reach of the entire development. So how does someone get to or out of that handicapped

accessible units if someone is parked, I won't call it illegally, but inappropriately in one of those other units, so I don't know if there's anything there that can be done.

Second, what about the street parking inventory in the neighborhood? We have an awful lot of units going in, and I saw two and three bedrooms which I love, but only one parking space, between visitor parking, you have 29 visitor permits now adding on there, plus, say, you get the two cars out of three bedrooms, that's another 29 cars going on, so you have a lot of cars into a neighborhood that's already pretty full.

The chairman mentioned snow and they talked about schlepping it around and a couple of places they pointed, I don't know if it was inadvertent, it seemed to me to be the bike racks and over on Cambridge this winter and even in the

midst of all this terrible snow, there are still people using the bikes. I don't know if we can quite bury the bike racks just to say that we're good to go to put the snow there.

I think it's a city ordinance that you can't push the snow into the street, so that means the five degree drift rate is going to be pushing the snow down into those parking spots, so they have to figure out someplace to put that snow as well. It's not just the lower level, but it's all the snow from street downward on the driveway, that's my understanding at least.

Then I look at the driveways, 18 feet wide for two cars going up and down. That's pretty tight, especially if you're now going to have the trash truck maybe going down there or some other bigger vehicle. Is there anything being put in there for either notification that someone is coming or going or some way to get in

or out?

And Mr. Clarey sort've mentioned the Mini Cooper even it doesn't really work on these garages. So I think there's going to be a lot of people parking out there. At 66 inches, give or take, you're looking at 19 inches to get out of your car if you park in the middle. There are not too many people getting out of a car with only 19 inches.

Then the last question I just have is water impact, not just on their space, but what does it do to the neighbors? Because we're filling in a space where water may have flowed into the neighbors and making a receptacle to for water drain out, have they made it higher so it's going to flow into the neighbor's yards? I don't know, but the engineer may have that, but I'm not really sure.

Thank you.

HUGH RUSSELL: Thank you.

Lisa Gould, do you wish to speak.

LISA GOULD: My name is Lisa Gould. I live 102 Harvey Street and I'm adjacent -- I'm actually directly opposite the east side of the development. And so I will lose my entire view of the Alewife Linear Park. Also, I'm diagonal to the very small worker college, which is about the brown house that is being built around.

And I'm not going to take any time up to reiterate the excellent points my neighbors have made already with regard to snow removal, accessibility, the lack of thought and care that seems to be put into this development in terms of having affordable units, but there are no places for children to play, there's no consciousness about the fact that we're going to have children and bikes and cars using the same car park there.

Instead, I'm going to talk a little bit

about the immediate built environment. This project does not at all conform to -- there's -- I'm just going to -- it was mentioned that the setbacks are not -- they're not deep enough to reflect that little house there. That house is going to look like a very odd little thing. It's got about maybe a 20-foot setback right now. So you have something that's built with -- in this jagged thing.

And the sides of the townhouse on either side of that house, are going just form this kinda corridor and it's not sensible.

Also, you know, there are six different little worker cottages in that area. They're remnant of the past where turn of the century previous -- prior to the turn of the century and there's no real nod, there's no real connection to those at all. And for all the effort that was put into modifying the cornerstone buildings,

they listened to the neighbors, and they really did reflect, and I have to give them a lot of credit those buildings are attractive. They reflect the little cottages. These do not. They -- they're these little nods. Little, you know, insignias.

Another element is the fact that the impact on the park is great. I don't see why there has to be so much density, those townhouses have to be seven in a row. And then another block of five, is it or something, so that people using that park will then be feeling like they're not, you know, in a park.

PAMELA WINTERS: If you could complete your comments and wrap it up.

LISA GOULD: They will be feeling like they're, you know, just moving down the street here, you know, not part of a park, but just moving the down the street. And I find that

offensive actually.

Just one more thing. There was one view from the street, and it shows that it -- it looks like there would be some view of the park from the street. There won't be any view of the park from the street. There is right now with the lumberyard. So I consider this is going to have, you know, a lot of extra trips, a lot of cars, a lot of traffic, a lot of people and not much benefit to the neighborhood.

Thank you.

HUGH RUSSELL: Amelia Westmark followed by Harold Jensen.

AMELIA WESTMARK: Hi. My name is Amelia Westmark. He also lives in my house as my partner. Is it fine if he comes up and speaks with me? Okay. That way we can speed this up a little bit. So my house -- our house --

HAROLD JENSEN: Would it be possible to

put the display of the property --

JAI SINGH KHALSA: It will be five minutes to get that back up.

HAROLD JENSEN: It will be useful for us to show you the areas we're talking about. Would that be acceptable?

HUGH RUSSELL: Apparently, it will take too long.

PAMELA WINTERS: We have maps here.

WILLIAM TIBBS: And we have the plans.

AMELIA WESTMARK: Our house is the one house of this entire development that's actually going to be surrounded by three sides of this development, so we obviously have some significant issues that we would like to discuss really quickly.

HUGH RUSSELL: This is the brown house?

HAROLD JENSEN: We're the brown house in the middle.

AMELIA WESTMARK: It's actually a three and a half, it has no off-street parking. We currently have three tenants and three cars on the street currently.

HAROLD JENSEN: We're the one in very middle here. This one here. So we're completely engulfed by it.

As you can imagine, there's a few concerns. Our first one it hasn't been touched on, but if you noticed in some of the drawings, their property line goes through our house. And unbeknownst to us, it has never been addressed. It's a concern that we were hoping would be considered today.

The property line we have now, the wall, they mentioned that there's a concrete wall and that wall would go right -- it looks like it goes literally into our house and so we have know resolution on that.

AMELIA WESTMARK: The second issue that we have is that we have --

HAROLD JENSEN: So, in that, we have an old foundation, the house was built in 1860s. It's a stone foundation. So we're worried currently there is four-foot concrete wall on the east side. So two feet away from our house is a concrete wall that's four feet tall where an old building used to be.

So we're slightly worried that if you remove that concrete wall and then take dirt back all the way up to the edge of our house, the structural stability of the old foundation is compromised. We're worried that, you know, we don't want our house to collapse.

With that plot line, the next thing we're concerned about is the setbacks. Our property, as you can see, we're right up next to the setback, we're right up next to the property

line.

And so a house that conforms to zoning issues is still very close to us. It's -- they conform, they're still ten feet away, but they're literally only 10 feet away. We have no buffer on our side. That's something maybe to take into consideration.

AMELIA WESTMARK: The other issue with the buildings next to us is their height will be significantly taller than our house, our house is currently a little over 27 feet high. They're saying it's going to be close to 40. We were planning on putting solar panels on our roof, and obviously, we want to have the optimal use of these solar panels. So we are concerned about the shadows that these buildings will cast onto our house.

HAROLD JENSEN: They're 12 feet higher, 10 feet away. So you can imagine how close that

is. We're planning on putting in solar panels, but (inaudible) also we get virtually no sun light.

AMELIA WESTMARK: Our house is long and narrow, so most of our windows are on the side. We don't have a lot in back and front windows. If the houses -- you come up very close on both sides, we will lose that sunlight especially the morning light from the first floor -- sorry -- from the first floor, we will lose this light.

HAROLD JENSEN: The front setbacks, we're currently -- our house is 15 feet, six inches back from the front, and they're proposing what looks like -- I said just 11 feet. They're also taller and much closer to the street.

AMELIA WESTMARK: We're feeling quite enveloped literally even in the front from this development.

HAROLD JENSEN: Another issue people

talked briefly on snow removal. I'll just give you the facts. We have 15 feet of yard in front, and by clearing just our sidewalk this year, our height for the snowbanks got up to eight, maybe nine feet tall, and we have 15 feet to keep our sidewalks clear. They have less room, and no room on the interior. So that's worrisome because there's an issue with flooding in North Cambridge. Two years ago many of our neighbors were flooded. As it is now, we have had no issues, but because of the sort've bathtub effect you mentioned, and if there's no way to remove the snow, it will freeze over the drains like it does on the street. Now what I normally do when it snows, I clean out the drain, and when the drain freezes, the water backs up. I'm afraid the water will backup and freeze in this back area and flood into our old foundation. It's something we're concerned about.

The only other factor we're going to touch on just to let you know effects of the parking situation. We have no off-street parking. And currently, even in the summer, there are times when we have drive around the block at night looking for parking. We have three cars, we have three units. So there's oftentimes when we have to park two or three blocks away in the summer. In the winter, it's a free-for-all and we park four, five or six blocks away.

Many times we park at a good location, but right now, the off-street parking is to the max. People use the lumberyard on both sides.

HUGH RUSSELL: Okay. Thank you very much.

HAROLD JENSEN: Thank you for your time.

HUGH RUSSELL: Next on the list is Marc Feinstein and after him Wayne Carlson.

MARC FEINSTEIN: Hello. My name is Marc Feinstein. I live at 163 Harvey Street, which is on the same side of the street as one of the workers cottages and it's the abutters of the Cornerstone Housing Project.

So I guess I can tell you I've lived for six years now, and I can tell you kinda of the impact that, you know, a project like cornerstone or like this has on people who are there and living in single-family houses.

You know, just by people's best plans, there's definitely parking that spills over onto the street, whether it's out of convenience that street park is closer to your home, or it's easier to park in front of your house than it is to park in your garage or park in your assigned parking space, I don't know, but that definitely happens.

Another thing that happens you said ten

Cambridge is a series of one-way streets, well, people don't always respect that it's a one-way street when it's more convenient to turn the wrong way and drive 50 feet and enter into your parking area. So that has to be considered.

Another thing that was brought up, the landscape architect talked about how they were going to plant trees so that the -- from the Linear Path or Linear Park, the complex will look more like, you know, it seemed to fit into the park. Well, no one's really talked about the fact that the architectural design of these buildings doesn't fit into the architectural design of the rest of the neighborhood. Many, many of these houses in ten cars Cambridge were built around the same time by, I don't know, I'm sure you know what the history was, it was a trotting park and then someone came in and developed it. A lot of the houses look the same.

A lot of them have been modified, but they still look the same and a lot of them have the same design elements. Cornerstone considerate and did take those into account, I don't really think that was taken into account with this proposal.

Another thing I haven't heard talked about, residents getting things delivered, you know, the UPS truck pulls in to make a delivery, you know, there's going to be no access for people to go in and out of their condominiums or, you know, appliances, et cetera, et cetera, et cetera. So I think that should be resolved.

Trash has already been touched on. Snow removal, you know, it's going to have to be taken away, if it's done the way it's done right now. Somebody has to come in with a bucket loader and load in a truck and take it away. Where's that truck going to park while they're loading it?

So, anyway, that's really all I have to

say. I think it's just too big a scope of a project for that space and it just needs to be a little less dense and have some better provisions to make it more user friendly for the people who live there and the residents who already live on the street.

HUGH RUSSELL: Thank you.

Michael Shea, 95 Harvey Street.

MICHAEL O'SHEA: Interesting to be here again. I am Michael O'Shea, I am here with Linda McJannet, she and I own the building at 93 and 95 Harvey Street, and also here is a resident of our building, Mr. Tom Morris.

I'm -- we have a 160-foot common boundary on the east side of the site, I attended both community meetings and I downloaded the files and reviewed them, and I asked Mr. Morris to provide a computer-generated view of his project -- their project from our site.

We're here tonight to oppose this Special Permit as filed.

We're in favor of a Special Permit. We think that Mr. Katz has been a good neighbor, and we understand that, you know, it's going to go residential at some point. We just feel like this particular project is not the right one at this time.

People have talked about parking. And I won't go through that again, but I will point out that between -- there's a driveway between 137 and 143 Harvey Street, which is along -- it's a planned effort to be a walkway. There's currently four cars parked there at night. There's a curb cut at the gate for Cambridge Lumber, which Mr. Katz generously allows neighbors to use, and there are two to five cars that park there every night. There's a lot, a parking lot at 108 Harvey Street, again,

Mr. Katzes allows neighbors to use and seven to ten cars parked there every night.

These are spaces that in addition to whatever cars are generated by the project, these spaces will be displaced into the street and add to the parking burden.

The density of this project which people have mentioned, this project is just bursting at the seams.

As has been mentioned, the two and a half story house at 115 is surrounded on three sides. I asked for the view of the project from our site. It's ten feet away, which I think is about from me to you, Mr. Tibbs. About ten feet. It's 30 feet high to the cornice and another ten feet to the peak. That is pretty darn close. The view that I got, which I included with my letter, is interesting in that the computer could not actually generate the building as close to our

building as it actually is.

The six-unit on the right of the view -- there's a six-unit building, but it only shows four, the other two units that are closer to 95, 93 and 95 Harvey Street can't even be shown in this view.

Also, the buildings on the left side of this drawing don't even show a full one unit of the two-family house that is closest to us in this development.

So, we feel, you know, like it's just too close. The shadow views that were shown up here show that after 5:00 p.m., on every day of the year, the shadows will fall on our building on everyday of the year.

At noon, okay, at noon, you got sun down that corridor, but at 5:00 p.m. -- right now we enjoy full sun. We won't always be able to enjoy full sun, okay, but right, this project shows all

shade after 5:00 p.m. and that's when people come home.

The other thing I wanted to point out is scheduling. Mr. Lee said at the community meeting that this project would take about 14 months and would be done in two phases.

The first phase would be closer to us, the 10 units, and the then other phase after that.

Harvey Street enjoyed a partially done project at the so-called Sliver House for about five years, and I'm worried that if the first phase doesn't go as planned, and Linda and I know something about having a project that doesn't go as planned, that we might end up with a larger perfection of the Sliver House, you know, for much longer than 14 months. I think the whole thing is too much.

The last thing I would like to mention is

the communication that have been mentioned by others. I know Mr. Lee because I hired him to do HVAC work on a project of mine several years ago, but -- and we had plenty of conversations at that time and the project worked out fine and HVAC got put in and okay. But he never contacted me ever for this project at all. And I am the largest single abutter -- well, co-housing, but on the east, we take up the entire side of the lot. He never contacted me. And when I gave him my card at the first meeting, he never contacted me after that as well. And so I feel like to say the devil in the details, there's a lot of details here and I don't feel like we have been -- there's been good communication at all.

PAMELA WINTERS: Thank you, sir.

MICHAEL O'SHEA: You're welcome.

HUGH RUSSELL: Okay. Linda McJannet.

LINDA McJANNET: Hello, again. I'm Linda

McJannet, I am Michael O'Shea's co-owner of 95 Harvey Street. I'm will talk only briefly. I'm also concerned about how close this project is to us, and how tall the walls are. And I'd just like to make a suggestion. Perhaps the fire trucks would get a bigger turn around if the driveway were put on the -- between our site and there is and there would be air and space and breathing room between the two buildings.

I'm not an expert on these matters, obviously but that seems to me one small thing that could be done.

Like Michael, I recognize in many ways that putting residential housing here would be nice. We hope this works out for Lenny. But we would rather not be choked and I'm very concerned also for Ameli who has even a worse situation in breathing space. Thanks very much.

HUGH RUSSELL: Okay. Next is -- the rest

of the people on the list indicated they did not wish to speak except Young Lee. Do you wish to speak?

(No response.)

JAI SINGH KHALSA: Young Lee is our client.

HUGH RUSSELL: His name is on the list, but he hasn't indicated that he wishes to speak.

JAI SINGH KHALSA: Do you want to speak?

YOUNG LEE: No.

HUGH RUSSELL: Anyone else wish to be heard that is not on the list?

Sir, come forward.

CHARLES TEAGUE: I'm Charles Teague, 23 Edmunds, which is sort've diagonally across from the subject site.

But just to be very brief here, there's just a few little things. I had a search around the plans and if you look on Sheet AZ, you can

see that's how there's two townhouses and they're 32 feet wide totally. The townhouses are 16 feet wide, they're 40 feet tall with a garage buried in another one is 8 feet nine inches. That's -- this is a really tight thing that requires a lot of care.

The four totally accessible units are in some sense -- except they only have one handicapped space. One of the comments from someone else on the -- at the last community meeting, which was really so many people's first interface with this project and that's because we flier'd the neighborhood, and they called it a prison yard rather than the courtyard and so -- that wasn't me.

So, anyways, because it was such a surprise to so many people, I would ask you to keep the public comment open because a lot of people's first encounter with this was six nights

ago, and as we heard, the mailings went out late.

And then -- but I got to spend sometime with the plans tonight and, once again, we have a really experienced team here, and I don't think the plans are compliant with zoning, and the application, in particular, says they're proposing 25 percent usable open space where that should be 40 percent. They're asking for a Special Permit relief on the open space, which is a little bit deeper. You had said that well, this is just a site plan review, but there's actually Special Permit open space relief. I don't believe that applies at all here.

There's the -- there's the whole issue on the fences on the back creating -- you know, really not shared open space, and the encroachment isn't calculated in there, and the whole thing is not a hundred percent townhouses so they can't use that section anyway.

There's other things that are not compliant on the plans. So, once again, like these plans are, you know, they're not -- you know, this thing has to be looked over and really rethought. They can do better.

You have sent people back to do better. They can do better. Thanks.

HUGH RUSSELL: Thank you.

Anyone else wish to be heard?

TERRY MORRIS: There were certain issues raised, Mr. Tibbs, that have to be addressed. I would like the courtesy of having three minutes to do so.

HUGH RUSSELL: So I think what we would like you to do, we're not going to make a decision tonight. We would like to you take into consideration everything that's been said tonight and respond -- make a formal response the next time you're here. I think that will be more

effective and give you more time to be more thoughtful about your response. I'm not saying that you're not thoughtful. I thought your description of the zoning was a model of how anyone should describe the relief on the project and how it fit in with the zoning.

I've been wanting to say that for some time. Now, when I say, no, you can't speak, at least I want to say that I really found that part of the application to be extremely helpful.

TERRY MORRIS: Very definitely handled, Mr. Chairman, thank you.

HUGH RUSSELL: Shall we -- is there anything else we want to talk about?

There's one issue I would like to see addressed, which is the sloped setback plans. I seem to recollect from looking through the code earlier this evening that they applied to the streets, but they also don't they apply -- this

is the setback, don't they also supply to the residential abutters?

JAI SINGH KHALSA: I can address that.

HUGH RUSSELL: If you could -- I don't want it addressed tonight. I can put it on the list to be addressed.

I understand there's a discussion with the Building Department, and I think CD Department have said that one of their goals is to try to conduct -- sit -- joint sit down to make sure the zoning matters, which are often a little complicated and given the shape of your lot, they're complicated on your lot, to make sure that everybody is in agreement as to just what they mean.

Other things, we received a letter from the Pedestrian and Bicycle Committee and they made a discussion about access, public access through your site to the Linear Park, and I would

like to see you address that suggestion in your response.

Are there other matters?

(No response.)

Let's put them out on the table. Tom?

THOMAS ANNINGER: This project raises -- touches on something that sort've occurred to me today as I looked at it. For some reason, in western Cambridge now, not eastern Cambridge, we're seeing a number of projects like this. Bolton Street, now Harvey Street, Cottage Street to a certain extent, all multi-dwelling, multi-unit projects where we have to actually make some difficult decisions because it represents major change to the neighborhood, therefore, threatening and always difficult, and it requires a certain balancing on our part as to what kind of density is appropriate in these areas. And I don't know how much experience we

have. We do the best we can with that.

I would welcome any help the Community Development Department might give us as we go forward. They're starting to come up, as I said frequently. I will say this, and I could be unfair, but the feeling I get about this project, but it's the feeling I have gotten for just about all of them, is that the proponent is negotiating with us in the sense that they're asking for a lot. It feels like it's a Swiss clock in the way it has been designed. Very tight. And there's a sense that we are going to be asked and somehow will require some shrinkage, and the problem with that for me is the project always lacks a little bit of integrity in the way it's being proposed to us because of that.

You're sort've giving us your best shot and we're supposed to be here to turn it into something better.

I wish there were a way for you to come at the outset with something that you really believe is appropriate balancing and then make your best case for that.

It would put not only less pressure on us, but I would find it more convincing and would find it a more satisfying way of resolving these or other difficult issues. So my impression is that we're going to have to do something about what is a congested site here, and I would welcome any help that any of us can give us in a way that we can get that in a better way, resolve that.

HUGH RUSSELL: Bill?

WILLIAM TIBBS: I will just note a few things that either -- I'll note some things that either need to be addressed or that bother me or whatever. I think my biggest concern is context. That's definitely one of the things we're asked

to consider the context in Neighborhood A and my biggest pet peeve, and it's not with you alone, but many people that come before us is the total focus of the detail on your built project and not putting the existing structures in that same way.

If you look at your plans, a lot of your plans, you will show a three-dimensional view of your building and there's just a flat piece of land where we know there are houses on it.

My sense is for me to get a good understanding of how this is fitting into the neighborhood, let alone the direct abutters, you have to treat the way you're drawing those in a similar way to a similar way that you're drawing your own. We're not here to just look at your property. We're here to look at your property as it sits in the surrounding area. I am particularly -- I guess was a little concern early on, and we can sort this out, you mentioned

two things changing. I'm not quite sure how that is. You mentioned that the west end of the site you were aware of the fact that there was a difference in the zoning interpretation, and I know time was fast and I know that we have more time to review that, but I have to guess at what that might be, so that's always an issue for me.

And you also mentioned the existing structure, which you hadn't reviewed with Historic, and you don't know if you can take it down or not. That makes me uneasy because I'm seeing two pieces of the plan, and I don't know if it will change or how it will change.

The parking court just bothers me. I think some of the people -- some of the people mentioned some of the issues. The garages are tight, the turn radiuses, obviously, you will address all those things as we asked you to, but the court bothers me and this idea of people

being able to potentially park their cars there, it might be enforced or it might not, depending on the condo. We have had many, many projects come before us that were originally going to be condo projects that had to be converted to rental projects because of economics, so I just -- there's a dynamic there that hits me.

If I saw something designed and built into that court which really kinda helped to regulate that, if that's the intention, I would feel more comfortable. I don't think the changing of the pavement type is the thing to do. I will need to see more before I'm comfortable with that parking court and the way it works.

We talked about the turn radiuses for the fire department, that's a fairly straightforward thing to do. We talked about the flood conditions and the water impact and the city engineer having it reviewed by them. That's a

straightforward thing to do. Some of the comments brought up by the public at the public hearing, the snow removal, the deliveries, the trash, I see what happens on my street, which is a regular public street where everybody pulls out their trash bins and big recycling containers and it can be a mess. Having some real thoughtful approach to that. I think you when -- when you mentioned the fact -- when Hugh asked you the question you said if we have a private company do it, then it could be done this way. I think this project has to be designed with something in mind that you hopefully would inform the people owning it what those things are.

Even the comments on the phasing would be interesting in terms of just understanding if you do have a partial project that's built how that works, so there's a lot of things here I need to feel more comfortable about, but the big thing is

for my understanding, seeing the context, and I just -- I see this property in the middle of this, which I'm not quite -- I don't see how you're addressing it.

I mean, you're definitely legally saying with the setbacks, you're doing your thing. I want to have a sense of what this -- when this thing is built, it's a neighborhood, and it has a house and have your development around it, and you have had two abutters, I guess, that are concerned and -- as I look at that plan, I don't get a sense that the interface and the details about how this property is addressing those abutters are thought out much. I see them as they're just a blank slate that -- some of your drawings show them, and I would like to see a thoughtful approach to that. There's limits to what you can do particularly when their property is very close to the property line. That's an

issue that you have and these are structures that are there and I would like to think as you look at this I can see that there are some -- there's some -- you're concerned about that context and concerned about the way everything fits and feels and looks at the way things are done.

JAI SINGH KHALSA: If you look at it.

WILLIAM TIBBS: I'm -- I know you have the setbacks. I'm telling you that.

JAI SINGH KHALSA: I'll save it for next time.

WILLIAM TIBBS: Yes. I'm telling you as a board member, I don't get a sense of what that is. I'm hoping the next time you will show me that you have put some thought behind that and what that thought is.

JAI SINGH KHALSA: You got it.

PAMELA WINTERS: I am not going to repeat what everybody else said again going down the

list from what the neighbors had commented. The placement of a handicap units, trash, snow removal, the size, appropriate size for the garage spaces, water impact, the fire trucks, and, again, the person who commented on the historical connection to the cottages, I thought that was an interesting point. Also, the reports from the city engineer and the Historical Commission and I want to say I agree with Tom's comment completely.

I understand developers wanting to get the most bang for your buck, but still it would be nice to come up with something more better thought out.

Thank you, Tom, for mentioning that.

Thanks.

STEVEN WINTER: Thank you, Mr. Chair. This is an interesting site, no question about it. It poses a lot of challenges. Something

nice can be here. This is the fabric of this neighborhood and it's really, really -- it's important whatever we put there matches that fabric and is complimentary to that fabric.

And, in fact, the ordinance tells us the building should be related sensitively to the existing built environment.

I don't think we're there yet. And the -- Mr. Hunter had good points. I don't want to repeat them. My colleagues had good points also. And I won't repeat what has already been said.

I'm deeply concerned about the house at 115 Harvey Street, and that we need to really to pay attention to that house, and if the proponent has not had dialogue with those people, I think that should happen posthaste. I'm concerned that the owners at 115 are worried about what construction might do to their foundation. I

think that's a legitimate point, and we have to be careful with that. Also, 115 has said we're 27 feet high, we're going to be walled in and we just can't do that to them. That can't happen.

Again, briefly, we're hearing it's too big, and at this point, I concur. We're hearing that it's too close to the abutters. We're hearing there's no communication, and I have to say I would like to know what the abutters on the -- have to say about the proposed walkway to the apartments in the four apartments in the back, and I want to know if they feel comfortable with that kind of pedestrian walkway and how it's being buffered so they don't have a sidewalk between their houses.

I have to say also I don't get an idea of the design qualities of the building where the four apartments are going to be, and I guess I need to know a little more about that.

HUGH RUSSELL: Ahmed?

AHMED NUR: I share the views with all of you. I will take Steve comments about 115 Harvey Street, the house in the middle. At this point they're worried about their house, that sort've is definitely alarming. So I would urge the proponent to definitely work with them.

I do have suggestions actually.

The number of houses it looks like everybody welcomes the residential home, and so on and so forth, the cottage, there's a six cottage houses on Harvey Street. We normally drive to the soccer field and we drive from Jackson left onto the Harvard and into Clayton and those houses are beautiful, and we do that trip to see those six houses, it's almost like a trip to Cape Cod.

And I would appreciate if the architect would consider something that would fit into the

neighborhood such as those. And the -- three of those, 29 are a low income maybe that looks like probably one 29.5 units. If you give us one of ours, maybe you could give one of yours, and we'll do 20 units instead as supposed to -- in other words, just doing the math in my head --

JAI SINGH KHALSA: I'm not understanding the math.

AHMED NUR: No, I understand.

Maybe we'll reduce the number to 20. Maybe you can give us two low-income houses instead of three.

That's all I have to say.

H. THEODORE COHEN: I won't reiterate what everybody else said because I agree with everything. I think the important thing, though, is the context and the sensitivity to the built environment, and I'm very familiar with the street and neighborhood, and it's an interesting

neighborhood, and it's not all workers cottages because there are large three deckers next to small houses, and there's an interesting variation in heights and how close buildings are to each other, and I think you might think about something like that of varying your heights and varying your distances and obviously the structure at 115 is just going to be a major point that has to be addressed.

I think it was interesting that one of the people who spoke, talked about moving the driveways and maybe if you do move some of the driveways, you get to have larger setbacks between some of your abutters and you eliminate that issue.

The other thing that I think is significant is parking, especially hearing all the testimony about how Cambridge Lumber allows people to park in their lots in the evenings and

weekends and the number of cars that take advantage of that, and what is going to happen when all that disappears? I know you're only required to have one per unit. But I think we're going to need to address the issue with the whole neighborhood. Other than that -- oh, the one last question I had was, and maybe this is a question for staff, one comment was made that this was not an entire townhouse development and so it was not entitled to take advantage of all the townhouse joining. It seems to me a couple years ago we had repeated hearings about the kitchens between townhouses and other multi-family houses and what zoning applied in each instance, and I want to be clear that the project is complying with zoning as is written and what is required.

HUGH RUSSELL: Okay. Thank you.

Any other -- it's a long list. Other

than that, we'll -- do we want to close the hearing for public testimony?

WILLIAM TIBBS: Well, in the past when the proponent was going to be making the changes, we left it open, and clearly, he's indicated he's going to be making some changes that we haven't even seen ourselves.

HUGH RUSSELL: We're asking for changes ourselves. So we'll leave it open. So if you think we can close this portion of --

STEVEN WINTER: Could we give the folks here some idea how the process will unfold in terms of the next time the hearing occurs?

HUGH RUSSELL: I can't tell them when it's going to be heard.

STEVEN WINTER: Not when, how.

HUGH RUSSELL: They'll take this into consideration and make some proposals of when they plan to change, put it on the schedule, the

City will notify everybody who has signed up and given the address to them, and if you think you don't know, Liza, is the one, Paden just -- who is raising her hand is the person who is responsible for notifying people. She's happy to notify anybody who wants to be notified.

LIZA PADEN: If I could read your name and address.

HUGH RUSSELL: Let's take a break now and come back and do the rest of tonight's business more rapidly.

(Short Recess Taken.)

HUGH RUSSELL: On our agenda is the public hearing on Forest City Group zoning petition to extend the Cambridgeport Revitalization Development District to Massachusetts Avenue.

PETER CALKINS: Peter Calkins, C-A-L-K-I-N-S, with Forest City. I'm here with

Catherine Brown and Jake Kelley from our office.

Our attorney, Jim Rafferty, is here as well.

We're here to describe and present to you a proposal we made to extend the CRDD zoning that applies to University Park. It's a portion of an abutting block on Mass Ave, in the 300 block of Mass Ave.

This project presents an opportunity to eliminate what is now a sort of significant gap in the streetscape along Mass Ave to enhance the vibrancy of local retail and dining services and the growth of companies.

You know, this zoning plans gives you a sense where we are here. You can see outlined in yellow the current CRDD District which looks like that (*indicating*), which was approved by this Board in 1988.

This is the piece that we're talking about today. For context, this is the site we'll

talk about a little bit later on with Novartis.

You can see we're close to each other. The arrow represents the goal we have of -- dual goals for this project, one is to create a little more presence for University Park along Mass Ave because we never really had very much, and the other is to extend and reinforce the increasingly positive flow of retail activity and other movement up and down Mass Ave through Central Square past University Park and past Novartis and into MIT.

Many of you were here 20 years ago when we -- 25 years ago when we started talking about University Park, but not all of you. If I may, I'll just take a couple minutes and do a history.

This is what the University Park looked like in about 1983.

You can see it was a series of older industrial buildings and land cleared and school

bus parking and whatever was there.

It was known as the Simflex site because Simflex Wire & Cable was the largest industry there. The view from Mass Ave looking up Sidney Street there was a car dealership up there and mostly desolate and empty waste lands, if you will. It was a site clearly in need of some attention. You can see here the two blocks that were talked about at the time as potentially being part of this and then were not included in final zoning mostly, I think, for issues sort of for site control and what could be done at the time.

This is what was made at University Park 25 years later. It was 2.3 million square feet. We have completed all of the land we had to build on originally, range of different kinds of buildings. We have retail, Star Market is one of the retail uses in the hotel. We have different

kinds of residential buildings, a high rise and sort of contemporary loft, and two of the historic rehabs that we kept the Kenny Biscuit lofts and a series of buildings that meet the needs of life science communities here in Cambridge.

This plan demonstrates what was actually built. In the original permitting for University Park, the permitting called for a maximum of 1.9 million square feet of nonresidential space, which included obviously commercial office RD space, retail and the hotel. And a minimum of 400,000 residential -- 400 residential units, 400,000 feet of residential space.

We, actually, at the end of the day built more residential than that. We built 674. That meant that we ate into the 1.9 million cap of commercial square feet so that we actually at the end of the day built a million 573 square feet of

nonresidential square feet.

We were capped at 150,000 square feet of retail with the caveat if we crossed the 100,000 square foot barrier, we needed to come back and talk -- address the concerns that were expressed at the time that we might be sucking the life out of Central Square. In fact, we never got to the 100,000 foot point. It was difficult enough given the small amount of footprint we had along Mass Ave, it was difficult to bring retailers back into the site given that we were sort of in a gap in this direction and for -- until the very end of the project we -- so, we never got to that amount of retail, and that's part of what we want to address with this project a little bit. The original master plan drawings called for about 3,000 parking spaces, we actually built 2,760, mostly in the three garages that also includes surface parking that serves as the Auburn Court

project over here.

And then parts on open space we committed to 100,000 square feet of publically dedicated open space and there are four parks within the -- within University Park that are dedicated in their deeds to always be green. Certainly, the common is the largest and Market Square Park up at the top and Auburn Square Park over here towards the Cambridgeport neighborhood.

In fact, we built another 80,000 square feet of smaller green spaces. Nearly every building here has green space associated with it in some way, shape or form, all of it, either publically accessible or at least semi-publically accessible.

We ended up with 186,000 square feet or 4.3 acres of green space. So, you know, we got it done and we were pretty pleased with what it was. We have tenants come to us and want to

grow. We have -- we spent a long time talking with families who control various different parcels up here. And after probably 15 years got to the point where together with MIT we could put together a site and appropriate configuration to be able to support a building of the nature that we would like to do.

You know, a question I might anticipate is why not the entire block? And the answer is simply we have talked to the land owners multiple times over the year who control most of the rest of the block, certainly here and up at the corner with the Sunoco station, there really isn't much interest in selling or in conveying land to us for a price that approaches anything that's reasonable.

As we did 25 years ago, as MIT did 25 years ago when they came to you and said, "This is the 27 acres that we can control that we can

work with even though we had studied looking at these two blocks as well, this now is the block that we can deliver on and we can do something with that will be a positive benefit to the City of Cambridge." That's what we like to work with. This gives you a sense of what the site looks like at the moment from Mass Ave. On the left is from 350 Mass Ave building, as you're on the right, so this is Central Square, which is at your back at this point. Looking down towards the old Necco Building, now Novartiz headquarters for research, and looking back up the other way past Random Hall, which is an MIT dorm that will remain, you can see the block as characterized by a series of older single-story, fairly ramshackled building. There's a gap here with a small building taken down at one point.

This building here, this one here, and this is -- it used to be the service bay for the

car dealership on the corner. It's used by MIT to service its vehicles. It doesn't have any public benefit to the streetscape and MIT will put that use somewhere else when we're ready to move forward.

A first floor plan that shows this building in the context of 350 Mass Ave next door, as I mentioned, we would like to increase the retail presence we have along Mass Ave. Obviously, it's a subject that has been discussed a lot in the Red Ribbon Commission meetings that have been going on now for seven or eight months and just in the general community, it's one that we have long felt, you know, we have always sort've felt the retail piece of University Park was the one aspect that hadn't been as successful as perhaps it could be. And I think there were reasons why that happened. It had to do with the amount of scale that we were able to deal with,

the amount of retail scale we were able to deal with or precluded from dealing with in the earlier days. This is an opportunity to give us more of a retail presence on Mass Ave.

And then like most buildings at University Park, there are two doors, there's a door on the Mass Ave side and a door that is back here on the Green Street side. One of the advantages of this building in this location is that we don't need to provide any new parking. We have sufficient parking within our existing University Park structures to be able to support this building. We wouldn't need to build another parking space, and the folks who do work in this building and do drive, will be parking in this building. We have been pretty proactive with our traffic management programs, so city ratios are less than 50 percent right now. Preliminary studies indicate even with this building being

built, we're well below that 1700 -- 17,000?
1,400 BMP trips that we talked about 25 years ago. Even with this building, we'll still be well below that. From a traffic perspective, we think we're in good shape.

One of the things I mentioned earlier is there's a lot of green space within University Park, a lot of pocket parks, and so, one of the things we're looking at for the design and site layout perspective is a pocket park here. The Star Market and the Le Meridien Hotel are really just about the only buildings in University Park that don't benefit from some green space at their front door, and so this park will provide essentially a sort've small oasis of respite not only for the people who work in this building, but those who have shopped at Star Market and come out, are waiting for their partner to come pick them up or someone at the Le Meridien Hotel

waiting for someone to pick them up or a cab, so there's a sense of green relief back in here as well.

And then we spent sometime talking with the Community Development Department here where the right place was for loading. Clearly not on Mass Ave. We don't think the right place is Green Street given the character of that and the nature of some of these other buildings and the activity that already happens with the parking garage, so we put the loading on Blanche Street next to the loading that already services the 350 Mass Ave Building, although we have we recently taken one of the loading docks that was built for the original Comp USA tenant that was in this building and converted it to an expansion of the fitness center in this corner, and it's a small spot. We have been able to enhance the retail presence along Blanche Street. We're looking to

enhance the pedestrian experience as you come down Blanche Street through the entrance to Star Market and the Le Meridien Hotel.

Then on this side we maintained, you know, some space between ourselves and the abutting neighbor here. It gives a way to service the retail space here without having to do off-the-street or through the lobbies and lets us put the electric rooms on the side of the building and not create so many big blank louvers on the street side. Just a sense for what the massing is.

What we're proposing is really a very minor change we believe to the zoning sort of construct. This is a building -- the underlying zoning is BB and the maximum height in the BB District is 80 feet. The maximum height in the University park District north of Green Street, which, at the moment, only applies to this

building is also 80 feet. We're consistent with the philosophy in place for all those years. We're within the Central Square Overlay District, but even in that district 80 feet is allowed by Special Permit.

So where he not proposing a change in height. We're proposing to by incorporating this site into the University Park construct, because we've now built out the park in its entirety as originally conceived, we don't need to address the issue of trading commercial space for residential space anymore because that's been built.

What we have proposing is to take the -- increase the area of the site by the area of this parcel, and to increase -- to define the maximum buildable area within the CRDD District to be 2,540,000 instead of 2,300,000 which effectively it was before. This essentially enables the

building you see here. This building is about 200,000 square feet above grade. The zoning we asked for would enable us to put a floor below grade as well if we had a tenant that had a need for their business.

We colored this green because clearly it will be a green building, that's a philosophy of the City of Cambridge these days. It's also very much a philosophy for a city we have had sustainability as a core value now for, I think, more than 12 years. We completed a number of lead certified buildings around the country. This one will be, at a minimum, be lead silver and our target is lead goal. We intend very much for it to carry forward that philosophy.

Finally, we include this showing architectural renderings at a zoning discussion is always a little questionable, but we include this because it gives a sense for what the

massing of this building is within the context of the 350 Mass Ave to the building and the Novartiz building that you see in the distance farther down the street.

This is not -- we're not here today to talk to you about design per se, we're looking forward to being able to make an application to you under Article 19 and come to you and have those design discussions. We can't make that application and have that discussion until we can present a building that's consistent with zoning and so we need to go through this zoning process first and be able to deliver the building we want to deliver.

I think really, just to close, you know, the one question that we have been asked is why is this necessary, why do we need to change the zoning now. And the effect of the zoning change is really to give us a little more area within

the site to be able to build out within the block within that 80 foot height that we certainly have discussed. The building, as proposed without the basement, would be 60,000 feet bigger than we could build as of right the building, if we were able to build a basement in that space is FAR would be about 100,000 feet bigger than we could build as of right now under the BB and CR Central Square overlay zoning.

And there are two reasons: One is that we need to support the growth and expansion requirements of the University Park tenants that we have. Every company at University Park that is there now, has expanded at least once, many of them multiple times within the park. We have no space available at the moment. We generally have no space available.

Usually if a tenant is leaving or needs to shrink or needs to grow and we don't have

space for them and they leave, we know about that well in advance and we have tenants that are coming to us saying, "We would like to take whatever space you have. We want to stay here, we love it here and we want to grow here." And we want to be able to support that in a way that we think makes sense.

300 Mass Ave really represents the best opportunity to create that additional space, and we think it's important for us and City of Cambridge to make the most of this opportunity while designing a building that we think is appropriate within the context of Mass Ave; secondly, we're very focused on the importance of retail, as we discussed earlier. This is an opportunity that we never had to really establish a retail presence of some significance. We're focused on trying to do this right. We have looked at how the building can sit with respect

to the property lines so we can maximize the amount of sidewalk and create opportunity for outdoor activity, some outdoor dining perhaps. This is an early stage rendering and we continue to look at ways to ensure that the building fits within the context that is here and also represents the kind of building that it is, which is a building that is serving the life science industries of the 21st Century, and the kinds of retail tenants that we want to -- sort've locally driven retailers we want to support.

So those are really the two reasons we're here today. I think I can stop there and take questions or comments.

HUGH RUSSELL: Can we turn the lights on again?

WILLIAM TIBBS: I think for me, it would've been helpful to have a -- very similar to the chart that you have that showed the

original approvals for University Park and what you have done for me it would've been helpful.

PETER CALKINS: We can do that.

WILLIAM TIBBS: Wait a minute. Okay good. The base zoning versus what you can do. Because -- is it really just a 60 to 100,000 square feet that's the difference.

PETER CALKINS: Yes. The difference is -- as-built or as entitled right now, the site is 50,400 square feet. The FAR of Central Square Overlay District would allow a 2.75, so that would allow a building of about 137,000 square feet.

We're proposing a building of 200 above grade and potentially 240 if we built a below grade floor, which, obviously, wouldn't have an effect on the massing of the building. That really is the significant effect of the change. There are some other minor modifications in the

language that update Article 15 to reflect the fact that Article 19 didn't exist when it was written, but that's the significant effect of the change.

HUGH RUSSELL: To basically have this site regulated under the CRDD rules rather than under the Article 19 rules?

PETER CALKINS: Yes. We think it's actually going to be sort've a marriage of the two. We think we'll still be coming to you under Article 19, but that it will be dealt with in a manner similar to the way we dealt with all the rest of the building in University Park.

HUGH RUSSELL: Right.

Other questions?

Tom?

THOMAS ANNINGER: One thing that makes me a little nervous about this basement concept is I'm not quite sure who wants to go into the

basement. You know that better than I. But there might be some pressure to making those basements have windows, at least at the top of those basements, which would then create what I dislike a lot, which is a half basement, half not and put the first floor up yet higher.

What can you say to that?

PETER CALKINS: I can tell you that if we did that, it would be hard to do the retail we want to do.

THOMAS ANNINGER: I'm thinking of the building I dislike next to the post office on Mount Auburn Street because it's downstairs, upstairs and it's a mess.

PETER CALKINS: The kinds of spaces that a life science company would want to put into the basement would generally be service kinds of spaces. It could be an animal facility, but that would go up high in the building. It could be

heavy equipment that makes sense to sit on grade and we don't want to put it on grade on the first floor necessarily because we want to give the first floor over to retail.

It would really be that kind of use, and I can't envision a situation where we would want to do something that is along the lines that you suggest somebody might want us to do. We could commit that that wouldn't happen.

THOMAS ANNINGER: That would help.

H. THEODORE COHEN: Does the existing zoning for the district mandate that you put in retail anywhere?

PETER CALKINS: Well --

HUGH RUSSELL: Central Square Overlay District and there are -- there's language in that district that tries to encourage that.

PETER CALKINS: I think -- even under the existing zoning we would be coming to you for a

Special Permit under the overlay district and you would have the ability to have some input there. We do think that we're proposing 13 to 14,000 feet of retail is a pretty good chunk of retail. In one of these buildings, a fairly substantial percentage relative to some of the other projects that have been through here. And we're committed to making that happen.

H. THEODORE COHEN: Well, I guess it's the question of your commitment to it because I understand you want to do it, and it's a good idea, but if you get a tenant who says, "Gee, I want all 240,000 square feet for my life sciences building and I'll pay you a zillion dollars to do it," does the retail suddenly disappear?

PETER CALKINS: You know, we're committed to -- along the Mass Ave frontage, you will notice on the -- there's first floor space here that we didn't color blue, this could be retail

as well. I'm not convinced that we want to do retail or we can get good retail to come back on Green Street. I'm not willing to commit that will be retail space. Along Mass Ave we want retail, restaurants, those kinds of activities. One of the reasons that we need to be able to build the building that we want to build of 200,000 feet, we need enough of that higher rent paying space up above to cover the costs we know we're going to incur to put in the retail space because the retail will not pay for itself. And we're committed to wanting to do -- we want locally focused retailers. We want retail appropriate to Cambridge and appropriate to the kinds of activities that are happening in this building, and we're going to make that happen.

WILLIAM TIBBS: One more question. One of the other things that this CRDD has is -- design guidelines, which were developed kinda for

the -- contain the context it's in and come up with a kind of look and feel and consistency there. I guess, I'm not quite sure if those guidelines would apply to something on Mass Ave in the way you're doing it.

So I was just wandering what your thoughts are on that. I would be a little concerned that if we applied those same guidelines that it might come up with different kind of feel for a structure than you might do, say, if a square footage wasn't an issue as of right.

PETER CALKINS: I don't have in front of me, but you do, I think. If you look -- we addressed that in the language we gave you to the proposed zoning ordinance and maybe Mr. Rafferty will hand it to me.

LIZA PADEN: Paragraph 3.

PETER CALKINS: "For the portions of the

district along Mass Ave located within the Central Square Overlay District, the large project review shall be undertaken by the Planning Board where applicable. The Planning Board shall be guided by objectives and criteria contained in the publication of Central Square Action Plans, City of Cambridge, November of 1987, and the Central Square Development Guidelines, July of 1989. To the extent any provisions in those documents are in conflict with the design guidelines for the Cambridgeport Revitalization Development District, the Planning Board shall determine which guideline is most appropriate to be considered in the large project development consultation."

So we gave you some discretion, which I would think that we would probably exercise together in our diligence to make the appropriate building.

HUGH RUSSELL: Any more questions? This is a public hearing and Liza is bringing up the sign-up sheet.

I see Mr. Kaiser rising because he's first on the list.

STEPHEN KAISER: My name is Stephen Kaiser, K-A-I-S-E-R, I live at 191 Hamilton Street in Cambridge.

I'm one of the few who is back and remembers the 1985 EIR that was submitted and discussed. I remember the Simplex Steering Committee, and the developer has given you his imagine of what University Park has become since that time.

I would like to give you a slightly different one, which is probably the best housing in the City, particularly architecturally. Auburn Court, I find it absolutely fascinating the trees would've been planted, create a canopy

over Sidney Street, it's a phenomenal effect.

The downside, almost a disaster, is retail and first floor uses. The street is dead. And it affects the whole major park land there. So when I hear these promises of retail tonight on Mass Avenue, I am rather skeptical.

Let me just suggest some other things that are going on here. There's a total of 1.9 million square feet allowed by existing zoning, and the proposal is to increase it up to 2.54 million. That's an increase of 640,000 square feet. That would be a zoning gift to the developer.

And I think I mentioned what I now call Jim Rafferty's law, which is down zoning. If that occurs, a developer can say the City owes me money because you're taking value away from my property, and I have offered addendum which is you could go in the other way, you up-zone, then

the developer should play the City whatever the increase value in the property is, that would only make sense.

I'm agreeing with Jim in one way and I am hoping he will agree with me on the addendum, but I somehow doubt it.

At any rate, I have since found that there's an interesting legal reason that justifies what I've been saying and arguing.

The client in this case is a developer who is a profit-making company. That's their primary intent. The state constitution, the highest law in this Commonwealth, concludes a declaration of rights, declaration of rights written by John Adams in 1780. Article 7 of Declaration of Rights reads very simply as follows: "Government is instituted for the common good for the protection, safety, prosperity and happiness of the people and not

for the profit, honor, or private interest of any one man, family or class of men."

So whenever we have a zoning petition coming in by one developer that would surely seem to qualify as a special benefit to a profit-making enterprise.

So, I'm not being particular in this case because my concern applies to Alexandria, Forest City, Novartiz, Beale, Boston Properties, even the Cochia (phonetic) Hotel. Any private developer who's come in for a special favor up zoning that should apply to them both the Rafferty's law as amended and Article 7.

JAMES RAFFERTY: Just for the record, that's not my law.

STEPHEN KAISER: I can't help tweaking his nose.

JAMES RAFFERTY: I don't want anybody else thinking I buy that.

STEPHEN KAISER: We can file it with the legislature, if you'd like. They can make it a law.

So that is my major concern here and there will be people who will argue, "Well, hey what does case law say about this? What do the lawyers say?" I'm surely making a bit of work for them to do. And the case law I'm not aware of anything involving Article 7, but we can make a case law and I think you know that is possible just as the case of *Root versus DEP* was made into case law.

Maybe this situation needs to be handled in a court situation, but if Mr. Drisdale would like to give his opinion, that would be useful, too. But I just think that this business of granting give-away zoning to profit-making entities gets yourself in very hot water with the constitution of this Commonwealth.

Thank you.

HUGH RUSSELL: Thank you.

HEATHER HOFFMAN: My name is Heather Hoffman, I live at 213 Hurley Street. And I find myself totally baffled, that first off at the thought of enhancing Blanche Street because I've walked there, but in a much larger sense, I seem to recall that the City is paying good money to Goody Clancy to do a study from Kendall Square to Central Square to see what we want this to be because we think it's not, as much as we would like it to be and we would like someone who doesn't have a profit interest in a particular parcel to think about this in a broader sense.

And, yet, what we have up and down that corridor is, as Steve said, zoning change after zoning change being proposed for private profit with very little thought to the public good, and I understand that the law requires you to have a

public hearing, and I would not ask you not to have one. I would ask you to have plenty, but I would also ask you to consider whether the City's money is being well spent if we're asking someone to study an area that we are very quickly taking out of their hands and out of our hands because we're granting zoning changes up and down the whole area.

Thanks.

HUGH RUSSELL: Thank you.

Does anyone else wish to be heard?

STEPHEN KAISER: I have one submission I meant to put in.

HUGH RUSSELL: Thank you. The petition from the Constitution. Okay.

So shall we then close this hearing for public commentary? And given the lateness of the hour, do would we want to discuss this further or take this under advisement?

H. THEODORE COHEN: I would suggest we take it under advisement especially since we're supposed to have a discussion about Kendall Square Central Square study group and find out where they are. I think it's, indeed, an issue we and City Council have to address of changing zoning in this area right now while the City is undergoing a planning process.

WILLIAM TIBBS: I would agree with that just because in the Novartiz thing we actually said that we wanted to get a sense of what was going on and get a better understanding of how to deal with that, too.

HUGH RUSSELL: Okay. If we are agreed on that, I thank you for coming and explaining your proposal to us and we'll discuss it at a later meeting.

The last item on our agenda is the Novartiz zoning petition discussion.

We received some comments, and we also received, a few minutes ago, something from Mr. Rafferty, and I'm not clear as to what that is. I see some underlining on the second page. It indicates some --

JAMES RAFFERTY: Mr. Chairman, that was a communication that was sent to CDD about three weeks ago in response to the suggestion of the Chair that the parties, namely, the petitioner and CDD should discuss proposed criteria.

It was my understanding that that had been provided to the Planning Board in its package, and I only learned within the hour that that was not case, so I apologize. I had a different expectation as to what was going to happen to that document after I provided it to the Community Development Department.

HUGH RUSSELL: Is it possible that the Community Development Department -- I'm asking

the department took those comments and those became part of the consideration what you sent us? So what you sent us were, I think, related to our question of developing criteria that would be used for evaluating permits that would be granted under this proposed change; is that correct?

IRAM FAROOQ: That's correct. The question has been asked about how Goody Clancy fits into this whole picture, and they're supposed to, indeed, do peer review of each of the zoning petitions that is before you right now, and we have got them started on that part just because the petitions are flying fast and furious. So, we had them look at Novartiz first just since it was first in line, and so we have been able to send you the set of comments which is still not a hundred percent complete, but it's staff parts combined with Goody Clancy

preliminary thoughts. We'll get you a more flushed out memo soon. But I think this is the universe of ideas that being discussed with maybe one or two additional thoughts.

If you want us to walk you through anything, we can, but in the interest of time, you can decide how best you want to proceed.

WILLIAM TIBBS: I can safely say that when I read it the first time, I just wasn't sure what you were doing or saying. I mean, I read the words, but I wasn't sure what the context was, and you don't have to explain it now. That was my reaction to it. Since we hadn't really formed a plan or a context this just arrived, I started reading it and I was kinda going, well, okay, but what does this mean, changes we're suggesting --

PAMELA WINTERS: A little history.

WILLIAM TIBBS: Or some context.

IRAM FAROOQ: We'll make sure we add that.

BRIAN MURPHY: I think that we can actually get through this -- this is my hope -- we can get through this this evening to try and get to a point where if Board felt comfortable going forward with it, I think we tried to sort've come up with a -- in terms of the context of this, based on our listening to the Board's concerns that were raised, discussions with Goody Clancy and discussions with the petitioner to try to come up with the universe of what we thought would make sense. I think if you look, most of these are actually in the form of more guidelines and suggestions as opposed to absolutes. But the hope was to try to provide a context that would allow for a more streamlined discussion on this part, particularly, given the zoning piece and the (inaudible) of counsel and that there will be

another opportunity for more extensive design review.

THOMAS ANNINGER: Were some of these items to be reflected in the zoning language? Where does this fit?

WILLIAM TIBBS: That's exactly -- good question. That's why I was confused.

THOMAS ANNINGER: And the answer to that is? They're not there now. I know that, but would they be? Are they intended to be?

IRAM FAROOQ: What we have done in the past is to have a guidelines document that sort've gets referred to in the zoning so if you recall the eastern Cambridge planning study, for instance, we had the host of rezoning and then had a set of design guidelines that went along with it and was referenced in terms of if there's an Article 19 project or any other kind of Special Permit review, then these would be

guidelines that the Planning Board would refer to in addition to the Article 19 or the design guidelines.

There are a few items here that are actually intended to be more in the requirement arena, and I can call out those, there's just three -- I should say four.

So, if you look at the parking section, the very first one, the proponent has proposed a .9 -- this is in the newest document that Jim just handed out. A .9 maximum, .9 spaces per 1,000 square feet GFA maximum cap on parking. And in our parking analysis, our transportation staff recommends that that be .85 spaces per 1,000 as a maximum with no minimum to reflect the -- that Novartiz currently has, the performance that they're currently meeting and then also combined with that, that the applicant when they come for a Special Permit project must

provide the Board with sufficient rationale to be able to make a decision as to what if the appropriate parking numbers if they want to go below the .85. So that one is intended to be a requirement rather than a guideline.

The second piece is if you go to the height and massing section, the first bullet talks about the maximum height of 140 feet. And in the proposal, it just says only a portion of the building will extend to 140 feet without establishing any kind of limitations to that. So we would propose that some number be picked as a maximum amount of building that can go to that maximum with 140, and we're proposing 25 percent. I don't feel like we're married to that number, but it seems to be consistent with the proponent's plans. They might have some rebuttal on that.

HUGH RUSSELL: You need to be careful

with the word "lot," because often in developments there are -- there's a subdivisions undertaken for financing or other purposes, and since there's an existing structure on the site, it's not inconceivable that might be carved off, but I think the intention is looking in the district almost.

IRAM FAROOQ: Yeah.

HUGH RUSSELL: But on the other hand, you don't want to include all the streets because then it's --

IRAM FAROOQ: I mean, if the Planning Board wants to make a recommendation, you might be able to propose the concept without necessarily pinning down the number if that's a more comfortable assessment, and then we can work with the Goody Clancy to figure out what -- as well as the proponent to figure out what that number should be.

HUGH RUSSELL: It's a good provision at 25 percent, probably not terribly far off given the existence of the building, the open space and setbacks. When you start putting all that in, it means that maybe 50 percent or 60 percent of the actual footprint of the new building can go up to that height. That's the kind of thing I was -- being presented to us what they needed to have to make it work. So negotiating with the proponents exactly what that appropriate number is to accomplish the goals may make sense.

You didn't put in the specific 85-foot language on Mass Ave, you left it a little vague.

IRAM FAROOQ: We actually felt that we should not have that limit established for Mass Ave because we felt that a strong presence on Mass Ave is an important element and the sort've philosophical message that it sends through the zoning if you have a lower height on

Massachusetts Ave and taller height further away seemed not necessarily ideal when the Board might be evaluating the Special Permit because there is residential development to go north, and it seems like if we're leaving things open for discussion during that the Planning Board's deliberation with the Special Permit that we felt a little uncomfortable pinning down where we want lower heights versus higher heights and stay with the more aspirational statement that says "Diversity of heights across the site, 140 feet as a maximum only for so much percentage rather than trying to say where the low heights would be."

THOMAS ANNINGER: Which would include Mass Ave?

IRAM FAROOQ: Yes.

HUGH RUSSELL: On the other hand, we have just seen an example of a what an 80-foot height with another 30 feet of unregulated building

looks like on Mass Avenue and it's not a pretty picture in my view.

THOMAS ANNINGER: What?

HUGH RUSSELL: The rendering we just go ten minutes ago for the Forest City.

THOMAS ANNINGER: Oh, right.

HUGH RUSSELL: You know, how it takes that height makes the fairly substantial apartment building to the left of it look like a toy. Now, maybe the architecture or the lack thereof of in the rendering, but, you know, it would make a lot of sense for -- if Goody Clancy is looking at this for them to really think carefully about urban design of that street and the height review, and it might be a different thing where you might allow the accent to go above, but not -- I was not happy with the notion of the scale of Mass Ave was going to change so dramatically in that general district.

Why don't you finish.

IRAM FAROOQ: The final piece that is proposed as a requirement is in the streetscape and walkability section. The second and third bullets refer to percentage of clear glass at the ground floor, and on Mass Ave we're proposing a number that would be somewhere at 60 to 70 percent and about 50 percent on the Osborn Windsor and Albany along Mass Ave, but significant streets. And also stating that no more than 30 feet of linear frontage should be okayed or without a window.

So just to stay in the spirit of transparency into the building and activity at the ground level, we have similar provisions elsewhere in the city, including even on ten cars Mass Ave, and we have included some in eastern Cambridge. So that's the last piece.

H. THEODORE COHEN: Is mandatory ground

retail also a requirement.

IRAM FAROOQ: We were proposing that that could be a guideline, but it could certainly be mandated if the Board desires to, certainly along Mass Ave you could say that.

PAMELA WINTERS: Iram, how did you come up with those numbers?

IRAM FAROOQ: The clear glass percentage?

PAMELA WINTERS: Yes.

IRAM FAROOQ: I think it's just --

HUGH RUSSELL: It's found in other portions of the ordinance.

IRAM FAROOQ: Right.

PAMELA WINTERS: Okay.

IRAM FAROOQ: And as well as, you know, from Goody Clancy which reinforced what we already had in our ordinance.

PAMELA WINTERS: Thanks.

WILLIAM TIBBS: We talked about it before

and I'm not going to belabor it here, but the clear glass is sometimes is not the issue because of what people do behind the glass and we have many examples in Central Square itself that being somewhat problematic. CVS is one. The building on the corner of Mass Ave that has the black glass that you couldn't see through. So, we're kinda clear, but it wasn't, so, I think, that's something we might want to try and see if we can hone in on since we have seen that as a particular problem when we view that kind of thing.

THOMAS ANNINGER: I think Bill is absolutely right about that. The building across the street on Mass Ave, which, I think, isn't a pretty building, I think, is virtually all glass and is particularly an unsuccessful building in my opinion. It's kinda opaque glass in part and so on, I don't know what it's doing, but...

HUGH RUSSELL: Which building?

THOMAS ANNINGER: The one that has that jagged kind of design to it along the street.

HUGH RUSSELL: I was just going to say I thought the ground floor uses were so wonderfully displayed. It's like a textbook case.

THOMAS ANNINGER: I guess I'm talking up above.

IRAM FAROOQ: That's -- every time we talk about retail to anybody, that's the example that comes up as couldn't we have more of that?

THOMAS ANNINGER: We're talking about two different things, I think.

IRAM FAROOQ: Yes.

THOMAS ANNINGER: While you're still on that section, can I ask what you mean by particular attention should be given to the streetscape?

IRAM FAROOQ: We were calling out that

there should be -- it's actually critical to the experience, the pedestrian experience, the public realm, how those edges are treated because they're all public. Mass Ave, of course, Windsor Street is a really significant connection into the neighborhood. Albany, you know, I hadn't walked on Albany for a long time or Osborn and actually Osborn is this really charming street that you never expected, and State Street is really sweet and you have to think about -- that was kinda of the scale question when we said as you're distributing height where you want it, okay, you don't want it on Mass Ave, but do you really want it on State Street.

THOMAS ANNINGER: I'm an agreeing with you that I think Albany and Mass Ave are a place to spend more time. I think it would be helpful to flesh out a little bit what you mean by that. That was my only point.

WILLIAM TIBBS: I think that goes to Hugh's earlier comment about maybe they can give some ideas about what that means.

IRAM FAROOQ: Okay.

THOMAS ANNINGER: Also, when you're talking about Osborn and how great the experience is walking along Osborn, the building that's -- that big building that is in the site across -- on one side of Osborn, I guess that building which I think now is empty and unoccupied, is that building to stay?

MR. RAFFERTY: That's not part of the site the Shire building --

THOMAS ANNINGER: Across the street.

MR. RAFFERTY: Analog, that's coming down.

THOMAS ANNINGER: Can I say something about it? I'm glad to hear that because it's a building that deserves to come down.

MR. RAFFERTY: Sooner than -- how many weeks away? It's coming go down very soon.

THOMAS ANNINGER: Really? It's a big building to come down. Here is one thought I had when I was walking Osborn, there's an opening in Osborn that goes through, and one of the things I would like it see in the guidelines, if possible, is some thought to reflecting that opening on the other side. Maybe it's going to be completely open, maybe that's part of your quad or are any buildings planned to go along Osborn on the other side?

MR. RAFFERTY: Our pedestrian circulation plan contemplates coming through green open space right into that port hole opposite the opening that we created some pedestrian --

THOMAS ANNINGER: Maybe they're way ahead of me, of course. But all I'm trying to say is if you can somehow reflect it in these guidelines

that that opening should be valued when you cross the street.

IRAM FAROOQ: Sure. We noted connections through the site, and if you want we can add in existing portal, just flesh that out.

THOMAS ANNINGER: Maybe it's obvious.

IRAM FAROOQ: Hugh, one last thing here.

HUGH RUSSELL: Yes.

IRAM FAROOQ: So one thing that -- I think, as I'm looking at it now, somehow it seems not to have made it into this list is that our the transportation staff feels very strongly that we should make sure there's a guideline that speaks to accommodating an urban green (inaudible).

Thank you.

MR. RAFFERTY: It's already there. I got a circled unhappy face.

IRAM FAROOQ: I'm glad I brought it up

then.

So, thank you.

HUGH RUSSELL: Fifth bullet on streetscape.

IRAM FAROOQ: Thank you.

MR. RAFFERTY: Mr. Chair?

HUGH RUSSELL: Yes.

MR. RAFFERTY: We took the position basically that was articulated by the Chair at the last meeting the sense of the Board with that they would be issuing a recommendation to the Council in favor of this, and that we should work on criteria around the Special Permit. And it was suggested by the Chair that in this case perhaps general criteria would work well and specifics could come later in the permitting process. I think that's very much the case here and I think to the extent we have some -- a disconnect between these guidelines is in some of

the areas where they're being required. In the two -- you recall that the Special Permit provision in this district really applies to height, and that's what the specific nature of the Special Permit is. So we drafted some language that said that in looking at the height here are three things that the Board should look at. I will say that we were able to host Mr. Dixon and his colleague the other day from Goody Clancy, and he expressed a very different view about height and massing than we have had in our thinking, and, frankly, in the conversations we had with Ordinance Committee. This Industrial B District is the only place along Massachusetts Avenue in the entire city where the industrial zone fronts onto that major corridor. There's no other place in the city where you could go to 120 feet along Mass Ave. The overall context there is 85 feet. So our position had been that, in

fact, we think that we could meet that, even notwithstanding the 120 feet in the district in that the Board should evaluate the request for the 20 additional feet in the context of how we could make that Mass Ave frontage work, particularly the critical corner that Ms. Farooq referred to because it is a bit of a three-part corner the way Osborn and Albany come together.

We, as you might suspect, given Novartiz's timeline, what's happening here, there's been an awful lot of thought, and, frankly, there are some considerable design focus going on, and you will see it in the massing diagrams, our thinking is on this building that the lower massing should be at Mass Ave. And we feel pretty strongly about that. We know that will need to be vetted in the context of the Special Permit.

This actually was changed at my request

because in its original form it actually had a minimum height requirement and I suggested to the staff that I'm not aware of a district in the city that has a minimum height requirement, and to introduce such a concept on this rather narrow zoning change that really seeks a change in FAR that brings it about halfway back to where it was about ten years ago in complexibility and height, we're really opening the Pandora's box on things that may require a lot more study than frankly we have the time at the moment to pursue.

Our thinking is that the Special Permit criteria should reflect a lowered height on Mass Ave. If that lowered height goes somewhere else, we feel pretty strongly our design reflects that and we've been pretty consistent. Whether the 25 percent number on how big the 140 feet goes, we haven't been able to test that effectively with the design. Our criteria is intended to

suggest that only a portion of the building, and frankly, our thinking is only that first building, the L shaped building, would be a candidate for that Special Permit because you would have to have the contrasting height.

So the building along the backside, it's a fairly traditional rectangular building. The opportunity for the height diversity doesn't exist in that design. It's a separate architect, but we don't see that building as a candidate for the Special Permit around height. So that's why we left it fairly generic.

Frankly, we're being encouraged in some quarters to look at numbers before 85 feet along Mass Ave. So we think that's best left to the Special Permit process.

The parking requirement at 85 that's fine. I put .9 in because it seemed to be the new norm based on what we did at Alexandria. The

suggestion was .85. Novartiz thinks that's fine.

The other requirement around streetscapes, same reservation to identify a percentage at this point seems not particularly necessary. We are going to be subject to Article 19 with urban design guidelines and there's frontage on Mass Ave.

What is particularly, I think, inappropriate here is the references to Albany, Windsor and Osborn. I should note that on Windsor Street, we're not putting a building there. There's an existing -- that castle building from MIT is there. So we don't intend to put more openings into that building. So whatever the penetration and opening patterns are along Windsor Street, we're not going to change them to introduce a design requirement of 50 percent glass on Windsor Street. We don't even propose to put a building on Windsor Street.

Similarly on Osborn Street side, lots of talk about building mass and articulation, different kind of a street than Mass Ave to settle on a percentage number here, to establish a design preference for things like blank walls, we understand that and I think our design team intends to incorporate that, but, again, to put a specific criteria, we're hoping that a recommendation can encompass some of these things as guidelines, but in the case of the streetscape and walkability items, they should not be imposed as requirements.

We have recognized that the design criteria in Article 19, the urban design guidelines, would probably work well there, and that a commitment around ground floor retail on Mass Ave is certainly encouraged, and we would be happy with that.

But I do regret that we didn't have the

type of exchange that frankly we contemplated, but I think the concepts generally are consistent, and I think if the Board saw fit to in its recommendations allow us to have that kind of flexibility, I'm sure in working with the CDD staff, we'll come up with overall guidelines to the extent that it's seen that this district needs guidelines separate and apart from the other urban design guidelines that are currently in place.

HUGH RUSSELL: So something is sort've becoming clear to me, which is that there are two processes going on here. There's a permit for additional height, and that that is a Special Permit, it needs to have criteria, and the criteria suggested is by Mr. Rafferty actually I find somewhat more compelling than the CDD ones. And then there are -- there's a design review process under Article 19, and for that there are

guidelines, and the guidelines, seem to me, should, to the extent they're any different than the regular Chapter 19 guidelines, should come out of the Goody Clancy process.

And the -- what I guess I don't understand then is if that's the way we handle it -- and we can make a recommendation as how to sort it -- what should be requirements under Special Permit criteria under the Special Permit and what thing would be simply a design review guidelines.

H. THEODORE COHEN: Quite frankly, I'm not prepared to make any recommendation this evening. I understand it didn't get to us, it's unfortunate. We have been given this and we've been given the recommendations from staff that are very different in certain areas, it's 11:00 right now. I really wanted to have some opportunity to focus on this and go back and look

at the Article 19 guidelines and see what I think is really serious. I mean, I would be inclined to say if we do create this special district, I would be inclined to say that it must mandate retail on Mass Ave, but I'm willing to consider that that's something that should only go into a guideline, maybe it's already in a guideline. I just -- it's too much coming at me right now to be able to process it and say to City Council do this, don't do that. And we are meeting next week.

WILLIAM TIBBS: I agree, and I almost say there's a third process which, I think the problem I'm having is that I hope you said that you asked Goody Clancy to do some peer review of these, but I surely don't want to just get these spotty comments, and I don't want that to sound too negative. When I say "spotty," I just mean really focused on this one little section. I

wanted to have at least some sense of a broader context, and when I listened to Mr. Rafferty and listened to what Goody Clancy's recommendation, I'm interested in what the dialogue is. I thought that by going through this process with Goody Clancy if there was a -- if they have a strong feeling the height should be on Mass Ave and it's not, that's the kind of conversation I would like to hear a little bit. Then I think Mr. Rafferty's approach which is just give us much more broader jurisdiction over there and keep the language simple, that makes sense. But I'm just finding that it's a scattered a little, and as I said earlier, we -- I wasn't sure how to interpret what we got. You were very helpful tonight in expressing that, and we just got this from Mr. Rafferty, and I just listened to him. All this makes sense. I'm agreeing, I guess.

THOMAS ANNINGER: There's an Ordinance

Committee coming up soon, right?

MR. RAFFERTY: Two weeks.

THOMAS ANNINGER: I see.

HUGH RUSSELL: We rarely have our recommendations ready for the Ordinance Committee.

MR. RAFFERTY: This would be second one. I think we're in the range of what I think the expectation that the Ordinance Committee is. They would benefit from a recommendation. This petition will expire in June, and in order to move this onto the agenda where it has to sit for two weeks with the Council and go through a second reading, certainly a week doesn't change all that, but I don't think divide is as pronounced as suggested. We feel very comfortable with the concepts. In fact, it's very consistent with the type of building being contemplated here. The notion -- the Ordinance

Committee is well aware of the Goody Clancy project. It seems to me the recommendation could acknowledge -- for the Special Permit it made sense, but there should be ongoing attention to issues emerging from Goody Clancy and that certainly could find its way into the ultimate report from the Ordinance Committee. They're going to be receiving and City Council will be receiving the Goody Clancy round table next week. I don't mean to diminish at all the Board's role, but I think it's a question that should it go forward, does it need to get nailed down with a high level of specificity in a recommendation, or should these guidelines not just go on to the Council as issues where they had continued examination by the Ordinance Committee and Goody Clancy.

HUGH RUSSELL: I don't think we're prepared to answer that question tonight.

PAMELA WINTERS: Would you like a time frame in terms of when it's going --

WILLIAM TIBBS: Yeah, yesterday.

JAMES RAFFERTY: I'm sorry.

PAMELA WINTERS: Would you like a time frame in terms of like when this will be coming back to us or would that be helpful to you?

MR. RAFFERTY: No.

WILLIAM TIBBS: I sense you expressed early on when you first came in here your need to move forward, but I think we have to understand the business we're doing. So I think we just need to make sure that we have a process that gives us that clarity.

MR. RAFFERTY: In terms of when might the Board next be able to take this up, that would be very helpful to get an understanding. If there's an opportunity -- I think it was Mr. Tibbs mentioned you're meeting next week?

THOMAS ANNINGER: No.

JAMES RAFFERTY: Oh, you're not meeting next week.

THOMAS ANNINGER: I don't think so.

LIZA PADEN: Yes, we are.

H. THEODORE COHEN: May 10.

BRIAN MURPHY: I guess one question I have is are there things prior to the next time you take it up that would be helpful for staff to prepared --

HUGH RUSSELL: Meet with those guys and make a deal.

H. THEODORE COHEN: Tell us what you agree to and where you disagree.

WILLIAM TIBBS: And I think Mr. Rafferty's question is a question that I think I would be interested in your response to and Goody Clancy's response to, because I think his questions were pretty reasonable and

rational, which they usually are. But he's asking us and I guess we're wanting some more feedback and I at least thought particularly with Good Clancy and (inaudible) I'm understanding that they're gearing up to do (inaudible) and they're not even going to be finished with. But they need to do that before this needs to be dealt with. It would be nice to get some input particularly in light of the fact that there was a difference between -- conceptually between height and other things on Mass Ave that is there. So that would be helpful for me.

BRIAN MURPHY: Part of the notion of Goody Clancy was to look at it and say, "Are there particular things we want to put in for discussion as part of the design review process anticipating that that would be more of a place for greater in-depth dialogue," and the idea was to -- in many ways these are sort've suggestions

for how to frame the discussion. And what we're hearing, I think we can certainly get to a point where we figure out what are the relevantly modest number of strong criteria we would want to put in place or the Special Permit and there may be some other more aspirational things. I think in some ways based on the discussion aren't even necessarily -- I'm not sure we actually have to worry that much about putting them into place, because clearly, the interchange that's going on now, I think you are seeing there's a fair amount of commonality in terms of what the topics for discussion are and I want to make sure we're not so prescriptive in terms of our language that we actually hinder ourselves. If it's a case where clearly Novartis has been successful in terms of its retail, so if it's a case that 58 percent clear glass would work, I think that's what we need to look at. We can do whatever we can to

get that that point.

STUART DASH: This has been on Goody Clancy's radar for such a time. Even before they came out, they're aware of this and they have been thinking about it and talking about it.

HUGH RUSSELL: It sounds -- when are you going to be coming in for your Special Permit and design review? If you could have the Council vote, whenever you wanted them to vote, when would you want to be back here getting the Special Permit?

MR. RAFFERTY: July or August.

HUGH RUSSELL: I imagine there's not going to be a complete report from Goody Clancy by that time.

BRIAN MURPHY: I think as we've looked at this process, we haven't anticipated that there be a complete report from Goody Clancy nor do I think they feel they have to have a complete

report to be able to do justice to both the zoning and to the design review piece. One of the things that encouraged us about Goody Clancy in general for this was that even in terms of their responses to the RFP, there's clearly an advanced level of thing. I think part of that comes with the fact that they simply looked at this area extensively in the past whether it's with E cast or peer review of Alexandria. I think it's a case that -- you know for this site in particular, I think they're fully expecting that their complete report will not be done. In fact, actually the report is probably going to be in some ways coming out in phases.

There's some thinking that it's starting to crystalize. I don't think from either standpoint at CDD or Goody Clancy we don't think there need to be a complete report before we move forward on this.

HUGH RUSSELL: I guess what I'm saying is that because of that what we -- what we would like to have in reviewing the Special Permit would be a communication from the department, from Goody Clancy saying "Here's our best thinking about how to apply the existing guidelines and any additional issues you might wish to consider." That's -- we're not going to get anything better than that and that may be plenty and good enough to do an appropriate job to get the building that we want.

H. THEODORE COHEN: I agree with that. But I think that the ordinance itself has to reference something that's going to enable us to follow the guidelines and mandate that the building be done in accordance with whatever these guidelines are and so that's --

HUGH RUSSELL: That's what we have to get done in the next week.

H. THEODORE COHEN: I understand that.

HUGH RUSSELL: Okay.

WILLIAM TIBBS: My comment is that -- we have seen an indication tonight that that thought really clashes with many of their ideas. We need to have something to pull it altogether and have all the players kinda react to it.

MR. RAFFERTY: I don't think it's so much of a clash. I, frankly, think that there's -- with all due respect to Goody Clancy -- this is a legislative process ultimately and there's a bit of political unreality, in my view, to suggesting heights greater than what we're proposing here. I've had extensive conversations in the Ordinance Committee and there may be an argument to be made, but that would take an awful lot of educating and bringing people together in a district. We're talking one block on Mass Ave. I think it's a legitimate policy long-term

thought about massing on Mass Ave. We have approached the massing differently. And I don't know we need to bridge that. If we came in with a building higher, that could happen, but our current thinking, I think, is that's probably not the direction we would like to pursue.

I didn't hear Goodie Clancy telling us it had to be the case. I think Mr. Dixon took a tour of the facility, he was very impressed what Novartiz had there and said, "Hey, why stop here? Why don't you consider more?" And I jokingly said, "I have been telling these people for six months you got to live within the existing zoning, don't get too aggressive, try to work as close as you can what is here." He did what a good planner does, he said, "Why not more?"

HUGH RUSSELL: Okay. It's 20 after 11:00. It's after our bedtime.

PAMELA WINTERS: This will come before us

in another week?

HUGH RUSSELL: It sounds like it will
come before us next week.

MR. RAFFERTY: I look forward to coming
before you next week. Thank you.

(Whereupon the planning board meeting was
adjourned at 11:20 p.m.)

CERTIFICATE

COMMONWEALTH OF MASSACHUSETTS
MIDDLESEX, ss.

I, Jill Kourafas, Certified Shorthand Reporter and Notary Public duly commissioned and qualified in and for the Commonwealth of Massachusetts, do hereby certify that the foregoing record, Pages 1 through 236, is a complete, accurate and true transcription of my stenographic notes taken in the aforementioned matter to the best of my skills and ability.

In Witness Whereof, I have hereunto set my hand and affixed my seal this 10th day of May 2011.

Jill Kourafas
Certified Shorthand Reporter
Notary Public
My Commission Expires:
February 2, 2017

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