

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, June 2, 2015

7:00 p.m.

in

Second Floor Meeting Room
344 Broadway
Cambridge, Massachusetts

Catherine Preston Connolly, Acting Chair
Hugh Russell, Member
Tom Sieniewicz, Member
Steven Cohen, Member
Louis J. Bacci, Jr., Member
Thacher Tiffany, Associate Member

Community Development Staff:

Liza Paden
Jeff Roberts

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PUBLIC HEARING

City Council petition to amend Article 6.00 of the Zoning Ordinance of the City of Cambridge to create a new section 6.24 Carsharing Provisions. This new section will create a definition and general provisions for Carsharing and will allow the limited use of parking spaces for Carsharing as a means to provide mobility options for Cambridge residents, employees, and visitors who may not possess a private automobile, thereby promoting City goals by increasing mobility, reducing reliance on automobile ownership, and use, and lessening the total demand for parking spaces.	8
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P R O C E E D I N G S

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CATHERINE PRESTON CONNOLLY: Good evening. This is the June 2nd meeting of the Planning Board. We're going to start tonight off with an update from Community Development.

JEFF ROBERTS: Hi. Jeff Roberts, Community Development Department. Just quickly going over the schedule and some things that are upcoming:

On June 8th at 5:30 p.m. in the Sullivan Chamber there will be a City Council roundtable discussion about the citywide comprehensive planning process. The Planning Board is invited to that.

On June 9th at 6:30 p.m. there will be an off-site session of the Planning Board looking at the MIT Kendall Square development

area. It will be a brief description and then a walking tour. This is something that will take the place of what the Planning Board generally does as a pre-application meeting for a PUD development plan. So this is just a -- it's just a walking tour. There will be no votes taken and no public hearing and it will start at 238 Main Street. So that's again, next Tuesday at 6:30.

There's a Planning Board meeting on June 16th. There's no public hearing scheduled, but as a matter of General Business, during the course of the Planning Board's review of BZA cases, the Board will be reviewing Harvard University's plans for what's now Holyoke Center, what they've been calling the Smith -- I believe the Smith Campus Center and some renovations that are proposed along with some alterations to the

outside of the building.

Those are the only things that are currently scheduled and noticed, but there are a number of things that will be coming up. We're still looking to schedule public hearings on the PUD-KS Volpe site Rezoning petition that the Planning Board submitted last month. The City Council referred that at the meeting last night. There's currently discussions of potentially holding either a joint hearing of the Ordinance Committee and Planning Board or it will be separate hearings. Those will happen later in June and still finalizing the dates and notices that will be sent out.

Some other things that we expect to be coming in July, include the First Street assemblage PUD project coming back at some point, the 57 J.F.K. Street project coming

back for the Planning Board's review. Those are both open cases. And we expect to have a Zoning petition on incentive zoning which are the housing contributions from commercial development projects. And that was something that was studied by CDD.

There was a request made by the City Council's Housing Committee and then staff will be responding to that and with a Zoning petition.

So that's what we have coming up. The meetings are scheduled at this point for June 30th. That may change depending on how the Volpe rezoning hearing lines up. And then meetings July 14th, July 21st, and July 28th, August 4th, August 11th, and August 18th.

CATHERINE PRESTON CONNOLLY: Okay.

Thank you very much.

Liza, do we have any transcripts?

LIZA PADEN: So we have the April 28th transcript which was submitted and certified.

CATHERINE PRESTON CONNOLLY: All right.

Do I have a motion to accept the transcript?

STEVEN COHEN: So moved.

CATHERINE PRESTON CONNOLLY: Second?

HUGH RUSSELL: (Raising hand.)

CATHERINE PRESTON CONNOLLY: Hugh seconded.

All in favor?

(Show of hands).

CATHERINE PRESTON CONNOLLY: Okay, the transcript adopted.

All right, that brings us to our seven p.m. public hearing. The appointed hour having arrived and quorum being present,

we're going to move on to that.

For the members of the public who are here and who are going to want to speak on this, there is a sign-up sheet. But if you haven't signed up, don't all rush at once, we will invite you to speak even if you're not signed up.

We're going to start with an introduction from Councillor Cheung.

COUNCILLOR LELAND CHEUNG: Thank you. You're much more timely than I think the Council usually is and it sounds like a lot of work coming up so thank you again for all of your time and your service, and we really appreciate -- I think I speak -- I think I can safely say that I speak for the Council, we appreciate all you do for the City and how dedicated you are.

I think if you -- so the petition

that's before you tonight on behalf of my co-sponsors, Vice Mayor Benzan, Councillor Kelley, and Councillor Simmons. I think this is something I think of as, you know, if you care about the environment, if you care about sustainability, and you care about the climate, which I think we all do in Cambridge, we're putting a lot of resources behind, this is a very important bit of housekeeping.

CarSharing was invented here in Cambridge, but we seem to have -- it seems to have passed the government by. And there's a lot of -- the ZipCars are clearly here. Relay ride's here. The CarSharing is clearly in the city, but we don't have a good regulatory framework for CarSharing. And so that's what we've been trying to push forward and try to do some housecleaning and make

sure that we're doing that. Because I think when we think about what has been important over the last, this last term, it keeps coming back to parking and traffic, and CarSharing has been shown to be a technology, a tool, that reduces car ownership, reduces congestion on the streets, reduces the number of cars that are parked in a city where ZipCars are around.

(Bacci seated.)

COUNCILLOR LELAND CHEUNG: All other cities across the country have put in place regulations to make sure that while we do have them, we're putting them in the right place, and we're thinking about how they're friendly neighbors, friendly to their neighbors, but Cambridge having not yet done that. That's what we're trying to do tonight.

I would also just say that I think -- I really -- I'm looking forward to as always, I think you're very thoughtful comments. You are always coming up with angles and approaches and perspectives on the issues that are coming before the City that I have never thought of, and I think Council, members of the Council haven't thought of. So I'm looking forward to that. I apologize that I have to run off to a prior commitment, my council aide Christian is going to be here taking notes for me.

I'm really interested in thinking about, hearing how you think about the various nuances. One that's come up recently I've seen on list serves is about well, now is every driveway -- every residential driveway now going to have a ZipCar parked in it?

We specifically put in here that, you know, it's not allowed in a single-family -- in the driveways of single-family residential homes. When I talked to ZipCar, they have no interest in trying to go one by one and putting it in driveways. That's not their business model. That's not what they're going to do. But, you know, perhaps something ten years down the road is not yet invented might want to do that. So I think thinking about -- I will be curious to hear your perspectives on, you know, should we have triple deckers put in there, should it be put in there. We put in, you know, the thinking the 30 percent, no more than 30 percent can be use for the CarSharing thing. You can't get the 30 unless you have four because three divided by....

So, but that might not be as clear as

probably we were thinking about it.

So, really, thank you again for your time and looking forward to having this done hopefully in time for us to go on summer vacation soon.

All right? Thank you.

CATHERINE PRESTON CONNOLLY: Thank you.

Jeff.

JEFF ROBERTS: So, this has been a collaborative effort. So much of the background work for this has been done by staff. I want to introduce Stephanie Groll who is the PTDM officer for the city, she's done the bulk of the work behind this initiative and she will give the first part of the presentation. After she talks, I'll give a brief review of the Zoning and what some -- what the approach is. I also wanted

to note that the Traffic, Parking and Transportation Department has been very involved in this initiative and Joe Barr the director is present tonight. Adam Shulman, who I think is not here right at this moment, was also -- oh, there he is, he was also very involved in helping out with this.

So, Stephanie, take it away.

STEPHANIE GROLL: Thank you. Hi, everybody.

So I'm just going to start by giving a brief overview of what CarSharing is. It's a system that gives you access to a car without the cost and responsibility of owning one. It's been around since the eighties in Europe, and as Councillor Cheung mentioned, the ZipCar was founded in Cambridge in 2000.

There are now three carshare companies operating in Cambridge. We have ZipCar,

Enterprise CarShare, and Relay Rides which is a peer-to-peer carshare service. And people sign up to become a member, they make reservations on-line and by phone, and for all different kinds of cars, and they use a card to tap on the car to unlock both the door and the ignition, so you can't drive away in the car unless you tap, use your pass and have a reservation, so they're not vulnerable to theft. And people rent by the hour or by the day, and the cost includes insurance and gas.

So thanks to research done at U.C. Berkeley we know a lot about the habits of carshare members and the effect of carshare services on communities.

No. 1, members overwhelmingly do not commute by car to work. They walk, bike, or take transit.

And No. 2, after joining a carshare service, they increase their walk, bike, and transit trips.

And No. 3, they sell their cars or delay purchasing one in the first place.

So perhaps the most compelling reason why carsharing is important for Cambridge is that carsharing makes it possible to live without a car, without owning a private car. This is really important because if your neighbor is a carshare member, it will make it easier for you to park on the street, but -- because they won't be competing for your on street parking. The more carshare cars we have in the city, the easier it will be to park in residential areas.

So that's really the bottom line. That's, that same U.C. Berkeley research I mentioned shows that for every carshare car

you put into the system, it takes nine to thirteen privately owned cars off the road. And we've seen that in the number of parking permits issued over time in Cambridge.

So between 2000 and 2014 we've had an eight percent decrease in the number of permits issued, and during that same time we increased our housing units by four percent and that equates to an eight percent increase in the total population.

So less car ownership leads to less driving. We've seen -- we've also seen a really big shift in travel mode, in travel habits over time. This graph shows how people commute to work in Cambridge regardless of origin, and you can also see a six percent, a six point drop in drive alone rates and sustainable modes are up. So now we have more people commuting to work in

Cambridge by sustainable modes than we do by driving.

So the drop in residential permits and in drive alone commutes happen during the same time period that Carsharing became available in Cambridge, so we believe that this contributed to the trend.

So here's a snapshot of current ZipCars in the city. You can see the color. There are 280 ZipCars in 82 locations. And I'm using ZipCar again because they're like the biggest carshare company in the city. The points are the cars and the larger the point, the more cars are in that location. And the pink shaded area is a seven-minute walk from that car, and that's roughly the average distance that people walk from their houses to the cars they use most often.

You can see that the eastern part of

the city is really well served and the western part of the city is not very well served.

To inform our carshare zoning process we attended nine neighborhood group meetings over several months to talk about issues that affect people across the city. We received tons of great feedback, including from the western neighborhood groups saying that they don't have enough carshare in their areas. And I'm going to summarize them here for you.

And then for people who couldn't make it to the meetings, we had an on-line survey available.

So there was a wide range of comments at all the meetings ranging from people who want -- who plan to go car free when their car finally dies and they have carshare available to them to people asking for more

carshare cars closer to their homes. The majority of the comments at community meetings were made in support of expanding Carsharing in Cambridge, especially in residential areas. And then on the concern side people were mainly concerned about increasing competition for on-street resident parking in neighborhoods, as well as noise and some bad driver concerns.

And our on-line survey was open for three months and we closed it in February. It was filled out by more than a thousand Cambridge residents. It was filled out by 88 current -- 88 percent were current carshare members, 59 percent had no car, and 34 percent had only one car. And the bottom line of the survey was that 85 percent of residents said, yes, I want Carsharing to be available in private off-street parking

spaces in residential areas. Eleven percent said maybe. And in the Comment section a lot of those maybes were because they wanted to make sure they will be well lit and well marked and they were concerned about access issues.

This is a look at how those neighborhoods compare -- the same question. It's 85 percent of the people support carshare in residential areas, but you can see it by neighborhood. So the more blue you see per bar the more support for Carsharing in that particular neighborhood. And the bars on the left had the most -- the highest number of residents responding to the survey, and the bars on the right had the lowest number. So mid-Cambridge had the most response that was 187 people responded, and you can, you know, get a feel for the support

in the different neighborhoods.

And the last thing I just wanted to show is an interesting finding from the survey. This, this shows between current members and non-members what's the farthest you would walk to get to a vehicle? And it looks like current members are willing to walk farther than not -- than people who are not members yet. And this is important because it might indicate that we have to locate more cars in residential areas in order to help people be comfortable in making that shift from owning a private car to becoming a carshare member. And once they become the member, they would be willing to walk farther, but just getting people to make that leap is, it's an important point.

And I'm going to pass it over to Jeff so he can talk about the Zoning.

JEFF ROBERTS: Thanks.

So as always, I get the decidedly less fun part of going through and try not to bore everybody with zoning.

Always a good question to ask, why do we need Zoning changes? You don't necessarily want to make a lot of changes if you don't think you need them, and this is one of the instances where we're looking at a concept that is not clearly defined or regulated. In our current Zoning Ordinance I think we've seen that not having those regulations has made it very difficult to expand this kind of service, especially it's been -- caused issues in areas where it would be convenient to residents. And I'm going to talk a little bit about why that is and then propose what we're -- talk about what we're proposing to do instead.

So in the current Zoning, if you want to have regulations for something first, you have to figure out how to classify it as a use. And for something like Carsharing, our current Zoning provides two basic options:

We have parking. Parking is a use. It's a kind of a special kind of use because it has an article devoted entirely to regulating parking. It ensures that parking is for active use by people who are getting into cars, out of cars, driving them. It's not for any other kind of activity that's related to cars. It might include repair or storage or sales. It can be accessory or principal use, and I'll talk a little bit about that later. And parking has -- it's -- the regulations for parking of a user also tie it to the regulations for other uses because other uses have requirements either

maximum or minimum or both for parking that must be provided, and that's a little wrinkle that we'll need to talk about. So parking also has that input on here, but has dimensional standards, has lighting standards. These are all things that are meant to address that Stephanie talked about, that people raised issues in terms of safety. These are built into those Article 6 regulation that apply to all kinds of parking facilities.

So then the other option would be this category of a principal use, which is sales placed for new and used car, rental agency for autos, trailers, and motorcycles. Those are all lumped into one category in the Zoning Ordinance. It's a business use. It's very restricted only -- not just to commercial districts in general, but to very

specific commercial districts, and it's even more limiting in cases where it's conducted outdoors rather than when it's conducted indoors. As a use, this is very restricted throughout the city.

Since about 2009 the city has been taking somewhat conservative practice of saying that Carsharing for -- that's being operated by companies like Enterprise or ZipCar is classified as this type of commercial auto rental use, and as a result, it's been, it's been highly limited and has not really been able to expand. At that time there was a Zoning proposal that was considered by the City. It wasn't adopted at the time, but at that time period has allowed us to do a lot of thinking and understanding about what Carsharing is and how it works. There's been some interesting developments in

different kinds of service that is are being offered. It's been addressed at the state level. We learned a lot from the community as Stephanie pointed out, and so I think that the proposal that has been put forward by the Council now has a lot of improvements.

One thing to look at on the current Zoning before we move to the proposal is that despite, despite the interpretation that Carsharing is a principal -- commercially used rather than part of parking, when you look at the intent of parking, you find that there's a lot of language in there that's very supportive of the benefits and the particular characteristics of Carsharing. So our parking regulations in Cambridge are intended to encourage public transit, bicycle usage, and walking where a choice of travel mode exists. So it's really encouraging, not

just automobile travel, but other modes of transportation which as Stephanie pointed out, tend to go hand in hand with Carsharing as an option.

The Zoning, the intent of the parking regulations also meant to provide flexibility, accommodate the automobile in a less disruptive way. So, again, consistent with this notion that we can do more and provide better mobility with less space and fewer cars.

So the approach that this petition takes, to describe it very simply is just to say that parking is parking. So if you have parking, it's, it's a use. You're not changing the use of that parking or that parking space based on what kind of car is parked there. Then clarifies that Carsharing is an allowed for occupation for a parking

space. But it has general and specific limitations that apply to the parking facility.

So this formulation, it -- we can still put whatever regulations or limitations we want on Carsharing, but what this does is it avoids unanticipated consequences that often arise when you define something as a separate use and then you have to go through well, if you're changing the use, what kinds of non-conformities are you triggering? And then I can see if someone on the BZA is familiar with it, this kind of cascading impacts that can be created when you start to change uses.

So that's the approach. Just to walk quickly through the details, I'll just go through some of the sections and describe briefly what's in them. There is a section

on intent which is meant that it does parallel in many ways the intent language for Article 6 that was, that I reviewed before, and it is meant to just -- while providing mobility options, to also reduce reliance on automobile ownership. In the definitions we have included definitions of carsharing vehicle and carsharing organization. These are based on, at the state level Chapter 90, which is for General Massachusetts Laws regarding transportation and traffic. This definition, a definition of Carsharing was included. I want to say it was in 2010 or '11 or somewhere around that time frame. And we've used that language -- and the key thing about that definition is that it very deliberately distinguishes between Carsharing and a traditional rental car agency which operates usually on a lot with an office

where you have to show up, make a rental agreement, sign a contract and basically conduct business. As opposed to Carsharing where you're not, you know, you're conducting business on-line or over the phone and the activity that's taking place is just getting in the car and driving it.

So the -- and the reason why we have Carsharing (inaudible) and the carsharing organization is that, we, you know, there may be instances where, and we assume that in many instances a carsharing organization like ZipCar or Enterprise is going to be operating these cars, but there could be situations where, you know, parking facility, somebody for one reason or another wants to have a shared car that is available to occupants of that building, and that's something that we want to make sure that this is including that

within the broader definition of Carsharing.

So into the general limitations, the -- in short, this is meant to ensure that carsharing spaces are functioning in pretty much every way just like any parking space. All it's for is for someone to go to the car, get in, unlock the car, get in it, drive it, drive it back, and park it. And so no sales. No storage. The vehicles have to be registered. If there are on-site personnel, it would have to be in an office and the office would have to be an allowed use in the district. So it would be just like any other office. And then one provision we included is agreement among all the owners, because in many cases on a lot if it's a condo, for instance, you might have a parking facility that has some kind of a, you know, maybe a person or a particular condo owner owns

space, but the whole parking facility is, you know, under auspices of a condo association. So we just wanted to ensure that the condo association has the ability to approve that there's, that there's a carsharing use in that lot.

So, other things that we didn't include in the petition, we discussed a little bit in the memo that we sent out. Registration spaces with the Traffic, Parking, and Transportation Department. That's something that we had been talking about as we were developing this. I think we determined that we think that's a good idea. So that's something that should be included in the Zoning language is to say that not just, not only should the cars be properly registered where the cars need to be registered but the spaces -- you know, we should know, Traffic

and Parking should know where these spaces are in order to keep track of them.

Signage was an issue that I think was discussed the last time this came around, and I think the expectation for these spaces is that the signage that's provided would be very comparable to any kind of signage you see in a parking space that says, you know, this parking for Shaw's customers only, or this parking for residents of 344 Broadway. But, you know, there was concern about well, if it's a -- if it's a company like ZipCar, does that at some point spill over into advertising. It's not clear if there needs to be Zoning controls. Article 7 may be perfectly appropriate to handle that, but if that's something that is a concern, it's something we could look at including.

And another thing that came up the last

time was access and egress. So for users that are coming to use a car is, you know, are they being -- they might be coming from another lot to use a carsharing vehicle rather than being on that lot. So having some provisions to make sure that's done in a safe and appropriate way. Again, it may not be necessary to include that in the Zoning. There are access and egress requirements for parking in general, but they don't always anticipate having -- and, in fact, there are provisions where a lot is providing it's required parking off site that there's, there's a safe distance and everything. So that's something that we could potentially look at as an issue.

So now we get to the specific limitations and it gets a little bit more complicated. Again, I mentioned there's

different categories of parking. There's principal use parking, which sometimes called it commercial parking. It's generally commercial garages, pay lots, places where the parking is the main use and it's fairly unrestricted as to who can park there, and because there are currently not very many restrictions on it, we figure why be more restrictive for Carsharing? So in this case there's no limitations.

And for, and accessory parking is the parking where you, it's really dedicated to a particular use whether it's an office or retail or residential type of use. And one of the general provisions here is that we wanted to say that accessory parking spaces can be used for Carsharing. This is something that the Planning Board's been doing in many cases in practice with new

residential projects or commercial projects with Special Permit requirements saying that there should be Carsharing made available to help reduce the car ownership on the lot, reduce traffic impact. So the provision there, though, is that we want to -- if you are having Carsharing that the people who are occupying that building, whether they're residents or employees or whoever else, can, you know, all can have access to it provided that they meet the terms of whatever terms of the membership and have a driver's license and everything else.

So that's one provision that applies to all accessory parking.

And then in terms of the number of spaces, for a commercial use like an office or a retail use, it was -- when we were talking about this, I think the view was that

the market is really going to provide the best control as to how many spaces in a particular case might be dedicated to Carsharing. There might be a small office use somewhere in the city that has a lot -- has way more parking than they need, and if they know that, you know, none of their employees are driving or a small number of their employees are driving, having Carsharing available would benefit both that use and the neighborhood. And so we, in this case the addition doesn't propose any addition on the number.

Residential use is where it gets a little more complicated. Because residential uses are where people have the option of parking either off-street or on-street, and as you saw in Stephanie's presentation, one of the concerns that came up is well, how

does this relate to the availability of off-street parking for residents versus sort of the cheaper, but in some ways competitive world of on-street parking. And the idea is that there's -- so the idea here is that there should be some limitations. There's no particular magic to what the limitations are. It's really just meant to ensure that we're not going to have a wholesale conversion of off-street residential parking to Carsharing use. We do think -- there will be market controls in this case, too, but -- and we do think that in general as more Carsharing becomes available, it means that fewer residents will be owning cars and that will, on the whole across the city, that will make parking more, a little bit more available for those people that do have cars. But on a case-by-case scenario or a

location-by-location scenario, we want to make sure we're not creating some anticipated impact.

The proposal in this petition is that the number of the spaces in a residential facility that can be used for Carsharing is limited to 30 percent of the total spaces or two spaces, whichever of those two is greater. That they're not allowed on single-family lots, and that the Planning Board may allow more than under those limitations by Special Permit. That's something I think Councillor Cheung mentioned. And that's something that could continue to be explored whether any of those limitations could be expanded or amended in some way. I think the idea is just to make sure that we're providing enough of an opportunity so that those lots that have the

capability to provide Carsharing in places where it's going to be more convenient to residents really have the ability to do that but also limiting any of the impact.

So that summarizes the petition and we're happy to answer questions or go to public comment.

CATHERINE PRESTON CONNOLLY: Thank you, Jeff.

Before we go to public comment does the Board want to ask questions of staff?

STEVEN COHEN: Madam, Chair.

CATHERINE PRESTON CONNOLLY: Yes.

STEVEN COHEN: Just to clarify. Jeff, there's actually no reference in the proposed regulations to the word required, required parking. So if I understand it, there's no distinction between required parking and additional parking. For

instance, if you had a residence that has ten required parking spaces, three of those required parking spaces can be devoted to the Carsharing.

Is that right?

JEFF ROBERTS: That's correct. So a good, that's a good point to bring up. I think we wanted to emphasize that accessory parking in many cases is required, and that we wanted to make sure that in the -- in the process of allowing Carsharing, we wouldn't be creating sort of ripple effects by creating traditional non-conformities that if, if some of that parking was required, we didn't want to then take that out of the pool of required parking spaces because they are, the parking spaces are still there. The issue is that -- and the reason why it doesn't really appear in the Zoning is that

it -- what we, what we -- what the petition specifically says is that accessory parking spaces, if they're used for Carsharing, are still counted as accessory parking spaces. So if some of those spaces are required, you wouldn't be, you wouldn't be violating that requirement.

STEVEN COHEN: Right. There's no distinction. So in a building that requires ten, suddenly ten is reduced to seven parking spaces available unless they want to carshare. But it also seems that there's a different situation in that same building that requires ten spaces. In fact, they provide 20 spaces. And in that situation, it would seem to me we have ten, call them excess spaces, while providing all of those ten excess spaces for Carsharing would be great, that's 50 percent of them and you'd

still have ten of the required left.

That's -- you get into a number of funny situations it seems distinguishing between required spaces and non-required spaces.

And, you know, on the one hand we say leave it to the market, and I'm a believer in the market, but on the other hand we do have parking requirements based on what we think will be the actual demand, you know, you know, generated by particular uses for parking. And in many of these instances we will actually be reducing, or potentially be reducing the number of parking spaces available below, you know, that number that we have determined to be demanded. So it's -- in my mind it raises both clarity issues for somebody trying to interpret and administer this, but it also raises policy issues, you know, to the extent and in the

example that I gave that where ten spaces had been required and now only seven will be available other than the three shared parking spaces.

CATHERINE PRESTON CONNOLLY: Was there a question in there beyond that clarification?

STEVEN COHEN: Well, the clarification, but I'm just trying to clarify in my own mind the issues that ultimately that the public might want to address that we might want to address.

CATHERINE PRESTON CONNOLLY: Okay, fine.

Does anyone else have a question before we get to public comment?

TOM SIENIEWICZ: Yes, I have a couple of questions maybe might be properly for Stephanie.

One, I'd really like to get your view on what you think the results or the comments were coming out of the survey. Particularly the three concerns you raised. Yes, absolutely I understand the competition for on-street parking and why the consequences of this might relate to that. So it doesn't need clarification there. But there was concern from the public about bad drivers and noise. Can you help me understand what those are?

And just one other question so I don't have to interrupt you, which is love to get your view on whether registration of these spaces was something that Traffic and Parking and Transportation would look forward to.

STEPHANIE GROLL: Yes.

Yes. Okay, so for noise people were concerned that people would be accessing the

cars at all hours of the night and, you know, it was -- not that many people were concerned about it, but there were certainly a few people who mentioned that as an issue. And in one meeting in particular I remember somebody standing up and -- another resident standing up and saying that's exactly what could happen with a private car, too. And there are a lot of noise concerns, overnight noise concerns about other things across the city such as if you live close to a commercial area, there could be dumpster noise. And so there really wasn't resolution of that other than to say that we have a noise ordinance and whatever servicing, like vacuuming of the cars would happen, would have to happen within the hours that the noise ordinance would allow. So in that way, they would be protected.

The next one was bad drivers?

TOM SIENIEWICZ: Bad drivers, yes.

STEPHANIE GROLL: So two people mentioned that it's possible that if someone is a carshare member, they're not driving as often as someone who drives all the time and could be out of practice. So they were concerned that -- which could happen.

TOM SIENIEWICZ: That's a point, yeah.

STEPHANIE GROLL: So we didn't address that in the Zoning, but that could be a programmatic effort on the part of, you know, Community Development. With all of our transportation education programs we can address that in some way if that seems to be an honest problem.

And then the last point you made about -- remind me what that was.

TOM SIENIEWICZ: Just a question whether staff would record a registration of the spaces so they can track them?

STEPHANIE GROLL: Yes. Oh, yes.

TOM SIENIEWICZ: I think I know the answer to this.

STEPHANIE GROLL: Yes. The answer is yes. We have talked about it with Traffic and Parking and they would indeed register those spaces.

TOM SIENIEWICZ: They would like that?

STEPHANIE GROLL: Yes.

TOM SIENIEWICZ: Thank you.

CATHERINE PRESTON CONNOLLY: Any other questions before we go to public comment?

(No Response.)

CATHERINE PRESTON CONNOLLY: Okay.

Liza already brought it, Jeff.

So the first person I have listed for public comment is Mark Chase.

So if you can come to the podium, give your name and address, and speak clearly into the microphone. And, Tom, could you keep track of our three minutes?

TOM SIENIEWICZ: I'll try.

CATHERINE PRESTON CONNOLLY: All right. Thank you.

MARK CHASE: Thank you, thank you for the opportunity to speak. My name is Mark Chase. I'm from Somerville. 13 Belmont Street. And some background, my sister is a founder and co-founder of ZipCar and I was the second employee. I also am here representing Liveable Streets Alliance and I teach transportation planning at Tufts University. So I study this academically as

well as practice it.

One of the things that hasn't been raised that I think is important in terms of Carsharing is the nexus between Carsharing and affordable housing. One thing that you often struggle with with Zoning is providing parking, and when that's folded into the unit and you can't separate the parking from the unit, that involves a cost for the tenant. And carsharing basically allows you to have your cake and eat it, too, which is to live in a car without a parking space but have access to a car. But this only works if the car is nearby. And so I think the beauty of this ordinance is that it puts in a structure where you can have more cars in the city, therefore, they're more convenient and you wreak more of the benefits. I have to take my hat off to Cambridge and when you look at

the number of less parking permits issued, more people travelling by sustainable transportation, it's a testament to the programs that you have and the things what's happening tonight that make that really possible.

One of the things that I -- I will just talk about is my own weaning process as a ZipCar member. When the company started I owned a car and it died about two years in. And when I first started using the service, I used it about two times a week. So when you're paying \$10 an hour to use a car, you quickly start to figure out ways to not use a car. And over the course of that 13 years I've been a member I've gone from using it twice a week to using it about once every two months. And what this means is I do a lot more local shopping and I consider Central

Square my shopping hub. So although I'm a Somerville resident, I'm a Cambridge shopper. And I think that's an important benefit is that as people have to walk to ZipCars and they're more convenient, they give up their car and they slowly over time become weaned of owning a car. And it takes time, but every car serves about 70 members. So if you have 280 cars here, they're probably serving about 15,000 residents which is pretty phenomenal.

And expanding on that is really going to make drivers' lives in the city easier. So it's one of the few things that you can do that supports, you know, sustainable transportation that is putting potentially cars in the neighborhoods but now you're getting less cars and less competition. So with that, I will stop and I thank you for

your forward-thinking policies and as Zoning Board members, your service to the public.

Thank you.

CATHERINE PRESTON CONNOLLY: Thank you.

Next on the list is Forrest Neilson.

FORREST NEILSON: Hello. My name is Forrest Neilson, N-e-i-l-s-o-n. And I'm the manager of Operations and Innovations for ZipCar Boston located at Two Liberty Square in Boston. I'm here today on behalf of ZipCar to speak in favor of the CarSharing Zoning petition that is presently before the Planning Board and the Cambridge City Council. We are in strong support of the proposed Zoning change to incorporate provisions for carsharing in the City of Cambridge's Zoning Code. ZipCar was founded 15 years ago this past January, just down the

street at the Andover coffeehouse on Franklin. Our first car available for reservation a VW Beetle named Bill Doe was housed in Central Square. Since then ZipCar has grown to operating over 470 cities in seven countries, with over one million members. Our mission has always been to enable simple and responsible urban living. We provide wheels when you want them to our members, who after joining simply reserve a car by the hour or by the day, from a fleet of vehicles that are located right in their neighborhoods. They reserve the fleet of vehicles that they want through the computer, through a mobile app or by phone, and get a ZipCar. Gas, insurance, parking, and 180 miles are included.

ZipCar enables our members to live a car-free and a car-like lifestyle. Our

members drive less and they use active transportation more. Third party research has found that every ZipCar takes up to 15 personally owned vehicles off the road. This helps to reduce congestion, alleviate parking, and all of the challenges that are involved as well as supports environmental sustainability. Every ZipCar member reduces their personal carbon emission by 1600 pounds of CO2 per year. Over the past 15 years ZipCar's footprint in Cambridge has grown nearly 300 parking spaces in over 90 locations across the city. We base our many of our vehicles along transit lines at MBTA lots, at office buildings, and in private garages. We have partnerships with local universities; Harvard University was our first ZipCar university and with many of the top 25 employers listed on the city website.

We also work actively with Charles River Transportation Management Association.

In a recent survey, it's a car survey, of our Cambridge members over 70 percent of respondents indicated that they live a car-free household, and 47 percent, that's 47 percent, said that they gave up their cars after joining ZipCar. As drafted, the CarSharing ordinance ensures that Cambridge residents will continue to have access to Carsharing services near their homes while establishing a regulatory framework to which develop sites for carsharing. We appreciate the work that the Planning Board City Council, Community Development Department, and Traffic, Parking, and Transportation Department have put into drafting this ordinance and their continued work with and support of ZipCar.

Thank you.

CATHERINE PRESTON CONNOLLY: Thank you.

All right, next to speak will be Paula Lovejoy.

PAULA LOVEJOY: My name is Paula Lovejoy.

CATHERINE PRESTON CONNOLLY: You can adjust that.

PAULA LOVEJOY: Okay. I live at Nine Clinton Street in Cambridge. I've lived there for about 35 years almost. There were just a couple of things in here that bothered me that I thought I would share because, you know, I have ideas for them.

One is that generally speaking my personal feeling is that since ZipCars are already within five to ten minutes of, well, I think everyone in mid-Cambridge anyway, I'm

not sure why it's needed in privately owned places. But anyway....

If this Ordinance is going to pass, I was thinking of possibly a change to No. 64 -- 6245 where it says carsharing vehicles should not be permitted in the driveways of single-family residential homes.

I'm suggesting that this be expanded to at least dwellings of eight units or less just because, you know, if you have a 48-unit condo, for example, adding a couple of cars that have the public coming in and out aren't really going to make a big difference, but a lot of us live very close to each other. My next-door neighbor's driveway is -- literally touches the side of my house. So if they get ZipCar in there, it's definitely going to affect me. You know, the car goes, beep, beep, every time you open it, close it.

People coming and going 24 hours a day, every day of the year. So I'm very concerned about that kind of a disturbance.

People talking. Another concern that was raised -- Stephanie met with us on the Cambridge committee, the association.

Another big concern is that it would raise the price of renting space for your own car for residents who are, who have cars, who want -- wanted to rent a space. If it was taken up by a carsharing vehicle, because I'm sure that the ZipCar, I don't know how much ZipCar would charge the people that are renting to them, but it would probably be way more than what individual, you know, residents are charging to their neighbors. But the big -- my biggest problem is that the fact that abutters would not be notified of -- abutters would have no say at all.

Somebody like me, I would have no say at all about the fact that, you know, say if my next-door neighbor wanted to put in ZipCar, I would have no recourse whatsoever. And as we all know, it's a very, very densely populated neighborhood. We're all sort of smashing in together, and I don't know, I think that's an important thing. Also with other aspects of the zoning law, the abutters are always notified, to my knowledge, that a proposal is, yeah, and they have the chance to speak and okay it or not okay it. So that's all I have to say.

CATHERINE PRESTON CONNOLLY: Thank you.

All right. That's everyone who had signed up. Are there other people who wish to speak this evening?

UNIDENTIFIED AUDIENCE MEMBER: For

your information before you do that where does this stand now? What happens today and what happens in the future so we understand what leverage if any we have?

CATHERINE PRESTON CONNOLLY: Can you identify yourself for the stenographer, please?

FRANCIS DONOVAN: Sure, Francis Donovan.

CATHERINE PRESTON CONNOLLY: Sure.

And, Jeff, correct me if I'm wrong on this. This is a petition that has been filed with the City Council. The Planning Board tonight can choose to make a recommendation on the petition to the City Council, who will also either has had or is having an Ordinance hearing on it. Yes, Ordinance Committee hearing. And then the Council can vote to ordain it or not.

JEFF ROBERTS: I'll add to that that the City Council, the hearing that the Ordinance Committee of the City Council will have a public hearing just like this, will occur on June 17th, I believe, at 5:30 at City Hall.

CATHERINE PRESTON CONNOLLY: Thank you.

FRANCIS DONOVAN: And is that the final say? Will that be continued to the August meeting? Will you have a second meeting here?

JEFF ROBERTS: Both the Planning Board and the Ordinance Committee when they conclude their public hearings, will send reports back to the City Council and then it would be taken up by the City Council as a matter of the general council business, and they could choose at that point to take a

vote to adopt it into the Zoning Ordinance. And they have a certain time period in which to act.

HUGH RUSSELL: And they actually have to take two votes, right?

JEFF ROBERTS: Well, right, they have to --

HUGH RUSSELL: Move to a second reading.

JEFF ROBERTS: It's a two-step process. It has to be moved to a second reading, and then after being moved to a second reading, then the Council can take a vote for ordination.

FRANCIS DONOVAN: Is that one meeting, and that's it? Or do you have another hearing?

HUGH RUSSELL: We'll see.

FRANCIS DONOVAN: Okay.

HUGH RUSSELL: What happens is that if we have -- you know, we might have serious questions. We might ask the staff to develop, you know, responses. We don't know until we get there.

JOHN HAWKINSON: But you'll know by the end of tonight?

HUGH RUSSELL: Yes, we should know by the end of tonight.

CATHERINE PRESTON CONNOLLY: Yes.

UNIDENTIFIED AUDIENCE MEMBER: I have a question that goes back.

CATHERINE PRESTON CONNOLLY: Please rise, come to the podium, introduce yourself for the benefit of the stenographer even if it's just a question.

MARTHA BIRNBAUM: My name is Martha Birnbaum, B-i-r-n-b-a-u-m. Hancock Place.

CATHERINE PRESTON CONNOLLY: Thank

you.

MARTHA BIRNBAUM: There are already three car ride sharing companies doing business. Why now is there a need for a new ordinance and new rules? How will these companies been operating up until this point without that?

CATHERINE PRESTON CONNOLLY:

Stephanie, do you want to address that for us?

STEPHANIE GROLL: Do you want to talk about --

CATHERINE PRESTON CONNOLLY: Sorry. Jeff? Either?

JEFF ROBERTS: It is a little bit more -- well, just to try to give a brief overview because I'm -- I can't give all the details of the -- every step in the history of carsharing in Cambridge. It was started

in Cambridge in 2000 at least in this country, and it hasn't been part of the city zoning regulations. What tends to happen in those situations is that it's not always clear how it's -- it's not always consistent how it gets treated. So the understanding that I have is that there were not as many -- as it started to become available in Cambridge, it was not as strictly regulated just based on the interpretations of the City was using at the time or just simply not applying a -- let me try to back up and put it this way.

A company like ZipCar starting to do business, there's lots of parking spaces available in Cambridge for rent, people rent them for whatever use, residents rent spaces in adjacent parking lots for use of their car. This is a kind of a system that's been

going on, it's perpetuating around the city for a long time. As carsharing companies have been introduced in the city, they would rent a space just like any other person would rent a space. And it was really not until the issue came up as it became more prevalent, the issue came up more specifically in front of the city on or around 2009 that the city started to take the interpretation that this is the -- this should be regulated as an auto, auto sales or rental use and thereby restricted more strictly.

Spaces that are, that were made available for that point generally continued to be available. Spaces that are in commercial parking facilities, some of them are in city parking lots or off-street parking lots or parking garages. They

continue to be available. It's, it's always hard to say when there's an absence of regulation, it's hard to say well, how is that absence of regulation been applied? Because it's -- it's hard to answer that question.

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: I think the important thing behind this petition not trying to answer the question while editorializing too much, is there needs to be some more clarity as to how this is going to be regulated, and that's really the goal. And the proposal is meant to do that in a way that is consistent with the use of carsharing, the benefits of carsharing, the way that -- the way that it's been looked at and just a system that makes sense.

CATHERINE PRESTON CONNOLLY: If --

I'm going to just add to that based on having been around when carsharing was first introduced to the city. The city actually issued an RFP to make our city -- to make spaces available in the city lots when carsharing first came to Cambridge, and we as -- as soon as there was a carsharing service, Cambridge started requiring developers to include it in their parking supply both at the Planning Board and through the PTDM program. It's been a -- the program that the City has actively advocated for since its inception, because there was research going back for sometime, and there were a number of carsharing services that started throughout the U.S. about the same time. But there was lots of research that you're suggesting that it did have this effect of getting people to reduce their car

ownership and to reduce their overall vehicle transportation. And it, I would say this petition is consistent with our original understanding -- or certainly my original understanding of how we were implementing it in that -- to the extent that you were requiring someone to provide two or three ZipCar spaces, they were part of the accessory parking for that particular use, and their absence from that accessory parking was more than made up for by the effect that they had by reducing overall automobile ownership and traffic in the area. And that was the concept. Obviously as soon as I left the city, they started interpreting things totally differently. So, but, you know, I think, you know, as the spaces multiplied, there obviously have been -- there's been more interaction with neighbors, and I think

that's why we have this petition today is to clarify how that should be handled. When it was not very many spaces and it was all new development or large lots like a university might own, it was perhaps a little clearer. And as we reach into the less densely populated parts of Cambridge, the parts with less commercial areas where one could put a vehicle like this without being in a private driveway, but want to provide those services and there's clearly a demand based on the outreach the staff has done for those services in those areas, these kinds of regulations are going to help make that a positive interaction. So I think that's how we ended up here. That doesn't mean that there isn't some more tweaking that needs to be done, but that it hopefully helps to explain the question of how did we get to

here.

Any other comments? Yes, Ma'am.

MARGARET McMAHON: Margaret McMahon,
M-c-M-a-h-o-n. 14 Highland Avenue.

Carsharing is certainly a wonderful concept and I think has been successful and will be more successful and should be. But there are some basic problems. I think the main one is that I have with it exactly, is commercial activity and private residential areas.

That's what bothers me about this particular focus now.

I think it can be an adverse thing for the neighbors who are involved. If someone, your neighbor wants to have a carsharing space. There are two major problems: Security and serenity.

For instance, specifically my bedroom window is on a driveway, which leads to eight

parking spaces. A parking space lot. One of those or two could easily be into a sharing arrangement since the next-door neighbor is a rental house and, you know, doesn't always have people who want to rent a space. This would mean for me, beside my bedroom window, cars going up and down the driveway, you know, day and night. Now you say to me cars go up there all the time anyway. No, they don't all the time. We know the people, you know, they're friends, they're neighbors, they all live back there. They all have patterns. They aren't visitors here renting a car to go out at night. And the maintenance of the car may also be a problem. I understand in one of the readings, I may be wrong, the maintenance they, you know, come right there to the spot and take care of the car; wash it down, Simonize it -- that's an

old term. But anyway, that area that we're talking about borders five home entrances. So what about security? I really don't love the idea of strangers being back in that small area going by my house all the time. My door and my windows all the time. And I don't think anybody else would like it in his backyard either. So I just would like the car proposal that you have now to be rethought. I know it has to be done and it's a good idea, but I'd tweak it a little bit.

Thank you.

CATHERINE PRESTON CONNOLLY: Thank you very much.

Does anyone else wish to make a statement? Yes.

FRANCIS DONOVAN: Francis Donovan, 42 Irving Street. I think -- I haven't talked to a soul who is opposed to

carsharing. I think it's a genius idea. It's a highly successful commercial idea. ZipCars are not running in a pro bono mode and spreading across the world, they're making a lot of money. They're paying a lot of money. They're paying a lot of money for parking spaces and that's a source of problem when they've been outbidding people who have previously been able to park in a space and now all of a sudden there's a ZipCar there. I think it's a good idea, and like most good ideas, if it's managed properly, it will be a win/win all around. The encroachment in residential areas sort of violates a sacred principle of property law, which Zoning by its very nature restricts certain uses in certain places and encourages or allows those uses in places that have become known to be appropriate for that, for that purpose. I

think you're kind of working across purposes if you're trying to move the cars closer to people and reduce the amount of walking they do in order to popularize the idea. If they can't walk ten minutes to get to a car, they're probably not listening to their doctor. I commute on foot ten minutes to Harvard Square everyday and ten minutes back. I wouldn't think of driving if I didn't absolutely have to in a downpour or something. And even then I could not park closer than ten minutes to the office if I get to the other end of the square. I just think that the almost inviolate principle in property law is that abutters have a right to be heard on the issue of land use in great proximity to their property, and this is one of the reasons why -- well, I won't even say one of the reasons why commercial use is not

allowed in a residential zone. That's the essence of Zoning. There are certain zones that are appropriate for commercial use and there are certain zones that are not.

Residential areas are not. And ZipCars -- is ZipCar owned by Avis now? You have Hertz, you have Enterprise, and you will have other companies, too, as this money making idea that's a win/win all around pays off. So I think, I think there really is no need to extend the number of spaces into violating residential zoning traditions. If you can walk ten minutes to get to a car almost anywhere in Cambridge, certainly in mid-Cambridge. That chart if you look at it carefully, it shows that people have access to these things with very little effort. So I think if it must get into a residential area, which is I think a real sense violation

of tradition in Zoning, then at the very least abutters have to be given a say. And I'm stunned to see this, this legislation coming forward without recourse by abutters.

Thank you.

CATHERINE PRESTON CONNOLLY: Okay, thank you.

Are there other comments from the public?

Yes, Ma'am.

JULIE CORREA: My name is Julie Correa. And I live on Broadway.

I have a question as to why necessarily residential spots on residential property needs to be used if there are, if there is already residential parking in the area? I'm not too clear on that. I'm not sure if that would be answered now or if that's just if I would just put it out as a question, because

I'm just not too clear on that.

CATHERINE PRESTON CONNOLLY: Could you -- you mean on street residential parking?

JULIE CORREA: Right, right. I'm not clear as to why it has to move into, you know, onto properties.

CATHERINE PRESTON CONNOLLY: Off-street parking?

JULIE CORREA: Correct.

CATHERINE PRESTON CONNOLLY: Okay. We can take that up.

JULIE CORREA: And especially since we had the historical snowstorm, the amount of snow that we had last year, how that is going to come into play as far as the cars being taken care of or the snow removal, where it would be placed? Especially if you're talking about tight living areas, how

that's going to be dealt with.

I was also thinking regarding a couple of the comments in the same, in my type of situation where if something is going to be -- if a car's going to be parked very close to your home, then what -- could there be essentially maybe a set up on the ordinance where it would be within a certain amount of square feet or, I mean, feet -- a distance-wise that then if it's gonna be closer than this, then it absolutely would have to be brought up to the abutters. And I haven't really heard a distance being put in there.

And also I'm wondering, I guess, like a question or if it can be utilized is to work with the T to have these on-street spots be able to be closer and on line of bus stops like whether if there is an area where

there's less utilized parking spaces, metered parking spaces, let's say, then maybe that's where a ZipCar can be and they could actually set up a T stop at that location for maybe one or two cars.

So those are my comments. Thank you.

CATHERINE PRESTON CONNOLLY: Thank you.

Any other comments from the public?

(No Response.)

CATHERINE PRESTON CONNOLLY: Okay.

Jeff or Stephanie, do you want to address the question of why not just let the ZipCars park on street?

STEPHANIE GROLL: Sure.

So the question of whether to allow ZipCars on the street would be something that we would work together with the Traffic and Parking Department. They are responsible for

all on-street parking regulations. So that would not be a Zoning issue.

CATHERINE PRESTON CONNOLLY: Okay.

And I think the question goes more to the instead of allowing them to park off street, why are we -- as a policy matter, why is staff recommending that we allow them to park on -- in private properties rather than putting them on street?

STEPHANIE GROLL: I see.

You want to talk about that?

JOSEPH BARR: Yes. I knew I came for a reason. Joe Barr Director of Parking, Traffic, and Transportation. I guess two things, as Stephanie said, the question of allowing ZipCars to park or any carsharing to park, on-street parking is a separate question. So in that as a question that we may take up at some point, so I won't say

that it's not -- it's not a bad question, but it's not the question before you. But to just get into that briefly, I guess there's a lot of operational issues for us in terms of doing, so whether it's street cleaning, snow clearance, other things but, you know, how we operate the streets. And I think there's also just the policy question about -- which has somewhat been answered kind of, Catherine, like you referred to in the original discussion, about whether to do -- whether to provide parking within city lots, but there is kind of a public policy question about renting out the on-street spaces to a private business. Like I said, that has somewhat been answered to this point because we do do it in our private lots. But as you recall, there was a significant discussion about the validity of doing that. So I guess

I would say that there are a lot of questions about on-street spaces. Other places are doing it. I think we would certainly entertain that question, but what the answer is, I can't really say. But as Stephanie said, it's not a zoning question for you, it's more of an operational question for me.

CATHERINE PRESTON CONNOLLY: All right.

Okay. Who wants to kick this discussion off? Hugh.

HUGH RUSSELL: And I'm going to actually put another question on the table. So as I walk to my office occasionally from the resident parking sticker space it's ten minutes away from, it is as close as I can get. I sometimes have to drive from my office to Lowell or Weymouth or something, and so I walk passed two Harvard or maybe

it's three Harvard ZipCar spaces that are behind the Malcolm Athletic Building. And I'm wondering in looking at these regulations, are those commercial spaces? Are they accessory residential spaces? Or are they institutional spaces that are regulated under a different schema in the city? So then should there be another paragraph there? Because we certainly would want to encourage Harvard and MIT and Lesley and other such institutions to have the spaces. But then you -- then I think well, what happens if like, you know, a church in the middle of a residential neighborhood decides they want to do it? I think the market actually does -- well, what about the school next-door to me whose parking lot is under my bedroom window wants to do it? And the answer is school lots are so -- don't

have excess capacity. Maybe somewhere out in the western part of the city that might happen, but it certainly doesn't happen at the Longfellow School. And I think churches are in the same thing, that they have peak demands and they -- it would be nice to have a ZipCar, but they couldn't be there on Sunday morning and that's not the way a carsharing service could operate. So I'm curious about the residential.

Other thing I would comment on that Joe didn't mention, not everybody in the city follows the posted regulations, and I've been known to park in no parking zone just to run in to get something. So if there was an empty ZipCar space that was near where it may be I'd run in, then when somebody brought the car back, there would be a problem. I mean, it could happen on private property, but I

think it's less likely to happen and so that may be another consideration in the use. And I think street cleaning is a huge, huge issue.

CATHERINE PRESTON CONNOLLY: Huge.

HUGH RUSSELL: It's like another sign, street cleaning except here and then ZipCar has to vacuum the street or something. Well, I should -- one of my brilliant ideas this winter was don't tow cars for parking on the street cleaning. Just charge a \$50 fee for somebody to hand clean around the car. You know, so the street gets cleaned, somebody gets a job to do it, they get paid to do it, and you still have a big bite out of your pocket for requiring that to happen. But at least they don't take your car away. Sorry, I had to do that.

CATHERINE PRESTON CONNOLLY: Do you

have anything else, Hugh?

HUGH RUSSELL: No, I mean the other point is maybe you should put up the map of the underserved areas. I think that's the answer to some of the questions that we've heard. There are parts of the city that don't have a lot of commercial uses and those are some that are also not well served. But some of those areas like Alewife quadrangle which has got -- it doesn't have the residential use now. Some day, you know, there's plenty of opportunity there. You could cut through from Strawberry Hill to get two spaces if they were there. I'm not so worried about the space between Brattle and Mount Auburn Street, but the people there have great conscience and they might well want to have a ZipCar. It might be a Mercedes or BMW or something. And so, I

think you have to look at the map.

TOM SIENIEWICZ: Tesla.

HUGH RUSSELL: There certainly are part of the residential regulation is a response to try to provide service in areas where there isn't, there isn't service. And maybe, maybe a way to look at that is to say look at those grey areas and say well, of those grey areas are there places that ZipCars could go if there was a market? And the answer may be that you can, you can locate enough places that you don't have to do the residential. Or you can make the residential more restrictive as being suggested.

CATHERINE PRESTON CONNOLLY: Yes, Tom.

TOM SIENIEWICZ: Thank you. I just have a couple of quick comments.

I grew up in a place where books were not taxed and clothing were not taxed and shoes were not taxed and food was not taxed because, yes, these were commercial activities, people were making a profit from it, but at the same time there was an understanding that these were goods and service that were vital of the health of any growing community. And yes, Avis may own ZipCar, but I'm impressed by the statistics that Stephanie and Jeff and others put together explaining the ways in which this has an incredibly popular impact on the environment and our city which goes right to the heart of the preamble in Article 6 about what the parking ordinance is all about, to relieve congestion and to encourage alternate modes of transportation to affect the population positively. Although Mr. Donovan

made an eloquent argument here, I think that ZipCar and, yes, commercial activity has an asterisk associated with it. That notwithstanding, I'm also although broadly in favor of the movement, concerned with the questions that were raised tonight by a number of people in the room around the impact of the comings and goings that a ZipCar space might mean underneath their bedroom or in a parking lot in close proximity. In the Zoning Ordinance parking is not allowed in the setbacks. However, there are a number of parking lots that are grandfathered or through time have come to exist within those setbacks, and I think if there's an asterisks that we might want to add to the Zoning language, it would be that, if there's a non-conforming space, that it would not be considered for a ZipCar or a

ride share space.

So, I think that that offers some protection, but then I was wondering in my mind, and I know some reflection of my fellow board members what we might consider as thresholds for a requirement of a Special Permit of these spaces, and that's a way to have a check and balance over some of the concerns about noise and activity, what those thresholds might be and maybe it's within certain districts, Residence A comes to mind, which is predominantly single-family.

Whether we might add some language here that suggests that within certain zones, a Special Permit might be required for the application in these spaces.

One last comment to the very early and good question that Steven brought up was right at the heart of what I was interested

in, do these spaces count for fulfilling the parking requirements? I'm delighted to hear that they do. I do think that we are changing, it does show that we are in a changing mode here relative to cars in our city. Really good news here. I would also say relative to the heart of your question, Steven, that parking requirements are seen at least by this board member as a minimum -- as a maximum. So you were propagating a hypothesis that something I think built more spaces than was required. Certainly if they're before this Board, that's something that would get my attention. I see the Ordinance as being a governor on that and not choke this community with parking spaces.

So those are my comments at this point, Catherine, thank you.

CATHERINE PRESTON CONNOLLY: Steve.

STEVEN COHEN: First of all, thanks, Tom. Just to clarify my concern wasn't that somebody would build more spaces, it's just that in a building that requires ten spaces and where ten spaces are in fact filled, in many buildings there's demand for more than required spaces that are provided, if ZipCar does in fact outbid -- or for whatever reason you have an owner of the building who is into sustainability and as a matter of, you know, moral or political commitment, you know, chooses to commit 30 percent of those spaces to a shared parking arrangement, then I'm concerned that in fact we might be causing exactly the opposite of what we're seeking to achieve and that is to cause people to park on the street. Whereas, previously they could have parked in the parking lot.

I mean, I don't know how exactly that

would play out. I mean, I totally support the concept of the shared parking and certainly we would do so for non-required parking spaces to the extent it exists. I just don't want us to shoot ourselves in the foot and have unintended consequences as you know frequently happens and stuff.

Now, you know I guess we can hope to rely on, you know, the good faith and the efficiency of the market that an owner of a building or a condo board or what have you won't devote parking spaces to a shared parking arrangement if they know there to be demand within their building for the residents of that building. And, you know, it's always a good thing to rely on good faith of people, but it isn't always, it doesn't always turn out the way you would like and hope. So that's simply a concern.

Just one other concern, the sort of issues raised by Francis and others about the impact on neighbors, and to some extent you alluded to this, Tom, and maybe that is -- well, I guess as Councillor Cheung has presented it, where no more than 30 percent of the parking spaces. That in essence means that you have to have four or more parking spaces before you can even have one shared parking space. So right away that eliminates one family, two families, lot and actually in West Cambridge there aren't going to be a lot of homes in West Cambridge that provide four parking spaces or more. So it's going to be difficult to put it in there. So it may be that the thing to do to address the concern -- first of all, maybe it should only be permitted as of right and even larger parking spaces permitted as of right only

where there's eight or ten parking spaces, you know, but then you have a relief valve that if you want to put a shared parking space in a smaller parking lot, then that would probably be a parking lot that creates more of the neighbor sort of issues that Francis was concerned about. I mean, maybe you can only do that by Special Permit by the ZBA or some such thing. I think it would be difficult to actually define very specific criteria that, you know, you can put the shared parking space in here but not if it's close to a window or this and that. But if you had a some sort of a Special Permit mechanism, you could perhaps just list some considerations and then leave it to the discretion of the ZBA as to whether this is an appropriate location or circumstance.

So I mean I think there are mechanisms

to address those neighbor issues. I'm still, you know, just a little uncomfortable with the notion of giving up the required parking, but, you know, I guess in the spirit of, you know, trying things out and seeing if they work and so long as there's a mechanism to sort of then evaluate it afterwards and see if there are some of those unintended consequences, and then if there's a willingness on our part to revisit these things and evaluate how it actually played out and a willingness to undo what we've done or revise it, you know, if there are those unintended consequences, you know, with all of those caveats, I guess I could support it. But I am concerned that we may be shooting ourselves in the foot in some instances.

CATHERINE PRESTON CONNOLLY: Lou.

LOUIS J. BACCI, JR.: I guess I also

have a concern with the carsharing spaces displacing the required parking. I don't know if that's a double edge sword here. I don't know. I don't know where we go with it. I also agree with the residential nature of the North and West Cambridge, it doesn't really make it easy to stick these spots anywhere. I don't know where you go with that, the access is hard.

CATHERINE PRESTON CONNOLLY: Okay.

Thacher?

THACHER TIFFANY: Sure. It's a little disheartening that since 2009 they've had to work on this so thanks for bringing it. It seems like you've chosen an approach that's very straightforward and logical and I think that it's something that we can actually kind of get a handle on and think about where we might tweak it. I am

concerned by some of the issues raised, not all of the issues. I think -- I'm not concerned about displacement because I think the numbers are showing us that this is actually working in the other direction aggregate. And while you might think in one situation someone was displaced and aggregate, you're really providing more access to transportation for the city. And I think that that has to be our goal as a public body. But I could see, I could see some measure and I don't -- I'm not sure we today can decide what that measure is for putting a little bit of a restriction on this so it doesn't end up under someone's bedroom window. So it's, you know, not in a parking lot that has a driveway that goes passed someone's kitchen or, you know, I don't know, I don't know what it is, whether it's a

Resident A or, you know, you really need a parking lot with eight spaces, because I don't want to -- I don't want to kill it either. So this might be one of these situations where we might need to know more, which I hate to do. But I don't know if staff has any comments on or has thought about reasonable ways to put -- tweak.

CATHERINE PRESTON CONNOLLY: So, I think one of the things that I'm taking away from both your comments and Steve's and many of the public's is that the staff recommendation for registration of these parking spaces would be an essential component. And working with Traffic and Parking to evaluate the appropriateness, the distance, the -- any screening, any standards for parking is a really important part of making this work. And that the Traffic and

Parking Department could in fact -- and this gets to the question of revisiting it, issue regulations that could govern it which would be more easily changed than a Zoning Ordinance. That would be one way of addressing it.

The other thing I would really like to see the Zoning address is the existing spaces, because some of these spaces are currently in the -- exactly these kinds of residential situations. And we should have some mechanism of grandfathering them while ensuring that they do still meet the lighting and safety standards that we think are appropriate for all of these phases. I would hate to see the spaces in Cambridgeport and mid-Cambridge and stuff suddenly go away just because we've now defined this in a way that means that they're not compliant. I think

that, you know, there's got to be some mechanism for registering already existing spaces.

The other thing I think we need to think about, and this is a harder one to get to, it is really the competition question -- I'm not worried, I guess about ZipCar driving up the price of off-street parking in Cambridge. I think that is something that the market knows no bounds on, frankly. And while there are certainly informal parking arrangements all over the city, there's a certain amount of black market commercial parking that goes on that is allowed to persist, and that frankly carsharing helps reduce and make options available for people so that they don't have to use the second car that needs the off-street space as well.

I'm going to stop there.

Jeff, did you have things that you wanted to address?

JEFF ROBERTS: Sure. I'll just try to address some of the points that came up in discussion.

As to the standards and -- so I mentioned that the Zoning and, Tom, you commented on the fact that Zoning does already have these regulations and protections in place for the purpose of safety, setbacks.

CATHERINE PRESTON CONNOLLY: Right.

JEFF ROBERTS: And there's also the issue of the required number of spaces. The -- one of the issues is that there are so many conditions on lots in Cambridge that are so distant from what the Zoning requirements say they should be, you know, because they predate the Zoning or they predate the

particular regulations that if we, if we started to be, you know, some lots have way more parking than they need. Some have way less parking than they need. But they are conditions that have, that exist the way they are and there's really, you know, once you start down that road of saying well, then you have to then modify to make everything conform very easily to kill any opportunities. So there's, there's a deliberate reason why we sort of took the approach of trying to create a regulation that made sense for new facilities which the Planning Board's been looking at and dealing with and Zoning looks at and deals with in a very clear way, but also looking at opportunities that may exist in existing areas, existing parking facilities which can -- which could work.

So my thought would be that if there are additional protections that the Board was interested in looking at that, for instance, the issue of not wanting to have a carsharing too close to abutting residential homes, then it could be a very simple requirement that says they have to be a certain number of feet from a residential home on an abutting lot and not really have to dive into well, is it conforming, not conforming.

So, and I think -- and you're right, too, that looking -- talking more with Traffic and Parking because they're the department that often is looking the most closely at the design of parking facilities and access and egress and making sure that everything is provided safely. So we can certainly consult with that.

We could come up with some ideas if the

Board wanted to throw out any suggestions what distance seems appropriate, then it would be more helpful as almost a starting point.

The question about required parking spaces, I think a lot of -- and whether they are -- it's appropriate to accommodate the required parking spaces, I think it's an appropriate discussion. A lot of good points have been made. I did something that I don't often do, which is make sort of a personal comment, which is I don't own a car and I've lived in the city for a long time not owning a car. And one of the things I've noticed is it is difficult to live in the city without a car. And partly it's because the system is kind of set up against you. We have regulations that require that parking spaces be -- you know, that land and property be put

aside for the benefit of people who own cars, to have a place to put them. In the city we have -- there's public -- you know, acres and acres of public space that's dedicated to on-street parking that benefits people who own cars and need a place to park them. And I don't get a lot of those same benefits. A lot of people, the 30 percent or some odd Cambridge residents that don't own an automobile don't get that same level of benefit. So in some small way carsharing provides opportunities that are, that are really meant to provide some equity in mobility options for those people who don't own a car, who are able to drive a car, but want to live in a different way. So that's just sort of a maybe more of an opinion. But we can certainly look at any -- if there's an opportunity to say well, we think that in

certain parking facilities, just for whatever purpose, we think -- we want to make sure that the facility is of a certain size. We can say it only starts -- I think in the previous discussion we had said well maybe it starts at five spaces in a facility. And then if you're -- if you have just -- if it's just a driveway or a facility that's smaller than that, then it's just -- it's not appropriate because it's not just because of impacts, but because it's not really as useful to the people that are going to be, you know, using it. So we can start -- and if the Board wanted to suggest a place to start on that, we could also try to pinpoint what we think is the minimum facility size where we start to think that this is appropriate and useful.

CATHERINE PRESTON CONNOLLY: Okay.

Hugh.

HUGH RUSSELL: So, I guess I'm not clear if these rules were adopted and let's say my -- somebody wants to execute a deal with ZipCar, do they have to get a permit from the City of Cambridge? And if so, who grants it?

CATHERINE PRESTON CONNOLLY: So, I believe if that those rules are adopted as currently written, there is not a registration requirement. So it would be an as-of-right use and there would not be a permit granted.

HUGH RUSSELL: So they could just make a deal with ZipCar?

CATHERINE PRESTON CONNOLLY:
Correct. Just as it has been, right.

HUGH RUSSELL: Right.

CATHERINE PRESTON CONNOLLY: So, if

we adopted a requirement to register those spaces, which is typically required of the creation of new parking spaces regardless, then they would have to go through the registration process with Traffic and Parking. They would not need a permit from a public body, but they would have to -- there would be a level of review and a determination if the location, you know, met the standards X, whatever those standards were.

HUGH RUSSELL: If that were the way it was working, could those regulations that are set up require a public meeting in certain circumstances to inform the people that are granting the permit?

CATHERINE PRESTON CONNOLLY: Well, I think there's a difference between granting a permit and registering, which is, would be

the essential difference in why you wouldn't necessarily have a public hearing. The idea of registering would be informing the city that you are doing it and having the city confirm that you are doing it in -- just as with as in accordance with the standards. It doesn't -- there's no discretion if you're doing it within the standards. The City has to issue it, it has to register you and you can go back to business. The standards --

HUGH RUSSELL: The standards proposed are the two paragraphs on the last page?

CATHERINE PRESTON CONNOLLY: Correct at this point, yeah.

TOM SIENIEWICZ: Well, the regulations could require notice, right? We could do that. I mean, or whoever drafts regulations could do that. To answer Jeff's

questions about suggestions, how about ten feet minimum from an adjacent residential building or the required setback because there's no parking required in the setback, whichever is -- well, it either has to conform to the setback by the Ordinance or a ten feet minimum.

Just as a suggestion.

And the issue of safe drivers, actually, which I initially thought of as funny, but it's actually serious and so the Ordinance requires a certain size of space, right? A compact space, if I recall correctly, is seven a half feet by sixteen. Could we not say that the spaces have to be bigger? People who are inexperienced in parking cars may need a larger target to work through. And so maybe ZipCar spaces take up a little bit more room, and generally the

cars are small, but let's demand that they be full-size spaces.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: Following on that, if you didn't have your own parking and had to park on the street, you could actually -- you're a better driver, I could get into a space that's about eight inches longer than my car which is I think about 14 feet long, so I could get into a 15-foot space and particularly on a street cleaning nights I feel very grateful for that.

CATHERINE PRESTON CONNOLLY: Lou.

LOUIS J. BACCI, JR.: I guess I have one question. Does anyone see this carsharing operation ever becoming like stand-alone operation in the city? Sort of like Hubway? You know, if they had had some -- I'm just concerned that -- I don't

know if the economics are there, a small lot say in West Cambridge decides to be an exclusive ZipCar lot, how do we handle that? Because there's no --

CATHERINE PRESTON CONNOLLY: So, based on my experience as a car user when I did own a car, this would be quite a few years ago, there are a couple of things that are worth noting both about their business model and the preferences of users. It is far more valuable to users to having lots of cars in lots of places than to have them concentrated in one, because you're not looking to drive to that carshare space --

LOUIS J. BACCI, JR.: Spot. No, I understand.

CATHERINE PRESTON CONNOLLY: It's likely, for instance, in West Cambridge that there would be density of users that could

support a whole lot full of car -- but, you know, if there was --

LOUIS J. BACCI, JR.: Five, seven, ten. It's not a big --

CATHERINE PRESTON CONNOLLY: That's a big number for a carshare. And maybe Mr. Neilson could -- would have better numbers than I would --

LOUIS J. BACCI, JR.: Yeah, yeah.

CATHERINE PRESTON CONNOLLY: But I think that most of the ZipCar lots around Cambridge are less than five cars in one space?

FORREST NEILSON: They range.

CATHERINE PRESTON CONNOLLY: Right.

FORREST NEILSON: Probably max would be 12 at Cambridgeside.

CATHERINE PRESTON CONNOLLY: You could see it. Oh, yeah, well, I can't read

those numbers. Sorry.

FORREST NEILSON: The average would probably four and six.

CATHERINE PRESTON CONNOLLY: Okay.

So you get some concentration, but not huge numbers. From a user's point of view, when I was using them routinely, and my husband and I are both members now, so that we can be a one car household, but when I was using them routinely as a no car household, I personally preferred them to be in --

LOUIS J. BACCI, JR.: Spread out.

CATHERINE PRESTON CONNOLLY: Well, spread out. And in larger commercial or other lots because frankly they're better lit.

LOUIS J. BACCI, JR.: Sure.

CATHERINE PRESTON CONNOLLY: It feels weird to go into somebody's personal

driveway to get a car. That's not to say I never did, because there were certainly sometimes that was the car available. But if I had my choice, I'm going into a parking facility, not into somebody's driveway. And I think that's probably, again, people would rather it be closer, first choice, as close as possible, but, you know, if -- if all things else being equal, I think, you know, well lit in a place people are expecting others to walk into is a preferred thing. But from a business model, could you end up with a lot that's just ZipCars? Probably.

LOUIS J. BACCI, JR.: Well, that's what I'm wondering, someone's in a small lot that doesn't make it as a house lot, so forth, so on, and decides to convert this into a standalone ZipCar lot. I don't know --

CATHERINE PRESTON CONNOLLY: Then it becomes a principal use parking. Is that right, Jeff?

LOUIS J. BACCI, JR.: Well, it -- that excludes, right?

JEFF ROBERTS: So if you were to, you know, tear down your house for a parking lot whether it's ZipCar or not --

LOUIS J. BACCI, JR.: It's a small lot.

JEFF ROBERTS: -- it wouldn't be an allowed use in the district. It would become as Catherine said, principal use parking which is restricted --

LOUIS J. BACCI, JR.: That's what I wanted to --

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: -- from residential --

LOUIS J. BACCI, JR.: I was curious about that because we had no limitations on some of this.

CATHERINE PRESTON CONNOLLY: There are lots of limitations on principal use.

LOUIS J. BACCI, JR.: On parking. On principal parking, right.

CATHERINE PRESTON CONNOLLY: Correct. If you become a standalone --

LOUIS J. BACCI, JR.: This falls under that?

CATHERINE PRESTON CONNOLLY: Well, though, if it is not part of a lot that is accessory to something else --

LOUIS J. BACCI, JR.: Okay.

CATHERINE PRESTON CONNOLLY: -- it is a principal use parking lot, and there are lots of restrictions both under zoning --

LOUIS J. BACCI, JR.: I just wanted

to make sure.

CATHERINE PRESTON CONNOLLY: -- and other regulations within the city as to principal use parking.

LOUIS J. BACCI, JR.: Okay.

STEVEN COHEN: Just a quick technical question. Are we suggesting that all of the existing facilities as shown on the map, they are grandfathered in or are we saying that they would have to comply with whatever it is that may be passed here?

CATHERINE PRESTON CONNOLLY: So I was suggesting, and I don't -- the current text doesn't, to my knowledge, speak to this. Jeff, correct me if I'm wrong. But I was suggesting that the current locations be given a window to register at which those locations would be grandfathered in provided they met certain dimensional or design

standards.

STEVEN COHEN: I mean, okay, the only real substantive restriction in the Zoning text is the 30 percent limitation in residential.

CATHERINE PRESTON CONNOLLY:

Correct.

STEVEN COHEN: And, you know, I wonder, you know, to what extent the existing facilities complied with that or not. And it's interesting to the extent that the city is considering this sort of parking to be a primary use, much of those are non-conforming and so they wouldn't automatically get the benefit of grandfathering because they're not legal non-conforming, they're illegal non-conforming, so and --

CATHERINE PRESTON CONNOLLY:

Correct. That's why I'm saying it needs to

specifically say --

STEVEN COHEN: Exactly. Unless there's a -- in the absence of a specific grandfathering provision, it would not be grandfathered?

CATHERINE PRESTON CONNOLLY:

Correct. We have to specifically say it is our intention to, you know --

STEVEN COHEN: Right.

CATHERINE PRESTON CONNOLLY: -- give a window of opportunity, whatever it is, three months from ordination for spaces to be registered in order to be grandfathered?

STEVEN COHEN: I guess one way or the other, whichever way we decide and City Council decides, I think we're clear that the issue of grandfathering should be explicitly addressed and defined.

CATHERINE PRESTON CONNOLLY: Right,

yes.

STEVEN COHEN: And whatever the final text might be.

CATHERINE PRESTON CONNOLLY: Do other Board Members have an opinion on whether or not existing spaces should be grandfathered?

HUGH RUSSELL: The good ones should and the bad ones shouldn't.

LOUIS J. BACCI, JR.: Right.

STEVEN COHEN: Just write that, exactly those words.

CATHERINE PRESTON CONNOLLY: Got that, Jeff?

JEFF ROBERTS: Well, actually it's a very succinct way of saying what I was going to say. You know, the approach taken here is that it's just parking and the cars, you know, the carsharing is an acceptable use of

the parking spaces. So if we think it's acceptable for carsharing to be used in certain areas but not in others, we can just say that. And one of the reasons for this approach is that carsharing is fairly fluid. You might have a -- you know, you might have a ZipCar someplace one day but then, you know, a better, more convenient spot might open up next-door and they might want to move it. And we want to, we want to provide regulations to guide how that works but we, but we also want to acknowledge that it can shift over time. So if we put regulations in place and say that there's a certain window of time, it may -- and we can look at this, it may require that some of those spaces identified on the map might need to move a little bit, they might need to go somewhere else. But because we're, because we're

putting some standards in place, that we think are appropriate, whether, whether they're existing -- if we think they're appropriate in new situations, and presumably we think they're appropriate in existing situations, too.

STEVEN COHEN: Well, Jeff, do you have any sense of whether any or some portion of the existing facilities exceed the 30 percent restriction?

STEPHANIE GROLL: So these numbers were from the fall. And so apparently you have more spaces than I thought you had since the last time we talked.

FORREST NEILSON: That's correct.

STEPHANIE GROLL: So maybe you can talk about exactly how many. At the time that I looked at these numbers, there were only maybe one or two facilities that had

exceeded that number.

FORREST NEILSON: I don't have that data with me, but I believe that that is the case. I can -- I can follow up afterwards. I don't have that information.

STEPHANIE GROLL: I would say that the -- we should look carefully at what those facilities are because they are most likely -- if there are a lot of cars in those locations, they're most likely very well utilized and people currently depend on having those there. So any grandfathering provision might weigh that in deciding whether or not it's not worth keeping them.

HUGH RUSSELL: If we don't address grandfathering than anyone who has a complaint will go to the Building Department and say that's not there and then it will kick it to the Zoning Board presumably and it

creates a mess --

CATHERINE PRESTON CONNOLLY: Right.

HUGH RUSSELL: -- that doesn't serve the public in getting the transportation.

STEVEN COHEN: Whatever we do we should be clear.

CATHERINE PRESTON CONNOLLY: Right. So, again, how do people want to address grandfathering? I mean, I appreciate Hugh's comment that, you know, keep the good ones and get rid of the bad ones, and as easy as that sentence is to write down, I think it would probably be more helpful to Jeff and to City Council if we could give some more direction than that in terms of how we're going to achieve that goal.

HUGH RUSSELL: I guess the question in my mind the way to answer that is how many bad ones are there?

TOM SIENIEWICZ: Yes.

LOUIS J. BACCI, JR.: Right.

HUGH RUSSELL: I mean, if there are a couple that have the technical violation of the 30 percent rule that, you know, if a person goes and looks at and goes this is okay, if it's like two-thirds of them or half of them are causing problems, and I don't know how you know if they were causing problems today, but....

CATHERINE PRESTON CONNOLLY: Well, and I guess does the fact that they exceed 30 percent automatically mean that they're causing problems?

HUGH RUSSELL: Exactly. It seems to me it might depend on a lot of factors. Maybe somebody in that general vicinity of the room needs to go to look at all, you know, all the locations that they're aware

of, and so that when this comes up in the Council, they can say, well, we looked at them and, you know, we don't see a big problem in grandfathering them based on our observations.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: Or not.

STEVEN COHEN: Also, you know, you asked the question is it a big problem if it exceeds 30 percent? And it gets back to my original concern, well, if it's 50 percent of the required parking, you know, that would be a concern. But if it's 30 percent of a parking lot but the parking lot has much more than what is required for a particular building, that would be less of a concern. So I think it's difficult to create a rule here that's going to fit all in the grandfathering. I think the sort of -- the

initial presumption in my mind would be that it's not grandfathered as to the 30 percent unless somebody makes the case either to us or to some permitting facility in the future otherwise.

CATHERINE PRESTON CONNOLLY: Oh, and I would very strongly have the opposite presumption.

STEVEN COHEN: I figured you would.

CATHERINE PRESTON CONNOLLY: Well, I mean these are, you know, they're there for a reason. They're serving people. And I would presume, frankly, Inspectional Services would have heard if there was a problem and that they would be -- given the interpretation that we've been told the City has been implementing, if there had been a problem and you were -- and you use that name, Inspectional Services no longer considers it

accessory use and that's why we're changing things, then if there was a problem, it would have been raised. And so I think the presumption should be that you are grandfathered in unless there's a reason not to.

Lou.

LOUIS J. BACCI, JR.: How do we find out if there's a reason not to?

CATHERINE PRESTON CONNOLLY: Well, it --

LOUIS J. BACCI, JR.: Is this going --

CATHERINE PRESTON CONNOLLY: Go ahead.

LOUIS J. BACCI, JR.: Now all of these spots going to be permitted?

CATHERINE PRESTON CONNOLLY: Again, I think we're --

LOUIS J. BACCI, JR.: So no?

CATHERINE PRESTON CONNOLLY:

Registered.

LOUIS J. BACCI, JR.: Registered.

And any review before registration?

CATHERINE PRESTON CONNOLLY: Yes, by the Traffic Department.

LOUIS J. BACCI, JR.: Okay, so there will be some review over --

CATHERINE PRESTON CONNOLLY: Yes.

LOUIS J. BACCI, JR.: I guess --

HUGH RUSSELL: But only for -- only for the formula?

LOUIS J. BACCI, JR.: Right.

CATHERINE PRESTON CONNOLLY: Well, I think we're -- what I -- yeah, I think we have been talking about, at least Tom and I have been talking about, is a review that would entail some regulations that would be

promulgated by the Traffic Department for what a compliant parking space would look like.

STEVEN COHEN: You're suggesting regulations that would be applicable to shared parking spaces as distinguished?

CATHERINE PRESTON CONNOLLY: To carsharing.

STEVEN COHEN: To carsharing I mean. As distinguished from parking spaces generally?

CATHERINE PRESTON CONNOLLY: Right, yes.

So in our recommendation -- what I am suggesting is that in our recommendation to the Council tonight that while we are adopting this Zoning, that we recommend that they include a provision that requires the registration of the spaces with the Traffic

Department and direct the Traffic Department to promulgate a regulation regarding the standards by which a parking space can be registered, which may include dimensions and lighting.

TOM SIENIEWICZ: And proximity.

CATHERINE PRESTON CONNOLLY: And proximity or -- and such. And, again, traffic, you know, probably unbeknownst to most of Cambridge promulgates regulations with some regularity. Every time they change a street sign, they have to promulgate -- I'm not kidding. And so they are, in some respects, much better equipped to handle those kinds of changes than is the City Council.

THACHER TIFFANY: I completely agree with what you just said. That makes a lot of sense. That should be a recommendation.

TOM SIENIEWICZ: And I agree with Hugh's wise, once again, you know, let's look at all the spaces and give them a good housekeeping seal of approval. I think that's a thing of Hippocrates of good planning, do no harm. So it's one more thing to ask the Traffic and Parking Department to do, run around and look at 280 spaces and make a judgement.

CATHERINE PRESTON CONNOLLY: You have lots of time to do it, right? Yes.

TOM SIENIEWICZ: You can get a ZipCar and do it.

JOSEPH BARR: I guess what I would say just to that point is that although obviously this would be an additional responsibility for my department, that the importance of this service as both meeting the City's transportation goals but also

honestly just as a customer quote/unquote amenity that people have gotten used to, you know, we'd need to figure out a way to make this work because it's not just something that we can just stick our head in the sand on.

TOM SIENIEWICZ: The registration is vital, I mean because of the dynamic of this. And among the statistics that are, you know, okay, they're not that old because it's a new industry because they're indicating some remarkable changes in the way people are moving about the city. A lot of them, to my eye, are positive. And so the registration is to simply assist in that analysis of, you know, what's happening in the trends of cars in our city. So the regulation isn't, you know, worried about a governor that's trying to eliminate all the regulations. There's a

good reason why we would ask for registration of these spaces. We can learn a whole lot about what's happening here in this the city and maybe dissuade some of our good fellow Board Members concerns.

STEVEN COHEN: Madam Chair, just one thing. Everybody is talking about how we value carsharing, right? I value it, too. But, you know, even though the fact we think carsharing is a good thing, in my mind doesn't trump all other considerations which is kind of the way we're talking about it. I know at least one thing, just again for the sake of clarity, so what has been presented to us with the 30 percent limitation is that -- and for residential parking needs to be a minimum of four parking spaces. And I think if we're going to pass this on to the City Council, we should either endorse that

equation or suggest another.

CATHERINE PRESTON CONNOLLY: Agree.

STEVEN COHEN: You know, whether it be six cars or eight cars, or you know, what have you. And whether that 30 percent are right. And whether in the equation there should be any distinction, again, between required and non-required. For instance, you know, if you have a parking lot which has twice the required parking spaces, could all of the non-required parking spaces be devoted to a ZipCar? Why not?

CATHERINE PRESTON CONNOLLY: Uh-huh.

STEVEN COHEN: So I think where we come out on it, I mean we should make recommendations on those two things. What's the right percentage? Is there a minimum number?

And I guess the third one is does that

or is the flexibility in that percentage to the extent that there are non-required parking spaces?

CATHERINE PRESTON CONNOLLY: I agree that that should be part of our recommendations. So do you have a preferred level at this point that you're -- you want to put forth?

STEVEN COHEN: Well, maybe -- I'm not sure what the preferred level is, but maybe what we could say is -- remember there's no limitation at all for non-residential. But maybe for residential the limitation is, you know, all non-required spaces could be devoted to ZipCar, plus a percentage of the required spaces.

CATHERINE PRESTON CONNOLLY: Okay.
Let's pause there.

Is everyone on the Board generally okay

with that concept?

(All Members Nodding in Agreement).

CATHERINE PRESTON CONNOLLY: We're talking about how big is the facility be and what is the percentage if you are at the required number?

Okay.

HUGH RUSSELL: So I'm -- to me it's not so much the size of the facility because in very un-dense neighborhoods if you're going to provide service, you may just want to have one or two cars there.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: But I'm worried about a little six-car parking lot that's in the middle of a block that's in mid-Cambridge or, you know, Cambridgeport or anywhere in a residential area that is overlooked by maybe 15 or 20 bedrooms and overheard by 15 or 20

bedrooms. Somebody says well, okay, I want to do this, now it's got to be on the list. We don't have the benefit of the Teague Ordinance so that the lights start spilling out in everybody's thing to make it safe. It has to be unfriendly to the abutters.

LOUIS J. BACCI, JR.: Right.

HUGH RUSSELL: And, yes, it's possible to, you know, follow the Teague Ordinance standards, but very, very little lighting in the city does.

I'm thinking the house that is next to mine and actually are vivid -- the house next to mine when I bought my house 40 years ago, had an eight-car parking lot in the back and the owner of the house granted to his neighbors, because there weren't a lot of off-street parking spaces in my part of Cambridge, and there were a bunch of three

deckers down at the end of the street. And, yeah, he made some money from doing that, but I think it was a transportation service he was providing. You know, his son decided he didn't want to be -- didn't want to -- it was just too much trouble. He had to take care of -- he was a facilities manager for an institution. He didn't want to do it when he got home I think was basically it. And so it's now all grass. But the spotlights that illuminated that parking lot are still there shining into my bedroom window. So I'm sort of, you know -- was it a little different when people were driving in on the gravel? And, yeah, it was a little different. You know, could you put a regulation that said in -- if you're doing this in a residential district, a sign gets posted on the property? I mean one thing TP is very good at is

posting signs about events and people learn to pay very close attention to those signs. And say, you know, that on such and such a date there's going to be a meeting to consider this request. And if they hear facts from abutters about serious issues, they ought to have the ability to say this isn't the right thing to do.

I think it's more like the size is sort of irrelevant in some sense. These are --

CATHERINE PRESTON CONNOLLY: So, so putting my lawyer hat on and going back to law school, administrative law days, I am very sensitive to giving staff discretionary authority. And in general it's certainly something that -- we have very capable and judicious staff, and certainly when I was PTDM officer, and there was pretty wide range of discretion that was given there as well.

But at the same time, I think you put the staff in a very awkward position when you have a public hearing and have them alone have to make a decision if someone has complied with the standards but the neighbors don't like it, to say okay, now we're not going to register your space. I think if that's what you're saying, that should be the responsibility of this Board, that it's not okay to ask staff to do.

STEVEN COHEN: ZBA.

HUGH RUSSELL: So, but at the same time if you -- ZBA of course. But having traipsed up to the ZBA, that takes five months to get through that process.

TOM SIENIEWICZ: It does.

CATHERINE PRESTON CONNOLLY: Yes.

HUGH RUSSELL: And while I was Chairman of the ZBA, it didn't take that

long. But it was partially because the secretary could take down decisions that were dictated to her at a hearing and turn out a decision within three days, but I think the days of those kinds of civil servants are behind us.

So, if it's okay, you just sort of don't want to have somebody to take five months because it's just going to make the process not work. But if there are questions, then I agree with you, it ought to go. Now can you within the framework of the law do that? I doubt it. I'm not a lawyer.

CATHERINE PRESTON CONNOLLY: Joe, do you want to weigh in on what you think the regulatory scheme for registering a space should look like?

JOSEPH BARR: Well, do I want to? I guess what I would say, and I'll just say

upfront that this is not a necessarily well thought out opinion because I only just started to think about this question. I agree with -- not being a lawyer, but I agree with Catherine that, you know, providing us with too much discretionary power in this case could be problematic both from a workload perspective but also just from the question of I'm not sure that we're the best people to be making a decision of about sort of arbitrating between a private business and a neighbor, although it turns out that we do that all the time. But still a challenging thing to do. But I think that some sort of review would be, you know, by an appointed body that's, you know, sort of has some greater level of public, I don't know -- and I'm not sure what I'm trying to say. That is elected.

And one thought, and again, this is not particularly well expressed, that if you felt it was necessary to have some sort of well if it's below a certain size or certain context that there needs to be some review, that maybe there should be some sort of public hearing or public comment period, and then based on the results of that if it was sort of non-controversial or didn't rise to a certain level of there being issues with the neighborhood, and I don't know exactly how you would define that, so don't ask me to answer that question. Then it would be referred to, well, to one of the Boards that's responsible for Zoning approvals, whichever one feels happy to do so. And so that we wouldn't necessarily be in a situation where it's always a discretionary view on our part or always having to go to a

Board that might take some amount of time, five months or whatever, to approve it, but somehow we manage a process to figure out, you know, is there a concern here. And if there is a concern, then we would have to have it, you know, reviewed by another Board. Like I said, I don't know exactly how it would work, how we make that determination, who would make that determination, but you know, if there was some way to implement that, that would probably be the best of a limited set of options. I do think the more that we can enshrine the intent in regulations or in the Zoning Ordinance, you know, and then limit the amount of discretionary, it would also be easier for the companies because they're in a less position of uncertainty as to whether they're actually going to be able to access the space

or not.

CATHERINE PRESTON CONNOLLY: Thank you.

Steve.

STEVEN COHEN: You know, I have one question and perhaps the gentleman from ZipCar could help in this or perhaps staff, I mean, from a Zoning perspective we're saying that this is the same use and yet we're talking about it as if the intensity of the carsharing use is somehow different and potentially creates a greater impact on the neighbors, and that's certainly, I guess, the premises of what Francis and some of the other members of the public were saying. And I guess I don't know to what extent that is true. I mean, I don't have direct experience with it. I'm just wondering, perhaps do we know what the average turnover of a ZipCar

might be in the course of a day? Get some read on how much greater the intensity of use might be from -- as compared to just an ordinary parking space? We have any measures of that at all? Even a subjective read on it?

FORREST NEILSON: In the case of our most popular pods for the ZipCar, they tend to be used an average of about nine to eleven hours a day.

STEVEN COHEN: How many turnovers in a day? Because it's the turnover that creates the intensity in the parking place?

FORREST NEILSON: That would vary by --

STEVEN COHEN: You don't know?

FORREST NEILSON: -- by the location. So we would have to do a little more digging into that.

STEPHANIE GROLL: May I address that?

CATHERINE PRESTON CONNOLLY: Yes, please.

STEPHANIE GROLL: It is true that ZipCars -- well, ZipCars tend to be newer vehicles than privately owned vehicles. So they're often more efficient and therefore quieter. So both the ignition and the running of the -- of bringing the car into the parking space could be a quieter experience than the privately owned car.

STEVEN COHEN: What's the beep, beep we heard of?

STEPHANIE GROLL: The beep, beep?

HUGH RUSSELL: The clicker.

LOUIS J. BACCI, JR.: It's opening the door and close --

STEPHANIE GROLL: That doesn't apply

to carshare.

CATHERINE PRESTON CONNOLLY: Yes, I mean, honestly when I used my car, it's a -- it's the same level of clunk as when I unlock my car.

STEVEN COHEN: Yes, so nothing different?

CATHERINE PRESTON CONNOLLY: So there's no beep, beep.

THACHER TIFFANY: They don't have that turned on.

UNIDENTIFIED AUDIENCE MEMBER: I just heard someone's car. Beep, beep.

STEVEN COHEN: So, you know, are we well founded in assuming that there's some sort of intensity of use here that warrants special protection or regulation as distinguished from many other parking space devoted to any other parking use?

CATHERINE PRESTON CONNOLLY: Well, there are certainly perception from the public that there is some concern about it. That's, I mean --

STEVEN COHEN: Clearly, clearly. I'm just trying to distinguish --

CATHERINE PRESTON CONNOLLY: Whether or not that's well founded --

THE STENOGRAPHER: One at a time, please.

STEVEN COHEN: My apologies.

CATHERINE PRESTON CONNOLLY: So I think that we don't have data to refute that perception at this point.

TOM SIENIEWICZ: So don't you just extend by the statistics that there be one shared space is equal to whatever level, I think 13 cars? So it's maybe ten times more frequent, right? I mean, I use my car once a

week.

STEVEN COHEN: I'm skeptical about some of those numbers.

HUGH RUSSELL: When you're doing traffic studies, I believe for residential uses the assumption is the car moves out twice a day roughly. And so the question is does the average ZipCar have only two users a day? And I think the answer is probably that's below the average, but, you know, but maybe that number is five or six or something. And as we heard the different patterns in different places --

STEPHANIE GROLL: So I can look in my files from the 2009 effort, and I know I did have a number back then from ZipCar and I don't think I have a number for today's usage. But I do -- I could look for you to find out what that number was. It was not

ten times a day. It was far lower than that.

CATHERINE PRESTON CONNOLLY: Okay.

Okay, so what I'm hearing at this point is that we are broadly supportive of the structure of this effort.

That to the extent we're talking about spaces in commercial -- accessory to commercial lots, we're okay with how it is written.

And to the extent that we're talking about spaces above the required minimum in residential lots, we're also okay with how it is written.

STEVEN COHEN: Well, that --

THACHER TIFFANY: (Inaudible).

STEVEN COHEN: I've actually talked about expanding if that's what we agreed on. I'm suggesting that to the extent that there's spaces in excess.

CATHERINE PRESTON CONNOLLY: Yes,
excuse me.

STEVEN COHEN: Required that they be
treated as the same as non-residential.

CATHERINE PRESTON CONNOLLY: Thank
you, that's helpful, yes.

STEVEN COHEN: (Inaudible).

CATHERINE PRESTON CONNOLLY: So to
the extent it's a success, we're similarly
fine with all of them being used.

HUGH RUSSELL: I'm not quite there
because of the potential for the, you know,
the pocket backyard parking lot that might
have some space.

CATHERINE PRESTON CONNOLLY: Okay.
So maybe residential facilities either over a
certain size or...maybe not.

HUGH RUSSELL: Or maybe it has to do
with the distance of the parking space from

the property line, if they're close --

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: It might make a big difference.

THACHER TIFFANY: This seems like a very limited case, right? Like this might not even exist. Well, because within this there is the provision that -- or maybe there isn't. I'll just ask. Is there a provision that if it's not allowed, a Special Permit could be requested?

HUGH RUSSELL: That's right.

JEFF ROBERTS: Right, that's suggested in the Zoning that any, that there's a limit on the number that are allowed in a residential accessory, residential parking facility. But if someone wanted to exceed that number, they could seek a Special Permit for approval.

THACHER TIFFANY: This seems like a case where it might just be a Special Permit. We're not going to be able to define it enough.

CATHERINE PRESTON CONNOLLY: Right.

THACHER TIFFANY: You know, going to your case of 20 spaces where 10 are required, they might just have to come in.

STEVEN COHEN: As long as it's a ZBA permit.

JOHN HAWKINSON: It says Planning Board Special Permit.

THACHER TIFFANY: I don't want to put words in other people's mouths.

JEFF ROBERTS: It does say in the current petition that it would be the Planning Board Special Permit. So if the Board wanted to go with the recommendation.

CATHERINE PRESTON CONNOLLY: Okay.

So....

HUGH RUSSELL: We actually can do things faster than the Zoning Board.

TOM SIENIEWICZ: Yes, we could.

CATHERINE PRESTON CONNOLLY: So as to residential accessory use, then, do we want to leave it with anything over a certain number of percentages coming to us if they want to exceed it?

HUGH RUSSELL: My sense is that I would sort them by underlying zoning district.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: That, you know, at a certain density level, it might be a C-1 density, it would become a Special Permit and above that it would be an as of right.

CATHERINE PRESTON CONNOLLY: And is that for any carsharing space or --

HUGH RUSSELL: The ones that meet

the Cohen standard.

CATHERINE PRESTON CONNOLLY: Okay,
so -- so --

STEVEN COHEN: What is the Cohen
standard?

CATHERINE PRESTON CONNOLLY: I
believe what Hugh was referring to as the
Cohen standard, is that amount using all of
that amount over your required --

STEVEN COHEN: Required, yeah.

TOM SIENIEWICZ: Up to C-1, I like
that.

LOUIS J. BACCI, JR.: That's on the
commercial side?

CATHERINE PRESTON CONNOLLY: That
would be -- if you're C-1 or under, you would
come to us for a Special Permit. If you're
C-1 or more dense, then you would be as of
right.

STEVEN COHEN: But seriously --

HUGH RUSSELL: So --

STEVEN COHEN: I'm sorry, go ahead.

HUGH RUSSELL: So that means that one -- presumably one good place for ZipCars is in residential uses that are in non-residential districts which are larger apartment buildings where you --

CATHERINE PRESTON CONNOLLY: Right.

TOM SIENIEWICZ: Yes.

CATHERINE PRESTON CONNOLLY: And so there they would be as of right.

STEVEN COHEN: Right, and that's what I was thinking.

CATHERINE PRESTON CONNOLLY: Okay.

STEVEN COHEN: But seriously when you say that they would come to us, I keep joking, but wouldn't it be better to go to the ZBA?

CATHERINE PRESTON CONNOLLY: Well, I think it would be better to come to us.

STEVEN COHEN: You do think so? Why?

CATHERINE PRESTON CONNOLLY: Well, partly because as Hugh mentioned, we can do things faster.

STEVEN COHEN: Right.

CATHERINE PRESTON CONNOLLY: But I also think that perhaps in terms of the planning perspective, you know, it's a different perspective than a hardship situation with the ZBA.

TOM SIENIEWICZ: I agree. I don't think it's a hardship.

STEVEN COHEN: No, it's not, but --

TOM SIENIEWICZ: No, it would be Special Permit criteria. But the Zoning Board in my experience, I don't think it was

the Chair that was slowing it down. But it was 100 days basically, start to finish, by the time you made application and the appeal period. And I think we can do better there. And I believe the concerns are planning rather than zoning, broader planning concerns.

STEVEN COHEN: I think the concerns for those sort of permits will be more of the abutter and neighbor type issues which I guess traditionally that's been more of the ZBA type things looking at specific instances and evaluating the impact on the abutter and so forth.

CATHERINE PRESTON CONNOLLY: I'm willing to let that one go to the Council in their wisdom to decide who they're sending it to, because I think we're talking about five cases --

STEVEN COHEN: You might be right.

CATHERINE PRESTON CONNOLLY: -- so, whoever is doing the Special Permit.

So, with regard -- again, I get back to the -- when you're down to the required amount of parking in a residential building, what are those thresholds? And we want to say if you see them, you need a Special Permit?

HUGH RUSSELL: So this is a building that is in a medium to high density district or building that's in a commercial district used for residential purposes. What triggers does --

STEVEN COHEN: As written, it's just the use.

CATHERINE PRESTON CONNOLLY: Yeah, I think it's residential use regardless of district. Because before we were only

talking about to the extent you exceed the minimum required amount. You could use that amount that you exceed the minimum required amount. So now we're talking about you're at the minimum required amount --

HUGH RUSSELL: Or below.

CATHERINE PRESTON CONNOLLY: -- or below, and you want to use one or more of those spaces as a carsharing space. What's the threshold at which we say it's no longer as of right? The staff or the City Council I guess who forwarded us the petition has suggested that threshold is 30 percent or two spaces. If we want to recommend something else, as Steve rightly noted, we should tell them what we're recommending it.

STEVEN COHEN: Again, it starts getting funny. If we keep it at 30 percent, then that means there's got to be at least

four spaces, but then it's a funny -- you could have four required spaces and ten non-required spaces.

JEFF ROBERTS: Madam Chair?

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: I just want to make a point about the petition. What the petition says is that the limit on the number is 30 percent of the total spaces or two parking spaces, whichever is greater. So that means that if a facility -- parking facility has two parking spaces, those two spaces could be used for carsharing. That's what the current petition says. So if the Board feels like it should be a different standard, then that can go into the recommendation and I think it could be included.

As I mentioned before, there's nothing particularly magical about these limitations,

it's just the notion that there should be some limitations in place so that there's some protection against wholesale conversion of certain parking facilities and carsharing, but also to make sure that we really think that these are going to be going into the types of parking facilities that we think are most appropriate.

STEVEN COHEN: It's interesting Councillor Cheung presented it slightly differently and maybe I understood it differently. He understood the 30 percent as suggesting that the parking lot would have to have a minimum number of spaces before you start to lease the spaces to the carsharing. So I see what you're saying. That's not actually what the words said.

JEFF ROBERTS: I think what the -- and I also think what the Councillor was

suggesting, not to guess too much, but I think the Councillor was suggesting that there are some elements of the petition that may be worthy of some additional consideration, discussion by the Board, and that the Council appreciates the Board's feedback on any -- anything that might be clarified or improved in the petition. So this is one of those areas that the Board could point out some particular issues and suggest improvements.

STEVEN COHEN: But then, again, if I understand what you're saying, if there are just two required spaces at least as drafted here, both of them could be devoted to the carsharing?

JEFF ROBERTS: If the facility -- I make a chart in my head. If the facility has one parking space, that space could be used

as carsharing.

If it has two parking spaces, both could be used as carsharing.

If it has three spaces, two of those spaces could be used for carsharing.

If it has four spaces, two of those spaces could be used for carsharing.

STEVEN COHEN: It's actually up to ten.

JEFF ROBERTS: And so then --

STEVEN COHEN: It's only at ten that you get to the third space.

HUGH RUSSELL: So, Jeff, I look at the language and I don't read it that way.

STEVEN COHEN: I didn't --

LOUIS J. BACCI, JR.: I thought that's what it says.

HUGH RUSSELL: The number of parking spaces of carsharing vehicles should not

exceed 30 percent of the number of spaces located within the facility or two vehicles, whichever is greater. So you're saying the second part of the paragraph allows two spaces everywhere?

CATHERINE PRESTON CONNOLLY: That is what he's saying.

HUGH RUSSELL: Yes, okay.

STEVEN COHEN: That is what it says, yes.

JEFF ROBERTS: Right.

STEVEN COHEN: Yes, so that's -- that's worthy of discussion.

CATHERINE PRESTON CONNOLLY:
Thacher, did you want to say something?

THACHER TIFFANY: No.

CATHERINE PRESTON CONNOLLY: I misread you, sorry.

THACHER TIFFANY: I was thinking

about it.

STEVEN COHEN: You know, I think I like the original interpretation misinterpretation --

CATHERINE PRESTON CONNOLLY: Better?

STEVEN COHEN: -- that we had better. That you can't start providing the parking spaces until you hit a certain minimum, and then that's --

LOUIS J. BACCI, JR.: Required.

STEVEN COHEN: The 30 percent sort of did. Only that provided for a minimum for as Councillor Cheung pointed out the 30 percent of three doesn't yet get to one.

HUGH RUSSELL: So if I were writing it, I think I would write 25 percent of the required spaces.

CATHERINE PRESTON CONNOLLY: No more than?

HUGH RUSSELL: No more than, but by Special Permit we could --

CATHERINE PRESTON CONNOLLY: We could.

HUGH RUSSELL: -- get two more.

STEVEN COHEN: Yes. There's something to be said for simplicity.

TOM SIENIEWICZ: Yes.

HUGH RUSSELL: And that way if you've got four spaces, one could do it. If you've got eight spaces, two. You know.

CATHERINE PRESTON CONNOLLY: But if you only have one or two spaces, you can't do it at all?

HUGH RUSSELL: Without a permit.

CATHERINE PRESTON CONNOLLY: Without a Special Permit, correct, yes.

HUGH RUSSELL: And everybody is in a district that is likely to have only one or

two spaces is going to come to us anyway.

CATHERINE PRESTON CONNOLLY: Right, agreed.

HUGH RUSSELL: Or to them. Go to them. It is a curious question, because as Steve says, the Zoning Board does great work on dealing with those very -- the abutter kinds of questions, and this is an abutter kind of question. But at the same time, we want to encourage this because of the general planning principles and how do you -- and if the Zoning Board is unduly influenced and denies them, somehow I don't, I'm not too worried about that.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: You know, if they --

CATHERINE PRESTON CONNOLLY: Okay.

Tom.

TOM SIENIEWICZ: You were in the

middle of a pretty good summary, and I think you were reading the Board pretty accurately.

CATHERINE PRESTON CONNOLLY: Good.

STEVEN COHEN: And then we went backwards.

TOM SIENIEWICZ: And then we suddenly went backwards.

So there were two things I'm stuck on my requirement --

CATHERINE PRESTON CONNOLLY: Okay.

TOM SIENIEWICZ: -- maybe for a larger space because these are amateur drivers. For consideration on that. And then something that we had yet to talk about, and I was reminded as I was staring at the dartboard or whatever that is. The Warshak test. In the eastern parts of the city, Kendall Square, Central Square, the carsharing spaces are associated with the T

stops. If you look to Porter Square, it's not true, right? And there was a suggestion that in fact we should work with the T or that we should come up with some way in which we encourage the association of carsharing with the public transportation system just to optimize what it is. Is there any way -- maybe this is a regulation rather than something that should be ordained, anyway in which we can I think encourage the kind of patterns that are happening in the eastern part of that dartboard versus the western part of the dartboard?

CATHERINE PRESTON CONNOLLY: Well, I think this is one that actually the market does take care of to a large extent with the exception of we can't force the T to lease spaces in their garage. Other than that, I think ZipCar rightly understands and ZipCar

and other carsharing services rightly understands that their most lucrative cars are frequently associated with high frequency transit. And, therefore, they are likely to pay a premium in order to have more cars near there. I don't think that's something we need to address in Zoning.

TOM SIENIEWICZ: So what's happening in Porter Square? I mean, why -- are there no parking spots, is that what it is?

LOUIS J. BACCI, JR.: That's not my department.

CATHERINE PRESTON CONNOLLY: Well, or the parking that is there is, is so in demand or -- is in so in demand, you know, I can't imagine, for instance, the owners of the Star Market shopping center there telling their tenants that they're taking away parking spaces.

THACHER TIFFANY: Not to mention the width issues.

CATHERINE PRESTON CONNOLLY: Right, exactly.

So I think there probably is --

TOM SIENIEWICZ: In Somerville.

CATHERINE PRESTON CONNOLLY: YES.

TOM SIENIEWICZ: They're in Somerville.

CATHERINE PRESTON CONNOLLY: Right. So, I don't think that's something that we need to address in Zoning.

TOM SIENIEWICZ: Okay.

HUGH RUSSELL: So Joe has a question.

JOSEPH BARR: And, Catherine, if I could follow up on that?

CATHERINE PRESTON CONNOLLY: Yes, please.

JOSEPH BARR: It goes back to the earlier discussion about why you might want to continue the Special Permit granting authority, is that the reason why in some cases we have more spaces in those locations is because either we have the opportunity through lots that we control or through development projects to make them, or require them, to be available through mechanisms that we probably shouldn't talk about too much. But, you know, from the larger planning perspective is that, yes, it would be good to have spaces at some of those other locations, and if the opportunity presented itself, but required a Special Permit because it's a location because of the -- you know, whatever the requirements are, you might want to be in a position to not just be looking at it from the perspective of what are the local abutter

issues, but what is the larger picture of carsharing, you would want carsharing to operate in Cambridge and have that opportunity to say, yes, we think it's important to have some more cars near Porter Square and that would require granting some Special Permits in locations that otherwise you may not support but this is a good place to have more cars.

CATHERINE PRESTON CONNOLLY: Okay. So to get back to my summary, then. Our percentage, we're looking at 25 percent recommended for the required spaces?

TOM SIENIEWICZ: For the reason that it's simpler.

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: I can try to summarize what I've heard as being the --

CATHERINE PRESTON CONNOLLY: Please.

JEFF ROBERTS: -- what might be the Planning Board's recommendation. You can add to it or amend it.

No. 1, including registration by Traffic, Parking, and Transportation of spaces.

CATHERINE PRESTON CONNOLLY: Right.

JEFF ROBERTS: I think that we could include some general language that says that they will be reviewing it for purposes of adequate safety. This is something that Traffic and Parking generally -- I'm looking at them to make sure they don't shake their heads. Something they generally do when they're reviewing parking facilities and that could be incorporated into the registration process and conducted at staff level.

CATHERINE PRESTON CONNOLLY: Great.

JEFF ROBERTS: In terms of

provisions dealing with -- oh, and the larger space, we could make it, we have said that this is only allowed in spaces that are either legal, they're either conforming or legally non-conforming. We could add that in cases where they're not legally conforming, they still need to have the required dimensions of a full-sized parking space.

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: If that seems appropriate.

CATHERINE PRESTON CONNOLLY: Good.

JEFF ROBERTS: There was a note about maintaining a ten-foot distance from a residence that's abutting. I don't know if we want to -- if that was something that the Board would want to recommend as a general provision or just something specifically in residential or low density residential

districts. But we could go look at it in those different ways.

TOM SIENIEWICZ: I just pulled that out of the air.

STEVEN COHEN: How much protection would it really provide? Again, I'm not sure what the protection issue is.

HUGH RUSSELL: I mean, in a way it's sort of like you've got a ten car lot, you'd like to get the ZipCars in a place that are least apt in a way --

TOM SIENIEWICZ: Yes.

THACHER TIFFANY: I think if we do it, it should only be in low density zones, because you could imagine in a parking garage like on a wall, the parking wall with another building.

CATHERINE PRESTON CONNOLLY: Right, you want it easy to find.

THACHER TIFFANY: And I don't know what the right -- I don't know the zones well enough to pick.

STEVEN COHEN: Hugh's point within any given parking lot place them as far as possible from any residential window or use.

TOM SIENIEWICZ: Yes.

CATHERINE PRESTON CONNOLLY: Yes, but I agree with Thacher that should be in low density residential zones up to C-1, because if it's -- if you apply that to a large lot or a garage, finding that space that is furthest is going to be challenging. So I'm okay with, you know, that distance in low density areas.

Lou? Yes? Good?

JEFF ROBERTS: So that's the, that's sort of a provision -- dimensional provision.

And then in terms of the quantity

provisions that it would be -- the limit would be no more than 25 percent of the -- of any required space, residential spaces on a residential lot. So that -- so one of the funny questions that comes up here is well, what if you have, as you do in many cases of the lot where the number of spaces there is already less than what's required?

CATHERINE PRESTON CONNOLLY: Then they have to get a Special Permit in order to use one of those spaces for carsharing. That, I believe is what the Board is saying.

LOUIS J. BACCI, JR.: Right.

THACHER TIFFANY: That sounds too restrictive to me. I'm looking at everyone nod their head and it makes me hesitant to say that.

JEFF ROBERTS: I think that -- well, the issue is this, if someone is on a lot

that is required to have four parking spaces and they have -- as a grandfather condition, they have two parking spaces --

CATHERINE PRESTON CONNOLLY: Right.

JEFF ROBERTS: -- would we say that they could have one of those spaces be devoted to carsharing? Or is it either that the required number or the existing number if the existing number is lower?

CATHERINE PRESTON CONNOLLY: So what I've heard the Board say is we would require them to get a Special Permit. Now if, you know, Thacher, do you want to weigh in?

THACHER TIFFANY: Could we do another hypothetical just to separate the issues --

CATHERINE PRESTON CONNOLLY: Okay.

THACHER TIFFANY: -- to put it in the above or category. If you did the math,

the site would be required to have 12 parking spaces but there's only ten.

CATHERINE PRESTON CONNOLLY: Okay.

THACHER TIFFANY: The question is could they have 25 percent of those, I guess it would be two. So they have to get a Special Permit. You're saying they would have to get a Special Permit? I think they should be able to have two.

HUGH RUSSELL: I think they should have one and take 25 percent of 12 and say they have to be nine spaces left. So you've got from there, you can use one of them.

STEVEN COHEN: Exactly, that's right. How you write that, I'm not quite sure, but I understand what you're saying and I agree.

JEFF ROBERTS: So you're saying that provision is not based on the number of

required, but based on retaining -- not based on only going up to 25 percent but saying you must have, if you have the ability to, you must retain 75 percent of the required --

CATHERINE PRESTON CONNOLLY:

Exactly.

STEVEN COHEN: That's it, that's what he said.

CATHERINE PRESTON CONNOLLY: That's why he drafts us things.

STEVEN COHEN: But also, Jeff --

CATHERINE PRESTON CONNOLLY: Are you comfortable with that, Thacher?

THACHER TIFFANY: More comfortable.

JEFF ROBERTS: And so this is where it kind of comes back to the Planning Board, the Planning Board often and BZA sometimes improves reductions in parking. So do we calculate that number -- this is why I try to

avoid getting into using the required number as a standard. But if you have a case where by Special Permit the number has been reduced, do the calculations work based on whatever the Planning Board or BZA has said is a required number --

CATHERINE PRESTON CONNOLLY: Yes, that's the new required amount.

TOM SIENIEWICZ: Yes.

THACHER TIFFANY: Yes, I was actually going to ask if it's always possible to establish the required amount? But if it sounds like with that clarification you would always be comfortable establishing the required --

JEFF ROBERTS: It would take a little -- you know, it takes a little more work to certify. So if you have a certain number of parking spaces, you have to look at

what it's serving, you have to look at what the requirements are. You could, you could have the provisions apply differently if it's grandfathered -- if it's non-conforming -- if it was non-conforming before the parking requirements were put in place for Zoning, it gets messy. I mean, it gets very tricky to get into all of these details, but we can try to provide something that does the best that we can.

STEVEN COHEN: And, Jeff, I think we already said -- maybe I missed it from you. I think we said no restriction as to parking spaces in excess.

LOUIS J. BACCI, JR.: Above.

STEVEN COHEN: Above the required amount.

JEFF ROBERTS: Right, so if there are parking spaces that are in excess of

required number of parking spaces, then if there's no restriction on how many -- so these, this restriction they're putting in place is only, again, if we frame it the other way around and say you have to retain at least 75 percent or a required number of spaces, I mean beyond that we can do whatever we want.

STEVEN COHEN: That would be a good way to do it.

JEFF ROBERTS: There was a point about that, that does that apply universally or are there additional restrictions in that in the Residence C-1 lower zoning districts. I think that was discussed.

HUGH RUSSELL: I think it only -- it only applies for residential parking.

CATHERINE PRESTON CONNOLLY:
Correct.

HUGH RUSSELL: And it's -- when it's in a Residence C-1 or less district, it's a factor that we might consider in granting the permit. But it's not a requirement that needs to be varied.

CATHERINE PRESTON CONNOLLY: I'm not following that.

JEFF ROBERTS: So the -- yes, the point I was getting to eventually after establishing all of these and trying to determine what falls into the Special Permit universe. But in terms of what's -- in terms of what's allowed by right, that provision that anything above 75 percent of your required parking can be used for carsharing, does that apply to residential properties generally across the city or do we have -- are there limitations on that and just in different districts? I think that was -- I

remember hearing that discussed.

STEVEN COHEN: It seems like it ought to apply across the board. I'm not sure of the distinction --

CATHERINE PRESTON CONNOLLY: I think now that we've reframed it as a percentage only, it can apply across the board. That's my sense. But....

STEVEN COHEN: And at least as we're talking about it now, the first three spaces must -- cannot be devoted --

CATHERINE PRESTON CONNOLLY: Without a --

STEVEN COHEN: Without a Special Permit, right? You don't get anything as of right until you have four spaces.

CATHERINE PRESTON CONNOLLY: Right.

JEFF ROBERTS: So if we've established everything that we, that the

Board recommends or the Board considers recommending be allowed as of right, now would -- I guess the question is would the Board allow any variation in those limitations by Special Permit? Would the Board only allow particular variations by Special Permit? In other Zoning areas we've said well, here are all the limitations, but if you want to vary any of these limitations, then you can always come to the Planning Board and seek approval.

CATHERINE PRESTON CONNOLLY: I think any of them.

STEVEN COHEN: I would say any. Make the case.

TOM SIENIEWICZ: Make the case. It's such a dynamic situation.

THACHER TIFFANY: A family house somewhere would be perfect for it. I mean,

right? I mean --

CATHERINE PRESTON CONNOLLY: Right.

And neighbors --

THACHER TIFFANY: Part of the same lot or, you know, you can imagine anything.

STEVEN COHEN: If residents of that building come in and say no, no, we're going to lose our parking spaces if you do that.

LOUIS J. BACCI, JR.: And the (inaudible).

CATHERINE PRESTON CONNOLLY: Okay? You have what you need?

JEFF ROBERTS: I've covered everything. If there's anything else that the Board wanted to discuss or bring up, then....

CATHERINE PRESTON CONNOLLY: Are we good?

LOUIS J. BACCI, JR.: What about the

abutters' notification?

CATHERINE PRESTON CONNOLLY: So if it needs a Special Permit, it will get notified. If it falls into the category of you're doing it, if you're 75 -- you're maintaining at least 75 percent --

LOUIS J. BACCI, JR.: Correct.

CATHERINE PRESTON CONNOLLY: So, again, you're going to have at least four spaces in that situation.

LOUIS J. BACCI, JR.: But not just a general somebody wants to put in a new ZipCar location?

CATHERINE PRESTON CONNOLLY: Yes, if they can, if they can maintain 75 percent of their required spaces, there is not going to be a requirement for public notice.

THACHER TIFFANY: And we're recommending ten feet?

CATHERINE PRESTON CONNOLLY: Yes.

THACHER TIFFANY: That was in there,
right, Jeff?

STEVEN COHEN: You talked about
actually inviting Parking and Traffic to
create their own special regulations.

CATHERINE PRESTON CONNOLLY: Yes.
So....

STEVEN COHEN: Is that somehow part
of our thing here?

CATHERINE PRESTON CONNOLLY: So as
part of their registration, they would
presumably implement regulations that would
be how they would register.

STEVEN COHEN: So I guess we should
refer, then, in the Zoning that part of the
registration process is to comply with
regulations to be established by Parking and
Traffic.

CATHERINE PRESTON CONNOLLY: By Traffic and Parking? Yeah.

JEFF ROBERTS: I think just to provide -- we would want to say that in registering with Traffic and Parking, they would comply with any regulation or practices that --

CATHERINE PRESTON CONNOLLY: Traffic and Parking, I agree.

JEFF ROBERTS: Traffic and Parking, yeah. But I think just to be -- to be realistic I think that -- and they could comment on this if they want to. I think that traffic and parking regulations would be focussed on very particular issues of safety and access.

CATHERINE PRESTON CONNOLLY: Right.

JEFF ROBERTS: And wouldn't be necessarily engaged in some of these sort of

planning and, you know, nuisance to abutters. Those kinds of issues were generally part, you know, not part of that sort of strict safety type of review.

HUGH RUSSELL: Right. But you can also imagine that if somebody comes in with a plan that Joe says oh, this would work better this way, he can suggest that.

CATHERINE PRESTON CONNOLLY: Yes.

HUGH RUSSELL: And that suggestion -- those kinds of suggestions from municipal officials bear a lot of weight for most people.

CATHERINE PRESTON CONNOLLY: And it's also the case that, you know, they can -- if they are looking at a plan of parking spaces and have some question as to whether or not it complies with Zoning, there is communication between the departments

where they can refer to ISD is this set back far enough, is this passed the required buffering, and etcetera, etcetera.

JOSEPH BARR: I guess the only point I make is typically our traffic regulations apply to all the on-street facilities, and so I just need to verify that I in fact have the authority to promulgate regulations on off-street regulations. I think I do. I think if you put it in the Zoning, that we will --

CATHERINE PRESTON CONNOLLY: That makes it better.

JOSEPH BARR: -- promulgate better regulations and that will give us, once it's been ordained by the City Council, would give us legislative, you know, recommendation for doing so. I just need to make sure I'm actually allowed to do the thing you're

asking me to do. I don't have a problem doing it. And I don't know, Catherine, since you know this --

CATHERINE PRESTON CONNOLLY: Yes, certainly within Article 18 you have the right -- right and responsibility to register parking spaces.

JOSEPH BARR: Yeah.

CATHERINE PRESTON CONNOLLY: So this would be presumably a subset of the regulations --

JOSEPH BARR: If we can build off of that --

CATHERINE PRESTON CONNOLLY: Under that.

JOSEPH BARR: I think we can do it.

CATHERINE PRESTON CONNOLLY: Right. So I agree that putting it in Zoning makes it that much clearer and gives it legal

authority, and I'm pretty sure under Article 18 --

ADAM SHULMAN: You mean 10.18 City Ordinance?

CATHERINE PRESTON CONNOLLY: Yes, thank you.

ADAM SHULMAN: Not zoning.

JOSEPH BARR: So we can answer that question fairly quickly I would think.

STEVEN COHEN: Madam chair, I think I got lost along the way. Where did we end up with the ten-foot setback?

CATHERINE PRESTON CONNOLLY: That's included.

JEFF ROBERTS: So for parking space you use for carsharing would have to be at least ten feet away from a residence located in a low density C-1 or lower residential district. Is that the language that the

board's comfortable with?

CATHERINE PRESTON CONNOLLY: Yes, that's where we ended up.

STEVEN COHEN: I don't think so. Actually, a residence rather than a window? And what's the setback requirement actually like for three-family homes? I think it's like five feet.

JEFF ROBERTS: So building setbacks tend to be minimum seven and a half feet sometimes and then they go more than that.

STEVEN COHEN: I mean, parking setback from -- a building.

JEFF ROBERTS: Parking setbacks tend to be five feet.

STEVEN COHEN: Yeah, five feet I thought.

JEFF ROBERTS: So, again, the notion is that if you're adding up the setbacks, the

setback of a building and then a setback of a parking facility, ten feet is fairly comparable to what, it wouldn't -- so it would kick in in situations where you have non-conforming conditions already where the parking's already established too close to the lot line or closer than the current Zoning would allow to the lot line, and then maybe you have a building that was built closer to the lot line than would be allowed under current Zoning.

STEVEN COHEN: We're saying ten feet from the building, from the residential building, that's what we're saying?

TOM SIENIEWICZ: Yes.

CATHERINE PRESTON CONNOLLY: Yes.

JEFF ROBERTS: Exactly. I think the idea was to provide a buffer between where there could be a living space and the parking

space.

LOUIS J. BACCI, JR.: And a car.

CATHERINE PRESTON CONNOLLY: Yes.

Okay.

HUGH RUSSELL: But if it only applies to the ones that we're giving a Special Permit for, then it seems to me it's something we consider rather than something we require.

STEVEN COHEN: That's --

TOM SIENIEWICZ: Shouldn't it be for all zones? I mean, the issue there, at least as I was thinking about it, is just the issue of privacy, that it was an issue raised properly tonight by the public. There's a parking space right under my window. So okay, that's terrible. Let's move that ten feet back.

STEVEN COHEN: Well, the window

makes it more compelling argument to me than, you know, a blank wall.

TOM SIENIEWICZ: I'm just thinking about the poor people that have to enforce this and measure this.

STEVEN COHEN: There's lots of stuff like that in the Zoning already. But, you know, I'd rather have nothing than something that just seems arbitrarily and useless.

TOM SIENIEWICZ: Well, there are ways --

STEVEN COHEN: A blank wall --

TOM SIENIEWICZ: It's not just a window. It's noise, a visual buffer.

LOUIS J. BACCI, JR.: I agree.

HUGH RUSSELL: So as someone who has lived for 30 years with his bedroom about nine feet from where cars park in an adjacent school I can tell you that nine feet is --

doesn't --

STEVEN COHEN: It's really close.

TOM SIENIEWICZ: It's close.

HUGH RUSSELL: -- it's really close, yeah. And particularly at seven o'clock in the morning when the teachers arrive to get into their spaces and are greeted by the janitor.

CATHERINE PRESTON CONNOLLY: And we did specify that it would be the low density residential district because we felt the higher density district would fit -- would most likely have large parking facilities would need those spaces to be more findable than being placed somewhere in the giant lot.

STEVEN COHEN: By low density you mean A and B?

CATHERINE PRESTON CONNOLLY: C-1 and lower.

STEVEN COHEN: Oh, C-1 and lower.

HUGH RUSSELL: And Jeff will have to decide what to do with Business A districts. Business A-1 districts in which the Residence C-1 regulations apply and tend to be very small areas in the middle of residential areas. I would think --

CATHERINE PRESTON CONNOLLY: Without a lot of accessory parking typically.

HUGH RUSSELL: Yes.

JEFF ROBERTS: Generally where we have protections like this where we think there needs to be a different standard of protection in certain residential districts it's only the residential districts of the C-1. I think the idea in the business district you might -- you -- you're already allowing for commercial uses. So it's, it's already kind of a fact of life that there

might be that type of activity.

HUGH RUSSELL: As my colleague points out, it's a fact of life that they're rarely in those Business A-1 districts space, you know, next to the pizza shop for parking.

CATHERINE PRESTON CONNOLLY: Right. Okay.

THACHER TIFFANY: Just one more thing.

CATHERINE PRESTON CONNOLLY: Oh, oh, one more thing. Yes.

THACHER TIFFANY: Jeff, just as you're taking notes, make sure -- we want to have something in there on grandfathering, right? That came up very early in the discussion, but seemed to be quite a bit of consensus.

JEFF ROBERTS: So I guess the issue on grandfathering is that would say that any

carsharing, any parking space that's used for carsharing vehicles prior to adoption of the Ordinance may, you know, may continue to be used in that manner regardless of whether it meets or -- as long as it does not -- as long as no further violation of the Zoning.

LOUIS J. BACCI, JR.: I thought it was going to be some review of these spots?

CATHERINE PRESTON CONNOLLY: Yes. So what I heard was that in fact the Board wanted the good ones, not the bad ones.

LOUIS J. BACCI, JR.: Right.

CATHERINE PRESTON CONNOLLY: And that then meant that all of these spaces needed to be registered and reviewed --

LOUIS J. BACCI, JR.: Okay.

CATHERINE PRESTON CONNOLLY: -- by Traffic and Parking. And if they were non-compliant, they would in fact need to

come to us for a Special Permit which essentially means that they are not grandfathered.

JEFF ROBERTS: I'll lay out a couple of options and I guess the Board can decide. The one option, what I just said, we can say that anything that's been used in this manner whether or not it meets the limitations that are in the Zoning, they continue to be used in that way, as long as there's no further violation created. That's one way to go.

The other way to go is to say that carsharing vehicles are -- you must meet these limitations and then just say that, and then if there are cars that are, you know, closer than ten feet to a residence in the C-1 District or if there's four in the parking facility when there should only be three, then whatever, if a company operates

that way, they'll have to find another place to put it that complies. Nobody has to rebuild anything. They just have to move the cars. So I guess the -- or you have to come in and seek a Special Permit to approve whatever --

CATHERINE PRESTON CONNOLLY: Joe.

JOSEPH BARR: I think I would just add to that that there are a number of spaces that were granted or required through an existing Special Permit as well as required through PTDM plans and so I would hope that there would be some means to grandfather those as well just because otherwise we're basically forcing them to violate conditions that we've otherwise imposed on them.

HUGH RUSSELL: I mean, I would prefer the first option provided that a review of the existing spaces doesn't, you

know, finds that we're not creating a huge problem by doing that. If --

THACHER TIFFANY: Well, this goes to the standard.

CATHERINE PRESTON CONNOLLY: Right.

THACHER TIFFANY: -- it's more of a standards check and not a Zoning check. It's to register.

JEFF ROBERTS: Yeah, and, you know, we could look at it more closely. I'm looking at Stephanie to see if she might agree. Especially in cases where they've been required by a Special Permit or PDM, I think they would meet these standards. I don't have any concerns that we're going to have situations like that that they're not going to meet the standards that are being proposed.

STEPHANIE GROLL: With the ten feet

from the building and mainly with that one and the size of the lot going to a minimum of four at this point, now we're talking about a lot more than don't comply. Now I said maybe one or two, but that was because we were just talking about the 30 percent in residential area. But with these two new provisions, we'll have to look at the list, but I think there are a lot of spaces that are not going to comply.

STEVEN COHEN: Which is more non-compliant, the ten foot requirement or the --

STEPHANIE GROLL: The ten foot is definitely a problem because there are tons of problems built right up to a property line, and then a building came down and became a parking lot and there are ZipCars in those locations that, again, as Catherine was

saying, that anything that was really a problem has already received the complaints at ISD and at this point the ones that are operating now just don't have -- they're just operating sort of peacefully in the city.

TOM SIENIEWICZ: I guess, I guess I'm going back to, yeah, lawfully non-conforming, you know, it's an established rule in Zoning that we've worked with around courthouses and stuff, and so maybe that's what we do in this case. And I'm very aware of, you know, putting -- requiring things and then going back and have people jump through more regulatory hoops. I'm not uncomfortable as long as -- I would have thought any issues with these there would have been daylight. Grandfathered within a time limit. Go ahead keep using them as you are, but in the future we want them ten feet from residences --

STEVEN COHEN: Tom, I'm more concerned with clarity here. That's always been my big thing. And when you say lawfully non-conforming, my understanding is given the recent interpretation of these uses they are --

CATHERINE PRESTON CONNOLLY: So what we are doing --

TOM SIENIEWICZ: Dimensionally.

CATHERINE PRESTON CONNOLLY: -- we are declaring them to be lawfully non-conforming.

STEVEN COHEN: If you want to go in this direction, you can't say lawfully non-conforming. You have to declare them to be grandfathered.

CATHERINE PRESTON CONNOLLY: Yes.

TOM SIENIEWICZ: As of the date of the Ordinance, anything previously existing.

STEVEN COHEN: I think what he's saying any previous?

LOUIS J. BACCI, JR.: Anything?

CATHERINE PRESTON CONNOLLY: Yes.

STEVEN COHEN: Now we're not going to distinguish between good and bad?

CATHERINE PRESTON CONNOLLY: Yes, right.

LOUIS J. BACCI, JR.: How are we going to do that?

CATHERINE PRESTON CONNOLLY: Well, I think if we go back to if they were bad, ISD has heard about them and has implemented this -- as they have apparently since 2009, you know, come in and said you're not allowed to be here because you are a rental car. And if they haven't heard about them at this point and applied that, I think we're, you know, I think they are peacefully coexisting in the

community.

LOUIS J. BACCI, JR.: Have we heard from ISD about this at all? Have they checked one? Have they gotten a complaint?

TOM SIENIEWICZ: Well, that's why we are here, right?

CATHERINE PRESTON CONNOLLY: Right. That's why this Ordinance has come up.

HUGH RUSSELL: So, I think we can in our advisory role --

CATHERINE PRESTON CONNOLLY: Yes.

HUGH RUSSELL: -- say we think they ought to be non-conforming, but we're advising the city staff that the Council is apt to ask the question, well, what's --

CATHERINE PRESTON CONNOLLY: What is ISD --

HUGH RUSSELL: What are the consequences of that? Do you think it's

going to cause us big problems or not.

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: We don't have to --
you know --

CATHERINE PRESTON CONNOLLY: Okay.

HUGH RUSSELL: We can take the -- as
they are quietly existing without the
complaints as what we -- that's what we based
our action on.

CATHERINE PRESTON CONNOLLY: Right.

HUGH RUSSELL: And if that turns out
to be, to be untrue, then the Council can
take that into account.

CATHERINE PRESTON CONNOLLY: Right.
I think that sounds like a good way to
proceed.

HUGH RUSSELL: Yes.

CATHERINE PRESTON CONNOLLY: Jeff,
you got that? On the grandfathering?

JEFF ROBERTS: That will be part of the recommendation, yes.

CATHERINE PRESTON CONNOLLY: Okay. So we're going to grandfather everything that -- we are recommending the grandfathering of pre-existing spaces provided that there is no evidence to the contrary that, you know, that there is a -- that the existing spaces aren't peacefully coexisting. We are basing our recommendation on the belief that they are.

Okay.

Does someone want to make a motion on this lovely recommendation we've just put together?

HUGH RUSSELL: Sure. I move that we make a recommendation as discussed to support the carsharing ordinance with the suggestions that we've made.

CATHERINE PRESTON CONNOLLY: Second?

STEVEN COHEN: Second.

CATHERINE PRESTON CONNOLLY: All in favor?

(Show of hands).

CATHERINE PRESTON CONNOLLY: Thank you, all. It's unanimous. All members voting in favor.

Liza, you hung around so I assume we have other business we need to talk about. No?

All right. That being the case, we are adjourned.

(Whereupon, at 10:05 p.m., the Planning Board Adjourned.)

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ERRATA SHEET AND SIGNATURE INSTRUCTIONS.

The original transcript and Errata Sheet has been delivered to Community Development Department electronically.

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I have read the foregoing transcript of the Planning Board, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

C E R T I F I C A T E**COMMONWEALTH OF MASSACHUSETTS
BRISTOL, SS.**

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

That the hearing herein before set
forth is a true and accurate record of the
proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 30th day of June, 2015.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 29, 2022

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DIRECT CONTROL AND/OR DIRECTION OF THE
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