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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, January 15, 2013

7:05 p.m.

in

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

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

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

- Susan Glazer
- Liza Paden
- Roger Boothe
- Stuart Dash
- Jeff Roberts
- Taha Jennings
- Iram Farooq

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P R O C E E D I N G S

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

HUGH RUSSELL: Good evening, this is a meeting of the Cambridge Planning Board. And the first item on our agenda is the review of the Board of Zoning Appeal cases.

LIZA PADEN: This is an agenda of the cases that are going to be heard on January 24th. The first I would like to point out to you is 8 Mill Street. Harvard College is going to be putting a small addition to provide accessibility to the building. The proposal has been reviewed by the Cambridge Historical Commission and Charles Sullivan, and the Board writes that they have made a determination that the second floor connector, which is the subject of the Zoning relief, will have no adverse affect on the major exterior features of the

1 building. And they are looking for forward
2 to having approved accessibility to the
3 building.

4 If the Board wants to look at that
5 case, I do have a set of plans here.

6 HUGH RUSSELL: Does the building
7 have a name?

8 LIZA PADEN: It's called -- yes, it
9 does. It's called McKinlock Hall.

10 HUGH RUSSELL: Thank you.

11 I have no --

12 LIZA PADEN: It's the one --

13 STEVEN WINTER: If the Historical
14 Commission feels it's ready to move forward,
15 then it's fine.

16 HUGH RUSSELL: And I feel it's not
17 visible much from the street. It must be
18 connecting the dining hall. There's a plan,
19 I don't know how I've seen this, but maybe
20 there -- Harvard has an agenda to convert all
21 of their 1930's dormitories into accessible

1 faces which involves reconfiguring major
2 project. I don't think they've done an
3 enormous amount of work on them because they
4 were built really well.

5 LIZA PADEN: Right.

6 HUGH RUSSELL: And so now they're
7 kind of, you know, 80 years after they're
8 built they're going back and fixing things.

9 LIZA PADEN: So the complication for
10 this case is that the connector that's going
11 to bring together the two buildings is in the
12 front yard setback.

13 HUGH RUSSELL: Because the building
14 is enormous and it has a Residency 3-D
15 District with a formula setback that is
16 ridiculous.

17 LIZA PADEN: Yes, that's it.

18 HUGH RUSSELL: Yes.

19 LIZA PADEN: And there's also a case
20 on the agenda tonight for 238 Main Street,
21 Mr. Sousa is here for Sprint. This is a

1 replacement of the telecommunication antennas
2 on the building. Do you want to look at
3 that?

4 HUGH RUSSELL: I guess we have the
5 owners here, too?

6 LIZA PADEN: Yes, we do.

7 HUGH RUSSELL: So the good news,
8 you're putting a lot of new stuff on the
9 building, and the good news is you can't see
10 it. Is that basically the story?

11 ATTORNEY RICARDO SOUSA: Fairly
12 close, Mr. Chairman. We're actually
13 substituting just three of the existing CDMA
14 antennas operated by Sprint, and we're
15 replacing them with multimode antennas. So
16 we're not increasing the number of antennas
17 in any way. And so we're just substituting
18 three of the old stem antennas for new
19 multimode antennas.

20 STEVEN WINTER: And the difference
21 between the two are?

1 ATTORNEY RICARDO SOUSA: They are
2 longer. The new antennas are longer, and
3 they operate two different frequencies, both
4 1500 and 900 megahertz. Much like the
5 previous modifications that I've done for
6 Sprint.

7 And so we're not increasing the number,
8 we're also adding remote radio heads to this
9 installation. All of the antennas, the
10 existing installations consists of six panel
11 antennas operating both the Sprint and
12 ClearWire signals, and three of those, the
13 CDMA antennas are going to be taken out to
14 replace some of the new ones. They're all
15 facade-mounted. There are two large -- if
16 you look at the photo sims, there are two
17 large black screen walls up there hiding HVAC
18 equipment, and four of our panel antennas are
19 on the facade of that -- those screen walls.
20 And so the new antennas will also be
21 facade-mounted. They will not extend beyond

1 the height of the screen wall in any fashion.

2 STEVEN WINTER: And they'll be black
3 as well?

4 ATTORNEY RICARDO SOUSA: And they'll
5 be black as well. And then two of the panel
6 antennas, the only place you can really see
7 them are from the first view, which is the
8 back parking lot of the building. Two of
9 those -- there are two antennas that are
10 facade-mounted on a brick penthouse just to
11 the left. You can see it pointed with an
12 arrow. And once again we're just
13 substituting, taking out one old one and
14 putting in one new one.

15 STEVEN WINTER: And I know you've
16 had helped us with this before, but what does
17 a radio head look like?

18 ATTORNEY RICARDO SOUSA: Radio head
19 is a box. It's about 18 inches wide and
20 about one foot tall.

21 STEVEN WINTER: Okay.

1 ATTORNEY RICARDO SOUSA: And these
2 are going to be placed down at the bottom of
3 the penthouses.

4 STEVEN WINTER: Okay.

5 ATTORNEY RICARDO SOUSA: So that
6 they're below the parapet wall. So they're
7 not visible to the public.

8 And the remote radio heads that go with
9 the antennas that are on the black screen
10 walls, those remote radio heads will actually
11 be inside the screen wall so they will not be
12 visible to the public at all. So what we've
13 tried to do is design this modification so
14 that it has as little....

15 (A short recess taken due to
16 technical difficulties.)

17 HUGH RUSSELL: Okay. So do you want
18 to repeat your answers --

19 Attorney RICARDO SOUSA: I can.

20 HUGH RUSSELL: -- and she can write
21 down the questions.

1 ATTORNEY RICARDO SOUSA: You asked
2 with we respect to the model that's here
3 before you, Kendall Square has a proposal
4 before the -- the Board has a proposal before
5 it where additional buildings will be built
6 close to the subject building at 238 Main
7 Street. And what will happen to our
8 installation if in fact those new buildings
9 are built and block our signal, and my
10 response would be that this happens on a
11 fairly regular basis in an urban environment
12 and we often have to find an additional
13 location to solve that blockage problem so
14 that we can provide not only coverage but
15 capacity to the customers in that location.

16 And with respect to your other question
17 as to whether or not buildings can be built
18 to accommodate or better accommodate in
19 advance some wireless installations. Each of
20 these networks is to a great extent dynamic.
21 It's -- they're unique to the carrier and

1 there's so much going on between carriers
2 relative to the consolidation, and it would
3 be hard to predict for a building owner
4 exactly where a particular carrier needs
5 coverage. That being said, most buildings
6 are built with screen walls around the HVAC
7 equipment, and that's usually a perfect
8 location for our antennas from an aesthetic
9 perspective.

10 (William Tibbs Seated.)

11 HUGH RUSSELL: And probably the top
12 two floors of the biotech buildings are going
13 to be entirely mechanical equipment and so
14 they might be located within the building.

15 ATTORNEY RICARDO SOUSA: Yes.

16 HUGH RUSSELL: Provided, you know,
17 there were places that the radio waves could
18 get through.

19 ATTORNEY RICARDO SOUSA: Yes, that's
20 right, Mr. Chairman. If you use RF
21 transparent material as the screen material,

1 you can replace the antennas materials that
2 behind and still transmit the signal.

3 HUGH RUSSELL: And then arguably you
4 would have to come to the city for or --

5 ATTORNEY RICARDO SOUSA: We would.
6 Under your current by-law yes, we would.

7 HUGH RUSSELL: Even if it's hidden
8 inside the building. We could --

9 ATTORNEY RICARDO SOUSA: My
10 understanding is that yes.

11 HUGH RUSSELL: We could probably
12 work on that.

13 Steve.

14 STEVEN WINTER: I have -- I had a
15 comment which is that I think that we should
16 forward this with a note to the Board of
17 Zoning Appeals that this proponent came in
18 with everything looking really good and that
19 this reflects a trend that we're seeing now
20 which is the proponents are coming in
21 extending a lot of effort to try to make

1 these -- this infrastructure not visible to
2 the public and we really do appreciate that.
3 And the other thing is when -- do you know if
4 when the infrastructure is decommissioned,
5 does the carrier always remove it or does the
6 carrier, in your practice sometimes leave it
7 there and it must be removed by somebody
8 else?

9 ATTORNEY RICARDO SOUSA: Typically
10 it's the carrier's obligation both under the
11 lease agreement --

12 STEVEN WINTER: Okay.

13 ATTORNEY RICARDO SOUSA: -- and very
14 often drawn by the by-law --

15 STEVEN WINTER: Okay.

16 ATTORNEY RICARDO SOUSA: -- to
17 remove any obsolete equipment.

18 STEVEN WINTER: Okay.

19 ATTORNEY RICARDO SOUSA: There have
20 been instances where there have been sort of
21 fly by night companies that have left their

1 dishes here or there. But in most cases the
2 reputable carriers, the larger public
3 carriers remove their equipment.

4 STEVEN WINTER: Okay, thank you.

5 ATTORNEY RICARDO SOUSA: You're
6 welcome.

7 HUGH RUSSELL: So, do we want to
8 send a message to the Zoning Board that we
9 are happy with this and that?

10 STEVEN WINTER: And that the
11 proponent made every effort, yes.

12 HUGH RUSSELL: Okay.

13 THOMAS ANNINGER: Convincing.

14 ATTORNEY RICARDO SOUSA: Thank you,
15 Mr. Chairman, and Mr. Anninger. Thank you
16 members of the Board. Have a good night.
17 Thanks for your time.

18 HUGH RUSSELL: Okay, do we have any
19 comments on any other Zoning case?

20 (No Response.)

21 HUGH RUSSELL: So I don't hear

1 anybody. So I'd say that we'll go on to the
2 next item on our agenda which is an update by
3 Brian Murphy.

4 BRIAN MURPHY: Thank you, Mr. Chair.

5 After tonight's hearing the next
6 hearing will be January 22nd. That will have
7 a public hearing on medical marijuana interim
8 regulations as well as a continuation of the
9 Forest City hearing at which time we would
10 expect to have a favorable recommendation for
11 the Board to approve -- that answers the
12 questions that were raised at the last
13 hearing.

14 In addition, there will be additional
15 discussion under general business for bike
16 parking zoning.

17 February 5th the Planning Board goes on
18 the road. It will be Town Gown reports at
19 the Central Square Senior Center, and then
20 we've also have hearings February 12th and
21 19th for the month of February.

1 Also just to let you know at
2 yesterday's City Council meeting they took
3 the cafeteria amendment to the Zoning and
4 moved that with a favorable recommendation to
5 a second reading. So that's moving its way
6 along. And this Thursday afternoon the
7 Ordinance Committee will have a hearing on
8 the Forest City proposal.

9 HUGH RUSSELL: Okay.

10 Liza, are there any new transcripts?

11 LIZA PADEN: Yes, we have the
12 December 18th and it's been certified as a
13 complete document.

14 HUGH RUSSELL: Okay. Is there a
15 motion to accept that?

16 AHMED NUR: So moved.

17 HUGH RUSSELL: All those in favor?
18 (Raising hands).

19 HUGH RUSSELL: Everybody voted in
20 favor.

21 So the next item on the agenda is a

1 public hearing on what's called the MIT
2 Zoning Petition which creates a new planned
3 unit development District 5.

4 I guess I would comment that this is a
5 matter that's quite complicated and the Board
6 does not expect, I think, to make a
7 recommendation tonight on this. I think
8 looking at our agenda it looks like we might
9 discuss it February 19th. And so our goal
10 tonight is to hear this proposal officially.
11 We've heard it unofficially in December. To
12 hear people's comments. And it is to get all
13 of the issues out on the table. And then
14 we'll choose through them on February 19th.

15 So when you're -- and we're not --
16 we've sent a recommendation. We're not the
17 City Council. The City Council is the one
18 who acts on this. So one thing that's
19 helpful to us is if you just want to voice
20 your agreement with things that people have
21 said before you, that you just can get up and

1 just say that rather than repeating what's
2 been said before. Because, again, the idea
3 is to get everything out on the table and to
4 get a rough sense of what people think.

5 So, what's the first order of agenda?
6 Are you going to kick this off, Brian?

7 BRIAN MURPHY: Sure, just with a
8 little bit of an overview. And that is to
9 emphasize that this is a petition that while
10 it's coming before the Board formally
11 tonight, this is hardly a case of a first
12 impression. This is something that's been
13 discussed before, it was previously filed,
14 and it's gone through some different
15 iterations. I would say with the extensive
16 discussions between CDD staff as well as with
17 representatives at MIT. In addition MIT was
18 an active participant through the K2 process.
19 And I think what you're going to see tonight
20 is a proposal that is much more, that has
21 been changed dramatically by the Kendall

1 Square process and it's one that is very much
2 in keeping with the spirit and the goals and
3 sort of the initiatives of the K2 process.
4 That there's really a stamping amount of
5 alignment. I think you all should have a
6 memo that Jeff Roberts going through the
7 section by section analysis. While it's
8 voluminous in many instances, it simply sort
9 of highlights the agreement between K2 and
10 this proposal. In other instances it sort of
11 just shows a difference of approach, and we
12 just start the process of providing greater
13 context for the Board and highlighting some
14 of the issues for additional discussion.
15 But, again, despite the memo's length I
16 really do think this is really a significant
17 amount of agreement between the K2 goals and
18 this petition. And one in which it was
19 clearly very much shaped by that process as
20 well.

21 Our thought would be that for tonight

1 after you've got the MIT hearing and then
2 after public comment that it might be helpful
3 to have Roger and Iram go more into some of
4 the details of some of those pieces from Jeff
5 to provide a little more context if that's
6 helpful.

7 HUGH RUSSELL: Okay, we'll see how
8 the time goes because we have one other item
9 on the agenda that we'll probably not want to
10 take up after 9:30.

11 So who's going to start? Welcome,
12 Steve.

13 STEVE MARSH: Thank you,
14 Mr. Chairman. I do want to recall that I
15 think I was the person who broke this podium
16 the last time I was here. I did offer to pay
17 for it. I would be happy to reimburse the
18 Planning Board for that. We had a heavy
19 agenda that night I guess.

20 Good evening, members of the Planning
21 Board and members of the public. For the

1 record, my name is Steve Marsh. I'm the
2 managing director of real estate at MIT. I'm
3 delighted to be joined tonight by Israel
4 Ruiz, our Executive Vice President at MIT;
5 Professor Marty Schmidt, Associate Provost;
6 Michael Owu, the Director of Real Estate;
7 Sarah Gallop Co-Director of Office of
8 Government and Community Relations, and the
9 office of the President; and David Manfredi
10 from Elkus Manfredi Architects. So it's
11 great to be here tonight to discuss our new
12 Zoning Petition which has been recently
13 referred to you by the Cambridge City
14 Council.

15 Michael, do you want to -- why don't
16 you give me that.

17 So our agenda tonight is pretty
18 straight forward. We hope to present a clear
19 picture of our petition tonight and be
20 responsive to some of the issues that you've
21 raised in some of our earlier discussions

1 regarding our Kendall Square initiative. You
2 will recall that we were here in December
3 prior to the filing of the Zoning to give you
4 a preview of our petition. Tonight we'd like
5 to take the opportunity to walk through the
6 language in the petition with you as it has
7 been filed and sits before you tonight.

8 In December you also had some comments
9 and questions regarding academic planning
10 context at MIT, the role of the MIT
11 innovation model in Kendall Square and
12 elsewhere, and as well as some questions
13 regarding MIT housing in this area and in
14 general. So following my review of the
15 Zoning tonight Israel Ruiz our Executive Vice
16 President will speak to some of these issues.

17 Before I begin, I do want to say thank
18 you to the Planning Board. I think you have
19 dedicated an extraordinary amount of time and
20 attention and patience with this petition.
21 We have had an opportunity to get quite a lot

1 of thought-provoking comments from you and
2 have spent time with the community, City
3 Council, and the administration of the city,
4 and the CDD staff, and I think as a result of
5 this and the comments along the way, that
6 this is a much more comprehensive mixed use
7 vision of Kendall Square so we're very
8 grateful to that.

9 I would like to walk through the Zoning
10 Petition sections in their basic form. I
11 assume you all have copies before you of the
12 petition. And in our material tonight we
13 have included a chart later in the
14 presentation outlining the differences
15 between the 2011 petition and our current
16 petition which we can discuss further after
17 our presentation.

18 Turning to the Zoning Petition itself,
19 the first section is 1380 which is the
20 purpose section. The major purposes of the
21 PUD-5 District include, first and foremost

1 advancing Kendall Square as a world renowned
2 center of innovation. We all know that
3 Kendall Square plays a critical leadership
4 role in the world regarding innovation. We
5 know that the essential work that's done here
6 improves the well-being of our citizens, and
7 this has a tremendous positive influence on
8 our local and regional economy. At the same
9 time we're facing tremendous competitive
10 pressures from around the globe. As others
11 seek to emulate the model that's carried out
12 in Kendall Square, and it's important for us
13 to maintain a competitive edge.

14 The second major purpose here is we
15 want to create a vibrant mixed use district.
16 If we've learned nothing in this process, I
17 would say the one thing that we've learned
18 has been loud and clear, is the fact that
19 this is a community. And it is about
20 connecting to the community, and it's
21 important for us to further build and connect

1 with our local community through this
2 initiative. By making the right places for a
3 community, academia, and business, to mix,
4 collaborate, and socialize, we think it's
5 critically important. Sharing and developing
6 ideas together and developing relationships
7 we think what makes this area special, and we
8 want to try to create the infrastructure and
9 the space that helps enable that. I think
10 third and equally important here is enabling
11 MIT's academic mission. Part of the
12 innovation piece -- we're gratified to hear
13 that so many people share our view on the
14 importance of sustaining and protecting MIT's
15 academic activity. So this is not one in
16 lieu of the other, this is both. We need to
17 maintain what's going on the at MIT and
18 protect that capacity so that MIT can evolve
19 and prosper in the future as an important
20 anchor in this community.

21 The next section of the petition

1 outlines a PUD boundary and delineates some
2 sub-districts. As you can see here, there's
3 the 26-acre PUD district and it's broken down
4 into four subdistricts; the Memorial Drive
5 height subdistrict along the river here, the
6 transitional height subdistrict along Ames
7 Street and Amherst, and the Main Street
8 subdistrict south of Main, and the Third
9 Street transition subdistrict. And these
10 components are broken out really and
11 affecting allowable heights in Zone within
12 the PUD. And I'll talk further about them
13 later in the presentation.

14 The next section specifies the allowed
15 uses in a district, and all of these uses are
16 allowed across the entire district, and they
17 include residential, retail,
18 laboratory/office and other uses supportive
19 of mixed use innovation district.

20 The next section identifies the floor
21 area ratio. The maximum FAR across the

1 district is 13 -- 3.9, and ground floor
2 retail is excluded in that calculation
3 number.

4 The next section limits the new
5 commercial development to 980,000 square
6 feet. Again, we want to make sure that we're
7 protecting the academic as a critical use of
8 in this district. And it also controls the
9 floor plate sizes consistent with the K2
10 conditions where there were lower floor plate
11 sizes as we went up in the scale of the
12 building.

13 Sections 13.845 control parcel sizes
14 and setbacks. We've established the minimum
15 parcel size of 25,000 square feet and a
16 setback of 16 feet is required along major
17 streets. Pedestrian bridges are allowed in
18 the district.

19 Our height regime is fairly straight
20 forward. Starting from the Memorial Drive
21 district we have the height going to 150

1 feet, and we have extended that Zone along
2 the front end here as recommended.

3 The transition subdistrict has a height
4 of 200 feet, and the Main Street subdistrict
5 and the Third Street transitional subdistrict
6 goes to 250 feet which are quite consistent
7 with the current allowable heights in the
8 north side of Main Street. In each of these
9 250-foot subdistricts one building is allowed
10 to go up to 300 feet as long as the area over
11 250 feet is dedicated to residential. And
12 furthermore, any residential square footage
13 above 250 feet will be subject to a moderate
14 income housing requirement.

15 The minimum open space across the
16 district is 15 percent. And you've seen this
17 image before, it highlights the potential for
18 open space connections across the district.
19 This would work with the community and the
20 city to identify areas of opportunity within
21 Kendall Square area.

1 Our parking ratios reflect the latest
2 recommendations from the Traffic Department
3 by way of the K2 study. They are 0.9 for
4 office, 0.8 for laboratory, a range of 0.5 to
5 0.75 for residential, 0.5 for retail, and
6 0.25 per hotel room.

7 The Zoning requires development
8 proposals to include a shared parking study
9 as well. It also requires all structured
10 parking to be below grade except we are
11 allowed to extend the above grade garage at
12 One Broadway to take advantage of the looping
13 system inside. The Zoning also includes some
14 provisions to deal with temporary and
15 existing parking which we will continue to
16 work through with Traffic Department as we
17 think about the logistics in the plan.

18 Sections 1389.1 through 4 are some
19 standards and conditions, and this is an
20 important catch-all section of the Zoning.
21 One very important concept included in the

1 section is the requirement that construction
2 must commence on 240,000 square feet of
3 housing before more than 600,000 square feet
4 of commercial development is permitted to
5 ensure that housing is not an after thought
6 in the execution of the Kendall Square plan.
7 As part of these sections we have made both
8 the inclusionary Zoning Ordinance and the
9 incentive Zoning payments a requirement.

10 Section 13.89.3 relates to innovation
11 requirements. It requires that the PUD
12 District include innovation space equivalent
13 to five percent of new commercial gross floor
14 area in perpetuity.

15 The K2 process has been very helpful in
16 helping to define the characteristics of
17 these important spaces including the nature
18 of short-term leases and shared spaces that
19 help innovators and entrepreneurs in Kendall.
20 We have been a leader in creating innovation
21 space certainly over our time, but most

1 notably for the last 14 years at One Broadway
2 and elsewhere. And we plan to meet our
3 requirements through our ongoing innovation
4 activities for this particular component.

5 Our next section deals with
6 sustainability. It requires LEED Gold as a
7 standard for all new office and laboratory
8 buildings, and incorporates best practices
9 across the district. We have been working
10 with the Tellier 10 to help us plan
11 appropriate measures.

12 The next section deals with the Sign
13 Ordinance. The PUD District must be
14 compliant with all provisions of Article 7 as
15 applicable to business, office, and
16 industrial districts. This is in contrast to
17 the MXD language we had used previously.

18 We all know that active use is critical
19 to this district, it's one of the areas that
20 we are focussed on. This section requires
21 that 75 percent of first floor of new

1 development must be devoted to retail or
2 other uses open to the public.

3 The next section is focussing on the
4 community fund requirement. The general
5 principle of this has come out of discussions
6 at K2. It has been a topic of discussion at
7 City Council, and at this Planning Board
8 about how we're handling community benefits
9 over time. So this section helps us to find
10 a committee that will oversee this activity.
11 It requires a contribution of \$10 per square
12 foot of commercial space. It outlines three
13 policy components that we hope to target
14 which are open space, transportation
15 improvements, and workforce development. And
16 it does allow pre-approved credits.

17 So this completes the overview of the
18 language portion of the petition. I do want
19 to just reintroduce two other slides to you
20 that we did share in December. I just
21 thought they were appropriate to bring back.

1 The first outlines the differences that we
2 had between 2011 and the 2012 petitions. And
3 as we've discussed here, I think this
4 petition has benefitted immensely from the
5 community input and the Planning Board input
6 we've received over the last 18 months.

7 The second slide, which again, is a
8 revision of the slide we had here last time,
9 is a comparison of the K2 study versus the
10 MIT Petition with respect to scope and
11 massing. You know, I don't want to spend a
12 lot of time on both of these slides because I
13 know you've seen them and we've talked about
14 them at the last meeting, but I did want to
15 remind you that they are here in the package
16 and are part of the conversation tonight. So
17 we are willing to address and engage wherever
18 you feel appropriate.

19 I would like at this point in time like
20 to take the opportunity to introduce Israel
21 Ruiz, the MIT's Executive Vice President who

1 will address questions about academic
2 context, speak to innovation at MIT which I
3 think most people have asked us about over
4 time, and present an updated status of MIT
5 housing.

6 ISRAEL RUIZ: Thank you, Steve.

7 My name is Israel Ruiz, and as Steve
8 said, I'm the Executive Vice President and
9 Treasurer at MIT, the institute senior
10 officer for all the administrative and
11 financial functions, including financial and
12 capital planning and support of the
13 institute's mission. I am pleased to be
14 here. I've been here before throughout the
15 process before April of 2011, and to talk
16 with you all again.

17 I, along with President Rafael Reif and
18 Provost and Chris Kaiser. I'm very excited
19 about this new initiative, and I would like
20 to briefly cover three topics today. MIT's
21 tradition of innovation and partnership with

1 industry. Our east campus area and
2 integration with new commercial development
3 and this proposal with our existing and
4 future academic uses, and in particular, a
5 third topic, MIT student housing.

6 Let me begin with MIT's tradition of
7 innovation. Innovation is in MIT's DNA. In
8 fact, it's the magnet that brought me to MIT
9 from wonderful and sunny Barcelona. It is
10 MIT's motto mens and matter, mind at hand.
11 MIT's founder and first President William
12 Barton Rogers launched MIT in 1961 with a
13 revolutionary educational vision. Rogers
14 wanted to accelerate America's early
15 industrialization and recognized the need for
16 people who could grasp the principles of
17 science and engineering firmly enough to
18 devise the new technologies of new materials
19 require us it to speed industrial proper.
20 This juxtaposition illustrated for the first
21 time the power of proximity and getting it

1 all together. Today real world problem
2 solving and innovation happens everyday. At
3 MIT and in our labs, in our classrooms driven
4 by our faculty, some of them here tonight,
5 students, and with collaborations with
6 industry that are pushing the boundaries and
7 continue to advance the mission and
8 strengthening our DNA.

9 Just as Arthur D. Little did 100 years
10 ago today we have recent examples like
11 Novartis, Pfizer, (inaudible) locating close
12 to campus, close to MIT, to benefit from this
13 power. In fact, the research connections
14 that have always existed among these firms
15 are strengthened and amplified, and in
16 particular transformed by this power of
17 proximity.

18 I've used this slide before, I think
19 about a year ago, to indicate the evolution
20 of MIT's mission. It is in our DNA to
21 evolve. It is in our DNA to continue to be

1 defining the future of our mission and
2 innovation. And it's not only done through
3 our mission, but it's also done through our
4 spaces, through our laboratories, through our
5 buildings, through our surrounding
6 neighborhoods. You can see here one of the
7 original General Electric laboratories, in
8 fact, that looks very much like the one I
9 grew up in Barcelona doing engineering with,
10 that's been transformed today in the
11 Papalopulu (phonetic) lab you can see that
12 our beloved building 20 where the MAT lab
13 occurred transformed today to the Stata
14 building and the original cancer center from
15 1974, which today it's integrating the
16 sciences of engineering and biological
17 sciences into one building at the Koch
18 Institute for innovative cancer research. So
19 it not only stops at the laboratories in the
20 buildings but it's also surrounding
21 neighborhoods. To the bottom left you can

1 see Technology Square and the transformation
2 together working with the city and the
3 partnership. You can see University Park in
4 the middle. And you can see today's aerial
5 image of Kendall Square and what we envision
6 and imagine for its future.

7 As we think about all of this in
8 context of campus development and the context
9 of our evolving mission and transformation of
10 innovation model, we take into consideration
11 several planning principles. You can read
12 here three of them, the dynamic relationship
13 when the campus and enhanced mixed use
14 district. The redevelopment of growth and
15 the redevelopment of the facilities and the
16 growth of our campus. And in particular
17 today as we talk about more and more complex
18 problems and real world issues, the large
19 scale and specialized research facilities
20 that are necessary to connect and interact
21 and collaborate on the building level. You

1 can you see the image of a typical floor
2 plate for the Koch Institute, our most recent
3 laboratory building.

4 We strongly believe in our Kendall
5 Square proposal natures and propels this
6 critical partnership with academia and
7 industry. This petition will enable us to
8 meet the future academic needs of our east
9 campus area, and advance innovation
10 opportunities in the Kendall Square area.

11 We wanted to continue to grow our
12 robust local economy which has been heavily
13 influenced by MIT's participation. In fact,
14 many of you recently saw the Forbes article
15 quoting and describing how MIT driven
16 research has brought about \$2 billion of
17 research funding to the Kendall Square area.

18 Moving on to my second topic for
19 tonight, I wanted to give you a sense of the
20 context for the east campus, and in
21 particular of how the east campus fits

1 contextually and frames the Kendall Square
2 proposal. This is a current image of the
3 east campus which has a healthy balance of
4 facilities supporting academics, housing,
5 student life, and administrative functions.
6 I don't need to, again, you know perfectly
7 the area. And what I want to do now is I
8 would like to quickly walk through a series
9 of floor plans illustrating the several uses
10 that MIT has today on the east campus.

11 Here in this light you see in blue all
12 of the academic and research facilities
13 currently in the east campus of MIT.
14 Highlighted at the top, two of our newest
15 buildings for which we are very proud of and
16 we're very proud of the work that we were
17 able to do collaboratively with the city.
18 Sloan building E62 at the bottom right and
19 media lab at E14 our (inaudible) at Ames
20 Street. Two magnificent facilities that
21 bring together, again, our fabulous faculty

1 and students to do the collaborations with
2 industry that happen to be around the Kendall
3 Square area with the Google, the Microsoft,
4 and others.

5 Moving on to the second views, you can
6 see here highlighted the residential and
7 institutional housing. You can see some of
8 our undergraduate dorms, the parallel dorms
9 on the east campus. You can see some of the
10 other institutional uses as well as East
11 Gate, to the right of this map. The east
12 campus and senior house are up there. These
13 are undergraduate dorms. And incidentally
14 I'd like to mention that right next to
15 Kendall Square, the district we're talking
16 about, we have about 1300 students and
17 families living today at MIT in the housing.

18 In green these are the facilities that
19 support athletics at MIT from the Sailing
20 Pavilion all the way to the alumni pool to
21 the Stata Center to the top, left of this

1 diagram, as well as student life. A Walker
2 Memorial being a center for student life for
3 undergraduate and graduates.

4 Here you can see uses that we relate to
5 service and administration, importantly right
6 in the middle of this light labelled E23.
7 It's our health center. And you can see in
8 the buildings along Main Street how you may
9 recognize some of those buildings as
10 administrative uses, that's where some of our
11 offices, including our successful MIT press
12 is located. And it creates the combination
13 of these uses in the current east campus
14 landscape.

15 I wanted to highlight also for all of
16 us the areas in which we think is our, today,
17 existing parking lots which we see as
18 possible future academic development sites.
19 These are prime sites for development and for
20 interaction and connections with our current
21 existing facilities. And you can see also

1 how important we think about the connections,
2 not only within the district but also
3 together as we look at what we refer is the
4 Infinite Corridor extending to the left of
5 this diagram and then moving on to the
6 neighboring sites all the way north of Main
7 Street and certainly along Third Street,
8 major drivers for connectivity for this
9 district.

10 Importantly as I said, I wanted to
11 contextualize the east campus of MIT and the
12 context of this proposal, you can see here in
13 red and gold to the north of the diagram,
14 these are the proposed sites of development
15 that are part of the Kendall Square proposal.

16 I wanted to kind of highlight and
17 visualize what we refer to as the Gateway and
18 note this is a very important area. This is
19 where the Kendall T stop, you can recognize
20 it's not in here, but it's a very key point
21 and highlight of the east campus today. This

1 is a key area for us for the creation of an
2 eastern campus gateway. And in fact, I
3 wanted to link this to summarize this context
4 which I just outlined for you that the
5 existing condition. As you know, Provost
6 Chris Kaiser convened a faculty task force to
7 examine our Kendall Square proposal. The
8 task force recommendations focussed on the
9 importance of this particular gateway I
10 showed you, and the integration of the
11 proposed commercial sites with the existing
12 and future academic plans that I just
13 contextualized for you on the east campus.
14 Today we're beginning to define the scope of
15 this study which we envision will take place
16 in two parts.

17 The first part will involve the
18 internal MIT community, faculty, staff, and
19 students, and will envision the creation of
20 this eastern campus gateway and the excited
21 possibilities for these key part of MIT's

1 campus.

2 The second part will broaden engagement
3 to include the Kendall Square community at
4 large, including properties owned by others
5 as we work collaboratively to create a series
6 of gathering places in Kendall Square.

7 In terms of integration, we want to be
8 sure to emphasize the proper relationship
9 with nearby neighborhoods. That we build the
10 longer Third Street coming into Kendall
11 Square as a critical extension of the East
12 Cambridge community. And in conjunction with
13 this the continued support for active
14 residential and retail development.

15 Going back to the east campus study, in
16 terms of the gateway and note, we see that
17 there is a principle focus in the short term
18 of the study, and we want to make sure that
19 we explore options with and without the
20 historical buildings in cooperation with the
21 Historical Commission and other stakeholders

1 as shared with the Planning Board in the
2 past.

3 Moving on to my final topic, I just
4 want to spend a few minutes summarizing MIT's
5 student housing program. I think you are
6 aware that we house nearly all of our
7 undergraduate students in a variety of
8 residential halls; fraternity, sororities,
9 and independent living groups. Housing is
10 guaranteed for all undergraduates, and we're
11 currently evaluation the physical conditions
12 of our existing undergraduate residences.
13 Some of which are in significant need of
14 updating.

15 We're also very proud of MIT's record
16 because it relates to housing our graduate
17 students. We currently house about 39
18 percent of them, although that percent it
19 fluctuates depending on graduate enrollment,
20 which in turn fluctuates depending on our
21 sources of funding, some of which we're

1 working. In particular I learned personally
2 a lot about federal funding and support.

3 Since 1997 we've been able to house a
4 significantly higher number of graduate
5 students at the creation of a
6 graduate/resident community near
7 Cambridgeport. Since then we have added 1300
8 new graduate beds plus 468 new undergraduate
9 beds.

10 We have heard the question of graduate
11 student housing raised several times. Here
12 is our graduate students in context with some
13 of our peers. And during this dialogue, and
14 now with a recommendation of the faculty task
15 force, will examine the current housing needs
16 of our students. In particular our graduate
17 students.

18 At present we're finalizing the charge
19 for this group, this is another of the
20 recommendations of the faculty task force.
21 We expect to identify the chair for this

1 effort this current week and be ready to
2 begin the process as the semester starts. It
3 is our intent to populate the group with
4 faculty and student representatives, and we
5 expect that the evaluation will take anywhere
6 from 12 to 18 months.

7 With this I'd like to turn back to
8 Steve's presentation.

9 HUGH RUSSELL: Thank you.

10 STEVE MARSH: As you know, we've
11 been here many times before regarding Kendall
12 Square. And as we said, we appreciate the
13 time in that. Tonight, though, we felt it
14 was really important to walk through the fine
15 pieces of the petition to help you understand
16 our approach and our intentions about what
17 we're trying to do in Kendall Square. And I
18 think we recognize that tonight is a start of
19 a formal process, and we look forward to your
20 comments, questions, and the direction you
21 may have regarding any additional materials

1 that you think you need to help you
2 understand this petition better. So we're at
3 your beck and call with regard to helping you
4 with any of the materials or questions along
5 the way. So we look forward to working
6 together with you, the City Council, and our
7 stakeholder communities to make Kendall a
8 place that we can all be very proud of. So
9 I'll be happy to take questions.

10 HUGH RUSSELL: Okay. Do we want to
11 have questions now or shall we continue on to
12 the public?

13 Okay, so there's probably a sign-up
14 sheet.

15 Bill.

16 WILLIAM TIBBS: I was just wondering
17 if you at least want to comment on the letter
18 we got from the representative, some of the
19 MIT faculty members? I think it's
20 appropriate for you to at least comment on
21 it.

1 ISRAEL RUIZ: So we acknowledge the
2 letter and we acknowledge that MIT -- as
3 we've presented is a very diverse and varied
4 community with lots of views, opinions, and
5 needs. And we certainly have worked very
6 strongly, very hard with the faculty task
7 force that Provost Chris Kaiser put together
8 to make sure our proposal reflects the needs
9 of the majority of our community, including
10 the faculty and students. We believe that is
11 what the task force recommended moving
12 forward with, and some of the views are
13 recognized here, but we also recognize that
14 some of the views may not be totally
15 represented as well.

16 WILLIAM TIBBS: Thank you.

17 HUGH RUSSELL: Thank you.

18 Okay, if someone could get the sign-up
19 list to me, that's the way we will start.

20 So, we'll go from the list to start
21 with and you can come forward, please give

1 your name for the record. Please spell your
2 name if there's any possibility that there
3 might be some assistance or ambiguity in how
4 your name might be spelled, and please limit
5 your remarks to three minutes. Remember, the
6 idea is to get the ideas out on the table,
7 that's the most important thing that we want
8 to hear.

9 So the first name on the list is Brian
10 Spatocco, Pacific Street.

11 BRIAN SPATOCCO: I've actually
12 prepared remarks. Can I leave those?

13 HUGH RUSSELL: Yes. You should
14 leave them with us, though, and not with the
15 recorder. Although she may look like the
16 most important person, she is not.

17 BRIAN SPATOCCO: Good evening. My
18 name is Brian Spatocco. I live at 70 Pacific
19 Street here in Cambridge, and I speak today
20 as somebody that served on the Kendall Square
21 Advisory Committee and currently serving as

1 the president of the graduate student body at
2 MIT. Although I've been involved in student
3 government, this evening I'd like to speak to
4 you all as if you were my research advisor.

5 Over the last four years I've learned
6 that the unique value we can add as graduate
7 students does not lie along the lines of
8 politics but in an objective, quantitative
9 analysis. Thus those looking to hear whether
10 the MIT graduate body is for or against the
11 MIT Zoning Petition may leave somewhat
12 dissatisfied. Rather the major take away
13 we'd like to leave you with is that before
14 any development there is already a housing
15 crisis in the City of Cambridge. However,
16 the lack of comprehensive citywide analysis
17 impairs our ability to assess whether or not
18 MIT's petition provides sufficient amounts
19 and types of housing to prevent the growth of
20 this crisis.

21 For the last ten years our team of

1 graduate research just poured over the
2 housing numbers and that's transpatially,
3 chronologically, and demographically. We've
4 had access to and analyze the largest suite
5 of complete housing data for any one group
6 within Cambridge, and we've done it with some
7 of the best minds at MIT.

8 My colleague Nathaniel will go into
9 more detail, but here's what we know for
10 sure. Last year rental rates in Cambridge
11 grew by 7.95 percent. It's one of the
12 largest in the United States. Cambridge's
13 rental vacancy rates are at an all time low.
14 And three, further development without
15 appropriate provisions of affordable housing
16 to account for both the existing shortage and
17 the increased demand as a result of any new
18 project will exacerbate the problem.

19 So how much housing do we actually
20 need?

21 We don't know and we don't think many

1 others in this room have any idea either.
2 Put differently, because the housing market
3 is still equilibrating from the recent
4 development and there have been no citywide
5 studies in the last year or two, we have
6 little predictive power at this point to make
7 any recommendations or cast judgment on this
8 petition. MIT has already explicitly
9 acknowledged this problem internally, and as
10 a result as we've just heard, is
11 commissioning a study of housing needs for
12 its off campus community. My expectation and
13 hope is that the output from this group will
14 arrive at a time prior to any hammers
15 swinging in Kendall.

16 But why should it be just MIT that does
17 this analysis? Tonight I'd like to ask the
18 Planning Board explicitly to consider
19 recommending to the City Council that further
20 decisions on up zoning in the city of
21 Cambridge be first placed in the context of a

1 targeted housing study looking at the
2 interplay between current development and
3 affordability and availability. We the
4 graduates of MIT are ready and able to
5 assist. Though I love to be able to stand
6 before you this evening and give you an
7 impassioned judgment of whether the Zoning
8 Petition is in the best interest of students
9 or not, I cannot as a scientist do so in good
10 conscious. Tonight rather, I ask that
11 Cambridge aspire to act as intelligently and
12 predictably as the types of people it hopes
13 to attract.

14 Thank you.

15 HUGH RUSSELL: The next speaker is
16 Nathaniel Schafheimer.

17 NATHANIEL SCHAFHEIMER: Good
18 evening. My name is Nathaniel Schafheimer,
19 S-c-h-a-f-h-e-i-m-e-r. I live at 3 Ames
20 Street in Cambridge. I'm a PhD. student at
21 MIT. And I'm also one of the graduate

1 student council's housing and community
2 affairs co-chairs this year.

3 Even in the absence of the citywide
4 analysis or the study that was just brought
5 up by MIT's party, we still know a lot about
6 the housing needs as our community. There
7 are 6,510 of us, including visiting students.
8 4,050 of them are off campus, and 2400 of
9 those are living in Cambridge off campus.
10 The GSC in collaboration with MIT's IR and
11 the Dean's offices analyzes a lot of data
12 from different surveys relating to student
13 expenses, transportation, and academic life.
14 I'd like to share with you guys tonight some
15 relevant insights from these and several
16 other data sources.

17 So the question often comes up during
18 conversations about housing. Why do graduate
19 students need to live in Cambridge? Isn't
20 this a luxury? Most graduate students would
21 say no. Our research projects many times do

1 not end neatly or in a timely fashion. In
2 addition to those scientists that are
3 required to check in on experiments
4 throughout the night, those that could work
5 from home are increasingly in need of
6 interdisciplinary action with those same
7 peers that work directly on campus. Indeed
8 this interdisciplinary mixing was a goal of
9 the Koch and Stata Centers.

10 Sorry. I gave you the transcript for
11 this.

12 So for this and many other types of
13 research, power of proximity is really vital
14 for graduate researchers. In terms of our
15 daily lives half of us leave campus after
16 6:30 p.m. 28 percent of us leave after 8:00
17 p.m. And when we're leaving, we're mainly
18 walking. Some of us combining public
19 transportation and biking. When we do leave,
20 nearly 90 percent of us are commuting alone
21 which leaves us with a number -- a large

1 number of students which leave late at night,
2 walk, and are alone raising a number of
3 important student safety concerns which only
4 get worse when the commute distance to campus
5 is increased. And perhaps most unsettling
6 about our commute is the fact that there
7 really is no transportation option home
8 between MIT and several places where students
9 like to live, like Inman Square, after 7:30
10 p.m. Beyond our daily commute, housing for
11 grad students off campus is hard to find.
12 Vacancy rates in Cambridge are about two
13 percent, according to the American
14 Communities Survey and local rental websites,
15 far lower than the Boston area average of
16 five and a half percent. And in some
17 Cambridge neighborhoods it gets down to one
18 percent. That's Manhattan level demand.

19 The MIT off-campus housing office
20 estimates that the number of postings for
21 grad student accessible apartment rentals

1 have declined about five-fold over the last
2 ten years. And of course there is the
3 biggest issue for grad students around MIT,
4 housing getting really expensive.

5 This year according to MIT's off-campus
6 housing office, graduate student rents rose
7 7.95 percent upon average. And because rents
8 make up nearly half of the grad students
9 pretax income and it's unreasonable to expect
10 stipends to grow in step, students living off
11 campus are facing a lower standard of living
12 and a lower purchasing power going into the
13 future. This situation is even more dire for
14 international students and graduate students
15 with families.

16 So what can be done then to approve
17 availability and affordability? The two most
18 important problems graduate students face in
19 finding housing Cambridge, while a
20 comprehensive study of housing and
21 development in Cambridge will help clarify

1 our options, which may include things like
2 increased quantities and increased
3 affordability of on or near campus housing
4 show the lines of expanding the practical
5 commuting distance and reducing commuting
6 time. Innovation housing -- and like the
7 others we haven't thought of yet.

8 The one path Cambridge and MIT together
9 can't take is doing nothing in the face of
10 the housing crisis. It is a -- going to --
11 that is the one option that will assuredly
12 not solve the problems we face.

13 I'll close my time now and reiterate
14 Brian's points. The GSC believes further
15 citywide study is needed to understand the
16 housing crisis in Cambridge for any new
17 development decisions are finalized.

18 Thank you very much.

19 HUGH RUSSELL: Thank you.

20 Next speaker is Richard Krushnic.

21 RICHARD KRUSHNIC: Richard Krushnic,

1 K-r-u-s-h-n-i-c. I live at 20 Oak Street in
2 Inman Square. I'm here as an individual
3 tonight, but I am a community development
4 professional. I work for the Boston's
5 equivalent of the Cambridge Development
6 Department, Development Department City of
7 Boston.

8 I was not involved -- well, only just a
9 little bit indirectly in Boston's recent
10 efforts which was to a certain extent job
11 owning, but also some negotiating on various
12 matters that involved, you know, city
13 infrastructure and land and so on and so
14 forth. But I think it's, I think -- and this
15 is me speaking, not because I don't know the
16 exact numbers, but I think it's fair to say
17 that this resulted in several thousand extra
18 units of on-campus housing in the city of
19 Boston because the city was being pro-active
20 somewhat. And the Mayor was being
21 pro-active. I was indirectly involved, I

1 think, in some stuff where, you know,
2 recently Northeastern developed something,
3 something like around 1400, you know, units,
4 additional units on campus. And I'm -- thank
5 you, guys, you're raising the same points,
6 you know, that really are striking to me.

7 My primary value in a certain way about
8 the city of Cambridge is its diversity. That
9 goes into all kinds of lofty considerations
10 about what's wrong with the entire planet
11 earth that I think can -- aren't going to be
12 solved unless important communities remain
13 diverse communities. It's without diverse
14 communities you're not going to ever reduce
15 the inequalities that are increasing all the
16 time economic inequalities in particular all
17 across our world and all across our country.
18 And I think that while I applaud everything
19 that's good about what MIT is doing and the
20 innovation that its in genders and the
21 benefits it brings to the world, there's also

1 a balance about the community that this is
2 happening in. And it all -- I know, it's
3 pretty obvious, whether it's all true or half
4 imaginary. All of these firms want to be in
5 Kendall Square. Well, I guess there must be
6 some real value to it. But I don't think
7 they all have to be there. It's okay if some
8 of this goes on elsewhere in the Metropolitan
9 area. And I think that if the city continues
10 down this path of higher density, higher
11 height, I think it's, you know, I've been
12 looking at all the up zoning proposals that
13 are floating around and what can be built
14 under current Zoning and elsewhere in the
15 city. If all that stuff gets built out, you
16 know, and all of a sudden all of these up
17 zoning petitions that are floating around get
18 passed, and if as the Community Development
19 Department and these other assessments, you
20 know, project this is gonna happen by, you
21 know, 2030, 2035, around in there, I think

1 that's the end of city, of Cambridge as a
2 diverse city. Cambridge is just going to be
3 an upper income city, and you guys got to
4 start looking at the big picture and it's --
5 and here it starts really with graduate
6 student housing has got to be a part of this.

7 PAMELA WINTERS: Sir.

8 RICHARD KRUSHNIC: It's important if
9 you don't have graduate housing as a certain
10 part of it. Sorry, I went over.

11 PAMELA WINTERS: Okay, thank you.

12 HUGH RUSSELL: Next speaker is
13 Jarrett Barnos.

14 JARRETT BARNOS: Good evening,
15 Mr. Chairman, and through you to the
16 committee, my name is Jarrett Thomas Barnos.
17 I'm the CEO of the American Red Cross of
18 Eastern Massachusetts. We are the ones in
19 that empty space on the slide that you saw
20 next to the 300-foot tower on the slide.
21 We're here to talk about -- I'm here to talk

1 a little bit about that.

2 You see, we have a five-story historic
3 building at 139 Main Street where we have
4 been and where we do the people's business we
5 like to think. We are a volunteer-driven
6 organization, 2,000 volunteers that does a
7 lot of things. We are also the other
8 educational institution in Kendall Square.
9 We graduate 1600 low income women a year
10 through our nurse assistant training program,
11 and they take classes on the second floor
12 which would be well, if you reached out the
13 window of the second floor, you could reach
14 the 300-foot building which would be under
15 this Zoning petition right on the lot line
16 with our building.

17 So we have some concerns. We have some
18 concerns about the light, the air, the
19 quality for those who volunteer with the Red
20 Cross and come to our building where we
21 coordinate New England's largest food shelter

1 that feeds 125,000 families a year. Where we
2 work with veterans and international refugees
3 through our international services programs.
4 Our nurse assistant program which graduated
5 last year 1600 women for their first job
6 career ladder in the healthcare industry, and
7 obviously for our disaster work.

8 We want the classrooms and the places
9 where our volunteers work to still have light
10 in them, and we are very concerned on how you
11 decide here where MIT decides to mass that
12 building on that lot means everything for us.
13 I also want to say one other thing, you
14 probably saw a lot about super storm Sandy in
15 the newspaper. Red Cross pays for those
16 disaster response efforts. We fed 12 million
17 after Sandy through the generosity of donors.
18 If the donors are not generous, we have go
19 into our savings. Our one asset in
20 Massachusetts, other than a very small
21 building we own in Brockton, is this

1 building. So I've called a few of my friends
2 who are real estate industry brokers and
3 lawyers and ask what would it mean for our
4 ability if we had to dip into our resources,
5 what would it mean to jeopardize our mission?
6 What would happen to the value of this
7 building? And there's a lot of concern. We
8 have a lot of concern as to whether or not a
9 structure one foot from us towering 300 feet
10 over our five-story building what that would
11 do to the value of the property and our
12 ability should we hit on hard times, to
13 continue our mission. And our mission is
14 simple, we're here to help everybody who's in
15 need. We feed the hungry. We educate low
16 income women. We help anybody that's been
17 affected by a disaster including the 28
18 Cambridge families who were burned out of
19 their homes last year, whether it was at two
20 a.m. or two p.m. We were there. We gave
21 them cash. We put them up in a hotel, all

1 done by volunteers, run out by 139 Main
2 Street. And we really need your help in
3 making sure that our mission isn't
4 jeopardized in this regard.

5 Thank you very much. I'd be happy to
6 answer any questions if there are any.

7 The -- all of these comments are in
8 there. One last point which is that what we
9 are asking is not opposing this, but simply
10 that through your guidelines, as you amend
11 this petition, that you try to ensure that
12 that tower is not one foot from our
13 structure, that it is massed towards the
14 back. We've provided a number of suggestions
15 in that letter as to how that can be done.

16 And thank you very much.

17 We've also attached the engineer's
18 report which talks about the damage that
19 happened to our building, the old historic
20 structure, when the Sloan School was built
21 across the street. So we're also very

1 concerned about structural damage that
2 wasn't, because I have three minutes and Pam
3 is the time keeper, that wasn't something
4 that I chose to focus on the advice of a
5 friend. So, but that's all in there as well.

6 Thank you very much.

7 PAMELA WINTERS: Thank you, Jarrett.

8 Jarrett, would you do me a favor and
9 point out where your building is?

10 JARRETT THOMAS BARNOS: On this?

11 PAMELA WINTERS: Can you point this
12 out?

13 HUGH RUSSELL: You can't see it
14 because it's hidden by the 300-foot tower.

15 JARRETT THOMAS BARNOS: That, that
16 is us. And under the petition there's no
17 side setback requirement so it could be built
18 right on the lot line. And we are right on
19 the lot line.

20 PAMELA WINTERS: Okay. Thanks,
21 Jarrett.

1 HUGH RUSSELL: Thank you.

2 JARRETT THOMAS BARNOS: Thank you.

3 HUGH RUSSELL: Carol O'Hare.

4 CAROL O'HARE: Good evening. My
5 name is Carol O'Hare. I live at 172 Magazine
6 Street. O'Hare like the airport.

7 The gist of my words is captured in two
8 trite expressions: The devil is in the
9 details, and words matter. I'm going to
10 point out on that plan what the Memorial
11 Drive 150-foot height subdistrict is. It is
12 those -- there's the river. It is those two
13 yellow buildings right on the river, the
14 L-shaped one and the long L-shaped one.
15 Right. And that, which is not owned by MIT.
16 Which is not owned by MIT. And then the
17 Sloan complex, and then another academic
18 building.

19 So, from the right starting blue all
20 the way to the second yellow and -- is the
21 so-called Memorial Drive 150-foot height

1 subdistrict. It is eight-and-a-half acres.
2 It is one-third of a mile along Memorial
3 Drive of riverfront property, and it's
4 included in this petition. And we have no
5 idea what's planned for that, and I assume
6 that it's being used to -- as transfer of
7 development rights to the other more bulky
8 portions of the parcel. But if MIT changes
9 its plans or if administrations change,
10 buildings 150 feet in height, that's 15
11 stories with no setbacks, could be located
12 along that riverfront property. And just to
13 give you an example of why words matter, when
14 MIT was presenting its case, Mr. Marsh said
15 that 16-foot setbacks would be imposed along
16 all major streets. But in fact, it's only
17 Main Street, Broadway, and Third Street.
18 There are no setbacks imposed in this
19 district, in this subdistrict at all I
20 believe.

21 Is that correct?

1 And so I'm worried about, you know, the
2 silence about that district. In fact, the
3 middle, the yellow building that's in the
4 middle, that's not even owned by MIT. It's
5 100 Memorial Drive. It's an apartment
6 building. And it is -- I don't know how many
7 stories is it now?

8 STEVE MARSH: Ten?

9 CAROL O'HARE: Ten stories. So
10 theoretically they could add five more
11 stories to that complex. It's owned by New
12 England Mutual Life. And I mean I would like
13 to urge you to focus on restricting that
14 banking, that transfer of development rights
15 area when you consider this Zoning.

16 PAMELA WINTERS: If you could wind
17 up your comments because it's over three
18 minutes now.

19 CAROL O'HARE: Really? Oh, did that
20 count setting up the --

21 PAMELA WINTERS: Yes. You're almost

1 four minutes.

2 CAROL O'HARE: Okay.

3 I wanted to say that I'm very
4 appreciative that MIT has said this evening
5 that it intends that all sign restrictions
6 and illumination restrictions that would be
7 applicable in the rest of Cambridge will
8 apply even though the original, the language
9 submitted does not say that. And I will
10 supplement that.

11 I would like to urge you to ask the BZA
12 to consider that Article 7 about signs and
13 illumination applies in Cambridge and that
14 they can't change the law Variance by
15 Variance.

16 HUGH RUSSELL: Thank you very much.

17 CAROL O'HARE: Thank you very much.
18 So you don't have to see me anymore.

19 HUGH RUSSELL: We do read you also.

20 Robert Simha's the next speaker. And
21 after Bob will be Heather Hoffman.

1 ROBERT SIMHA: Good evening. I'm
2 Robert Simha, Six Blanchard Road, Cambridge,
3 Massachusetts.

4 I -- the Board has heard me on the
5 subject of this petition before on a number
6 of aspects of it, but this evening I'd like
7 to submit my objections on the following
8 basis, because in reviewing not only the
9 petition, but also in reviewing the CDD staff
10 notes to you, which I've read with some care,
11 there had been some very major exclusions
12 which I think are important for your
13 consideration. So first, I'd like to object
14 to the MIT petition on a number of grounds,
15 but primarily because I believe it will do
16 irreparable damage to both MIT and the city
17 of Cambridge.

18 It will abrogate 50 years of
19 responsible planning that has occurred
20 between MIT and Cambridge.

21 It will terminate the years of

1 providing a careful balance of institutional
2 needs and adjustment of the community.

3 And let me just quickly review for you,
4 since I was involved in most of this
5 activity, in the 1960 and 1965 land use goals
6 published by the Cambridge Planning Board, it
7 recognized the need to provide defined areas
8 for institutional and commercial growth in
9 the city. MIT cooperated by agreeing to
10 concentrate its academic growth in designated
11 areas south of Main Street, and at the same
12 time facilitate reinvestment in the city's
13 economy by initiating Technology Square in
14 1960, financing the Kendall Square urban
15 renewal project in 1965, building over 700
16 units of elderly housing for the city in the
17 1970s, and creating the University Park
18 development in the 1980s. The creation of
19 these economic and social assets were based
20 on a trust that MIT and the city would
21 continue to do the right thing by each other.

1 The city for its part sought guarantees
2 that institutions in Cambridge would be
3 restricted to certain areas by seeking and
4 getting home rule legislation under chapter
5 565 of the 1979 Act of the General Court,
6 which empowered Cambridge to restrict
7 institutional development in areas that were
8 not appropriate.

9 The Planning Board and the City Council
10 reinforced, based on these powers created in
11 1981, the Institutional Overlay Districts and
12 the Institutional Use Regulations which are
13 embodied in Sections 4.5 of the Zoning
14 Ordinance and are designed clearly to
15 identify that land within the MIT
16 Institutional District which would be used
17 primarily for institutional and institutional
18 service purposes.

19 In 1981 with updates in 1993 and 2007,
20 the Cambridge Community Development
21 Department published, with the approval of

1 the Planning Board, an institutional growth
2 management plan which states in clear
3 language on page 17 and 18, policies that
4 clearly state that it is in the city's
5 interest to concentrate institutional
6 expansion at MIT in the areas immediately
7 adjacent to the existing campus south of Main
8 Street.

9 HUGH RUSSELL: Bob, could you wrap
10 up your remarks? You're substantially over
11 the time limit.

12 ROBERT SIMHA: I will. I will
13 submit this document.

14 HUGH RUSSELL: Thank you.

15 ROBERT SIMHA: I think the important
16 conclusion I would like to share with you is
17 that there are implications for this petition
18 which in the long term will be injurious to
19 both the city and the institute. If these
20 commercial buildings are built, they will
21 stay in commercial use in terms of my

1 experience with MIT for probably under ten
2 years. That means that at that point the
3 pressures for academic space needs will
4 prevail, these buildings will come off the
5 tax rolls, and the city will have to pick up
6 the burden of the taxes that are currently or
7 proposed being paid by these buildings.

8 Academic space will be restricted --

9 HUGH RUSSELL: Thank you.

10 ROBERT SIMHA: -- and it will do a
11 disservice to the city.

12 PAMELA WINTERS: Bob, I look forward
13 to reading your comments.

14 Thank you.

15 HUGH RUSSELL: Heather Hoffman. And
16 after Heather, Julian Cassa.

17 HEATHER HOFFMAN: Hello. My name is
18 Heather Hoffman. I live at 213 Hurley Street
19 just half a block from Third Street but a few
20 blocks from where you're talking about.

21 When I start hearing about 300-foot

1 buildings and things I think of something
2 that I've said a few times over the years,
3 but I guess I haven't said it recently enough
4 which is that I did not sign on to live in
5 Midtown Manhattan. I signed on to live in
6 Cambridge which is much more of a human
7 scale. And I mostly wanted to talk about
8 what Carol O'Hare just started to talk about
9 which is signs. There should be nothing
10 whatsoever in this Zoning mentioning signs
11 unless of course we're kind enough to say no
12 signs except for a little bitty plaque so you
13 can see what building you're in.

14 No matter what people think about the
15 signature gatherers or what was said by
16 anybody when the sign ordinance was
17 overturned by the voters of Cambridge, it was
18 very clear that the one thing everybody
19 agreed on who signed those petitions was we
20 don't want all of these giant signs all over
21 our city. So whether you think they were

1 lied to or not, it was clear what they didn't
2 want. There should be absolutely nothing in
3 this that suggests that any kind of sign that
4 is not otherwise provided for under the
5 Cambridge sign ordinance that applies to the
6 entire city except for the MXD District and
7 maybe even there, if you actually read the
8 law, should be allowed here. Nothing. Take
9 out anything that mentions signs, please.
10 Other than that, with respect to what Bob
11 Simha was saying, I'm just reminded of
12 something that's become clearer and clearer
13 to me, which is that for the citizens any
14 agreements that are made where we have given
15 up something, are binding on us forever. Any
16 agreements that are made where developers
17 give up something, are temporary and they
18 only last until the developer comes back and
19 says well, you know, it wasn't such a good
20 deal for me so I want more. That's a really
21 rotten way to run a city. And I hope that

1 the Planning Board will start stopping that.

2 Thank you.

3 HUGH RUSSELL: Okay. Next speaker
4 is Julian Cassa.

5 JULIAN CASSA: Hi, my name is Julian
6 Cassa, C-a-s-s-a. Tonight I come speaking
7 exclusively on behalf of the leadership
8 committee of the Area 4 Coalition. So I live
9 in Area 4 and I'm on their leadership. We
10 just wanted to mention couple things. I
11 thought it was wonderful -- very quickly I
12 just want to say that Mr. Marsh talked about
13 community early on in his presentation, and
14 he talked about talking with the community.
15 So one thing I just wanted to mention on
16 behalf of our community we have had very
17 little conversation. We have had a
18 presentation or two, but we've had no
19 dialogue or no conversation, and we not only
20 about this area, but we are inherently part of
21 this area.

1 One other thing I wanted to mention
2 before just saying the things that are
3 important to our community is that we share
4 the grad students' concerns. Of the 60
5 percent of the grad students that do not have
6 housing, that does not also include visiting
7 researchers and post-docs which could
8 probably be another couple of hundred to a
9 thousand people, and so Area 4 houses in the
10 neighborhood of two to three thousand
11 students. So we are a very much a
12 transitional neighborhood. We are one that
13 is extremely diverse. We happen to be the
14 youngest neighborhood in the city, and we
15 also share many concerns about that. So
16 specific to the concerns that we have about
17 this proposal are: That there is not enough
18 housing. That there's not enough grad
19 housing or any kind of affordable housing or
20 something that might be -- might help our
21 community.

1 Two, our concerns which no one has
2 mentioned tonight, is safety. This was in
3 the MIT faculty report, which I assume the
4 Planning Board has but we should get you a
5 copy of it. For example, adding large, dense
6 buildings I did not hear anything about
7 adding additional busses, additional trains,
8 doing anything when there's an emergency. I
9 wish Jarrett was still here. I don't know if
10 he's here. If we unfortunately have a
11 serious environmental or weather catastrophe
12 in this area or in the lower part of
13 Cambridge, when you add such density and not
14 enough parking or not enough roads or egress,
15 which of course is a challenge, that puts
16 pressure on safety. So it's one of those
17 kind of things when you have it, it's
18 wonderful, until that it's inert.

19 The last thing I wanted to mention on
20 behalf of our community is community. In
21 fact, so retail is interwoven into community.

1 What your retail is says something about the
2 community and the culture that you breed.
3 And they say that they're concerned about
4 that, and I think that's wonderful and it's
5 obviously an intelligent concern. There
6 wasn't, and has been very little discussion,
7 has been very little dialogue between our
8 neighborhood and this development, and there
9 has been nothing offered or suggested in any
10 way, shape or form. That they would employ
11 anyone from Area 4. That it would give any
12 access to anyone to open up any of those
13 retail space from Area 4 or in the lower part
14 of Cambridge. So we have some legitimate
15 concerns. The thing that I also found
16 wonderful tonight -- I'm glad to hear that
17 this is a bit of a process, and that people
18 would like to hear what people like to say.
19 And I hope that the Planning Board
20 understands, as well as the City Council,
21 that if this is a process, then this is going

1 to take sometime and that this is the start
2 of something and hopefully we'll come to a
3 wonderful conclusion at the end.

4 Thank you.

5 HUGH RUSSELL: Thank you.

6 Next speaker is Steve Kaiser.

7 STEVE KAISER: Again, for the record
8 my name is Steve Kaiser, K-a-i-s-e-r. My
9 time is short as is obvious, only three
10 minutes, but in order to get all the issues
11 out there that I might want to talk about let
12 me just list ones that I can't talk about.
13 Under Zoning, floor area ratio, heights,
14 setbacks, the role of the architect,
15 historical issues, the issue of MIT as profit
16 and non-profit, traffic details, parking, the
17 Main Street connector and other road systems,
18 the overall plan for the project, housing,
19 Red Cross, transfer of development rights,
20 and we just heard safety.

21 Those are the ones that I can't talk

1 about because there's not enough time.

2 What I did put into your package is a
3 couple of reports. The one on the left is an
4 update of the traffic report which you may be
5 familiar with. There were some numerical
6 calculations having to do with transit which
7 needed to be fixed, which those are on page
8 27. But the important thing is that you have
9 the report, it's been updated, and there's no
10 other entity in this city as far as I know
11 who has produced traffic study for Kendall
12 Square.

13 CDD has contained -- has retained a
14 consultant and produced PowerPoint
15 presentations but no report. And the report
16 itself is not -- the work that the city has
17 done is not useful because they didn't look
18 into any bottlenecks. They didn't consider
19 the real limitations on the traffic system.
20 The rest of the situation is we have no
21 traffic submissions from MIT, Forest City,

1 Chamber of Commerce of Cambridge or any other
2 development groups. You have just this one.

3 The second report is what I mentioned
4 last week, which is a report on Article 7.
5 And the main point at issue there is whether
6 up zoning activities we are seeing at Kendall
7 conflict with Article 7 of the Declaration of
8 Rights in the State Constitution and are,
9 therefore, illegal. I believe they are.
10 Article 7 says there could be no government
11 action which delivers profits to special
12 interest -- private interests. Up zoning
13 increases property values. That is the
14 illegal profit that results. Now any
15 violation of law can be subject to legal
16 challenge in court, and what Bob Simha did
17 was give you a long listing of some of the
18 legal issues that are a problem here, and
19 there could be legal violations. They're
20 piling up.

21 Let me give you just one more. And

1 last April I brought to the attention of the
2 this Board the failure to comply with Mass.
3 General Laws Chapter 91, Section 18, on
4 tidelands and waterways. The Board is
5 required to review and render a judgment on
6 all waterways license applications. As far
7 as I can tell, that's never been done in 25
8 years. I wrote a letter last April, it
9 disappeared within the law of bureaucracy.
10 It's a shame that MIT has no law school, we
11 might be able to have some independent
12 lawyers who could come in and give the
13 institute advice on how to deal with all
14 these legal issues. And maybe the Planning
15 Board feels that legal problems are not their
16 work, but they're absolutely vital in terms
17 of the integrity of the city and what it
18 does.

19 So, I don't know who on the MIT side
20 deals with traffic, I haven't the faintest
21 idea, but I suspect on the matter of Article

1 7 that Anthony Galluccio will be the one who
2 will have to deal with that issue. So I will
3 give him a copy of the Article 7 report.

4 WILLIAM TIBBS: Steve, Steve, Steve.

5 HUGH RUSSELL: Steve, Bill has a
6 question.

7 STEVE KAISER: Yes.

8 WILLIAM TIBBS: Could you provide
9 Liza with an electronic version of these?

10 STEVE KAISER: Yes, I can.

11 WILLIAM TIBBS: Okay, thank you.

12 HUGH RUSSELL: Believe it or not
13 some of us are getting out of the paper age.
14 Not I.

15 Okay, next speaker is Mike Connolly.

16 ATTORNEY MICHAEL CONNOLLY: Good
17 evening. My name is Mike Connolly, spelled
18 C-o-n-n-o-l-l-y. I'm an attorney and a local
19 organizer, and I live in an apartment on
20 Harding Street with my fiancée. And I'm very
21 hopeful for the opportunity to speak before

1 you this evening. I've never actually come
2 down to the Planning Board before, but I feel
3 very strongly that we're in the midst of a
4 residential housing crisis, and I think the
5 proposal on the table by MIT, it misses a
6 tremendous opportunity to address that crisis
7 by creating graduate student housing. We
8 heard from some of these graduate students
9 this evening. I don't think I can do a
10 better job of expressing all of the different
11 issues in that area, but you know, I'd just
12 like to say that the housing crisis is
13 getting worse and there's no real sense in
14 the community that there's a plan to deal
15 with it or that any of this development will
16 necessarily help solve the problem. In light
17 of all this, I think we can do better than to
18 accept a plan that will transfer MIT's unique
19 remaining campus land resources. Resources
20 that were acquired for MIT's future
21 educational and research needs over to

1 commercial applications for at least the next
2 50 years. Instead my hope is that MIT will
3 go back to the drawing board and come up with
4 a vision for its campus that better supports
5 the needs of its students while helping to
6 alleviate some of the unbearable pressure on
7 our rental housing market. And, you know,
8 I've talked to hundreds of people in the East
9 Cambridge neighborhood and the Area 4
10 neighborhood all the way down to Kendall
11 Square, Central Square, and the pressure is
12 really there. There's a lot of people who
13 are afraid that they have to leave the city
14 because of the pressure on the housing
15 market.

16 I actually had the good fortune to
17 attend Duke University in Durham, North
18 Carolina on a football scholarship believe it
19 or not, and I know from that experience that
20 if you want to create a vibrant gateway to
21 your campus, then student housing is a

1 wonderful way to do it. So, you know, that
2 makes me wonder whether the motive here is
3 simply profit and whether that's in the best
4 interest of the people of Cambridge and
5 whether that's in the best interest for the
6 students who go to MIT.

7 So just to wrap it up, I mean in sum,
8 you know, if this plan goes forward without
9 the addition of this graduate on campus
10 housing, then thousands of MIT students will
11 continue to have to fend for themselves
12 looking for market rate apartments here in
13 Cambridge and in turn we will all miss out on
14 a unique opportunity to alleviate some of the
15 pressure on our housing market.

16 Thanks.

17 HUGH RUSSELL: Thank you.

18 Next speaker is Hailey Krushnic.

19 HAILEY KRUSHNIC: I'm not speaking,
20 sir.

21 HUGH RUSSELL: Oh, I misread the

1 list.

2 Jonathan King. Sorry about that.

3 JONATHAN KING: Good evening,
4 members of the Planning Board. Thank you for
5 hearing us. My name is Jonathan King. I
6 live at 40 Essex Street, Cambridge, Mass. I
7 have taught and directed biomedical research
8 laboratories at MIT for 42 years. Among U.S.
9 research universities MIT is a preeminent
10 engine of scientific and technological
11 process. As you know, the research projects
12 are not funded by MIT. They're funded by
13 taxpayers whose dollar are allocated by
14 Congress through the National Institutes of
15 Health, National Science Foundation,
16 Department of Energy, NASA, Environmental
17 Protection Agency, Department of Defense, and
18 other federal agencies.

19 Last year these federal grants to the
20 campus totaled -- direct federal grants
21 totaled \$472 million. The research grants

1 and contracts that my colleagues in biology
2 and the cancer center, 75 of us, received
3 were in excess of 133 million. These grants
4 all responded to national research priorities
5 to improve the health and welfare of our
6 population. Reduce mortality and suffering
7 with the cancer, Alzheimer's, heart disease,
8 right, these are all people working on
9 national priorities. Together with the
10 industrial support and another 500 million
11 yield from MIT's \$10 billion endowment
12 overall R&D operating budget last year was
13 over \$1 billion. Now the human engine of
14 this billion dollar research and technology
15 enterprise are MIT graduate students. It's
16 these individuals selected from across the
17 nation and from around the world, according
18 to their extraordinary talent, willingness to
19 work hard, persistence, and commitment to
20 their chosen field that do the work. They
21 are among the most talented and most hard

1 working people in the United States. As you
2 heard, in the area of biomedical research, my
3 own area, these students have to spend long
4 hours in the laboratory. They're not sitting
5 in classrooms. They are the skilled labor
6 that is carrying out the actual research,
7 making the observations, developing the
8 hypotheses of new understanding. They grow
9 cells, isolate proteins, characterize
10 proteins, all often lengthy and laborious
11 procedures. They cannot work at home. Maybe
12 some of the computer science students can.
13 Maybe some of the economic students. But the
14 people in biomedical research and material
15 science and neuroscience, they have to be
16 physically in the lab. In fact, a key
17 component of the overall productivity of a
18 place like MIT, and Nathaniel alluded to
19 this, is the fact that the graduate students
20 post-doctoral fellows and research
21 technicians spend long hours together. They

1 have to talk to each other and interact with
2 each other even when they're tired and weary
3 at the end of the day. This is a major
4 reason that all of the leading research
5 universities in the United States are
6 residential campuses. It is extraordinarily
7 difficult in the commuter campus where
8 students have to travel from far to get the
9 density hour by hour by hour that you need
10 for this kind of -- for the innovation
11 district that you hear all about. Innovation
12 doesn't happen in the Cloud, it happens by
13 people sweating together and talking together
14 and working together, and not when they're
15 commuting from distant sites.

16 I won't go through the numbers,
17 thousand of graduate students forced to be
18 off campus. They don't want to be off
19 campus. They want to be on campus. For 10
20 years graduate students have written reports,
21 they have written letters to the

1 administration, they have demonstrated, they
2 have written articles, said we need more
3 housing at MIT. They have the best data that
4 exists anywhere in the United States. The
5 notion that an 18-month committee study is
6 needed to get this data, which is the best
7 that exists, is absurd. What's needed is a
8 18-month study why do we need three big
9 commercial buildings when right across the
10 street in Kendall Square, Boston Properties
11 and Alexandria and Forest City are building
12 commercial buildings.

13 PAMELA WINTERS: Sir, sir.

14 JONATHAN KING: Yes, let me close,
15 okay.

16 PAMELA WINTERS: Your time is up,
17 please.

18 JONATHAN KING: Thank you.

19 PAMELA WINTERS: Thank you.

20 JONATHAN KING: So, you know, it's
21 unfortunate MIT has no campus planning

1 committee. It's done by the real estate
2 group and MITIMCo as Mr. Marsh said, perhaps
3 not surprising that real estate people think
4 real estate returns is what happens in the
5 university. They've never been in my lab or
6 any other lab. They don't have any sense of
7 what you need for university.

8 So let me close, first I want to remind
9 you that the provost's own task force, not
10 the faculty task force, this was the provost
11 task force, said that financial return should
12 not be the principal criteria value creation
13 and success for this area of the campus,
14 equally important are the gateway of the
15 housing student life, etcetera. So let me
16 close, the campus is a unique resource along
17 the river for MIT, for Cambridge, for the
18 Commonwealth. This petition which uses
19 precious irreplaceable campus land for
20 redundant commercial office development is
21 not in the interest of MIT's faculty,

1 students, or staff. It's in the in interest
2 of the Cambridge community. It's not in the
3 interest of the nation. It should be
4 rejected in its present form and amended so
5 that the new construction is for graduate
6 student housing, academic and research
7 activities, and of course this is so obvious
8 to the faculty, that the faculty doesn't even
9 know, didn't even receive an announcement
10 that this plan, that this meeting is held
11 tonight. Has not seen the presentation.
12 Even those faculty whose offices and labs are
13 in that region of the campus have never seen
14 this presentation.

15 PAMELA WINTERS: Thank you, sir.

16 HUGH RUSSELL: Thank you.

17 JONATHAN KING: Thank you.

18 HUGH RUSSELL: Next speaker is Frank
19 Solomon.

20 FRANK SOLOMON: My name is Frank
21 Solomon, S-o-l-o-m-o-n. I'm at 71 Vassa

1 Lane in Cambridge. I want to speak tonight
2 in support of my graduate student colleagues
3 who spoke first, and most of the points that
4 I would have wanted to make have already been
5 made. I want to add only one.

6 I've been involved in graduate
7 education in my department at MIT
8 institute-wide and in a variety of national
9 endeavors as well. And what I know is that
10 the intellectual ferment that draws the
11 Novartises and the Pfizers and world
12 attention to a place like MIT depends heavily
13 on our graduate student and young
14 researchers. I think that it is difficult to
15 understand the kind of career structure and
16 work relationship that happens in a situation
17 like this, but briefly let me tell you that
18 one of the ways we attract brilliant young
19 faculty is that they know that the cognitive
20 graduate students that we attract are among
21 the best in the world. The institutions that

1 were listed on that percentage housing
2 histogram several slides earlier, we all
3 compete for graduate students. We will lose
4 that competition if we can't provide students
5 with proximal, safe housing that's part of
6 our community. And we as a community,
7 meaning MIT, and we as a community meaning
8 Cambridge, take a big risk by not putting
9 explicitly into this plan, facilities for
10 graduate students and their support.

11 Thank you.

12 HUGH RUSSELL: Thank you.

13 Travis McCready.

14 TRAVIS McCREADY: Hi. My name is
15 Travis McCready. I am the executive director
16 of the Kendall Square Association. I have
17 not been before you yet in my role as ED,
18 keeping my powder dry I suppose.

19 The KSA -- just about 30 seconds about
20 the KSA. We are a 135 member association
21 representing the Kendall Square District. We

1 are an a little bit different than the 10
2 other business associations in Cambridge in
3 that we're not a business association. We
4 were specifically designed to address the
5 interests of the entire Kendall Square
6 District; residential, commercial,
7 institutional, research, you name it. So our
8 membership actually reflects that. A number
9 of our members are in the room. A number of
10 our members are board -- my board members are
11 here in the room. So I have the inauspicious
12 task of trying to thread a needle
13 representing many different views that have
14 been expressed here already. And there's a
15 way I'm going to do it, and the sort of the
16 mean I'm going to use is porosity. I'm not
17 going to touch the residential piece. I'm
18 not going to touch the exact number of
19 housing or any of that stuff. I'm just
20 simply going to say -- suggest to you as you
21 look at the MIT proposal going forward, that

1 the paradigm that might have existed in prior
2 institutional developments may not exist here
3 with this MIT development. We don't think of
4 life in terms of what's commercial, what's
5 residential, what's institutional, what's
6 research. And there are no hard and fast
7 walls in between any of those vertical
8 sectors, because it's all flat and all
9 intermingled in the Kendall Square District.
10 That value proposition that we are talking
11 about with respect to graduate students and
12 MIT, that value proposition is pervasive
13 throughout the entire Kendall Square
14 District. It exists not for the institute
15 but exists for Google. Not just for the tech
16 companies but for biotech. Not just for
17 biotech, but for the professional service
18 firms. What we see a lot is a graduate
19 student that might go to class during the
20 day, grab lunch, talk about ideas over at one
21 of the 19 new independent restaurants that

1 have opened up in the past three years, pop
2 on over to VM Ware, spend a couple hours
3 programming over at VM Ware, and then pop
4 right back to class. There is a complete
5 porosity of all these functions that exist in
6 Kendall Square.

7 So what I would challenge you to think
8 about with respect to the MIT proposal is
9 one, we've done our job well. The Kendall
10 Square Association was formed about five
11 years ago with the goal of preserving,
12 protecting, and promoting Kendall Square.
13 There are articles over on the windowsill
14 over there that goes into some of the
15 articles that have been printed over the past
16 couple of days. We've done our jobs well in
17 promoting Kendall Square as being an
18 innovation district that is the gift to the
19 world. No good deed goes unpunished. Now we
20 have to deal with the consequences of that
21 which is hi demand. People want to be here,

1 and it's not just the graduate students.
2 It's not just the companies, it's the
3 residences. It's not just all -- it's not
4 just the people who are using Kendall Square
5 that are the natural users. We've created a
6 Hollywood of innovation and entrepreneurship.
7 In that respect when you take a look at this
8 MIT proposal, what I think you have to ask
9 yourself is where's the value proposition and
10 how do you continue the value proposition for
11 all of the users of Kendall Square? And I
12 think, and I would submit, that the mixture
13 of uses is right, is right on. You have
14 residential, you have commercial, you have an
15 innovation and entrepreneurship layer at five
16 percent that will ensure balance between the
17 startups as well as the name brands. We
18 always celebrate our name brands. We have to
19 celebrate our entrepreneurs. We have the
20 workforce development piece which is
21 absolutely critical. So we have these

1 companies that are trying to pull talent from
2 MIT, pull talent from international, but we
3 need to be generating our own talent
4 internally from the Cambridge Public School
5 System so we have the workforce development
6 piece. So you have all these layers that
7 exist here within that proposal. Is the
8 formula right? I mean, that's up to you guys
9 to determine. But I think all of the pieces
10 of the puzzle are absolutely in this
11 proposal.

12 With that, if you have any questions,
13 please let me know, but otherwise that's my
14 time.

15 HUGH RUSSELL: Thank you very much.

16 TRAVIS McCREADY: You're welcome.

17 HUGH RUSSELL: Next speaker is Tom
18 Stohlman. And if somebody can find if
19 there's a second sheet.

20 TOM STOHLMAN: Hi. My name is Tom
21 Stohlman. It's S-t-o-h-l-m-a-n. I'm a

1 Cambridge resident and an MIT graduate and I
2 attended every single meeting of the K2
3 Advisory Committee. I'd like to say that I
4 agree with some comments and we'll just put
5 it there at that. I think that housing is an
6 important fertilizer for a lively city, and I
7 think there should be more housing there for
8 graduate students and for workers, too, who
9 work in Kendall Square. I think you have to
10 have some -- a little bit more sensitivity to
11 the neighbors. Red Cross is one, but also
12 the Kendall Hotel. If you look at the model,
13 there's some pretty big buildings right up
14 against them, and we have to do something
15 with the Zoning to protect those neighbors.

16 Some details about what was proposed --
17 I'm a little concerned about new terms that
18 have appeared in the proposed Zoning;
19 publicly beneficial open space, commercial
20 buildings, the this new concept of a
21 community fund. I think you're going to have

1 to be very careful to make sure that these
2 things are well-defined and that later on
3 people aren't back here saying I want a
4 Variance because there's some disagreement
5 over the terms.

6 And finally, I think that -- I don't
7 think that there's a black and white conflict
8 here between institutional and commercial. I
9 don't see any reason why MIT shouldn't
10 benefit just like Cambridge does from the --
11 from the commercial side of things. However,
12 you shouldn't do all of one or all of the
13 other. In this proposal you really have to
14 do both, and I think that's important. And I
15 think that's where this Zoning is going to be
16 so crucial, is to get that right mix, but I
17 think you can do it.

18 Finally, the first meeting of the
19 Kendall Square Advisory Committee I spoke,
20 and I spoke about being a freshman at MIT and
21 coming out of the Kendall Square station and

1 being totally lost. I could not figure out
2 how to get to the institute. And low and
3 behold 40 years later that's still the case.
4 And so far I'm not seeing -- I think there's
5 -- the words are there and the intention's
6 there, but we really do have to extend the
7 Infinite Corridor all the way to Kendall
8 station. And I think it can be done. You'll
9 have to deal with that Whittaker building,
10 but I think that's an essential part of this
11 plan, a very important part, and I hope that
12 the Zoning contributes to really connecting
13 that Infinite Corridor.

14 Oh, and there's one other thing. If we
15 can get this under lighted building stuff
16 going on in Kendall Square, I think that
17 would be terrific. So I support that, too.

18 HUGH RUSSELL: Thank you.

19 Next speaker is Carol Bellew and after
20 her Charlie Marquardt.

21 CAROL BELLEW: Carol Bellew,

1 B-e-l-l-e-w, 257 Charles Street.

2 As you know, we at the East Cambridge
3 Planning Team have been working hard to put
4 this stuff together and I hear the housing
5 that's why we asked for 300 feet of housing
6 on the sites that they're going to be doing
7 housing on. This is a huge project. This is
8 going to take a lot of time, a lot of years.
9 I think all the things that were said today
10 were reasonable, and the important things
11 were stated, but I think that we've come a
12 long way with MIT in getting them to do some
13 of the things that we thought they were
14 lacking in when they started this process
15 and we're hoping that they will continue to
16 work with us and move it forward so that
17 everybody is -- you never get 100 percent,
18 but at least we're trying to get a win/win
19 here.

20 Thanks.

21 HUGH RUSSELL: Thank you.

1 Charlie.

2 CHARLES MARQUARDT: Hi, Charlie
3 Marquardt, 10 Rogers Street in East Cambridge
4 Kendall -- sorry. East Cambridge Kendall
5 Square. I just want to come back here
6 because I was at one of the first meetings
7 for this and I want to reiterate, replay that
8 this was a process that it started out as a
9 proposal that really not many people liked.
10 Many of you at the table didn't like, I know
11 I didn't like it. They were asked to go back
12 and take a look at it again, wait until the
13 Kendall Square study went through, and then
14 bring it forward actually at the request of a
15 lot of different people said let's put this
16 Kendall Square study to work. And we look at
17 60 units of housing, and maybe 300 or 300,000
18 square feet of housing. That's a multiple of
19 five. I think we've done a pretty good job
20 of moving in that direction.

21 From a retail perspective, I look at

1 all the wonderful stuff that's been going on
2 in Kendall Square with retail. It's all
3 about local retail. That's what we need.
4 Paul McMorrow (phonetic) said it wonderfully
5 today. Everybody else has to take a look at
6 what they're doing in Kendall Square for
7 retail and try and copy that instead of
8 copying the mall approach. That's important,
9 and you've done a good part of that.

10 And then you take a look at the housing
11 that's already gone in there, and that I
12 believe is a big part of what's going to jump
13 start for all those restaurants and
14 everything. I'm working on opening a
15 business down there myself. I like the idea
16 of more housing. I live on the eleventh
17 floor of a 15-story building. I'm okay with
18 tall buildings. I actually look every day at
19 Watermark II and say that building's
20 beautiful but for 100 more feet. Sorry,
21 Roger.

1 But I look at that. I go to the
2 Mayor's Silver Ribbon Commission presentation
3 and start hearing about people needing to
4 live in buildings with elevators. And then
5 the last thing I look at is, I look to
6 Central Square and I see \$32 million for a
7 parcel of land or a series of parcels. If we
8 ever want to get to a point where we can do
9 more housing and more of this development
10 that will allow people to live, whether they
11 be students or future students or maybe older
12 students, I like to go back to school again
13 at some point. We can't keep building
14 five-story buildings on a \$32 million parcel
15 of land. We need to go higher. Other than
16 we're going to be left with short buildings
17 that don't work. We'll be stuck with the DC
18 effect where we're looking at can we stick
19 another building on -- another floor or two
20 on top. And, again, we've had a great
21 process of 18 months. We've done an awful

1 lot of work as a community. There's still
2 more to do, but I think what they've done is
3 what they've been asked to do. So, please,
4 let's keep this moving forward. The City
5 Council's is where we can talk about which
6 benefits we do or do not want, but from here
7 and with your guidance, I'm sure we're going
8 to get some great buildings.

9 Thank you.

10 HUGH RUSSELL: Thank you.

11 Does anyone else wish to speak? James.

12 JAMES WILLIAMSON: My name is James
13 Williamson. I live at 1000 Jackson Place in
14 Cambridge. Given all the talk about
15 innovation and talented young people, I think
16 it's fitting to take a moment to remember --
17 to acknowledge and remember Aaron Swartz who
18 was buried today in Chicago, who worked with
19 Sir Tim Berners-Lee who has been at MIT
20 developing and popularizing standards for
21 sharing data on the web. He was about

1 sharing not about taking.

2 I think that I worry about what's going
3 to happen to the Rinaldi building under this
4 bulldozing of this whole area. I wonder
5 about heights. If you look at this model and
6 you try to appreciate the scale of this
7 model, if you walk out this building and look
8 down, you'll see what's happening with this
9 building right here. The building that's
10 going up here. It's eclipsing. That
11 building that's eclipsing that so-called
12 Google roof garden. You can see down this
13 street and you can see it down if you look
14 down Hampshire Street. I'm startled by the
15 height of that building, and all these other
16 buildings are going to be about that same
17 height. So welcome to the new Cambridge, and
18 you're not gonna not have it in Kendall
19 Square, you're gonna see it when you walk out
20 your door right here in Inman Square. So I
21 worry about the heights that you're looking

1 at allowing.

2 As far as housing, are we now at the
3 point where all we care about is housing MIT
4 graduate students? What about the people who
5 have lived in this city all their lives who
6 never had a chance to go to MIT? Anything
7 you can say about MIT graduate students, you
8 can multiply by a factor of ten of some
9 factor of ten for the rest of the people who
10 live in this city.

11 There are two things I want to close --
12 focus on in closing, and they have to do with
13 things I've been privileged to learn from
14 someone who teaches at MIT, Fred Salvucci who
15 focuses on transportation. And it was
16 actually Fred who first suggested to me that
17 I think about transferable development
18 rights. I brought it up at the Central
19 Square Advisory Committee, but it got
20 distorted and completely bent out of shape.
21 The original idea, as he presented it and as

1 I presented it, which seems like a great
2 idea, was to have a transfer of development
3 rights from Central Square which we want to
4 protect, the scale of which we want to
5 protect, the character of which is important,
6 the modest scale there that we want to foster
7 and be able to sustain with resources that we
8 could get by transferring development rights
9 from Central Square through Kendall Square
10 where the juggernaut is well underway and may
11 be unstoppable. Let's get them to pay for
12 this and use those proceeds to protect what
13 we need and want for Central Square and make
14 it affordable with those subsidies from
15 transferable development rights.

16 And finally, on transportation, city of
17 Cambridge wrote a letter endorsed by the
18 entire City Council dated November 29th to
19 Rich Davey of the Department of
20 Transportation, I have -- I mentioned this, I
21 think, at our last hearing. I have the

1 complete four-page letter and the City
2 Council Order adopting it. And also
3 highlighting the three paragraphs that have
4 to do with the willfully and adequate
5 transportation system that nobody seems to be
6 talking about at all. Although now we have
7 some talk finally from the governor reported
8 in today's newspapers. It talked -- but this
9 is a very good letter.

10 PAMELA WINTERS: James, your time is
11 up.

12 JAMES WILLIAMSON: It's a very good
13 letter.

14 PAMELA WINTERS: If you'd like to
15 leave a copy of the letter, that would be
16 great.

17 JAMES WILLIAMSON: It talks about
18 how woefully inadequate the Red Line is and I
19 think everybody knows that, so thank you.

20 HUGH RUSSELL: Okay, thank you.
21 Does anyone else wish to speak?

1 CHRIS MATTHEWS: I'm Chris Matthews
2 at 26 Sixth Street, Vice President of the
3 East Cambridge Planning Team. I just wanted
4 to say that we're in the middle of a long
5 process and I'm just very heartened that each
6 time we've seen this project, it's gotten
7 better. And I'm sure it will continue to as
8 we get into more of the details but beyond
9 this Zoning process.

10 I like Travis's metaphor of porosity
11 very much. I see that, you know, the more
12 that we can break down the barriers between
13 university and the neighborhood and all the
14 commercial stuff that's going on here, the
15 better. It will feel much more like a
16 coherent community. And the place I think
17 where that will happen most convincingly is
18 at what they were calling the gateway.
19 Kendall Square's always suffered from not
20 having a recognizable center, and I think the
21 gateway where the T stop is, where the

1 Infinite Corridor comes to where Main Street
2 is is really the key. So I'll be looking at
3 that very carefully as they develop the
4 project.

5 And I would just point out there's a
6 lot of talk about graduate student housing.
7 I think it's a very important issue because
8 students also bring life to the streets late
9 at night which is great. North Point has 18
10 blocks of undeveloped land, and they may want
11 to take a look out there. The thought of MIT
12 students taking the EZ Ride down First Street
13 which doesn't have enough people on it
14 enlivening the neighborhood in a much more
15 comprehensive way would make me feel very
16 happy.

17 Thank you.

18 HUGH RUSSELL: Thank you.

19 PAMELA WINTERS: Thank you.

20 HUGH RUSSELL: Does anyone else wish
21 to speak?

1 Charles.

2 CHARLES SULLIVAN: Yes. I'm Charles
3 Sullivan. I'm director of the Cambridge
4 Historical Commission. When I was a graduate
5 student, I have to tie this to previous
6 testimony, in the middle 1960s Kendall Square
7 was undergoing urban renewal. And what was
8 considered to be an act of creative
9 destruction, 3,000 manufacturing jobs were
10 lost and a vast area of manufacturing
11 district was cleared. All perhaps well and
12 good, but the Planning decisions that were
13 made at that time are ones that we're still
14 recovering from. I think it's safe to say
15 that Kendall Square's recent success is
16 almost in spite of itself, in spite of its
17 urban design and the architectural decisions
18 that were made in the 1970s and '80s. I've
19 participated in the Planning process for --
20 this the commission jumped into this because
21 the three remaining significant buildings at

1 Kendall Square were threatened by MIT's first
2 petition. In the last couple of years I've
3 participated with the Community Development
4 Department and meeting many, many times at
5 MIT with the K2 process, and I commend this
6 petition to you because it establishes a
7 framework in which historic preservation can
8 take place. We do hope to protect the three
9 significant buildings in Kendall Square.
10 We're open to changes that's sort of the
11 public interest, and we recognize the goals
12 of the gateway and of other things. But this
13 petition is very balanced. It creates a
14 viable commercial district along Main Street,
15 a lot of street level retail, creates more
16 housing, and on and on. So I think this is
17 very much a positive for the city.

18 Thank you.

19 HUGH RUSSELL: Thank you.

20 STEVEN WINTER: May I ask a question
21 of Mr. Sullivan?

1 HUGH RUSSELL: Sure.

2 STEVEN WINTER: Charles, the part of
3 the comments from our staff at CDD indicated
4 that in addition allowing existing GFA to be
5 demolished and reconstructed without penalty
6 may complicate historic preservation efforts.
7 What does that mean to you?

8 CHARLES SULLIVAN: Well, I think
9 you'd have to ask your staff. But we have a
10 landmark designation process underway to
11 protect up to three buildings in Kendall
12 Square. And if that's adopted by the City
13 Council, then those buildings are protected
14 regardless of the Zoning GFA provisions.

15 STEVEN WINTER: Okay.

16 HUGH RUSSELL: Thank you.

17 Barbara.

18 BARBARA BROUSSARD: Barbara
19 Broussard, President of the East Cambridge
20 Planning Team. I'd like to thank everyone.
21 I'll just reiterate what everyone else has

1 said, it is the beginning of a process and I
2 know everyone is going to really look at
3 things with a fine tooth comb. But for the
4 most part there is a balance. We need the
5 open space. We need -- I personally need all
6 of the low commercial development on Third
7 Street. It's now safe to walk. I appreciate
8 that. I appreciate a place to go so that I
9 understand it has to be paid for. I know
10 there's a need for housing. Graduate
11 students do need housing, and so do other
12 members who would like to live in the
13 community. So if we all work together, I
14 think there will be a balance and it will be
15 -- the outcome will be fantastic and thank
16 you.

17 HUGH RUSSELL: Thank you.

18 Does anyone else wish to speak?

19 (No Response.)

20 HUGH RUSSELL: I see no one. So
21 we'll go on to the next step. I think the

1 next step is going to be a break. So can we
2 try to get back here by 9:15, half the normal
3 time.

4 (A short recess was taken.)

5 HUGH RUSSELL: So we're going to get
6 started again. If people would resume their
7 seats and terminate their conversations. I
8 have a solid commitment from Iram Farooq that
9 she will spend five to ten minutes giving us
10 the highlights and crucial issues and the
11 city's analysis of this. Just a bullet point
12 sort of analysis.

13 WILLIAM TIBBS: I was going to say
14 we can do that at the beginning.

15 HUGH RUSSELL: I'd like to sort of
16 get things out on the table. So she will lay
17 out the things in that report, and then what
18 we can do is throw anything more at it that
19 we want and then we'll look at it before our
20 next meeting and then we'll go on to Cedar
21 Street.

1 IRAM FAROOQ: Thank you, Hugh. Iram
2 Farooq, Community Development.

3 I just wanted to just start with the
4 focus of what I'm going to talk about is
5 really looking at the MIT proposal in the
6 context of the Kendall Square planning
7 process and the recommendations that emerged
8 from that, and where our, where there are any
9 divergences. But I wanted to start by saying
10 that this is actually remarkably consistent
11 overall with the recommendations of the
12 Kendall Square process. And partly, of
13 course, because MIT was at the table, part of
14 the committee, and so they're very familiar
15 with the recommendations and so, hence,
16 strong consistency overall in terms of the
17 mix of uses, building in retail at the ground
18 floor retail, building in a housing
19 component, emphasis on open space. Those
20 kinds of -- and overall goals many people
21 have talked about those elements, so I'm

1 going to that. So I just want to focus on
2 where the differences are or where something
3 may not have been mentioned where it could be
4 detailed a little bit more.

5 So most importantly the idea of having
6 a conceptual master plan for each of the PUDs
7 was a really important theme that as the --
8 that the Zoning would build into place
9 something that provided full Planning Board
10 staff as well as the broader community, a
11 sense of master planning, so that you
12 wouldn't see things emerge just building by
13 building without a lot of thought to how the
14 ancillary open spaces, connections and so
15 forth worked. So we would like to suggest
16 that that component be explicitly talked
17 about in here.

18 The minimum parcel size is small enough
19 that you could in fact have one or two
20 buildings at a time that's proposed in this
21 petition. So if we can have some language

1 that talks about a conceptual master plan,
2 similar to what you have worked with for
3 North Point or Cambridge Research Park so it
4 doesn't have to be 100 percent firm but it
5 talks about on the loads of blocks and
6 general uses, and there's an understanding
7 particularly with academic and the less --
8 the even less certainty that is associated
9 with academic uses than with other commercial
10 uses. The understanding that things will
11 change over time, and that there's a
12 mechanism to come and discuss those changes
13 with the Board.

14 The second piece has to do with
15 referencing the Kendall Square plan, the
16 design guidelines, and the coming open space
17 plan that work is going to be starting on
18 this year. Those are -- those big picture
19 pieces that really help to knit not just this
20 PUD together but also the broader Kendall
21 Square and East Cambridge area are important

1 to be thinking about. And while something
2 like the open space plan is in the future
3 hasn't really been adopted yet, nor have the
4 design guidelines officially been adopted,
5 but one of the -- one model is what you saw
6 in Forest City's proposal last week where
7 they talked about referencing all of the
8 existing plans and additional plans that
9 would be adopted by the city for this area or
10 conducted for this area by the city. So
11 that's one model that might be utilized.

12 Ground floor retail very important and
13 really has been incorporated in here, but
14 just a couple of small pieces that are
15 different is one that the Kendall Square
16 recommendations really require retail --
17 ground floor retail along certain key
18 streets; Main Street, Broadway, Broad Canal
19 Way, which are mentioned in this petition,
20 but also at Third Street and Ames Street
21 between Broadway and Main which are not

1 mentioned. Plus that's an explicit retail
2 requirement for 75 percent of the frontage of
3 buildings along those streets. Whereas, it's
4 a different formulation under here. It's
5 unclear if you would get the same activation
6 result at the frontage, because this petition
7 references 75 percent of the gross floor area
8 at the ground level and there's formulation
9 that invokes an activation space and active
10 uses which I think the Board might want to
11 discuss some mechanism to have additional
12 flexibility beyond retail. But the results
13 of the two might be different, so I just
14 wanted to call that out.

15 And secondly, the K2 recommendations
16 create an FAR exemption for ground floor
17 retail, but created only for small spaces
18 that are smaller than 5,000 square feet per
19 establishment, and they have to be on the
20 ground floor. Whereas it's a much more open
21 door in the petition -- in the MIT petition

1 which essentially exempts all new retail and
2 does not reference either location or floor
3 plate.

4 Going to housing, again, much has been
5 said today about housing. And MIT has
6 actually, in this proposal they're proposing
7 more -- the minimum housing requirement is
8 higher than what was proposed by the K2
9 recommendations. They're proposing 240,000
10 whereas K2 recommendations only propose
11 200,000 so that is a good deviation.

12 That there are a couple of things that
13 I wanted to point out about the inclusionary
14 and middle income housing components. The
15 petition exempts the parts of buildings above
16 250 feet from inclusionary provisions which
17 there really isn't a reason to do. And we
18 have a strong policy in the city that all
19 housing is subject to inclusionary. So that
20 would be what we would recommend here as
21 well.

1 And the second piece, the middle income
2 units are noted as being distributed through
3 the building but only below 250 feet. And
4 once again our policy has always been -- the
5 intention was to have a policy that learned
6 from inclusionary where the units are
7 distributed throughout the buildings. So we
8 would recommend not calling out below 250 and
9 thinking of the whole building as the canvas
10 for spreading those units.

11 On the sustainability provisions end,
12 the petition does recommend LEED Gold for
13 future lab and office building which is
14 consistent with the K2 recommendations, but
15 Kendall Square recommendations also talks
16 about that across the board for all
17 buildings. So this leaves out several
18 categories, most notably institutional and
19 housing, and I know that the Board has some
20 thoughts about some of those pieces,
21 especially housing, but I just wanted to call

1 that out again.

2 Building energy tracking and reporting
3 was another important piece. We think that's
4 really a critical way for us to understand
5 how the buildings function. Particularly
6 commercial buildings are such high users of
7 energy. For us to understand as staff but
8 also for building facilities management folks
9 to understand and be able to influence energy
10 use over time is a really critical piece.
11 This has become easier and easier using
12 Energy Star tools and, you know,
13 off-the-shelf tools now that it shouldn't be
14 a big barrier to jump. So, again, we are
15 proposing including that.

16 And then there was also a requirement
17 to do a district steam feasibility study for
18 the Kendall Square area because the steam
19 lines run here and that is so much, such a
20 sustainable kind of energy to use where
21 you're using waste to -- transforming it into

1 a utilizable resource. So -- and it's only a
2 feasibility study requirement. So, again, we
3 urge that that be included.

4 The shared innovation space provision,
5 it's great to have that component be included
6 here, but one of the key pieces of that
7 requirement was for us to be able to define
8 it. And we had worked hard to come up with
9 what the components of that definition would
10 be working with the operators of such shared
11 innovation space. And that included things
12 like percentage of space dedicated to shared
13 amenities, the average size of individual
14 rentable suites, lease terms and limits on
15 space. And while those are conceptually
16 called out, all of the benchmarking of that
17 is not included in the Zoning, and we think
18 that's a critical piece to be able to make
19 this real and manageable over time.

20 The K2 recommendations had also offered
21 exempting 50 percent of that shared

1 innovation space FAR from GFA which is a,
2 which is an exemption that hasn't been
3 incorporated here. So hopefully that can
4 offset any hardship that comes from the
5 definition.

6 And then contribution to the community
7 fund, which it's nice to see that the \$10
8 figure is consistent with the K2
9 recommendations, the categories are
10 consistent. It just needs a little bit more
11 clarification in terms of the fact that
12 in-kind contributions, while permitted, may
13 not include the kinds of things that are
14 typically mitigation to Special Permit
15 projects, and that decisions on what counts
16 and doesn't count would be made by whatever
17 committee gets established to be the
18 decision-maker for such a fund. And also
19 finally, that the transportation improvements
20 should focus on transit which was the key
21 theme as you've heard also from several of

1 the people who have commend today that
2 transit is really an emphasis area for this.

3 So that was -- those were all the
4 changes -- I mean, all the differences. And
5 mostly in the overall districtwide provisions
6 there was only one difference which is the
7 heights that are proposed. So that's the one
8 district difference between the K2
9 recommendations where in two areas the
10 Memorial Drive subdistrict, the K2
11 recommendation keeps the height at 120 feet
12 whereas MIT's petition calls for 150 feet.
13 And then in the Main Street subdistrict,
14 which is the area around Eastgate, again, the
15 K2 recommendations keep that at 120, whereas
16 the MIT provision calls for 250 feet in that
17 area. And, you know, I think those are
18 certainly worth discussing and can easily be
19 resolved, but that's our set and hopefully I
20 didn't exceed my time limit.

21 HUGH RUSSELL: Thank you.

1 I guess I would make a comment. One
2 comment is when people come back to us, any
3 of those matters can be resolved by
4 discussion between the proponent and the
5 staff. That would make our job easier. I
6 suspect not too many fall into that category
7 because they're kind of policy questions.

8 The other thing that strikes me is that
9 there's a lot of -- there's language in the
10 MIT petition which comes out of the K2 report
11 which I think may not belong in Zoning. So,
12 for example, there's a page on defining
13 innovation space. I think that might be done
14 through guidelines, and the reason I'm
15 worried about putting details like this that
16 normally aren't in Zoning and it's hard to
17 get them changed and hard to get them out,
18 and particularly something like the
19 innovation definition may be something that
20 needs to be adjusted over time and to force
21 the City Council to enact those things over a

1 process that takes six months or a year may
2 not be the best way to do it. So I would ask
3 you to look for things like that that might
4 be best.

5 And the other thing in that category is
6 the language about the committee and setting
7 up a committee and how it all works. That
8 might better be in an agreement say, but I
9 think as part of Zoning it's unusual. The
10 language is in Harvard Square Overlay
11 District, it's upper committee. The
12 committee's been essentially obsolete for
13 five years and we can't get rid of it. I'm a
14 member, I stopped going, but it's like the
15 regulatory processes and the discussion and
16 the square have changed, all of these things
17 that are written into the Zoning are sort of
18 lingering on.

19 And I would add one -- so my own
20 personal additional thing I would like you to
21 look at is a provision that would exempt any

1 residential development south of Main Street
2 in the PUD within the FAR limits because it
3 strikes me that right now it's unclear what
4 the institute's priorities are going to be
5 after the conclusion of a study that's only
6 starting. And that there are also
7 opportunities that might envelop relatively
8 small amounts of housing, but, you know, I
9 look at the historic buildings and I think,
10 you know, wouldn't it be nice if there were
11 apartments? Somebody said this in this room
12 and I don't remember who it was.

13 WILLIAM TIBBS: It was me.

14 HUGH RUSSELL: It was Bill.

15 Think of the thing that's right on the
16 street being housing in the buildings. Well
17 they're a little too deep for housing to
18 work, but that's something you can negotiate
19 with Charlie. And so, I'd like to look at
20 that.

21 Now are there other items that people

1 want to have looked at between now and the
2 19th of February?

3 H. THEODORE COHEN: I just have one
4 quick question that you don't have to answer
5 now. But if you could give a brief summary
6 of what current Zoning would allow --

7 WILLIAM TIBBS: Yes.

8 H. THEODORE COHEN: -- so that we
9 could really understand, you know, what MIT
10 could do now versus what they would be
11 allowed to do if this goes through, that
12 would be very helpful for me.

13 Thank you.

14 HUGH RUSSELL: Bill.

15 WILLIAM TIBBS: I had the same --
16 that was on my list, too. I was wondering,
17 Mike, could you put it on slide, I think it
18 was 23. It's the slide that had all the
19 pictures of the various evolving MIT --
20 evolving areas. And the old one. The next
21 one.

1 HUGH RUSSELL: No, the next one.
2 The numbering in our book and the numbers up
3 here differs by one at some point.

4 WILLIAM TIBBS: Yes, that one. I
5 was -- Charlie Sullivan stole my thunder
6 because he went back to the sixties, but I
7 just wanted to say that as an MIT freshman
8 coming out of the subway system in the early
9 seventies, which was over 40 years ago, I
10 remember being very disoriented, too, and
11 didn't know where MIT was. And I looked up
12 Main Street, and if you look in Tech Square
13 there's a building right in the center of it,
14 and that thing -- that looks surprisingly
15 like the MIT student center for a confused
16 freshman coming out of the subway.

17 HUGH RUSSELL: The old Polaroid
18 building.

19 WILLIAM TIBBS: So I dragged my bag,
20 which didn't have wheels in those days, all
21 the way up Main Street for quite a distance

1 before I realized, whoops, I've really made a
2 problem. And after asking a few people and
3 stuff like that, I got to where I was
4 supposed to be. But I just thought that was
5 -- I think the freshman coming out of the
6 Kendall Square station is quite the
7 experience, and has been going on for quite
8 sometime.

9 I also just wanted to remind us of some
10 of the things that we said before. One of
11 which that this parcel, if you look at the K2
12 study, this parcel is a critically important
13 one because it's really one that's most
14 actionable I guess if that's the word I can
15 use. Clearly the -- what we used to be --
16 the one that's part of the MDX area is very
17 built out as we know. The other parcel is
18 kind of has the Volpe center right in the
19 middle of it, and that has all kinds of
20 issues that we -- it's going to be -- it's
21 going to be a while that no matter what we'd

1 like to do there, it will be a time before we
2 can do it. And the other one is built up,
3 too. And MIT owns a big portion of this land
4 so that it is actionable. So it's a very
5 important one to focus our attention on.

6 The things that I -- one of the things
7 about the K2 study that I'm still thinking
8 about and that is what is its residential
9 strategy? One of the things I liked about
10 the CBC study, which was very short and
11 brief, was that it kind of looked at the
12 whole parcel and tried to kind of come up
13 with some strategies. It had some -- not
14 only did it have the gateway and the focal
15 point in this area, but it looked at some
16 potential. But I'd like us to think about
17 what is the residential strategy for the
18 whole parcel. I think that putting the
19 residents where they show it on the other
20 side of Main Street right at the tip there,
21 is a good idea, but I just wanted to know how

1 does this PUD contribute to the current
2 problem we have on Main Street? Because
3 currently on Main Street we have a slot of
4 Main Street that just doesn't have a lot of
5 residential presence. And clearly it would
6 be improved if it did. And in my mind either
7 it's the old buildings or having some housing
8 right at the Main Street in this parcel would
9 be -- it makes sense to me but at least I
10 think that's something I'd like to talk
11 about.

12 The other thing I wanted to -- you
13 know, the difference in height that Iram just
14 mentioned, I think -- I was particularly
15 interested in and I want to make sure we at
16 least talk about our strategies for
17 development rights and transfer development
18 rights, because we also talked about the fact
19 that the places where the 150 Memorial Drive
20 zone is, I mean we really have to look at the
21 parcel in terms of not necessarily what are

1 the parcels that are currently available and
2 how they'll be developed, but what is the
3 potential for the future? MIT has some
4 properties that I would think that they're
5 not going to be changing for quite sometime
6 in some of these parcels, and does that mean
7 by going up higher in their development
8 rights they got transferred and go there and
9 look at the language about an overall FAR but
10 it can get higher in parcels as long as the
11 overall FAR -- I want to make sure we're not
12 just putting height in places that just allow
13 for excess development and other places that
14 there's some balance there. So these are all
15 things that I'd like to make sure that we at
16 least touch upon as we're going. And I'll
17 leave it at that for the time being.

18 HUGH RUSSELL: Pam.

19 PAMELA WINTERS: Yes, I was just
20 wondering did we receive a traffic report
21 from Sue or maybe I lost it or I don't know.

1 WILLIAM TIBBS: There wasn't a
2 report.

3 PAMELA WINTERS: There was no
4 report?

5 HUGH RUSSELL: She might help us to
6 interpret Mr. Kaiser's report.

7 PAMELA WINTERS: Pardon?

8 HUGH RUSSELL: She might help us to
9 interpret Mr. Kaiser's report.

10 PAMELA WINTERS: We will be getting
11 that in the future then at some point.

12 HUGH RUSSELL: I think we should ask
13 for a discussion of traffic.

14 WILLIAM TIBBS: Hugh, could I add
15 one more thing?

16 I just wanted to say that as we talk
17 about housing and we talk about graduate
18 housing which I think is an issue, which
19 obviously a lot of people brought up here.
20 One of the things that I'm aware of,
21 particularly when you look at the things that

1 the graduate students brought up, which is
2 there's a raise in rent, there's lower
3 vacancy rates and affordable and middle
4 income affordability of housing, the other
5 issue that I want to make us aware of is that
6 the firms that we're bringing here, the
7 people who work there also are a pressure
8 among the housing market, particularly
9 relative to the fact that in a lot of cases
10 they can afford to --

11 PAMELA WINTERS: Right.

12 WILLIAM TIBBS: And the immense
13 amount of housing development that we have
14 going right now is actually being done at
15 pretty high cost and at high either rent or
16 cost levels, because I think that the
17 developers are looking at, you know, with
18 looking at all these potential people who are
19 going to be work in these, quote, unquote,
20 high tech firms and biotech firms that can
21 afford to live there. And, you know,

1 particularly from affordability since we here
2 a lot about the fact that the regular, the
3 regular folk in Cambridge just can't afford
4 to live here anymore. So it's not just the
5 students who need to be on campus to get out
6 of the sort of the housing market, it's also
7 as we build so much development in these
8 areas there's also -- we're bringing in a
9 population that if they, too, want to live
10 nearby would also be an issue. So I just
11 want to make sure that we at least discuss
12 that as part of that housing strategy that
13 they talked about.

14 PAMELA WINTERS: And one of the
15 things in talking about housing that we had
16 come up before was the issue of micro
17 housing. And one of the professors that
18 spoke this evening said that a lot of the
19 graduate students really work all day, work
20 very, very hard, they just really want a
21 place to kind of crash. And so you can fit a

1 lot more housing in a smaller, you know,
2 amount of space and for cheaper rents. So
3 that a lot more of students can afford to
4 live nearby where they work. I think that
5 that would be great.

6 HUGH RUSSELL: Right. I think that
7 you probably characterize Ashdown House as
8 micro housing. That is to say --

9 UNIDENTIFIED MALE: The old Ashdown.

10 HUGH RUSSELL: -- you don't get in
11 MIT graduate student dorms.

12 PAMELA WINTERS: Right.

13 HUGH RUSSELL: Okay. I guess we'll
14 move down this way. Steve or Ahmed.

15 AHMED NUR: Steve.

16 STEVEN WINTER: Thank you,
17 Mr. Chair. I agree with you that the way
18 that the innovation space looks shouldn't be
19 in the Zoning language, but I do think that
20 we need to get back to this folks who helped
21 us with this initial letter. Tim Rowe, Johan

1 Freuhause (phonetic), Mark Castove
2 (phonetic), Katie Ray, and this guy from, I
3 love the name, Dogpatch Labs. I think we
4 need to get back to those folks and make sure
5 that whatever we to create as an addendum
6 reflects their wisdom. I think they were on
7 the right track.

8 I'd also like -- I'm not looking for
9 this right now, but we heard from two or
10 three folks, there's little or no housing
11 studies in the City of Cambridge. There's no
12 comprehensive housing study, and I just think
13 we need to have some kind of a response to
14 that.

15 And I also want to say that graduate
16 housing is a big deal. It's a big deal in
17 the innovation ecosystem. These
18 entrepreneurs who are doing startups and
19 getting this really high level of technical
20 assistance from graduate students -- see,
21 you're getting a post-doc who lives in

1 Romania and she's been here for ten years
2 studying and has this huge content level.
3 And that entrepreneur who is broke and who is
4 funding this startup pays actually very
5 little to that post-doc. It's not -- I'm not
6 being pejorative but that post-doc is also
7 gathering huge content, expertise, and depth
8 to take back to where ever it is that they're
9 going. But there's a relationship there that
10 we have to be very, very careful of that we
11 don't disrupt it because it's a big part of
12 what happens in the innovation economy and on
13 the entrepreneurial and the startups. And I
14 don't want to be casual about it at all.

15 I also think that we owe some due
16 diligence to the Red Cross building and the
17 Kendall Hotel to make sure that our -- we do
18 existing Zoning really well to protect
19 neighborhoods and to secure the feeling of a
20 neighborhood, so I just want to make sure
21 that we're doing that with this.

1 HUGH RUSSELL: So if you could go
2 through Jarrett's letter and pull out pieces
3 that we need to attend to or maybe make
4 suggestions.

5 WILLIAM TIBBS: It also deals with
6 how we deal with setbacks, too.

7 STEVEN WINTER: Correct, correct.
8 It's all stuff that's there. It's already
9 there.

10 And, Bill, I agree that the transfer of
11 development of rights issue is an interesting
12 issue, and I too want to make sure that we're
13 not setting up a district that's a donor
14 district for transfer for TDR, height
15 somewhere else. I just -- that's not the way
16 it's really supposed to be used.

17 And that's it, Mr. Chair.

18 HUGH RUSSELL: Ahmed.

19 AHMED NUR: I think Steve just went
20 over my points. But in addition I just
21 wanted to -- two graduate students that came

1 in on behalf of the student body and the
2 petitioner (inaudible) but to put in front of
3 us their concerns, which is an extremely
4 legitimate concern. I do expect that of MIT
5 students to come out and challenge what is
6 proposed or rather support. I think that's
7 the only comment that I wanted to make.

8 HUGH RUSSELL: Okay. Tom.

9 THOMAS ANNINGER: I guess my first
10 comment is that I think this is, as a number
11 of people said, I think this is an improved
12 version of what we saw the last time,
13 substantially improved. And I think it's a
14 well-balanced and well-written petition. I
15 read through it today, and I think on a first
16 read it was actually carefully crafted.
17 Somebody spent some time writing the words,
18 and most of them are helpful, but what I
19 guess my interest is, because there are a lot
20 of perspectives on what we should do here and
21 I think we should spend sometime particularly

1 in the next session looking through the words
2 and the concepts and seeing what's here and
3 what isn't here. And my interest is very
4 much in what these buildings are going to
5 look like; whether it's the architecture or
6 how they relate to each other and so on, and
7 there are words here that help you on it and
8 then there are parts that say nothing. And
9 that's fairly typical of Zoning petitions,
10 but let me just point out a few things that I
11 noticed, and it's something that, for
12 example, right at the outset there are the
13 purposes or objectives of this petition right
14 at the outset. And Iram and others who
15 critiqued this or made comments on it said
16 that the objectives didn't take into account
17 studies that might come in the future that
18 might define the objectives. That's somewhat
19 of a weird concept to me. I guess I want to
20 understand what the staff meant by future
21 studies guiding us on what we meant when we

1 originally wrote this. How does that work?
2 Can we somehow in the future alter what we
3 meant when we wrote this? That's a little
4 bit interesting and bizarre to me, and I
5 guess I want to understand what Iram and
6 others had in mind.

7 HUGH RUSSELL: But not tonight.

8 THOMAS ANNINGER: But not tonight.

9 But not tonight.

10 There is a lengthy section that I think
11 is very interesting of height over 250 feet.
12 There's a lot of stuff there. The most
13 blurred paragraph perhaps in the whole Zoning
14 section that I'm tempted to read here: That
15 increased height would not adversely affect
16 and would result in increased sensitivity to
17 the visual and physical characteristic of the
18 particular location through more harmonious
19 relationships to the terrain and to the
20 proposed and existing buildings in the
21 vicinity that have functional or visual

1 relationships to the proposed building. And
2 that's a mouthful. That's a tough one. I
3 had to read that a few times and I'm still
4 not sure I've quite got it, but a lot of
5 these things are good. They -- I guess I
6 wonder why they only relate to things over
7 250 feet. This could have -- help us in
8 other ways, and I guess I want to dig into
9 that language.

10 Bridges between the buildings I think
11 is a very important subject. You can imagine
12 these buildings all being connected by all
13 sorts of tunnels above ground and so on. I
14 guess I'd like to know how we evaluate those
15 bridges. There was some discussion about how
16 high they should be and so on. But what
17 criteria should we use to decide? Is it
18 going to be from time to time what you and
19 the Planning Board thinks are good? There
20 are good and bad things to say about bridges.
21 Bridges connect buildings, particularly in

1 the tough climate that we live in. On the
2 other hand, they keep people off the street.
3 And so you'll want to think about whether you
4 really want to do that or not, and how often
5 you want to do that. So bridges I think is
6 an important subject.

7 Architectural diversity, there isn't a
8 word about that and probably there won't be.
9 We usually don't talk about that in the
10 Zoning itself, but it's something that's near
11 and dear to my heart, and it's something that
12 we've talked about in other context and I
13 would like it to be a theme here, too.

14 An issue that I have with MIT is the
15 way they sometimes raise funds for buildings
16 and then rush to get them into the ground and
17 they move too fast. I think the Koch
18 building is an example of that. You got a
19 lot of money from dare I say a bad guy, and
20 you wanted to run before he changed his mind
21 or the politics changed, and it didn't come

1 out right is my view. I want to be sure that
2 doesn't happen here anymore. There are other
3 examples.

4 HUGH RUSSELL: So it's sort of like
5 an architectural quality is universally
6 proportional to the fundraising time. The
7 media lab being the other extreme.

8 PAMELA WINTERS: I was just going to
9 say that. You took the words right out of my
10 mouth.

11 WILLIAM TIBBS: That took a long
12 time.

13 PAMELA WINTERS: That was ten years.

14 THOMAS ANNINGER: And an important
15 point that I noticed in reading about it if I
16 understood it right, and maybe it was in the
17 comments, maybe it was in the Zoning itself.
18 I think it was in the comments that Iram and
19 others wrote, was the first time we have a
20 building we will be looking for a master plan
21 to decide what the whole area will look like.

1 That's going to be a critical moment if
2 that's the way it plays itself out, if that's
3 really the order of things, is that very
4 first building will sort of decide just like
5 what we did for North Point in a way --

6 WILLIAM TIBBS: Right.

7 THOMAS ANNINGER: -- we'll have a
8 master plan at the same time. So I guess we
9 want to think how that master plan gets
10 developed and whether we are in a position to
11 even do such a thing in such a vast scale.
12 That's almost a scary proposition to do a
13 master plan for a number of acres of such
14 critical acres as this.

15 HUGH RUSSELL: Particularly when you
16 don't know what half the program is.

17 THOMAS ANNINGER: That's right.

18 HUGH RUSSELL: Because it's the
19 academic entitlement that's going to play
20 out.

21 THOMAS ANNINGER: So I guess I

1 wonder what the staff or MIT meant by doing a
2 master plan at that very first time. So
3 those are some of the thoughts that ran
4 through my head as I was trying to think what
5 is this going to look like? And that is sort
6 of where I'm going to spend some of my time
7 about it when we talk about it again.

8 HUGH RUSSELL: You want to bat
9 cleanup?

10 H. THEODORE COHEN: I just have one
11 last question. When we were talking about
12 traffic, whether this presupposes a
13 particular use of Main Street, because I know
14 Sue had a very different points of view under
15 the two plans for Kendall Square as to
16 traffic on Main Street and whether we need to
17 address that now or whether that's something
18 that's still going to come at some point in
19 the future.

20 HUGH RUSSELL: Okay, any last
21 thoughts? Things we want to talk about next

1 month?

2 (No Response.)

3 HUGH RUSSELL: If not, I think Tom
4 said something that is, I think, represents
5 probably the views of the entire Board which
6 is that this is another stage in a proposal
7 that seems to be generally in conformance
8 with the Kendall Square study. And it's a
9 reasonable proposal that needs fine tuning.
10 Maybe.

11 STEVEN WINTER: I concur.

12 HUGH RUSSELL: Okay. So with that,
13 we will send you off to the hall to do your
14 homework. And we will try to take up case at
15 54 Cedar Street.

16 Thank you very much.

17 (A short recess was taken.)

18 HUGH RUSSELL: Okay, the Board is
19 going to discuss a Special Permit case at 54
20 Cedar Street and this is a case we heard
21 quite sometime ago and there have been, I

1 believe, some changes and so I think the
2 first what we want to find out from the
3 Petitioner what's changed and then we'll go
4 from there.

5 ATTORNEY SEAN HOPE: Good evening,
6 Mr. Chair and members of the Planning Board.
7 For the record, attorney Sean Hope, Hope
8 Legal Law Offices. I'm here on behalf of the
9 Petitioner, LaCourt Family, LLC. And with
10 the project architect Jai Singh Khalsa. In
11 the revised drawing plan and the material
12 change from the previous design was an
13 alternative roof plan. The original plan had
14 a flat roof, and the revised plan has a
15 pitched roof. This was based on some
16 feedback with the neighbors, but as well as
17 we are proposing it as an alternative plan
18 and there's been some sentiment in recent
19 conversations that maybe the pitched roof may
20 actually make the building seem larger so
21 that we are open to either one.

1 I did submit an amended narrative I
2 think which speaks to two structures versus
3 one structure and some of the identifiable
4 benefits. But just briefly, based on the
5 comments from the public and from the
6 Planning Board, we actually took a fresh look
7 at the lot and the proposal for putting the
8 structure on there. One of the things that
9 -- and Jai will talk about maybe more
10 specific, was that we looked for a superior
11 design. And so we actually looked at the
12 site, and wanted to look at, even if it meant
13 going for a Variance or a hardship, what
14 would a 2800 square foot building look like
15 if it was connected as an accessory unit or a
16 townhouse to the existing unit? So you see
17 the existing structure which is 822 square
18 feet. That structure is non-conforming in
19 terms of the setback. So when we looked at
20 that, and we actually have some models here,
21 which Jai can go to the next slide. We

1 actually did a general massing study. And so
2 we looked to see if we added that 2800 square
3 feet as an adjacent building to the structure
4 that complied with the setbacks, what that
5 would mean in terms of the experience from
6 the street and as well as the occupants. And
7 one of the challenges as part of the -- and
8 this is the new structure, this square here.
9 One of the challenges under 5.53 references
10 incentives to put the building and parking in
11 the middle of the lot as well as to have the
12 parking shielded by the public view. So if
13 you -- we modeled the 2800 square feet. What
14 you have here is you have -- because these
15 would be connected townhouses, you are
16 allowed to be greater than 75 feet from the
17 street, but you had the example of having the
18 parking in the rear yard.

19 We did discuss with the rear abutters
20 the idea of having the proposed building in
21 this location. There was strong opposition

1 to having any parking in the rear lot. As
2 you remember, at the previous hearing there
3 were two abutter at the front of the lot, and
4 there was some suggestion that moving the
5 parking, excuse me, the building to the rear
6 lot was going to be a preferable design. We
7 also did another study where we actually
8 moved the parking out of the rear yard, and
9 as you would see for the dimensional
10 requirements of the compliant parking spaces,
11 there was -- another option was to site the
12 parking along this property line here and
13 then you still have a conforming structure.
14 Now the reason why you have to have a
15 conforming structure is, as the Board knows,
16 is when you have a connected townhouse,
17 you're allowed to encroach the 75-foot
18 setback line. I think both of those
19 proposals are in fear of design. One because
20 it still leaves this vacant open lot in the
21 front as well as the experience from the

1 street. As one way you'll see, driveway and
2 parking and the house in the rear. Also from
3 the owner's point of view in terms of
4 marketability, and you'll hear some of this
5 from the rear abutters, part of this open
6 large lot allows for, you know, light and air
7 and access to this rear yard which is really
8 what part of 5.3 seeks to preserve. As
9 you'll see one of the criterion is
10 maintaining this contiguous open space and
11 rear yard vistas. So putting in this 2800
12 square feet structure in the back actually
13 precludes. Now in this example with the
14 parking along the side, you do have most of
15 this ample and rear yard space still open,
16 but the experience from the street is one
17 where you're going to see these cars parked.

18 This first car is actually parked
19 within the front yard setback. And so really
20 the second car is really a compliant space.
21 So that there may be an opportunity to move

1 this back, but we said we were looking at
2 different options even if it meant a
3 Variance. So we wanted to show really if we
4 were really trying to preserve as much of
5 this rear yard space, where can we put the
6 parking?

7 Another aspect that we looked at in
8 terms of what would be the appropriate design
9 on this as opposed to what we propose, was
10 the experience along Cedar Street. And as
11 you'll see, you know, within the neighborhood
12 you don't see 60 feet or more of open front
13 yard space. What you see is houses to the
14 front of the lot, and you'll see usually
15 these majority of these 5.53 Special Permits
16 are asking to add additional houses to the
17 rear of the lot. So I do think this is a
18 unique case because the existing house is in
19 the rear. And so in order to do an attached
20 townhouse, you really are going to be putting
21 the massing in the middle to the rear of the

1 lot.

2 The other, which is a highlighted in
3 the narrative, the reason for the 5.53
4 Special Permit is that this corner portion of
5 the house is rated 75 feet from the line.
6 And so the Petitioner, if he demolished this
7 front corner of the existing single-family,
8 he could, by application for a Building
9 Permit, place the same structure in the front
10 of the lot. It would mean actually taking
11 off the corner of this house. Now this is
12 not a favorable option for him. This is an
13 822-square foot house, so the living area is
14 very small. But just in terms of what the
15 options are. So, you know, part of our
16 analysis would be, you know, what is the
17 burden and what is the cost of demolishing
18 this front structure of the house versus all
19 the other options that were available on the
20 site? And Jai can walk through this in terms
21 of the architectural, but just in terms of

1 the massing and what's allowed on the lot, we
2 really feel that even after review and even
3 with the Variance, just briefly I wanted to
4 walk through some of the challenges for going
5 for a legal hardship.

6 So one, Article 8 takes non-conforming
7 structures --

8 HUGH RUSSELL: I just assume not
9 have a Zoning primary right now.

10 ATTORNEY SEAN HOPE: Oh, sure.

11 HUGH RUSSELL: We're later than we
12 want to be. Can we go to Jai's presentation?

13 ATTORNEY SEAN HOPE: Sure.

14 WILLIAM TIBBS: And in particular
15 can you make sure that you start with the
16 site plan? And do you have a plan that shows
17 the adjacent buildings?

18 PAMELA WINTERS: Yes, I was going to
19 say that, too.

20 WILLIAM TIBBS: Because this cannot
21 be looked at out of context with the

1 buildings that are right next to.

2 JAI SINGH KHALSA: Jai Singh Khalsa,
3 Khalsa Design, the design architect for the
4 project. And give me one second here. The
5 computer's a little slow scrolling back but
6 it will get there in a minute.

7 Okay, here is the locus plan of the
8 neighborhood and the site that we're talking
9 about is in this area here.

10 THOMAS ANNINGER: Can you do a
11 little better?

12 JAI SINGH KHALSA: I want to zoom
13 in. I'm going to zoom in a little bit in the
14 area so you can see more clearly what the
15 locus is for that area.

16 PAMELA WINTERS: Thank you.

17 JAI SINGH KHALSA: And so the lot
18 we're talking about is highlighted in brown
19 here or red. This is the existing house.
20 This is the proposed house. And this over
21 here is Mr. Bingham's house next-door. And

1 you'll seat footprint of Mr. Bingham's house
2 is about the same size of the footprint of
3 the house that we're proposing to put up
4 front here, okay?

5 So you've got the general sense of the
6 shape of the homes in the neighborhood that
7 you have a pretty consistent rhythm of homes
8 along the street frontage and as well as on
9 this side of the street, you pretty
10 consistently have homes fairly close to the
11 street. And we're taking what is a hole in
12 that and filling it. Now interestingly
13 enough historically there were homes in this
14 location, and we had shown in the past a
15 Sanborn maps and the historic maps of this
16 area showing that there were two homes on
17 this lot in the past.

18 Let's go to the next one.

19 And so we went to street view and we
20 pulled up what was available for the -- a
21 view down the street today, and we dropped in

1 our building. And this is Mr. Bingham's home
2 here. I don't know the name of the abutter
3 here, but you have a garage here and then you
4 have the next home down the street here. And
5 this is the proposed building that we had
6 here, the one with the flat roof. We also
7 have a pitched roof design that we'll show
8 you in a minute.

9 So you can see the house, yes, it's a
10 story taller, but it's not tremendously out
11 of scale with what is going on on this side
12 of the street.

13 WILLIAM TIBBS: It's the width of
14 this house and what's the width of the
15 Bingham house?

16 JAI SINGH KHALSA: They're both
17 around 16 feet.

18 UNIDENTIFIED MALE: Your proposal of
19 house is only 15 feet.

20 JAI SINGH KHALSA: We have to wait
21 for it to catch up to the next screen. OKAY,

1 here you can see -- here you can see this is
2 Mr. Bingham's house, the existing house here,
3 and in this location we're proposing close to
4 the same footprint over here in the lot here.
5 This is the existing house on the applicant's
6 lot, and then the garage back here which
7 we're proposing to be demolished.

8 WILLIAM TIBBS: I guess my question
9 was what is the width of both of the houses,
10 not that they're approximately the same, but
11 what is the width of both houses?

12 JAI SINGH KHALSA: Well, I'll give
13 you the exact width, hopefully the exact
14 width of Mr. Bingham's house and I'll give
15 you the exact measurement of our house in a
16 minute. Well, I can't give you the exact on
17 Mr. Bingham's. He's got a lot here which is
18 24 feet wide, and this is taking up a little
19 bit more than half the lot. So this is
20 probably in the range of 14 feet wide back in
21 this area here. You'd be about 16 feet wide

1 in this area here. I can give you in a
2 minute the exact width on the house that
3 we're proposing.

4 ATTORNEY SEAN HOPE: It's 14 feet.

5 JAI SINGH KHALSA: It's 14 feet?

6 HUGH RUSSELL: 14 in the main part.

7 JAI SINGH KHALSA: And then it bumps
8 out wider the back.

9 HUGH RUSSELL: Yes.

10 JAI SINGH KHALSA: It's been a
11 couple months since I've looked at the exact
12 width of the house.

13 You've seen the Zoning diagrams. I'm
14 not going to repeat what Sean discussed with
15 you, but it's, you know, fully compliant in
16 terms of the setbacks. And as Sean said, you
17 have an area over here of this existing house
18 that potentially one approach would be to
19 demolish that part of that house. It would
20 then bring it into conformance, and the house
21 here would then be totally conforming in

1 terms of the approach of the project.

2 I don't have much to add -- I'm sorry,
3 Hugh.

4 HUGH RUSSELL: Can we just -- I'd
5 like to give -- do you have any other street
6 views of the alternative design? I really
7 don't want to go through the same testimony.

8 JAI SINGH KHALSA: Okay, here's the
9 same design alternative. I don't have any
10 other three-dimensional -- 3-D renderings of
11 it. This is the alternative design. And
12 what we've done on the alternative design was
13 to put a pitched roof on it, which we thought
14 would make the house seem smaller. Some of
15 the abutters who reviewed it actually felt it
16 made the house seem larger. And their
17 preference was stated that they preferred the
18 flat roof version rather than the pitched
19 roof version. The pitched roof was an
20 attempt to architecturally bring the scale of
21 it down a little bit. Okay?

1 The height hasn't changed from this to
2 the flat roof version, okay, but you do get
3 the shingles in the sense of a slightly
4 lowered roof out of it and a series of
5 dormers happening on it.

6 I think we did adjust the window
7 pattern a bit in here, and we did take away
8 sort of the mock bay break down from a lot of
9 the side of the building as well in terms of
10 the detailing on this.

11 And I can zoom in on this to tell you
12 what the dimensions are on the building.

13 Okay. The building at its widest point
14 in the back is 16', 1", in this area here and
15 it is -- give me one second here.

16 HUGH RUSSELL: I think it's --

17 THOMAS ANNINGER: This doesn't
18 really matter.

19 JAI SINGH KHALSA: Well, I was just
20 responding to the request.

21 HUGH RUSSELL: So could you put up

1 the street view? The perspective rendering?

2 JAI SINGH KHALSA: Yes.

3 THOMAS ANNINGER: Yes, it's not a
4 bad place to start.

5 HUGH RUSSELL: What do we think
6 about that?

7 WILLIAM TIBBS: One, the Bingham
8 house is basically, and if you look at it, I
9 have a picture of it right here. I can share
10 it if you want. The Bingham house is
11 basically -- it's a two-story house, but it's
12 actually one full story and the roof kind of
13 begins to cut into the second story, so it's
14 relatively low. So even though it's
15 relatively narrow, it's relatively low. And
16 from my sense I just can't get a sense of the
17 context of what this really will look like.
18 I mean, yours is two stories with -- even if
19 you did the pitched roof.

20 THOMAS ANNINGER: Three stories.

21 WILLIAM TIBBS: Three stories. So I

1 can't imagine it's going to be anywhere
2 close, but that's for you to show it in some
3 convincing way. The problem with this one
4 for me is that the site is very narrow. It's
5 a very odd site. It's very narrow in the
6 front and it has that little jog in the back.
7 And unless you can show me some context of
8 how this looks in the neighborhood, which is
9 one of the criteria that we have to use to
10 select it, I can't -- I just can't deal with
11 it. So, I think it's good that you did those
12 studies in the back, but at least in a block
13 kind of way you need to show those in three
14 dimensions, show the garages next-door, show
15 the property next-door so that we can see
16 this in context. Even though they're
17 different properties, the Bingham house and
18 the house on this lot almost look like they
19 could be one, because if you don't see the
20 property line, you're not -- you know, you're
21 not aware of the jog. So in my mind, I'm

1 open to the idea of looking at this and
2 determining what might be a reasonable
3 approach if you're going to have something up
4 front. But the two back options are
5 reasonable, too. But I just can't assess
6 them at all without you actually giving me
7 some context in three dimension or some
8 three-dimensional views to begin to see where
9 the open space is, where the drive is.

10 PAMELA WINTERS: And the
11 surrounding --

12 WILLIAM TIBBS: The idea about the
13 parking in the front, even if you -- if it's
14 screened and if you have landscaping and
15 stuff like that, I, I just -- you don't have
16 enough information for me to be able to make
17 a determination on this at all from my
18 perspective. I don't know how the other
19 board members feel. And you need to come
20 back and just show us some -- show us what
21 you looked at, and then what the pros and

1 cons are. And then we can sort of try to
2 help you if we can and sort of say which one
3 makes sense to us. But this particular one,
4 if I had to vote on it tonight, I would be
5 voting no big time because -- from my
6 interpretation, having gone there and looked
7 at it, I just don't, I don't get it.

8 STEVEN WINTER: Mr. Chair.

9 HUGH RUSSELL: Steve.

10 STEVEN WINTER: Yes, Bill, I concur
11 with you. And I would be a little more
12 blunt. I would say that I don't have a clue
13 what is going on with these buildings so the
14 relationship to them or the relationship to
15 the driveway or in between, whether it's too
16 close to the existing house. I just, I don't
17 have a clue what's going on from the
18 information.

19 HUGH RUSSELL: Tom.

20 THOMAS ANNINGER: I agree that the
21 information is not adequate, but I do think

1 we can take this a step further if we start
2 to roll up our sleeves and really think about
3 it. At least I have my view on the changes I
4 would make to this. I'm with you, that I
5 don't think that this proposal that you have
6 is a good one, but I think with a few changes
7 and they are substantial -- maybe we can take
8 this thing down so I could sort of see you
9 guys?

10 Thank you.

11 HUGH RUSSELL: It might help if you
12 guys would sit over in the middle.

13 THOMAS ANNINGER: That's great.
14 Thank you. And maybe you can sit over there.
15 Thank you, we're fine.

16 Here are some of the things that I
17 think we ought to talk about:

18 Clearly the option of putting a
19 building in back and having nothing in front,
20 I couldn't agree with you more. It's not a
21 good one and it's not desirable and we

1 wouldn't want you to do it and I don't think
2 you want to do it.

3 HUGH RUSSELL: And we've gotten
4 letters from two abutter that don't want that
5 either.

6 THOMAS ANNINGER: Right.

7 This building, I was there today, I
8 think there are -- the first question is
9 where is it located? How far back are you
10 setting it? And what is the angle at which
11 you are setting it? To me it should be a
12 little bit further back than where it is now.
13 Not a whole lot, but its relationship to
14 Mr. Bingham's, is that it, Bingham?
15 Mr. Bingham's building I think is not good
16 the way it is. I think it is a little too
17 far forward. And if you try to recreate his
18 angle and his setback, I would push it back
19 further. That would -- that seems logical to
20 me, and I think that would give you actually
21 a little bit more breathing space, but I'm

1 not sure of that.

2 HUGH RUSSELL: So you're saying you
3 want him to match the Bingham's setback?

4 THOMAS ANNINGER: Yes. That's No.
5 1.

6 No. 2, I think you would vastly improve
7 this building if you chopped off a story. I
8 think it should be two stories, not three.

9 WILLIAM TIBBS: Yes.

10 PAMELA WINTERS: I agree.

11 THOMAS ANNINGER: Then I think it
12 will be -- it will look quite logical in the
13 scheme of things. You're cramming in a top
14 floor on a very narrow building and that's
15 what makes it look so weird.

16 WILLIAM TIBBS: Yes, it does.

17 THOMAS ANNINGER: So I would take
18 off a floor. I know you want -- you don't
19 want to hear that, but that's what I would
20 suggest you do.

21 And the third thing I don't like about

1 this project, and I think we have to figure
2 out something to deal with this, is these
3 five parking spaces. Where does that come
4 from? I know, I know what you're going to
5 say about the 1970 Variance. I guess my
6 first question is are any of the people on
7 Norris Street using this anymore?

8 UNIDENTIFIED MALE: Never did.

9 THOMAS ANNINGER: Never did. So
10 it's kind of a bogus solution that I would
11 suggest to you with time has lost whatever
12 strength it may have had as a solution to a
13 problem from 30 or 40 years ago. So I think
14 it's meaningless now today. I don't believe
15 that that Variance gave you the right to have
16 more parking than is appropriate for the site
17 the way it stands. So I guess I would like
18 to analyze this as how many spaces does this
19 site get for the housing that you propose to
20 use for it? Forget about Norris Street.

21 HUGH RUSSELL: Two.

1 THOMAS ANNINGER: Two?

2 HUGH RUSSELL: Right. Very simple.

3 THOMAS ANNINGER: I might think
4 three might be okay, but certainly not five.
5 So in sum, I would push this back so that it
6 lines up pretty much so it has the same
7 setback as the Bingham building. I think it
8 would look better that way, and give
9 everybody a little breathing room in front.
10 I think it would relate better to the street.
11 Two stories --

12 PAMELA WINTERS: Right.

13 THOMAS ANNINGER: -- two maximum,
14 three spaces.

15 HUGH RUSSELL: Other comments?

16 H. THEODORE COHEN: Well, Tom pretty
17 much covered everything I had to say which I
18 think his comments were excellent and, you
19 know, really encapsulate. I agree, the
20 building if it's going to exist, has to be in
21 the front. And I think it's always been the

1 oddest looking building at three stories and,
2 you know, it really has to be less tall. If
3 indeed people are not using those three
4 parking spots, then I think we ought not have
5 to do deal with that. Although I think
6 reading the variance it may be necessary for
7 you to go back to the BZA and get the
8 Variance modified. But I think if we can get
9 down to two or three parking spots at the
10 most and they're -- I think in the middle, as
11 you've been showing it, that would be
12 appropriate for the structures that are there
13 and would leave a nice large yard in the back
14 which would be good for you and for all your
15 abutters would have open space. And I think
16 then that become an acceptable configuration.

17 HUGH RUSSELL: Pam.

18 PAMELA WINTERS: I would just like
19 to have better visuals. I'm a real visual
20 person, and I just -- I would like to see how
21 this relates to the abutters and just more

1 clear pictures of where what you propose
2 probably going to propose something different
3 after tonight, but how it's going to fit in
4 with the abutters and how it's going to --
5 how the whole thing is going to look and have
6 a really good picture of it so that that
7 would be my request.

8 WILLIAM TIBBS: Hugh, can I, I just
9 want a second what she just said for two
10 reasons: One, without really seeing the
11 house that's there, if I just looked at your
12 assessment that you did looking at the site
13 whatever, actually I would have been tending
14 to put the building in the back, but then
15 when you realize there's already a building
16 in the front that's not on this property, but
17 for all the visuals intents then you're
18 talking about three buildings all lined up
19 there in the front. And that's why the one
20 in the back doesn't make a lot of sense to
21 me. And so I think it's important to show a

1 site plan and to really show those buildings
2 so that we can see. And then when you put in
3 the parking and where you're going to have
4 grass and where you're going to have paving,
5 and we can assess all that stuff and go from
6 there.

7 The parking, the five parking spaces
8 are just in your way. It's just causing you
9 more problems than they're worth in terms of
10 trying to solve this problem.

11 ATTORNEY SEAN HOPE: Could I briefly
12 address --

13 HUGH RUSSELL: No, I'd like to
14 speak.

15 ATTORNEY SEAN HOPE: Excuse me.

16 HUGH RUSSELL: I'm also from the,
17 you know, the lack of information led me to
18 go to Google maps to try to understand what
19 was happening in the backyard. It appears to
20 me that there are some trees there that are
21 of significant size, and that would be -- I

1 would like to know where those trees are
2 vis-à-vis any parking plan that you come up
3 with. And that I would not want to see, you
4 know, significant loss. I think there's one
5 tree that's on the footprint of the house
6 that to me would be an exception that, you
7 losing that tree is different in my mind.

8 And if you look at Google maps' sort of
9 view, when you zoom in, they start giving you
10 an oblique view which gives you more of a
11 characterization of what the structures are
12 like. And there are some buildings that are
13 taller than, you know, one and a half or two
14 stories, but there aren't too many. There
15 is, of course, the building we know and love
16 on Norris Street, but it's not on Cedar
17 Street. There is a -- looks like a
18 three-family, a three decker on the corner of
19 Norris and Cedar on the north side. So I'd
20 go back and forth in thinking, well, you
21 know, there are three-story houses scattered

1 around North Cambridge. And another
2 three-story house isn't wildly out of
3 character. There's some pretty unusual
4 houses.

5 WILLIAM TIBBS: It's not the height.
6 It's the narrowness of their particular plan
7 that --

8 HUGH RUSSELL: I'd like to complete
9 my remarks, please. The -- so it's unusual
10 -- there are other very unusual houses. This
11 would be a very unusual house in terms of its
12 height. And so I agree with my colleagues
13 that it's just out of whack.

14 I look at the floor plan and I wonder
15 why you need four bedrooms and a study and
16 three bathrooms? Is this going to be for a
17 whole bunch of students? Is that why you
18 need all the parking places? Is that what we
19 want in this neighborhood? And so I'm
20 wondering if you could actually just take off
21 the first 20 feet or so of the third floor

1 which has a bedroom and a bathroom in it, and
2 then there's a stair next to that that
3 actually is -- there is another four feet
4 where the roof can be lower. I mean, I don't
5 know what that would look like. You know, it
6 might be pretty -- it might be equally
7 bizarre, but it might be a way to treat it so
8 that, you know, is it far enough back from
9 the reasonable points of view or is it --
10 this building is quite exposed partly because
11 of the way the buildings are, the lots are
12 set at an angle to the street, so, you know,
13 at the corner of the Bingham lot that is,
14 there's a lot of distance to the street that
15 exposes side enough that the building aligns
16 with that. I don't know.

17 In the big picture here, they don't
18 want to cut off the corner of the house but
19 they may decide that's what they have to do
20 to maximize their financial return, and in
21 which case that -- this case goes away and

1 this building gets built. So we can't just
2 -- we have to have a negotiation -- we have
3 to discuss.

4 WILLIAM TIBBS: With all due
5 respect, we are not here to design the
6 properties for these projects for the
7 proponents. We can give you our thoughts and
8 our ideas on how to improve and what makes it
9 reasonable, but we don't -- I mean and
10 negotiation is all right, but we're not --
11 you know, we can give you some thoughts and
12 ideas, but I don't want us -- we shouldn't
13 start designing things for people. That's
14 their job. They come to us with a project
15 and we react to it.

16 HUGH RUSSELL: Right, and I think
17 there's been a very clear reaction from the
18 Board, and I only muddied it slightly.

19 So now, Mr. Hope, what did you have to
20 say?

21 ATTORNEY SEAN HOPE: Thank you, and

1 I'll be brief. Just for the record, I do
2 understand from the Planning Board that the
3 other perspectives and visuals would make
4 what we're proposing a lot more easy to
5 understand in the context. I did think this
6 perspective was helpful, but without the
7 perspective looking down the driveway and to
8 the rear I think you made the point clear.
9 It's very difficult to know how this is going
10 to feel in relation to Mr. Bingham. And I
11 think that exercise would be something that
12 would be worth doing for the Planning Board,
13 for the neighborhood, and for the project in
14 general.

15 Specifically toward the parking, I did
16 go meet with Inspectional Services. And you
17 have the Variance in front of you. The
18 affect of the Variance, and let me be clear
19 to the site, it doesn't burden 54R Cedar, but
20 the compliance the Certificate of Occupancy
21 for that third floor unit is contingent on

1 three parking spaces being located at 54R
2 Cedar. That was the --

3 THOMAS ANNINGER: You mean the one
4 on Norris Street?

5 ATTORNEY SEAN HOPE: Excuse me. The
6 Norris Street's Variance that allowed for a
7 third unit is conditioned on three parking
8 spaces being allowed on 54R Cedar. So that
9 if the owner decided to eliminate those
10 spaces on his own or if we were conditioned a
11 Special Permit that eliminated those three
12 spaces, designated for 55-57 Cedar, then that
13 third floor unit would no longer be valid and
14 you have to get a Variance to be able to
15 modify that Variance or a brand new Variance.
16 That's in totality what that effect is. The
17 idea of who's using those, as you've heard
18 from the neighbors, saying that, but you do
19 need to provide three parking spaces. The
20 flexibility is where those parking spaces can
21 be located. The owner has no intention of

1 wanting to give up that third floor
2 occupancy. That is a fully tenanted
3 building. So there are people living in
4 that, and it would be a severe hardship for
5 the occupants of that building as well as for
6 the owners to give up that parking space. So
7 as much as the board has expressed the desire
8 not to have five parking spaces on that lot,
9 it has been a decision of ISD, regardless how
10 long ago it was and how ineffective it is
11 today, it is a requirement of that Variance
12 to have that third floor unit Certificate of
13 Occupancy.

14 Go ahead.

15 THOMAS ANNINGER: Go ahead. I mean,
16 I'm not going to believe that a Variance of
17 that age which no longer has any meaning in
18 terms of the parking, nobody's using it, it
19 has lost its meaning, somebody has to be
20 smart enough to say time has lapsed and it no
21 longer makes sense so we have to bring it up

1 to date. And I can't imagine that the Zoning
2 Board isn't -- or the Inspectional Services
3 isn't flexible enough to say let it be
4 without the parking.

5 ATTORNEY SEAN HOPE: And I think to
6 your point, I think the proper procedure
7 would be to go to the Zoning Board and get a
8 Variance. And I think that would be -- but
9 that's not in the decision that the owner is
10 necessarily going to making and I don't know
11 if this Board can make that but I --

12 THOMAS ANNINGER: We can
13 certainly --

14 HUGH RUSSELL: Is that house owned
15 by the same people that own 54?

16 ATTORNEY SEAN HOPE: Yes. So I
17 mean, but that's the reality of the parking
18 on the lot.

19 The other thing I would say is in terms
20 of the comments about knocking off a floor.
21 In discussions with the owner, that is not

1 something that he is prepared to do. The
2 Zoning and the density allows for a certain
3 height and a certain mass on the lot. I
4 think the comparison from his point of view
5 is the burden and the cost and expense of
6 chopping off the corner of the house versus
7 the burden of losing a floor. So for him it
8 really is a calculation in terms of what he
9 would rather do. So I do think that
10 perspectives of the house is something -- is
11 a good exercise that we could do, but just in
12 terms of being respectful of the Board's
13 time, the owner does not want to take a floor
14 down and he also does not want to participate
15 in removing one of the five parking spaces on
16 the lot.

17 HUGH RUSSELL: Okay.

18 THOMAS ANNINGER: This is a
19 gentleman who comes to us frequently and has
20 asked us for a number of times to help him
21 with his proposals.

1 ATTORNEY SEAN HOPE: Understood.

2 THOMAS ANNINGER: It is hard for me
3 to believe that he is not doing anything more
4 than just playing hard ball with us, but it
5 makes no sense for him to chop off that
6 corner and do something attached to that
7 corner the way you showed us. Or to do a
8 building like this with a chopped off corner.
9 Would he really shoot himself in the foot
10 like that?

11 HUGH RUSSELL: I think we're going
12 to find out. Given what I'm hearing here is
13 we're asking for changes, you're saying your
14 client will not authorize such changes, so
15 then I think we're in a position to move to a
16 vote and vote to deny. We'll find out.

17 STEVEN WINTER: Yes, yes.

18 WILLIAM TIBBS: Yes.

19 THOMAS ANNINGER: Wouldn't it be
20 better to postpone and let you come up with
21 some thoughts --

1 STEVEN WINTER: I'm not sure that it
2 would.

3 THOMAS ANNINGER: -- I think that
4 makes more sense than to have us turn you
5 down and two years start to run from the time
6 we turn you down.

7 ATTORNEY SEAN HOPE: And just for
8 procedurally in terms of postponing, what
9 would that mean? Because I know that there's
10 not another Planning Board hearing between
11 now and when the petition expires. I haven't
12 been authorized to grant an extension after
13 tonight.

14 HUGH RUSSELL: He has not -- would
15 someone like to make a motion.

16 ATTORNEY SEAN HOPE: I have not been
17 authorized to grant an extension passed the
18 January 31st date.

19 STEVEN WINTER: To deny?

20 HUGH RUSSELL: Yes.

21 STEVEN WINTER: So moved. So moved.

1 THOMAS ANNINGER: No. Wait, wait.

2 STEVEN WINTER: Let's discuss it.

3 H. THEODORE COHEN: One second.

4 Liza, did you say that it expired the 31st?

5 LIZA PADEN: Yes.

6 H. THEODORE COHEN: And we have a
7 meeting the 22nd.

8 LIZA PADEN: The 22nd. Which has
9 two public hearings; one of which is the
10 Forest City petition as continued, and under
11 General Business you asked for a discussion
12 of the bicycle parking zoning. I would
13 suspect it's a full agenda.

14 HUGH RUSSELL: The only thing that's
15 going to convince this Board is a proposal
16 that has a less than five parking places and
17 does not have a third story.

18 STEVEN WINTER: We've just been told
19 by the proponent's representative that that's
20 not going to happen.

21 THOMAS ANNINGER: Well, he didn't

1 say that. He said --

2 ATTORNEY SEAN HOPE: Just to
3 clarify, I said I haven't been authorized to
4 extend the hearing passed January 31st. I
5 wasn't aware that there was a hearing on
6 January 22nd that could potentially -- but
7 I'm relaying what I've been told in terms of
8 what I think what the option is to do.

9 WILLIAM TIBBS: But you did just say
10 that you did not want to take off the third
11 floor. I mean, you just said what you -- you
12 just said what you can't do.

13 ATTORNEY SEAN HOPE: I expressed the
14 wishes of the owner in terms of the
15 modifications that he would make and I think
16 the analysis --

17 HUGH RUSSELL: So we have a choice
18 of either postponing it and letting you come
19 back in a week and telling us, yes, we'll
20 make the changes you want or, no, you won't.
21 And if it's no, then I think we have no

1 option but to vote. I believe what you're
2 telling me that the owner's not going to do
3 that.

4 PAMELA WINTERS: Are you sure the
5 owner is not going to do that? Or would not
6 consider?

7 STEVEN WINTER: We can't guess.

8 JAI SINGH KHALSA: I would like to
9 have one last crack at it.

10 THOMAS ANNINGER: I think we should
11 have -- I see no reason not to see if we can
12 help this along. The alternative of doing
13 this a week from now will take five to ten
14 minutes. We'll either hear something or we
15 won't.

16 PAMELA WINTERS: Yes, right.

17 THOMAS ANNINGER: So I see no reason
18 why we should do something that I see as
19 premature.

20 WILLIAM TIBBS: It's not premature.

21 HUGH RUSSELL: I mean, what we're

1 saying is I think you're going to say, yeah,
2 we'll take another extension for another
3 month or two and come up with a new design
4 within those parameters. That's really --

5 ATTORNEY SEAN HOPE: Just, I would
6 appreciate without extending passed January
7 31st, if the Board would allow us just based
8 on comments by Mr. Khalsa that he feels that
9 there would be an opportunity to be able to
10 persuade them. We've kind of heard what the
11 Board would like to see. I think there's an
12 opportunity to do that. I can't say what
13 owner would do, but we would be brief if the
14 Planning Board would allow us to take this
15 time to not extend but to have the 22nd, we'd
16 take that opportunity if you would allow us
17 to do so.

18 HUGH RUSSELL: Right, it doesn't
19 take long to write up a decision to deny.

20 WILLIAM TIBBS: I was going to say
21 you should make sure the owner knows that

1 we're proposed -- as it is the Board was
2 disposed to deny it.

3 ATTORNEY SEAN HOPE: That's very
4 clear.

5 PAMELA WINTERS: Is the owner here
6 tonight?

7 ATTORNEY SEAN HOPE: No, he's not.

8 HUGH RUSSELL: Okay. Liza.

9 LIZA PADEN: Can I ask for
10 clarification? So what will happen is this
11 will be put on the agenda for the 22nd as a
12 continued hearing, and at that time if the
13 proponent has decided he doesn't want to do
14 any of the changes that the Planning Board
15 suggested, the Board will move to a vote.
16 And if the proponent has decided he will
17 investigate further, at that time an
18 extension will be requested and granted by
19 the Planning Board?

20 THOMAS ANNINGER: Exactly.

21 WILLIAM TIBBS: Yes, exactly.

1 HUGH RUSSELL: Precisely.

2 LIZA PADEN: Thank you.

3 HUGH RUSSELL: And you will -- and
4 you and Mr. Hope can discuss planning and
5 agendas --

6 LIZA PADEN: Logistics.

7 HUGH RUSSELL: -- timing and
8 logistics and the extension needed.

9 ATTORNEY SEAN HOPE: Thank you.

10 HUGH RUSSELL: Okay. Very good.

11 So I believe we are adjourned.

12 (Whereupon, at 10:45 p.m., the
13 Planning Board Adjourned.)

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ATTACH TO PLANNING BOARD

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C E R T I F I C A T E

**COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.**

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Certified Shorthand Reporter, the undersigned
Notary Public, certify that:

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in this matter by blood or marriage and that
I am in no way interested in the outcome of
this matter.

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

IN WITNESS WHEREOF, I have hereunto set
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