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PLANNING BOARD FOR THE CITY OF CAMBRIDGE
GENERAL HEARING

Tuesday, January 22, 2013

7:10 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
- Pamela Winters, Member
- William Tibbs, Member
- Steven Winter, Member
- Ahmed Nur, Associate Member

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

- Susan Glazer
- Liza Paden
- Jeff Roberts
- Stuart Dash
- Iram Farooq

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PROCEEDINGS

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

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. The first item on our agenda tonight is an update by Brian Murphy.

BRIAN MURPHY: Thank you, and last week the Ordinance Committee had a hearing on Forest City Petition. They will have another hearing next week on, I believe it's the 30th. Again, on the Ordinance Committee this Thursday will have its first hearing on the MIT proposal.

For us the next meeting of Planning Board is February 5th. That will be at the Central Square Senior Center to hear Town Gown reports.

We will also have two other meetings in

1 February. February 12th, we expect to give
2 an update on some of the C2 Zoning, and
3 February 19th will be a continuation of the
4 MIT Zoning hearing that took place.

5 We also have meetings March 5th and
6 March 19th as well.

7 HUGH RUSSELL: Okay, thank you.

8 Liza, have any minutes come in since --

9 LIZA PADEN: Since last week? No,
10 they haven't.

11 HUGH RUSSELL: Thank you.

12 THOMAS ANNINGER: It seems that we
13 have a very thin agenda on that February 12th
14 date less than what's expected. What's the
15 point of an extra meeting in February?

16 HUGH RUSSELL: Well, I don't think
17 the other people have heard that question. I
18 can't answer it.

19 PAMELA WINTERS: What are we
20 discussing on February 12th?

21 THOMAS ANNINGER: We have an extra

1 meeting in February which was scheduled way
2 back when in contemplation of a heavy agenda,
3 but what I heard is that it's pretty thin and
4 maybe unnecessary after all.

5 LIZA PADEN: So, okay. The February
6 -- yes, the February 12th agenda is scheduled
7 to be a discussion about the Central Square
8 Zoning and the design guidelines. And so we
9 were going to make that a single item agenda
10 so that the Board would have enough time to
11 discuss the materials. The complication I
12 see is that on February 19th, the following
13 meeting is the MIT PUD Zoning will come back
14 to the Board, and then after that we start to
15 have Special Permits that are being submitted
16 for public hearing and I'm trying to keep
17 them no more than two an evening. So, if we
18 reschedule the February 12th meeting and put
19 the Central Square discussion somewhere else,
20 it will come under General Business, it will
21 be after a public hearing.

1 HUGH RUSSELL: We have a long night
2 on the 19th to try to do them both and
3 probably don't succeed.

4 STEVEN WINTER: Mr. Chair, I don't
5 have any problem spreading them out over more
6 days to make sure we have enough time for the
7 issue. In other words, I don't have a
8 problem with the meeting schedule as it is.

9 PAMELA WINTERS: And so we can get
10 out of here before midnight, too.

11 H. THEODORE COHEN: Right. I think
12 it would be good for Central Square to be a
13 principal meeting rather than something late
14 in the night when we're all tired and given a
15 short shrift.

16 PAMELA WINTERS: Right.

17 H. THEODORE COHEN: So I have no
18 problem with the three meetings.

19 HUGH RUSSELL: It makes sense to me
20 also.

21 So we're waiting for the clock.

1 (A short recess was taken.)

2 HUGH RUSSELL: Okay, let's begin
3 then with the City Council Petition for the
4 interim regulations for medical marijuana
5 uses.

6 Who is going to present that?

7 JEFF ROBERTS: I'll do that,
8 Mr. Chair. So this is a -- I'll try to be
9 very brief. This is, as you mentioned, the
10 City Council petition, and it stems from the
11 referendum that was approved by a ballot
12 initiative last November approving the
13 medical use of marijuana in Massachusetts.
14 And the law that was passed has a number of
15 different rules that apply to -- sort of a
16 framework of rules that would apply to how
17 patients -- not only how patients would be
18 registered but how operations would be
19 registered to produce. In fact, there's a
20 long list of things; acquire, cultivate,
21 possess, process, transfer, transport, sell,

1 distribute, dispense, or administer
2 marijuana, products containing marijuana,
3 related supplies, or educational supplies to
4 qualify in patients or their personal care
5 givers.

6 From a Zoning point of view, one of the
7 pertinent pieces in the new -- in the law is
8 that it would be administered largely by the
9 Massachusetts Department of Public Health
10 which would have the ability to register up
11 to 35 centers. And it defines a center as
12 any not-for-profit entity that acquires or
13 produces or distributes medical marijuana.
14 And that the Department of Public Health
15 would be able to register up to 35 such
16 centers within the first year throughout the
17 state with a minimum of one, and a maximum of
18 five located within each county. And that
19 the law states that the Department of Public
20 Health has regulations or is required to
21 promulgate regulations for how those centers

1 will be administered and registered within
2 120 days of the enactment of the law, which
3 was January 1st. So what that means is that
4 by May 1st, the Department of Public Health
5 would have regulations in place for how they
6 would permit these establishments, these --
7 whatever defined as medical marijuana
8 treatment centers.

9 (Ahmed Nur seated.)

10 JEFF ROBERTS: So, as we've been
11 looking at this, there was a City Council
12 order that came to the staff to look at any
13 issues regarding this regulation. And one of
14 the questions that arose was how Zoning would
15 apply? It was felt that it was important to
16 not only to make clear what the Zoning
17 Ordinance would treat a medical marijuana
18 treatment facility as, and it was our view
19 that it was important to treat it as a
20 principal use, and to make it clear that the
21 distribution of medical marijuana or the

1 processing or production of medical marijuana
2 would not be interpreted to be an accessory
3 part of any other existing operation that's a
4 principal use under the Ordinance.

5 And then for the purpose of having time
6 to look at the issues around the placement of
7 those facilities and to see what the state's
8 Department of Public Health would submit as
9 the process by which the centers would be
10 regulated and registered, that there should
11 be an interim restriction on establishing
12 those uses within Cambridge.

13 So the purpose of the proposed
14 amendment -- I won't go through all of it,
15 but I can answer questions about it, is to
16 state what the purpose is, which is to
17 establish a temporary restriction until the
18 city has a chance to explore the issue and
19 the state has a chance to make clear how
20 they're going to regulate and permit the
21 establishments.

1 To define what that -- to define what a
2 medical marijuana treatment center means
3 within the Zoning Ordinance, and to make sure
4 that that definition is consistent with the
5 definition in the state law.

6 To establish, as I mentioned before,
7 that it would be considered a principal use,
8 and to restrict the establishment of medical
9 marijuana treatment centers for a period of
10 nine months beginning the effective date of
11 the law which is January 1, 2013. So
12 essentially meaning that the -- that there
13 would be a restriction in effect until the
14 beginning of October.

15 So that is the purpose of what's been
16 put forward. And the purpose of having it
17 put forward by the City Council back in
18 December was to make sure that it would be
19 advertised and that hearings would be held
20 before the law came into effect to make it
21 clear to anyone who was curious or was

1 interested in knowing how the Zoning would
2 apply, that there would be some framework in
3 place at that time.

4 HUGH RUSSELL: Okay, thank you.

5 Are there any questions? Ted?

6 H. THEODORE COHEN: I just have a
7 couple of questions. I have no idea how
8 treatment centers or dispensaries work in
9 other states. I'm curious when you're saying
10 it would be a principal use and not an
11 accessory use. I mean, in other places, say
12 do hospitals or doctors offices operate as
13 dispensaries?

14 JEFF ROBERTS: It varies state -- I
15 know that it varies state by state. I can't
16 go into much detail. I know that in many
17 states they are treated as a separate
18 principal use of medical marijuana dispensary
19 is considered a distinct use and not an
20 accessory use within some other larger
21 pharmacy or medical or other type of medical

1 use, but that's one of the things that we
2 would certainly look at. I know that in
3 some, in some states, and some of the concern
4 that we heard from different departments and
5 from the City Council had to do with where
6 they were, where they might be clustered in
7 certain areas, and how that would impact land
8 use in certain parts of the city.

9 H. THEODORE COHEN: Okay. My only
10 other concern is the expiration which is now
11 totally open ended. I mean, I understand
12 moratoria are legal and for study periods,
13 but this says for a period of nine months or
14 until such future time as came Cambridge City
15 Council enacts a superseding Zoning
16 regulations. So were the City Council choose
17 to not adopt anything else, this will be in
18 effect indefinitely and I don't know if that
19 was really what the intent was. And I have a
20 question whether that would really be, you
21 know, viewed as legal to have an interim

1 provision that could last indefinitely.

2 HUGH RUSSELL: When I read that I
3 thought oh, if the Council gets their
4 business done quicker than nine months, but I
5 think it can be read either way.

6 H. THEODORE COHEN: Right, right. I
7 mean it could be the earlier of when they act
8 or January 1st or nine months from January 1,
9 2013.

10 JEFF ROBERTS: Well, the intent was
11 to make clear that it would be intended only
12 to be in effect for nine months and that
13 there would be a petition sometime either at
14 that nine-month period or before then to --
15 that would establish a permanent set of
16 regulations.

17 H. THEODORE COHEN: Yes. I would
18 suggest then that that language be clarified
19 a little bit.

20 JEFF ROBERTS: Okay.

21 STEVEN WINTER: Is this a public

1 hearing, Mr. Chair?

2 HUGH RUSSELL: It is a public
3 hearing.

4 STEVEN WINTER: I have no problems
5 hearing the public and then bringing my
6 comments in.

7 Tom?

8 THOMAS ANNINGER: No, that's fine.

9 I wanted to just ask what is the
10 consequence of this principal accessory
11 distinction? Why was that important?

12 JEFF ROBERTS: It was -- it really
13 is a clarifying point more than anything
14 else. A scenario that one could imagine
15 might be someone operates a medical facility
16 that is approved under some other principal
17 use, for instance, a health -- someone is
18 operating something that they say is a health
19 clinic is the principal use, and that's a
20 specific defined category in our Zoning
21 Ordinance, and then might seek to be

1 registered by the state to acquire or
2 distribute medical marijuana. And then might
3 -- and as a Zoning matter, they might make
4 the case to the city that they should be
5 allowed to operate under the rules that apply
6 to a health clinic because they would assert
7 that that's their principal use, but that
8 that the sale of medical marijuana is an
9 accessory function to serving as a health
10 clinic. Again, the point of this really is
11 just to clarify what the intent is under the
12 Cambridge Ordinance in terms of the treatment
13 of these uses in terms of rather how the --
14 how those uses would be defined under the
15 Ordinance. There are certain things that we
16 might not be able to anticipate in terms of
17 what form a medical marijuana dispensary
18 might take or how it might operate because it
19 is a new type of function in Massachusetts.
20 So the point is to just -- it's just to be
21 very clear and to avoid any uncertainty.

1 PAMELA WINTERS: Could I just ask a
2 quick question?

3 HUGH RUSSELL: Yes.

4 PAMELA WINTERS: Do you need a
5 doctor's prescription for the marijuana?

6 JEFF ROBERTS: According to the law,
7 yes, a doctor's prescription would be
8 required and there's a list, I don't -- I
9 don't know, I could repeat the list, but
10 there's a list of conditions that are listed
11 as qualifying as allowed to be treated by a
12 prescription for medical marijuana.

13 PAMELA WINTERS: But it would have
14 to be from an MD?

15 JEFF ROBERTS: Yes.

16 PAMELA WINTERS: A licensed doctor?

17 JEFF ROBERTS: I believe that's the
18 case.

19 PAMELA WINTERS: Okay, thank you.

20 HUGH RUSSELL: And I guess it's the
21 case that when regulations are written, that

1 will give some boundaries. And then when it
2 starts operating, there will be more thrown
3 about.

4 Okay. Then we should proceed to the
5 public testimony.

6 LIZA PADEN: Nobody has signed up.

7 HUGH RUSSELL: Okay. James, would
8 you like to speak?

9 JAMES WILLIAMSON: Thank you. James
10 Williamson, 1000 Jackson Place. Given the
11 Planning Board's eagerness to support every
12 big biotech company that wants to build big,
13 bigger and bigger buildings in Cambridge to
14 allegedly come up with a cure for cancer, I
15 would hope that you would be equally eager to
16 help come up with a responsible way of making
17 it possible for people to be treated who are
18 currently suffering from cancer while we all
19 wait for this cure. It's not just cancer,
20 it's MS, it's other conditions. And just for
21 the record, to remind people, the residents

1 of -- the voters in Cambridge voted in favor
2 of this referendum. I just checked the
3 results earlier. 37,237 registered voters in
4 Cambridge voted yes. 9,761 voted no. So 75
5 percent of those who chose to vote one way or
6 the other voted to support having allowing
7 medical marijuana treatment centers.

8 I have a couple of questions about --
9 first of all, is Zoning the right way to
10 regulate this? I think there's some serious
11 questions that I hope you will consider.
12 There are public health regulations that
13 could be adequate. There are City Ordinances
14 that could be adequate. I'm not sure
15 necessarily that Zoning per se is necessary
16 in this case.

17 I also think that there are questions
18 about in the text as presented to you
19 regarding educational materials. How are
20 educational materials regarding medical
21 marijuana going to be defined? And are you

1 going to have to need a permit to have
2 educational materials about marijuana?
3 That's not clear to me.

4 What about people who, as I understand
5 it and under the current law, pending the
6 resolution of the various matters involved
7 here, there's -- you can get -- a qualified
8 individual can get an exemption to grow up to
9 60 days' supply for their personal use under
10 certain conditions. Is that now going to be
11 prohibited pending this discussion? Is that
12 maybe one of the purposes of this, is to
13 actually prevent the implementation of that
14 feature of the law which I think is an
15 important one.

16 So I think that should be clarified.

17 I also think that, you know, I think
18 it's important to think about -- I really
19 appreciate the question raised by the member
20 of the Planning Board Ted Cohen, I think
21 there should be a restriction on the time

1 frame. I also think that there's a question
2 about why shouldn't the health -- I don't
3 think this was explained. Why shouldn't a
4 health clinic be able to offer marijuana if
5 it's deemed medical marijuana, and if you
6 have to have a prescription. Why -- I would
7 like to hear a better explanation for why
8 there's a -- the rationale for treating it
9 differently.

10 And finally I just want to point out
11 that we live in a city where there's a CVS on
12 nearly every corner, a Walgreens across the
13 street. You can buy 80 proof booze at liquor
14 stores without a prescription all over the
15 city, and you can get OxyContin with a
16 prescription. And we even have needle
17 exchanges in the city. So I think it's time
18 for us to maybe grow up a little bit about
19 medical marijuana and let's be among the
20 first and best communities in Middlesex
21 County to have a responsibly managed medical

1 marijuana dispensary and be a leader in this
2 field.

3 Thank you.

4 HUGH RUSSELL: Thank you.

5 Does anyone else wish to speak? In the
6 back row.

7 COREY MASHBURN: How you doing? I'm
8 Corey Mashburn. I live at 90 Antrim Street.
9 I'm also on the board of directors for the
10 Massachusetts Prevention Alliance. I'd like
11 to just -- I heard the word prescription
12 used. The medical marijuana is not going to
13 be prescribed. It's going to be recommended.
14 Marijuana is a federally illegal drug. So
15 doctors cannot prescribe a Schedule I drug if
16 that's what it's labelled. So I think a
17 Schedule I drug means it's still on research.
18 It's still illegal. That means doctors
19 cannot prescribe a Schedule I drug. They can
20 prescribed some Schedule II drugs and some
21 Schedule III drugs, but they cannot prescribe

1 a Schedule I drug.

2 As far as Zoning, I think I like the
3 proposal about the nine months. I think that
4 the city should look at the correct way to
5 put a dispensary in if they need one. As
6 we're seeing in other states, Massachusetts
7 Prevention Alliance, we've researched this
8 for two years now. In other states we've
9 seen that kids are using it in their school
10 systems in California. They're allowed it in
11 school because it's a medical -- well,
12 medical use. And they're using it for ADHD.
13 Now, in the state's ballot question it did
14 say debilitating illnesses, which did have
15 cancer, glaucoma, Crohn's, etcetera, and it
16 also had other, other illnesses as determined
17 by your doctor, which what does other illness
18 mean? It could mean the flu. It could mean
19 a cold. Mostly the dispensaries as far as we
20 know it through our research, dispensaries
21 allow a 60-day use, but I would ask the

1 Planning Board and the Ordinance Committee to
2 look at what is a 60-day use? I'm 6', 3"
3 about 250, 60-day use for me could be totally
4 different than five-foot woman or a five-foot
5 guy. So when you really need to look at
6 that, I think DPH is going to be looking at
7 that. I think that's where the proposal for
8 the nine months is good because we need to
9 look at what DPH's laws and regs will be, and
10 then we can react to it as a city. Because
11 we may not need one. As we're looking to
12 other states, we saw Washington and Colorado
13 legalize marijuana for recreational use. I
14 would change the question on let's be the
15 model city and using -- about having
16 dispensary on being a model site city on how
17 we can better the system or how we could see,
18 okay, maybe this isn't the way to do it. I
19 lived in Cambridge since 2004. I like it
20 here. I love it. I think we have things
21 popping up everywhere; MIT, Harvard, and I

1 don't think a dispensary is the way to go.

2 Thank you.

3 STEVEN WINTER: Clarification on the
4 organization.

5 COREY MASHBURN: The Massachusetts
6 Prevention alliance.

7 PAMELA WINTERS: Could you also tell
8 me what your organization does?

9 COREY MASHBURN: We look at, look at
10 all the health policies in the state around
11 substance use, around mostly all substances.
12 And we mostly focus on how it's going to
13 affect the youth. But as we -- through our
14 research, this is going to be affect a lot
15 more than youth. If we let people grow it,
16 it could affect the land, it could affect the
17 economy. I think the city is doing the right
18 thing in researching how it's going to affect
19 the city. I think we should look at other
20 cities in California and Colorado.

21 PAMELA WINTERS: So it's not just

1 marijuana that you look at it, it's other
2 substances, too?

3 COREY MASHBURN: Yes, it's all
4 substances.

5 PAMELA WINTERS: Thank you.

6 COREY MASHBURN: You're welcome.

7 HUGH RUSSELL: Does anyone else wish
8 to speak?

9 COUNCILLOR CRAIG KELLEY: Good
10 evening, board members. My name is Craig
11 Kelley. I live at 6 St. Gerard Terrace and I
12 am also speaking in favor of a nine-month
13 moratorium. Mostly because I think this is
14 far more complicated than any of us realize,
15 and that point I've thought for quite a
16 while, but it struck home the other day when
17 there was a development proposal relatively
18 near my house that is for a -- it's basically
19 assisted living for formerly homeless women.
20 And no one really would have thought that
21 would have gone in, but it's approved under

1 the Zoning. It doesn't really seem to be a
2 Zoning issue. And what the neighbors are
3 going to have to think about is, you know,
4 you've got 10 or 12 or 14 people where a
5 family might have been before, and
6 disproportionately they're going to be
7 smokers. We didn't really think about what
8 that was going to mean to the neighbors.
9 It's a much more complex than saying there's
10 a use to make it work and ways to make it
11 work well. And I suspect the same with the
12 marijuana amendment, it's a big thing that
13 got passed and there are ways to make it work
14 and there are ways to make it work well, but
15 it's going to be super tricky to make sure it
16 works well and doesn't all of a sudden become
17 a big burden to people who are otherwise
18 didn't really realize something was allowed
19 under the code. So I think it's going to
20 take much more study than we can do now, and
21 I think it's going to take some serious

1 review of the final rules and regulations
2 that come out of the various governing
3 bodies. So I know that the will of the
4 people, and I voted for it myself, is that we
5 legalize marijuana. I suspect that that's
6 more a commentary on the nation's drug war
7 than it is actually on the desire to have
8 people growing marijuana in your
9 neighborhood, but those are all things that I
10 think we're going to have to think about very
11 seriously and I look forward to being part of
12 the discussion.

13 Thank you very much.

14 HUGH RUSSELL: Thank you.

15 Does anyone else wish to speak?

16 (No Response.)

17 HUGH RUSSELL: Okay, I see no one.

18 So I was thinking about things that are
19 regulated, and like we regulate fast food.
20 There are places where you can do it and
21 there are places where you can't. We

1 regulate places where alcohol can be served,
2 and -- but not how those establishments
3 operate, but where they can operate. The how
4 is done by the License Commission and by the
5 state regulations. So the idea that we
6 would, in the city, decide that there was
7 some places that were appropriate for use and
8 other places that weren't is not a foreign
9 notion. The problem now is that we don't
10 really quite know what this use is going to
11 be. So I think the moratorium makes a lot of
12 sense. I hope that people can work through
13 the complications and put an effective
14 system, you know, in place that will not
15 have, you know, bad impacts on other uses in
16 the city, but I think right now we're not in
17 a place where we can do our part in Zoning
18 and therefore the moratorium makes sense.

19 Tom.

20 THOMAS ANNINGER: I thought
21 Mr. Williamson touched on a point that I

1 wanted to make as well. It seems that the --
2 somebody decided that the moratorium belonged
3 in the Zoning Ordinance. I'm not sure that
4 that was the only place it could be located
5 in the panoply of ordinances that the city
6 has. I think the moratorium could have found
7 its home in another part of our legal system
8 here in the city. I have no problem with a
9 nine-month moratorium in the Zoning Ordinance
10 if that's the easiest. So a nine-month
11 moratorium if it has to be in the Zoning
12 Ordinance, I don't know how or who decided
13 that, but I would not -- I would hope that
14 that does not set the tone for where most of
15 these regulations will find themselves when
16 we decide just how this will all play itself
17 out. I hope somebody will give some greater
18 thought to just where the regulatory
19 framework for marijuana belongs. I don't
20 think there's much in the Zoning Ordinance
21 that speaks to that issue, and I think it

1 could almost all be somewhere else except
2 possibly for its use which belongs in a table
3 in the Ordinance but not much more. And I
4 hope people will remember that when the time
5 comes for the next round.

6 HUGH RUSSELL: Stuart, you wanted to
7 say something?

8 STUART DASH: Just to clarify, this
9 is a crusty part of our effort to where we're
10 working with the Health Department and Public
11 Works Department and we all got together to
12 talk about this. And we expect the resulting
13 work would involve all these departments and
14 coming back to you, and if not you, other
15 divisions, other divisions after it becomes
16 clear with the study period.

17 THOMAS ANNINGER: But it was thought
18 that the easiest and most what, efficient or
19 logical place was the Zoning Ordinance?

20 STUART DASH: This was a direct
21 approach to address the basic question, but

1 it's not the only approach.

2 HUGH RUSSELL: Steve.

3 STEVEN WINTER: Thank you,
4 Mr. Chair. I have six points that I wanted
5 to go over and I'm going to start with what
6 really was not in order of importance, but
7 the last point, I -- in regard to the
8 deadline, I don't think we should be under
9 any kind of a deadline to solve this problem.
10 I like the fact that we haven't -- that it's
11 open ended in terms of allowing ourselves the
12 time required to deal with this extremely
13 complex issue. This is a very complex issue.
14 Something that we do well here in Cambridge
15 is that we're very thoughtful and we're very
16 mindful and we do that very well. But I
17 don't want to do it particularly cross
18 agencies, cross departments. I don't want to
19 do that under a deadline. I don't think
20 that's a good idea.

21 I would like to get a little more

1 research on the kind of criminal activity
2 that was noted in Mr. Healey's memo
3 attracting criminal activity or causing a
4 general public nuisance in towns as noted
5 like LA and Berkeley, California and Denver,
6 Colorado. I think it would be interesting if
7 we are doing this cross-departmentally, to
8 get the public safety folks to find out
9 exactly what that was.

10 I would like to get specific input and
11 make a point of reaching out to the business
12 community in Cambridge when we talk about
13 this issue, also, and to get feedback from
14 business ownership in Cambridge. And I think
15 that if there are corporate entities which is
16 what a not-for-profit is, if there are
17 corporate entities that have -- that are
18 lining up to do this. I don't know if there
19 are corporate entities that are positioning
20 themselves to do this. I think we need to
21 talk to them as well. And as I said, I don't

1 know who they are or if they are identifiable
2 at this point. I also think that, you know,
3 we have some terrific hospitals in Cambridge;
4 Cambridge Hospital, Mount Auburn Hospital,
5 and I think we need to go to the medical
6 leadership of those hospitals and get
7 feedback from them as well on these questions
8 that we have in terms of placement of these
9 centers. And also, of course, provide the
10 citizens an opportunity to inform the process
11 for which we're doing.

12 I also am a little ambivalent about the
13 principal use and what that means. And I
14 don't want to argue it tonight or open it up,
15 but I think that if we're going to call it --
16 if we're going to say that it's a principal
17 use, I think we need to be, we need to be
18 able to say why we're saying that. And I
19 haven't really heard why yet we're saying
20 that.

21 And let's see, this may be off topic,

1 but one of the issues that the state of
2 California dealt with with medical marijuana
3 was that it was legal to dispense it from
4 certain locations, but it was not legal under
5 federal law to transport it to those
6 locations. And I guess what I would like to
7 do is have some kind of a look at that again,
8 if we're doing this cross departments, which
9 I think is a terrific idea, let's get an
10 answer on that and that's something that
11 would concern me a great deal if we were,
12 again, this is as Councillor Kelley
13 indicated, this is part of the complexity of
14 this issue. This is a very, very complex
15 issue. I also agree that medical marijuana
16 should be available to the citizens. And I
17 also understand that the citizens gave it a
18 green light and I respect all those things,
19 but I think that we need to move very, very,
20 very slowly here.

21 Thank you.

1 HUGH RUSSELL: So let me just see if
2 I understand what you're saying. It sounds
3 like you've laid out a series of issues that
4 need to be considered at the point when a
5 moratorium is lifted. Is that basically what
6 you're saying?

7 STEVEN WINTER: No. No, these are
8 issues that need to be considered prior to
9 the moratorium being lifted.

10 HUGH RUSSELL: Right, but should
11 they be considered prior to it being in
12 place? Oh, or --

13 STEVEN WINTER: The moratorium
14 should be in place while these issues are
15 being considered.

16 HUGH RUSSELL: Yes, that's what I
17 thought you were saying.

18 STEVEN WINTER: Okay.

19 Pam.

20 PAMELA WINTERS: This sounds maybe
21 like a silly question, but I'd like to know

1 where is the marijuana coming from? Is the
2 government providing it?

3 HUGH RUSSELL: No, not the feds.
4 That's one of the complexities.

5 PAMELA WINTERS: I used to do
6 research, believe it or not, on marijuana at
7 Mass. Mental Health, and we used to get these
8 little, you know, vials that the government
9 would provide. So I'm just wondering whether
10 or not, you know, that the government is
11 providing the marijuana or is it coming from
12 individuals or, you know, is somebody making
13 money off of this? Or, you know, where is it
14 coming from? Or do we not know?

15 HUGH RUSSELL: At this point we
16 definitely do not know the answer to that
17 question. Again, that's one of the questions
18 that comes in the moratorium.

19 PAMELA WINTERS: Okay.

20 HUGH RUSSELL: The law does --

21 JEFF ROBERTS: The law makes

1 provision for the cultivation of marijuana,
2 where it's being sourced in order to be
3 cultivated, that's I think an unanswered
4 question as you said. I don't believe it's
5 the intent for the government to directly --
6 for the state in any way to directly control
7 the production or distribution in a direct
8 way, but it defines the centers that are
9 allowed to cultivate, process, and distribute
10 and administer marijuana as not-for-profit
11 entities. So as that's defined under the
12 state law. So that's all it says.

13 PAMELA WINTERS: Okay, thank you.

14 HUGH RUSSELL: Ahmed.

15 AHMED NUR: You know, can you define
16 that not profit? To who? To the providers?
17 I mean, I'm just sort of had the kind of
18 question where the marijuana is coming from.
19 At some point we're going to need to know.
20 Obviously, by all means maybe there's
21 lobbyists involved pushing this petition. I

1 understand that the Massachusetts voters
2 two-thousand -- what is it? In November of
3 2012? Voted for it as well as James
4 Williamson saying 75 percent of Cambridge
5 voted for it. And, you know, I'm not against
6 it. Definitely I'm going for the nine month,
7 but I do like to know, like Pam, who is, you
8 know, I don't want to leave it with the
9 government, you know, the government it's a
10 non-profit and the government is going to
11 provide the marijuana, right? I mean, it's
12 just, just if we can be more clear as to
13 actually how is it processed? Where is it
14 processed? And who's benefitting? And if
15 anybody, I think that would help.

16 HUGH RUSSELL: So, thank you.

17 Maybe we should listen to again to what
18 Tom had to say, which was there are lots of
19 questions here. And we probably as a
20 Planning Board, shouldn't be addressing most
21 of them.

1 PAMELA WINTERS: I agree.

2 HUGH RUSSELL: And we may be very
3 interested in what's going on, but I think
4 ultimately the decision as to where this
5 activity can take place in the city, it's
6 really -- that's within the land use
7 regulations, and trying to understand what
8 the nature of the activity is the part that's
9 going to require imagination unless you think
10 it's going to be like some horror stories
11 that have then been, you know, experienced in
12 some places or some of the non-horror stories
13 that have been experienced in some other
14 places. So until we find out what the
15 comparable is, we won't have a lot of insight
16 as to what's the appropriate geographical
17 limitation to place on it. But I would not
18 think that we would get into the questions,
19 through a lot of the questions are like where
20 does it come from? I mean, we don't, we
21 don't ask that of McDonald's, and I don't

1 think we really want to know. We don't ask
2 that, you know, of Libby's Liquors. And so I
3 think, you know, again, I think we all --
4 we've heard the same thing from everybody,
5 that this is something that we have to move
6 towards as a society and as a city, and that
7 we don't, what we don't know is a lot bigger
8 than what we do know, and we'll know more
9 after the Department of Public Health issues
10 regulations. Whether that's enough or not,
11 we'll find out.

12 PAMELA WINTERS: Sounds good.

13 HUGH RUSSELL: So I think we should
14 favorably recommend the moratorium.

15 STEVEN WINTER: I concur.

16 PAMELA WINTERS: Yes.

17 HUGH RUSSELL: And I think it should
18 be the language which deals with the nine
19 months being the shortest time or the longest
20 time, that should be clarified, so that
21 Council knows what they're voting.

1 Is there anything else that should go
2 into a recommendation?

3 H. THEODORE COHEN: I don't think
4 so. I mean, I think we're recommending a
5 moratorium on a particular use, as I said,
6 for a nine-month or another specified period
7 of time. And I suspect we'll end up with an
8 Ordinance, a Zoning Ordinance that just talks
9 about the use, and that the, you know, the
10 Inspectional Services and Public Health
11 Department and a lot of other departments in
12 this city will be dealing with the
13 regulations, the implementation of it.

14 HUGH RUSSELL: Okay, so all those in
15 voting to send a recommendation of that sort
16 to the Council?

17 (Raising hands).

18 HUGH RUSSELL: Thank you.

19 All members voting.

20 HUGH RUSSELL: Let's go on to the
21 next piece of business which is a

1 continuation of discussion on the Forest City
2 Petition to extend the Cambridgeport
3 revitalization development district.

4 We've received a draft of a proposed
5 recommendation, and I think we probably
6 should address ourselves to that draft.

7 THOMAS ANNINGER: Hugh, I think we
8 have to face up to this question of whether
9 the public hearing is still open or not. I
10 believe it is, and there may be some people
11 in here who may want to speak to that issue.
12 I don't know whether you want to allow
13 testimony or not, but I think we have to
14 think about that.

15 HUGH RUSSELL: So, I think the
16 question is are we prepared to, based on the
17 testimony that we heard at the previous
18 hearing, prepared to move to a decision or do
19 we want to hear more testimony?

20 I'm not in favor of just opening it up
21 wide open. There's no new information on the

1 table, so I think we could decide that all we
2 have to do is deliberate. And so what is the
3 pleasure of the Board?

4 STEVEN WINTER: Tom, I'd like to
5 hear what you have to say.

6 THOMAS ANNINGER: Well, I'm tainted
7 a little bit by the fact that I think George
8 Metzger wanted to say something, and I
9 thought if we could somehow keep it to a
10 minimum, I would -- if we can manage it
11 efficiently, I would allow for some further
12 testimony if that's necessary.

13 AHMED NUR: I'll second that.

14 HUGH RUSSELL: So we, about 20
15 people spoke on the 8th.

16 H. THEODORE COHEN: Well, it seems
17 to me, my recollection of what we did last
18 time was we heard the public hearing and
19 heard the testimony, and I think the public
20 hearing is still open, although I think we
21 did vote to consider a recommendation to the

1 City Council of the petition and asked staff
2 to draft a proposed recommendation unless
3 there was something dramatically new and
4 different from what we heard before, I would
5 suggest that we just go forward and discuss
6 the recommendation.

7 STEVEN WINTER: I concur, Mr. Chair.

8 PAMELA WINTERS: Yes, and I concur
9 also.

10 HUGH RUSSELL: Okay. Well, if we
11 get stuck in our deliberation, well, we may
12 have to seek some help from the other side of
13 the table. But let's see what we can do.

14 JAMES WILLIAMSON: Just for
15 clarification, if the public hearing is still
16 open is there, you know, a requirement that
17 there be allowed public comment tonight? Or
18 what's the story with that aspect of the
19 question? It's at the discretion of the
20 Planning Board if the public hearing is still
21 open?

1 HUGH RUSSELL: I think -- so I guess
2 the question is is it at the discretion of
3 the Planning Board or is it at the discretion
4 of the member of the public who might wish to
5 speak? And I think if we find that we've
6 heard adequate testimony, and it might be
7 appropriate to have a motion to close the
8 public hearing and go into deliberation.

9 ATTORNEY JAMES RAFFERTY:

10 Mr. Chairman, can I --

11 STEVE KAISER: Mr. Chairman, there
12 is new information in the three-page draft
13 that you have from the staff. Very
14 significant new information.

15 AHMED NUR: Mr. Chair, can we hear
16 what Mr. Rafferty has to say?

17 ATTORNEY JAMES RAFFERTY:

18 Mr. Chairman, I know the practice has been
19 that during public testimony a person gets to
20 speak once. If this is a continuation of a
21 public hearing for which the Petitioners have

1 not offered any new information, it would
2 seem consistent with the Board's practice for
3 people who have not yet had an opportunity to
4 speak, but to simply allow others who have
5 spoken before to speak again would be the
6 equivalent of letting someone speak twice
7 during the same hearing which has not been
8 the practice of the Board.

9 JAMES WILLIAMSON: How many people
10 would contemplate speaking, three or four at
11 most?

12 STEVE KAISER: Two.

13 THOMAS ANNINGER: I think that's a
14 pretty good -- I was going to suggest the
15 same thing, that there are some who may not
16 have had a chance to testify last time, I
17 would let them speak tonight and draw the
18 line there. I think the answer to
19 Mr. Williamson's question is, I think we have
20 discretion on how to manage the situation of
21 a public hearing, but I don't think we can

1 either close it or manage it in some way to
2 confine it to certain questions or to certain
3 people. And I think you have some discretion
4 to guide us as the Chair, but I thought
5 Mr. Rafferty's suggestion of letting those
6 who did not have a chance last time speak
7 might be a good solution.

8 AHMED NUR: Do we have a record of
9 who spoke and who hasn't?

10 HUGH RUSSELL: I have a list right
11 here in front of me.

12 AHMED NUR: Okay. I'm going to
13 support that if you want to take a motion of
14 that.

15 H. THEODORE COHEN: Well, I'm -- you
16 know, we as far as I'm concerned, we did
17 leave the public hearing open, but had moved
18 to the deliberate stage where it is generally
19 not been our procedure to take further
20 testimony unless questions come up in our
21 deliberations where we requested it.

1 Certainly it's also been our practice that
2 anyone could submit written comments, and I
3 don't believe we received any further written
4 comments since the last hearing that I am
5 aware of. You know, I don't have strong
6 feelings. I suppose if there are people who
7 feel that there was some significant issues
8 that were not raised in the prior hearing,
9 rather than simply trying to reiterate points
10 that have been already been made, I
11 personally would be willing to listen to
12 those. But I see no reason to reopen the
13 hearing just to have a rehashing of what we
14 spent several hours listening to already.

15 HUGH RUSSELL: And we also do not
16 customarily let -- ask people for their
17 comments on deliberations.

18 So hearing that then, I will ask is
19 there anyone who did not speak at the
20 previous hearing and wants to be heard
21 tonight? I see Steve Kaiser getting up by I

1 see his name on the list of people who spoke
2 at the last hearing.

3 STEVE KAISER: I have a written
4 comment to add to the record.

5 HUGH RUSSELL: Then you can submit a
6 written comment to Liza and she will
7 distribute it.

8 George, do you want to speak?

9 GEORGE METZGKER: Yes, please.

10 HUGH RUSSELL: Oh, you've got copies
11 for all of us, great. Thank you.

12 GEORGE METZGKER: I'm George
13 Metzger, M-e-t-z-g-e-r and I live at 90
14 Antrim Street. I'm here as the President of
15 the Central Square Business Association.
16 I'll be very brief. I think the discussion
17 was covered on all sides last time. The one
18 thing -- the two points that I would like to
19 make in a statement of support of this, which
20 is a Zoning change not a project approval, is
21 first of all, that there was much discussion

1 about the details of this proposal and we
2 encourage approval of the Zoning change so we
3 can move on to the large project review and
4 actually talk about the substance of the
5 project itself, which is a different matter.

6 And I'd also observed on the other
7 times that this project has been put forth or
8 this rezoning has been put forth, prior to
9 the Central Square Advisory Committee's work
10 which the business association wholeheartedly
11 endorses, this proposal as it presently
12 stands has had significant change made to it
13 in response of the goals and the aspirations
14 of Central Square vision and we would ask you
15 to look carefully at that in terms of an
16 example of how this planning process now lead
17 to better development.

18 Thank you.

19 HUGH RUSSELL: Okay, thank you.

20 Is there anyone else who wishes to
21 speak?

1 JAMES WILLIAMSON: I wish to speak.

2 I realize I spoke before --

3 HUGH RUSSELL: James, you did speak
4 before.

5 THOMAS ANNINGER: I think we can
6 close the hearing.

7 HUGH RUSSELL: Okay. So is there a
8 motion?

9 THOMAS ANNINGER: So moved.

10 AHMED NUR: Second.

11 HUGH RUSSELL: All those in favor?
12 (Raising hands).

13 HUGH RUSSELL: Okay.

14 (All members voting in favor of the
15 motion.)

16 HUGH RUSSELL: So does anyone have
17 questions or comments about the draft?

18 STEVEN WINTER: I have a -- just
19 something I'd like to clarify if I could.

20 Are we addressing these questions to
21 ourselves or to staff?

1 HUGH RUSSELL: I'd say we're
2 addressing to both.

3 STEVEN WINTER: Okay. I just want
4 to be on the right track.

5 There's a line on page 2 of 3 that says
6 -- and, you know, this may not be an issue at
7 all. The petition -- it's the one, two,
8 third paragraph down on page 2 of 3. The
9 last sentence. The petition also makes
10 development in this area subject to existing
11 and future urban design guidelines for the
12 area.

13 And all I wanted to ask is what, what
14 exactly does that mean?

15 HUGH RUSSELL: Let me try to answer
16 that. There is existing Central Square
17 Overlay District that does have guidelines.
18 There is a Central Square planning process
19 which is well advanced.

20 STEVEN WINTER: Yes.

21 HUGH RUSSELL: And we would expect

1 that there would be guidelines that come out
2 of that.

3 STEVEN WINTER: Okay.

4 HUGH RUSSELL: And so the idea would
5 be that any proposal that came before us for
6 a project review would, we would look at all
7 such guidelines that would enforce it at the
8 time.

9 STEVEN WINTER: Including the key
10 goals of the C2 study? Which is kind of
11 where, that's where I would be comfortable
12 with this.

13 HUGH RUSSELL: Uh-huh.

14 STEVEN WINTER: Yes, okay.

15 Mr. Chair, I just wanted to confirm that.

16 H. THEODORE COHEN: Well, I have a
17 question that -- I don't know if we can
18 answer or if staff can answer, but this
19 particular project is in part dependent upon
20 the letter of commitment which has already
21 been -- I mean, I guess it's been sent. I

1 don't know whether City Council has accepted
2 it, and I don't know what the status is.
3 There is one particular term in the letter
4 that has, you know, a lot of people spoke
5 about and has been bothering me, which is as
6 I understand it, that if Forest City were to
7 construct some other residential or mixed use
8 project, that may include affordable units
9 under the formula for that project, that
10 those would be counted or could be counted as
11 the 20 affordable units that's required of
12 them under this proposal. And it seems to me
13 that that is not fair and should not be a
14 condition of it. But again, we were saying,
15 you know, we were discussing that the terms
16 of the commitment and the terms of what would
17 be required of Forest City is something to be
18 determined by the City Council. So I just
19 don't know how we get a handle on that or
20 other issues that may be in the commitment
21 letter.

1 HUGH RUSSELL: I think this is the
2 first time we have ever seen a commitment
3 letter which is in its due to I guess to the
4 repetitive history of this proposal. It got
5 to the commitment letter phase. The Council
6 didn't act, and now it's been re-filed with
7 amendments. And so there's a commitment
8 letter that's out there that's presumably is
9 the result of the previous round. And we've
10 -- we certainly heard lots of testimony from
11 people before us who felt that there were
12 aspects such as what you mentioned, that they
13 would like to see the Council address in
14 reviewing the commitment letter. I don't
15 think we have to do that work. And now what
16 do we say in our recommendation about the
17 commitment letter? I think that's the second
18 to last paragraph.

19 STEVEN WINTER: It's page 3 of 3,
20 the second to last paragraph.

21 Mr. Chair. Ted, I want to ask you does

1 the phrase "for the duration of Forest City's
2 lease hold interest," doesn't that expand the
3 length of time that affordable units will be
4 in that environment? Maybe I need some help
5 with this.

6 And does that mitigate our concern
7 about sort of the so-called double counting
8 of the 20 units for you, Ted?

9 HUGH RUSSELL: You know, I think, I
10 mean as I understand it, the only Zoning
11 possibility they have is the All Asia block.
12 Everything else is built out. And with the
13 development of the All Asia block their FAR
14 development will be built out. Now if that
15 doesn't happen, and then, you know, for some
16 reason they don't proceed the way in which
17 they're trying very hard to proceed, but if
18 that doesn't happen, then there might be some
19 eventualities that might come into play. If
20 they don't build and I'm just -- let's say
21 they decide they're not going to build a

1 biotech building and they want to build a
2 housing building there, so does the city's
3 review of housing affordability in that
4 eventuality, what would the city's view be?
5 I don't think we know. Do they have to do
6 whatever's under the Ordinance plus 20 more
7 units if they're building an entirely housing
8 project? Is that fair? Is that appropriate?

9 You know, the letter of commitment is
10 based upon a development program and the
11 impacts of that program, and if that program
12 changes radically, then I don't know what
13 happens in the commitment letter. And so I
14 do think we could go down a very long road to
15 try to look at stuff that in fact the Council
16 is looking at.

17 STEVEN WINTER: Okay, I hear you.

18 HUGH RUSSELL: So I, the only thing
19 I kind of regret is that we don't pass on to
20 the Council a couple of the points about the
21 commitment letter that we heard. Now, of

1 course, Councillor, I think you were here,
2 weren't you, for the whole hearing? So
3 Council -- one of the member was present.

4 COUNCILLOR VAN BEUZEKOM: They don't
5 always listen to me.

6 HUGH RUSSELL: And I suspect you're
7 having your own hearings on this, and I doubt
8 that such an important point will be
9 overlooked at the City Council hearing. So
10 it may be unnecessary for us to pass that on.

11 STEVEN WINTER: Then in that case I
12 did have one more question, and that is also
13 on page 2 of 3, also in that same paragraph,
14 the word demise is used, where we say to
15 contribute a million-seven in community
16 funds, to create retail space that can be
17 easily demised to appeal to diverse tenants.
18 So I'm hopeful that this is a use of a word
19 which I've never seen before which is always
20 thrilling for me, but is that the right word
21 or is that a mis -- is that a typo?

1 THOMAS ANNINGER: I think it's a
2 typo.

3 PAMELA WINTERS: You know, I was
4 going to ask the same exact question, Steve.

5 STEVEN WINTER: Okay. We can just
6 look at that later just to make sure it's
7 okay.

8 HUGH RUSSELL: We can pass that
9 along as a grammatic consideration to the
10 drafters.

11 H. THEODORE COHEN: Can we go back
12 to the letter of commitment?

13 HUGH RUSSELL: Yes.

14 H. THEODORE COHEN: Because the
15 Zoning, I mean, I think it is fair for us to
16 comment on the commitment letter because the
17 Zoning specifically says we're adding a
18 section that says prior to the issuance of
19 the Building Permit per Certificate of
20 Occupancy, Inspectional Services will certify
21 that all portions of the letter of commitment

1 dated December 6, 2012, are continuing to be
2 met. So they've written into the Zoning that
3 the terms of the commitment letter are met.
4 Now, if, you know, my quandary is if that
5 because of where we are now, the commitment
6 letter is, you know, sealed in stone. You
7 know, I don't know what City Council can do
8 about it. But if it is not, then I think
9 there's no reason why we can't comment to
10 City Council that they might wish to
11 reconsider one or more provisions of the
12 commitment letter before adopting the Zoning
13 signing off on it.

14 HUGH RUSSELL: I would agree in
15 principle and I also would think that it
16 would be -- it wouldn't make sense to think
17 that the Council cannot address these issues
18 and that they will address these issues.
19 That, you know, they have the discretion to
20 do that and they will do their job.

21 ATTORNEY JAMES RAFFERTY:

1 Mr. Chairman, would the Board be assisted if
2 we gave just brief context on that provision
3 -- if you might want a context because I
4 don't think it's been accurately represented
5 in your discussion as to what those 20 units
6 are about? I know Mr. Murphy knows the
7 history.

8 HUGH RUSSELL: I guess, do you want
9 to hear that?

10 H. THEODORE COHEN: Yes, I'd be
11 happy to hear from somebody. I mean, if I'm
12 misunderstanding it and it's not a concern,
13 then great.

14 BRIAN MURPHY: I can give you the
15 background on the context where this 20 unit
16 number came out. And that was when this
17 proposal for the Zoning first came forward,
18 there was discussion about possibly adding a
19 housing component that would have included
20 both market rate as well as the inclusionary
21 units in that, that was the proposal that

1 included the housing that are now located
2 next to the fire station. There was
3 considerable reaction in the community to
4 that proposal, and I think in the wake of
5 that community reaction, there was the
6 decision made to pull back from doing that.
7 But, again, through the discussions in the
8 Central Square Committee, there was generally
9 speaking, I think, a desire for both more
10 market rate and more affordable housing in
11 Central Square; that was sort of one of the
12 goals that was coming out of the committee.
13 And so part of what I think happened with
14 Forest City was that they looked at it and
15 they said we will commit to getting the
16 housing down. We can't specify where it's
17 going to be since this proposed site didn't
18 work out, but we will seek to do that at a
19 site to be determined. I do know, for
20 example, the Forest City was a bidder
21 although unsuccessful for the Quest

1 properties. So the origin for this was
2 really an attempt to sort of note that there
3 was an initial willingness to add the market
4 rate and affordable housing, and this was a
5 provision to say somehow we will try to
6 address this concern. And either we will do
7 20 units of affordable housing as part of a
8 larger building, similar to what they would
9 have done at the parcel next to the fire
10 station, or we will somehow perhaps through
11 scattered side pieces, provide that housing.
12 And if we're unable to do so, they will
13 contribute money to the affordable housing
14 trust fund. So that's sort of the origin of
15 it. So I think it was harkening back to that
16 initial proposal and that's why that number
17 is there. It wasn't that it was going to be
18 separate and distinct. It was referencing
19 the fact that those units would have been
20 provided had they been successful, and in
21 adding in the housing tower that would have

1 included both market rate and the
2 inclusionary units.

3 H. THEODORE COHEN: Well, I'm fine
4 with that and, you know, I think it's great.
5 My concern is that as I read this, and maybe
6 it's a concern that the City Council already
7 considered, is that if in building some other
8 project somewhere, they were going to include
9 affordable units and, therefore get, you
10 know, some bonus under the Zoning, under the
11 applicable provisions of the Zoning
12 Ordinance, that they should not be able to
13 get that bonus and simultaneously count those
14 as the 20 units, because I feel that's sort
15 of a double counting situation.

16 BRIAN MURPHY: And I think that
17 seems to me that would prevent -- had they
18 done the proposals as they initially
19 prescribed it, that's would have happened.
20 That they would have built the proposal at
21 All Asia. They would have done the market

1 rate tower near the firehouse, and then
2 included within that market rate tower would
3 have been inclusionary units. So it would
4 have been that same situation at that parcel,
5 and that this is simply a response we don't
6 want it there. Fine, but we still remain,
7 you know, very interested in housing in
8 Cambridge.

9 HUGH RUSSELL: The principle is that
10 this commercial building has 20 affordable
11 units attached to it just as a residential
12 building would have affordable units attached
13 to it under the law. And they are separate.
14 So those 20 units are separate and will be
15 produced through one of several possible
16 mechanisms that are spelled out in the letter
17 of commitment. So I -- if that isn't clear
18 in the letter of commitment to a lawyer, then
19 we would commend to the Council that it be
20 clear because I think everybody agrees that's
21 the principle. And you know when -- I don't

1 think you're suggesting they're going to try
2 to weasel out of anything, just as a lawyer,
3 things need to be clearly stated.

4 H. THEODORE COHEN: No, I'm not
5 suggesting they're attempting to weasel out
6 of anything. And I applaud what they're
7 doing, but it just seemed to me the way the
8 letter was written, from my point of view,
9 it's double counting. And if you think
10 that's -- if City Council was aware of that
11 and that was an acceptable provision to them,
12 well, then, that's up to them to make that
13 decision. If you don't think that's what
14 City Council had in mind, then I would just
15 let City Council to be aware of that's a
16 concern I at least have and would ask them to
17 think about it.

18 HUGH RUSSELL: Okay. So that's one
19 thing we want to have added to our decision.

20 Is there anything else people would
21 like to add or change?

1 Ahmed.

2 AHMED NUR: Yes, I don't have
3 anything to add other than -- as you know, I
4 sat on the Central Square Committee, and
5 Forest City was a big help in a lot of
6 answering some of the questions that our
7 Central Square Advisory Committee had. And I
8 must say that I am proud to be a part of that
9 study, and I think it works out and that this
10 makes sense and I'm willing to support the
11 efforts to the City Council to consider this.

12 HUGH RUSSELL: So, are we ready to
13 proceed to a motion? Would you like to make
14 that motion for the recommendation as
15 amended?

16 AHMED NUR: Yes, so moved.

17 HUGH RUSSELL: Okay, is there a
18 second?

19 H. THEODORE COHEN: Second.

20 HUGH RUSSELL: Ted was -- we need
21 photo finish cameras.

1 AHMED NUR: There's one on the left,
2 smile over there.

3 STEVEN WINTER: We'll check it out
4 on You Tube.

5 HUGH RUSSELL: There's no more
6 discussion.

7 All those in favor of sending this
8 favorable recommendation?

9 (Raising hands).

10 HUGH RUSSELL: And it is all members
11 voting in favor.

12 Thank you.

13 ATTORNEY JAMES RAFFERTY: Thank you.

14 HUGH RUSSELL: We'll take a break
15 and we'll take up the rest of our business.

16 (A short recess was taken.)

17 HUGH RUSSELL: Okay, we're going
18 back into session, and the next item is the
19 54R Cedar Street.

20 LIZA PADEN: So earlier this
21 afternoon I forwarded an e-mail to you from

1 the applicant's representative Sean Hope, and
2 the applicant Doctor Rizkallah decided that
3 he would like to come back to the Planning
4 Board to discuss the proposal further, but
5 that based on a scheduling conflict, Sean
6 Hope, the attorney, is not available to come
7 this evening. So, they would like to
8 reschedule it to the third February meeting
9 which I think is February 19th. And they
10 then requested the extension for the decision
11 to be filed with the City Clerk to February
12 28th. And so I'd like to ask the Board to
13 accept the extension request.

14 HUGH RUSSELL: Okay, has it been
15 submitted in writing?

16 LIZA PADEN: I have an e-mail, yes.

17 HUGH RUSSELL: That meets the rules
18 of what we've been doing?

19 LIZA PADEN: Yes.

20 STEVEN WINTER: This one here?

21 HUGH RUSSELL: I've seen the e-mail.

1 But usually -- the issue comes that if --
2 that if the Board fails to act and the
3 petition expires, then the petition is
4 granted. That's the rules. So, if they come
5 back and say oh, we didn't request that,
6 where is your thing in writing? We want this
7 permit. That's why we usually require a
8 signed, you know, hard copy letters. But
9 this -- the world is changing and if the
10 staff feels comfortable with this method of
11 communication, I would like myself to have
12 something that's a hard copy and that's
13 signed, and that way we have --

14 STEVEN WINTER: Mr. Chair, I would
15 like to comment that I thought it was unusual
16 that at 2:34 the day of we get an e-mail
17 saying that because of a prescheduled
18 vacation they couldn't attend the hearing.
19 This was a little distressing that we
20 couldn't have heard this earlier. I'm happy
21 to do whatever we need to do to help the

1 proponent deal with unanticipated scheduling
2 issues, but it just seemed odd to me that we
3 got it on the day of. And also, I do want to
4 be very careful on how we do this, Mr. Chair,
5 to make sure that we are doing it correctly.

6 H. THEODORE COHEN: Liza, your
7 deadline was January 30th?

8 LIZA PADEN: January 31st, yes.

9 H. THEODORE COHEN: And is Mr. Hope
10 gone until then?

11 LIZA PADEN: No, he'll be back on
12 Friday.

13 H. THEODORE COHEN: So we could
14 agree to the extension condition on his
15 submitting a signed request to Liza before
16 January 31st.

17 HUGH RUSSELL: We could. And if we
18 didn't get it, then we would have to call a
19 special meeting I guess.

20 H. THEODORE COHEN: To deny the
21 petition?

1 HUGH RUSSELL: Right. Maybe the
2 motion should be then we would give the
3 extension and if we do not --

4 STEVEN WINTER: Upon receipt of.

5 HUGH RUSSELL: And if we do not
6 receive it, then we would deny the petition
7 so that it doesn't automatically get
8 approved.

9 PAMELA WINTERS: That sounds good.

10 STEVEN WINTER: That's fine.

11 HUGH RUSSELL: You know, I don't
12 expect there's a problem here, but I just
13 think we need to cover.

14 I think the argument for granting
15 extensions is always that when you ask
16 somebody to do something and you want them to
17 make changes, you've got to give them the
18 time to consider it.

19 THOMAS ANNINGER: Yes, or to take
20 that point one step further, it is in our
21 interests that -- I believe, and in the

1 street's interest and therefore the city's
2 interest that what we've suggested to them be
3 not only seriously considered, but hopefully
4 accepted. The alternative, which is that he
5 build as of right would in all likelihood be
6 unfortunate for the street and all around.
7 He would chop off in an awkward way, a part
8 of his building in order to satisfy the
9 75-foot rule and build a three-story house
10 when that's exactly what we don't want to
11 have happen.

12 PAMELA WINTERS: Right.

13 THOMAS ANNINGER: So I think the
14 extension is a much better outcome, and I'm
15 hoping and I'm convinced that this is just a
16 formality to get Mr. Hope to agree to an
17 extension. So I think we're doing the right
18 thing by doing what we've just talked about.

19 PAMELA WINTERS: And I hope he's
20 giving it some serious thought, too.

21 HUGH RUSSELL: Okay, is there -- is

1 there any more comment?

2 AHMED NUR: No.

3 THOMAS ANNINGER: So I move that we
4 grant the extension as requested subject
5 to --

6 STEVEN WINTER: Upon receipt of.

7 LIZA PADEN: Right.

8 THOMAS ANNINGER: -- subject to
9 agreement by the present lapse date.

10 HUGH RUSSELL: The Petitioner I
11 think needs to submit the written request.

12 LIZA PADEN: Right.

13 AHMED NUR: By the 30th.

14 LIZA PADEN: Yes.

15 HUGH RUSSELL: Right. He's got to
16 submit it I would say sooner than that, but
17 it's a week. You can write up the denial
18 petition quickly though.

19 LIZA PADEN: Yes.

20 HUGH RUSSELL: Okay. So there's a
21 motion to grant the extension.

1 H. THEODORE COHEN: And that
2 includes that if it is not received, the
3 petition is denied?

4 HUGH RUSSELL: Yes.

5 LIZA PADEN: Yes.

6 HUGH RUSSELL: Okay, any more
7 discussion?

8 On the motion, all those voting in
9 favor?

10 (Raising hands).

11 HUGH RUSSELL: And six members
12 voting in favor.

13 And now we can go on to bikes.

14 AHMED NUR: I don't have one.

15 JEFF ROBERTS: Thank you, Mr. --

16 HUGH RUSSELL: Not true.

17 JEFF ROBERTS: So we're back with
18 bicycle parking again. I'm joined by Cara
19 and Adam and Stephanie, and we have members
20 of the bicycle -- at least one member of the
21 Bicycle Committee who was also here the last

1 time, but I neglected to acknowledge. And
2 members of the Bicycle Committee have
3 submitted material to the Planning Board on
4 this topic.

5 So I sent a memo and we did our best to
6 address the questions to try to clearly
7 address the questions that were posed by the
8 Board the last time. There are some
9 revisions that were made to the text at the
10 suggestion of the Board. Again, we are
11 asking for this to be submitted as a petition
12 to the City Council. It's not necessarily a
13 recommendation or an endorsement which would,
14 which would come at a later phase when the
15 petition is officially being considered in
16 the public hearing process.

17 I won't go through all the points in
18 the memo, but I'm happy to walk through some
19 of them or to give more detail if folks would
20 like. I know that I did include, if you
21 received printed materials, I included some

1 pages from this document which is the
2 Association of Pedestrian and Bicycle
3 Professionals, Bicycle Parking Guidelines,
4 which was a helpful document and Cara could
5 in fact, if you'd like to hear more about it,
6 I'm sure Cara could tell you more about it.
7 She had some involvement in working on this.
8 But I have some extra copies because I know
9 that not necessarily everyone has received
10 it. So you can take a look.

11 So at this point I'm happy to address
12 any questions or explain anything in further
13 detail and Cara, Adam or Stephanie could jump
14 in.

15 HUGH RUSSELL: Okay. Maybe we
16 should ask Stephanie to --

17 CATHARINE HORNBY: Cara?

18 CARA SEIDERMAN: The bike committee
19 individuals?

20 HUGH RUSSELL: Right.

21 CARA SEIDERMAN: Catharine.

1 HUGH RUSSELL: Catharine. Sorry.

2 CATHARINE HORNBY: My name is
3 Catharine Hornby, H-o-r-n-b-y, and I'm here
4 -- Tian Page (phonetic) is also here with the
5 Bike Committee, and Randy Stern was been here
6 the last time, and so there has been a
7 sustained presence with the Bike Committee
8 because this is something that really
9 interests us. I guess I'd like to just make
10 a few brief comments and then answer any
11 questions you have. First to say --

12 STEVEN WINTER: May I trouble you to
13 pull, could somebody help her pull the podium
14 up just to make sure our reporter can hear
15 it. Thank you so much.

16 CATHARINE HORNBY: The Cambridge
17 Bike Committee is an advisory committee to
18 the City Manager, and we were established in
19 the early 90s as part of a both the kind of
20 the planning function to make the city nicer
21 and also an environmental function as part of

1 the Vehicle Trip Production Act. And among
2 other our functions we often review proposals
3 that come before the Planning Board and come
4 before the City Council. What we find is
5 often we're looking for better bike
6 facilities, but each time we need to sort of
7 articulate that, we need to say there needs
8 to be adequate space and adequate design and
9 adequate in number, in light of the usage,
10 and it seems like each time it feels a little
11 ad hoc, that there are these standards that
12 the city is working toward, but they're not
13 clearly articulated to the developers. And
14 so if people aren't really entirely on notice
15 about what's expected. So I think this bike
16 zoning proposal we see as really valuable, as
17 a way to just layout the starting point. To
18 say here are the city's expectations; right?
19 We think you should have adequate bike
20 parking for new construction, and this is
21 what we mean. And like all Zoning if there

1 are special circumstances, there's, you know,
2 procedures around special circumstances. But
3 at least to articulate this is what we mean
4 when we say adequate bike parking. And I
5 think that this is really something that's
6 quite critical for, again, talking about new
7 construction only to create to build the city
8 where people can easily use their bikes and
9 can easily turn to their bikes to go to the
10 shop or to go to school or to go to work or
11 just to go over to Fresh Pond and have a nice
12 little ride. And I think, we think that this
13 makes for a more liveable city, helps to
14 reduce car travel, helps keep parking spots,
15 you know, car parking spots available for
16 those who really need them for those who
17 can't bike, and overall reduces traffic
18 congestion. So I think it's part of a whole
19 that's valuable.

20 HUGH RUSSELL: And you've, your
21 committee has looked at the nitty-gritty of

1 all these proposals and given it your
2 blessing?

3 CATHARINE HORNBY: We have. And I
4 think that, the proposal that's evolved. I
5 mean even just in the few meetings that I've
6 seen here I know there's been a lot of
7 discussion about the appropriate treatment of
8 three families, and so it's a proposal that's
9 evolved. But yes, we've looked at -- we've
10 looked at the standards and we think that in
11 principle it's going in the right direction
12 and we understand that it will evolve over
13 time. But, yeah, we think that the way these
14 standards are articulated seems appropriate.

15 HUGH RUSSELL: Thank you.

16 Any other questions?

17 AHMED NUR: I just had a quick
18 question as to do you have any comments that
19 you want to make regarding to what brought
20 you to the conclusion in which, you know, for
21 example, safety perspectives. A lot of times

1 when bike hops too close to each other, a
2 person comes up to you popping up a wheel and
3 wants to put the bike in a certain way and
4 wants to get the bike a certain way. Any
5 stories you want to say that maybe help you
6 come up with this conclusion with regarding
7 to the city laying out the foundation for,
8 you know, bicycle parking?

9 CATHARINE HORNBLY: Well, I guess
10 I'll say two things:

11 And I think certainly I personally have
12 had the experience of trying to fit a bike
13 into an awkward rack or a rack that's higher
14 up and harder to deal with. I think there's
15 another side of this, though, that the sort
16 of the easiest population to get biking are
17 people who are young and fit and comfortable
18 on the roads and, you know, basically sort of
19 male and 19 to 24. And that's fine, that's
20 great, but we're never really going to change
21 the city if we only address facilities that

1 are, you know, adequate for people who can
2 easily, you know, sling their \$3,000 bike up
3 on to a rack. If we want parents and people
4 who are a little bit older and people who
5 maybe aren't strong enough or maybe have
6 little clunkers of bikes that aren't easily
7 lifted up over your head, if we want the most
8 people to be biking, I think we need a
9 facility, we're going to need racks
10 (inaudible).

11 AHMED NUR: That was my point.
12 Because I've seen mothers with pulling wagons
13 with their children and so on and so forth
14 having a hard time in maneuvering around in
15 these areas, so thank you.

16 THOMAS ANNINGER: I think it's
17 interesting that you are representing adults,
18 older people, women, men. Can you just tell
19 me a little bit about the composition of the
20 Bicycle Committee and how people join? Do
21 they get selected? Or how does it work so

1 that I have a sense of what the
2 representation is?

3 CATHARINE HORNBY: Sure. Well,
4 correct me if I'm wrong but they -- so
5 members are appointed for two-year terms, and
6 that the -- where there are openings, which
7 is pretty much every year, those openings are
8 advertised. For example, the way I found out
9 about it, there was a little snip-it maybe in
10 the Globe or somewhere, but it was just a
11 little snip-it saying we're advertising for
12 new members. And then people who -- and so
13 there's an effort in advertising the fact
14 that there's open positions. And City
15 Manager staff, Cambridge, Cara and her folk
16 look at applications and interview people,
17 and I think they try to gather a range of
18 perspectives. I mean, there are both Harvard
19 and MIT have representation on the committee
20 so they try to sort of bring in those big
21 institutional perspectives. And in terms of

1 private, you know, non-institutional members
2 we attempt a range of age and male and female
3 and we try to -- it's challenging because
4 people, you know, parents with young kids,
5 and that's an important group, but it's also
6 a group that doesn't have a lot of time in
7 the evening and so are probably
8 underrepresented on our committee. So I'm
9 not going to say that it perfectly reflects
10 the composition of the city, but that's the
11 goal, it's a cross-section of the city and
12 cross-section of age ranges.

13 HUGH RUSSELL: So are there more
14 questions for Catharine?

15 STEVEN WINTER: I have questions
16 here, yes.

17 HUGH RUSSELL: So for Catharine or
18 for the staff?

19 STEVEN WINTER: They are for
20 Catharine.

21 HUGH RUSSELL: Okay.

1 STEVEN WINTER: Is this also, is
2 this the Cambridge Bicycle and Pedestrian
3 Committee? Is that the longer name of this?

4 CATHARINE HORNBY: There's actually
5 two separate committees. We occasionally
6 meet together generally around Christmas so
7 we can share food.

8 STEVEN WINTER: Okay. Because I
9 wanted to say that from -- I do think there
10 are two, and I I've heard the names of both,
11 but from each, when I get something from each
12 of those, I listen very closely because it's
13 always very good, strong temperate
14 perspective that has a stewardship for the
15 whole city and everybody in it. So I wanted
16 to make sure you could bring that back to
17 your committee. So that's the perspective
18 that I have of who you are.

19 One of the comments in your letters,
20 and I'll read the sentence, this is your
21 letter: In the future, in the context of new

1 construction only, racks that conform to the
2 national standards built into the Zoning
3 proposal would function better.

4 I get national standards. I
5 understanding it. And then another letter I
6 hear there's -- someone who said MIT, while
7 they do wonderful things for bicycle, to
8 support bicycle riding, they don't have very
9 good facilities for holding these bicycles.

10 And I guess I'm wondering is there
11 something that we can do -- some -- it seems
12 odd to me that MIT would not be in the
13 advanced guard of having bicycle parking
14 facilities. What can we do as a city to get
15 MIT's attention to say we need to you do
16 better? Is it simply this, saying that you
17 need to conform to the standards? Because I
18 also noticed that a part of this has
19 alternative bicycle parking designs in
20 response to MIT's comments discussing the
21 issue with non-standard bicycle parking and

1 flexibility. So it just seems like there's
2 something working there that we haven't quite
3 pushed in together. Do you have any
4 perspective on that?

5 CATHARINE HORNBY: Well, I guess the
6 perspective I have is I think MIT is acting
7 in good faith. I want to put that out there.
8 And I think that they are really trying to
9 maximize the number of bike parking spaces.
10 So I don't think there's anything like
11 nefarious here at all.

12 STEVEN WINTER: No conspiracy
13 theory.

14 CATHARINE HORNBY: I think that in
15 doing that, in trying to maximize the number,
16 I mean, I think that sometimes they sometimes
17 kind of try to get more spots that
18 realistically can be used, and I think that
19 if the national standards apply. And the
20 reason I reference the new construction is
21 because I know there was some confusion on

1 that point a few meetings ago or sometime
2 recently, and I think it's important to note
3 that we're not saying that MIT has to
4 retrofit all its bike racks, because I think
5 that would be a big imposition. But as they
6 bring new dorms on-line and, you know, as
7 they're involved in new construction, I think
8 to have bike racks that are really in
9 accordance with national standards and really
10 work well, I think would be a good thing. I
11 think there should be an ongoing
12 conversation, and I think there is. I mean,
13 MIT's representation on the Bike Committee I
14 think is a part of that, an ongoing
15 conversation, both formal and informal, about
16 how, you know, how can we support them, how
17 we the city, and we the citizens support them
18 and how can they improve their facilities
19 from a bike perspective. It's ongoing
20 conversation and I don't think there's a
21 perfect solution that if we just impose

1 national standards on all racks that that's
2 reasonable.

3 STEVEN WINTER: Thank you.

4 HUGH RUSSELL: Okay. Thank you very
5 much.

6 So maybe people who have had questions
7 in the past or at least want to comment or
8 query the experts here.

9 THOMAS ANNINGER: Go ahead.

10 AHMED NUR: You sure?

11 HUGH RUSSELL: Go ahead, Ahmed.

12 AHMED NUR: The question that I
13 have, and this could be for staff is, I don't
14 want to take the spotlight from the bicycles,
15 but as someone who lives in Cambridge, I also
16 see a growing number of mopeds and they tend
17 to park also where the bicycles park.
18 They're little ones that have -- they have
19 stickers, they don't have plates on them,
20 right. And for those of you who have been to
21 Europe, you see in Rome, they become

1 nightmares. There's a parking lot full of
2 them and you can't get to any of it. There's
3 a concert. And while we're at this, I just
4 want to mention in the back of our heads
5 while we're talking about bicycle parking
6 zoning, that we should -- the language should
7 be clear as of to the -- for the lack of a
8 better word, big sister of the bicycle, the
9 mopeds, are they allowed to do that? And are
10 they held by the same? Are they going to be
11 ticketed? Is there going to be a completely
12 different parking area for them?

13 HUGH RUSSELL: Who wants to field
14 that one?

15 JEFF ROBERTS: Should be fielded --
16 do you want to --

17 CARA SEIDERMAN: Hi. So for the
18 record, Cara Seiderman, S-e-i-d-e-r-m-a-n
19 with the Community Development Department
20 Bicycle Program. And so, mopeds and scooters
21 and all of those things are definitely

1 different vehicles and so you raise a good
2 point about how those should be accommodated.
3 They aren't thought to be the vehicle that
4 would fit in the bicycle parking as
5 articulated and defined here. And the
6 Traffic Ordinance by the Traffic Department
7 defines them very clearly and specifically
8 and separately. So I know that the Traffic
9 Department has actually been thinking about a
10 little bit about how to redo exactly what
11 you're identifying, and I think that it will
12 require a different level of effort to think
13 about how those should be accommodated, but
14 it's a good point as our next project.

15 AHMED NUR: They have the bike lock
16 and everything.

17 CARA SEIDERMAN: Right, right.
18 Well, it is something that should be -- once
19 this is done, and we'll take that up.

20 AHMED NUR: Sure.

21 HUGH RUSSELL: Pam.

1 PAMELA WINTERS: So I have a
2 question and I'm just curious. Have there
3 been any accidents? You know how bicycles
4 will sometimes have those little carts in the
5 back where they drag their babies in the
6 back, you know? Have there been any
7 accidents with that in the city where those
8 bicycles have been hit?

9 CARA SEIDERMAN: You mean out on the
10 street with the trailers?

11 PAMELA WINTERS: Yes. I look at
12 that and I mean it horrifies me to see
13 these --

14 STEVEN WINTER: I don't believe
15 they're dragging their babies. I believe
16 they're towing them.

17 PAMELA WINTERS: Sorry. Yes, I
18 know, they're towing their babies. It's
19 probably politically incorrect here. I just
20 get so scared seeing these little kids, you
21 know, being -- so have there been any

1 accidents do you know of kids getting hurt?

2 CARA SEIDERMAN: None that I know
3 of. And we've actually been tracking bicycle
4 crashes in the city for sometime, and I think
5 that this is actually a phenomenon that
6 happens nationally, not just here, that
7 people are actually driving more cautiously
8 around people who have them and it may also
9 be where those people are riding and how
10 they're riding. And the good news is
11 actually the city's getting ever and ever and
12 ever safer for every individual cyclist. As
13 we've talked about here, the number of cycles
14 has tripled, and the number of crashes is not
15 anywhere near that. And as per -- and it's
16 actually part of a whole phenomenon that's
17 called the safety in numbers. And the more
18 people that are out there, the safer it is
19 for everyone. So with a system from that
20 kind of perspective --

21 PAMELA WINTERS: Well, that eases my

1 mind because I see these, you know, these
2 little kids in the back, and I'm like oh, my
3 God. It just looks like an accident waiting
4 to happen to me, but you've eased my mind on
5 that one so thank you.

6 CARA SEIDERMAN: Sure.

7 And when we do see lots of people now
8 biking with their kids to school, and it's
9 one of the things we've been trying to do
10 from the public perspective, is trying to
11 make sure there's enough bike parking at the
12 schools and that kind of thing. And so it's
13 all part and parcel of this. But the city by
14 the way, I'll just make a side note, in
15 general is getting -- is going the direction,
16 not just for cyclists, it's I think having to
17 do with the liveable city and we're actually
18 having fewer crashes than ever before and
19 it's been a trend that's been going down for
20 a long time.

21 PAMELA WINTERS: Good, good. Thank

1 you.

2 HUGH RUSSELL: Tom.

3 THOMAS ANNINGER: Okay, I guess I'd
4 like to say a few things. These are comments
5 and questions.

6 I think my main interest and concern
7 was presented to us has been is it balanced?
8 And by balanced I mean is it, is it
9 regulation that can be -- that is in the
10 interest not only the bikers but of the
11 developers and of the city and so on? And I
12 feel personally that this is a complex area.
13 It's got a technical level that I'm not
14 competent to evaluate. I don't know anything
15 about bicycle racks or spaces or distances or
16 these kinds of things. I have a general
17 assessment of how things are supposed to
18 work, but I don't know enough to really
19 comment on the technical aspect. So a
20 question that I have had is have you had
21 comments and process with developers as well

1 as bikers and as well as institutions who are
2 not here participating in the process? The
3 chairs are empty tonight. We don't have
4 Mr. Rafferty and his many clients coming in
5 to tell us this is too much. It is a
6 substantial piece of regulation that in words
7 alone. And it is quite technical. It is
8 quite prescriptive. And there are -- and I
9 think the memo that Jeff wrote, I assume it
10 was Jeff, but I'm sure others participated in
11 it, the most recent one we got was very good
12 and was convincing and has helped me to see
13 that this is in alignment with what other
14 cities are doing with this rather interesting
15 bicycle parking guidelines, and all that I
16 find very convincing. I would have liked to
17 hear from those who construct substantial
18 buildings to say that oh, yes, this all makes
19 sense, we understand it, and we can live with
20 it, and this is not overburdensome. So that
21 is a question. And then I have a yet a

1 comment after that.

2 CARA SEIDERMAN: We do -- thank you
3 very much for your comments. And I think
4 Stephanie would like to be the person who
5 would respond to the discussions with
6 developers, which we have had to give a
7 little preview. Come on up.

8 STEPHANIE GROLL: Hi. Stephanie
9 Groll, PTDM officer. We have a good number
10 of PTDM projects that are approved with the
11 number of bike parking spaces and the
12 dimensions as we laid out in this proposal.
13 So this is once again, it's just a reflection
14 of what has been in practice for quite
15 sometime now. And the PTDM projects are
16 obviously agreed to by the developers and --
17 yeah.

18 THOMAS ANNINGER: That doesn't quite
19 get me there. Agreed to because they have no
20 choice? Agreed to because they think this
21 all makes sense? Tell me how that works.

1 STEPHANIE GROLL: Well, I can say in
2 the negotiation process for approving the
3 PTDM plans the bike parking is almost never
4 quibbled with. It is seen as fair and
5 something that other projects do, and in fact
6 I just recently had a discussion with a
7 developer was talking about how the number
8 one thing tenants are asking for is good bike
9 parking because they know that their
10 employees need to have that where they are as
11 well as showers and changing facilities. But
12 everybody wants to put in good bike parking
13 because they know that that helps attract
14 tenants. When I say good, I mean a broad
15 enough dimension and the correct number.

16 THOMAS ANNINGER: Okay.

17 I guess that answers my question up to
18 a point. What would -- did you want to say
19 something?

20 BRIAN MURPHY: No. I was going to
21 sort of add that I think it's interesting

1 that when we do have more contentious
2 disagreements on PTDM, as Stephanie was
3 saying, it's almost always about something
4 like what's the dollar amount of an MBTA
5 subsidy? It really does come down to
6 dollars. And in terms of this, this is sort
7 of more of it becomes almost a selling
8 feature for developers to do. But this
9 hasn't been that controversial for -- as
10 developers have looked at it because --
11 although the bicycle parking that's currently
12 on the books now would not suggest it. When
13 you look at the last -- it's several of the
14 Special Permits that have come through, they
15 more closely approximate what's in this
16 proposal than what's currently on the books,
17 and I think the fact that you're not hearing
18 -- it's sort of more like the dog that
19 doesn't bark, it's not -- in my experience
20 most of the developers that I deal with
21 aren't too shy about complaining about things

1 that don't work for them, and this is not one
2 that I hear from anyone.

3 HUGH RUSSELL: I guess I'd like to
4 comment on that, too, Tom. I was just
5 thinking over the last four architectural
6 projects I've done and none of them have
7 provided this level of accommodation. And
8 three of them are in -- two of them are in
9 suburban locations. And you would think
10 that, you know, you're out in the suburbs,
11 you've got plenty of land and that's not
12 always the case. And you know my -- and so
13 if you're trying to provide 1.6 cars per unit
14 as the absolute minimum to make your project
15 work and you have to provide, you have to
16 then sort of take 10 percent of those more
17 spaces to get bicycle parking in. If you've
18 got to cover them, that would be a
19 difficulty. But things are different here in
20 Cambridge. And I mean we saw, for example,
21 in CambridgePark Drive a case where a

1 developer converted automobile parking spaces
2 into bicycle spaces because he didn't need
3 them. There are those cases.

4 So another project was a tiny project
5 in Somerville which was only at seven units.
6 And, again, there was a garage for people who
7 were formerly homeless who had a garage for
8 six cars which was completely unnecessary,
9 but it was to the project history kind of
10 complicated. It had been a condominium that
11 had failed to go forward, and then was
12 purchased by Somerville Community Corporation
13 and with a subsidy from 14 different people.
14 We got seven units or eight units. So if
15 you're realistic, you'd say no problem, we
16 can get this, you know, this big garage.
17 Nobody's gonna put a car in it. We're going
18 to put a bicycle in it. If you're going to
19 try to, there are quite a few more variances
20 basically. What's the sensible thing to do?
21 I mean, we're requiring one bicycle rack in

1 which we could not, it was not literally
2 space to put a Cambridge-approved bicycle
3 rack in the garage. We put up a rack, but I
4 know anybody who wants to park a bicycle
5 there will just park it, you know? And if 10
6 people want to park bikes there, and somebody
7 will buy a rack so they can secure the
8 bicycles to protect them.

9 Another example is we just did a
10 renovation of Central House which is a single
11 room occupancy residence for 128 people in
12 the Y. I don't know how a single room
13 occupancy is counted in these regulations.
14 They may not be counted. I can tell you that
15 planning 128 bicycle spaces in the Y building
16 would have been difficult. And, again, you
17 could -- there are, there actually are quite
18 a few bike racks out in front of the Y right
19 now, and there's usually an empty space, so
20 unlike many other facilities. So there are
21 projects have their own -- and the fourth one

1 is I'm doing a huge project in Natick. We've
2 had to take out 30 cars in the garage to
3 provide bicycle parking, and that -- but like
4 where are you going to ride your bicycle if
5 you're living in Natick? You're not going to
6 ride to work. You could ride across the
7 street to the mall because I bet there aren't
8 bike racks at the mall of any significant
9 number. So -- and yet developers will have
10 difficulties complying with these things.
11 There will be special cases that will have
12 discussions, but it seems like this is the
13 right regulation for Cambridge.

14 THOMAS ANNINGER: Do you have
15 something you wanted to say? I have one more
16 comment?

17 CARA SEIDERMAN: I'm happy to say I
18 had something that was specific to the
19 developer discussions.

20 THOMAS ANNINGER: Go ahead.

21 CARA SEIDERMAN: So just to also

1 support what's been said, we -- and I pointed
2 to Adam, too, often talk with developers
3 about the bicycle parking. And we also have
4 spent a lot of time talking with places
5 around the country about what their
6 experience has been. I think there's a lot
7 of -- I'm sure you know this, there's a lot
8 of background that goes into this. We just
9 don't make it up. And there are a couple of
10 things that are fairly consistent. One is
11 pretty obvious. Almost everybody said is
12 what people want to know is what are the
13 standards? Give me the books that I can fit
14 it in. So having some consistency was very
15 much appreciated.

16 The other thing is that in places where
17 -- that are similar to Cambridge where
18 there's lots more people bicycling and
19 there's policies to support bicycling and
20 what not, that the developers would -- were
21 sometimes even ahead of game and would be

1 providing more bicycle parking than was
2 typically required before the regulations
3 caught up because they were seeing that in
4 the market. And I know that we're the ones
5 that get the calls sometimes for people who
6 are trying to retrofit the buildings because
7 they didn't quite have enough. My tenants
8 want us to have more bicycle parking and so
9 how do we squeeze it in? And we try to work
10 with them if we can in the existing
11 buildings. So many of the developers are the
12 same and we've been having continuing
13 conversations. And I would say it's more
14 about let's figure out what's the best way to
15 do it rather than discussions about whether
16 we should do it or the numbers. It's, like,
17 okay we're going to do this, where is the
18 best place to put it? And how do we
19 configure it? And those are the discussions
20 that have been going on.

21 And we've had discussions with the

1 institutions. And Harvard is actually --
2 their own policy is about bicycle parking
3 racks that they're choosing, and their
4 standards are consistent with these in terms
5 of bicycle configurations. And so that's
6 what -- and I mean I'm happy to give you lots
7 of examples of different things that have
8 gone on, but I don't want to take time from
9 your next point which is probably also
10 important.

11 THOMAS ANNINGER: Well, I guess
12 where I am is I support this now, but I
13 didn't when I first read these draft
14 regulations, draft Ordinance Zoning
15 proposals. I was a bit overwhelmed by it.
16 And it seemed to me to be too much. It
17 seemed over regulation. And my fear was that
18 it would become the center of attention in
19 all development proposals, and that when
20 people came before Brian Murphy and the
21 staff, all they would talk about is bicycle

1 parking and they would ignore what to me is
2 the most important, which is urban planning
3 and architecture and all those things that we
4 spend a lot of time on. I think that would
5 be a bad use of allocation of time. If you
6 have an hour and a half or two hour meeting
7 with a developer and you spend 90 minutes
8 talking about bicycles, then I think you
9 would be missing the point. But I've managed
10 to come around to thinking that all this
11 detail is just precisely to avoid that. And
12 that because you have all of this
13 specificity, you answer all those questions
14 so that you don't have to talk about it. And
15 that's what I hope is the outcome of
16 everything that we have here.

17 CARA SEIDERMAN: I would say all we
18 hope to --

19 THOMAS ANNINGER: And, therefore, I
20 see everybody nodding and of course that's
21 what you want to hear. But I have come to

1 believe that and I have been convinced by the
2 latest memo and so on and hence I think this
3 is a good thing, but it took me a while to
4 get there.

5 CARA SEIDERMAN: Thank you.

6 HUGH RUSSELL: Pam.

7 PAMELA WINTERS: So, Tom, just to
8 comment on your comments. I think in all the
9 years that we've been on the Planning Board,
10 there's been very little argument among
11 developers in terms of the bicycle spaces and
12 the number of bicycle spots. Sometimes they
13 will, they will want the bicycle spaces to be
14 in a different spot than we want them. But
15 in terms of the numbers, I think that they,
16 you know, it's something that they really
17 want to put into their projects.

18 Do you agree with that?

19 THOMAS ANNINGER: Well, I think to a
20 certain extent we're dealing with a new
21 phenomenon. I think this is fairly recent.

1 To talk about all those years, bicycles were
2 not really the issue until I don't know how
3 recently, Cara, you probably go further back
4 than I do in thinking about bikes for sure.
5 But ten years ago we weren't talking about
6 this.

7 AHMED NUR: Some of us were.

8 STUART DASH: You've seen projects
9 with these new numbers actually come before
10 you the last year or so. So, Jeff, you might
11 add in. The last three or four projects
12 actually had been responding to these new
13 numbers because we asked them to and they've
14 been agreeable to, so you guys have seen it
15 play out before you.

16 JEFF ROBERTS: Right. And I think
17 you couldn't have put it better. If you were
18 at the meetings that staff had with
19 developers, we do spend -- but, you know,
20 without these kinds of standards in place
21 that developers can look at and see that

1 they're incorporated into the Zoning
2 Ordinance. We spend in what I would, I don't
3 if the rest would feel the same way but it,
4 an inordinate amount of time trying to get
5 the developers to understand what the
6 standards are and then to do the extra work
7 that's required to meet those standards. But
8 ultimately when the -- by the time you see
9 the project, that process has played out and
10 they've found a way to meet those standards,
11 and they've successfully been able to do it
12 within the overall context of urban design
13 and other considerations that the Planning
14 Board takes into account.

15 THOMAS ANNINGER: I guess my last
16 point is I do ask you to take aesthetics into
17 account as you do this. The one project
18 where I had some question about aesthetics
19 was on CambridgePark Drive. There's a
20 beautiful new building on the reservation
21 side. I forget the name of the architect,

1 it's across the street from Richard
2 McKinnon's project. And I thought there were
3 too many bikes in front and I thought it
4 ruined an absolutely beautiful facade. Those
5 are tough balancing issues, and I don't think
6 any of that is easy, but I ask you to think
7 hard about that as you think about all these
8 other issues because they're complicated.

9 Good job.

10 CARA SEIDERMAN: Thank you.

11 HUGH RUSSELL: Ted.

12 H. THEODORE COHEN: Okay, thank you.

13 I agree with Tom that I think it's been a
14 question of balance. And as you know, I've
15 been critical about a lot of things
16 throughout this, but I truly do appreciate
17 all the work that everybody has done, and
18 staff has done. And I -- especially the most
19 recent memo which I think was terrific and
20 really crystallized a lot of the issues and
21 clarified a lot of the issues. Although I

1 would like to speak to somebody after the
2 meeting about the numbers and the CVS model
3 which I can't get to work out which may
4 simply may be my math. But, you know, I do
5 think it's a question of balance and I do
6 think it's a question of aesthetics. And
7 actually for new construction and new
8 development I really have no issues at all
9 except some of the aesthetic issues that I
10 think the number of bike racks that we're
11 dealing with can detract from the facades of
12 a lot of the buildings. And I think it's
13 necessary for us to all to try to figure out
14 a way to improve it aesthetically just as we
15 try to improve car parking issues.

16 You know, especially now that we've,
17 you know, gotten rid of the single, two, and
18 three-family residential requirements. I
19 think the balance has back to an acceptable
20 position for me.

21 My main concern is really about

1 existing areas; the Harvard Square, the
2 Central Square, the Inman Square, where I'm
3 afraid of the proliferation of bike racks.
4 And I've been spending weeks now staring at
5 bike racks and looking at things and seeing
6 how bikes are dealt with, and so I have a
7 couple of questions about text.

8 And one thing that's popped into my
9 mind, and I just wonder why, is there a
10 reason why parking meters can't be used as
11 bike racks? I mean, you know, if they had a
12 circle on it, something like this. We
13 already have parking meters all over the
14 place, why can't they be used for bike
15 parking too?

16 ADAM SHULMAN: Hi. Adam Shulman,
17 Cambridge Traffic Department. So I can try
18 to answer that, but one of the big issues is
19 -- I think there's a bunch of issues, but one
20 of them is that when bikes are locked to the
21 meters, it makes it very, very difficult if

1 not almost impossible for the people who are
2 collecting money from the meters to get the
3 money out of the meters. So there's a
4 problem with that. And there's also a
5 problem with people getting access to the
6 meters if there's bikes parked to the meters
7 so it makes it not -- so it makes it
8 difficult for people to get to the meters on
9 top of just if it's parked to the meter, it's
10 probably also not a good spot and it might be
11 even blocking you access from the vehicles to
12 the sidewalk. So it's just not a good, it's
13 not good for managing the meters. It's not,
14 you know, not good for safety. It's just not
15 a desirable place, it shouldn't be at meters.

16 HUGH RUSSELL: Plus it if it gets
17 too close to the street, people drive over
18 the wheels and bend them.

19 H. THEODORE COHEN: Well, except
20 that I see all these other --

21 PAMELA WINTERS: You get dents in

1 your car doors as well.

2 STEVEN WINTER: I was going to say
3 you get damage to the cars, too.

4 H. THEODORE COHEN: Well, I can
5 understand all that, although I see all these
6 other bike parking meters that are at the
7 same place as the meters. There's a meter
8 here and a meter here and there's, you know,
9 an inverted U right between them. So I
10 don't, you know, the issues about getting
11 access to the cars and being damaged seems to
12 me it's the same issue. So I -- that's, you
13 know, I just threw that out because, you
14 know, I could argue all your points. You
15 know, now they're using electronics to read
16 the meters and all sorts of things. It just
17 seems to me there's a proliferation of things
18 in the tree launch and the sidewalks, and if
19 we already have meters why can't we use them?
20 But, you know, that's sort of an irrelevancy.

21 I do have some questions from me and I

1 really think the latest red line has
2 clarified lots and lots of the issues.

3 I guess I just ask the -- the thing
4 that I had probably the most trouble with is
5 the long-term bicycle parking and how that
6 really works. And I just ask if you'd look
7 again at 6.104.1 where it talks about
8 long-term bike parking shall be provided
9 within the building containing the use or
10 uses that it is intended to serve, or within
11 a structure whose pedestrian entrance is no
12 more than within 200 feet. Because I just
13 don't quite understand how that fits in with
14 the following section on how short-term and
15 long-term parking is working and also the
16 public contributions.

17 Now in Section 6.104.2.b about public
18 contribution, it says the city shall have the
19 right to install bicycle parking on the
20 sidewalk adjacent to the lot.

21 Doesn't the city have that right

1 already?

2 JEFF ROBERTS: Yes. But often I
3 think it's just to -- that point is just to
4 clarify that there are different options for
5 providing short-term bike parking. If it's
6 made the for public contribution, one, and
7 probably what you consider the most
8 conventional if it's serving that particular
9 use, you put it on the sidewalk adjacent to
10 that use. And then as you were saying, there
11 might be alternate, as you mentioned in
12 previous meetings, there may be alternate
13 options where you create pooled parking in
14 certain locations. The idea would be to give
15 the city sort of maximum flexibility to do
16 that. So it's really just a clarifying
17 point. I know that there are, you know,
18 there are some circumstances where property
19 owners may -- despite the fact that the city
20 does have the right to put them there,
21 property owners sometimes might object. And

1 so part of that makes it clear that because
2 it's meant to serve that particular use, that
3 the city does have that option to make sure
4 it's located in a place where it will serve
5 that use.

6 H. THEODORE COHEN: But I assume,
7 say, if the city wanted, you know, if we --
8 using this building as an example, which you
9 did, if somebody was required to put parking
10 and the city decided to put it across the
11 street, the city has the right to just put
12 spots on in the sidewalk there, don't they?

13 JEFF ROBERTS: Yes, they do. And
14 the point of the regulation is to provide
15 flexibility. In fact, we talked about that a
16 little bit since our last meeting and looked
17 at the experience of Portland. And I know
18 Cara's been in touch with people who work
19 over there, and they've -- and they have a
20 similar provision to provide that public
21 contribution. And what they found was that

1 really that the best thing to do was to make
2 the contribution contingent on the owner and
3 then give the city maximum flexibility to,
4 you know, to put it wherever they thought it
5 was most appropriate.

6 H. THEODORE COHEN: A silly question
7 probably, the wire wave racks unacceptable.

8 AHMED NUR: Nice.

9 CARA SEIDERMAN: I'm happy to share
10 a picture that brings a thousand words
11 because they don't work basically.

12 H. THEODORE COHEN: Okay, great.

13 CARA SEIDERMAN: I'll -- if you
14 don't mind me, I'll pull it out. You can ask
15 the next question.

16 H. THEODORE COHEN: Sure, okay.

17 In Section 6.105.2 about bike lockers.
18 Although bicycle lockers are allowed to store
19 more than one bicycle for the purpose of
20 meeting the requirements of 6.1, a single
21 bicycle locker may provide only one bicycle

1 parking space.

2 Why?

3 JEFF ROBERTS: Well, just the -- by
4 the functioning of the way a bicycle locker
5 functions, you put the bike in and you lock
6 it and then you only have access to that, to
7 that space. So from a functional
8 perspective, a single person with a single
9 bicycle, even if there's room, physical room
10 to fit two bikes into a bike locker, unless
11 it's an -- unless it's a household or a
12 family or people who are sharing that space
13 at the same time, only one person can
14 practically use that locker at any given
15 point in time. So someone couldn't bike park
16 their bike in a bike locker. And even if
17 there was more space, someone else couldn't
18 come in and just and put their bike in next
19 to it because the locker would be exclusive
20 for use by that, by the first user.

21 PAMELA WINTERS: Unless they were

1 like a married couple or something like that,
2 right?

3 JEFF ROBERTS: Right. If two people
4 were coming together using it at the same
5 time, then they could use that. And it
6 would, it might be more convenient or it
7 might save space, but from the perspective of
8 a resident or a commuter or someone who is
9 using that, those bicycle lockers, it
10 wouldn't be practical to assume that multiple
11 people could use that same locker.

12 H. THEODORE COHEN: Well, I guess
13 that gets to the sort of the balance question
14 and I see this proliferation of one-bike
15 lockers someplace creating, you know, really
16 an unappealing looking thing where there
17 could be a larger shed or locker that could
18 handle a half dozen bikes.

19 JEFF ROBERTS: Right. And if within
20 the -- if there is spacing within the locker
21 to accommodate the -- to accommodate what's

1 described as the suitable racks, distance for
2 racks and if the locker were accessible by
3 multiple people, then that would, that would
4 be appropriate. That that would meet the
5 standards for a bike shed that then multiple
6 people could use. And you could have
7 multiple bike parking spaces within that.

8 H. THEODORE COHEN: So if we had a
9 larger structure that people could then lock
10 their individual bikes into something --

11 JEFF ROBERTS: Yes.

12 H. THEODORE COHEN: -- that would be
13 an acceptable bike locker?

14 JEFF ROBERTS: Right.

15 CARA SEIDERMAN: So, what I have
16 there are pictures of bike racks that are
17 prolific including what we call radiator
18 racks and wave racks, and these are -- I'm
19 sure as some of you may have tried them or
20 seen them, they don't support the bicycle
21 horizontally unless you park it horizontally

1 which then you've taken up the entire rack.
2 They actually don't support the bikes. They
3 fall over. People don't use them. People
4 misuse them. I know that many architects
5 love them because of the aesthetics, and I
6 have no argument with that. It's just pure
7 functionality of them.

8 HUGH RUSSELL: The aesthetics before
9 the bicycles arrive?

10 CARA SEIDERMAN: There are
11 aesthetically pleasing racks that do work,
12 and we do have -- in fact, in Kendall Square
13 there are going to be some earth bike racks
14 that are going to be installed soon that were
15 part of the one percent for earth project.
16 And so you'll see some very interesting
17 racks.

18 One thing I would just throw out there
19 about the bike lockers is that what's very --
20 what's interesting here is that I don't know
21 of any place that's actually used them. It's

1 something that as you rightly identified does
2 take up more space if you did it individually
3 than some other things that are actually more
4 practical, but it is a phenomenon that we
5 want to permit but it's not chosen. I don't
6 think we've seen any projects that have used
7 them specifically.

8 HUGH RUSSELL: I don't know of any.

9 CARA SEIDERMAN: Right.

10 H. THEODORE COHEN: I mean it may
11 not really be a bike lock. I'm not quite
12 sure what it is. But down by South Station
13 there is this large caged-in area where they
14 have dozens of bikes. Now they also have
15 two, you know, rows, and I don't understand
16 how they get the bikes up to the higher
17 level, but it seems like just this whole
18 giant caged-in area is locked. And I imagine
19 people walk their bikes to the individual
20 lockers.

21 CARA SEIDERMAN: Right. So that

1 would be a cage. The locker -- if I could
2 find another picture of that. It's basically
3 like a box.

4 H. THEODORE COHEN: Right, yes. I
5 think Jeff showed us pictures last time.

6 If we could go to 6.108.3 about
7 findings and approval for Special Permits.

8 STEVEN WINTER: I'm sorry, what was
9 the number again?

10 PAMELA WINTERS: So what?

11 H. THEODORE COHEN: 6.108.3, page 12
12 of 14. I'm just somewhat troubled by the
13 language that the Planning Board would have
14 to make a finding that what is proposed is
15 equal or superior to the bicycle parking that
16 would be permissible under the regulations,
17 because I think a lot of the times the
18 Planning Board would be asked to issue a
19 Special Permit because you couldn't really
20 give something that was equal or superior to,
21 and that we would be considering whether

1 something was good enough which gets down to
2 in the subsection B, you know, the Board will
3 determine the bike parking plan will
4 satisfactorily serve the needs of the
5 expected users. And I would be happier with
6 some sort of satisfactory serve language
7 rather than equal and superior to. It just
8 seems it goes to the issue of why you would
9 be rendering a Special Permit more
10 appropriately.

11 STEVEN WINTER: It could be a very
12 subjective term to define as well.

13 H. THEODORE COHEN: Right. But I
14 think our having to define -- a future
15 Planning Board equal to or superior to might
16 be difficult under certain circumstances.
17 Those were really my comments. I'm, you
18 know, pretty content with things now and I
19 appreciate, you know, everything you've done.

20 HUGH RUSSELL: So my favorite bike
21 rack is owned by the Berkeley College of

1 Music but it's on Boylston Street just before
2 you hit the Fenway. And it's my favorite
3 bike rack because it's very close to Boston
4 Conservatory where I bicycle with my husband
5 frequently to go to concerts and things, and
6 there's always space in it because it's not
7 very well located to Berkeley.

8 One feature of this bike rack, I think
9 it, the spacing is not great, but because
10 there aren't, you know, it's not maxed out.
11 You can sort of deal with the fact that in
12 theory it could be congested and bad but it
13 isn't, is the bikes are parallel to the
14 sidewalk in a space is probably 15 feet
15 between the sidewalk and the building. And
16 then there's landscaping at both ends. And
17 there are -- so there are two or three sets
18 of bicycles with adequate maneuvering space.
19 The parallel arrangement is actually --
20 produces a more attractive installation
21 because instead of seeing the ends of seven

1 bicycles, you see the side essentially of one
2 bicycle or maybe you can see through it to
3 the next one. It's, I mean, that's an option
4 they picked I think because of the size of
5 the space that they had and they're trying to
6 maximize the number of bikes, but it actually
7 looks better. And I think that's something
8 that we can keep in mind.

9 THOMAS ANNINGER: Right.

10 HUGH RUSSELL: When people come to
11 us, you know, to say have you thought about
12 this? The other advantage is if the access
13 is off of an aisle, you can actually do some
14 screening in front. Could it be a wrought
15 iron fence with a sign that says don't block
16 your bike to it.

17 The other comment I would make is that
18 I noticed today that there were a lot fewer
19 bicyclists on the road. And I was thinking
20 like why am I bicycling with a, you know, 15
21 mile an hour head wind at 20 degrees? And

1 the answer is that although it's more -- it's
2 less comfortable than walking in those
3 circumstances, it's so much quicker that your
4 overall experience is decidedly better to,
5 you know, spend six minutes -- where there's
6 a little worse as opposed to 15 minutes where
7 it's unpleasant. And also whether there's
8 any kind of slush on the street, you're
9 actually above the slush when you're on a
10 bicycle. And if it's not too deep it's not a
11 problem. Climate change will probably take
12 care of this phenomenon. But this is sort of
13 interaction between bicycling and climate
14 change.

15 So someone raised their hand before.
16 Steve and then Ahmed.

17 STEVEN WINTER: Just to concur with
18 the comments of my colleagues, and also I
19 think we are setting the bar high here. And
20 I think that's great. It's terrific. We're
21 in the position that we can do that here, so

1 we ought to do it, and clearly we have. I
2 also think that these changes give us lots of
3 options and I look it for that. It gives us
4 lots of different ways to go. And I also
5 think that we're going to learn a lot when
6 we -- this becomes promulgated and we move
7 forward. We're going to learn a whole lot
8 about street furniture, about how people use
9 them, about all kinds of things. So this is
10 just a good to go.

11 HUGH RUSSELL: Ahmed.

12 AHMED NUR: Just a comment and a
13 question because I see the end as time gets
14 closer. And that is on figure 2-25 on page
15 2-36, this is a sample bicycle parking layout
16 lot. I just wanted to know have you
17 considered, Mr. Chairman, you can correct me
18 if I'm wrong. I haven't seen a blueprint for
19 -- the blue code for parking lots minimum is
20 it, what is it, 19 by 9 or roughly around
21 there?

1 HUGH RUSSELL: In Cambridge parking
2 spaces can be eight and a half by 18.

3 AHMED NUR: Okay.

4 So according to this figure we could
5 barely fit one, two, three -- two bicycles
6 side to side and front and back. And I'm
7 wondering, everything seemed to be okay. I
8 like the 30 -- I like the 30, 60 inches and
9 the 48-inch clearance off the wall, but front
10 tire to the back tire of the next bicycle,
11 48-inch minimum that's at four feet, I wonder
12 if that is -- thanks, Thomas.

13 THOMAS ANNINGER: Sorry.

14 AHMED NUR: That's okay.

15 I wonder if that would have been 36
16 inches would be better than at 48 inches I
17 suppose? Have you, I mean just only to be
18 fair to what Thomas brought up earlier which
19 is the developers to look into in terms of
20 parking space.

21 JEFF ROBERTS: Well, the standard in

1 the Zoning is that's recommended, we just --
2 it's sort of described typically in feet is a
3 five -- when you have the bike parking that's
4 sort of turned 90 degrees turned in, is a
5 five-foot standard, and that's been important
6 especially in indoor bicycle facilities in
7 order to, in order to maintain enough
8 clearance in order to get bikes in and out.
9 I can't say that just in terms of the
10 scaling, and we talked about this at one of
11 the previous meetings to think -- when you
12 start to -- when you start to compare the
13 auto parking with the bike parking under
14 Cambridge's standards, you get to as high as
15 I think 17 bike parking spaces fitting in,
16 you know, for -- per every one auto parking
17 space. And that's when you consider all the
18 aisles, all the access, egress, when you
19 compare the, when you compare one to the
20 other. So we've kind of been using that as a
21 general standard, is the amount of -- if you

1 want to think about the amount of space you
2 should need to have a certain number of bike
3 parking spaces, take the number of auto
4 parking spaces and divide it by somewhere
5 around 15.

6 AHMED NUR: Okay. Not according to
7 this, that's why I looked at it.

8 STUART DASH: And if you look at --

9 JEFF ROBERTS: Well, that's only
10 showing I think just a small snapshot of it.
11 When you look an entire facility, it scales
12 differently.

13 AHMED NUR: Okay.

14 STUART DASH: And keep in mind if
15 you imagine pulling your bike out in that
16 situation, so that you're not -- as you're
17 pulling your bike out just before you can
18 turn your wheel to start to arc it, you don't
19 want to be bumping into someone else's bike
20 and rattling around like that. And that's
21 what happens when you're too short a

1 distance.

2 AHMED NUR: Okay, all set.

3 HUGH RUSSELL: Okay. Are we ready
4 to recommend this be filed as a Planning
5 Board petition?

6 STEVEN WINTER: Yes.

7 AHMED NUR: Yes.

8 PAMELA WINTERS: Yes.

9 HUGH RUSSELL: And I say this, not
10 allowing you to take under consideration the
11 points that Ted has made, but this proposal
12 that seems to be coherent, it's well thought
13 out. There may be some tweaking that you
14 will do before it comes back to us. So if
15 so, is there a motion to that effect?

16 AHMED NUR: So moved.

17 HUGH RUSSELL: Okay.

18 PAMELA WINTERS: Second.

19 HUGH RUSSELL: And second.

20 So any further discussion?

21 All those in favor of filing this?

1 (Raising hands).

2 HUGH RUSSELL: And all members
3 voting in favor.

4 JEFF ROBERTS: And can I ask,
5 Mr. Chair, anything in particular that the
6 Board would like communicated with that to
7 the Council or should it just be a standard
8 thing?

9 HUGH RUSSELL: Well, I think it's
10 important to let the Council know that the
11 Bicycle Committee has been an active part of
12 this. It's important to know that we've
13 discussed this --

14 STEVEN WINTER: A number of times.

15 HUGH RUSSELL: -- a number of times.
16 And that this is really the, you know, it's
17 like the tip of an iceberg. There's been an
18 awful lot of ground work, an awful lot of
19 thinking. I think that they, you know, the
20 fact that these kinds of regulations have
21 been tested against the development proposals

1 that have come forward against the PTDM plans
2 that people make. And so this is -- and this
3 way it's different than virtually any other
4 kind of Ordinance that's -- that comes
5 forward. They amount to what we've been
6 working on. And when I say we, looking at
7 the people who have been doing most of the
8 work.

9 STEVEN WINTER: Yes.

10 JEFF ROBERTS: Thank you.

11 HUGH RUSSELL: Okay.

12 Is there anything more to come before
13 us tonight? If not, then we are adjourned.

14 Thank you very much.

15 (Whereupon, at 9:55 p.m., the
16 Planning Board Adjourned.)

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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
my hand this 18th day of February 2013.

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