PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, March 18, 2014

7:00 p.m. in City Hall Annex 344 Broadway Cambridge, Massachusetts

Hugh Russell, Chair
H. Theodore Cohen, Vice Chair
Pamela Winters, Member
Steven Winter, Member
Tom Sieniewicz, Member
Steven Cohen, Member
Catherine Preston Connolly, Associate Member

Brian Murphy, Assistant City Manager for Community Development

Iram Farooq, Acting Deputy Director

Community Development Staff:

Liza Paden Jeff Roberts Stuart Dash

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PUBLIC HEARINGS

7:20 p.m. Christopher H. Lutz, et al to amend the Cambridge Zoning Map to rezone an area on the northern border of Richdale Avenue from Upland Road to Walden Street from the existing Residence C-1A to Residence C-1. This petition was re-filed by the City Council on 1/27/14.

8:00 p.m. City Council to amend the Cambridge Zoning Ordinance to amend Section 17.20 to increase the setback requirement abutting Linear Park and to clarify form and density language with the residential neighborhood. The petition was re-filed by City Council on 1/27/14.

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(Sitting Members: Hugh Russell, H. Theodore Cohen, Pamela Winters, Tom Sieniewicz, Steve Cohen.)

HUGH RUSSELL: Good evening, this is the meeting of the Cambridge Planning Board.

Is this microphone working?

LIZA PADEN: Yes.

HUGH RUSSELL: The first item on our agenda is an update. And, Iram, are you going to do that?

IRAM FAROOQ: Sure, thank you, Hugh. All right, so after today our next meeting will be April, April 1st when we'll have a couple of continued items, Richdale Avenue and Chung Petition, and then we will be returning to Town Gown so that the Planning Board can actually have their discussion and make comments.

On April 8th, sorry, executive week meetings. April 8th we'll be talking about -- there will be a public hearing on a project on New Street which is a new development. And then, we want to hold some time open to revisit Kendall Square if things are ready. And I'm not sure if April 29th is confirmed or not.

LIZA PADEN: Yes.

IRAM FAROOQ: Okay, great. So April 29th will be for the courthouse, Thorndike Street and that meeting will be at the Central Square Senior Center because we think there will be a lot of interest and we'll need a larger space than here. And I'm actually going to -- we will -- and in May our meetings will be May 6th and May 20th. And we -- and so we will have public hearing on May 6th on PUD procedures, Zoning

Amendment, and also a Special Permit Planning Board 290 on Langdon Street which meets.

LIZA PADEN: The 1-3 Langdon Street is another one of the basement Overlay District. It's a creation of apartments in the basement of an existing building.

IRAM FAROOQ: And then May 20th is 57 JFK Street, which is also a residential project that straddles commercial development that's existing on the site.

H. THEODORE COHEN: That's the Galleria?

LIZA PADEN: Yes.

IRAM FAROOQ: So those are upcoming
items.

Other things of interest are that next week at the Ordinance Committee there will be a hearing on Lutz Petition as well as the Linear Park Zoning, and those are on March

26th.

And I think that's it.

It's just probably worth mentioning that there's been a lot of interest in the courthouse. There was testimony at yesterday's City Council meeting and councillors were also very concerned. And so there will be some discussion at the Council level where they have been trying to reach out to Dcam and trying to figure out something that is a good compromise solution that works for DCAM residents as well. That should be in the works.

JEFF ROBERTS: Hi. Just to add one thing for Planning Board members who weren't there when we said this, and a reminder for those who were, that we were hoping to get written comments from Planning Board members on the Town Gown reports by next Tuesday so

that we had a week to compile those and then send them back out for the discussion on April 1st. So that's next Tuesday, March 25th and they go to Liza.

HUGH RUSSELL: Everything goes to Liza.

Board of Zoning Appeal cases?

LIZA PADEN: So if -- did you want to say anything, Steve, about the --

STEVEN WINTER: Well, I actually asked Liza before. I don't know if you want to --

LIZA PADEN: Which is the first case on March 27th, which is 1071 Cambridge

Street. This is the Clover food lab which is an existing restaurant on Cambridge Street and they have a small tenant space that they are subleasing to another restaurant use.

And if you're familiar with that section of

Cambridge Street, there's on-street parking and they are asking for relief from the parking requirement for the 49 seat restaurant. So they're required to have 10 seats and they would like to ask for zero.

I'm sorry, they're required to have 10 parking spaces and they're requesting zero.

HUGH RUSSELL: Okay, well, that's kind of the thing that ordinarily we leave to the Zoning Board.

STEVEN WINTER: It is, but I also wondered if it's not the kind of thing we can send on with a comment in the same spirit that we did with Essex Street, that we, we feel the reduction in parking is something that might work for Cambridge as we move forward. That's, that's kind of what I wanted to put in. And if, you know, if other folks are not quite on a firm foundation with

that, it's okay for us not to say it, but I do think that as we move forward, what was counterintuitive ten years ago, which is let's reduce the amount of parking that we require housing and for this and for that, we're now seeing that it brings in people who don't have vehicles and there are less vehicles. So I just want to keep pushing that.

HUGH RUSSELL: So it's -- in the way of a general principle as we're now looking at parking on a case by case basis for the facts on that case, we're not using the general ordinance as a departure, (inaudible) as a right.

STEVEN WINTER: Okay.

HUGH RUSSELL: And so, and the BZA is the appropriate forum to gather those facts and make those determinations.

STEVEN WINTER: I wouldn't mind saying it just like that actually.

HUGH RUSSELL: Yes, okay.

that dealing with it on a case by case basis on Cambridge Street virtually no restaurant has their own parking other than the S&S perhaps. And, you know, I certainly would really want to see, I guess, special requirements apply to this new restaurant that aren't, that don't prevail for the vast number of other restaurants in that neighborhood.

LIZA PADEN: Okay.

STEVEN WINTER: Got it?

LIZA PADEN: Thank you.

STEVEN WINTER: Yes.

LIZA PADEN: We also have an

applicant here for the telecommunication

application that's going into 25 Eighth

Street in East Cambridge and she's here to

answer any questions and make a short concise

presentation.

ATTORNEY ANN GRANT: Thank you. For the record, my name is Ann Grant from Prince, Lobel on behalf of the applicant Sprint.

I'll give you a brief overview and I'm happy to answer any questions. And I also have copies of plans with the with photos if that would be helpful to see.

HUGH RUSSELL: Yes, we usually get those.

Our general procedure is to borrow them for the discussion and then give them back to you.

ATTORNEY ANN GRANT: Perfect.

So as some of you may be aware, there is currently -- Sprint currently has seven

wireless panel antennas that are located on the rooftop, rooftop penthouse of 25 Eighth Street. And Sprint is in the process of upgrading their network so they operate on a 4G network currently. Some of the antennas are for the 3G use. It will allow them to provide more efficient coverage, greater coverage, and faster download speeds, etcetera. Less dropped calls. So it's sort of a simple upgrade. Currently there are seven panel antennas existing that are facade This proposal or this change to the mounted. site would result in actually removing one of those antennas. So we're replacing the seven with six new antennas, which are the new technology. And then 12 remote radio heads which, again, allow them to just increase the efficiency of the coverage. And they're just over a foot in height, so they're smaller.

All of the equipment will be facade-mounted, painted to match the facade of the penthouse. And then there are three equipment cabinets that support these antennas that are located on the platform on the rooftop of the building. Those three existing will be removed and three new ones that will be replacing those three. Same size, they just support the updated technology. So that's essentially the gist of what the upgrade would be. The photos kind of give you an idea of what it looks like now and what it will look like. So I'm happy to answer any questions.

TOM SIENIEWICZ: And that's all from one?

ATTORNEY ANN GRANT: Yes.

HUGH RUSSELL: So cutting to the

chase.

JOHN HAWKINSON: Is the mic on?

HUGH RUSSELL: On the last page of the photo sims there is a view that shows new antennas and there's one antenna that's been added in a very prominent position and formerly it's -- right now it's on the corner with a red arrow on it, and it used to be back next to the duct work or whatever that white thing is.

ATTORNEY ANN GRANT: Yes.

HUGH RUSSELL: And I personally would like to see it put back where it used to be because this is really pretty blatant and obvious.

ATTORNEY ANN GRANT: Okay, I'm not sure actually why it was moved out there. I can find out, but I mean assuming that it's not -- the only reason that you would necessarily move it, would be if there was

any interference issues. But assuming that's not an issue, I don't see why it would be an issue to move it back to that spot. So I can take that back to Sprint and confirm that we can do that.

PAMELA WINTERS: Well, I concur with Hugh. It's just that it's such at an angle there that, you know, that one little thing really does jet out. So it's such a 90-degree angle there. I think it's 90 degrees, you know, where the shadow line meets and stuff. So I would concur with that.

ATTORNEY ANN GRANT: Okay.

HUGH RUSSELL: And it's a little known building designed by Paul Felony after he gave up his architectural process for about 20 years. I think he's still probably on Fresh Pond Parkway.

STEVEN WINTER: Filoni (phonetic) or Felony?

HUGH RUSSELL: Felony. It's spelled like felony and Nick his brother was a judge.

STEVEN COHEN: I remember the judge.

HUGH RUSSELL: Anyway, Paul was a very dedicated city employee and a fine architect. So this building (inaudible).

H. THEODORE COHEN: While you're talking about the historicism, I just went by the building to take a look at it and I was delighted to find that it has an awning outside naming it the Harry S. Truman building and they correctly spelled Harry S. Truman without a period after the S.

HUGH RUSSELL: Are there other comments?

H. THEODORE COHEN: My only comment, is I take it that the ones that are on all

the corners are not Sprint's?

ATTORNEY ANN GRANT: On the side of the building?

H. THEODORE COHEN: Yes.

ATTORNEY ANN GRANT: No, I think they're T-Mobile antennas. All of Sprint's antennas are on that penthouse.

PAMELA WINTERS: Okay.

HUGH RUSSELL: Okay, we complete?

All right, thank you very much. And you can take these back and use them for the BZA.

LIZA PADEN: The next case is the Planning Board Special Permit for 141 which is Cambridge Research Park. This particular building is 7 Broad Canal, also known as the Watermark Building. And in the ground floor there are retail uses. There is -- now I can't remember the restaurant names, but

Kika's, Evoo's, Za, are on the ground floor as well as the new wine and spirit store.

The last retail space is proposed to be the Dumpling Daughter restaurant. The applicant is here. But this is -- because of the way the Planning Board Special Permit 141 is written, the Planning Board has to approve all of these particular kinds of uses on the ground floor which they've done for the other restaurants and for the other -- there was a Bubble T and some of the other food uses in the ground floor.

So does anybody have any questions for the applicant?

HUGH RUSSELL: I think we're in favor of dumplings.

STEVEN WINTER: Yes. I have a comment actually. Simply to point out that Central Square has a festival of dumplings,

and I wanted to make sure that we all knew that. That it was the Central Square Business Association puts it on on an annual basis, and it is -- it came in response to Cambridge's love with Joyce Chen and Joyce bringing in Chinese cooking with an American flair and style. So we do have a dumpling day, and I wanted to make sure that everybody knew that because I heartily approve of these dumplings.

PAMELA WINTERS: When is the dumpling day?

STEVEN WINTER: Well, last year it was in September.

PAMELA WINTERS: Oh, okay.

HUGH RUSSELL: Okay, so we're requested to make a motion that this use is consistent with the objective of the PUD-3 District and necessary to support the

predominant uses in the district which are residential and office.

Someone like to --

STEVEN COHEN: So moved.

HUGH RUSSELL: Is there a second?

H. THEODORE COHEN: Second.

HUGH RUSSELL: Any discussion on the

motion?

(No Response.)

HUGH RUSSELL: All those in favor?

(Show of hands.)

HUGH RUSSELL: All members voting in

favor.

(Russell, H.T. Cohen, Winters,

Winter, Sieniewicz, S. Cohen.)

HUGH RUSSELL: Before we start the public hearings, I wanted to present my analysis of our agenda tonight which is we're going to need a lot of discipline and some

luck to actually get to the Kendall Square Zoning item which we should try to get to before nine o'clock if we possibly can.

TOM SIENIEWICZ: Okay.

HUGH RUSSELL: So, we must -- right, so the next item on our agenda is the Lutz Petition to amend the Cambridge Zoning Map on the northern border of Richdale Avenue to Residence C-1A to Residence C-1. And this is a Petition which I understand the Council didn't act on in a timely manner and so it expired and it's been re-filed.

Jeff?

JEFF ROBERTS: That's correct. And the reason why the Planning Board did not hear this the first time it was filed because the meeting was canceled due to snow. So this is the -- this is a re-filed version of the petition, but it's the first time the

Planning Board would have heard it.

(Catherine Preston-Connolly Seated.)

HUGH RUSSELL: Okay, is there someone here to present this?

OLIVER RADFORD: Yes. My name is
Oliver Radford, R-a-d-f-o-r-d and I live at
24 Cambridge Terrace which is quite close to
Richdale Avenue.

And at the outset, I just want to start off by explaining as Jeff mentioned, this petition was originally filed in the fall, and at that point a proposed development for 1533 Richdale had been proposed that had caused great deal of concern among the neighbors. Since that time the developers have done a lot of hard work and they have listened very hard to what the neighbors had to say, listened very hard to what the Historic Commission had to say, have come

back with a completely different approach to the proposal. And quite frankly their new approach has gained much more support among the neighbors. We've been in discussions with the developers with the benefit of the Mayor's assistance, and I think we're very, very close to reaching an agreement that would -- a memo of understanding between the neighbors and the developers that would, you know, put the remaining concerns of the neighborhood to rest but we're not quite there yet.

So with your indulgence what I would like to do is go back in time to the December meeting where it was canceled due to the snowstorm and show, show the Planning Board the thinking of the neighbors on why we have petitioned to change the Zoning recognizing that the facts of the proposed development

have changed significantly by then, but we just want to get some of the points across that were the basis of the petition that was filed.

If you can just bear with me one sec.

HUGH RUSSELL: And I take it that you would still like us to recommend a favorable recommendation when the petition was filed or is it moot since (inaudible)?

OLIVER RADFORD: I think at this point we would still request the Planning Board take a favorable position until such time that the -- an agreement -- a memo of understanding is reached that addresses some of our concerns. The developer has made certain, I'll say promises, that we would like to formalize. And the Historical Commission has reacted favorably to their current proposal, but the Historical

Commission only has jurisdiction over certain aspects as you understand.

So give me one second to get this working because it's not working.

H. THEODORE COHEN: Liza?

LIZA PADEN: Yes.

H. THEODORE COHEN: What is the timing on this?

LIZA PADEN: Like when does the 90 days expire?

H. THEODORE COHEN: When do we have to act? And when does the City Council have to act? And the Ordinance Committee?

LIZA PADEN: So the -- go ahead,

Jeff.

JEFF ROBERTS: If you don't have it, I have it.

LIZA PADEN: Okay.

JEFF ROBERTS: I just have a piece

of paper with this on it. This will expire on June 16th. So that's the final date for the Council to act. And the Ordinance Committee is having its hearing, as Iram mentioned, next Wednesday from the March 26th.

H. THEODORE COHEN: Well, I quess I still don't understand. I personally would be not in favor of taking any action to amend something that doesn't need to be amended if we end up -- if the parties end up with a resolution under the existing Ordinance that they are -- well, content with. And it seems like it's, to a certain extent, a waste of our time and the waste of the Ordinance Committee's time and the City Council's time. And I understand that it's not finalized right at the moment, but I personally would not like to see us take an action that we

then have to undue or say never mind.

STEVEN COHEN: I agree entirely with Ted. You know, we're told that the parties are near a resolution. I think we should give them room and space to reach that resolution. Not only might it be a waste of our time, but what we do and say here would actually impact those discussions and those discussions seem to be proceeding perfectly well without any further impact by our review. I would much prefer continuing the matter and give the parties the time and space to resolve it on their own.

HUGH RUSSELL: So, well, I am not a great fan of doing pointless things, but my analysis of the agenda is that if we don't spend the next 30 minutes on this we're going to sit here with nothing to do. Because I don't believe we in fairness can take up

Norris Street that early.

H. THEODORE COHEN: Well, I don't object to hearing what the proponents have to say, but I -- at the end I think, I would propose that we simply continue the hearing to a later date and either everybody will be in agreement and the petition will be withdrawn or they won't and then we'll take it up again at a future date and decide whether it's a good idea or not.

HUGH RUSSELL: That makes sense to me. I guess I'd also like to ask are there people here who wish to speak on this petition? A show of hands?

(Raising hands.)

HUGH RUSSELL: So there are two people.

PAMELA WINTERS: Three, four.

HUGH RUSSELL: If you could try to

keep your presentation to us down to 10 or 15 minutes, that would be very helpful.

OLIVER RADFORD: I will do that, and I will rush through some parts that are perhaps less relevant.

STEVEN WINTER: Mr. Chair, I don't want to move on without acknowledging and complimenting the two sides for the dialogue. I think it's a great -- they've done a great thing and we're in support of that. So it's not that we're non-supportive of action and come down the process is looking really good right now and everyone should be complimented for that.

HUGH RUSSELL: Okay, Mr. Radford, would you like to proceed?

OLIVER RADFORD: Okay. So this is just to introduce our neighborhood. We're a quiet little enclave near Porter Square.

Upland Road is at the bottom. Walden

Street's at the left. The railroad tracks

are cutting across the middle, and the area
in focus is in the oval there.

The area that the Lutz Petition was to cover was north of Richdale Avenue to the railroad tracks from Walden Street on the left, down to the end of the current C-1A Zoning at the right which is near Upland Road.

C-1A currently allows 45 feet. C-1 would allow 35, which is what the Lutz petition proposed rezoning to. And the lot area per dwelling unit with housing incentives would go from 769 to 1153 and the FAR would also decrease.

And I'm just going to cover a few aspects of the built character of our neighborhood. Existing development on

Richdale Avenue, existing densities and heights in the neighborhood, the potential development which is a little out of date, and then the change in Zoning that we were advocating.

So the neighborhood was largely built at one moment in time. The upper image is 1903 when the -- none of the houses on Cambridge Terrace had been built along Richdale Avenue these were empty lots. In 1908 most of the three deckers on Cambridge Terrace were built. And a few years later in 1913, I think, the Hathaway Bakery was built which is at 1543 Richdale Avenue.

The neighborhood really hasn't changed in 100 years. Those buildings were built 100 years ago and nothing much has changed.

We want to point to the city's growth policy No. 1, which states that existing

residential neighborhoods having an identifiable and consistent built character should be maintained at the prevailing pattern of built density and scale. And our feeling is that the current C-1A Zoning did not -- was not consistent with this growth policy because it allows greater development than the existing neighborhood.

So this is Cambridge Terrace, the street that I live on. It's a row of -- two rows of three deckers, going down to the Hathaway Bakery, 1533 Richdale Avenue, halfway down the street. The brick building Hathaway Bakery, is 22 feet high right there. The yellow building beyond is 30 feet high and set back 99 feet from Richdale Avenue. So because of the topography, the -- there's views over this site. These are the existing buildings along Richdale Avenue. The

railroad side of the tracks is kind of a series of brick former industrial buildings, and these are the other neighborhood streets. Herbert Street on the upper right. A few more Richdale Avenue buildings on the lower left and Buena Vista Park on the lower right.

This is the area of the Lutz Petition in red. There's existing development at this end. This was a Cambridge storage brick warehouse that was converted to condominiums with some wood frame additions. 75 Richdale, formerly the Payne Elevator building, was converted to condominiums. And 85 Richdale, a smaller wood frame building, I'll just briefly describe these three.

One Richdale was built or converted in 1980. The brick portion is about 35 feet high. The wood frame portion is about 30 feet high. And the area per dwelling unit,

the metric we're using here, 1686 square feet of lot area per dwelling unit.

The Payne Elevator building, 75
Richdale, that was developed in '95,
converted from industrial to residential, no
real exterior additions or changes. That has
a density of 1769 square feet of lot area per
dwelling unit.

The literal wood frame 85 Richdale is probably the densest building in the neighborhood. It's about at 1,000 square feet of lot area per dwelling unit. It's a small building. It took full advantage of the C-1A height by adding that penthouse on the top when it was developed. I mean, I think it was about 10 years ago. But it's a very small building.

And then the three deckers on Cambridge
Terrace are about 30 to 33 feet high, and

they typically have about 1200 square feet of lot area per dwelling unit.

And this map summarizes the heights in the neighborhood. The lightest color salmon are buildings that are lower than 30 feet. The predominant color of the pink in the middle are buildings between 30 and 35 feet. And the magenta, the highest portions are the only areas in the building that are taller than 35 feet. That penthouse on 85 Richdale that I just showed you and some of the former industrial buildings had some towers on the back for one reason or another.

And then this is a map of the densities in the neighborhood, residential densities.

The lightest color blue is the least dense at 2,000 square feet of lot area per unit.

Those are the mostly single and two-family and row houses on the far side of the

railroad tracks, Porter Road, and Regent Street. Buena Vista has some two houses there and an odd ball corner lot here.

And the predominant typical density is the three deckers which are this medium blue. They're about 1,000 to 1500 square feet of lot area per dwelling unit. And the darkest blue are the most dense which are the ones less than a thousand square feet of lot area per dwelling unit. So those are clearly an anomaly in the neighborhood.

33 Richdale also known as 15-33
Richdale. It's obviously the largest
building in the neighborhood. This is the
site of the proposed development.

And again this is what it looks like today. It's a huge building, but it's only 22 feet high. So there's views of the sky beyond. Again, this is the low portion, 22

feet high. The taller two-story portion is 32 feet high. Again, well lower than the 45 feet that the C-1A Zoning allows.

This is the only other non-residential property immediately abutting this 45 Richdale. The AZ Auto Center, and that's about it 22 feet along the street. It does this have this small industrial tower at the back which reaches up to about 45 feet.

So this is the current Zoning Map and C-1A is along the railroad tracks. We sort of feel this is an intrusion of higher density into an area that's predominantly lower density. Obviously there's the Mass. Ave. corridor which is more dense obviously. But flanking the Mass. Ave. corridor there's a lot of B-2 family areas on each side up here, more two-family areas down here. There's even some single-family, not too far

away from Mass. Ave., in the Avon Hill area.

And the C-1 District is here. And, you know,
the C-1 is already the dense district near

Porter Square.

In terms of heights, that's the typical three decker, that's 75 Richdale. This is the existing building at 33 Richdale. And the next slide shows what the current C-1A Zoning could allow to happen. This is not what the developer's currently proposing for this site, but it -- the Zoning does allow a 45-foot high building 292 feet long.

Again, this is looking down to

Cambridge Terrace again. Just imagine a

45-foot high building when that's a 22-foot
high building especially for the 292-foot
length.

So this was a previous proposal by the developer, fortunately it's not the one

that's currently on the table. But this was that massive wall 45 feet high by 292 feet long that the current Zoning would still allow. And from the back of the building is the Porter Road -- across the railroad tracks Porter Road and Regent Street as well as any commuters on the railroad, the heights are even more exaggerated because the railroad tracks are about eight feet below the average grade of the site. So it's currently now a 22-foot high building. Again, that -- the current Zoning would allow that to double.

Again, this is a -- the first September submission of the developer to the Planning Board for 1533. Again, this is not what is currently proposed. But at that point the current Zoning, which is what the Lutz Petition was about, allowed developers to propose maximizing every single Zoning

criteria. The current proposal does not do this. It reduces a number of units. We're very appreciative of that, and there's a lot of support for that.

And this came from a memo that Community Development proposed. This was a list of projects along the railroad tracks, and the densities, if you look again at the lot area per dwelling unit here, again, most of them -- that was the storage warehouse, but most of them are significantly greater than what the current Zoning would allow for 1533 Richdale. And the blue line is the time when C-1A was created in 2001, and due to the creation of C-1A, the lot area's decreased a The density increased. The lot area per dwelling unit decreased. But even the more recent proposals for developments haven't approached what the current Zoning

allows.

And so why did we propose going to C-1? Well, pretty simple that the adjacent Zoning District is C-1. C-1's the most common residential district. The height of almost all the buildings in the neighborhood is that 35-foot height, which is consistent with the maximum height in C-1. The lot area per dwelling unit, most of the parcels in the neighborhood is also consistent with C-1 when you factor in the inclusionary bonus. And our feeling is that C-1 is consistent with that growth policy No. 1 of the city.

And the C-1A Districts we also thought it was important to point out, I think you realize there's not many C-1A Districts in the city, but in the 12 years since they were created, the City Council has already twice voted to down zone parts of the C-1A

District. The 2006 Woodford Petition changed the Zoning of the, I think it's the self-storage block near Fresh Pond from C-1A to C-1. And then just a couple of years ago the Runkel Petition changed a parcel in Dulles Circle from C-1A all the way down to C. So, again, the Lutz Petition was for this little chunk of the C-1A there.

Again, that was just a repeat of the slide summarizing what, what the C-1 would change it to. And in a different format, again, the existing height and density of the buildings in the neighborhood, what the current Zoning allows and what the proposed Zoning change would allow, which we believe is more consistent with the existing buildings.

So, again, it was simply changing that little portion from C-1A to C-1 and will be

abutting a B District on the far side of the tracks. Abutting a C-1 district here. And we felt it was again, going back to that growth policy No. 1, consistent with the scale and density of the existing neighborhood.

So, again, I wanted to again acknowledge that the developers have come a huge way, have really made a very big effort to address many of these concerns, and we do feel optimistic that we will come to that agreement, but we just sort of felt the background was valuable to share with you and I know their proposal itself is coming to the Board on I think April 1st. And so we were -- it was suggested that we continue with this presentation tonight.

Thank you.

HUGH RUSSELL: Okay, thank you.

Shall we proceed to the public testimony?

PAMELA WINTERS: Sure.

HUGH RUSSELL: First person indicated they want to speak is Elizabeth Stern.

ELIZABETH STERN: Do you want me to come there?

HUGH RUSSELL: Yes. Please come forward. When you come forward, come to the podium. Give your name and address, spell your name and we have a three minute --

ELIZABETH STERN: Elizabeth Stern.

HUGH RUSSELL: Excuse me. Let me finish.

ELIZABETH STERN: Oh.

HUGH RUSSELL: We have a three-minute speaking time for each person, and at the end of that time, should you reach

it, Pam will let you know.

PAMELA WINTERS: I'll let you know.

ELIZABETH STERN: Okay. Elizabeth
Stern, 20 Cambridge Terrace, and I have a few
points I'd like to add to what Oliver said.
Kind of the one about the profits we've been
through as a neighborhood and two, about the
numbers.

The citywide rezoning occurred in 2001.

I and others in this neighborhood were unaware of this far reaching social engineering. For our neighborhood it lay dormant. In 2013 a proposal was put forward by the developer. The developer contacted the immediate abutters to present his plan.

This plan would have a tremendous impact on me at 20 Cambridge Terrace, but since I'm not an immediate abutter, I knew nothing.

Through a process of neighborhood osmosis, we

became aware of the terrible numbers; 54 units, 45 feet high, a FAR of 125. When this understanding reached a critical mass in our neighborhood consciousness, we began a desperate, time sensitive race to both understand the parameters of the situation and simultaneously demonstrate the terrible impact such a proposal would have on us. It felt like a system of justice in which you suddenly find yourself accused and you're guilty until you prove yourself innocent.

Proving yourself innocent is a big ask, requiring time, energy, resources, money, expertise, not to mention determination for people in a neighborhood who already have their lives to conduct. I believe it's reasonable to ask of the Planning Board is there a better way to go about this with a more level playing field? So that's my first

point.

Now I want to speak to those terrible numbers. The FAR for C-1 is as Oliver has mentioned them all. What I would like to say about them, is if one were to show the changes from Zoning A-1 through C-1A as a graph, the transition from C-1 to C-1A would appear as the most dramatic change. And what gives the Planning Board the right to impose such drastic changes only at this end of the scale and in the middle of our neighborhood?

Another point is that through
negotiations 54 units has become 48. This is
still far too many. On the entire length of
Cambridge Terrace there is a total of 56
units. Buena Vista has far less and on
Herbert there are two units. Is dropping
almost 48 units the equivalent of an entire
street what the Planning Board envisioned for

our neighborhood?

PAMELA WINTERS: Ma'am, if you could wind up your comments, please.

ELIZABETH STERN: Okay.

PAMELA WINTERS: It's been three minutes.

ELIZABETH STERN: How much time do I have left?

PAMELA WINTERS: You're over your time.

ELIZABETH STERN: Okay, thank you.

HUGH RUSSELL: Liz Vandermark.

LIZ VANDERMARK: Can I give my time to her for comments? I'll pass.

HUGH RUSSELL: Are you Liz?

LIZ VANDERMARK: Yes, I'll pass.

HUGH RUSSELL: Okay.

Next person is Rob Wolfe.

ROB WOLFE: My name is Rob Wolfe. I

represent Hathaway Partners, the owner of I live 42 Arlington 15-33 Richdale Avenue. Street, about three blocks up from Richdale I want to compliment Oliver on his Ave. I wish he was making a presentation. presentation for me some day. And also thank him for his candor about all of our efforts to really try to enter into reasonable and measured negotiations to make as many of the neighbors satisfied as we can. We went into the project in proposing the project that was initially all in accordance with C-1A Zoning, height setbacks, everything else. Little access open space. And we realized that that was not appetizing to the neighborhood so we've tried very hard in many meetings and neighborhood tours and reviews to come to a reasonable compromise. And we now have, have gotten to the point where they're about 10

points of agreement and we're very, very close. We've been to the Historical Commission three times. They've approved the design of this project, and we're looking forward to coming back to presenting to you.

Thank you.

HUGH RUSSELL: Okay, thank you.

Ruth Ryals.

RUTH RYALS: I'm actually not going to speak but I would like to present a letter.

HUGH RUSSELL: Sure.

RUTH RYALS: Who do I give it to?

HUGH RUSSELL: Give it to me.

RUTH RYALS: It's by Ron Axelrod and it's written.

HUGH RUSSELL: Ruth, do you want to spell your name for the record?

RUTH RYALS: It's R-v-a-1-s.

HUGH RUSSELL: Okay, does anyone else wish to speak?

Yes.

I'm Liz Moore, and I --LIZ MOORE: I live at 75 Richdale Avenue and I think that those of us at 75 feel very, very strongly, more so than I think it's been voiced here tonight about the numbers. That 48 is certainly less than 54 and we're very appreciative of that, and we're also very appreciative of the change in the proposed building. But the numbers we feel as if our neighborhood will be swamped by this many people coming in. And it's not just me, it's a lot of people that are right on Richdale Avenue.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

Yes.

MARIAN FOSTER: I'm Marian Foster and I live at 75 Richdale as well. And my chief concern is the infrastructure, the sewage disposal system in the street, the piping, whether it's adequate for this number of influx of apartment dwellers, 48 new apartments with all of their sewage and dishwashers and washing machines and so forth. Is there a way of making sure that the pipe that all of that would drain into would be adequate? Is that something that the city engineer works with?

HUGH RUSSELL: Yes. The city proposal or the building will be reviewed by the city engineer, and if there's a concern, he will communicate to us at the time of our hearing which is next week or two weeks?

LIZA PADEN: Two weeks.

LIZ MOORE: So I could come back?

HUGH RUSSELL: You certainly could.

LIZ MOORE: Thank you.

HUGH RUSSELL: Does anyone else wish to speak?

ARLENE MILLER: Arlene Miller, 75
Richdale. I'll be less than three minutes so
I can give you back sometime.

PAMELA WINTERS: Okay.

ARLENE MILLER: I agree with all that has been said. I believe that the design that is currently being proposed is lovely. It has come far further than I think any of us ever imagined. But it's very hard to grasp what the difference will be because of the increase in density. I don't know where -- all of you live in Cambridge, but I don't know how wide your streets are or what the scale is of the building, but I think the

figure we came out with was somehow it was an increase in maybe 40 percent in terms of the number of individuals living on that street. And so if each of you can think about your own street for a moment and think about what the impact of that would be day-to-day, not only on infrastructure but also in snow circumstances, this is a very narrow street, Richdale Avenue. So if you can personalize a little bit and, you know, kind of close -and think gee, what would that do where you live if you increased density by -- I don't know, it was 33 or 40 percent on, you know, this piece of the street.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

Yes.

LIZ VANDERMARK: Can I reconsider?

HUGH RUSSELL: Yes, you can.

LIZ VANDERMARK: I appreciate that.

My name is Liz Vandermark and I live at 33 Cambridge Terrace and there are many things that I highly appreciate about the movement that the developer has made in preserving the building which is I think a huge civic plus for all of us and in setting back the additions so that they don't loam as monumentally over the neighborhood. I just would like to ask you to use a filter of how much resilience there can be in the neighborhood for any developments, but in this case it's the resilience I think is very much a function of the number of units and the influx of population to an area where most people do not have off street parking. And that's I know a ubiquitous issue throughout the city. But when you have an

impervious corridor created by a rail line, there's that much less resilience. So that I'm sure that every place where you've had the C-1A issue along these rail corridors, this issue has come up. So I'd like to ask you to consider how -- what kind of sub-issues could be addressed around. If things are rentals, whether or not parking needs to be included in the rent so that you don't end up with a situation that really expands -- takes things passed any point of resilience that the neighborhood has.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

STEVE PERRY: Steve Perry, I live at 24 Cambridge Terrace.

THE STENOGRAPHER: I'm sorry, Steve what?

STEVE PERRY: Perry. Steve,
S-t-e-v-e. Perry as in Como. I'm sorry, I
speak too quickly.

THE STENOGRAPHER: Yes.

STEVE PERRY: I think the only point I want to make because -- because I like Oliver's presentation -- is that moving towards an no parking world is a great thing, but I think I, I think when you -- if you remember the maps at the beginning of Oliver's presentation, there was no neighborhood there in 1900 on this property, and then suddenly it was all there and we're a longstanding stable neighborhood. We've also been longstanding dense neighborhood proximate to an intermodal transportation hub. Porter Station has been there since before 1900; busses, carriages, and everything, and trains met there in our

neighborhood, in our dense neighborhood, our dense C-1 neighborhood, has been that dense neighborhood that we all like -- excuse me, that we all like to talk about right now. So I think it's important to realize that we have been leading the way to no parking, having no parking spaces. There are almost no driveways on the street. So I think we need a pat on our back. But I think that's why we're concerned about the C-1A and having that burden of being yet denser.

Thanks.

HUGH RUSSELL: Okay, thank you.

Okay, anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay. So, is there anyone on the Board who wants to make a comment? I think Ted's suggestion was a good one, that we not discuss this. I think in a

way this is proof to be a background discussion for the presentation of the design for the building two weeks from now.

Okay, so we will take this -- we'll continue the hearing and bring it up at some future time to be determined.

So we have five minutes before our next item of business can start.

Thank you.

(A short recess was taken.)

HUGH RUSSELL: We're going to go on to the next item on our agenda. The item before us is the City Council re-filing of a, to change Zoning along Linear Park. And who is going to present that?

MICHAEL PHILLIPS: I will.

HUGH RUSSELL: Okay. We're hoping not to spend a lot of time on this because we've --

MICHAEL PHILLIPS: And I'm going to help with that. I have no slides, take about four or five minutes of your time, and we'll move on. So my name is Michael Phillips and I live at 57 Madison Avenue, North Cambridge. And this petition was filed almost a year ago, actually, and things have changed quite a lot since then. The biggest is that the project we were most concerned with has been approved by the Board and so this -- it's beyond their -- this is beyond their reach So we cannot impact that project. so the guestion then is what's left to talk about? And I think there is still some stuff to talk about. We have -- after it expired, some other neighbors re-filed it and then the Council picked it up and re-filed it as well. And so what's left?

So looking at this there are two big

Section 2 is the parts full of all parts: this very grandiose crazy Zoning language where I was trying to say well, it's a give and take. Let's talk about the problems. Let's propose incentives and things like I would say throw all that out because that. it's basically mute at this point. The dance studio is gone. It's gone to Somerville never to come back again. We can't really incentivize saving the community garden by giving more development rights when that project (inaudible). It just doesn't matter. The streets, same sort of things, everything's okay there. If we're going to save the garden, it's going to be through some other means.

So in Section 2 the only thing that's really I think interesting still is there was a typo for special planning concern areas.

Special District 2 could be in that list. I would say that's worth keeping.

All right, so what about the important stuff in Section 1, the basics. Section 1 talks about a few things:

It talks about form of buildings. We say the density is fine but what about the forms? The buildings could be kind of large.

It talks about rounding up the corner of sort of Whittemore and Magoun to have regular two-family units there. And it talks about the most important thing, which is the Linear Park setback.

Regarding these three things, the sort of form, sides of buildings that one could produce if for whatever little redevelopment might happen in SD-2, I personally still think that establishing a standard less than what we are authorizing now would be nice.

It may have very little practical effect on the real world so there's that.

And the second item where we talked about rounding out the Whittemore/Magoun corners and to have only one and two-family houses between that transition between Res B and the deeper parts of the island on the north part of SD-2. I think that's largely non-controversial. The Fawcetts sort of have that in mind. When they were here before the Planning Board, you guys seemed to really like that idea although you had no idea of making sure they did it. So this would be one way of making sure that happens.

I know that there was a curb cut application that would sort of be in line with this, although they have not started construction so there's that.

So finally, wrapping up, we get to the

third element here, which is setback from Linear Park. And this is sort of, you know, it was like an oversight where the rear setback for SD-2 is 25 feet and that's fine. The side setback is seven and a half and you can range your project just right so that it's seven and a half. The Fawcett project didn't do that. They threw up (inaudible) as well as you did to get more space. But this language here is supposed to fill that in. That you should respect the Linear Park. You shouldn't be running against it, the buildings with cars, with parking, a lot of things like that.

And so what I'd sort of like to see

from you is, as you talk to the Council about
this, is what do you see and hear that's
worth keeping and promoting? Perhaps let's
say, area of special concern and the Linear

Park setback. I think keeping those two things would be great. If you decide as you talk whether or not in October that something more grander is needed to protect Linear Park, not just NSD-2, and maybe some language that the Council could act on in that regard would also be nice.

And that's all I have to say about that. And I thank you for your time.

HUGH RUSSELL: Okay, thank you.

Are there questions by members of the Board?

(No Response.)

HUGH RUSSELL: Is there a sign-up sheet?

LIZA PADEN: There is and

Mr. Phillips was the only person to sign up
to speak.

HUGH RUSSELL: So then we'll go to

-- Mr. Teague's hand was up a fraction before Mr. Rafferty's. I'm the Chair so I get to choose.

ATTORNEY JAMES RAFFERTY: I would like to be able to rebut Mr. Teague.

CHARLES TEAGUE: Okay. I'm Charles Teague, 23 Edmunds Street. We're all very surprised on the first set of Fawcett plans when the building was 10 feet away from the park, and we then all just assumed that was a mistake. But the building, the Building Commissioner and the Cambridge Zoning Ordinance have their own ways of thinking and that's why you can -- and right now after the down zoning is can you -- that was seven and a half feet, 45 feet high. And now it would be seven and a half feet, 35 feet high. And Linear Park -- Linear Park as you know has, ranged.

JAMES WILLIAMSON: Is the mic on?

CHARLES TEAGUE: Oh, I guess not.

All right. Linear Park, as you know, is -- ranges from quite narrow to, you know, a wider section, but it's an illusion. It's because you're looking down the park that it looks wide, and seven and a half feet is, we just in -- and you guys have discussed this in the past, seven and a half feet is just way too close. And as for the special planning concern that if you go through the Zoning Ordinance, that seems to be clearly a typo and I think, we should fix all the typos as we come across them.

And, thank you.

HUGH RUSSELL: Okay.

Mr. Rafferty.

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chair, members of the Board.

For the record, James Rafferty, attorney with offices at 675 Mass. Ave. in Cambridge. I'm appearing on behalf of Robert and Red Fawcett the owners of the Fawcett properties.

This has a bit of a feeling of that movie Groundhog Day. I'm sure you people understand what I'm talking about. Phillips Petition came before you and you recommended to the Council that they not adopt it because we had gone through two years of Bishop 1, Bishop 2, a series of public hearings, and the issuance of the Special Permit. Phillips expired without action. It was re-filed by another citizen, that was the Walker Petition. You had hearings on the Walker Petition. But I believe before you ever reached a recommendation on Walker, that petition expired.

Then Linear Park 1 was filed and what

was last before you was some question as to what is Linear Park 1? Is it Phillips? Is it Walker? It seemed to be at the end of the day. The recommendation there was if this is Phillips, than Walker again we stand by our earlier recommendation.

So I checked Linear Park 2 which is what this is, it's very much Linear Park 1 which is identical to Walker which is identical to Phillips, so I urge the Board to simply dust off the recommendation from sometime ago of Phillips. The project is underway. There may be other ways to address a variety of issues here, but I think there was an appeal taken of the Special Permit. You people were defendants in an action and the Court dismissed that appeal. believe it's the Fawcetts' intention to go ahead and proceed with construction.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay, I see no one.

Do we want to -- we could decide to forward our previous recommendation. We could have a long discussion.

STEVEN WINTER: I feel we've had the discussion before. Excuse me, Mr. Chair, we've had the discussion before that it seems best to forward the July 9, 2013, memo that we sent to the Council, that those conditions are still in place.

HUGH RUSSELL: Okay.

Any disagreement with that?

STEVEN COHEN: No.

HUGH RUSSELL: So I think we need a formal motion which I take it you've made,

Steve?

STEVEN WINTER: Sure.

HUGH RUSSELL: Is there a second?

CATHERINE PRESTON CONNOLLY: I'11

second.

HUGH RUSSELL: Catherine.

On the motion, all those in favor?

(Raising hands.)

HUGH RUSSELL: Okay. And so we're forwarding the old recommendation.

Thank you.

(All Seated Members Voting in Favor.)

* * * * *

HUGH RUSSELL: The next item on our agenda is General Business, Planning Board case 252A, 40 Norris Street. And I'd like to have Jeff to lay out what it is that we're supposed to be doing tonight.

JEFF ROBERTS: Thank you, Mr. Chair.

Jeff Roberts, Community Development

Department.

This is a case where I think the Planning Board is getting a bit of a -- kind of a peek behind the curtain of what happens to projects after the Planning Board has approved them and as they go through the Building Permit and actual construction process. And I just wanted to pull -- and I pulled a little bit of the -- I should say before I start that when it comes to the enforcement and administration of Planning Board projects by CDD staff, that the person who is doing that work as your representative is Liza Paden. And part of the reason why you tend not to see a lot of these come back is that Liza does a very effective job at enforcement administration. But back to this project.

So just from the Special Permit that was issued back in 2012 on this project, there are a couple of conditions which are conditions that are essentially boilerplate that are written into all of the Special Permit decisions. And this one says: use building construction and site plan development shall be in substantial conformance with the application documents dated January 11, 2012, and all supplemental documents and information submitted by the applicant to the Planning Board is referenced above.

That's essentially all the materials the Planning Board looked at when they originally reviewed the project.

Then it goes on to the next condition to say: The project shall be subject to

continuing design review by the Community

Development Department, including in this

case, the design of the front end of the

building, the layout of compact parking

spaces. And then it's back to boilerplate.

Before issuance of each Building Permit for the project, CDD shall certify to the superintendent of buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this decision.

As part of CDD's administrative review of the project and prior to any certification to the superintendent of buildings, CDD may present any design changes made subsequent to this decision to the Planning Board for its review and comment.

So what that essentially means in a nutshell is that the Planning Board has

looked at a set of plans, they've given their Going forward from there, the approval. permittee will give to Community Development Department when they're applying for the Building Permit, a set of plans to staff and primarily Liza will review those and sign off that those plans are in substantial conformance with what the Planning Board Now, there are often cases where approved. there need to be slight modifications made between the plans that the Planning Board first looked at which are at a more conceptual stage and the actual construction drawings that are submitted to Inspectional Services for their, for a Building Permit. And then similarly as the building goes through construction and then it gets to sort of the as-built stage and where it then requires another sign off from, from CDD to

certify to the superintendent of buildings that it remains consistent. Often staff can use their judgment in determining whether or not it's consistent. Whether it really falls within the scope of what the Planning Board typically reviews or not if it's part of a project. But in certain cases, and the Board has seen this before, we will bring a set of plans back to the Planning Board so that the Planning Board can advise us as to whether you think it remains consistent or as it says in the decision, substantial -- in substantial conformance with what the Planning Board reviewed and approved.

So in this particular case there are two items:

One that we brought back previously for the Planning Board to review and advise us on which had to do with the well that was being constructed to house the cooling equipment, for some of the cooling equipment for the building, mechanical equipment for the building. And then secondly there was a question, which actually came through us from the Inspectional Services Department as to whether the interior floor plans and layout of the building which had been modified since the Planning Board's approval according to ISD, whether those plans remained in substantial conformance with what the Planning Board looked at and approved. that's the material that the Planning Board has in front of them, and then we look for the Board to provide some guidance as to whether that's in substantial conformance. And if it is not, then what could be done in order to bring it into conformance.

HUGH RUSSELL: So, a few months ago

when this all sort of started we received a communication from Mr. Kim who analyzed the plans and advised us that there were changes to the plans. I think this spreadsheet here is a memo that he sent to us. And so I then asked that we have given to us the current plans and the old plans which we received in our package. And so I went through those plans trying to identify the -- if there were changes. And what I found -- I've then marked up my plans. Areas that are in red on my plans are areas that didn't exist in the previous plans. So there are two at level -the C level that result in the penthouse, the top floor. So two rooms at the C level that weren't there before.

On the B level there are two rooms that weren't there before. And there are also three added bathrooms.

And on the A level plan there's an expansion of loft space that was formerly a smaller now is somewhat larger, that happens twice. So the plans are a little hard to read. I can't even tell what size these rooms are, but --

STEVEN WINTER: Mr. Chair, I would like to concur with you that these plans are extremely difficult to read and to look at.

HUGH RUSSELL: It's kind of the nature when it just happens that way when you Xerox things again and again and again, and they get less and less easier to read. But it's clear to me that these added spaces are clearly large enough that furniture, they could they increase the number of occupants that could occupy these spaces if it was a move-in situation.

And that the bathrooms are also

significant in my view because -- and they make it easier to have more people living there.

And did everybody sit on this case?

CATHERINE PRESTON CONNOLLY: No.

HUGH RUSSELL: So, they -- it was a tremendous concern about the density on the site and there was a negotiation that was conducted that resulted in the plans we approved. And so adding new spaces to that seems to me to be a material change.

STEVEN WINTER: May I ask a procedural question on that? What do we do when the plans have changed from the plans that were approved by the Planning Board? What happens in the process? Do we work to catch up and find out what it looks like now? Do we tell the proponent that this or that has happened? Do we ask Inspectional

Services to do something with more compliance?

HUGH RUSSELL: Well, it's sort of -you've got the elements there, but as Jeff explained, the case of these added spaces, the ISD spotted them and I guess asked CDD, you know, are we right, these are not there? And then they said well, then ask the Planning Board if this is consistent with their approval or not. So we could say, you know, we understand that there's new space there but it's consistent with our approval. If we say it's not consistent with our approval, then ISD will do what it takes so that they're not used.

STEVEN WINTER: So those are two, that's one or the other? That the plans are consistent with our approval or not?

HUGH RUSSELL: The question is are

they consistent with our approval? Once we say yes or no, then that goes then back to enforcement. That's one piece.

The other piece is the cooling tower, and it's clear the cooling tower installation is much more elaborate than it was on the original plans. And I think we all remember that Petitioner's presentation where he said it didn't work. And I've gone to tremendous effort and great expense to make it work, and I went to the Historical Commission and they found that it is okay the way it's proposed to be. So that might be a case where we would say it's consistent with our approval understanding that sometimes, you know, between the preliminary design and the final design things have to change for a technical nature and then we spent a very good effort to -- meaning that the impact is either the

same or possibly even reduced. And we -these are two separate questions that we have
to answer tonight.

STEVEN WINTER: Okay.

STEVEN COHEN: Mr. Chair, you know,
I too have difficulty reading the plans.
When you say these additional spaces created,
was the building envelope itself enlarged?
Was additional gross floor area created or is
this a reconfiguration of approved space?

HUGH RUSSELL: So that's a -- well, it's all inside the roof. So it hasn't gone outside the roof. The -- the plans we approved showed no floors, no usable space in these areas. The -- in the process of calculating the floor area of the building, those calculations were redone to follow the applicable rules and I under -- as I understand it, there's no more floor area

because the thickness of walls was treated differently. And I'm going to say it was not -- the walls were included when they didn't -- when they didn't have to be included. So the gross floor area of the project hasn't increased but the ability -- it means that --

STEVEN COHEN: I understand.

HUGH RUSSELL: Right. So there are extra rooms but they are within the approved gross floor area on the calculations.

STEVEN COHEN: And again the building envelope is not changed? It's within the existing roof line?

HUGH RUSSELL: That's right.

STEVEN COHEN: Thank you.

PAMELA WINTERS: But, Hugh, there's more bathrooms did you say? And more potential for more people to be living --

that there's more potential for more people to live there, particularly in a roommate situation. And you may remember that the roommate situation was the one thing that we heard a lot about in the hearings on the project and there was a concern that there would be a lot of people living in each of these units. I mean, a lot -- there can't be more than four people. But four is more than two. And if you do that a bunch of times, it's more.

Yes.

H. THEODORE COHEN: Well, I have a question. I don't know whether it's for you --

HUGH RUSSELL: At some point we want to hear from the Petitioner obviously.

H. THEODORE COHEN: -- or staff.

With regard to the bathrooms, just curious if this had been built pursuant to the plans we had approved currently and then six months later owners of the building or the units whatever, went in to get a Building Permit to add a bathroom, would any -- would there have been anything which would have caused ISD to say no, you can't have a bathroom?

HUGH RUSSELL: I don't know the answer to that.

Jeff, what do you think would happen?

JEFF ROBERTS: That is a good

question. Generally speaking if -- and this

does happen from time to time, if someone is

proposing an alteration to a building that's

subject to a Planning Board Special Permit,

it will come back to us and we would go

through the same exercise that we're going

through now to certify that it remains

compliant with the conditions that are in the -- that are in the Special Permit. So while I can't give a precise answer as to how that might apply in this -- in the case of someone adding a bathroom, I would assume that any significant change that requires a Building Permit, they would look to see whether it's subject to a Special Permit condition. And then if it were, they would consult with us.

HUGH RUSSELL: Do we want to hear from Doctor Rizkallah now?

Would you like to speak?

MOUHAB RIZKALLAH: I would love to.

I would love an easel, though, if I could.

HUGH RUSSELL: That chair rail is good for an easel. It doesn't work very well, but Jeff is going to fetch you a real easel.

If not, we sometimes put chairs up.

LIZA PADEN: Jeff found one.

MOUHAB RIZKALLAH: Good evening,

everyone. I'm going to have to be running back and forth because I have a lot of diagrams to explain some of what brings us here today. I do want to take a moment to appreciate some amazing departments in the city. I've had the privilege of working with the Historical Commission. It's been a wonderful resource to me. Charles Sullivan and Sarah Burks, I couldn't say enough in their guidance in the development of this project. Also please know this is not just a building for me. This is not just a development for me. It's actually a labor of love for me. As you look at me, understand that I love this building and I consider the work that we're doing there as a real

stewardship. I have to take care of this building like it's going to live there for eternity. That's my approach.

On that diagram I have a bunch of exhibits. Those exhibits are part of a letter that I sent to the Planning Board last month.

Exhibit 1 is an HVAC permit. That HVAC permit was issued on 6/3/13.

Exhibit 2 to the right of it is our M2 plan for that HVAC permit. And there are arrows on it that show the cooling tower; its size with the cooling tower in place, the size of the pit, and that is exactly what is built. That's what we have plans for.

So there's been some question about us doing things without permits. That's actually not true, and I'll go through all of this so everybody really understands what we

did there. That's my permit.

So the M2 plans shows that a 14.5 by 24.5 foot concrete pit would be built to house the 6.5 by 17.5 underground cooling tower with three feet of clearance which is indicated on those plans. I'm required to have three feet of clearance around the cooling tower. At a cost of \$100,000, the pit was constructed according to the M2 plans at a depth of 14 feet. The cost of the pit far exceeded our original construction budget, and we only agreed to build it because no other option existed to meet the Building Code, the building cooling needs as well as the Noise Ordinance of Cambridge. When I say no other option existed, there's a letter on the lower left there, and that exhibit is from the engineering that basically says they've exhausted all of our

options. We have no other option to get to the noise level required as well as the cooling levels that we needed, the cooling tonnage we needed.

So this pit basically created a big open hole in the front of the bidding. In order to stay in conformance with open space requirements, which was basically we had to have a certain amount of greenery there by this Board, we developed a design to cover the pit with planters so that the pit would appear as a raised bed of junipers. steel planter roof added another unanticipated \$20,000 cost to this project. Our design provides more open space than we originally are required to have. And closes the roof of the pit which otherwise would appear as a top of a silver machine.

On the lower right are the original

cooling tower examples that were shown to this Board when we received our approval. That's small so I have a larger picture.

This is the sidewalk. There is a projection of about 18 inches where the footing comes out of the ground. And on top of that is a 42-inch rail. 42 plus 18. This is a five-foot fence total from sidewalk to the top. And you can see that cooling tower machine. And here, looking a little bit from the top here you can appreciate the openness of that machine.

This is a top view of the cooling tower pit. One, two, three, four, five, six, those are actually built steel planters that are submerged into the pit with I-beams coming across to support them. And then the I-beams landing shelving that we built into the pit. They would then be irrigated planters so that

you would be able to put hanging junipers into this. And in effect you end up having these grates that allow for air intake and outlet. But otherwise as you're walking by it, by the time you look at it, walking by it, instead of seeing the machine which again end up seeing is basically projection of matching brick to the building with an Indiana limestone coping on top of it that matches some of the shapes of the limestone of the building as well as junipers hanging over it and draping over it so that you'll get some specs of brick, but it's really quite consistent. And the overall height is 26 inches which the plant -- which the Historical Commission has indicated they felt was an appropriate height for what would effectively be a planter. And then you have some bushes essentially in front of it.

So our design again, it actually provides more open space. The overall opening is reduced. We have more foliage.

And I think from an appearance standpoint it actually I think offers more dignity and consistency for that building.

The Historical Commission was asked to review our as-built structure and the Historical Commission indicated that the projection of the pit out of the ground was consistent with our example photos, which I just showed to you presented during that Special Permit process. The Historical Commission referred to as an improvement on the original plan. And they unanimously approved the as-built structure. further added a requirement that we submit a report from an acoustical engineer stating that our design would meet the Noise

Ordinance of Cambridge.

In the lower row in the middle from the acoustical engineers from Acentech which is a company here in Cambridge, they have indicated that we meet or exceed the requirements with our design. Okay.

I'd like to go now into the structural requirements of the building. I'm leaving the cooling tower and I'm going into this square footage issue of the building which I will demonstrate to you is really a structural issue. It's not a square footage issue for us, it's a structural issue.

And then to stand over there I hope -- I'll try to talk as loudly as I can.

HUGH RUSSELL: I think you can drag the mic over there.

STEVEN WINTER: It reaches.

JAMES WILLIAMSON: It comes off the

podium.

MOUHAB RIZKALLAH: The building has three roofs; the center roof and then two These are all hip roofs. And lower roofs. if anybody knows how a rip roof is built, a lot of times they end up having very large trusses inside them to stabilize them from It's not your typical A frame where beneath. one part leans on the other part and they support each other to the grounds. It's very They're elegant but they're different. structurally much more complicated than other roofs.

If you could just pay attention to where the roof lands on the walls. The original structure did not have any support going from the third floor level to the roof. The height here was 38 feet. There were trusses that are 10 feet tall and 60 feet

wide that support this roof. Those trusses were failing. Inspectional Services was concerned about this and required our structural engineer to address it prior to issuing of a Building Permit.

On November 21, 2012, George Harwitz (phonetic), structural engineer, wrote a letter indicating this is to reconfirm that I am aware of the problem. He knew this, I told Inspectional Services. He knows this. We're on it. They said we want a letter. This is to reconfirm that I am aware of the problem of the failed supporting roof truss at the intersection of the two roof trusses. We have been waiting for more of the structural below to be opened to see our options for either fixing a broken members after jacking up the area or finding a load path that will take the roof loads down

through the structure more efficiently.

He couldn't really see it, he couldn't really address it. And this is part of the problem when you create designs, but then you actually open it and you understand it better. After we opened all of the different trusses for this roof, certain things became apparent to us.

Furthermore, I should point out for anyone who doesn't already know, Inspectional Services has a certain amount of obligation and monitoring this, but this building is under controlled construction. This is under the care of an architect and a structural engineer who dictate to us what can and cannot be done.

Coming out of this page where this roof truss was located was a floor level that supported and braced this roof laterally.

The plans showed that level being completely removed. We could not remove the entire level and that's the issue here. We could not remove that level.

Oh, I should further show you here. We actually had -- this truss was failing here. The entire -- as it failed, the entire roof was spreading off of the top walls. We actually had to jack this. We built a steel truss out of 10 by 30 steel. We had to bring that in and weld it. We had firemen on-site as we did this, and we had to do this in multiple locations. We had to build a steel truss. We had to land that on the brick. We had to drop that through the building to the ground. On that steel truss then we jacked this giant truss which is massive beams. Massive. That giant truss then lifted this roof. Prior to lifting the roof, we had to

remove all the slate from the roof because the Historic Commission wanted us to save the slate. We knew that if we lifted that roof, we'd get leaks. So we had to remove the slate, not replace it, save it. We had to take out the slate, we had to save it. We raised the roof. We then replaced the slate. This has been massive for us structurally what we've had to do for this project.

Now, I have taken the previous diagram and I've put it on its side so you understand its scale in the upper floor plan. And this is the wall that the roof is landing on, this is the other wall that the roof is landing on, and this is those same walls. This truss system in that floor area section is built -- this is the original truss system. It's built as a box in the middle. The truss then lands on a steel column here, lands on the

The steel column here, lands on the brick. I'm pointing to something called brick. failure point. And I'm pointing to something called failure point. The truss system was failing there. It was sagging six inches. That's where we had to jack it. And that's where you're seeing a mezzanine that was not allowed to be removed because we had to brace it. And what that did was it allowed us to hold -- this line right here is the hip roof. In the -- this line right here is the hip Notice it goes to the Mezzanine. So roof. the roof is rising there and it's rising there. This Mezzanine has very low head heights. So you see it as floor area. it as kind of a neat space. But in terms of where the five foot -- where's the five foot It's here. And it's very narrow and line? it's very difficult to even consider using.

It's kind of a neat lookout and the design is not a wall. It's a rail. This is just neat open space. That's all it is. If you're gonna -- so we had to keep this here because the structural engineer insisted that because this roof was falling off of that and falling off there and falling off there and falling off there, he made us tie them all together so it bound reciprocally the roofs together.

For me I don't care about the space.

This is not space that I see as GFA. If you said to me, no, block up that space, it would be fine. I don't care. This is not an attempt to gain space. This is an attempt to protect the building. That's all. And at the same time it's a neat space. And the fact is that we gave away a lot of space throughout the building which I'll go through further. We gave away a lot of space. We

didn't come close to -- we're about a thousand square feet less than our approved GFA.

A similar situation -- this is, this is at the upper roof. A similar situation occurred at the lower roofs where we had truss systems that intersected, and you'll see that the structural engineer said you cannot remove the floor area in those areas. You have to leave me with central decks that collar tie and pull the roof back to itself. If you don't have those collar ties, it falls off. So a lot of what we're talking about here is not added GFA, it's just not removed. Our original plans showed them as gone. after we opened them up, it cannot be removed. So, for example, up here we removed here to here. We did not remove here because this was a failure point.

The areas that the Chairman pointed out earlier, the original design of those areas showed a spiral staircase going into the loft area where there was a bathroom here and a bathroom here and a spiral staircase going into the loft area. And all of that was to be opened. The problem is that when we opened the floor in that area, we found this floor is not supported from below. supported from above. This is a suspension This truss is in suspension. And system. that floor, if you take out that floor, the truss will swing because the -- because the floor here will push it away. And so you actually have to keep it there. You cannot remove it. And so imagine for a moment you've got this giant truss, it starts here, it goes to the ceiling, it goes from there to that wall but further. It then has poles

that come down. Those poles have tie into beams below this floor and then that beam supports the joists that carry this floor. So it's like a suspension bridge. If you jump on that floor, the roof drops. You don't feel it below. The roof drops. That's what's happening. So it's a very complicated structural system. And the idea of removing this area, he has made it very clear to us that in these systems you must have support in the center. The side doesn't matter as much, but repeatedly throughout the system you're seeing where we have those Mezzanines was in the center of the truss, supported there. It cannot swing.

So not only did he not allow us to remove that area, he actually made us sister those joists because the -- because the hip roofs were starting to slide off, slide off

the roof. So this is actually what's in that area. These joists underneath that area were sistered because it's the middle of that truss, and he made us put in these diagonals to hold from the sister joists to the roof and pull it back. Okay.

As far as the bathrooms that you were talking about, I'm kind of lost on that.

Where did you say the bathrooms that were added?

HUGH RUSSELL: So level B there are three bathrooms which end up in arranged there. These bathrooms.

MOUHAB RIZKALLAH: Yeah, I think you're right. I think they were added.

I don't have diagrams of that to show them to you.

So those units have three levels. The idea of having a level without a bathroom is

a bit strange. I believe we did actually submit in our ISD plans, in our building plans, not in our Planning Board plans, but in our building plans, I believe we did have bathrooms in those plans. I also believe that after that question that you had asked earlier about going back down and requesting, you know, if I condoed these, which I'm not condoing them, if an owner of a condo here wanted a bathroom on the second floor, they as a unit would have a right to put a bathroom on the second floor. Now I leave that for you guys consider, but I would say is that that's actually my understanding.

Okay, I think the last thing I really want to go at is just I have a series of letters which are -- which I didn't provide you with all of the letters that were submitted to the architect and the

Inspectional Services from the structural engineer saying why things cannot be removed and why -- and gave designs and diagrams of how things had to be structured which explains any of those Mezzanines, which for my purposes I really don't care about. For the purposes of the structural engineer, it needs to be there. But what's also important is to understand that, for example, these spiral staircases that raise to those Mezzanines, they kill the space below. So when you consider that, it's not as if you put a spiral staircase dead center of a room and you make some space above that somehow that is more usable when all you're talking about is not putting a wall there, you're simply putting a railing, that's all you're doing. It's still actually one room with a neat sort of lookout space. But it can't be

two bedrooms. It can't be. Because this kills that room.

Okay. The last thing I wanted to discuss was just overall GFA. This project was originally approved for 45,704 square foot of GFA. What happened is that in order to be -- while we were not required to put a heavy insulating wall on the outside of the building, we did. And what we ended up doing was we took more than six inches inside of the pre-existing wall and we put a new wall on the inside of it. And we filled that bay with more than six inches of spray foam to get this building to be more than LEED The existing Zoning Ordinance certified. allows the use of that space that is consumed throughout that building to be gained as unused GFA and used as GFA. So it doesn't count as GFA. When you add all of that up,

all that we actually did, we didn't have to do, but is consistent with the city of Cambridge's appreciation for energy and energy conservation, that is why they have an Ordinance that basically creates a give back to a developer who is saying I'm committed to making this LEED certified. I'm committed to getting the energy levels that I want. it incentivizes them to be able to gain that Now for us, we weren't really space back. using it for that purpose, but it is -because we had to put those decks in anyways, those are those Mezzanines. But our construction plans could now make use of the 45,704 square feet of GFA due to structural limitations, HVAC shaft requirements, and insulating wall requirements.

Our construction plans, instead only utilized 44,827 square feet of GFA, that's in

our plans. But our actual as-builts couldn't even use that. Our as-builts are at 44,729 square feet of GFA which includes the added structural decks. So in fact we are almost a thousand square feet lower than we were approved for, and really what we've done is not really add usable space in the greatest sense because a lot of these spaces are just underneath these roofs that don't give you the head height. They don't give you the access.

Okay. Please know that we have treated this building with deep honor, respect, and a gate awareness of the stewardship responsibility that we have. We have very thoughtfully produced an infrastructure and finishes that are congruent with the long term dignity that this building deserves.

Our interior and exterior restorations and

finishes will be a point of pride for this neighborhood. We look forward to ultimately completing our project. I humbly request that you provide design approval at tonight's meeting. We simply do not have the funds to carry this further. We've been doing this project now it's -- I've held this building for four years.

Thank you.

HUGH RUSSELL: Are there any questions for Doctor Rizkallah?

STEVEN WINTER: Could you help me, this will be discussion among the Board?

There's no public testimony at this point?

HUGH RUSSELL: There's not a public hearing so there's no requirement.

STEVEN WINTER: Got it, okay.

HUGH RUSSELL: And I think that the facts are out on the table and the

explanation is to how -- why these changes were made. Perhaps as an architect, I can understand some of this structural considerations better than you guys, but --

STEVEN WINTER: I think that's true.

HUGH RUSSELL: But I think it, I would -- I found the structural explanations to be very convincing as to why these, why the structure had to be the way it was. So I'm not questioning that. And maybe we should take it one after the other.

And I guess on the cooling tower, is there any discussion on that?

STEVEN WINTER: Is there a letter from the Cambridge Historical Commission certifying that the cooling tower meets their standards?

LIZA PADEN: Yes.

STEVEN WINTER: Do we have that on

file?

LIZA PADEN: Yes.

STEVEN WINTER: And is there a letter from the city engineer? Has this structure been inspected for all the inspections required of a structure like this?

LIZA PADEN: The cooling tower?

STEVEN WINTER: Yes.

LIZA PADEN: Yes.

STEVEN WINTER: And the sound has been monitored and we have documentation on that as well?

LIZA PADEN: Well, the sound -- the cooling tower hasn't been turned on so we don't know what the sound report is.

HUGH RUSSELL: But we have a --

PAMELA WINTERS: We do have a

letter.

HUGH RUSSELL: We have a highly respected engineering firm presented a letter. I know my dealings with them, you know, they don't -- they don't tell you what you like to hear. They tell you what is gonna be.

I'm sure everybody out there wants to talk. I'm trying to preserve our ability to keep our agenda if we can make this decision. If people in the Board want to hear --

STEVEN WINTER: No.

H. THEODORE COHEN: No.

I just have a comment that, you know, I went by the building again today and, you know, the status of the cooling tower right now is that it does not look particularly attractive. And but --

HUGH RUSSELL: The bushes aren't in yet.

H. THEODORE COHEN: The bushes -well, brick and granite facing is not on it and there are no bushes and there are no trees on it. And so that from my point of view is very helpful. But, you know, we also, you know, listened to the Historical Commission a lot. And, you know, they said that, you know, they're the ones who have been concerned about the building from Day 1, and they talked about the skylights and a lot of other issues. And if they are content that this is what has to be and that this is an appropriate design to go with this building, then I personally, you know, am content with it knowing that what I see now is not what it's going to ultimately look like.

PAMELA WINTERS: I'm still confused about the bathrooms. Why did you decide to

put in --

STEVEN WINTER: We're going in order.

PAMELA WINTERS: Oh, I'm sorry.

HUGH RUSSELL: We're going to do the cooling tower first.

PAMELA WINTERS: Oh, I'm sorry. I apologize.

HUGH RUSSELL: I think we can find that's consistent with our approval.

Okay, so let's actually just by show of hands all those favor, agree to consistence.

(Raising hands.)

HUGH RUSSELL: Okay.

Okay, you asked about the bathrooms?

PAMELA WINTERS: Yeah. I'm still -did you not know that there were extra
bathrooms that were going in there or -- I
forget what you said. You had mentioned it.

MOUHAB RIZKALLAH: If I'm not mistaken, which I don't have those plans exactly in front of me, I believe that they were in the plans submitted to Inspectional Services.

PAMELA WINTERS: Okay, that's not what we got from the memo that we have here tonight.

HUGH RUSSELL: That's Mr. Kim's.

PAMELA WINTERS: Oh, this is from

Mr. Kim?

HUGH RUSSELL: Yes.

PAMELA WINTERS: Oh, okay. Sorry.

HUGH RUSSELL: He's very thorough.

MOUHAB RIZKALLAH: But I think the idea is that every level of a home, it's reasonable to put in a bathroom. If you feel that the bathroom is inappropriate, you remove it. I mean it's not that big of a

deal. But having a bathroom -- if you're on the second floor in the study and you want to use the bathroom, I think you'd go to the bathroom on that floor.

STEVEN WINTER: Mr. Chair, if I'm correct, the issue is not how functional is the bathroom to humans or how functional is a bathroom to humans in a particular building or a habitat, but were the bathrooms added inappropriately according to initial plans? That's the issue, right?

PAMELA WINTERS: Well, that was my question, yeah. That's the question I had.

HUGH RUSSELL: Yes. They weren't in the plans and we're trying to determine is that a material change to the concept of what's going on?

STEVEN WINTER: Okay.

HUGH RUSSELL: And so I have a

two-story house and I have one bathroom. And so I guess I'm on that side.

Mr. Chair, if I can STEVEN COHEN: give my view on it. Again, I was pretty persuaded from the beginning hearing that there was no change in the building envelope and there was no change in the gross floor I'm even more persuaded when I learned area. that much of the changes were required by unavoidable structural requirements. that that more than covers the changes and It sounds like bathrooms the living areas. were added and perhaps in fact they were not included in the original plans, and probably perhaps there should have been a review by staff or something when they were. frankly, again, I don't find the addition of those bathrooms to be a material change in the concept of the project that was reviewed

and approved. So based on everything I've heard here and unless I hear something from CD staff that there's any inaccuracies in the testimony that we've heard, I think that the changes are in fact consistent with the original approval. And I for one would advocate approving the changes and approving the design.

HUGH RUSSELL: Well, I would have to -- I think you've got to go and look at each one separately. And the question I would ask is does this change allow the occupancy by more people than the previous design? And so for the one on level A where that's the down in the front corner where something that was shown as a hole before has to remain a structural space and this area gets a little bit larger, I would think that doesn't mean more people are going to be

there.

PAMELA WINTERS: Okay.

that wing but farther up, I had not thought about the -- this is a three-story unit, a living room, dining room, and two bedrooms are on the second floor level. And then up in what is the roof space is where the master bedroom was put. And it was illuminated by skylights. And now the structural engineer basically said, as I interpret it, I've got to put a ceiling on there on that old master bedroom for structural reasons. So the skylights are not going to illuminate it.

MOUHAB RIZKALLAH: Which one are you on?

HUGH RUSSELL: I'm on the one on the end?

MOUHAB RIZKALLAH: This?

HUGH RUSSELL: That one, yes.

MOUHAB RIZKALLAH: Yes.

HUGH RUSSELL: Because before there was a master bedroom which was tall and there were skylights in the roof that illuminate it. And now what you're telling me is the structural engineer says you've got to leave the foot level above that; is that correct?

MOUHAB RIZKALLAH: No. It's all open here. And the skylights -- there's a rail here.

HUGH RUSSELL: Yes.

MOUHAB RIZKALLAH: This is all open.

And the skylights illuminate, illuminate all those areas.

HUGH RUSSELL: So I guess my
thinking about that is that because of the
change in the character of this bedroom it's,
it's really more like a study now because

there's the stair in the middle, there's less light in it. Where would you actually put a bed?

MOUHAB RIZKALLAH: You can't.

HUGH RUSSELL: Right. You can't put a bed in there anymore. The bed would be up on the loft area.

MOUHAB RIZKALLAH: That's right.

HUGH RUSSELL: And so that change seems to me to be unlikely to change the occupancy. It's possible, but, you know --

MOUHAB RIZKALLAH: But you'd have to walk through someone's bedroom to do that which would be weird.

HUGH RUSSELL: Yes, it would be weird. And you have to walk through their bedroom to get to the bathroom and all the rest. I mean, so that -- I'm not sure about that one. So it seems to me that this use of

this space as a master bedroom as it was before is really very -- didn't work because of the loft area had to be left -- the ceiling area had to be left in to raise it or built. I'm not quite sure what's there now or whether it had to be built, but anyway.

Now there's a structural diaphragm up there holding the building together.

The third one is --

STEVEN WINTER: Mr. Chair, help me understand what page you're on on the plans.

HUGH RUSSELL: I'm going to page C of the level B plans.

H. THEODORE COHEN: These are the as-built plans?

HUGH RUSSELL: Yes.

And so again another diaphragm was needed by the structural engineer to hold the building together. I guess the height at one

end is zero, height at the other end is high, and there's a somewhere in the middle of it is the five-foot line which I take to be the dotted line on this plan. So there's -- usability is not -- but it's an area that I can't read the dimension on, but it looks like it's about maybe 10 by 11 or something.

MOUHAB RIZKALLAH: It's ten-foot, nine by ten-foot, nine.

HUGH RUSSELL: Yes. So that's a space you could put a bed in. And if you go down to the level B --

MOUHAB RIZKALLAH: Yes, but the stairs coming down would kill the unit, would kill some space below.

HUGH RUSSELL: So going down to level B, which is level B. So I guess it's on the same page. So the space that's up above I believe is out here. Is that right?

No.

So, it is -- that's the box. So this -- I'm going to use this feature as an oriented feature which is ventilation shafts originally in the building. So at the added area on level C starts at the ventilation shaft and goes towards the outside of the building.

At level B -- so it's that stair. So this, you come up the stair from down below. Down below is the kitchen and the dining room and the living room. You come up to this next level which had two spaces formerly and the second level was opened to the underside of the roof and it had I think skylights in it? Yes.

So, the back part of that got blocked by the structural piece. So is this space as usable. And I put it as not as usable because of the stair, but it probably is big enough to be usable if you wanted to have a bed in a room that somebody else was walking through and up the staircase to get to a loft.

STEVEN WINTER: I have to say I'm having a hard time following the dimensional discussion. I'm not saying that it's incorrect. I'm just saying I'm having a hard time following it.

HUGH RUSSELL: I'm sorry about that.

STEVEN WINTER: No, no, it's not
you.

MOUHAB RIZKALLAH: Can I propose that we just block it because it's really not usable to me. To me it's not worth it to me. It's not valuable space.

HUGH RUSSELL: Yes, I think that might -- that's what I'm going to recommend

for that one.

STEVEN WINTER: Are we now, are we going through each unit to look at the spaces that are different on --

HUGH RUSSELL: Yes.

STEVEN WINTER: -- the two plans?

HUGH RUSSELL: And because of symmetry there are three conditions in which this happened twice.

PAMELA WINTERS: Hugh, you know, I think because I'm sitting next to you and I'm getting a good view whereas Steve here not so much, I'm sort of more convinced that these changes are not really terribly significant but I'd like to know your opinion. And other board members' opinions and perhaps the staff opinion to see if they have any input into the matter as well.

JEFF ROBERTS: I think we're really

looking for your input on this one as to why it's been referred. And so we'll take direction from the Board.

H. THEODORE COHEN: Well, I guess my question is has anybody from staff been in the building and seen it and, you know, give us some opinion about these spaces. Then, you know, do they have slant roofs that you can't stand up in? Or --

MOUHAB RIZKALLAH: I have a picture if you like to see.

H. THEODORE COHEN: If you have pictures?

MOUHAB RIZKALLAH: Yeah, I guess I have pictures of that particular, of that particular area.

H. THEODORE COHEN: I'm finding it very difficult to visualize it and I understand that we were concerned about the

number of people who may live in these units, although to the extent that it might be family rather than a roommate situation. If it's a family, it seems to be perfectly logical to have additional bathrooms. If you know, if it's not a family, but it's a roommate situation, you know, I guess the question is how logical is it for some of these spaces and with the spiral staircases, you know, and somebody having to walk through somebody else's space to get to a bathroom. I mean, it's very difficult for me to visualize it from these plans.

STEVEN COHEN: And I for one to repeat, feel that we're micromanaging and micro-analyzing elements of this design that really don't have much of a material impact on the project, on the public interest, on good urban planning and not much of anything

and sort of speculating about which space
he's able to put a bed or not. I don't think
really have a major impact on the interests
that is our responsibility to protect. It's
my view.

STUART DASH: Ted, I had a chance to go by the front of the building recently to take a look at the cooling tower situation and sort of agreed that it's at this point it doesn't look anything beautiful. You have to -- you want to see it when it's done to make sure it sort of follows the design that Doctor Rizkallah is talking about. And actually I appreciate -- actually the interest in going below the noise level that's required by Zoning to something that we've looked at quite a bit and giving the constraints of an historical building. interior before the building was worked on

and the trusses I'm aware of its size and issues of size of the trusses. And as to -- as Hugh's describing those spaces, I sort of say as someone who rents apartments and things sometimes, I have a tenant, the desirability is lower, not that you couldn't have a person there, but the desirability is much lower whether you have to walk through other people's rooms. So they're much harder to, more likely to collect junk sometimes than anything else.

TOM SIENIEWICZ: Well, I think what we need to discuss here or what I think is the -- hasn't been said yet is actually something that needs to be day lighted which is we go through a process here, a proper planning process to review the impact on the public realm. And these plans and designs are hard negotiated by people who spend

their, you know, leisure time here at the Planning Board or not on the payroll like we are, and so we have to -- I have a tremendous amount of respect for the process that we go through here. And so, it's right and proper that if there are adjustments made to those hard rot plans, adjustments made after the fact to conversations that are very intense and very emotional sometimes here, that it's right and proper that this Board be informed that there's concerns by the general public that rock the particular planning deal with the developer. And so it's proper that we go through this process to respect that. And so I think this is the right thing to do. the close scrutiny that we put to these changes, which frankly when I looked at my package when I first came through the door, it did look significant to me. But I

appreciate the testimony and I appreciate the discussion from the fellow board members I agree with Steve, I don't see the tonight. ways in which this affects public or planning concerns on the city of Cambridge and I, like Hugh, have been involved in renovations, opportunities and constraints present themselves in the most amazing and unpredictable ways and I think that's what we're seeing here. The thing that's unsaid here is I guess the level of distrust that is somehow entered into the discourse between the proponent and the community, and I don't want to delve into it but I think that's the unwritten and the undercurrent of the whole conversation that's happening here tonight. What I want to do is reassure the public that we look at this very, very carefully. And in my opinion these changes are consistent with

the kinds of changes, the kinds of constraints that somebody might encounter in developing a building that's over in terms of its FAR. I for one don't see a public concern, I and my fellow board members can say this would probably be consistent with the plans. I did not sit on the original case. The changes are de minimus in my opinion.

STEVEN WINTER: Mr. Chair, given the testimony of three of my fellow board members who have levels of confidence in this in areas in which my content depth is not as deep as it could be to make those decisions, I feel like I can go with those colleagues and be on that foundation with their feeling at ease with these changes. That the changes are not so significant that they will change the nature of the development.

CATHERINE PRESTON CONNOLLY: someone who didn't sit on the original case, I was initially somewhat concerned about the changes that appeared. I found the testimony about the structural analysis that went on very compelling. I'm not an architect but to me those seemed like really good reasons that those spaces appeared and I can certainly imagine that under roof areas would not be -while I have certainly in my day crammed roommates into such corners, you know, and I wouldn't say that it wouldn't happen. It's -- I can at this stage of my life more easily imagine those becoming nurseries than I can putting more people, more unrelated people into. I guess I'm comfortable with it if the board members who -- particularly since the board members who did sit on the original case seem to be.

HUGH RUSSELL: So is everybody

(inaudible)? And so maybe we should have a show of hands of those we feel that these changes to the third level A, B, and C, those who feel these are consistent with the plans raise their hand.

(Raising hands.)

STEVEN WINTER: Given the conditions met?

HUGH RUSSELL: Yes.

The majority of the Board is in favor.

I'm like half and half, so I think I would -
I -- I'm not going to vote on this. But so I
think that's our decision then.

Liza.

LIZA PADEN: Can I just ask some clarification?

HUGH RUSSELL: Sure.

LIZA PADEN: There were the three

A, the master bedroom, and then there was an area that was proposed to be blocked off.

Were all of the areas that are shown on the plans that were submitted, they've all been approved?

HUGH RUSSELL: That's my understanding that's the --

LIZA PADEN: Do I understand that correctly? Okay, thank you.

TOM SIENIEWICZ: That's right, yes.

HUGH RUSSELL: All right. We should
go on to our next item on our agenda.

Which is a discussion of PUD-KS1 MXD District.

STEVEN WINTER: May I make a suggestion, Mr. Chair, that we should stop at 10:00, give ourselves a stopping point so that we don't discuss this so late that we

have decision and comprehension fatigue.

HUGH RUSSELL: Well, let's see what happens.

(A short recess was taken.)

HUGH RUSSELL: Okay, we're all here.

So let's go forward with the last item on our agenda, the discussion of the Kendall Square Zoning.

IRAM FAROOQ: Thank you, Mr. Chair.
Iram Farooq, Community Development.

HUGH RUSSELL: Mr. Kim came forward and raised a question as to whether the A-104 plan that we were basing our review on was in fact the A-104 plan that the Board approved. And Liza is going to have to check into that so we may have to go back to Norris Street.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: Sorry.

IRAM FAROOQ: No problem. So I'm

charged with getting you out of here at 10:00 so I'm going to try to be quick. essentially starting with revisiting the Kendall Square recommendations, just because it's been a while since we spoke about this, the first piece of this was adopted last year in the MIT PUD-5 rezoning which I think most of you were part of. So this will look very familiar, most of it, which is why we can go quickly. So really the recommendations from the Kendall Square, the K2 -- Kendall Square of the K2-C2 process was to figure out how to make Kendall Square, you know, transform it from a mostly a commercial district to really a neighborhood. And what would it take to do that? What would it take to have activation throughout the day and evening, on the weekends, and also to create an exciting and engaging place where people wanted to stay

and visit and live more appropriate. And so here are the components of what we thought would be, would be required. Again, like I said, I'm whizzing fast because most of you have seen this before.

Here is the kind of 3-D impressionistic development plan. This is Broadway. Main Street. This here is the Volpe block. Today we're going to focus on the MXD District which is, which was proposed to be PUD-KS1, that's here. It's a different orientation than we are used to seeing it in. Here's the MIT area that was rezoned last year. This was the more main section for residential. And so on this diagram everything that shows up yellow is supposed to be residential. Everything that's in this grey/blue is supposed to be commercial, and the whites are existing buildings. This is

the constellation center.

And so here then are the four districts that were recommended for rezoning, and once again we're focusing today on this. go into the key components of the rezoning. So these were elements that were to be applied to all of the Kendall Square PUD districts. So first was this idea of having active ground floors, encouraging retail. I will call out when I encounter something that the City Council modified when they adopted the MIT Zoning. So we essentially required retail along some of the major streets in the area and also encouraged it wherever it was not required. Part of doing that was to create an exemption for ground floor retail so it didn't count towards GFA. But then there were criteria for what would, what would be minimum requirements to qualify for

that exemption. And the one thing that the City Council introduced in the MIT Zoning is that they had a further refinement over this that said no more than 50 percent of the ground floor retail could be chain stores, and they defined that as having five or more establishments in the area.

The other piece is to remove restrictions on sale of goods, open air, which we think, you know, is things like cards and things like more regular version of farmer's market, and that's something that really has been animating other parts of the city, including Kendall Square with the trucks.

And so housing was a centerpiece of this because that is the use that in the areas that in the transformation that we have seen in Kendall Square, housing has had a

really important role to play. So having people who live there and actually spend time there 24 hours has really helped animate and also provide business on weekends and things for the retail that existence for instance on Third Street with the Watermark building, 303 Third Square, 303 Third Street.

And so we created here minimum housing requirements in most of the districts and also a middle income housing requirement.

I'll describe that on the next slide. And then in some districts there was a phasing requirement. Typically it was that no more than 60 percent of the non-residential development could be built before residential had to be created.

And so here this describes the middle income requirement. The height for -- the generally the height proposed in the

districts in this area was 250 feet for all uses, but housing was allowed to go higher. So here you see there are actually design guidelines that talk about it as well as requirements that talk about setbacks.

So between 250 and 300 you can only build residential, which is one incentive in and of itself. Because from what the discussion we've heard that the units at the top most tiers of a building are more valuable and can rent for higher amounts than lower in the building. So the requirement, the middle income requirement is that 25 percent of that section between 250 and 300, this is 25 percent of the GFA, would be devoted to middle income housing, but it doesn't actually have to be accommodated in that very high value area, but can be distributed throughout the building on the

lower levels as well. And then of course the Inclusionary and Incentive Zoning requirements would continue.

There was also an emphasis on family size units because just like everywhere else in the city, that is very helpful and we need to have more families in Cambridge.

Since Kendall Square is such a hub of innovation and startup spaces, we heard a lot were getting priced out of the market, and it's hard to envision a vibrant innovation district that only has Google and Microsoft and not the companies that will become the Google and Microsoft of tomorrow. And so we created a -- we suggested a requirement that five percent of all non-residential floor area be devoted to startup innovation space, and you could go higher and get a GFA exemption. But that second bullet is not,

that second section, the five percent going up to five percent, that was not required. So you had a 50 percent GFA exemption for innovation space. And here, again, similar to the retail, in order to get that 50 percent exemption and to meet the requirement of the five percent innovation space, it had to have certain criteria which actually came about as a result of discussions with people who actually run innovation space and home working space in and around Kendall Square.

And so the change that City Council made here is that they actually required an additional five percent over and above what was required here, but they waived some of these requirements for that space. So for instance, we had talked about increments of contiguous 20,000 square feet. And what they said is that for that incremental five

percent, you would not need to meet that particular threshold. That's just an example.

I forgot to mention when we were talking about housing, that the Council also said that off the housing that was to be built, eight percent must be devoted to innovation housing which was essentially microunits and it should be 300 to 550 square feet in size.

And we had a community investment requirement which is \$10 per square feet to be, to be assigned to these three categories; public open space primarily programming, and maybe design and construction. Enhancing transit connections. Things like the EZ Ride that add to the Red Line. Things that we -- the city could control a little bit better and be able to improve connections or enhance

connections by increasing frequency. finally workforce readiness to try and really connect the neighborhoods surrounding Kendall Square like Area 4 where there isn't really a great connection right now to the wealth and value that exists in Kendall Square. And so, the change that Council made here is that they essentially removed this piece and suggested leaving that 10 percent -- \$10 a square foot requirement, but not really committing to the allocation. And I think that discussion about how it gets allocated is still on the goal. And in addition, they included an over and above this a \$4 a square foot requirement for -- that would go to community benefit organizations. They also asked MIT to create a -- to pay up to \$20,000 a year for ten years to be devoted to workforce readiness programs working through

the city's department of Human Resources.

We have a series of sustainability requirements that were recommended and that were all adopted, so you know, things that we are now thinking of as more or less standard, LEED Gold instead of LEED silver that exists, energy tracking and reporting. currently working on a building energy disclosure ordinance which could supersede this, but probably the discussions will be going on at the same time, so we're leaving it in for the time being. Not going to go through this whole list, but these are the sorts of things that you've heard us talk about often.

Similarly on the transportation side,
we have -- we have transportation demand
management as a key piece which has actually
been the tool that has enabled us to have all

the development that we have had and not clog up the steep streets as was anticipated in the models that we had run 10, 15 years ago because the TDM programs have enabled and facilitated many more people to be able to bicycle, walk, and take transit and these are the things that are often in Sue's requirements in the Special Permits that you grant. Things like T passes and bike incentives, bike -- I mean, showers and bike storage areas.

I'm going to go into the piece that's probably most relevant here because you were talking about it earlier today in a different context which is things like changes to parking requirements. And all of our analysis revealed that we have been building way more parking than we actually need. So the proposal here is to create parking

maximums for all non-residential uses and not have a minimum requirement, but be requiring everybody, every proponent to do an analysis to demonstrate what it is that they actually need. And part of this is to create a requirement that shared parking be analyzed in any mixed use development so that we're not building twice the parking that we could be -- that we could be using in multiple ways at multiple times.

For residential we do maintain a minimum requirement which is currently one, so it's being half to 0.5. All of these maximums actually are -- we feel pretty confident about them because they, they have been demonstrated to be successful in other projects in Kendall Square. The residential we still feel like even though we think you could go lower, but because there's always a

concern about impact on neighborhood streets and we felt like we needed to have some minimum requirement there.

We are also talking about expanding the distance where off-site shared parking could occur to 2000 feet, and this is just to be able to tap into existing parking garages that are underutilized.

I'm not going to talk about this.

And then just zooming into the Kendall Square -- I mean the Kendall Square PUD-1 which is the MXD District, it was funny when you saw it's oriented, it's even more funny now to just match with this 3-D representation.

So, again, this is Main Street. This is Broadway. Here's, here's Binney Street.

This is Ames. And the Third Street Connector is right here. Here is the Volpe site.

So here is the -- I mean, just really quickly here's the parking garage that exists, and an area of opportunity that we saw was being able to have buildings on either side, maybe have a green roof connecting the two. We find green roofs to be really appealing idea in Kendall Square, that people have, have noted that they really There's an opportunity at this -cherish. this is a Biogen building, but you could actually envision having something different and larger there, similar to here. And then going over to the Main Streets -- I mean this vellow building was not built -- I mean it's still not built, but this is the Ames Street residential that was just facilitated through the sidewalk land disposition that happened. This is the new Broad here. And along Main Street the other opportunities on the Coop

building which could certainly be taller and different.

So those are what we saw as areas of opportunity, but clearly as the -- as property owners, developers start to look at this, they may see something completely different or refinement of this.

So, the final thing -- the reason why we're bringing MXD before Volpe which is probably more glamourous is because really folks who own land in this area are interested in pursuing this at this time. So we have Boston Properties here. We have representatives from the redevelopment authority here. And we have a representative of White Head, and all of them are at the table and engaged. White Head is interested in our preliminary conversations. They own -- they're a separate owner from BP. We

often think that Boston Properties owns all of this land, but White Head actually owns their parcel and are interested in expanding. They are not at a point where they can have a conversation, but they are interested in engaging. The rest of this is I think mostly BP with different -- far more complex ownership and lease patterns than I could get into. But I don't know if you want to hear from CRA, BP, they are here.

HUGH RUSSELL: I would like to hear from all of them.

STEVEN WINTER: Absolutely.

HUGH RUSSELL: Yes. So I don't care who speaks first.

IRAM FAROOQ: Thank you.

TOM EVANS: Thank you, members of the board. My name is Tom Evans, Executive Redevelopment Officer of the redevelopment

authority. And as you may know, we've been involved in a strategic planning process looking at various concepts for initiatives throughout the city, but we are also remaining in our role as stewards of the Kendall Square urban renewal area. And we support the overall goals of the K2 plan to continue to allow the area to evolve as a dynamic urban area, to pursue increased activation of the ground floor and pursue sustainability goals and continue to allow both economic development to happen in the area and to allow the area to grow as a community, residential community, a mixed use community. So we support all of those goals and look forward to working with the White Head Institute, Boston Properties, other property owners in the area, and the city to explore how we can move forward with

implementing the K2 Zoning.

I'm here to answer any questions you may have. I just want to start out with a general position of supporting this process. We are having the same conversation in front of the CRA Board tomorrow evening, starting to dive into some of the details of how the rezoning also needs a parallel amendment to urban renewal plan.

Again, we see Kendall Square has become a model for transit-oriented development for the region and we like to continue to push that and to be a model for sustainable development for Massachusetts and the nation to follow.

Thank you.

HUGH RUSSELL: I guess I have one question which is do you think the CRA will come up with recommendations to tweak the

Zoning as it goes into place?

TOM EVANS: I think that the CRA will be in discussions with the city staff and Boston Properties and others to figure out what is the right Zoning tool here. think we're going to stay within the parameters of the K2 report for the most part with maybe some wiggle room and some -- maybe looking at some of the concepts there. think the overall goal of around a million square feet of new development, of some pacing of some residential development, of looking at creative housing and innovation space goals of really incentivizing ground floor retail, I think all of those things we will continue to support. We may want to tweak some of the parameters on things like parking and open space and so forth. that's just to -- those are tweaks not

overall changes to the general concepts.

HUGH RUSSELL: So the concept is that the staffs will work together. So when a proposal comes forward it will have -- it will be the best starting point we can have for a final dimension?

TOM EVANS: Yes, we've been kicking ideas back and forth for the past few months even before the report came out.

HUGH RUSSELL: Who else would like to speak?

MIKE CANTALUPA: Good evening. Mike Cantalupa with Boston Properties. I think all I really wanted to do was just give you an update on some of the thinking that we had been doing for the last year, year plus actually, while K2 has been settling in terms of its final recommendations. And our thoughts are not inconsistent with some of

the recommendations that have come forth from K2. As a matter of fact, as you start to focus on what the opportunities are at Cambridge Center, given the development that takes place, there's relatively limited opportunities. There's actually no land available at all for redevelopment in terms of pad sites most recently being finished with a building for Biogen on what's called 17 Cambridge Center and the Broad Institute on Ames Street.

One of the things that we've learned actually over the last year or so is there are significant opportunities given the 1970's plan that was developed for Cambridge Center to do in-fill development. And so if you will recall, the Google Connector Project is actually in the process of being completed right now, we actually think that while it's

a little bit unorthodox in terms of the connection of really three buildings to make a very significant floor plate, it actually achieves some very interesting urban design objectives in terms of hiding, in particularly the garages that are above grade. So while we enjoy benefit of being able to build above ground garages, you'll be happy to know we've done building above ground garages. We feel like we have successfully shielded them from the street with the connector that joins Three and Five Cambridge Center and it's led us to think a little bit more creatively about the million or so square feet that is potentially available under the K2 Zoning and how we might implement that. So what I've shown over here on this board is really just a very simple diagram of what Cambridge Center is,

what we call the east parcel of Cambridge Center. The west parcel where the Broad Institute is being completed, and the north parcel where Biogen is basically done the vast majority of its development. The connector project that I talked about with Google is really this in-fill project right here.

And what we have planned in the relative near future is there's 200,000 square feet of residential rights that were granted through Zoning change. Some actually -- I think it was 14 years ago now, and we are on the verge of actually executing that. Iram made a comment earlier about land position that's happening with the narrowing of Ames Street. And so this parcel here which is parcel 1 on this diagram, I think will be the next building that will actually

shield a fairly significant gash on Ames Street which is the east garage and its loading dock.

So that's our plan under K2. If that were to go forward unedited we would need to do a piece of residential before we do anything else in Cambridge there anyway and that's effectively what we would do. we look at the other million or so square feet that we think are available, roughly 600,000 square feet being commercial and 400,000 square feet being residential, again, we have limited opportunities to implement that. And so what we're showing you here is our north garage site which fronts on Binney Street and fronts on Broadway and three other sites that are relatively low in density. There's the Biogen building at 14 Cambridge Center which is 67,000 square feet. There's

the building at 11 Cambridge that Iram pointed out, four stories at 80,000 feet. And then the building at Three Cambridge Center which houses the Coop, and that's about 100,000 square feet, four stories. And while it's extraordinary painful to take down an existing building, when you look at the densities that are potentially available and what the planning studies have shown in terms of potential added heights, we think that they're fairly significant candidates for development.

I think the issues going forward for us when you look at how we have densely developed the east parcel with the Marriott Hotel at about 250 feet, the Broad Institute at about 250 feet, the way to utilize all the square footage will be to recognize that there's added height that needs to be a

little bit closer to the neighborhood. So the north garage site, you know, in order to implement all of this million square feet would be to accept heights that are in excess of 200 feet. And right now when you look at the north parcel, we've got heights that are really a hundred feet that step down to the neighborhood. So that's a fairly significant planning issue from our perspective, and I suspect from your perspective as well. But that's the way we see utilizing the square But the benefit is that you do have footage. the opportunity to shield the garages almost completely from Broadway and Binney Street and then again potentially absorb added height on these buildings at 11 and 14 Cambridge Center.

And when we look at these, I think there's a variety of alternatives for

incorporating both commercial and The north garage has the residential. benefit of being long and thin, but it has a fairly sizable floor plate. And so when you look at what tenants in the marketplace need for good commercially available space, they want significantly sized floor plates. So this is potentially a 50,000 square foot floor plate that Google would, you know, as a general consumer space would love to see. addition this is a fairly narrow site and so it potentially can absorb nice narrow residential footprint.

So we're very closely looking at what the planning opportunities are. We think that commercial and residential can be absorbed in this site and similarly because these are other sites are more, you know, normally proportionate. There's a variety of

alternatives for absorbing either commercial or residential space on either one of them. So our objective, and we're still working through some of the details with the redevelopment authority, you know, how to advance that plan being a commercial developer and wanting to move at a fairly, you know, rapid commercial pace. plans in front of us and opportunities. we would like to be in front of you fairly quickly with a plan. And our intention is to show a variety of alternatives in terms of how these sites could be used for either commercial or for residential spaces.

HUGH RUSSELL: Excellent.

Kathy.

KATHLEEN BORN: I just wanted to add one piece of perspective here which is that I think that this particular rezoning --

HUGH RUSSELL: Excuse me.

KATHLEEN BORN: I'm sorry, I should introduce myself. It's Kathleen Born, B-o-r-n Chair of the Cambridge Redevelopment.

And I want to be very brief.

One thing that sets this petition aside from the MIT petition and some of the ones that will be coming towards you in the future is the participation of the series of public entity. And I think it's important to remember that in addition to some of the reasons we're supporting this Ordinance is that our Executive Officer described good urban design and good economic development, it's important to realize that as a public entity we stand to gain from a financial point of view from this developments because we have longstanding development agreement with Boston Properties. And we are very

adamantly committed to reinvesting the funds that the Redevelopment Authority currently has and will be gaining from this development into projects that have a very clear and transparent public benefit. I think you've -- some of you have been hearing about the potential of the CRA involvement and the Foundry Building and using some of the funds that we have currently matched for that. more projects like that can be available through the -- I don't want to call them profits because they're really non-profits, that the Redevelopment Authority stands to gain from some of this development. So, you know, it has a little bit of a different flavor of it than some of the other rezonings that you'll be seeing.

HUGH RUSSELL: Thank you. And there's somebody here from --

RICHARD McKINNON: Mr. Chairman, I am. Rich McKinnon from One Leighton Street in Cambridge. Our board of directors unfortunately as I explained to your staff won't be meeting until tomorrow night so we're going to have to wait until your next meeting before we can participate.

HUGH RUSSELL: But it's fair to say that they want to be an active participant?

RICHARD McKINNON: We do.

HUGH RUSSELL: So what's the next step, Iram?

IRAM FAROOQ: So in terms of next steps, at the staff level we will be working with the Redevelopment Authorities, Dolphin Board, as well as Boston Properties and White Head to try to figure out actual Zoning Language we can bring to you. I think our biggest challenge here would be how to, you

know, in addition to obviously the Zoning but we've kind of done it once with MIT, but the other challenge will be how to make sure that there are some abilities for small owners like White Head to be able to access the Zoning which has to also work for larger property owners like Boston Properties. So that will be one twist that we will need to incorporate in here that's different. Jeff is working closely with them to try to figure out what's going to work and we hope to be back soon. I know Boston Properties wants to be back next meeting, but that's unlikely.

HUGH RUSSELL: So we're talking about filing a proposed Zoning change for PUD-1 before Labor Day? Before Memorial Day? Before the elections in 2015?

IRAM FAROOQ: I think what we would

like to do is bring -- and I think I'm going to speak without consulting with others so they may have a different timeline in mind, but what would be I think ideal is if we could run a set of Zoning Language by you in the next month or so and then hopefully, because so much of the controversial pieces have been dealt with at MIT, we will only have a few areas where there's, you know, any diversion from the K2 recommendations and from your earlier guidance, that we can highlight those, discuss them, hopefully in one meeting resolve it and then it could be filed as a petition.

HUGH RUSSELL: Who is the Chair of the Ordinance Committee this term?

IRAM FAROOQ: Councillor Carlone is Co-Chair with Vice Mayor Benzan.

HUGH RUSSELL: And we know that the

Council is interested in this. They've been active participants. The new Councillors were particularly interested in trying to get background with those kinds of issues.

So you will you be seeking their input before the formal filing? Or how is it -the, you know, the amendment rules for amending ordinances can tie your hands. So I think we want to create an envelope that might incorporate things that are -- I understand that Council is a body of nine people who act as a body of nine people, but I just encourage you to think about that and maybe -- because it would be, you know, it might seem like how many versions? Three versions?

IRAM FAROOQ: Yes.

HUGH RUSSELL: If we could do that more expeditiously, that might help people

who want to proceed.

IRAM FAROOQ: Absolutely, that sounds good.

HUGH RUSSELL: Is there any other --

STEVEN WINTER: Mr. Chair?

HUGH RUSSELL: Yes.

STEVEN WINTER: I think that we should certainly let Councillor Carlone and others know that anything that the Board and the staff can do to facilitate the process into working partnership, we certainly want to do that. I think also I just want to say, you know, Mike, Boston Properties, this is really valuable to continue to hear the vision of Boston Properties and frank and candid as you were. So any time you want to come before the Board and give us five minutes or whatever it is you feel you need, that's extremely valuable. And I want to

reiterate that the frankness and candid talks really helps.

MIKE CANTALUPA: We'll be back next week.

STEVEN WINTER: It's up to Liza.

And I wanted to say to Kathy and Tom, it also feels like there's a partnership and that's valuable. And I feel there's a lot of people going the same way and, you know, we are, we're going to do some great stuff. That's true.

And I also wanted to note that the -as I've said before, the workforce training,
now, this is going to irritate a lot of
people, but publicly funded workforce
training programs are not successful. It's
like money down a rat hole. We have to let
the private sector create their own workforce
training programs. And it pains me to put

money into a municipal workforce training program. And I've said that from the start. And I also just want to mention quickly that the alternative format with Planning Board approval was one of the pieces of the earlier thing -- maybe there's a way to fast track that so that if something needs to happen in a hurry regarding innovation space or an interesting format, it can be fast tracked by staff or something so that it's not tied up in a public process or with meetings that are held on an occasional basis.

Thank you.

HUGH RUSSELL: Other comments?

TOM SIENIEWICZ: I just want to be clear there's been a lot of good thought, a lot of good planning here. It's not a rush to judgment here that we're talking about. It's just streamlining a process that's been

in motion for quite sometime, and I reiterate whether people are saying if we can get this done effectively and quickly working with the Council, we're for it. Economic cycles are that, they're cycles, and I don't think we should risk missing this one.

HUGH RUSSELL: Other comments?

PAMELA WINTERS: Yes, just this is kind of a minor thing, Iram, but did you say that the Council requested that there be an eight percent minimum of microunits?

IRAM FAROOQ: Yes.

PAMELA WINTERS: But it could go higher than that, right?

IRAM FAROOQ: Yes.

PAMELA WINTERS: I'm a big microunit fan. So I wanted to be clear on that.

STEVEN WINTER: Pam lives in four

microunits right now.

RICHARD McKINNON: I thought it was five.

HUGH RUSSELL: Any other comments?
(No Response.)

HUGH RUSSELL: Okay, so we will end this discussion. I think at this point that wasn't to raise on a previous subject.

Thank you all very much for coming.

Okay, let's proceed with Ted's matter so we can get out of here.

H. THEODORE COHEN: Yes, this is with regard to the 40 Norris Street. Since it's now come -- the question has been raised as to whether we were comparing the as-built plans as to the actual Special Permit approved plans, that if it turns out that indeed we were not comparing the right plans, it would be my intent to move a motion to

reconsider the 40 Norris Street vote if it appears that, you know, we were looking at the incorrect plans. And if there are some things of substantive that we ought to be taking into consideration.

HUGH RUSSELL: So that's on the record.

Is there any comment?

TOM SIENIEWICZ: I just want to -in light of this there's some urgency about
finding those plans and making that proper
comparison. That Liza advised us on how
quickly we can get that word back to the
Board?

LIZA PADEN: Yes.

H. THEODORE COHEN: Right.

STEVEN WINTER: Is that a question?

TOM SIENIEWICZ: Yes, it was a

question. How quickly can we find out -- get

to the bottom of --

LIZA PADEN: I don't know how quickly I can get it done. I mean, I will work on it tomorrow morning.

TOM SIENIEWICZ: Okay, thank you.

H. THEODORE COHEN: And it would be my -- if there is an issue, it would be my intent that at the next meeting at which we get the information or immediately after we get the information.

LIZA PADEN: Okay.

HUGH RUSSELL: Okay.

There's no more business before us? We're adjourned.

(Whereupon, at 10:25 p.m., the Planning Board Adjourned.)

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I, Catherine Lawson Zelinski, a Certified Shorthand Reporter, the undersigned Notary Public, certify that:

I am not related to any of the parties 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 21st day of April, 2014.

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