

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, July 17, 2012

7:10 p.m.

-- held at --

Second Floor Meeting Room, 344 Broadway

City Hall Annex -- McCusker Building

Cambridge, Massachusetts

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

Community Development Staff:

Brian Murphy, Assistant City Manager for
Community Development
Susan Glazer
Roger Boothe
Stuart Dash
Jeff Roberts
Taha Jennings

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<p style="text-align: right;">2</p> <p>HUGH RUSSELL: The forum for certain business, so let's begin.</p> <p>This is a meeting of the Cambridge Planning Board. The first item on our agenda is a review of the Board of Zoning Appeal cases.</p> <p>And cases were reviewed last week, two of them and then one where we also reviewed three others that are coming up, I guess?</p> <p>ROGER BOOTHE: Yes.</p> <p>HUGH RUSSELL: And the first one we looked at two meetings ago.</p> <p>ROGER BOOTHE: The Harvard University one, yes, you did.</p> <p>And the second one has to do with the cafe up on North Mass Ave which you looked at previously in regard to this number of seats and so forth, and this asking permission to do take-out food.</p> <p>HUGH RUSSELL: Uh-huh.</p>	<p style="text-align: right;">4</p> <p>piece of the discussion as well.</p> <p>And then on August 21st, we will take up our price parking petition. You have seen a preview of that. We had a discussion about sort of the policies behind it awhile ago, and now we have language that will accompany that.</p> <p>And then there is a new proposal for housing on Cambridge Park Drive, and one sort've of across the street from one you recently approved, that will also be on the agenda on August 21st.</p> <p>And then in September, the meetings will be September 4th and 11th, and we expect that on the September 4th meeting, it would be a continued discussion about the Kendall Square zoning.</p> <p>And that brings you up to date at least through September.</p> <p>ROGER BOOTHE: I just wanted to give a</p>
<p style="text-align: right;">3</p> <p>ROGER BOOTHE: It is Cafe Berrada, I believe, on North Mass Ave.</p> <p>HUGH RUSSELL: And the rest appear to be all sorts of things, but they have worked themselves out.</p> <p>STEVEN WINTER: I have no comments.</p> <p>HUGH RUSSELL: Okay. So, the next item on our agenda is an update, which I am guessing Susan will give us tonight.</p> <p>SUSAN GLAZER: Good evening. Can you hear me okay?</p> <p>Brian will be along in a little bit, but he's going to be a few minutes late.</p> <p>Our next meetings are in August. One is scheduled for August 7th, when we will have a presentation on the Kendall Square zoning language. We are working on that and that's a followup to last week's meeting when we discussed a number of policies, and we can continue that</p>	<p style="text-align: right;">5</p> <p>little further update. Last week we talked about the pedestrian cyclist bridge and North Point that Hugh had been over, and we had an opening this last Friday, and it was a huge success, over 200 people, and it really is true that it opens up that whole area and makes so many of the projects we've been looking at North Point more acceptable and kind of a great moment to have that opening.</p> <p>If anyone is interested --</p> <p>AUDIENCE MEMBER: This is the Globe article.</p> <p>ROGER BOOTHE: This is the Globe article.</p> <p>THOMAS ANNINGER: While we are still on scheduling, what seemed open-ended last time is not anymore, this August 21st meeting?</p> <p>SUSAN GLAZER: It looks like we are going to have a meeting that night because there's enough business to qualify this.</p>

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<p style="text-align: center;">6</p> <p>MR. ANNINGER: You might want to take a pole to see who is going to be there and you might not. That's often the height of summer vacation.</p> <p>SUSAN GLAZER: We can do that.</p> <p>THOMAS ANNINGER: For what it's worth, I will not be here.</p> <p>HUGH RUSSELL: Yeah. It is important because of the -- because we're down two members, the Special Permit, if we don't have everybody here, we don't have a proper quorum for a Special Permit, and we won't.</p> <p>SUSAN GLAZER: We'll poll the Board to be sure we're gonna have a quorum at a minimum and perhaps more.</p> <p>HUGH RUSSELL: Right. Tom's not going to be here. That's a maximum of six that we can get, right?</p> <p>SUSAN GLAZER: Uh-huh.</p>	<p style="text-align: center;">8</p> <p>may have read in the package, we bought a couple buildings recently here towards this end of Cambridge, including 210 Broadway. It was a building that had been -- I guess we have been referring to it as the ADD Inc building, they have since moved on, and, you know, as its nature, it was a large -- you know, had a large tenant with ADD Inc. Now it's going to be filled up with more smaller tenants in order to attract those tenants and encourage them to have a little bit of interaction.</p> <p>There were a few minor changes we wanted. There were upgrades really on that street level.</p> <p>And the package you see in front of you, kinda shows some of those changes, and I'll let Jim talk a little bit more articulately about those.</p> <p>JIM BATCHELOR: So, the improvements that are proposed here --</p>
<p style="text-align: center;">7</p> <p>HUGH RUSSELL: So then you might want to explore the Cambridge Park Drive petition what their attitude would be. There's not much point in advertising a hearing that then gets postponed.</p> <p>SUSAN GLAZER: Okay.</p> <p>HUGH RUSSELL: Okay. We could discuss the 210 Broadway design. Is somebody planning on coming for that or not?</p> <p>ROGER BOOTHE: I believe they are.</p> <p>HUGH RUSSELL: They're here.</p> <p>ROGER BOOTHE: Oh, they are planning to be here and it looks like they are here.</p> <p>HUGH RUSSELL: Oh, yes. Let's do it.</p> <p>TIM STOLL: Hello. I'm Tim Stoll, Director of Leasing Development for BioMed, and we have got Jim Batchelor, our architect, from Arrow Street.</p> <p>So I think as you may have heard, or you</p>	<p style="text-align: center;">9</p> <p>HUGH RUSSELL: Can you spell your name so it gets on the record properly?</p> <p>JIM BATCHELOR: Batchelor with a T, B-A-T-C-H-E-L-O-R.</p> <p>I have one extra copy if anyone would like to share.</p> <p>There are two parts to this: What we submitted on July 10, was our initial proposal. We were asked if we would consider some modifications to improve bicycle parking, which we did. So, those are included in the supplement.</p> <p>The improvements are primarily at street level going by on the sidewalk. We have changed the landscaping in front of the parking. Right now there are some large arborvitaes. We are proposing instead, a fence, which will have some plantings growing on it.</p> <p>We are also including some light boxes,</p>

<p style="text-align: right;">10</p> <p>which we hope will be a nice addition to the street.</p> <p>They will look like glass storefront during the day; in the evening, they will glow with lights within.</p> <p>I think those are the main things.</p> <p>And I'm happy to answer questions.</p> <p>ROGER BOOTHE: You might want to pass those around in case anyone in the audience would like to see.</p> <p>(Jim Batchelor complies.)</p> <p>HUGH RUSSELL: There's a fence made out of glass with abstract trees on it?</p> <p>JIM BATCHELOR: Yes.</p> <p>I would call those the light boxes and the storefront. The fence is a metal. It's opposed as a stainless steel, perforated metal and it will have vines in front of.</p> <p>But the glass is the area that's white in</p>	<p style="text-align: right;">12</p> <p>TIM STOLL: And the reason why we took that storefront and kind've let it slide over a little bit to the left, is we have that overhang. And underneath that overhang right now, it's kind've a brick little patio for you to sit on.</p> <p>It seems a little bit more like an afterthought right now, so we wanted to kinda tie it together, and again, create a nice area for some of the tenants to sit and kinda collaborate a little bit more as opposed to having a hard, small patio.</p> <p>THOMAS ANNINGER: I'm wondering if you could explain to me what you meant by "moving the storefront to the left." I don't see that on the picture.</p> <p>JIM BATCHELOR: I'm not sure that there's a moving of the storefront. We are adding a glass box --</p> <p>THOMAS ANNINGER: Sliding over a --</p>
<p style="text-align: right;">11</p> <p>that rendering.</p> <p>HUGH RUSSELL: So, all of those eight or nine panels out in front are the same kind of construction?</p> <p>JIM BATCHELOR: Yes.</p> <p>They will be similar to the storefront construction. They will be three-dimensional illuminated boxes. It will be free-standing.</p> <p>HUGH RUSSELL: Can you see through them?</p> <p>JIM BATCHELOR: Yes, actually, you can see through them. The glass -- we're still working on refinement of the exact coating, but the coating that we have been looking at does allow some transparency through.</p> <p>HUGH RUSSELL: That will use the same materials in the storefronts?</p> <p>JIM BATCHELOR: That's correct. On some of them, and some of them will remain clear glass as well.</p>	<p style="text-align: right;">13</p> <p>JIM BATCHELOR: -- which will be in addition to the glass and the storefront. So, I would describe it as an additional piece of glass that will appear similar to a storefront as opposed to moving a storefront.</p> <p>THOMAS ANNINGER: Okay. So, just to go back to the rationale, the nature of the tenant is changing to smaller more numerous tenants instead of one big architect firm, who, by the way, designed this originally.</p> <p>Are you from that firm?</p> <p>(William Tibbs enters hearing.)</p> <p>JIM BATCHELOR: No, but I do know the firm and the people involved in ADD Inc and they did design it.</p> <p>THOMAS ANNINGER: Not to bore you, but this is a somewhat famous building because it is a building that tried very hard to avoid some of the rules having to do with -- what we did call</p>

<p style="text-align: right;">14</p> <p>it back then?</p> <p>AUDIENCE MEMBER: iPOP. MR. ANNINGER: iPOP.</p> <p>So this was designed at 49,500 square feet to fall -- to shoot just under the radar line, the 50,000 line, and that created some unpleasantness, to say the least. And it was an unfortunate -- and then they added on later, a second time around, as if that didn't -- as if that weren't treated as part of the original plan and we -- some of us found that to be a circumvention of the intention of what we had in mind.</p> <p>But be that as it may, it is getting better. And that's a good thing.</p> <p>Are the tenants going to be Biomedical tenants?</p> <p>TIM STOLL: I think not necessarily. THOMAS ANNINGER: I'm taking that just</p>	<p style="text-align: right;">16</p> <p>growing or not or whatever.</p> <p>TIM STOLL: Right. 10,000 square. Feet, plus or minus, looking for some space.</p> <p>HUGH RUSSELL: And the total building now is about 75?</p> <p>JIM BATCHELOR: I thought it was 64. TIM STOLL: I'm sorry, but I don't know the answer to that. We're not changing the gross floor area.</p> <p>HUGH RUSSELL: It is something over 49, but not a lot. (Stu Dash enters hearing.) THOMAS ANNINGER: My memory of the building is that the rear is somewhat truncated, and that was in part what was going on with the idea of having the two phases avoiding, at first and so on.</p> <p>Are you doing anything to improve that</p>
<p style="text-align: right;">15</p> <p>from your name.</p> <p>TIM STOLL: You know, BioMed, our goal is to have Life Science tenants be the office or lab users. This is a building that it is an office use right now, and we have seen a lot of interest from office users, be it Biotech and non-Biotech.</p> <p>So right now, the two leases we have assigned for the top floor, they are both true office-type users, Smartleaf and Algita, they're both --</p> <p>THOMAS ANNINGER: Could you speak into the microphone?</p> <p>TIM STOLL: Oh I'm sorry. Our two tenants there now are more kind've tech-related than Life Science or BioMedical.</p> <p>HUGH RUSSELL: This is like intermittent between half a million square foot Biotech giants and the innovation space we have been talking to you about, the smaller companies that are either</p>	<p style="text-align: right;">17</p> <p>because that rear is not insignificant. If I'm not mistaken -- and you're gonna have to help me here -- it is visible from a very nice area for Pocket Park, and there might be some reason to look at that as well. I haven't gone around the building, so I'm doing this from very long-term memory, but am I right?</p> <p>JIM BATCHELOR: I'll let you respond because I don't have -- we haven't looked at it from that point of view, not that we couldn't, but that we haven't.</p> <p>TIM STOLL: We know and we've had conversations at different levels with the residential that's right there at the corner, and then as you got a little bit further back, there's that Pocket Park, that street itself, which, I believe, has two-way traffic, is pretty tight. You don't have much sidewalk to work with either. I think you can maybe see a little bit</p>

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<p style="text-align: right;">18</p> <p>in one of those images. You get around the corner a little bit, but not much for our storefront. I guess we didn't include the one I'm thinking of, but --</p> <p>JIM BATCHELOR: It would be on the site plan in the second set, the supplement has a site plan. I think that might be the best that we could do. The supplement which is --</p> <p>TIM STOLL: The short answer to your question is no, we are not doing anything along that street facade.</p> <p>The long answer is no, we're not doing anything along that street facade because we don't have a lot of space, number one, and number two, we don't go very far before you see the at-grade, you know, entrance to the loading dock and the parking. We are kinda limited with what we could do on that elevation.</p> <p>THOMAS ANNINGER: Well, you know, I can't</p>	<p style="text-align: right;">20</p> <p>and that's a good thing.</p> <p>HUGH RUSSELL: Yeah. Any other comments? So should we have a motion to accept these plans as a --</p> <p>ROGER BOOTHE: It's really just a design review. It's not even a modification.</p> <p>HUGH RUSSELL: Okay.</p> <p>ROGER BOOTHE: It would be good to have --</p> <p>AUDIENCE MEMBER: I think there's a couple hands for a public comments. I think this is the public hearing portion. I think comments are allowed, is that right?</p> <p>HUGH RUSSELL: It's not a public hearing.</p> <p>AUDIENCE MEMBER: I'm sorry. It falls under public hearing on the agenda.</p> <p>HUGH RUSSELL: It falls under general business on the agenda.</p> <p>AUDIENCE MEMBER: My mistake. My</p>
<p style="text-align: right;">19</p> <p>say any more about it without taking a look at it, and so on, but wouldn't your tenants be interested in that too?</p> <p>TIM STOLL: Our goal was to address how tenants are going to enter into the building and interact with most of the traffic on street level, which is the Broadway portion of the building.</p> <p>HUGH RUSSELL: So our hook into this is that if we grant the Special Permit for the addition, was that how it happened?</p> <p>ROGER BOOTHE: I believe that's correct, yes.</p> <p>HUGH RUSSELL: So this is a change to a prior plan. All we have to do is find that it is consistent with what we gave the permit for, which does not seem to be difficult to do.</p> <p>THOMAS ANNINGER: No, it is a modest improvement and it does affect the streetscape</p>	<p style="text-align: right;">21</p> <p>apologies.</p> <p>HUGH RUSSELL: However, if no one has any objection, I would hear these comments since they don't seem to be --</p> <p>THOMAS ANNINGER: I think it could be a good thing.</p> <p>HUGH RUSSELL: Yeah.</p> <p>MINKA VANBEUZEKOM: Thank you very much. My name is Minka vanBeuzekom and I am a Cambridge City Councillor. But I'm really coming here to talk more about the building because it's right across from where my community garden is. So Moore Street is a two-way street. And I'm very familiar with the building.</p> <p>I would love to see a little bit more improvement in the streetscape, not only on the Broadway side, but also on the Moore Street side.</p> <p>And the sidewalk is no narrower than other sidewalks that you'll find. So, I think</p>

<p style="text-align: right;">22</p> <p>there can be some improvement. Some of it might be as simple as lighting. So that's the entrance to the parking which is at grade, but underneath the building it's built on, you know, stilts. I don't know if it's built on stilts, but, you know, you come underneath it. That's frequently very dark.</p> <p>A lot of skateboarders like to -- you probably don't know this yet -- but they like to skateboard in there. So lighting might make it safer for the skateboarders, but make it nicer to walk by that because it is kind've a gapping dark hole sometimes.</p> <p>On the backside that you were referring to, that where all the -- they're not arborvitaes, as they are on the Broadway side, but on the backside of the building that faces Harvard Street, there are a cluster of really spectacular conifers, and I think there's a small</p>	<p style="text-align: right;">24</p> <p>interesting because it's not a one-story building like the building that is on Market Street, that's the source of where Idenix is and all that noise, but rooftop mechanicals so close to residential neighborhoods always makes me a little bit nervous.</p> <p>So I'm glad to see that there will be a deck up there, although I would have preferred to see some solar panels or solar hot water, but a deck is nice too.</p> <p>So, I guess the comments are related to lighting along Moore Street, or something to improve that streetscape experience, and that easement behind where the conifers are, and I would like to see there aren't rooftop mechanicals.</p> <p>Thank you.</p> <p>THOMAS ANNINGER: What did you have in mind for the conifers?</p>
<p style="text-align: right;">23</p> <p>easement between this building and the building that's at the corner of Moore and Harvard, which is now a parking lot that's been abandoned for a long time and is the sight -- I mean, the source of a lot of contention in the neighborhood, and this is likely to come before you as a residential development at some point in the near future.</p> <p>But there is a small easement between these two properties where there are some magnificent conifers that have been maturing for the last probably 25 at least years, so that's quite nice.</p> <p>So that's a comment I wanted to make if that hadn't been talked about before.</p> <p>And then the last piece is I'm very happy to see that there are not rooftop mechanicals.</p> <p>And your question about what type of tenants were going to be in this building is</p>	<p style="text-align: right;">25</p> <p>MINKA VANBEUZEKOM: Well, I guess I'm not familiar enough about whether you're giving that property easement, or they're giving you the easement. I just want to have on the record that they're beautiful and we should think many times before we figure out -- before we indiscriminately get rid of them.</p> <p>But, again, I don't know if it's on your property or on the Harvard Street property side.</p> <p>HUGH RUSSELL: That's something we could ask you to determine.</p> <p>TIM STOLL: Sure.</p> <p>ROGER BOOTHE: They act as a screen to the park from the underground parking.</p> <p>TIM STOLL: I could add a little light on that. Even though they're quite mature conifers, Councilor, they were actually planted there as part of the scheme. That was planted by the ADD Inc team, and that is part of the Special Permit</p>

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<p style="text-align: right;">26</p> <p>that you reviewed. So those trees would need your permission before anything was done to them.</p> <p>HUGH RUSSELL: Okay. Sir, did you want to speak?</p> <p>AUDIENCE MEMBER: Oh no, thank you. Sorry. I just saw the hands which is why I pointed that out.</p> <p>HUGH RUSSELL: Is there anyone else that wanted to speak?</p> <p>So, do we want to hold them hostage for the rear, or to improve the front and ask them to consider questions that were brought up by the site in the rear and perhaps come back to us after they have had a chance to think about it?</p> <p>STEVEN WINTER: Mr. Chair, could we ask the proponent to engage in a dialogue with the Community Development Staff and allow that dialogue to occur there about these issues?</p> <p>HUGH RUSSELL: Yes. And also maybe the</p>	<p style="text-align: right;">28</p> <p>with you what some ideas might be, and then when you reached some sense of what you can do, maybe discuss that with the department.</p> <p>THOMAS ANNINGER: We can approve what we have seen with the condition that that process of over lighting continue, and I wouldn't mind if you took a peek at the back while you're at it just to see what we talked about, and if there are any thing that comes to mind as you look at that, conifers and other things, why that could be a subject of discussion as well.</p> <p>HUGH RUSSELL: Okay.</p> <p>THOMAS ANNINGER: So moved.</p> <p>HUGH RUSSELL: It's not a motion Roger is saying. It's just a design review, which is on the record. So we don't need to actually make a motion.</p> <p>Let's go on to our public hearing continued on the North Mass Ave Zoning Petition.</p>
<p style="text-align: right;">27</p> <p>community.</p> <p>(Ahmed Nur enters hearing.)</p> <p>THOMAS ANNINGER: I guess I wouldn't mind if we asked the proponent what your reaction is to the comment about Moore Street.</p> <p>TIM STOLL: Yeah. Lights on that street sound like a good thing. You know, I think we want to take advantage of -- we have a little momentum right now at 210 where we do have two new tenants on the fourth floor, we're seeing some more activity here and we want to have those tenants move in and kind've have a finished lobby and hold some of that, you know, front door work hostage, so to speak. We'll be more than willing to put a couple extra lights, you know, appropriate ones that would be wall-mounted to get light down there.</p> <p>HUGH RUSSELL: We would probably like you to ask Jim to look at the frontage and discuss</p>	<p style="text-align: right;">29</p> <p>TAHA JENNINGS: Good evening. Thank you. My name is Taha Jennings, I'm a planner with the City of Cambridge Community Development Department, and we're here tonight to continue discussions on the North Massachusetts Avenue Rezoning Petition, which is currently before the Board.</p> <p>The petition includes zoning changes that were recommended through a planning study conducted by the Community Development Department for the North Massachusetts Avenue corridor from Beech Street up to the Arlington line.</p> <p>And the principal elements of the proposed zoning in the petition are really to maintain ground floor retail, protect historic structures and help facilitate outdoor seating for dining uses.</p> <p>Since the time that the petition was first submitted, and since we were last before</p>

<p style="text-align: right;">30</p> <p>the Board back in May, staff has drafted alternate zoning language to address some concerns raised from within the community and also at public hearings at both the Ordinance Committee and before the Planning Board.</p> <p>Just to quickly go over what some of these main changes are since we first submitted the petition, the zoning language has been restructured in a way so that all of the changes affect only the portion of the Massachusetts Avenue Overlay District which lies north of Porter Square.</p> <p>The language also more clearly states that the proposed ground floor, nonresidential use requirements, will not result in allowing uses that are not permitted under the base zoning district, which is a BA-2 district.</p> <p>There's a limitation on the amount of frontage allowed for bank uses, 25 feet. This</p>	<p style="text-align: right;">32</p> <p>was in the original submitted petition, is removed, and that's based on comments at the public hearings, and also due to the fact that there's already a small business parking exemption in the zoning ordinance that we felt addressed the issue adequately.</p> <p>We submitted, I think, since that time two packets to you, which we includes some additional information based on our previous discussions before the Board.</p> <p>Just very briefly to go over what some of the things are. We included photographs of a residential development on North Mass Ave, which was built under the current zoning, and an example of a similar size residential development with nonresidential uses on the ground floor and bay windows, which is closer to the look and mix of uses that we're trying to encourage here through the zoning change.</p>
<p style="text-align: right;">31</p> <p>was -- this issue was brought up at previous Ordinance Committee public hearing, and as we looked at it, it seemed to make sense, as we looked at existing examples of bank frontages around the city and the potential for impacts on the streetscape.</p> <p>Language is also added so that any reduction in the required ground floor height cannot provide for an increase in the height of above grade uses, and this is basically to discourage someone or discourage a developer from trying to get a waiver for a lower ground floor height in order to try and squeeze in, say, an additional floor into the building envelope.</p> <p>The alternate zoning language also includes specific listing of properties with historic significance because they are noted.</p> <p>And finally, the parking exemption for 5,000 square feet of nonresidential use, which</p>	<p style="text-align: right;">33</p> <p>We submitted a list of uses that are permitted in the base business A-2 zoning district, as well a separate list of uses that would qualify as meeting the ground floor nonresidential requirement.</p> <p>So, in other words, that doesn't mean that those qualifying uses are necessarily permitted, it just means they qualify as a ground floor nonresidential use, just to provide some clarity on that.</p> <p>There's a sample listing of retail establishments by square footage because we talk about limiting the maximum amount of ground floor nonresidential uses on the ground floor in terms of square footage allowed, and a list and corresponding map of historic and potentially historic properties on North Mass Ave.</p> <p>I think in the latest packet that we submitted, there's also a chart, which outlines</p>

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the changes as far as what is permitted under zoning between what you can do under current zoning and what we're -- under the zoning that we're proposing in terms of the FAR is allowed, the heights and all of those kinds of changes.

So with that, I'm going to turn it over to you. I'd be happy to answer any questions.

And again, thank you for your consideration of this.

HUGH RUSSELL: Mr. Nur.

AHMED NUR: After having to read a particular letter from an abutter to a bar and complained of being noise, even the patrons being inside with the windows closed, and now we're thinking of bringing them outside into the sidewalk. How late -- have we talked about putting a limitation on how late that if this was considered and in bringing the restaurant dining outside to the sidewalk, that they could do that

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in a time of reinforcement?

TAHA JENNINGS: Right. The intention is that all of the -- any outdoor -- any establishment would still be subject to existing requirements with DPW or the Licensing Board, which look into those kinds of issues.

We were just trying to address a kind've of hurdle through that what existed through zoning to providing this kind of seating. They would still be subject to all the requirements that outdoor seating has to meet, which I'm not sure if they specifically address the time, but I know there are some certain requirements through the Licensing Commission and Public Works, as far as access and how it's set up.

AHMED NUR: So if, for example, I'm looking at Central Square, the Phoenix Landing might have on Thursdays, 1:00 on -- you know, or maybe 2:00 in the morning for the bar to be

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functioning, if they have a bar license, the city might have a limitation on that so this could fall -- I don't recall -- if the discretion of the restaurant, I think, is to stop serving food at a certain time, but as far as I'm concerned especially for bars, they can serve drinks as late as 2:00 on the weekends.

And if that's the case, then this could very well be that time.

TAHA JENNINGS: Yeah. I don't know the rules as far as timing or time limits, but we can check.

HUGH RUSSELL: It's sort've a puzzling question because the letter is -- there's a letter from Janet Calvin Malfight (phonetic) that is quite an articulate letter that explains what happens if you live close to a sports bar, which patrons in a sports bar tend to be noisy and sports events tend to go late in the evening, and

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people cheer and scream when events happen on a full on screen, and it's disturbing to residents who live nearby.

THEODORE COHEN: Right, I agree, but on the other hand, I think that it's a citywide issue that does not relate to a particular -- I don't think it relates to a particular neighborhood of the city, or a particular site in the city, and that it -- and if we're allowing outdoor restaurants and dining, which we seem to be promoting, which I think is a good idea, and I think it's an issue that should be addressed, either through the Licensing Board or through the noise ordinance, or if it's necessary, a police enforcement action because it doesn't seem to me it's an issue that is site specific to North Cambridge or Cambridgeport or Area 4 or wherever we want to be talking about for zoning.

HUGH RUSSELL: On the Central Square,

<p style="text-align: right;">38</p> <p>there's a provision in the Overlay District, the establishments we have been discussing, changing that to want to have doors onto Mass Avenue itself. One of the purposes of that was to try to deal with this conflict.</p> <p>And clearly, one of the purposes of zoning is to deal with how different uses, you know, exist in a city.</p> <p>My worry about going through the Licensing Commission is I'm -- I don't have the confidence that they're going to a sports bar and say "Well, you know after 8:00 in the evening, there can't be any noise emanating from your premises," they might feel that it exceeds their authority of what is reasonable for such businesses.</p> <p>WILLIAM TIBBS: If you don't mind, but I think if you don't have that confidence, that's something to go within the normal city channels</p>	<p style="text-align: right;">40</p> <p>of a bar might be related to the noise it produces. It may be that even a small establishment -- I had a client who bought essentially a -- essentially a large three decker in Chelsea. On the ground floor was a very popular sports bar frequented by local athletes and up above were residences. And before my client was in the business of owning rooming houses, before that, the owner had simply rented to MIT students above the sports bar because they didn't complain. They might've been down there at the bar, but one of the -- when my client bought it, they hired an acoustical engineer to set standards, to increase the level of structure. This was for tenants within the building itself. And there's a -- it's a tricky business, I'm well aware, particularly where this one, because at about 6:00 in the morning, people start gathering under my bedroom window, for the</p>
<p style="text-align: right;">39</p> <p>to build that confidence, but I don't think it's our territory. We can limit the use obviously, we can say sports bar is a use we don't want to have there. That's a zoning issue obviously. I wouldn't be in favor of that.</p> <p>But I think it's like, you know, any other use. They have to be managed by the city policies.</p> <p>And I agree that might not be the most efficient and effective way to do it. But unless you can give me some suggestions, I don't see how zoning is going to handle that other than limiting the use or so or limiting -- yeah, if there are examples whether something that's effective, I'm open to it.</p> <p>HUGH RUSSELL: This particular legislation is limiting the width of bank frontage, it's limiting the size of certain kinds of retail establishments. Might be that the size</p>	<p style="text-align: right;">41</p> <p>purpose of doing some kind of renovations in the Longfellow School, and they yell to each other and there's bumps and grinds, and at 6:00 in the morning, it's annoying. It frequently wakes me up.</p> <p>It's that you can't just an assume that neighbors are going to be good and reasonable. And particularly when these are sort've third parties, these are workers hired, I guess by the School Department to move furniture, I'm not quite sure what's going on, sometimes it's drywall, sometimes there's furniture going in.</p> <p>And, you know, fortunately I have to get up early in the morning, so I just say "Oh well, it will be over in another month," because the actual operation of the school has never been much of a problem.</p> <p>But I'm not advocating this. I'm just saying this is something that we should at</p>

<p style="text-align: right;">42</p> <p>least -- now we have two members of the Council here listening to this discussion, they're going to -- they will have to actually act on this matter, but in some sense it really -- one of the nice parts the way the system works is we talk about planning, and they have to pull in all the rest of the community interest in making a zoning change.</p> <p>WILLIAM TIBBS: I think, for me, it's just what are the tools in our tool kit. So that's it.</p> <p>THOMAS ANNINGER: We don't really have a lot.</p> <p>WILLIAM TIBBS: We don't.</p> <p>AHMED NUR: From what, Ted said, the City as a whole, and I think that, I don't really see a lot of families living along the avenues on Central Square that I can think of. There might be a residential building that's well insulated,</p>	<p style="text-align: right;">44</p> <p>the street from the Hong Kong, or should we carry the line of Harvard Street through and have a more defined space that really wasn't good for people to lounge in?</p> <p>In the discussion, there was historical, there were design constraints and then there were people who said, you know, "A lot of people leave the Hong Kong at 2:00 in the morning, and if you create a place where they're going to hang out, this is not good."</p> <p>Again, there are -- there's a building right next to them, which is a large residential building. It's owned by Harvard. It's above the Harvard Bookstore. You have to take that into account.</p> <p>So, we, as a city, decided to make it difficult for large groups of people to hang out across from the Hong Kong at 2:00 in the morning and I believe it succeeded.</p>
<p style="text-align: right;">43</p> <p>you know, but one or two-family houses aren't in the area of North Cambridge along the avenue, so there's a mixed district in that area and they bought the house with the intention of we can put up this, there's no bar in the area.</p> <p>So with that in mind, I think it's a lot of goodness within the study from the community planning in trying to bring lively and repair that fabric where it's broken along that avenue, but in the meanwhile, I think, as you said, it could be very tricky. Where do we change bars to come out into places where there's family living across directly or adjacent to that bar where it hasn't existed before? That's all I'm saying.</p> <p>HUGH RUSSELL: I'm almost reminded of a dispute I had with Roger about ten areas ago of the design the Quincy Square parking, and Roger won, and it's a good thing he did. It had to do with should we create a large open space across</p>	<p style="text-align: right;">45</p> <p>That was a defining moment for me in public service because I really disagreed with Roger, and I realized every time I disagree with Roger, he was right.</p> <p>ROGER BOOTHE: Thank you so much. I think I'll retire now.</p> <p>HUGH RUSSELL: You can't because you got to be here to control me.</p> <p>WILLIAM TIBBS: I think the question I have for you, Taha, is, I think it's actually kinda related to the question that was just asked, which is one of the things I find fascinating about North Mass Ave is that with a lot of good intentions and we had an overlay before, we got some things that clearly were not what we intended.</p> <p>And I was just wondering if you have kind've maybe put on that developer's hat and read these changes to see if there's some -- I</p>

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mean, what kinds of things would happen, and I think what we just discussed is a good example. We want to encourage more activity by opening up the streets and letting people sit out there, but then if you kinda put on what's been -- what's the negative thing that can happen, you might get some rowdy people out there at a time, whatever, and I was just wondering -- I know in the first hearing when we were going through it, we're talking about bay windows, and I think we have examples where you could have bay windows and they're still a little strange.

So, I was just wondering if you and staff, and you specifically, what you and staff have kinda run these through that, you know, through that filter, so to speak, to say, given we're making these changes for all these positive things. Is there some -- have you thought about some negative things that might come out of it so

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that might tweak the language?

TAHA JENNINGS: Right. I would answer that by saying I think the changes we're proposing really evolved over really quite a bit of time of input from residents, discussions among staff, discussions among residents and a lot of back and forth.

And I think negative potential consequences on both sides were discussed and talked about and debated really.

And I think we tried to come up with a balance taking all those things into consideration.

I think we also realized we're not talking about drastic immediate changes happening here. I think we're talking about some key sites that are likely to change, and I think we felt at that pace, and with the way that these proposals have evolved, that what we're proposing is

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appropriate for this area.

And, you know, I think those kinds of things were considered throughout the process. I think we're comfortable with the level of changes that we're proposing here.

We're not talking about much bigger buildings. We're talking about rebalancing the incentives, so that you get a different kind of mix of uses, or you encourage a different kind of mix of uses and character to start to form along the avenue.

That's how I would answer that, I guess.

STEVEN WINTER: I have a question, I know this actually is unchanged, but with regard to the height, the residential ground for commercial would now have a 50-foot max, but it's reduced to 35 feet within 50 feet of a residential district, and given that this area that we're rezoning or trying to, is so narrow, is the 50-foot ever

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going to apply, or it always going to be the 35 feet?

TAHA JENNINGS: No, I don't think it will always be the 35 feet. We can find out. But that's -- that requirement exist now.

STEVEN WINTER: He know that.

HUGH RUSSELL: The district is 100 feet deep.

TAHA JENNINGS: There are a few lots where you could have a higher height at the front of the lot, and you have to step back or step down as you get closer to the residential district.

WILLIAM TIBBS: Could you talk a little bit more about the maximum store sides of 5,000 square feet?

TAHA JENNINGS: Again, this is one of the issues that was discussed, and we didn't want to necessarily encourage or require larger retail

<p style="text-align: right;">50</p> <p>establishments to be located here where it would really have more negative impacts possibly on the nearby residential areas, or in terms of parking and traffic, and we felt 5,000 square feet provided enough flexibility, but at the same time was limiting enough so that you could still get some of the more neighborhood scale and focus retail establishments, but still remain flexible, as I said, and that list that we provided in one of the packets with the example square footage of different retail establishments, we use that list and we presented it at meetings, and I think people had a good sense of what a 5,000 square foot limit would mean.</p> <p>HUGH RUSSELL: Steve?</p> <p>STEVEN WINTER: Thank you, Hugh.</p> <p>Taha, I wanted to say that the chart was really very good in helping me to understanding specific parts of the changes, so I really do</p>	<p style="text-align: right;">52</p> <p>protocols that are in place and I liked the projecting base. I think that these regs are accommodating when we can't accommodate and not accommodating when we don't want to.</p> <p>HUGH RUSSELL: Ahmed.</p> <p>AHMED NUR: We talked about this already and raised the concern about the language possibly limiting the size of planters on the sidewalk for dining. I have seen some as wide as this table, and I felt they're permanently sitting there for duration of whatever we decided the season might be, May to October or whatever it is. If there's some sort of a language, I guess that would describe accessibility for pedestrian of a certain -- maybe it's 12 foot to the outside of the curb where people can -- you know, handicap accessible could exist as well limiting the size of them as well and whether they could be pushed out of the way when the</p>
<p style="text-align: right;">51</p> <p>appreciate that. All I want to do is comment on the parts that I considered to be excellent, and I'm glad to see we're going in that direction.</p> <p>The 55-foot max height residential ground floor commercial, that's a great way to put the incentive down. I really like the way we're doing that.</p> <p>The maximum store side of 5,000 square feet is good for a lot of different reasons and one is that in larger cities, you see unscrupulous developers putting in retail units of 15, 20 and 30,000 feet and then they say "Oh, you know, we just couldn't fill it. So we're gonna put offices down there, we're gonna do this down there."</p> <p>So making that retail something that a small business can manage and digest is a good idea.</p> <p>And I really liked the historic buildings</p>	<p style="text-align: right;">53</p> <p>restaurant is closed in the morning until they start to open up and serve the public, I would like to see something along those lines.</p> <p>TAHA JENNINGS: I remember we did discuss that point, and we did keep those kinds of regulations out of the zoning language, and again, it's because these are -- they're existing regulations citywide already, as far as the Department of Public Works and Licensing about how you can set up an outdoor seating space and what kind of accessibility you have to provide. We can get more information on exactly what the current regulations are. But we did recognize that there are already those kinds of regulations that exist, and we wanted to make sure that we didn't, in any way, stop those from applying.</p> <p>HUGH RUSSELL: Okay. Do we want to open the discussion? Are there people who wish to speak?</p>

<p style="text-align: right;">54</p> <p>Let me just ask a question. Are you asking tonight for us to kind've sign-off on this and have it be forwarded to the Council for a formal petition.</p> <p>TAHA JENNINGS: Yes, we would be asking this. Timing of this is such that the City Council would have to make a decision on it at their summer meeting on July 30th, otherwise it would expire in September.</p> <p>STUART DASH: I'm sorry. Our recommendation has already been submitted.</p> <p>TAHA JENNINGS: That's right.</p> <p>STUART DASH: It's back to you for recommendations.</p> <p>HUGH RUSSELL: The first person that signed up who wants to speak is Michael Rome.</p> <p>When you speak, please give your name and spell it as there's a possibility that it might get misspelled in the transcript, and please keep</p>	<p style="text-align: right;">56</p> <p>us to live.</p> <p>We walk just about everywhere. We're close to subway stops, there's great bus lines running up and down Mass Ave. We need to maintain this as a neighborhood, a Main Street, rather than a corridor.</p> <p>So thank you.</p> <p>HUGH RUSSELL: Thank you.</p> <p>The next person that signed up, I can't ready their name, but it looks like Mackie-something.</p> <p>MCNAMARA BUCK: Okay. Well, sorry about that. I both have a weird name and really bad spelling. So it's McNamara, M-C-N-A-M-A-R-A, Buck, B-U-C-K.</p> <p>And, you know, everything I feel like I have said all the things I wanted to say in front of you guys before. Michael just said them. BUT I think the thing that -- I don't know this thing</p>
<p style="text-align: right;">55</p> <p>your remarks to three minutes.</p> <p>MICHAEL ROME: My name is Michael Rome, R-O-M-E, of 20 Gold Star Road in North Cambridge. I both own a business in North Cambridge and have been a resident there since 1984.</p> <p>When I -- and we formed a group called Main Street in North Cambridge when a study of the North Mass Ave corridor started, and what we realized the biggest danger for us was the condoization of Mass Ave, that we were really losing the vibrancy in the community due to condos coming up and nothing underneath them.</p> <p>And right now, the density in North Mass Ave, along in the back of the neighborhoods, is increasing. We can support the businesses that are in this area, and we're welcoming more businesses, and the more businesses that there are there, the strength of the business community is raised. It just makes it a better place for</p>	<p style="text-align: right;">57</p> <p>about a sports bar. I don't even think there is a sports bar in North Cambridge. I think there's one in Porter Square.</p> <p>I do think that the city has got to deal with the issue of people listening to loud sporting events all the time. I think that's a citywide issue, not something that should hang -- that this zoning should hang on.</p> <p>I also think that restaurants close at a certain time, I think bars can be open until 2:00 in the morning you were saying. I can't imagine a neighborhood that would -- I might be just an idiot, but I can't imagine a neighborhood that would have like an outdoor bar till 2:00 in the morning. There must some rules about that already.</p> <p>But basically, what I want to say is that these are citywide issues as I've heard some one you say, and please don't hold -- and I say this</p>

<p style="text-align: right;">58</p> <p>say to the City Councilors who are here also, please don't hold this zoning hostage to these larger city issues.</p> <p>So that's all I have to say.</p> <p>HUGH RUSSELL: Thank you.</p> <p>The next person is Dr. --</p> <p>AUDIENCE MEMBER: That's okay.</p> <p>HUGH RUSSELL: The next is Eric Grunebaum.</p> <p>ERIC GRUNEBAUM: Hi. Eric Grunebaum. That's G-R-U-N-E-B-A-U-M.</p> <p>There's not that much more I can add beyond what I've said before and what Michael and Mackie have said, except that, you know, we met in North Cambridge for, I think a year, maybe a little bit more, a little bit less, but, you know, people have really taken a well considered look at this. They would like to see more life on the street, and the way you do that is by</p>	<p style="text-align: right;">60</p> <p>Central Square, and we would like to see that encouraged.</p> <p>It already exists quite nicely in North Cambridge, although some people think it's just a highway, but if you actually take the time and walk through there, that's great places like the Greek Corner and Pemberton Farms and we want to see that kind of stuff encouraged and incentivized.</p> <p>I don't think anything is being allowed that wasn't already allowed, nor is anything being prohibited that wasn't already prohibited. Really again, it's about just creating -- allowing that vibrancy to continue, and the gradual evolution to not be just sort've condos on the first floor that have no connection to the neighborhood.</p> <p>So I hope you support it. Thank you.</p> <p>HUGH RUSSELL: Thank you.</p>
<p style="text-align: right;">59</p> <p>incentivizing retail and other kinds of uses that have that kind of life.</p> <p>So we're not talking about changing what is permitted or not permitted. In fact, the whole idea in a way is to be agnostic and to go with the existing zoning, but really to say we want to see retail and other types of establishments, which are already permitted in this area, be incentivized rather than disincentivized.</p> <p>So, it's really about allowing the natural growth. There's no -- I don't think there's big plans for North Cambridge to change a lot.</p> <p>What you're seeing is a slow change that is happening tends to be condos on the first floor, which we lose that vibrancy of the city that we all love, you know, when we visit New York or other cities or Harvard Square,</p>	<p style="text-align: right;">61</p> <p>STEVEN WINTER: Excuse me. What is your address?</p> <p>ERIC GRUNEBAUM: Oh, sorry. 98 Montgomery Street.</p> <p>HUGH RUSSELL: James Williamson has a question mark. Do you want to speak?</p> <p>JAMES WILLIAMSON: Yes.</p> <p>Thank you. James Williamson, 1000 Jackson Place.</p> <p>I have a couple questions which I hope maybe if you're going to have a discussion before acting on this tonight might be addressed during your discussion.</p> <p>One of the things that I noticed about some of these condo-style buildings that have been sort of the source for -- that's been driving the desire to have some changes in the zoning is that there's a kind've fencing that runs along the front of those buildings, some of</p>

<p style="text-align: right;">62</p> <p>them, which exacerbates the problem that other people have alluded to. And I'm wondering -- and maybe I should know this already -- if there's anything in the guidelines or the zoning that addresses that feature what's unattractive about some of the recent construction.</p> <p>Also the height, the current height being 45 feet maximum, and I see there's a proposed adjustment to 50 feet under certain conditions, I guess, and I'm curious if that is largely driven by some kind of an understanding of what the floor to floor heights are for a certain kinds of retail activity, and I, again, may have missed some of the explanation that I should've heard about that.</p> <p>I just am trying to understand how it's that 50 feet has been arrived at as an appropriate height to modify the zoning to under what circumstances.</p>	<p style="text-align: right;">64</p> <p>in the last two weeks we discovered two potential new developments in the Porter Square area.</p> <p>Actually both of these are south of Beech, Street and therefore, not currently affected by this thing, but the Sprites Building, I believe, has just been sold, and 18 Wright Street is going to the Historical Commission asking for permission to demolish an old house and put a condo there.</p> <p>I wouldn't be surprised if both of these don't wind up on your desk at some time in the future.</p> <p>At any rate, the question is what is the possibility? I'm not advocating this zoning be extended to the BC zone.</p> <p>HUGH RUSSELL: I will ask the staff to think about that after we complete the speaking. Dennis?</p> <p>DENNIS CARLONE: Thank you. I'm Dennis</p>
<p style="text-align: right;">63</p> <p>And then I was interested, as I think a number of people were in the comments that were made by Dennis Carlone at one of the earlier public hearings on this, where he talked about not wanting to have everything be exactly the same in terms of, I guess, I think the cornice line across the district. And I wonder if during your collective discussion maybe someone might help some of us, or at least me, understand what, if anything, is in this zoning that would address that particular concern.</p> <p>Thank you.</p> <p>HUGH RUSSELL: Okay. Does anyone else wish to speak? First man.</p> <p>JOHN HOWARD: My name is John Howard, I live on Cogswell Avenue.</p> <p>HUGH RUSSELL: Could you come forward and use the microphone?</p> <p>JOHN HOWARD: I would like to note that</p>	<p style="text-align: right;">65</p> <p>Carlone, C-A-R-L-O-N-E at 16 Martin Street and my office is at 222 Third.</p> <p>I just have a number of quick comments. One is I think the zoning is a lot of positive things about the zoning. There was some talk about -- and I live on the lower portion of Mass Avenue -- but there was some talk about what is a clear distance by restaurants?</p> <p>When is a restaurant is 60 feet and you only have four foot clearance, you can't have two people walk by each other without causing interesting -- well, you meet people that way. I guess that's the positive way of saying it. It should be five feet. Five feet is what the minimum distance is for two people passing each other, and on a 12-foot sidewalk, that's more than enough for a restaurant.</p> <p>One of the things that I think I might have heard the design review of housing at the</p>

<p style="text-align: right;">66</p> <p>Trolley Square area in the past is something that we were fortunate not to have in East Cambridge. In East Cambridge, Roger and I had very strong guidelines that said what we wanted. And, you know, some of that had to change over time, but if you don't know what you want, developers and architects certainly don't know what they want, and what I mean by that, is character. If there's a cornice expression, what materials are desirable, is there a roof silhouette desirable and that's why I mentioned the indentation the last time I was here that Jim brought up just to add some richness.</p> <p>Awnings on retail, window size and rhythm, lighting shielding, there's a big issue in the neighborhoods about the back of buildings, including the one that borders my house that the light goes on at all hours blasting. I mean, these are things you can incorporate, encouraging</p>	<p style="text-align: right;">68</p> <p>Anyone else wish to speak?</p> <p>I would also like to recognize in addition to Councilor Minka vanBeuzekom, there's also Councilor Denise Simmons that is present at this discussion.</p> <p>A couple questions came up. A question about the rationale for 50 feet of height, and I would be happy to actually try to explain that.</p> <p>Most affordable housing now is being built out of wood, so -- and if you build housing out of wood and you want a 9-foot ceiling, you need two feet of structure to span apartments. So that gives you 11 foot height per floor of housing.</p> <p>And for retail, you would like to have 11, 12 or 13 feet clear to build out your store.</p> <p>If you look in Harvard Square, you can see a tremendous range of heights, but conventional retail wisdom is you need -- you</p>
<p style="text-align: right;">67</p> <p>roof terraces at the 35-foot height at the setback. Those kinds of things. That's what gives strength to any kind of design review that your staff will go through, and by saying that this is what's in the guidelines, you then ask the developer, architect, "Well, if you can't do that, how can you come close to that and do something even better?"</p> <p>And just it changes the whole argument, and I can imagine what it's like going through that process without guidelines because, frankly, the earlier part of East Cambridge was without guidelines and it was a nightmare to try to get something decent.</p> <p>So I think it's great what you've all put together. I just want to add teeth to that for your sake and for staff's sake and the neighborhoods' sake. Thank you.</p> <p>HUGH RUSSELL: Thank you.</p>	<p style="text-align: right;">69</p> <p>want that kind of height.</p> <p>And, again, with the two-foot structure depth, that means about 15 feet. So, if you had 15 and 3 times 11, you get 48. So this is a little bit more than 45. So that's, I believe, where that logic came up.</p> <p>The question was raised about could this be easily extended to the Business C District, and I think the answer is not easy because just of the timing involved, and the fact that it then changes the public discussion, and essentially there isn't time to appropriately discuss that.</p> <p>I guess I'd also like to make one comment the Bob Slate's building is pretty small, and therefore, it's quite conceivable that any development on that site would not actually come before this Board because there's a certain minimum size before we get jurisdiction over projects, and so a number of the smaller housing</p>

<p style="text-align: right;">70</p> <p>projects in the city, ten or 20 units, are not reviewed here by the Board.</p> <p>Ahmed.</p> <p>AHMED NUR: I just needed to see if you can explain to me what Mr. Carlone's comment is. 35 feet setback terrace, two floors and then there's a setback required for terrace or balcony?</p> <p>HUGH RUSSELL: I thin we might ask Dennis to explain that.</p> <p>DENNIS CARLONE: I'm sorry. I was talking to John when the question came up.</p> <p>HUGH RUSSELL: He made a comment about terraces of 35-foot setback and could you amplify that?</p> <p>DENNIS CARLONE: My house faces the back of Mass Avenue, and if one is allowed to build a 35-foot high building, it's a great opportunity for a green roof, which might have pergolas on it</p>	<p style="text-align: right;">72</p> <p>35-foot height roof in the back facing the neighborhood, it's a lot more of a residential feel to it than just a flat roof that isn't enamored. It's not embellished.</p> <p>A lot of times if you don't -- in an urban design plan -- and this is not an urban design plan -- you show the image you want and it's a lot easier to get to an image if you show it.</p> <p>And I guess I was trying to do it in words, but these are possibilities. Now, they could also be added. I mean, we did that in East Cambridge. It was added after the fact. It was approved by the Board and then went to the Council. But if you mentioned it in the zoning, it's a lot easier to get it.</p> <p>Thank you.</p> <p>HUGH RUSSELL: Thank you. We put together the two comments about the floor height</p>
<p style="text-align: right;">71</p> <p>instead of just the flat roof and it would add interest. But if you don't encourage it, if you don't say it, it might not happen. It certainly would take the curse off of flat roofs. I mean I actually think even on the 45- or 55-foot height, it would add more interest and make Mass Avenue more special. That's why I brought it up.</p> <p>AHMED NUR: Excuse me, I understand. I'm glad you brought that up because I get the green roof, but when you say "terrace," I think that implements as this is a life roof, people could go on and maybe have ventures on top of it. Is that what you meant? That's the only clarification I have.</p> <p>DENNIS CARLONE: Well, you're going to have mechanical equipment on the roof. So one way to mitigate the appearance of that is to have pergolas and have the unit up at the top could have access to that roof, but especially on the</p>	<p style="text-align: right;">73</p> <p>so the third floor is going to be roof, so the roof of the first floor is at 15 feet, the roof of the second floor is at 28, and the roof of the third floor is at 39.</p> <p>So a 35-foot height reduction is, in fact, not probably what you want. You probably want to allow 40 feet, so that you cut one story off rather than two stories.</p> <p>AHMED NUR: You're assuming retail.</p> <p>HUGH RUSSELL: Well, yes, right, because we were trying to get people to do retail.</p> <p>AHMED NUR: Okay, yeah.</p> <p>HUGH RUSSELL: So that when you wanted it, maybe that 35 foot should be 40 feet if there's retail.</p> <p>WILLIAM TIBBS: That's an example of one of those unintended circumstances I was talking about if we kinda backed into in a different way.</p> <p>If you don't mind, can we just address</p>

<p style="text-align: right;">74</p> <p>Mr. Williamson's question about the fences?</p> <p>HUGH RUSSELL: Oh, yeah.</p> <p>So if someone were building just a residential building, would they still be required to have the glass, or could they put a fence up at that would block the glass?</p> <p>JEFF ROBERTS: Jeff Roberts. The current regulation is if you have residential uses at the ground floor, the requirement is 25 percent clear glass on the facade. If you have nonresidential uses, it's 50 percent clear glass required.</p> <p>So under this proposal everything would be required to be nonresidential along that frontage, and therefore, it would be 50 percent glass.</p> <p>HUGH RUSSELL: So if someone comes puts glass in and puts a fence in front of it, we would say, "Wait a minute, that doesn't meet the intent of the ordinance?"</p>	<p style="text-align: right;">76</p> <p>WILLIAM TIBBS: Engagement.</p> <p>HUGH RUSSELL: Yes. This was a cooperative venture. I don't know whether it was started in this building or whether it was started on North Mass Ave. People talking, you know, people talk to each other and listen to each other, and now, we have something that people are supporting.</p> <p>THEODORE COHEN: I also would like to add that I think we've heard a lot of interesting comments about further design elements, and I would hope that this gets adopted, the process doesn't stop, that it's a continuing process that the department is looking into, and, you know, I think there are a lot of good ideas that were raised that I think this is good, but maybe we can make it even better.</p> <p>WILLIAM TIBBS: I would like to say the same, and particularly relative. I think if</p>
<p style="text-align: right;">75</p> <p>JEFF ROBERTS: Yeah. That would probably get caught in the building permit review or during any -- or any other design review that had to be done.</p> <p>HUGH RUSSELL: Okay. Are we ready to move this favorably to the Council?</p> <p>I think recommendation would be that essentially it's -- it's been under planning for a long time, and it's been at hearing, the matters came up at hearings, they have been responded to, and now ready for Council to take favorable action.</p> <p>WILLIAM TIBBS: I would also mention the very positive reception from a lot of the neighborhood, which, I think, is a nice change for a planning petition for us. I think that should be added too.</p> <p>HUGH RUSSELL: It's not so much as reception as sort've I think a lot of is --</p>	<p style="text-align: right;">77</p> <p>there's one area that I think that does not need some attention, but I'm not quite sure how and what and that is the whole traffic issue.</p> <p>If we're trying to encourage more people to go there, you know, that long stretch of no left turns, the -- you know, just the traffic up there is just kind've difficult if you want to encourage people to use the restaurants and stuff.</p> <p>And I think at the last meeting I think Pam mentioned that she lived in North Cambridge and went down to One Kendall Square and was surprised as to how great it was.</p> <p>And I can say I live in Cambridgeport and went up to North Cambridge particularly as part of this process and was surprised how great it was.</p> <p>But it's obvious the traffic just needs work, but I have no clue what's the best way to</p>

<p style="text-align: right;">78</p> <p>handle it. I know I had hard time just getting up there just trying to go to -- I have been to two restaurants that I had never been to before and they were both great.</p> <p>But it's just trying to maneuver up there, it can be tough.</p> <p>THEODORE COHEN: I'll just have to toss in that I live in North Cambridge and it's a great neighborhood. We welcome all of you to come.</p> <p>HUGH RUSSELL: Comment?</p> <p>AHMED NUR: On Bill's comment I just wanted to add most of those restaurants and bars are actually a large percentage of people are bikers. They really are.</p> <p>HUGH RUSSELL: Okay. So, we have been discussing the wording of a motion. Would someone like to make a motion that we could --</p> <p>AHMED NUR: A motion.</p>	<p style="text-align: right;">80</p> <p>came up at our hearing, and we didn't have a chance to review it. And so, you might wish to -- if it seems to be important, then you can forward that to the Council. I'm not sure whether the way it's drafted that's a change that can be amended on the floor or whether it cannot be amended on the floor.</p> <p>STUART DASH: And, Hugh, I just want to make sure what you're asking. Is it to allow or to encourage the use of the -- as Dennis was describing -- for roof decks, the area what was -- or is it to change the -- at this point the height limit from within business to the RB, is that --</p> <p>HUGH RUSSELL: In the chart -- one two, three four, five six boxes down -- there's a box that says 50 foot max, and under that, there's a bullet that says reduced to 35 feet within 50 feet of a residential district. And the 35-foot</p>
<p style="text-align: right;">79</p> <p>HUGH RUSSELL: Move to recommend this in accordance with the discussion we just had.</p> <p>Is there a second?</p> <p>WILLIAM TIBBS: Second.</p> <p>HUGH RUSSELL: Bill? More discussion.</p> <p>SUSAN GLAZER: Hugh?</p> <p>HUGH RUSSELL: Yes.</p> <p>SUSAN GLAZER: I would just like some classification on the -- you made the suggestion that the 35 feet might be 40 feet. Do you want that as part of your recommendation? The Board agrees with you on that.</p> <p>HUGH RUSSELL: I don't know.</p> <p>AHMED NUR: I thought he was making note of it, and it goes to the City Council, so this was our --</p> <p>HUGH RUSSELL: I guess my sense would be that because you have to think about it in the department and evaluate it, and, you know, it</p>	<p style="text-align: right;">81</p> <p>height combined with the retail use means you have to cut two floors off the back of the building.</p> <p>JEFF ROBERTS: Right. So maybe if I can try to address that briefly in a couple ways. It's a tricky issue.</p> <p>If you try to visualize a building that has -- and most of the buildings that we tried to illustrate we really have been showing them from the front end, and showing what is happening on the front end.</p> <p>As you mentioned, Hugh, the Mass Ave Overlay District goes back to a depth of 100 feet from Mass Ave. And there's that provision in the zoning that 50 feet from the residential district, you drop down to 35 feet.</p> <p>The idea being at that point you have somewhat of a transition in character from the larger sort've more mixed use facing, facing the</p>

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avenue-type of scale to a lower scale.

The issue that you pointed out is a tricky one because if you're assuming -- first of all, the retail -- the required retail use is to a minimum depth of 40 feet. It's conceivable that a building could be built, to say, with sort've 50-foot retail depth, and then the 50-foot height and then it transitions down into a different part of the building.

But your point that then does something funny with the level of the floors is something that would be a challenge.

So, I think that's the issue, at least as I'm seeing it in my head. And as we looked at that particular provision, one thing to note is I believe that provision was put in place not that long ago, a few years maybe, as a change to Business A -- to the Business A districts, and it was considered an important change at the time, a

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significant change at the time, and I think it was our feeling that that, at least for the time being, could be left alone, and we would -- obviously, we would have to keep an eye on it to make sure it was something that could feasibly work within the framework that's being proposed here.

WILLIAM TIBBS: Your point was that if we're trying to encourage the possibility of the commercial or the retail floor being higher, this is something that kind've restricts that somewhat because the 35 feet means if you're trying to maximize that, you're limiting yourself to the only two floors versus three.

So I think the real question for you is you're thinking about the plot plane and you're thinking about a four-story building, and did you want to drop down by one story or two stories, and then really look at what the dimensions

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really are saying there, and is there some other mechanism or some other number that would just give you the flexibility of what you're trying to do, which is what I was referring to earlier by the unintended circumstances. I thought you made an interesting point.

And, obviously, if an architect wants to do that can have the three floors, but it will really mean a lower first floor. It could be 12 feet or so before they --

DENNIS CARLONE: Or a lower residential floor.

WILLIAM TIBBS: Or a lower residential floor too.

And if you're comfortable that that 35 gives you enough leeway then, you're still getting the intent that you wanted, that's okay, but I guess what we're saying is you should look at that just to make sure you're comfortable.

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HUGH RUSSELL: The other thing to think about is, under Federal Fair Housing, if you put an elevator into a building, which is almost certainly the case for a four-story condominium building in the City of Cambridge, then you have to start making everything accessible, so you get into problems or if you're trying to have small changes in floor heights you -- it becomes pretty tricky to do.

I guess maybe what I would think is, if you had to go from 35 feet to 40 feet, what is the nature of the relief you would need under the present ordinance? You would need a variance. Maybe that should be a Special Permit, you know, which you could grant if you could find that the impact on the abutters was not significantly degraded by that five-foot difference which in some cases it might be and other cases it might not be.

<p style="text-align: right;">86</p> <p>DENNIS CARLONE: You might only be talking about two feet more and that makes a lot of sense.</p> <p>HUGH RUSSELL: Yeah. So --</p> <p>STUART DASH: And the Planning Board has the flexibility to waive the requirement for the 15 foot for the retail requirements, so there's some flexibility for the Planning Board.</p> <p>ROGER BOOTHE: Can you speak up?</p> <p>STUART DASH: I don't think we could change the 35 feet without a readvertisement of this. So I wouldn't want to get caught up and think we're going to make a judgment for that as part of this petition. But the Planning Board does have flexibility under the dimensional regulations for the floor height that might allow some differences. Even the high rise on Mass Ave that recently went in that actually had two separate buildings, one sort've more scale to 35</p>	<p style="text-align: right;">88</p> <p>recommend that people keep their eyes on it and -- I mean, people do seek variances, and if somebody says that I need two more feet, they might make a case for it.</p> <p>I don't want them to be not doing what we want them to do because of some -- anyway, we can't change it now, so let's not try.</p> <p>AHMED NUR: Right. Just take into consideration the floor joists are 12 inches deep and that's one of the reasons.</p> <p>HUGH RUSSELL: Which structure will have an 18-inch deep truss, and you got to work out the -- a structural bay with the ground floor use, the basement parking use, with your residential use, it becomes complicated.</p> <p>Okay. So we have a motion, we have a second. Can we vote?</p> <p>All those in favor of the recommendation? (Everybody votes favorably.)</p>
<p style="text-align: right;">87</p> <p>feet and one scale for 50.</p> <p>HUGH RUSSELL: There's also possibly some sites of sloping -- some sloping sites, the rounder record site had actually quite a bit of pitch across it. I'm not familiar with all the sites. I think of it all being flat, but it's not.</p> <p>And the height is measured, according to the state building code definition of height, which deals with the average ground plane. So, you know, it's -- it's a very complicated subject, let me tell you, when you try to deal with all these things.</p> <p>But, anyway, the short answer is, in your opinion, we can't make a change of this sort under this petition?</p> <p>STUART DASH: On that 35 foot, I would not recommend it.</p> <p>HUGH RUSSELL: So all we can do is</p>	<p style="text-align: right;">89</p> <p>All those voted in favor.</p> <p>So, thank you. This is probably two years working on this?</p> <p>TAHA JENNINGS: Yeah.</p> <p>HUGH RUSSELL: Thank you all for your help.</p> <p>(Audience applauds.)</p> <p>HUGH RUSSELL: The next item on our agenda will be taken up in a five-minute break at quarter of nine.</p> <p>(Recess.)</p> <p>HUGH RUSSELL: Roger is going to set the stage.</p> <p>ROGER BOOTHE: This item is a continuing design review provision in the Norvartis expansion along Massachusetts Avenue. And the Special Permit specifically called out that the Board was going to review and approve the design of anything that has to do with the security in</p>

<p style="text-align: right;">90</p> <p>the central courtyard area and that we're to engage in bringing it to your attention. That's what is happening tonight.</p> <p>After a series of sessions with Norvartis people and their designers, and they spent a lot of time considering this whole issue of how to keep the openness and beauty of the courtyard that I think everybody has seen to be very appealing, at the same time allowing for closing down of the space after hours. And so, that's what the language of the permit suggests, but it left some work to do from the last scheme we saw in terms of how the fence itself would look, where it's placed in relationship to landscaping and so forth.</p> <p>So, I feel that the team has done a good bit of work on that and they are going to present that to you at this point.</p> <p>HUGH RUSSELL: Thank you.</p>	<p style="text-align: right;">92</p> <p>van Valkenburgh and his staff have worked with Myolin's staff and Chekamore's staff and all have three participated.</p> <p>And the facilitator in those meetings down in New York was Jeffrey Lockwood. He's the global head of communications, and he's here this evening to share whatever questions you might have about how this decision was arrived at. He's also -- he'll be able to speak about the operational issues around when it's contemplated that it would be necessary to have the gates closed.</p> <p>But to go through the details of what's before you, Laura Solano is here. And Ms. Solano is with Mr. Van Valkenburgh's office, and she would like to share with you -- and I think we have in hand-out form, everything you see on the boards here.</p> <p>Thank you.</p>
<p style="text-align: right;">91</p> <p>JAMES RAFFERTY: Thank you.</p> <p>Good evening, Mr. Chairman. And for the record, James Rafferty on behalf of the applicant.</p> <p>And just briefly, I'm sure the Board will recall the deliberations around the Special Permit. The applicant wasn't able to provide definitive responses to the perimeter details of this courtyard.</p> <p>And we specifically avoided giving -- coming up with a quick answer because the issue had been flagged for us and had been mindful in the applicant's thinking, but it became very clear that the operational people at the Norvartis, as well as the designers of the building, needed to participate with the landscape designers as well.</p> <p>So, that process has taken place rather than extensively where the Michael</p>	<p style="text-align: right;">93</p> <p>LAURA SOLANO: Thank you very much. Good to see you this evening.</p> <p>We're here to talk specifically about those entrances, the interface between the entrances to the Norvartis site and the public realm.</p> <p>So, if you will permit me, I will go over to the Board, so we can talk about those more carefully.</p> <p>So before we begin, just would like to take a step back and look at what was presented to you before. This is the old site plan. It actually has a date of October 2011 on it.</p> <p>And one of the things that I would like to draw your attention to is the three entrances. So this is the Mass Ave entrance, the Windsor Street and the Osborn entrance of which we're going to be speaking about tonight.</p> <p>In particular, if you look at the</p>

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entrance from Massachusetts Avenue, you will notice that we previously had a fairly large court out there, a large empty paved area, to be honest. And then this was the perspective that was present.

Since that time we've had a lot of design sessions with the team, as Jim said, and I think that we've come up with a solution that kind've gets at what is important in terms of the public realm and the contribution that the landscape can make to that experience for the public, as well as preserving some of the operational conditions that Norvartis needs.

Just, again, to reiterate, this is the Massachusetts Avenue, Windsor Street and the Osborn Street.

What we have done is we have a series of enlarged plans here (*indicating*), and then we're going to show you the daytime condition and then

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as evening sets, the evening condition of those landscapes.

HUGH RUSSELL: Maybe we should just -- what's the operational plan? When do you think it will go from the left board to the right board? What's the timing?

JEFF LOCKWOOD: The timing, Mr. Chairman, would be similar to what we have across the street, 250 Mass Ave, which is from 6:00 a.m. to 7:00 p.m. on Monday through Friday.

HUGH RUSSELL: And on the weekends?

JEFF LOCKWOOD: It's not envisioned that it will be open.

HUGH RUSSELL: Okay.

LAURA SOLANO: So, one of the primary ideas about all three of these landscapes and their interaction with the public realm is that the landscape that is inside the courtyard would reach out and interface with the public realm, so

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that it really contributes to the life and character and enjoyment and comfort of the public realm, the sidewalk.

And even though we have that similar idea, of course, because each area is quite different, has different adjacencies and also different hierarchies around the site, we have different solutions for all of them.

We'll start at the most primary entrance which is Massachusetts Avenue.

And in this case, the landscape that you see, the form, the shapes inside the courtyard are extended out, and they engage both the reflecting pool that's at the base of a column of 181 Massachusetts Avenue, and in addition, it's situated in such a way that there are very wide open areas for entrance into the site.

In order to address some of the operational issues, there is a fence that goes

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through a portion of that plant bed, so it will be imbedded in the plant bed and absorbed with plants. So it probably should not be too obvious at any time of day. And then there are these wide areas. This is an eight scale plan. I think this is about 40 feet wide or so, this area. And is this area is just a little bit less. It's probably about 25 to 30 feet. But those will have gates that fold back completely and allow the area to feel very open, you will get views into the courtyard. You can see that the landscape that's inside is brought out, those are birch trees. They are going to be placed in a planter that will also serve as a seat wall so the public can certainly sit on that wall, but it also provides, you know, kind've a nice urban edge for those planters as well.

In the condition when things settle down is this condition, which has those gates that

<p style="text-align: right;">98</p> <p>were swung open, they come back together on both sides to make a continuous --</p> <p>WILLIAM TIBBS: Laura, could you mention the height?</p> <p>LAURA SOLANO: Yes. I'm sorry. Those are six feet high.</p> <p>And they're meant to be a very light and airy fence. In other words, we're looking right now at a stainless steel fence, round pickets, probably not have top and bottom rails, but, in fact, appear very light.</p> <p>The stainless steel will do a good job of really kinda dying back. You know, people often think that black fences recede, but that's not really true. It's really the lighter colors that tend to get absorbed and recede in the landscape. That's some of our thinking about that.</p> <p>Would you like to do questions during or --</p>	<p style="text-align: right;">100</p> <p>see the landscape again comes out. That fence is setback about 40 feet or so is kind've imbedded in the landscape again. This is the open condition, so you see relatively small parts of it, and the pieces that are there, are imbedded in the landscape.</p> <p>We have red maples and coniferous trees. And at the end of the day, we have the fence, again filling in these pieces here (<i>indicating</i>), so access is controlled.</p> <p>HUGH RUSSELL: What is the pitch of the ramp?</p> <p>LAURA SOLANO: I'm sorry, say that again?</p> <p>HUGH RUSSELL: What is the slope of the ramp?</p> <p>LAURA SOLANO: Oh, that is less than 8.33 percent. So it's near the maximum for handicapped ramps for --</p> <p>HUGH RUSSELL: Why don't you show the</p>
<p style="text-align: right;">99</p> <p>WILLIAM TIBBS: No, just give it all.</p> <p>LAURA SOLANO: Moving on to Windsor Street, which is at the top of that overall plan, we have the same type of sequence.</p> <p>Here we are on Windsor Street. So we're on Windsor facing in to the courtyard, and again, the idea is that the landscape really comes out into the public realm, so the fence that we've been talking about is in this location (<i>indicating</i>). So, it's again, about 40 feet back from the edge of the public sidewalk.</p> <p>One thing I should have mentioned is that all of the entrances into the site are accessible, meaning that they're either a five percent path, so not requiring any rails, or in this case, on Windsor, we have a ramp. So it's a series of ramps and landings, ramps and landings, so that they meet the ADA requirements.</p> <p>Then, again, in this condition you can</p>	<p style="text-align: right;">101</p> <p>handrails that are required?</p> <p>LAURA SOLANO: I will tell you we just simply forgot to show it. But, yes, there are handrails that are going to be here (<i>indicating</i>) and here (<i>indicating</i>) and also here (<i>indicating</i>). Because the length of the ramps are one length of ramp, landing, another length, landing, another length. So there will be additional rails that are required with the 12 to one slope.</p> <p>WILLIAM TIBBS: They're an important enough element that they do make a difference in terms of how we -- you know...</p> <p>LAURA SOLANO: Yes.</p> <p>HUGH RUSSELL: 'Cuz it's double the rail. The second rail is 34 and one at 21, and both sides, so it becomes -- it's usually significant. Those would probably be out of the same stainless material?</p> <p>LAURA SOLANO: Yes, that's right. And to</p>

<p style="text-align: right;">102</p> <p>the inch and a half that's required by the ADA. So as light as we can make them, but still, of course, functional. But, yes, out of the same material.</p> <p>On Osborn Street, which really has a different condition than the others in that -- let me step back for a second.</p> <p>So, on the Windsor Street, we have an entrance to 22 Windsor Street. So that's a different condition on this side.</p> <p>On Osborn Street, we don't have any entrances into the building, but we do have the neighborhood flow from this direction.</p> <p>So, on Massachusetts Avenue, of course, everybody is coming from every direction. On this one, we have both directions as well, and on this one, we're trying to capture access that might come from the neighborhood.</p> <p>So, we also have a little bit different</p>	<p style="text-align: right;">104</p> <p>here (<i>indicating</i>). So these openings are about 20 feet or so.</p> <p>So, again, there's lots of visual permeability into the site.</p> <p>On this side, we also have a low wall. The entry is made wider, so it feels generous. Whichever way you're traveling, you feel -- you know, it's very obvious where the steps are.</p> <p>THOMAS ANNINGER: Can I interrupt for a second?</p> <p>LAURA SOLANO: Yes.</p> <p>THOMAS ANNINGER: On that picture, can you show us where the bridge --</p> <p>LAURA SOLANO: Yes.</p> <p>THOMAS ANNINGER: -- is over that path?</p> <p>LAURA SOLANO: The bridge is here (<i>indicating</i>).</p> <p>THOMAS ANNINGER: I see.</p> <p>And across the street in Osborn, there's</p>
<p style="text-align: right;">103</p> <p>condition here in that this is a five percent path, so we do not need to have any rails. The ADA code allows you to do without rails on anything that is five percent or less.</p> <p>And at the same time, we also have a set of steps. So, there are two ways to enter the site in this condition. So this would collect people off the sidewalk, but it would also collect people coming north to south.</p> <p>Again, the fence is setback here.</p> <p>Actually, further back here, about 60 feet or so further in. And it operates the same way. These are bi-fold gates. So, basically they pivot around a post and they fold up together so that when -- you can see the fold is collected, but there's really quite a bit of space between them. Each of the panels is five feet. So, for instance, in this one, there's ten feet and ten feet. So you have a 20-foot opening. Likewise</p>	<p style="text-align: right;">105</p> <p>an opening through that long building, do you know where that opening is?</p> <p>LAURA SOLANO: Do you know where that is?</p> <p>JEFF LOCKWOOD: Directly across from the stairs there.</p> <p>THOMAS ANNINGER: I think it's not actually directly across. It might be a little higher. I'm not sure.</p> <p>HUGH RUSSELL: It's somewhere in there.</p> <p>THOMAS ANNINGER: It's somewhere in there and I guess it's gonna relate to those paths.</p> <p>LAURA SOLANO: Yes, that's right.</p> <p>MINKA VANBEUZEKOM: Pfizer and Merk are on the opposite of that building.</p> <p>THEODORE COHEN: Hugh, will the stairs need handrails also?</p> <p>HUGH RUSSELL: Yes.</p> <p>LAURA SOLANO: Yes, they will.</p> <p>HUGH RUSSELL: But they're actually</p>

<p style="text-align: right;">106</p> <p>less -- the hand rails are less obtrusive than ramp handrails because you're not trying to pull yourself up when you're in a wheelchair.</p> <p>LAURA SOLANO: There's a single rail on top with posts.</p> <p>HUGH RUSSELL: Incredibly light. Because it really --</p> <p>WILLIAM TIBBS: Are you done?</p> <p>LAURA SOLANO: I am.</p> <p>HUGH RUSSELL: Is there anything more you want to say about the operation?</p> <p>JEFF LOCKWOOD: No.</p> <p>HUGH RUSSELL: Why don't you start off, Bill?</p> <p>WILLIAM TIBBS: I will be the first to say I was not all that enthusiastic about the idea of a fence when it became before us before. But, obviously, the way you have it --</p> <p>AUDIENCE MEMBER: We can't hear you.</p>	<p style="text-align: right;">108</p> <p>now one that's more like a corporate front yard, and some people may disagree with that, but it's just different, and I think I just wanted to know what your attitude is. Is this your corporate park and you want to keep the public out, or just allow them through, or whatever?</p> <p>And I guess my third question is: I think it's really important to get bigger than the plans you're showing us because if you're talking about flows of people through it, because I think getting people in and out of your buildings is kind've of an obvious use of the open space, but if you're going to open it to the public for whatever amount of time you're doing, understanding how people are flowing through, so understanding what's opposite it and what the -- you mentioned the word "neighborhood" opposite the Osborn Street side, and I wasn't quite sure what that -- you know, in my mind I know what</p>
<p style="text-align: right;">107</p> <p>WILLIAM TIBBS: Can you hear me now? Is that better?</p> <p>AUDIENCE MEMBER: Yeah, a lot better.</p> <p>WILLIAM TIBBS: I wasn't all that enthusiastic about the fence, and just because I had a hard time understanding how can you have such a relatively large open space and fence it off to -- I guess my first question to you is -- and I think some of it's operational -- what are your operational concerns if you didn't have a fence, assuming you will have a fence. I guess my other one is: What is your attitude about the public? And the reason I say that is because I have a vivid experience with University Park where I think, at least in the early concept and planning stages, it was supposed to be a park that was -- I'm not saying yours is now -- but that was supposed to be an open space that was beneficial to the neighborhood, and I think it's</p>	<p style="text-align: right;">109</p> <p>that is, but, I mean, I want to make sure you know what that is as you're designing it.</p> <p>So, let's start with the first one. What is your concern about keeping it open and having --</p> <p>JEFF LOCKWOOD: Go to the microphone?</p> <p>WILLIAM TIBBS: Please continue.</p> <p>JEFF LOCKWOOD: In terms of our operational desires relative to the fence and why we feel we need it, it has been our experience, unfortunately on our sites around the world as well in Cambridge, that we are a target for things, protests, animal rights protests. So, it becomes a safety issue for us as a company.</p> <p>We have had situations where some drastic things have happened, not necessarily in Cambridge, but we have had from time to time situations where we had to close down the site for the physical safety of our associates as well</p>

<p style="text-align: right;">110</p> <p>our facility. It's not something we like to deal with it, but it's a fact who we are as a company.</p> <p>So, the need and desire for us to be able to control that space during non-working hours and the ability to, if we needed to, close it down during working hours is where the genesis of having a fence came from.</p> <p>WILLIAM TIBBS: What is your attitude about the public there?</p> <p>JEFF LOCKWOOD: We're -- during the day, during business hours, we are fine with having -- we want to have it open and openly accessible and publically accessible. We do, as a company, as much as we can to make our space currently openly accessible and we continue to want to do that during business hours when there are people there that can interface with the public and have them go ebb and flow back and forth through it. We want us to be a place where people from Central</p>	<p style="text-align: right;">112</p> <p>can easily hop it --</p> <p>JEFF LOCKWOOD: You sound like the guys on my security team. So, the answer to your question is yes, we're comfortable with a six-foot high fence. There was a great amount of debate around that. There were those who wanted it to be higher. We wanted it to be something that would be high enough to be limiting, but also not gaudy and overbearing. So we felt comfortable that six feet would accomplish what we needed to have happen.</p> <p>HUGH RUSSELL: So following up on Bill's question, you said three times that you're happy to have the public during the business hours.</p> <p>Now, members of the public and their families might well be walking on Saturdays and Sundays during the day, and there might well be people working in the building at those times, why wouldn't you have it open during the day on</p>
<p style="text-align: right;">111</p> <p>Square can walk up through into the Kendall Square and back and forth. We see that as a valuable thing during operating hours.</p> <p>We envision some of the space in the back building, the Windsor Street building will actually be space similar to the broad space. We plan on having a student teaching laboratory there as well as a space that the public would be able to have access to for meetings and things like that. That's something that we're in the early stages of discussing.</p> <p>So, in terms of wanting to have public accessibility, we're all for, but we need to limit it at certain times of the day just for the reasons I alluded to earlier.</p> <p>WILLIAM TIBBS: In light of that question, I guess is a six-foot high fence gonna give you that security? I mean, 'cuz that's kinda low. If somebody wants to get to you they</p>	<p style="text-align: right;">113</p> <p>weekends?</p> <p>JEFF LOCKWOOD: When we talk about the number of people that would probably be working on the weekends from our staff, it would be significantly lower, and the activity in the building would be significantly lower than it would be during business hours.</p> <p>HUGH RUSSELL: Yes. And why would you want to exclude members of the public from walking through your garden because of that?</p> <p>JEFF LOCKWOOD: It becomes --</p> <p>HUGH RUSSELL: Are you expecting people that working there to be managing rifles and shotguns to make sure there's security? Come on.</p> <p>JEFF LOCKWOOD: It's something we've talked about a great deal internally and feel that for our employees safety, the limited amount of people that will be there that we needed to be able to secure it in a way during non-business</p>

<p style="text-align: right;">114</p> <p>hours to ensure that both potential damage to the property, as well as the safety to associates could be secured.</p> <p>HUGH RUSSELL: Where is the front door to the Mass Ave building?</p> <p>LAURA SOLANO: <i>(Illustrates on board.)</i></p> <p>HUGH RUSSELL: So it's inside the fence?</p> <p>LAURA SOLANO: It is.</p> <p>HUGH RUSSELL: How does somebody who wants to work on a Saturday get into the building?</p> <p>JEFF LOCKWOOD: They would have -- there would be a key card access on at least one of the gates.</p> <p>HUGH RUSSELL: Okay. Well, I don't find that's a very satisfactory answer.</p> <p>Also, how will the public know that they're welcome?</p> <p>JEFF LOCKWOOD: I guess it will be open</p>	<p style="text-align: right;">116</p> <p>But I received a communication on this, which suggested that perhaps there should be a little small plaque that states what the corporate policy is, that might say, you know, look at the gate and there's a little sign that says PUBLIC IS WELCOME HERE and the hours of operation. I think that might be an asset.</p> <p>I guess one other comment which is I really think that the pathway on Windsor Street goes up to the fence should be a five percent slope, so there aren't any handicap rails there, and that means you use whatever it is about, a foot of height or two feet of height, and the difference between five and eight percent of 30 feet, so that the ramp has to get extended, but it looks like it would not be impossible to extend the ramp in the courtyard.</p> <p>LAURA SOLANO: We have done a lot of study on this. And we ourselves, of course,</p>
<p style="text-align: right;">115</p> <p>during -- I don't know if we would have -- I don't anticipate us having signs. I mean, similar to where we have currently the public is welcome to come into our 250 Mass Ave and other sites. The gates would be open and they could walk in. There will be no one standing there preventing them from going in, so they will be able to do so.</p> <p>HUGH RUSSELL: I think the -- those gates across the street are pretty impressive. They're probably ten or 12 feet tall. I mean, they're historic. When Necco started building, you may have added to them in the appropriate style in consultation with the Historic Commission. But nevertheless, this is a fortress sort of building and much better now that you actually have windows and not glass block and you can see that there people are in there. Before you could only smell that there was something going on inside.</p>	<p style="text-align: right;">117</p> <p>would always prefer that there's a five percent path or less, but the limitations that we have are simply in length. For each of these <i>(indicating)</i>, we would need to lengthen this quite a bit.</p> <p>HUGH RUSSELL: I'm only suggesting lengthening the first one.</p> <p>LAURA SOLANO: I'm sorry. This one <i>(indicating)</i>?</p> <p>HUGH RUSSELL: Just reduce the pitch on that. Instead of going up 30 inches, you will only be going up -- you lose about a foot in height overall, which means the one in the back has to be extended about ten or 12 feet. That might be in the realm of possibility. It would make a very different appearance.</p> <p>JEFF LOCKWOOD: Yeah, absolutely.</p> <p>LAURA SOLANO: Yeah.</p> <p>THEODORE COHEN: The purpose is that we</p>

<p style="text-align: right;">118</p> <p>could do away with railings in the front part?</p> <p>HUGH RUSSELL: That's right.</p> <p>THOMAS ANNINGER: On the public side of the fence.</p> <p>HUGH RUSSELL: On the public side of the fence, where when you start looking at the renderings, you know, you have a lot of landscape before it, and the landscape can help to shield the handrails. But it's right out at the street. It's pretty institutional even with the most beautiful handrail known to man.</p> <p>THOMAS ANNINGER: I think I know the answer to this, but if I may? One thing that has become somewhat popular in Cambridge now in two places, at least, Tech Square and Harvard Yard now have chairs, lovely chairs, that are very popular and that are loose, that can be moved around, that are mobile.</p> <p>Do you have any such plans for --</p>	<p style="text-align: right;">120</p> <p>Jeff or Roger -- to comment on if we have such a building along the avenues in which the public are allowed on certain days of the week and not on the other based on safety.</p> <p>I just -- I don't know. Can we suggest maybe security guards are there -- I'm assuming maybe on the weekends -- that could keep an eye on the property exiting, especially on a hot summer day where people that walk through there and wanted to do the exact same thing as they did on Friday and now Saturday, they have a cup of coffee in their hand, the gate is closed, why not have surveillance cameras and security guards to sort've make sure everything is in order?</p> <p>HUGH RUSSELL: A more limited hour of operation, maybe 9:00 to 4:00, or something like that, so less of a burden for the security personnel.</p> <p>THOMAS ANNINGER: And two more</p>
<p style="text-align: right;">119</p> <p>JEFF LOCKWOOD: Yes.</p> <p>LAURA SOLANO: Yes, we do.</p> <p>HUGH RUSSELL: Is that sort of a combination of sat walls and chairs?</p> <p>LAURA SOLANO: Of course, this is the most obvious route to this door (<i>indicating</i>). And there's also, you know, this route (<i>indicating</i>). So the enter areas would actually be not as frequented -- traveled as frequently and those are the areas that we're looking that have moveable chairs and tables.</p> <p>THOMAS ANNINGER: That's sure to be an attraction in itself, I would think.</p> <p>HUGH RUSSELL: Ahmed.</p> <p>AHMED NUR: You know, I'm having a hard time with the doors closed on the weekends along the avenues, especially on such a beautiful garden in the City of Cambridge.</p> <p>Perhaps I would like staff to -- between</p>	<p style="text-align: right;">121</p> <p>possibilities in this negotiation, I guess, is something seasonal. I can see that --</p> <p>AHMED NUR: Seasonal.</p> <p>THOMAS ANNINGER: -- something in January might not make much sense, but right now, of course, it might. And, two, experience might show you that it's not so -- it's not as much as a threat as you have made -- you have imagined it to be. So that there might be a testing period during which you could find out whether what you were worried about has actually transpired.</p> <p>So with a number of these ideas, maybe there is some compromise that hasn't been struck yet.</p> <p>JEFF LOCKWOOD: Good ideas.</p> <p>WILLIAM TIBBS: I think that -- well, I guess one of the concerns I had -- and I agree with everything that was just said -- is the -- assuming -- I'm assuming now that you do</p>

<p style="text-align: right;">122</p> <p>determine that you need some kind of fence or something after you have gone through these things, if you did that, I guess the -- I think as the landscape is designed, it really is inviting, and I would prefer, quite frankly, to make sure if the design reflects your intention, which is -- and that would be that the actual -- in my mind that would mean that the actual fence is further in the site, so that everybody who walks by sees the landscape and it's there, and I just -- I guess I do have a problem with the main entrance of such substantial buildings and such impressive buildings on Mass Avenue being inside of a fence. And, unfortunately, we just have a lot of -- in Cambridge, we just have a lot of examples of not being quite so severe even in Harvard Yard, which has a real fence around it, and gates, there's a sense of inviting and that the yard tells you that obviously at some point</p>	<p style="text-align: right;">124</p> <p>WILLIAM TIBBS: Yeah, that piece.</p> <p>LAURA SOLANO: Well, this will have -- I think it will be very obvious because the ground cover, et cetera, that those are plant beds not, it's not lawn.</p> <p>WILLIAM TIBBS: Why open the fence there as opposed to just opening it along the path that people can walk on?</p> <p>LAURA SOLANO: There's something to think about in terms of safety. You don't want someone who is unfamiliar with the site on -- at a moment that the gates are closed to go too far into the site before they find that those gates are closed.</p> <p>So we wanted to make a logical relationship with this building and still give pretty sufficient landscape in front of it, so that if you're walking down, you really -- you know, from walking in either direction, you won't</p>
<p style="text-align: right;">123</p> <p>in time if they close it, that's there.</p> <p>Obviously, at MIT, though, you know, everything -- it's very green and open. And I guess I'm having a problem as such a significant corporate citizen just giving this image, but if you did give it, I think that -- that was one problem.</p> <p>For instance, on the Windsor side, I was wondering why did you open it up -- in my mind I'm just trying to get -- I tend to look at design and see what the intent is, and is the design doing the intent even if I give you the point that you do need a fence.</p> <p>So, in the Windsor side you have an opening on the landscape itself which do you want people to walk across that? I mean, do you want people to walk across that?</p> <p>LAURA SOLANO: Walk across this <i>(indicating)</i>.</p>	<p style="text-align: right;">125</p> <p>be able to see it, but before you go up at any time these gates are closed, you wouldn't go too far up into the site.</p> <p>WILLIAM TIBBS: I understand that from Windsor Street. The issue on this particular one was why do you have an opening in the landscape bed. I think on Mass Ave that's a very different kind of question because Mass -- I mean, you can see on Mass Ave quite deep into the site if that gate is opened or closed as you're going along. All this stuff you control. I guess that's the other thing. I mean, it's not like even the slope of the length -- it's not like anything -- you as designers are doing all this. So you're reacting, and there's something about the undulating and flowing of all the -- and the roundness of the islands that makes this an inviting place and it just seems like there's a contradiction there.</p>

<p style="text-align: right;">126</p> <p>But the Mass Ave entrance to me -- the two side entrances -- one, I think that each should have their own character based on what's happening there and what you're trying to encourage. But the Mass Ave entrance to me is critically important. You know, this is a significant site, you're putting up extremely significant buildings, and that one you could have the fence very deep in and people couldn't look and see -- it's very broad. So that, you know, you're not -- it's not there.</p> <p>So anyway, I'm just -- I guess I'm just having a hard time just trying to get at what you're trying to do other than put -- other than to fence off your property.</p> <p>I think for me to feel comfortable with it, I have to feel that those fences do that if you're going to have them. They do that in a way which doesn't feel like you're fencing off your</p>	<p style="text-align: right;">128</p> <p>focused in my mind where the fence is and what's opened and what's closed, it's about how does this whole complex work and what is your attitude about your own personal security and operations, but what is your attitude about the public and how does the fence design show all that, and it doesn't at this point to me.</p> <p>LAURA SOLANO: It might help if I could just share some of the thinking we had. Because I will tell you out of all of the entrances, this was certainly the most difficult, as well as, we felt, the most critical to make sure that we were bringing the landscaping out.</p> <p>If you recall, if you can imagine this taken away and this not here (<i>indicating</i>), that's the condition that we had before.</p> <p>WILLIAM TIBBS: What is the little white eggshell shaped thing?</p> <p>LAURA SOLANO: That's a pool that is at</p>
<p style="text-align: right;">127</p> <p>property. And that's the challenge, I think. Obviously, with the lightness of materials and lowness and such, you're trying to keep it very open. But in a lot of ways that's a little bit of a contradiction, but I can understand that too. But I don't have an answer for you. I'm just reacting. I'm not probably being extremely coherent.</p> <p>But this doesn't seem to work for me. And, again, I think Hugh's question of where the entrances are is kind've important. I mean, this building is all about a presence on Mass Ave and you want people to -- as a matter of fact, that was the question we had when in our first hearing, you know, how do you know where to go in, and you have that big huge column sitting there and a building coming up? I mean, how does the fence relate to all that? It's not just a landscaping and fencing issue. It's not just</p>	<p style="text-align: right;">129</p> <p>the base of the column, so it's water, just a very shallow pool.</p> <p>WILLIAM TIBBS: At the base of the column holding the building up.</p> <p>JAMES RAFFERTY: The column sits in a pool of water.</p> <p>WILLIAM TIBBS: That just adds more complexity to me. The pool is inside the fence or outside of fence?</p> <p>JAMES RAFFERTY: Inside the fence.</p> <p>WILLIAM TIBBS: I know it's inside.</p> <p>JAMES RAFFERTY: I think that's deliberate because I think the pool could be seen as presenting other challenges. It's designed to be a visual amenity and I think there's a concern that some part of the evening it may become --</p> <p>WILLIAM TIBBS: Quite frankly -- this is my own personal feeling -- but you have to put the pool on something as dominant as that inside</p>

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a fence, then you shouldn't have a pool there. That's my personal -- you know what I mean? I don't know you don't know what I mean.

JAMES RAFFERTY: But in fairness, I want to say, Mr. Tibbs, all of this -- and I think that's where Laura is going -- this has been the subject of much discussion between the designers, and so these -- they're relevant significant questions about some of the double-edged sword of having certain features in this design so -- we have been struggling with it, so it's very relevant.

LAURA SOLANO: So one of the things that we certainly felt is that this -- we needed to bring the landscape forward, and I think that's very obvious how we have done that. However, we also saw that as an opportunity to -- instead of having a fence that was very obvious across the front, that, in fact, more than half of it would

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be embedded in landscape.

So that if you look at this, this is actually part of the plant itself, and therefore, we feel that it won't be nearly as obvious, in fact, because the majority of the plant bed actually sits outside of that fence. So that, we felt, gave us a great opportunity to do that.

You know, as in any main entry, we have a lot of complex conditions to take care of. This is the entrance to the building, so we need to make sure that there's very clear access that takes care of it.

We also need, if you're coming from this direction (*indicating*) and you go in that way (*indicating*), we need to have that.

So it's prevented us really from flipping kind've this bed to the other side because it would block this entrance.

So we were very careful to look at the

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diagram of the movements, not only by people who will occupy the building, but also people as they're coming from different directions.

So we felt that we were trying to minimize the amount of fence that would be in contact with the hard surface, and we really have done this on all of the edges.

So here you have a 15-foot opening --

WILLIAM TIBBS: I understand that. I think you can help me on this if we really -- and I think you're doing it. It looks like in some cases you're doing it and in some cases you're not. You're showing the doorways.

LAURA SOLANO: Yes. This is the open conditions.

WILLIAM TIBBS: No, no. I'm talking about the doorways in the building.

JAMES RAFFERTY: The arrows, the dark arrows.

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WILLIAM TIBBS: Quite frankly, for me, as I'm looking at it this, just even if you go into the building a few feet so you can actually see that there are -- you got three double doors that are entry doors, or whatever, I think you're so singularly only looking at this landscape and the fence, I'm struggling how this whole thing puts together, that's why I asked you about the pool and I'm thinking if the pool to be -- yeah, it's just there.

I think the problem I'm having is, and this is again, other board members need to pitch on what they think -- but the problem I'm having is that the design says something different than what your operational intentions, and I think probably even with the fence, as you have designed it, as we mentioned earlier, having a more flexible and slightly more operational way of dealing with it might make it all -- because

<p style="text-align: right;">134</p> <p>with all these things opened, it might not be as big of a problem, but as soon as you close it down, it just sends a strange message.</p> <p>And where these are expensive notable buildings, the design is pretty up there, and it just seems -- you now, as a Planning Board member for the City of Cambridge, I just find it problematic to spend the money that you're spending, and to do what you're doing and just not have something that's maybe a little bit more perceived to be more inviting, I guess.</p> <p>And it it's a very dominant piece of property on Mass Ave. But I'm just having a hard time pulling all this together because I think it's not just for -- for me, it's not just about the fence. I almost need to see that in the context of the entrances, and the other elements in what you're trying to do, and I think you're getting a little bit of that. Just so that you'd</p>	<p style="text-align: right;">136</p> <p>The only issue I had is it's such inviting garden over, you know, the weekdays, why not continue on the weekends, and it's great to have the fence there in case there's safety issues to have security lock everything up and ask everyone politely to leave based on the threat that might be there, and I'm a big supporter of that. But that's the only issue I have.</p> <p>Any other design is way over my head. I think it looks beautiful, and we have already done that design, I believe, and approved it prior. So that's all I have to say.</p> <p>THEODORE COHEN: I'll hop in here. I agree with everything that Bill said. I really find -- well, I'm offended, I should say, at the idea that it will not be available or open on weekends at all. And I think you really ought to think about the possibility of having a security</p>
<p style="text-align: right;">135</p> <p>know if indeed you were -- I'm going to dismiss the pool right now -- but if indeed we -- I can see where you came up getting the fence where it is. I can see the idea of having a fence, that's a design logic that I understand.</p> <p>But I'm just trying to see if it's right for Cambridge and that it's right for this particular property and these significant buildings. I'll let it go at that.</p> <p>HUGH RUSSELL: Let's hear what other people think.</p> <p>AHMED NUR: I'll be very quick. I started to talk about the gate on the weekends, and Bill asked the question he'd like to hear what other members think. I personally would either like the design of the landscape, the building as a whole, and it's much needed where it is in terms of location at that corner of Windsor and Mass Ave.</p>	<p style="text-align: right;">137</p> <p>guard perhaps on more limited hours during the spring and summer and fall. It's such a prominent location, and most people who will be going by with their families will be doing it on the weekends, and they're going to come up to this building and they're going to see this huge fence saying "stay out."</p> <p>You know, I like the building, I like the landscaping, but I think the fence is just very uninviting and very fortress like, and from your security concerns, it almost seems to me it's inviting people to see this as a hostile monolithic building and organization rather than something that's right on Mass Ave welcoming the public and welcoming, you know, being a part of the community.</p> <p>I have a question about the Osborn Street entrance.</p> <p>LAURA SOLANO: Would you like to see the</p>

<p style="text-align: right;">138</p> <p>prospectus as well?</p> <p>THEODORE COHEN: Yeah. Is there a purpose to the fence that comes down the brick wall down to the street where you got the gentleman walking?</p> <p>LAURA SOLANO: Are you talking about this area (<i>indicating</i>)?</p> <p>THEODORE COHEN: Yes.</p> <p>LAURA SOLANO: Yes. This is a drop that we have to protect people from. So, in other words, if someone were to get to the edge, we don't want them to drop into this area (<i>indicating</i>). It would be dangerous, so we've added this piece.</p> <p>HUGH RUSSELL: There's a building exit there.</p> <p>LAURA SOLANO: Yes, that's right.</p> <p>JEFF LOCKWOOD: Yeah, it's fire control.</p> <p>THEODORE COHEN: Okay. I would also</p>	<p style="text-align: right;">140</p> <p>have time to enjoy it.</p> <p>So, I think there's a dilemma there that you ought to find a resolution of some sort.</p> <p>I don't understand, I must admit exactly what it is that's bothering Bill. I think that you have done a good job in trying to strike some difficult balances, and I can feel that you're leaning over backwards to anticipate our problems by making these fences so transparent, so unobtrusive by running through the landscape, you don't see much of them.</p> <p>You're trying very hard not to put up a barbed-wired fence, and I think you've succeeded.</p> <p>So, on the design -- and how it relates to the entrance, well, I'm not here able, at this point, to understand all the complexity of what you went through, but I think you have done all right and I think it's fine the way it is.</p> <p>So, to me, I think everything is</p>
<p style="text-align: right;">139</p> <p>suggest, you know, that next time you come back, you show the ramps and the railings?</p> <p>LAURA SOLANO: Yes, we will.</p> <p>THEODORE COHEN: It's a very different concept without them.</p> <p>THOMAS ANNINGER: Okay. Just a couple of thoughts. If I understand what Bill is saying, I see a distinction between the weekend issue and the design issue that Bill is talking about.</p> <p>On the weekend issue, I would like to see us find some way to do it.</p> <p>It doesn't have to be all year-round, it doesn't to be -- something reasonable and I think there's room to find that opening.</p> <p>In a way, you're a victim of your own invitation to make something so beautiful, people are gonna want to go in there, and I think it's going to be seen as somewhat of a rejection if you can't get there. And on weekends is when people</p>	<p style="text-align: right;">141</p> <p>acceptable, except for the closing down on weekends.</p> <p>You understand, of course, that you're in a city that has campuses throughout. You call this a campus yourself. And we are used to walking through Harvard and MIT, it's part of the culture in this city, and I think this is countercultural in a rather strong way.</p> <p>And so, I think you have to find some way to deal with that.</p> <p>AHMED NUR: Well put.</p> <p>HUGH RUSSELL: I keep thinking, it really bothers me that the front door to the building is inside the fence. Now, if that fence is open seven days a week, then I think probably my concern goes away, but I just think that's clumsy and apparently it's driven by the water pool more than anything else. The water pool is maybe somebody's favorite thing.</p>

<p style="text-align: right;">142</p> <p>JAMES RAFFERTY: Have you planted listening devices in the office?</p> <p>HUGH RUSSELL: It's such an arbitrary feature, and frankly, it's going to look pretty silly, I think, in the reality of the environment because it's not big enough. I guess it's about 50 by 20 feet or something like that?</p> <p>LAURA SOLANO: No. This is 16 feet. So it's probably close to 25 or 30 feet or so.</p> <p>HUGH RUSSELL: That's smaller than this room. Maybe half this room. It's not insignificant. It's not a -- I can understand your concern, even though it might be very shallow, or presumably it's very shallow because some layers of parking and other things under it, I imagine, but it's kinda what Bill is saying, what message does that send on the front door of your building behind the fence?</p> <p>You have gotten yourself into that</p>	<p style="text-align: right;">144</p> <p>entrance on Mass Ave, and the pool, and the design of the fence at the pool, I guess that I wouldn't mind if you sharpened that a little bit, at least for me, because I didn't see -- I still don't see what it is that's bothering you.</p> <p>I can see the last point you made which is the entrance is behind the fence, but during the opening, that's not gonna be an issue during the day.</p> <p>HUGH RUSSELL: Well, the gate will be open. One of the very curious features of the design to me is that on Massachusetts Avenue side, there's actually a fixed fence that's never open, but on Windsor and Osborn Street in equivalent locations, the fence is a bi-fold fence and pulled out of the way, and so, in some sense during the open hours, it's a less hospitable on Massachusetts Avenue than it is on the side streets where there's not much public</p>
<p style="text-align: right;">143</p> <p>because you're out making the street frontage active on all three not using the street frontage for your own front door and that, so it doesn't make sense to me.</p> <p>Do you have anything more to say?</p> <p>THOMAS ANNINGER: Are we prepared to approve this tonight?</p> <p>HUGH RUSSELL: I just want to confirm that we're not prepared to approve this tonight in the form that has been shown to us.</p> <p>THEODORE COHEN: I would agree with that.</p> <p>HUGH RUSSELL: Our questions are not so much design questions. Most of the design things are explained -- I think we have understood and accepted that they're really well designed.</p> <p>THOMAS ANNINGER: Well, maybe -- I'm not sure what the open question is. If it's the weekend question, that's something that can be bracketed. If it's the location of the front</p>	<p style="text-align: right;">145</p> <p>pedestrian traffic. It may change somewhat with all the redevelopment in that area, but these streets are pretty dead streets.</p> <p>THEODORE COHEN: I also think it's very odd on the Mass Ave facade that the fence -- you got this gorgeous column and the fence goes right in front of it. It's just blocking the view of it, and I know you're going to say that there's landscaping that's going to be growing up there, but it just seems that the column is such a major part of the facade and the entranceway and there's the fence right in front of it.</p> <p>I mean, I think we raised enough issues that I think it would make sense if the designers could go back and think about it again and work with the comments. I don't think they're really there yet.</p> <p>AHMED NUR: I stay with Thomas. I think with the exception of the weekend access, I'm</p>

<p style="text-align: right;">146</p> <p>pretty good with this. So it sounds like the other members have other issues to work out, and I am willing to go long with that as well, but it depends on where you stand, Hugh.</p> <p>HUGH RUSSELL: My turn on principle is if there are members that want more discussion, then we, as a board, together need to support that.</p> <p>AHMED NUR: Okay.</p> <p>WILLIAM TIBBS: Again, I'm not saying about the design, but it won't bother me if the fence on Mass Ave were actually further back in some way or form. And instead of thinking of it as putting a fence around a big yard, you could have the fence deeper in, so you could control the security much deeper in the site and get still get some sense of welcoming and openness outside of the fence on the inside.</p> <p>I think for me as a principal, I would like this to feel like that this is opening and</p>	<p style="text-align: right;">148</p> <p>to me the feel and intent.</p> <p>We have many, many, many pharmaceutical companies in the city. I'm sure they have similar security issues.</p> <p>So I want -- I just don't want you to be singled out, and you will be singled out as somebody who is not an open player, and I think there's ways that you can close this down and people will see, yep, you closed it down because it's late at night or the winter or it's whatever.</p> <p>But in my mind, I'm not quite sure that would happen if you closed that at 7:00 on the weekday and not on the weekend, so it's the combination of the two.</p> <p>But I don't mind the fence further back so you have some opening on Mass Ave particularly, and then, you just don't allow access deeper into the site. But to have -- and</p>
<p style="text-align: right;">147</p> <p>inviting, and when the fence is closed, it's closed for people that -- even the people passing by would feel. You get that very sense in Harvard Square, particularly, I think, this winter they actually -- some of the student protests, they actually closed the gates, which they typically didn't do in the past. But if you go by that gate at 10:00 at night and it's closed, you know it's 10:00 at night and they've closed it because they're concerned about security or whatever reasons.</p> <p>But on a summer day if I go by at 7:45 on Mass Ave, which is a very public and very nice thing to do, I just don't want it to feel like you're enclosing.</p> <p>Again, the design-wise, I think you have done an excellent job in the buildings, and, quite frankly, I think you have done an excellent job in trying to juggle all this. But it's more</p>	<p style="text-align: right;">149</p> <p>I know these are big spaces. And that's the other problem, you know, you're drawing -- a sense of scale, it's hard to get a better sense of scale on the actual renderings. But they're big spaces. But that's the key. It's the feel.</p> <p>I don't think you want to, after investing all of this time and energy and money into this project, you don't want to feel like you're a very good corporate citizen of Cambridge.</p> <p>(James Williamson raising hand.)</p> <p>HUGH RUSSELL: There are some people who have been wanting to speak. This is not scheduled as a hearing.</p> <p>What is the Board's pleasure on that subject?</p> <p>THOMAS ANNINGER: I think there's enough pent-up desire out there from the intensity of waving of hands, I would be glad if we could hear</p>

<p style="text-align: right;">150</p> <p>them speak.</p> <p>HUGH RUSSELL: James.</p> <p>JAMES WILLIAMSON: Thank you, I appreciate it. I know this is not a public hearing. But my understanding was when it was a public hearing, there was a sense that there was some unanswered questions and this was a key question.</p> <p>First of all, there is a story circulating widely in the neighborhood, and specifically at Area 4 coalition meetings that I have attended and other settings that a family with kids were in the supposedly public area during work hours at the existing Norvartis building, and were approached by a security guard, and asked if they were Norvartis affiliates. And when they said no, they were asked to leave. And this was during this so-called work-hour period. So whether that is a</p>	<p style="text-align: right;">152</p> <p>continuing to be concerned about the hours of access during weekdays and evenings as well. Seasonal considerations, I think, would probably, you know, make some sense. But one of my biggest concerns was always the shortcut through the property, not so much access from Mass Ave as the crossing from Windsor Street through what will now be the Norvartis complex through the property over to Osborn Street, and that is a shortcut to the MIT Museum from buildings at MIT that leads to an archway through a building, the other side of Osborn, which is a shortcut that's useful to take, you know, sometime as someone pointed out for students and for people like myself who sometimes go to events at MIT. It's useful to have that available after 7:00. I would say at least 9:00. I don't see why, you know, I mean, I think there were people who were hoping for just not having any fencing and curfew at all.</p>
<p style="text-align: right;">151</p> <p>true story or not, the perception is that there are problems with the current implementation of existing commitments.</p> <p>Secondly, it's my recollection at that public hearing, I was keenly interested in this issue, as were a number of other people, I think, about how late would this be public, and I think you could go back, and I would ask you to go back and look at the transcript of that discussion, and it was my distinct impression that what was being -- it was deliberately kind've made vague, I think, at the time, but also kept open. And my impression was that we were talking about the possibility of a curfew that might be at 10:00 or 11:00 at night, not at 7:00 in the evening, which in the summer, it means before sunset.</p> <p>And so, I am glad to hear you asking about weekends, but I would hope you would also, you know, be willing to consider, you know,</p>	<p style="text-align: right;">153</p> <p>But if you're going to talk about a curfew and you don't want 11:00 and you don't want 10:00, that something like 9:00 would be extremely reasonable.</p> <p>But those are some of my concerns. Thank you.</p> <p>HUGH RUSSELL: John?</p> <p>JOHN HAWKINSON: John Hawkinson with MIT Tech, 84 Mass Ave.</p> <p>Laura, could you put the Osborn Street plan view? So when I look at this, it seems that the connection between the ramp and the stairs is behind the fence, or it's maybe hard to tell. So someone who comes along the ramp, while the gates are closed, can't get to the steps and can't make a little loop there, I just wanted to know if that was correct.</p> <p>LAURA SOLANO: That's correct.</p> <p>JAMES HAWKINSON: And then what the</p>

<p style="text-align: right;">154</p> <p>thinking is then?</p> <p>LAURA SOLANO: Well, I think we saw this as an accessible route. So if you were using this and could not use steps, you wouldn't go down that way. You would just turn around again.</p> <p>JAMES HAWKINSON: Okay. Because it seems to me that it invites traffic from State and Main, but then you get stuck.</p> <p>And my other question was: In your November submission, you presented some detailed renderings of the inside the courtyard, and I was just wondering whether the conception was the same or had there been any changes?</p> <p>LAURA SOLANO: The conception is the same.</p> <p>JAMES HAWKINSON: Okay. That's this (<i>indicating</i>).</p> <p>HUGH RUSSELL: It's an evolution. Not a change.</p>	<p style="text-align: right;">156</p> <p>speak?</p> <p>MINKA VANBEUZEKOM: My first name is Minka. My last name is vanBeuzekom. And I can attest to what Jeff just said. He gave a very earnest apology for that having happened and it was unfortunate.</p> <p>I wanted to say three things, and the third is a repeat what has been said before, but the first one has to do with the Osborn Street entrance, which you called the neighborhood. You were thinking of that as more of the neighborhood entrance.</p> <p>So, looking at the three designs, for me this one (<i>indicating</i>) is the least welcoming of any of the three. And, you know, I don't know enough about undulating surfaces and how you welcome someone into a space to know why that is. Maybe it's this heavy shadow that is above the top of it because you have to go under the</p>
<p style="text-align: right;">155</p> <p>LAURA SOLANO: But if you're talking about the interior of the courtyard, yes, it's the same.</p> <p>THOMAS ANNINGER: I'm not sure if you heard about the point about people being asked to leave the Norvartis site. Maybe you could answer that one.</p> <p>JEFF LOCKWOOD: I can answer that. And we're well aware of that situation, and it was an unfortunate situation where literally -- and this was brought to our attention by Councilor vanBeuzekom, we had changed security companies literally the week before, the new guards were not aware of our policy and had made a mistake. It was remedied that day when it was brought to our attention and has not been a problem since and will not be a problem.</p> <p>THOMAS ANNINGER: Okay.</p> <p>HUGH RUSSELL: Councilor, you wish to</p>	<p style="text-align: right;">157</p> <p>connector between the two buildings. I don't know what it is.</p> <p>But to me that feels like the least welcoming of the three entrances.</p> <p>And the one that is the most welcoming ironically is the one on Windsor, which will probably see the least amount of public flow through and that one seems the most welcoming.</p> <p>The other thing I wanted to say about the Osborn -- I mean, the Windsor Street entrance is the gate that's actually inside the plant bed. To me that looks like a nightmare of the person who is going to be opening and closing those things. They'll have to step into the bed. There wouldn't be able to be plants around there. I can just see that getting worn very quickly.</p> <p>So, if there were to be a fence there, it seems like it should just be as thin as possible with as much space between the railings as</p>

<p style="text-align: right;">158</p> <p>possible so you could see through, but they should stay there and not having to someone step in there and open and close it periodically.</p> <p>And then the third thing I want to say, which is just a repeat of what has been said before, except I'm going, I think, to be even more emphatic and say I completely do not buy the premise that there has to be a fence.</p> <p>When there was the ground breaking, I had the honor of being at the ground breaking ceremony, and that ceremony will be forever the one that I hold dearest in my heart because it was my first one, so I'm going to keep that shovel forever. But I had the opportunity to talk with the corporate headquarter guy who came over, and I asked him why there has to be a fence there, he gave the exact same reason that you did, which we're worried about animal vivasectionists. We're a large corporate</p>	<p style="text-align: right;">160</p> <p>you don't want people hanging out there, you tell them to leave. It's your property.</p> <p>But I just feel and it has been said before, as one of the premier corporate citizens of Cambridge, I would very much like to see you keep up with that openness. So I don't buy the premise that you need a fence at all.</p> <p>Thank you.</p> <p>HUGH RUSSELL: Not to argue with the remarks just made. I think one of the characteristics of this space is that it's not easily observed from the public realm, that the buildings form gateways and there's a lot of space in the middle of the walk.</p> <p>So I'm not -- I feel that it's reasonable, particularly after dark, to limit public access because it's not readily observable and that's a difference that is -- it's different than other kinds of public spaces between</p>
<p style="text-align: right;">159</p> <p>company. We're worried about people targeting us.</p> <p>I would say to you and to the Planning Board what I said to him, which was, you know, this is not Zurich, this is not Basel, this is not Stuttgart, this is not Cardiff, this is not London, you know, this is Cambridge, Massachusetts and it's open. MIT's campus is completely open. There are no fences. The buildings are closed on the weekends. But you can walk through buildings even during the day. There are no fences.</p> <p>And your fence across the street was actually in my -- to my knowledge, the first time something was walled off like that. And I'm not talking about Genzyme in Boston. That's Boston. I'm talking about Cambridge, Massachusetts and I think we pride ourselves on being open.</p> <p>This will remain private property. If</p>	<p style="text-align: right;">161</p> <p>buildings in the city.</p> <p>There may be limited parts of MIT's campus that are equally surrounded by buildings, but I think they're also -- there are portions of -- MIT is kind've like a 24-hour place, but there's always going to be a light in a window and people hearing what's going on outside. So I can see that's another reason and while I would hope the city doesn't end up with protests, and I'm not -- I think that the ability to close off the space is probably important.</p> <p>So I -- I wish it weren't important, but there have been -- I have lived in the city 50 years, and there have been only three or four times when Harvard Yard has been closed, but there have been three or four times in those 50 years where that yard has been closed off because of actions which the university would claim is unrelated to society at large, but they're not</p>

<p style="text-align: right;">162</p> <p>just students, they're students plus other people with other agendas. I can see that changing, that a very important international company that is in the business you're in could become a target.</p> <p>So, yes, you can hire someone to put up a fence within eight hours at any time that happens, but in some sense, it may be too late, so...</p> <p>WILLIAM TIBBS: I want to say that relevant to that I think that one reason why the fence could be deeper in, so that a lot of it, you don't get the sense of the space from the public realm, then if you should go back there and you see a fence and that's okay because you're protecting an area which is less private.</p> <p>I do want to say, though, I'm really thinking about the first hearing, it is your design. You have the buildings where they are.</p>	<p style="text-align: right;">164</p> <p>So there wouldn't be any entrances around in that little nook, it will all be on --</p> <p>JAMES WILLIAMSON: And there was something I want to say about the animal research thing, which I forgot, it's like one sentence.</p> <p>MIT -- sorry -- people have raised the issue of the concern about protests, and you know, okay, but I just want to be sure that everybody understands, MIT had animal research in Building 16, they have a basement and they have a super secure subbasement and they have crematories in the buildings, and there's ample opportunity for protest there at this biological lab at MIT, and there are no special fences or anything else. There's a front door on a public street. And, yes, there, have from time to time, been protests in the City of Cambridge about people's perceptions about animal rights.</p> <p>But I don't think having a fence or not</p>
<p style="text-align: right;">163</p> <p>If there's a large area of openness, that that's visible that's because of the way it's designed. It could've been designed so that's not an issue. I'm not saying the design isn't reasonable, but, I mean, I'm just saying that these not like we gave you the site and now you have to work with it. This was an empty site, and I remember thinking that very much at the first hearing in terms of how the buildings were and their heights and the fact that they were enclosing a fairly large space that was a little bit out.</p> <p>I think we talked about this enough, so I would be interested in seeing what your reaction to it all is.</p> <p>MINKA VANBEUZEKOM: I got a little carried away with my third point. And I forgot, there is another point, which is the retail space that's on the Mass Ave/Osborn, and I wondered if you could describe that a little bit.</p>	<p style="text-align: right;">165</p> <p>-- I mean, I don't think it should rest or fall on whether there's a fence or not.</p> <p>Thank you.</p> <p>HUGH RUSSELL: As a comment, Harvard does primate research in Southborough, Massachusetts. They made that decision consciously.</p> <p>THOMAS ANNINGER: We have done a lot and I'm tempted to say one more thing which I sort've said half an hour ago.</p> <p>I think it's reasonable to have fences that give you the option just like Harvard Yard does. But what I guess I would like to hear a little bit more about at your next time is some ability to use the experience that you have over time to influence your operational procedures, so that if you find that after a year that your anxiety may have been somewhat misplaced and that you're more relaxed at the end of a year or two or six months, perhaps all this could be relaxed</p>

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<p style="text-align: right;">166</p> <p>and you might decide to keep those as an option for troubled times, but not necessarily the ones that you set up at the outset. A little bit like how we operate with parking. We make studies of how it goes and we respond to these parking studies. In the same sense, I think you could respond a little bit, you might find that the people in Cambridge are pretty responsible after all.</p> <p>HUGH RUSSELL: Are we done?</p> <p>JEFF LOCKWOOD: We're done.</p> <p>HUGH RUSSELL: Thank you. And we have one more item on our agenda.</p> <p>Planning Board Rules and Regulations Review and Adoption.</p> <p>I received a draft from the City Solicitor and questions on how you want to proceed with that draft.</p> <p>THEODORE COHEN: Well, if I could jump</p>	<p style="text-align: right;">168</p> <p>red ones were the ordinance and the purple ones were the City Solicitor's?</p> <p>THEODORE COHEN: I didn't get them in color.</p> <p>WILLIAM TIBBS: It didn't matter, but I was just interested --</p> <p>THEODORE COHEN: I think what I saw in red was the City Solicitor's comments, and they were operating, I think, from our original rules and regulations where we had prepared something different, so I think we'll be able to incorporate everything.</p> <p>THOMAS ANNINGER: I'm in agreement with what Ted just said. It's puzzling why they chose to markup the rules from 2006 rather than the rules that we had presented to them in 2012.</p> <p>They just started from a starting point that ignored some of the work that we had done.</p> <p>WILLIAM TIBBS: Maybe that's what I</p>
<p style="text-align: right;">167</p> <p>in? Tom and I discussed it earlier today because we had been involved in drafting some revisions to the rules and regulations, and it seems the City Solicitor made some comments about the rules and regulations, but did not incorporate or comment upon many of the things that we thought were appropriate, but also in their letter did not dispute that they could be done.</p> <p>And so, what we would like to do, is incorporate their comments together with some of our comments and bring a draft back, or hopefully a final draft back to the Board at a subsequent meeting.</p> <p>We think it would -- we didn't think it would contradict anything that the City Solicitor's office did, but will enable us to incorporate some of the additional procedures we wanted to have.</p> <p>WILLIAM TIBBS: I have a question. The</p>	<p style="text-align: right;">169</p> <p>missed. Actually, I assuming and I didn't have actually --</p> <p>THOMAS ANNINGER: I don't know if the colors had much to do with that. But what we would like to do to take what we can learn from the markup of the City Solicitor's office and put that together with what we did and come up with what I think Ted said ought to be the final draft, and I see no further need to re-present that to the Law Department because we will have taken into account what they said and we're happy to do that.</p> <p>WILLIAM TIBBS: Can I make one comment or ask a question, and that is, I think one of the issues, I guess, that you were hinting at was this issue of closing the hearing, and so, it says we have the right to do that any way and any time we want.</p> <p>THOMAS ANNINGER: Well, you've hit the</p>

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<p style="text-align: right;">170</p> <p>nail on the head, that is, what the City Solicitor's office did not seem to understand what the objective of our change was. They did it in a rather legalistic way and never really went to the heart of the issue, which is we wanted to change our procedure to respond to a different sense of how we wanted to deal with openings and closings of the hearing.</p> <p>WILLIAM TIBBS: Is it worth you two having a conversation with him?</p> <p>THOMAS ANNINGER: I don't know if it's necessary. It would be an inefficient use of our time.</p> <p>GRAY GRAY: To add to that, my sense from Nancy's memo was that the Board did have an extremely great amount of latitude in terms of how they looked at it because of the fact that they weren't required to have that testimony. Therefore within that, from her standpoint, there</p>	<p style="text-align: right;">172</p> <p>HUGH RUSSELL: Any more business? THEODORE COHEN: We're adjourned. (Whereupon the hearing was concluded at 10:16 p.m.)</p>
<p style="text-align: right;">171</p> <p>was a great deal of latitude that the Board had in terms of how to structure it.</p> <p>To me, as I looked at her comments, that was sort've the critical passage, as she cited things, which was to say because you're not required to do this, you have a lot of latitude underneath that in terms of how you -- how you voluntarily chose to have it and what restrictions you chose to make, it's really up to you.</p> <p>HUGH RUSSELL: Okay. The draft we said before was to try to put down on paper what the expectations -- what expectations people should have when they talk and when they can't and respond to people's --</p> <p>THOMAS ANNINGER: We have a little bit more work to do. I don't think it's a lot. And we'll be back to it maybe before the summer is out.</p>	<p style="text-align: right;">173</p> <p style="text-align: center;"><u>CERTIFICATE</u></p> <p>Commonwealth of Massachusetts Suffolk, ss. I, Jill M. Kourafas, a Notary Public in and for the Commonwealth of Massachusetts, do hereby certify: This transcript of the Planning Board Meeting of 7/17/2012 is a true and accurate record of the proceedings. IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of July 2012.</p> <p>_____ Jill Kourafas Notary Public Certified Shorthand Reporter License No. 149308</p> <p>My Commission expires: February 2, 2017</p>

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