

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, October 27, 2015

7:05 p.m.

in

Second Floor Meeting Room

344 Broadway

Cambridge, Massachusetts

H. Theodore Cohen, Chair

Hugh Russell, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Louis J. Bacci, Jr., Member

Ahmed Nur, Associate Member

Iram Farooq, Assistant City Manager

Community Development Staff:

Liza Paden

Jeff Roberts

Stuart Dash

Swaathi Joseph

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limited use of parking spaces for Carsharing
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GENERAL BUSINESS

8:00 p.m. Patrick Barrett, et al, zoning petition to amend the Cambridge Zoning Ordinance in two parts, one would amend the definition and provisions for Accessory Apartments in Article 4.000, Section 4.22, and the other would amend the definition of Gross Floor Area in Article 2.000 to effectively exclude all basement or cellar areas in as ingle-family or two-family home from GFA and to allow basement or cellar areas in other structures to be excluded from GFA by special permit. 160

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H. THEODORE COHEN: All right, good evening, everyone. Welcome to the October 27th meeting of the Planning Board. We'll start as usual with our update from the Assistant City Manager for Community Development.

IRAM FAROOQ: Thank you, Mr. Chair. So today's agenda focuses on two public hearings:

One is on the Carsharing Zoning petition, and the second is on the Barrett petition which is looking at accessory units. Something to think about FAR as it pertains to basement uses.

And in addition there are a couple of cases that have to do with ground floor use in East Cambridge, which is actually a pretty

exciting thing because if you think back to the early time when Special Permits were granted, there was this concern about being able to get active ground floors in that area, so it's nice that the time is coming where we're actually seeing some of those active uses wanting to locate on First Street and Canal Park.

In terms of upcoming agenda at the Planning Board, we will have two meetings in November partly because of the election next week, we don't have a meeting on the 3rd. And also the week of Thanksgiving, we will not have a meeting.

So at the next board meeting, which is November 10th, we will have the continuation of the hearing on the CRA sponsored MXD Zoning in Kendall Square.

A meeting of November 17th we will have

two hearings, one is the land disposition petition of Coolidge Place, which is a -- about just over 1,000 square feet of land. It's an eight-foot wide right of way on the -- related to the Mass. and Main project. It's a current walkway that extends from Mass. Ave. to the municipal lot in the back. And as you might recall from the design that we had seen during the rezoning process, the design worked much better when you actually were able to move that circulation from the edge of the site to be in a more central location than it would offer the opportunity of actually locating some retail along it and having it feel like a much more active connection between the two sides of the project. And so that will be before you, that's -- it comes to -- it's a City Council action, but it also comes to Planning Board

for a public hearing, so that will happen on the 17th.

And then the Volpe rezoning petition, which you heard last week, is coming back for the continuation on the 17th.

So that's the Board's November agenda.

In related Ordinance Committee hearings, November 12th is the Ordinance Committee hearing on the Volpe petition.

November 18th on the carsharing petition.

November 19th on the Barrett petition.

And November 23rd on the Coolidge Place disposition. And those are the Ordinance Committee elements.

The two other elements I wanted to mention is that yesterday we had a roundtable meeting with the City Council that was about the citywide planning process that we'll be

kicking off soon. We are -- we do need City Council appropriation which will be on the agenda for this coming Monday. Hugh and Lou were at the roundtable discussion, so they might have other things to add, but I thought it was a very useful discussion.

The consultants who will be working on this is a pretty large multidisciplinary team led by Utile which is a Boston firm, and they -- so we were very impressed with the community engagement, knowledge, and thoughts that they brought to the table as well as their very data-driven approach to planning. They also are very good at knitting together the varying scales, the relatively fine grained urban design scale with the micro thinking about development, mobility, and so forth, and being able to mesh that together. So that -- we are hoping that we'll be able

to kick off that process in the not too distant future, but really the engagement will start early next year.

A second thing I wanted to mention is that we had -- we had solicited applications for the middle income units in the Alexandria project, and that closed early last week. And so we have received -- for the 15 middle income units, we received a little over 40 applications. So we are still -- we're treating this a little bit as a pilot project to try to understand the market for middle income units and the demand for it, because there's -- obviously this is the number of applications that we've received for these units that are significantly less proportion-wise compared to what we, what we received typically for the low and moderate income category, but that was to be expected.

So we do need to figure it out what the -- just because people have many more choices in the middle income category, but we do, we do -- we will be watching this very closely and evaluating how many of the people actually move into the units, how successful -- how long it takes to tenant them and so forth, because that's going to inform a lot of the discussion that we're having both at the Board and the City Council over the next coming months.

So thank you, that's my update.

TOM SIENIEWICZ: Iram, can you just remind me what's the hour of the Ordinance Committee? When do they meet?

IRAM FAROOQ: It varies.

TOM SIENIEWICZ: It varies, okay.

IRAM FAROOQ: If there's a particular one you care about, I can tell you

for that hearing. Many of them are at 5:30. The Barrett petition is at two p.m. The Coolidge Place disposition is at seven p.m.

JOHN HAWKINSON: And the carshare?

STEVEN COHEN: And Vo1pe.

IRAM FAROOQ: Careshare and Vo1pe are both at 5:30.

TOM SIENIEWICZ: Thank you.

H. THEODORE COHEN: Thank you.

Liza, are there any transcripts?

LIZA PADEN: So we have the transcript for September 8th and it's been certified.

H. THEODORE COHEN: Motion to accept that?

HUGH RUSSELL: So moved.

STEVEN COHEN: Second.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Thank you.

And now you want to talk to us about Planning Board No. 65, 150 First Street.

LIZA PADEN: So the Planning Board has the responsibility for making a determination of all uses that were not anticipated at the time of a Planning Board Special Permit being granted. So in this -- there's two cases tonight:

The first one is for 150 First Street. This building was originally built as an office building for Lotus Development and it is the building that's south of the Cambridgeside Galleria. And the ground floor retail has, over time had some occupancy, most recently the camera shop. The proposal tonight is for what's called a co-working space. And this co-working space would be

open to the general public. It would not be based on membership. And one of the portions of this space would be used as a coffee shop, which will be part of the second phase of the fit-out for this.

So there's going to be a lot of activity while people would be working sort of like at an office setting. There will be a lot of people coming and going. And the nice thing about this is ground floor use goes from First Street through to Charles Park. And I believe the gentleman is here if anybody has any questions to ask him specifically about the use.

What we need for the Planning Board to vote to make a determination that this is appropriate for the ground floor.

H. THEODORE COHEN: Perhaps if you could explain a little bit about how the

co-working space is going to be utilized and how it's going to function. Come up and use the microphone so we can hear you.

TONG YU: Thank you.

H. THEODORE COHEN: And please give your name to the stenographer.

TONG YU: Hi, everyone. My name is Tong Yu, and I work for a company called Intrepid Labs. We're a pretty typical co-working center operator. So the concept of co-working is basically we have a number of desks that we rent out to other people on a daily, monthly, or a weekly basis. So the concept is companies have remote employees or people in general in the tech community or generally in the Cambridge community. They would like to have connected workspace and to have snacks and coffee. And in general we also cater to companies that range from five

people to twelve people, the upcoming startups where they need someone or they'd rather rent desks at a co-working center rather than hiring office manager to take care of the office needs. But we're open to the public. We have daily passes and we allow other people to spend a day in Cambridge where they can meet other community members in the tech space or other space and have an office, more of it like a connected workspace and then office to spend the day or to network or to, you know, work remotely for a day or a week. So that's the general concept. We're very much like Work Bar in Central Square which is pretty close to this place.

H. THEODORE COHEN: And what will the public see from the outside?

TONG YU: So they'll see a cafe,

like a hangout area. They will see desks and they will see a very medium density, very vibrant place where a lot of people walking in and out and going to, like, having small meetings and have group sessions. And we would love to host events for the community, so a lot of like technology-related talks and small scale networking events. We love doing those events, too.

H. THEODORE COHEN: So in general if the curtains or blinds or something they would be open so the public would see inside as they're walking by?

TONG YU: Right. So we're definitely going to take advantage of the glass wall and kind of like, let the community see what's going on because we're a public facing business.

H. THEODORE COHEN: Okay.

Anyone else have questions?

AHMED NUR: Yes. So it's more like a, for lack of a better word, it's more like a carshare but a computer share so you have internet hooked up for anyone that remotely wants to work.

TONG YU: Right.

AHMED NUR: And they could rent that desk for weekly. Weekly is the minimum? You don't do daily?

TONG YU: You can do daily. You can always think of it as a startup or worker hotel concept where they can take their computer and come in. They can connect to the internet, they can have snacks and coffee and they may be able to meet some other people and they may be able to host a meeting.

AHMED NUR: Now, you don't have to

answer this because I'm not sure if this is an appropriate question for you, but in terms of security, you know, cyber attacks and many other things that people are doing nowadays to computers. You go to the library and people take your IDs and say, you know, there are cameras and things and that sort. How do you normally protect the public from the public?

TONG YU: Sure. So there are two parts: So we have a partner that manages all of our IT. And all of our people that connect to the Wi-Fi network where they plug in to access the internet, they are going through our managed service where there is a firewall. So security is guaranteed. And we have an existing location where we operate as a -- operate as a co-working center and that model has been proven to be very successful.

AHMED NUR: A monitoring system?

TONG YU: Yes.

H. THEODORE COHEN: Any other questions?

(No Response.)

H. THEODORE COHEN: And so, Liza, you need from us a --

LIZA PADEN: A motion that you make the determination that this is an appropriate ground floor use in the PUD-4.

H. THEODORE COHEN: Somebody like to make such a motion?

STEVEN COHEN: So moved.

AHMED NUR: And I second it.

H. THEODORE COHEN: Any discussion?

(No Response.)

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Anyone opposed?

(No Response.)

H. THEODORE COHEN: Thank you. Good
luck.

LIZA PADEN: So the next proposal is
at No. 1 Canal Park further down First Street
towards the Lechmere T station. This is for
a site that is in the existing office
building. Formerly it was occupied by the
East Cambridge Savings Bank. And there's a
proposal now for a fast order food
establishment. It would be a pizza place,
and because fast order food needs to be
individually reviewed by the Planning Board
for any of the PUDs.

H. THEODORE COHEN: And is anyone
here today to speak in favor of it --

LIZA PADEN: Yes.

H. THEODORE COHEN: -- and describe

it to us?

MATT GIROUX: Yes.

H. THEODORE COHEN: Please come forward and tell us your name and tell us a little bit about your proposed use.

MATT GIROUX: My name is Matt Giroux, G-i-r-o-u-x. I am with the franchisee for Massachusetts and Rhode Island for Blaze Pizza. It's a concept that started out west. It's very similar to a Chipotle. You would walk in, see all your ingredients fresh, be able to make one of your own pizzas as it comes down the line or pick one of the eight signature pizzas, and about 180 seconds later it will come out of an oven and you can have your pizza for lunch or dinner whenever you may want it.

H. THEODORE COHEN: Are there any other Blaze Pizzerias in the area?

MATT GIROUX: Not yet.

H. THEODORE COHEN: Not yet.

LIZA PADEN: You'd be the first.

MATT GIROUX: Yeah, we are actively working on four other locations in Boston and up in Beverly. This would be the first one in Cambridge. We would like to put more with the density that you guys have here. We think that the concept itself and the freshness that it is will be great for the community and for the -- and for the people here.

H. THEODORE COHEN: And what hours of operation do you anticipate?

MATT GIROUX: Eleven a.m. to eleven p.m.

H. THEODORE COHEN: Five, six, seven days a week?

MATT GIROUX: Seven days a week.

H. THEODORE COHEN: Seven days a week?

MATT GIROUX: Yep.

H. THEODORE COHEN: Anyone else have any questions?

AHMED NUR: I do about the parking. And so -- I apologize. Do you experience on other sites traffic? People coming in to do do-goes and stuff?

MATT GIROUX: Foot traffic and stuff absolutely.

AHMED NUR: Just foot traffic, no vehicle?

MATT GIROUX: Honestly it depends on the location of where it is. Other Blaze Pizzas they're up to about 92. They're opening one every four days right now. They're anything from a food court in a mall to a freestanding location. And it really

depends. If they're in a setting where it's in a mall, they'll experience the foot traffic versus parking traffic.

AHMED NUR: Where is this? I'm not too familiar with this address. Is it accessible to the seating in the mall or you have your own seating?

MATT GIROUX: No, we have our own seating?

AHMED NUR: You have your own seating.

MATT GIROUX: Yeah, it's in that cross path between the Cambridge Galleria on the Sears' side.

AHMED NUR: And in that little walkway to the water?

MATT GIROUX: Yes. So when you walk out the side, you would be walking to the fountain.

AHMED NUR: So that's the space, Liza, that the people wanted to get out of the retail on the first floor. The owners wanted to do away with -- there used to be a bank there.

LIZA PADEN: Yes.

AHMED NUR: We had a Planning Board hearing on this.

LIZA PADEN: Yes.

AHMED NUR: Okay, I'm glad that space is taken. It's hard to get in there. Okay.

H. THEODORE COHEN: Any other questions?

STEVEN COHEN: Do you deliver?

MATT GIROUX: We do not deliver at this time. It's something that they're exploring corporate, on the corporate side only because it's so fast, people normally

use an app and order on-line and then we actually don't even put it in the oven until you show up because it's 180 seconds and it's in and out. So it's very, very fast. It doesn't travel as well right now. I'm not sure how we could do that in Cambridge, potentially bicycle or a third-party delivery service.

STEVEN COHEN: So for somebody who puts in the order and wants to come and then pick it up and old rumors to the contrary, a lot of people pick up pizzas by car. How does that work? And where do they drive their car and leave it and run in and pick up their pizza?

MATT GIROUX: They'll have to find a parking space out front at that point.

LOUIS J. BACCI, JR.: On First Street?

H. THEODORE COHEN: How -- what kind of ovens are they?

MATT GIROUX: It's a gas-fired wood stone oven. It's a hearthstone oven. It has one decorative flame and a flame under the deck itself and then two radiant flames inside. It's hot.

H. THEODORE COHEN: They bake in 180 seconds?

MATT GIROUX: Yeah, yeah, it's a very thin crust so that helps the process as well.

H. THEODORE COHEN: And, Liza, this is a different vote because it's a fast food establishment?

LIZA PADEN: No, it's still -- the Planning Board has to make a determination that this is an appropriate ground floor use.

H. THEODORE COHEN: Same

determination?

LIZA PADEN: Yes, same determination.

H. THEODORE COHEN: Somebody like to make such a motion?

AHMED NUR: Yes.

H. THEODORE COHEN: And second?

AHMED NUR: I was going to make a determination that this is appropriate for ground use especially knowing that it's really difficult for anyone to, according to the developers or the owners, that this is a space to take because everything is getting sucked by that mall and I think it's appropriate.

H. THEODORE COHEN: Is there a second?

HUGH RUSSELL: (Raising hand.)

H. THEODORE COHEN: Second.

Any other discussion?

STEVEN COHEN: I'm going to vote for it, but you know, the use as a restaurant great. I mean artisanal pizzas, great. I just question a little bit the sort of automotive ins and outs associated with the fast food in this kind of location. But having said some, I would nevertheless vote in favor.

H. THEODORE COHEN: Any further discussion?

(No Response.)

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Any opposition?

(No Response.)

H. THEODORE COHEN: Thank you, and good luck.

MATT GIROUX: Thank you.

H. THEODORE COHEN: Thank you. And now -- we're being advised that LeBron James is leaving his profession and investing into Blaze Pizzerias.

Okay. We're now, I was just going to tell them what we're doing. We're now going to have the hearing on the City Council Zoning Petition to amend Article 6.000 of the Zoning Ordinance to create a new section 6.24 carsharing provisions.

JEFF ROBERTS: So this is easy. Carsharing is just like co-working space. I'll sort of start at the beginning.

First of all, Stephanie Groll, our PTDM officer who did this presentation the first time, regrets that she can't be here. She's at a conference somewhere in the -- maybe Texas, I don't remember. But she's doing a

talk on Cambridge's parking and transportation policies, so I get to cover this presentation about carsharing. Just to bring everyone up to speed, this was a City Council zoning petition. It was heard by the Planning Board which issued a recommendation back in June on the initial petition. That was sent to the City Council, the Ordinance Committee held its own hearing, but due largely to a calendar issue, the City Council was not able to take any action on the petition that was, as it was originally heard and so the City Council has re-filed the petition which means that it gets sent back for another round of hearings. So this is, this is the Planning Board hearing. And as Iram mentioned, the Ordinance Committee will hear it again on the 18th of November.

So for most people, both and the Board

and the audience, this will be somewhat repetitive. I'm going to try to quickly go through some of the background and the proposal for the benefit of those who might not have been there.

So to start off with, just to briefly say what is carsharing? And just in general terms it's what it sounds like. It's the ability to -- a system by which more people can share the use of fewer cars. So instead of everyone having their own car and driving it around when they want to, then there are cars that are available for a larger group of people to use either by the hour or by the day through a membership-based organization which is different from a rental car, a typical rental car operation, where you go to an office and make a separate contract for the use of a particular car over a particular

period of time. This is a system where it's all run as an organization and reservations are made at home, over the web or by phone so there's no need to visit an office when you're using a car.

The genesis of this proposal is based on how car sharing fits into Cambridge's overall transportation policies to provide more mobility options for people, particularly for people who may not own cars either by choice or may not be able to own a car. It is a more sustainable system. We know from evidence that people who choose carsharing organizations and don't own their own cars tend to drive less, drive fewer miles, which results in less traffic and less climate impact. Also just by the nature of carsharing, because you have more people with the ability to use fewer cars, it means that

there's the less demand on parking and more parking available for those people who continue to own and park private cars.

This is just a little bit of information from the first presentation showing that since 2000, which is when the first carsharing company started in Cambridge, it's ZipCar, and they do still operate in Cambridge, we've seen an increase in the number of households in Cambridge, but at the same time a decrease in the number of resident parking permits that have been sought. We see that in not just in this data trend but in other pieces of data that we've been able to collect that since 2000 in particular there has been a reduction in private car ownership and resulting demand for parking.

On the national level there's been some

research done on carsharing indicating that for the communities that have carsharing available, each carsharing vehicle takes approximately 9 to 13 private automobiles out of circulation, so giving some indication of what the, what the overall sharing impact is of this kind of a system.

This is, again, some information backing up some of the, some of the evidence that was shown before, that if, this is a survey that was conducted. Stephanie did this. It was not a scientific survey, but it was an open on-line survey that was circulated broadly to the Cambridge community to get some feedback on carsharing and issues related to carsharing, found that for people who are Cambridge residents that are carshare members, a very large number of them were able to get rid of their car as a result of

being a part of a carsharing organization.

Here's some, a little bit of new information because this was asked by the Planning Board, and I think we weren't prepared to give a very clear answer regarding the kind of activity that tends to occur around carsharing, and we got this information from ZipCar. The turnover, we were talking about well, about how many times per day do these carsharing vehicles tend to be used? It tends to be used actually less than twice a day on average, and they are in active use for about -- if you look at it, about half of the day and that means that they're not -- they're being driven somewhere, they're not being -- they're not sitting in their spot waiting to be reserved. The great majority of reservations are made during the either day -- either morning,

daytime, or evening. Very few cars are out overnight. And of those, I don't think we have the exact data on it, of those many of them are full day reservations. So people who have gotten a car or who reserved a vehicle and picked it up at a particular point in the day and then bring it back the following day or some future day.

So, just a little bit of additional background about what Stephanie had done during -- before this was -- this proposal came forward in terms of reaching out to the community and getting feedback on carsharing and what the desire is to see that is something that would grow and continue to thrive in Cambridge.

There were a number of neighborhood meetings attended. There were many comments related to the benefits of carsharing and the

sort of bearing out the data that it is a service or a program that allows people to not have to rely on having their own cars as much. The concerns that were raised at these meetings generally had to do with residential parking areas and how -- and what the interaction is between carsharing vehicles and privately owned residents' vehicles. As a result of that, you'll see if you remember from the original proposal, and you'll still see that where there are limitations on the proposed regulations for carsharing, they're more limiting in those areas that are designated for residential parking.

Again, just some results of the survey that was indicated before showing that across Cambridge neighborhoods their survey indicated a desire to locate carsharing vehicles in residential areas.

And this is just another little piece from the survey that was somewhat interesting. It takes a little bit of interpretations to look at. We asked the question what's the furthest you would walk to use a caresharing vehicle and split it data between current carsharing members and non-members of a carsharing organization. And finding that at least from the responses, people who are not members of carsharing services indicate that they would, that they would not be willing to walk as far to use a carsharing vehicle. Those who are current members by in large at least about half of them said they would walk up to ten minutes, and about the same number said they would walk seven minutes or less among non-members. So this is just a little bit of -- it doesn't provide anything conclusive, but it's a

little bit of an indication that there's some possibility for carsharing use to expand if it were more available and more convenient.

So, now just focusing on the proposed zoning changes. The purpose of the -- of the zoning proposal is to provide some clear definition and regulation around carsharing. The current ordinance doesn't really say anything specifically about what carsharing is and how it fits within the overall set of uses, both principle and accessory uses in the Zoning Ordinance. Those kinds of unclear regulations have made it difficult for carsharing to grow in a reasonable way and it's been especially restrictive in areas as indicated and discussed before. It could be most convenient to residents.

So just as a reminder, when we're talking about zoning regulations, we're not

talking about vehicles, we're talking about parking. Parking spaces are the land use that is, that's regulated in the Zoning Ordinance. And so in this zoning approach, it reaffirms the notion that parking is parking. That is the land use that we're talking about, but that under certain limitations the parking spaces can be used by carsharing vehicles and there are some general and specific limitations that I'll walk through. And, again, they get somewhat stricter as we're talking about residential parking spaces.

Just the overview of the sections of the zoning. There are some discussion of the intent which is aligned with how this was introduced in the beginning. The definitions that are provided in the zoning are meant to be consistent with what currently exists in

Massachusetts State Laws Chapter 90 about five years ago introduced, first introduced language defining carsharing and how it would be regulated on the roads. So this takes -- the zoning takes a cue from that.

And the key distinction is the distinction that I mentioned at the beginning of what makes carsharing different from a traditional rental car agency. It's a car that's simply there, and in order to use it you make a reservation from home or on-line or on the phone. You get the car where it is, you drive it, you bring it back. Just from outward appearances it functions the same way as if you owned the car and were picking it up and using it. You're not going to an office, you're not signing a contract, you're not going to make a transaction and turn over keys.

Some of the general limitation in the zoning talk about just in general that it has to be a lawful parking facility, the carsharing vehicles must be registered. And we've made a clarification, our staff has suggested a clarification, must be registered with the Registry of Motor Vehicles which was the intent.

The function of a space that has a carsharing vehicle should be for the active use of that carsharing vehicle by users, not for any type of sales or servicing repair. There are personnel on-site. There's no office function unless it's a district that allows an office use and then you are allowed to have an office.

And for sites that have multiple owners, such as condo buildings, all owners must be in agreement that this function can

happen.

In the Planning Board recommendation there were a few other limitations that were put in place; that spaces must be registered with Parking, Transportation Department which they were here at the last hearing and discussed that they're amenable to having a process in place whereby they would register and monitor spaces that have a carsharing vehicle using them.

The Planning Board recommended that only full-size parking spaces and not compact-size parking spaces be allowed to have a carsharing vehicle based on ease, just ease of use for having multiple users. And that the spaces be located at least ten feet from a residential building in a lower density residential district which is based on some concerns that were voiced at the last

hearing.

The other limitations have to do with what kinds of parking spaces can be used for carsharing? If the use -- it's either principle use parking, which is like a garage or a pay lot. Or if it's accessory parking to a commercial use like an office or a retail use, then the zoning doesn't put any limitations on the number of spaces that can be used for carsharing. It's really left to the market to decide what's the appropriate balance between employee customer or other types of parking and carsharing that would be used by occupants of the building.

So, on the residential parking side, this is where there was some discussion between the original petition and what the Planning Board recommendation was, so I've tried to describe both here. In the original

petition it was -- the proposal was no more than 30 percent of the total number of spaces. So regardless of what the requirement is, however many spaces are in the facility, no more than 30 percent can be used for carsharing.

The Planning Board recommendation went a little bit further and had a slightly different formulation saying that first they, that carsharing should be limited to residential lots of four spaces or more, and that carsharing can -- rather than occupying no more than 30 percent of the total number of spaces, could only occupy spaces that were more than 75 percent of the number that it required. I tried to explain this to the City Council and made a little diagram just to indicate. So if you have, for instance, a residential lot with eight units, say that

lot contains six spaces, which is 75 percent of the required number for an eight-unit building, all those spaces would have to be dedicated to car owners, but if there were more spaces than six on the lot, then those spaces could be made available for a carsharing use.

The other pieces of the Planning Board recommendation were to grandfather existing spaces so long as they registered with Traffic, Parking and Transportation. So that if existing carsharing spaces did not meet all of those strict requirements that were proposed, then they could still be allowed to continue. And that any other modifications to the requirements could be approved by a Special Permit from the Planning Board.

And then finally, I just wanted to review some information. So when the

Planning Board made their recommendation, they asked staff to look into existing carsharing locations and how they might compare with what the Planning Board's recommended requirements were. And so we did that and we presented that information to the Ordinance Committee and I'll just try to present it quickly to you. These are the -- this is the overview locations of existing carsharing locations around Cambridge. There's 91 locations. If you break down those different locations, you see that the majority of them are universities and commercial sites. There are -- whenever I hear that I feel like my time is up.

On the residential side there are fewer locations on the residential lots, but -- and among those on residential lots primarily they're in lots with ten or more units.

There is a small number, about six, on sort of middle sized for the nine-unit residential lots and only four that are in sites that are two or three units. And those are the ones that would likely trigger the -- would not meet the requirement that the Planning Board recommended of having it be at least four spaces on the lot and at least -- and providing at least 75 percent of the required number of spaces.

So this is just a brief overview of what we were able to count mostly just by looking at each of these 91 sites and trying to figure out well, does it trigger this criteria or not? Again, only four sites came up with fewer than four parking spaces.

Four -- not necessarily the same four, but I think most of them are the same residential sites where that are providing less than 75

percent of the parking requirement. It's difficult to determine how many actual spaces are within ten feet of a residential building in one of those lower density districts, but we looked at sites where the parking lot itself where, in which it was located might be within ten feet of one of those residential buildings and came up with about seven of those sites. In most of those cases, if not all, the carsharing vehicle moved to a particular space within the lot, it would be far enough away. And the -- probably the trickiest one is the -- meeting the zoning dimensions for a regular non-compact parking space. I think for new sites and new developments, that's an easy thing because they would have to meet those zoning requirements anyway when they create new parking facilities, but for many existing

parking facilities in the city, it's a little vague sometimes whether those dimensions are exact. The dimensions of how the lots are striped or exactly meeting the exact length and width of a regular sized parking space under zoning. So we really don't know because we haven't been able to go out and measure in 91 or 300-some odd parking spaces, but I imagine that that's a non-conformity that would apply to many of the existing carsharing locations.

So that's the presentation that I have and I'm happy to answer questions about the proposal or about some of the background material that I kind of spun through or move to comment.

HUGH RUSSELL: So the proposal we're hearing tonight is the identical proposal we heard before but we've got the benefit of our

decision and our recommendations than the earlier proposal?

JEFF ROBERTS: That's correct. I'll try to explain that again because I said it quickly at the beginning.

So the petition is the petition that was originally filed by the City Council. The City Council did not take action regarding the Planning Board's recommendations. So the recommendation, while it was accepted by the Council was not incorporated into the petition, so the Planning Board could decide to refer the same recommendation. If the Board did that, we would suggest that they incorporate the minor text changes that staff had made after consulting with our law department. We found that there were some areas where the language was a bit vague and could be clarified a bit.

So we submitted those, those changes. Nothing, none of the changes are substantial given what I just described. So that's something we would recommend. Or the Board could take a completely different approach if that was the desire of the Board.

STEVEN COHEN: Jeff, one question. I just -- I had had concerns about the grandfathering provision. I just want to confirm what I think I understood. Are you saying that of the existing facilities that would be grandfathered, there's only four facilities in which fewer than 75 percent of required parking is available to private parkers?

JEFF ROBERTS: That's what we came up with from our survey of all the sites, is we found four that would, that would trigger those criteria.

STEVEN COHEN: So in other words, if we do accept the grandfathering provision, it's not a major issue? It's not going to have a significant negative impact and it's only a few instances in which those facilities diverge from the new regulations that are being proposed?

JEFF ROBERTS: That's correct. It seems like a small number with the exception of the requirement for the full-size parking space which could and probably is a larger number. We don't know what that number is, but, yeah, that's our understanding from looking at the information that we have. I think that -- and in any case, if there is a proposal or a location that doesn't meet the requirements that are provided, then the Planning Board could issue a Special Permit.

H. THEODORE COHEN: I have a couple

of questions, Jeff. I wasn't at the last hearing, so I don't know if the information was available then, but you've indicated that in the information from ZipCar, I guess, is that each car is across the city used on the average 1.7 times a day?

JEFF ROBERTS: Yes, that's correct. That's information that we received since the hearing and when that question came up at the Planning Board.

H. THEODORE COHEN: So if that is the case, I'm guessing that the -- since there was carsharing discussion a couple years ago, that the desire to have spaces no closer than ten feet from residential buildings in certain districts was out of a concern that people would be coming and going many, many times a day, disrupting the people in the residential structure. Is that a fair

assumption on my part?

JEFF ROBERTS: I think that's fair, and maybe other perspectives on that, but the concern that was voiced as I remember it, was the potential for a carsharing vehicle that's positioned near a residential window could be disruptive.

H. THEODORE COHEN: Are there, I guess I'm trying to figure out this whole ten feet issue. You indicated that for the spaces that may not comply dimensionally now there would be other spaces in the lots that would be so that the carshare could be moved to that. So I guess my question is if there are any spaces currently within ten feet in, you know, that if it weren't a carshare vehicle, there might not be another vehicle in the same spot.

JEFF ROBERTS: That's correct. And

so, again, the notion here is that these are parking spaces like any other parking space. So it could -- yeah, right, if it weren't a carsharing vehicle there, it could be just someone's car that they own.

H. THEODORE COHEN: Okay.

STEVEN COHEN: Jeff, one more to confirm what I think I understand. Is that ten-foot requirement, you said that's only in A and B districts?

JEFF ROBERTS: It's in our lower density residential districts. So all the districts going up to Residence C-1 are the districts. Generally the districts that have a 35-foot height limit and where the density is limited so that the pattern of development is more smaller scale homes, maybe one, two or three-family homes, some larger apartment buildings, but they tend to be smaller wood

frame buildings.

STEVEN COHEN: And the ten feet is from the building, there's no reference to windows per se; is that right?

JEFF ROBERTS: That's correct. I think the idea was to make it as simple as possible. Windows can be a little bit more difficult to pin down just from a zoning point of view. It's easier to determine where the building is with precision than where the actual window is.

STEVEN COHEN: Right.

AHMED NUR: The way I imagined that, Hugh was sitting in that meeting I think when it first came out with the ZipCar, one of the points that we raised was what happens at two o'clock in the morning if someone reserved a ZipCar next to a family that are sleeping by their window and this person was making alarm

and keys and cars starting up and so on and so forth, and that number was thrown out in my imagination to, you know, I think they changed it to the nearest the building or the windows or the doors or residential anyway where somebody would be residing to sleep at night. Just to keep it away. And so, I haven't heard in the complaints and it kind of worked out I think.

H. THEODORE COHEN: I guess one other concern I've had with I guess the original draft and then the current draft is a statement: Driveways of single-family residential homes may not be used by carsharing vehicles. And I understand the intent of that. However, I think the literal reading of that means that if I were to get a carshare and go pick up groceries and then come and park it in my driveway I would be

technically in violation of the proposed ordinance. So I think that language needs to be modified a little bit to indicate that the driveways are not to be used for housing, I guess, or whatever the proper term is, a carsharing vehicle, but that they can be used -- you know, there's no restriction on them being used by someone who is using the carshare vehicle for the period that they're using it.

Any other questions for Jeff right now?

(No Response.)

H. THEODORE COHEN: If not --

AHMED NUR: Let's go to the public hearing.

H. THEODORE COHEN: Okay, let's go to the public hearing. So the first person who is listed is Steve --

LOUIS J. BACCI, JR.: It can wait.

It's okay.

H. THEODORE COHEN: Oh, I'm sorry.

Is Steven Kaiser. And if you all know, please come forward and state your name and address for the record and then in general you speak for three minutes.

STEVE KAISER: Again, for the record, my name is Steve Kaiser at 191 Hamilton Street. And just to summarize the comment that I have circulated for you, I didn't get into detail. I didn't nitpick the particular wording of the proposal. I tried to keep to the larger concepts of it. And if I have one criticism, I'm very strongly in favor of carsharing, that the approach of CDD may be a little too timid. That they could have gone a little bit more stronger in the program and allowed it to -- carsharing to be as shall we say powerful as it might want to

be in the future.

And I would note I went down and took a look at CDD's file on the 2009 filing, okay? And it had some interesting advantages in terms of wording that we could use to improve the current version. Maybe in format. The biggest difference I have is that I side oddly enough with Normandy and the folks at Central Square who when they did their April version of their zoning this year, they put in a carsharing provision with an incentive. As you might have noticed on the screen that there's a reference to one carsharing position -- one carsharing space being able to displace nine to thirteen cars. What this means if you go into a big program of carsharing, you could cut down on the needed parking by a very large amount. I've heard the number five to one, which is I think

relatively conservative and that's what they had in their zoning and I was supporting that.

An incentive program would say if you come in with a large carsharing program, say half the spaces, that you can get a reduction with that half, five to one. For every car space you have, it reduces your required parking. So there's an incentive for the developer to do carsharing, which I think is consistent with the ability of carsharing to cut down on the parking demand. All right?

That's not in these drafts or any of the drafts that have come to you from the city. And I would urge that you really take a good look at this because No. 1, I think it takes advantage and gives an incentive to cars, to car sharing. And it also gives more reason for this petition, because one of the

criticisms in the past is why are you doing it? You've already got carsharing. Well, how does this change anything? If you were to actually put in an inducement, an incentive program that would help as well.

So I think the petition needs some work and I included some paragraphs. I did include the section in there from the Normandy and it's -- I think it's very well written, but it just has a very strict limit. I don't know why they're putting strong limits on there, whether it's 30 percent maximum or 25 or three percent. What I think we can do is come up with a good number that makes sense and that would be as of right. And if somebody found that there were carsharing program really worked, you could come in under Special Permit and demonstrate the need and that this would work properly.

So there is that Special Permit privilege -- that possibility which is within the current drafts.

H. THEODORE COHEN: Mr. Kaiser, could you wrap up?

STEVE KAISER: So that sort of summarizes my comment. I would just like to make one further comment is I very much appreciated the actions of the Board last week. I thought that was an excellent meeting. I have to comment now because we don't have a normal comment period. But -- and I also had a discussion with Councillor Carlone and said my opinion is that the Planning Board is the most improved board in the city this year. And that the City Council is not. And he said well, I don't have an opinion.

H. THEODORE COHEN: Thank you for

your comments but if you could wrap up.

STEVE KAISER: I don't have an opinion on the Planning Board, but I agree on the Council. So I think the position of the Board this year and particularly the way that it's meeting last week was run, is saying quite a bit. So I appreciate what you did and look forward to whatever you come up with on carsharing.

Thank you.

H. THEODORE COHEN: Thank you.

Brian Allyn.

BRIAN ALLYN: Hi, thank you so much for taking the time to hear my comments. My name is Brian Allyn, A-l-l-y-n. I live at 20 Dodge Street over in Central Square. As someone who grew up in Massachusetts, I was lucky enough to -- growing up, you know, I lived in suburbia and like most suburban kids

I had access to a vehicle. But when I got to college, that wasn't as easy for me. And when I was 21-years-old, I signed up for ZipCar not really knowing what I would use it for but just knowing that it could be useful for me at some point. And over the last, what would that be three, four years now, I've used it so many different ways in my day-to-day life. I have used it to help myself move into Cambridge. They have Zip vans which are cargo vans. And the application process alone around September 1 anywhere in Boston is insanity so just to have the option of an extra vehicle is great on my end, but it also has allowed me to participate in community events bringing, you know, materials and whatnot from one location to another. And then it's even as simple as me taking a car that's, you know, owned by

ZipCar to go visit my parents. So it kind of keeps me in touch with them, too, which I'm sure they appreciate. And it's just one of those things that, you know, it's a great resource to have for someone like my age. But also for all the university age students out there that may be, you know, a car is the last thing on their mind in terms of a luxury that they can afford. And the reality of a ZipCar is much more reasonable on a student budget or a young adult budget. For those reasons it's something that I'm tremendously in favor for, and I feel like the community of Cambridge would be much better off by having expanded access to said vehicles.

Thank you.

H. THEODORE COHEN: Thank you.

STEVEN COHEN: Thank you.

AHMED NUR: Just on the record I

want to make sure you understand this, this is not about ZipCar, it's about carshare in general so....

BRIAN ALLYN: Yes, my apologies.

AHMED NUR: We're not working with one company.

BRIAN ALLYN: Yes, sir. Also Enterprise which I also have a membership, too.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak? Please.

FRANCIS DONOVAN: That reminds me, my name is Francis Donovan, 42 Irving Street.

Let me start at the beginning. That testimony reminds me of the many citizens who went to City Hall to lobby the City Council in response to an e-mail from an Avis -- ZipCar Avis and Enterprise saying that

carshare is under attack, please go to City Council and please defend carsharing. The history of this ordinance, as you probably know better than most, but I happen to know, is that carshare grew so quickly that it outgrew the ordinances that normally controlled parking. So it was wise to be decided to redraft an ordinance to encompass the needs that carsharing provides, carsharing being a wonderful idea, and that was the purpose of the new ordinance. Sometime in there the carsharing ordinance expanded into bringing this commercial activity into residential areas. This is something that hasn't been done in Cambridge for 100 years. And the map, I don't know, can you bring up that map of the car sites again?

JEFF ROBERTS: It might take a

second.

FRANCIS DONOVAN: I hope that's not on my time.

H. THEODORE COHEN: We'll let you go.

JEFF ROBERTS: Keep going.

FRANCIS DONOVAN: At the previous hearing which I did attend, there were two maps, one showed the sites and one showed -- one was a colored map showing pink in all areas where like a carshare could be reached within five minutes of walking. I often have to walk five minutes to my car when it's parked on the street, so I consider that workable. The pink areas that showed where you're within five minutes of a car covered almost everything except Fresh Pond. And there seemed to be no carsharing sites in the middle of Fresh Pond for reasons I don't

understand because I think at the rate it's going, they will get there. But in the northwest corner of the city there are a few spots, but in the other areas, and I guess there are -- how many, how many cars do you have now? Right now?

H. THEODORE COHEN: 321.

FRANCIS DONOVAN: 321. And that's not -- there's no limit there, right, that can grow? My point is this: That with something like 95 percent of Cambridge residents within a five-minute walk, we do not need to go down, to go back on the promises we've made when we set up residential zones. I think, I think if you look at the density of these sites in commercial zones and the proximity of those zones to residential zones, you'll find that there is absolutely no need to invade

residential areas by setting up commercial activity of these two multibillion dollars corporations. ZipCar is now Avis. They sold -- they bought it for something like 500 million and it's now a \$5 billion operation worldwide. And Enterprise is entering and Hertz is sniffing around the corner. We have no idea where this is going and it's going to get big. And I think you have the opportunity to control this which was the original intent of this ordinance. And so if you control it by eliminating the use of these, of the authorization of these sites in residential areas, I think you'll have the impact of allowing carsharing to grow happily without worrying about whether you're outside somebody's bedroom window. People are paying a premium for land. They're paying a premium for rent. They're paying a premium for

houses in residential A, B, and even C Zones, and to put commercial enterprises in there when it's not necessary, is going back on 100 years of protection of residential zone. So should there be a necessity for putting carsharing in an exceptional place, then Special Permits are reasonable. And I would say there, that if you do have to put in a Special Permit to accommodate a lack in a certain area, then the Board of Zoning Appeals is the board which is most skilled at issuing decisions regarding zoning, and this is zoning and not parking. And so I think for the Parking Department to be issue special zones, I think you're going to get a rubber stamp. I don't think they are -- I don't think they have the history for the respect of zoning. I don't think they have the history of protecting the value of the

property that the people have invested in.

H. THEODORE COHEN: If you could wrap up your comments, please.

FRANCIS DONOVAN: BZA should be the place for Special Permit if there is a Special Permit that is needed, but there is no need for these cars in the near few years in residential areas and to put them there would be a violation of trust.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not, then we can have further questions and discussions right now.

Lou, you had some questions?

LOUIS J. BACCI, JR.: I have a few. First of all, and maybe there's someone here

that can explain this, how economics work in.

CAROL O'HARE: Can you talk into the mic, please?

LOUIS J. BACCI, JR.: I'm curious how the economics work. Does the site pay the carsharing company for a fee or does the carsharing company pay a fee for the site? And what would that be normally? Anybody have an idea? What kind of revenue these generates that they're placed.

FROM THE AUDIENCE: I heard a thousand dollars a month per space.

H. THEODORE COHEN: Please, sir.

JEFF ROBERTS: I don't have the kind of details, but the understanding is that carsharing companies rent spaces the way anyone would rent spaces. You know, for parking that's available, if somebody is a resident of a residential building or is

close enough to a parking facility, then the zoning allows them to park there, they can rent a space. And, you know, parking is owned by the owner of the lot. And if somebody wants to park a car there, they have to pay for the ability to do that.

LOUIS J. BACCI, JR.: I wanted the simple answer --

JEFF ROBERTS: Yes, okay.

LOUIS J. BACCI, JR.: They're renting the spaces.

JEFF ROBERTS: Oh, I see, yes, they rent the spaces.

LOUIS J. BACCI, JR.: There's been a little bit of a change in this. We have some -- typically these things seemed to have been used in a circle. Pick them up and bring them back to the spot where they're parked in. This is no longer the case? We

have one way ZipCars now and so forth? Six dollars a half an hour.

Reading through the zoning I see a lot of unlimited amounts of these cars can be put in parking facilities, commercial office buildings, and so forth. Don't we see them turning into commuter cars? A six dollar half hour ride from Medford, Stoneham to Kendall Square parked in a parking spot in the building because they're already carshare cars housed there and as this proliferates through the countryside here, these larger residential areas in the outlying communities are going to have ZipCar or whichever facilities. It seems like we're supposed to be trying to avoid some of the traffic and pollution and all this. It seems like we're getting back to people driving cars and especially the unlimited amount.

And one of the other questions I had in the last meeting was did this allow carsharing -- let's just call it lots or uses in a certain -- and it does appear that that is the case, that with the unlimited supply there doesn't have to be -- in an existing parking structure, could this be turned into a carsharing business? Curious.

Does there have to be -- if you have a parking lot that's existing now or a parking structure that's existing and you decided to have it all carsharing cars, would that be allowed? Especially I'm talking -- I'm really looking at the small lots that are around that could hold 20 cars or so. It would seem like it would be a perfect example like a Hubway and I would see this happening, and the more of it we get, the more traffic. So I'm curious where we're going.

JEFF ROBERTS: I think -- some of that, I'll try to address some of that, but it's largely an economic questions rather than regulatory.

Just from my perspective, first of all, in terms of commuting, in terms of daily commuting, I think that at least the way the systems are structured now it is not economically -- it would still be more economically advantageous to an individual to own their own car and drive it if they were driving it for commuting purposes every day rather than renting --

LOUIS J. BACCI, JR.: But putting all this no car payment, no insurance, no gas, no wear and tear, no anything. They don't have to pay for parking. So the economics there are a little funny.

JEFF ROBERTS: It certainly may

evolve over time and we'll keep an eye on it. The trends that we're seeing currently is that the people who are using carsharing are by in large people who are in urban areas, in the places where the carsharing organizations are choosing to locate their vehicles are in the more densely populated urban areas where people tend to use other modes of commuting. We're not currently seeing a big move to put more carsharing vehicles out in the suburbs where people would more likely to use them for in and out of the city commuting.

And as for the second question about carsharing lots, that certainly is possible under the current zoning, and I kind of went by this briefly tonight and maybe dwelled on it a bit more the first hearing, the idea in the non-residential lots is that the market would provide some limits. I think if

someone could -- has a parking facility that they're renting for commuters or day parkers, that would be, you know, worth a certain value to a car share organization to have that entire lot rented out knowing that people would only be using the cars on a more occasional basis and not in and out everyday. It may not -- that equation may not balance out in a way that would make a lot owner want to just -- well, it actually more the other way around, I don't think -- I don't know that it would be worth for a carsharing organization to take over that entire lot.

LOUIS J. BACCI, JR.: Maybe not complete facilities, but going back to the commuting aspect of this, if we have a lot of garages, and we hear a lot of garages have vacant spaces every day. The capitalist in me says they're going to be filled with

ZipCars if they can or whichever cars. It creates revenue, someone wants to hold a small lot for a future development or is trying to put together parcels, I can see a lot of carshare cars coming into the city and being used in the city. I'm just curious, you know, how this all is going to work out. We're creating something that's never been created so....

JEFF ROBERTS: Right. And, again, just the overall -- it's important to go back to the beginning. Remember the whole point is more people using fewer cars. So it's -- so if it resulted in a system where there was just as much traffic as there is now, but with carsharing vehicles, it wouldn't really, wouldn't entirely make sense because it wouldn't have that --

LOUIS J. BACCI, JR.: But it kind of

incentivizes people to use cars more because they're there.

JEFF ROBERTS: Again, the evidence that we have, and it's based on information from the carsharing organizations as well as some from survey information, is that people tend to drive less when -- and use cars less when they are carsharing organization members rather than private automobile owners.

LOUIS J. BACCI, JR.: I agree. But just convenience, you want to drive around the city or do you want to take a bus, you want to have a few stops to make? I think there's going to be a lot of use. We see it already more and more of them all the time, correct? I don't know where it's going. I'm just concerned that we would make the wrong turn somewhere without some study.

I probably know the answer to this

already, but I'll ask it anyway. The carshare cars that are in private property, commercial buildings, commercial/residential buildings, these will not be accessed by the public, correct?

JEFF ROBERTS: I think generally speaking if a carsharing organization has a space somewhere or a car someplace, they would want their members to be able to access it. And in most -- I think the way it works now, in most cases a member of the organization could simply access or just walk in if it was a surface lot and use it. I think there are some situations where they're located in garages with limited access.

LOUIS J. BACCI, JR.: This is where I'm talking about.

JEFF ROBERTS: In those cases I think the carsharing organization would work

out an arrangement to make sure that their members could access the garage sometimes with a card or sometimes through some other arrangement. I think that would have to be worked out between the property owner and the company.

LOUIS J. BACCI, JR.: Yeah. And just going along with the whole thing of the commuter vehicle for this building, you know, it seems that some of these -- looks like we're getting into a private, a private carsharing for these buildings. Especially with -- because everybody's concerned about security and so forth and very hard to get into these buildings.

IRAM FAROOQ: Just to clarify, typically since I'm a ZipCar member as well, full disclosure. The -- currently the cars generally inside the car will have a whatever

mechanism there is, a permit or a card that you can swipe that's kept in the car. So you walk in, you get into the car, and then you have access to the public parking device that let's you in and out of the building. So most --

LOUIS J. BACCI, JR.: You walk to the car that's in the garage?

IRAM FAROOQ: Yes.

LOUIS J. BACCI, JR.: How do you get to the garage in a commercial office building?

IRAM FAROOQ: Pedestrian access is usually not limited to the parking garages.

AHMED NUR: And if there is --

LOUIS J. BACCI, JR.: I don't know about that. I try to get in them all the time.

AHMED NUR: They have a ZipCar

control thing that will let you in, too, if there is a ZipCar.

LOUIS J. BACCI, JR.: You're talking about a residential parking facility for a residential building with people coming in from the public and walking in and going into their garage?

AHMED NUR: Yes. As far as we know, they're supposed to be public --

LOUIS J. BACCI, JR.: I'm just curious --

AHMED NUR: As far as we know, where there are ZipCar members, members are allowed to use that. And it's their job to get the members into that particular property.

LOUIS J. BACCI, JR.: Or that they think there's enough users in the building proper that they don't need to? So that's why, I'm just curious where this is going.

Just some questions I had.

Carshare cars don't get resident permits, do they?

JEFF ROBERTS: That's a better question for the Traffic and Parking. I know that was not the case originally and there had been conversations about whether there should be the -- whether carsharing vehicles should have the ability to park on street for short periods of time. I'm not sure. That that's a better question -- I should get a specific answer from Traffic and Parking how they deal with that now.

LOUIS J. BACCI, JR.: Again, I don't know if they're using the principal garaged, if these are going to be in a certain space all the time, they may very well qualify. I don't know. That's why I'm curious.

H. THEODORE COHEN: There are other

municipalities now which are allowing carsharing cars to park on the streets and not pay for parking meters.

LOUIS J. BACCI, JR.: Right. We're creating all of this, so that's why I'm curious what we need to create.

H. THEODORE COHEN: Right.

LOUIS J. BACCI, JR.: And I guess that.... I guess that's all I have for right now.

H. THEODORE COHEN: Okay. Any other comments?

Ahmed?

AHMED NUR: You all set?

TOM SIENIEWICZ: Well, I just -- well, you know, I'm generally in favor of this. I think it's terrific to see that our comments worked through here early. The only bias I had about the comments was to revisit

the scale of the parking space which was a suggestion I made at the last hearing, to go to a full-size parking space in recognition of perhaps less practiced parkers, right? But the City is behaved and I just wondered how my fellow board members feel about that particular section of our revised petition at this point. I'm inclined to wonder whether we shouldn't just have the appropriate size space for the small, mostly compact cars that ZipCars are.

H. THEODORE COHEN: So, Ahmed.

AHMED NUR: Thank you.

Yes, so I'd like to start with, I was -- when I was here from the start when the carsharing was proposed and, you know, things changed since then. A lot has happened with traffic, with buildings, you know, now we have buildings that hold a lot

of residential and have parking spaces. So the data that was given to us there, I'd like to see some more questions asked such as did you used to ride the bus and now that there's a ZipCar and you abandoned the bus and now you're driving your own car?

You know, I hear that, you know, Jeff was saying that more, more people are using sharing cars, but what if -- what is wrong with more cars in your own parking spaces with less daily trips? As opposed to this car that's just there for everyone who used to ride a bicycle and busses and other things. Now we have Uber. How does that take place with the carshare? And so on and so forth.

So while I'm careful and cautious what, you know, what we should do as far as the Planning Board is concerned, we're 50 percent

of the Planning Board we're not part of original and we worked hard at what we proposed or recommended for the City Council. And so while I'm happy with that decision and to see, and also inclined to make any changes, I'm also open to what the rest of the Planning Board wants to do to, you know, but definitely agree with my colleague that we need to have -- we rely on the traffic engineers whether this is a good idea. A lot of revenues has been collected by the carshare companies, you know, to the point where they went abroad with it. And so are they just coming back for more and buying more cars for people that -- some do. And I'm absolutely for carshare, but I'd like to have some studies done from professional engineers and environmentalists.

H. THEODORE COHEN: Hugh.

HUGH RUSSELL: So, I have some comments on the comments that people have made.

Steve Kaiser proposed that if a person put a carshare place on their property, then their requirement for parking could be reduced by five cars. And I think that doesn't, that doesn't take credit for the fact that carshare people come from a wider range of places. So that particular building might not have -- might not lose nine cars, but the two block radius around that space or the one block radius would lose nine cars. So I think that would probably not be a good idea to invite that.

And then on Fritz's comment, Fritz Donovan, my under -- I'm not a carshare member, but I think you can't always get the closest car. Do you? If you look at the

residential neighborhoods, there are a lot of like one and two car sites. So if you're, you know, in the Fresh Pond area and that car isn't there, then you've got a long walk to the next one. And then like in Cambridgeport, if like that one thing that's fairly near Tom's house, is gone, so I think you have to have a much better data to see whether to make the argument that you don't need carshares in residential zones.

FROM THE AUDIENCE: They have that, it's not up there.

HUGH RUSSELL: And so, then -- and then Lou's comment. I don't think, on the commuting, I think it's a very clever idea --

LOUIS J. BACCI, JR.: I can guarantee it right now.

HUGH RUSSELL: But I think -- I can guarantee you that the ZipCar people who want

their cars used and paid for nine to eleven hours a day aren't going to go for two, 45-minute trips because it's not going to pay them to own it. So that's, I think -- I mean, I think it's a -- it's interesting strategy, but I think the carshare companies are based on the fact that the cars are used more than just for a commuting trip.

H. THEODORE COHEN: Please, this is the time for the Planning Board to be discussing it. We aren't taking any comments from the audience.

LOUIS J. BACCI, JR.: Why I went that way is because of the unlimited amount of cars (inaudible). So saturation makes it easier for -- so the -- we all speak from experience. So my guys that are working construction, they -- hardly any of them live around here, but they live commutable

distances. They have no place to park. Some of them pay \$30 a day to park. So, 12 bucks to have a car both directions, no parking fee, no insurance, no gas, no tires, no anything. This is kind of a boom-bobble. And also people working in these commercial offices. The T's kind of unreliable sometimes.

HUGH RUSSELL: I hear what you're saying. I'm just saying the opposite argument is that it doesn't support the cost of the ZipCar for the ZipCar company and, therefore, they will figure out a way to --

AHMED NUR: Include those guys.

HUGH RUSSELL: -- include those guys.

LOUIS J. BACCI, JR.: We don't know what the economics of this is. That's why I'm curious how this works.

HUGH RUSSELL: So, yes, we don't know. We -- I'm trying to think how many hours a day is my car used?

AHMED NUR: Your bicycle you mean?

LOUIS J. BACCI, JR.: Agreed, it seems like a small amount but they're doing it.

HUGH RUSSELL: You know, today my car was away from the house for nine hours and I was in seven hours of meetings. And if it had been a ZipCar, I would have rented it for nine hours.

LOUIS J. BACCI, JR.: Well, unless you went to a place that you left with a ZipCar in the morning and dropped it off at a ZipCar spot and then got another one in the afternoon. You would be two half hour rides. And someone could have used it during the day. I'm just curious.

H. THEODORE COHEN: Yes, if I can jump in. I mean, I'm a ZipCar member. I rarely use it here, but I use it in other locations. I mean, what you're raising is an interesting point especially with one way trips.

LOUIS J. BACCI, JR.: Right, this was a new thing.

H. THEODORE COHEN: I think it's going to require a lot of effort on the part of the driver to rent it for the -- a particular time in the morning and rent another car for a particular time at the end of the day, and that it's not always going to be that cars are going to be available where you want them, when you want them. It's like people find difficulty with the Hubway.

LOUIS J. BACCI, JR.: Right.

H. THEODORE COHEN: That you can

ride in in the morning and drop off a bike and then when you come late in the afternoon, there are no bikes in that particular location and you've got to go someplace else.

LOUIS J. BACCI, JR.: But I'm expecting ing this to expand.

H. THEODORE COHEN: Well, it's possible. I think it's an interesting issue that you're raising.

LOUIS J. BACCI, JR.: We've got requests for unlimited amounts. That's what's bothering me. Someone was thinking about this.

H. THEODORE COHEN: Well, if -- Hugh, are you through?

HUGH RUSSELL: Yes.

H. THEODORE COHEN: All right. I just wanted to make a couple of comments which is, you know, I've been convinced, like

Ahmed I've been here, and you know at the last meeting and ZipCar for many, many years.

LOUIS J. BACCI, JR.: And don't get me wrong, I think the whole thing is a good idea.

H. THEODORE COHEN: I think I'm convinced, been convinced from the beginning by the statistics and the number of cars that are taken off the streets by the existence of carsharing. And that currently there is nothing in the ordinance which regulates carsharing, so technically most -- many of them may actually be in violation of the ordinance right now, and the point of this was to try to come up with some rational regulation so that, you know, we're not creating the violations and that people can know what they can and they cannot do. And I think like all zoning, it may need some

tweaking over time. And if we adopt something along the lines like this and City Council adopts something like this and then we find that, you know, we're running into problems with more and more one way and more and more, you know, parking lots, commercial parking lots being turned into just ZipCar location, then I think, you know, it will be up for Planning Board and City Council to try to address that issue.

LOUIS J. BACCI, JR.: But wouldn't the ones that were in place already now be grandfathered? So how do we go about doing this already?

H. THEODORE COHEN: Well, this ordinance --

LOUIS J. BACCI, JR.: You know what I mean? It's hard to go back on some of these things I think. And I know, I

understand the need. It's just that the unlimited quantity of these bothers me. Unlimited anything is usually a problem.

H. THEODORE COHEN: Okay.

STEVEN COHEN: Ted, could I?

H. THEODORE COHEN: Please.

STEVEN COHEN: You've got more?

H. THEODORE COHEN: No, all set.

STEVEN COHEN: I want to come at it from a slightly different angle. Like all good people, I too strongly support the carsharing concept. And most of what we've been talking about as carsharing actually in the low intensity, low density residential districts. And I think I understand that reasonably well and I'm comfortable with it. It's actually some of the higher density uses that I want to raise some questions about simply because I'm not sure I understand how

that will play out, and being in the business that we're in here, it's good to try to contemplate the possibility of unintended consequences.

I start from the premise that I don't know what the carsharing company's pay, but I'm pretty confident that they pay more than an ordinary individual would pay. I assume that that's kind of a premise of the whole economic model. And that being the case, I would assume that any owner of parking places at least from a strictly economic perspective is going to have an economic motivation to rent to a carsharing company rather than to rent to the public. So I sort of take that as a starting place.

So then and, Jeff, I may have some misunderstandings along the way here, so please do jump in if I voice something that's

incorrect. You know, as I get into the higher density uses, first I look at a number of the new multi-family buildings that we've been permitting over the past number of years, and many of them based on our studies in the city. We have reduced the required parking spaces for the multi-family buildings frequently to 0.5, one half space per unit. And, you know, there's been some give and take about whether that's appropriate, but, you know, we've found that there's data to support that and as a Board we have decided as a matter of policy that we want to reduce the required parking to the greatest extent that we can in order to, you know, reflect reality and to discourage parking and vehicles in the city. But now if I understand correctly, having reduced that number to only 0.5 per unit, 25 percent of

that could be devoted to carsharing. The owner need maintain only 75 percent of the required number of parking spaces for the residents of the building. So I don't know how that plays out because we've already reduced the number pretty significantly to reflect our policy goals, and now with this possible regulation we cut it further by 25 -- or potentially cut it further by 25 percent. Not sure how it plays out. Going beyond that and commercial uses, office uses, R&D, and so forth, again, if I understand it correctly, there is no limit in the number of parking spaces that may be devoted to the carsharing. And, again, in all of those non-residential uses there too we are trying to reduce the number of parking spaces to the extent that we can. Again, we're trying to discourage the use. And I mean, you know,

the market will determine the extent to which the carsharing companies really have demand for these spaces, but as we've all acknowledged, the demand for carsharing may increase in the years to come and, therefore, I mean, there's no limit to the number of those parking spaces in the new commercial buildings that could be devoted to carsharing. And, again, unintended consequences, I don't know how that plays out if there are at least theoretically no parking spaces or a very small number of parking spaces available to the actual employees and users of those buildings.

So, again, I'm a strong supporter of the concept but especially in these new buildings where we have these substantially reduced parking requirements to begin with for residential, you have to give up 25

percent to the carsharing, and in the commercial uses potentially much more than 25 percent. You know, I don't know, and maybe that's jumping a little bit too far too fast and maybe, I don't know, maybe there should be some limitations in the commercial uses on what proportion of the parking could be devoted to carsharing. And in the multi-family buildings where we are already reducing the number, you know, yeah, I don't know. It's -- you know, I have no idea how it will play out in short term. It may be great, it may be a long term bigger problem. It's speculative. We don't know. We don't know how the consequences will be. And I'm not quite sure what we as a Board do in a situation like this where it's really difficult. I mean, you know, people said we should do more study. I don't know how you

would do a study of this thing. So, I don't know what you do with such unintended consequences.

HUGH RUSSELL: So I think your memory is playing tricks on you. Because I think what's been going on is when somebody comes in and says we only have 0.5 cars there, Traffic and Parking says, okay, we'll reduce it to 0.65. So they never get down to the lowest estimate. And if it's 0.65, they'll say okay, you need 0.8. And so there is a cushion of uncertainty built into our reductions.

CAROL O'HARE: Can you bring the mic closer? Thank you.

HUGH RUSSELL: So there is a -- there's a safety factor built in that may not be 25 percent, but there is a factor that the Traffic and Parking represents to us that we

adopt. That means there's probably some cushion in there for some of the ZipCars. That's on the residential side.

On the commercial side I'm trying to put my mind around your comments because it seems like there is no restriction, and I'm wondering if in practice there should be a limitation on the percentage of spaces in the commercial lot that -- or commercial accessory use that get converted like there is for residential use or, I mean Special Permit could -- obviously could override that.

TOM SIENIEWICZ: I mean is anybody else swayed or impressed with the statistics that were shown, population growth versus car reduction since 2000? Which are pretty dramatic. We're talking of thousands of vehicles. Thousands of vehicles. The trends

are absolutely clear here. We've got a whole generation of people, some of whom are sitting in this room who will never own cars and live in Cambridge and that's really the future, right? So, I believe those statistics to the extent to which they predict a particular future, you want some certainty, I can't offer it other than to be impressed with those trends.

Steve.

STEVEN COHEN: But that's why we reduced the requirements at this point. And I'm not questioning the reduced parking requirements. I'm saying we've reduced the parking requirements substantially and now this potentially can reduce them in essence by another 24 percent.

TOM SIENIEWICZ: Look at the trajectory, we're going to be facing

reductions probably more in the future. If it's somewhere between Mr. Kaiser's five cars and our optimistic estimate of 13 cars, there's a really dramatic and rapid change happening in terms of transportation modes in the city, and this Planning Board should be plan for that, should be anticipating that. That's our role is to imagine a future that isn't yet here. And I'm, I'm not a carshare guy, but we've already in our house reduced by one car. And the future is here.

H. THEODORE COHEN: I also think, Steve, that the market, and not just the market, the commercial properties, I'm sure by lease have to provide a certain number of spots to their tenants. And the retail commercial retail, I'm sure they guarantee to the retail tenants that there will be certain amount of parking available for their

customers. So I really don't see, you know, lots turning into fully just for carshare that are now being used for other purposes, and to the extent that, you know, you're talking about reducing, you know, that we've reduced it to say 0.6, 0.7, whatever, you know, we've required a certain number of carshare spots over and above that. And plus, you know, we're looking at the reduction of 5 to 13 cars per, you know, with each car share vehicle. So that instead of five people driving to this commercial lot, you may be just getting one person driving. So, you know, I think statistically it's not going where you're suggesting it's going.

STEVEN COHEN: Okay, a couple of things, and I hear you. You're saying that the market will somehow provide, and, you know, it may very well, but, you know, when

we talk about this 5 to 1 or 9 to 1 or so forth, I'm not sure that the reasoning applies in a commercial situation in an office building. I think it's probably more in residential where folks who live here don't -- might not feel the need to own a car. But in the office I don't know what the calculus would be, but it would be a different calculus. Everything you guys are saying may very well be right. I, look, it may very well be wrong.

TOM SIENIEWICZ: And you, too.

H. THEODORE COHEN: And but I mean, for example, when I was still with the law firm, they maintained carsharing memberships so that attorneys didn't have to drive into the office on any given day. If they might be called out to go to court or go to see a client, that they could just go to the

building we were in or one of the adjacent buildings that had a carshare vehicle and --

LOUIS J. BACCI, JR.: And so therefore that just replaced their personal car with a carshare car.

H. THEODORE COHEN: Well, it replaced instead of having 25 attorneys driving in on any given day, you might have had only five or ten driving in because the other 10 or 15 knew that there was a car share available if they needed it.

LOUIS J. BACCI, JR.: No doubt that it does reduce some, but I'm looking at say the Galleria, they have a very empty parking garage as far as we know. They put in 100 ZipCars, and so does somebody in Belmont. Now we have a private MBTA system for ZipCars, six bucks a half an hour. So on any given day this doesn't make a bad ride for

six dollars. That's the, the convenience is there and that's why I'm curious what that's going to generate.

STEVEN COHEN: Can I suggest one other thing just for discussion? You know, last time around I think it was suggested, got 75 percent -- that we provide 75 percent of required parking available for individual users in the residential and, you know, I thought of that and maybe we didn't think of it as sort of a safety net to make sure we don't make too big of a mistake. And if it turns out that habits change in the future, we can reduce it perhaps to 50 percent or something. It might be easier to do that, however, than to go in the other direction. For instance, in the commercial applications to now say that anything goes, you can do the whole parking garage carsharing and difficult

to change that in the future. So, you know, if you think of that sort of provision as a safety net for now and, you know, the facts and circumstances warrant in the future we can lower that requirement or eliminate it altogether and that would be no difficulty. Maybe the same sort of a reasoning should apply in commercial as well as Hugh, you know, suggested the possibility and maybe you have the same sort of calculus.

HUGH RUSSELL: Well, the percentage might actually want to be higher.

STEVEN COHEN: It might be. But at least in concept some percentage must be provided for, you know, the use of those office work for individual uses and anything above that, you know, can be used for carsharing. And, again, you know, as time passes, if circumstances warrant, that can be

changed. But I don't think we can go in the other direction.

HUGH RUSSELL: Or somebody comes and says we want to put in ten cars per spaces and we've got the data to show --

STEVEN COHEN: Right, do it by Special Permit.

HUGH RUSSELL: Yes.

AHMED NUR: Mr. Chairman, I just wanted to respond to both Steve and Tom with regards to how do you get more data, and also does anyone have any version of the statistics are very clear. It's really not clear to me what this says is that the residential parking permit reduction from the time that carshare up to now is reduced that much number, where it could be other factors, indeed. It could be like, for example, our family we got rid of -- we used to have -- we

built a garage. So we no longer go out and get the residential parking permit. It could be that it's been a terrible winter out there. The cars got stuck in huge snow and people don't want to deal with that anymore and they figure out alternatives to park their cars. Maybe they pay someone in the garage or maybe they get rid of their cars. And maybe because of Uber. The data I'm looking for is very simple. Figure out -- ask more questions, I suppose, to the six that I just saw which result to me good for carshare, but there might have been other people that could have been taking the train or busses if it hadn't been for it. So that's, that's all I have to say.

JEFF ROBERTS: If you allow me to respond to that quickly. And I wish I had Stephanie here to respond to these questions,

because she certainly has a lot more information than I do. There has been a lot of data collected and a lot of surveys done related to all kinds of travel and transportation in Cambridge and carsharing in particular. I can just give you my reaction that all of the evidence that I've seen has indicated that carsharing membership reduces overall driving, increases the tenancy to use public transportation, increases the tenancy to use other modes of transportation like walking and biking, and I think the economic reality of it is simple, that you -- rather than owning a car or paying for a car once and then it's relatively cheap every time you want to use it, as a carsharing member, pay a fairly low introductory membership and you have to pay a fee that -- it's encompassing your gas, your insurance, your -- the vehicle

maintenance all by the amount of time that you're actually using the car. So, you know, I'm a carsharing member myself, and I know that I, I hardly use it at all because -- and if I owned a car, I imagine I would use it a lot more than, than I currently use carsharing because, because of the cost. You know what the cost is. And if you have other options that are cheaper, like public transportation, you use those, those other options.

STUART DASH: Can I respond a little bit to Lou's and Steve's things. Steve's I think is a point worth considering.

H. THEODORE COHEN: Stuart, can you use the microphone?

STUART DASH: Certainly.

So staff has looked at this for, you know, more than a year or two, and many of

the same questions that you brought up, Lou and Steve, have occurred to us as well. And one thing I want to mention is that we consider this petition to be a careful ratcheting of the parking and the use of ZipCars. So not sort of just a throwing it wide open. I think that's part of sort of the look at the use and the density residential areas as well to make sure that we're doing that with care not just throwing it wide open. I agree with you, Lou, that theoretically someone could be driving, you could have just as much hours driven on the road with ZipCar even if people got rid of their cars, but being a ZipCar member for a number years and lost a second car and done all that stuff and used it in various office buildings and the middle of the week and things, and gone through the same things, it

puts a little back pressure on your use of a car. So you tend not to sort of use it same way. If you had a car in your driveway, you just tend not to use it the same way, so it tends to be a reduction even though sometimes it may be cheaper if you look at each one single moment. I agree with you that someone may do that. But overall I think it keeps a back pressure on the use of a car. And I think that's what shows up in the surveys that they've done and Stephanie has done. And I think you make a good point, that if we reduce something by Special Permit, we may want to look at it again if they're going to do that. That's, you know, I think that's an interesting point from my point of view that to just go ahead with as-of-right reduction off of a Special Permit, it may not be -- it may be something that's going to have to come

back to us.

LOUIS J. BACCI, JR.: The part I see in this is after the careful process we have unlimited regulation, right? We have unlimited amounts of these vehicles to be put in these certain places. Unlimited is just that. Now, I guess you're letting the market control this.

The other thing I can see is for 12, 20 dollars a day you can't own a car. So, this makes it perfect way for someone -- maybe they don't want to take the T. Maybe they make a bunch of stops along the way. You drop off the kids, take them to hockey, whatever it is, I think there's going to be a lot of use. And I think it shows in the zoning and I think it shows in the acceleration of seeing these vehicles everywhere. It's kind of a cheap way out of

having a car at your disposal. As long as there's enough of them and it seems like we're going to get enough.

STUART DASH: At worst it's reducing the total number of cars that are congesting city streets even if you're using --

LOUIS J. BACCI, JR.: Driving or parking?

STUART DASH: Right.

LOUIS J. BACCI, JR.: Driving or parking?

IRAM FAROOQ: Both.

LOUIS J. BACCI, JR.: Driving or parking? Because these ones will have their own private parking spots but they'll still be driving.

IRAM FAROOQ: If I might add, so only one person can be driving a carshare vehicle at one time. So if it does indeed

create an overall reduction in the number of cars, you still won't have reduction in the amount of driving. Even if there are -- even if there are some people who will use them for daily trips. I'll say one -- we don't normally talk about psychology here, but there is a psychology of car ownership and non-car ownership. So I used to own a car and the only reason I was able to get rid of it -- because you have this thing of, I might need this car at some point. So for a lot of people the knowledge that there is a carshare vehicle in a convenient location is the trigger that allows them to get rid of their car.

LOUIS J. BACCI, JR.: And use the car share more often.

IRAM FAROOQ: And actually that's the psychology part, they don't use the

carshare more often. So you -- it's helpful to know that it's there when you need it, but it's very rarely used. And in fact, your -- I think if you worked the survey folks, you'd note that the usage, the driving in fact declines over time. So you get, and you get, you become a little bit cheap, because each time you have to pay money and you know that you're going to -- for each drive you're going to have to pay more, and you're not used to paying a lot for your mobility anymore. So that's something that plays into this. And I think just if you, if you were even to talk to all of the people who are carshare members here, you would find just from this particular sample that there aren't -- that it's not a prolific problem that people are certainly driving a lot because they have access to carshare

vehicles. The concern about taking over of parking spaces by carshare, I think there is -- carshare spaces are also leased on a, you know, just like individuals that would be on an annual basis or something like that, so there is a self-correcting mechanism. It's not like they are deeded in perpetuity. So if it turns out that it's not working out for a commercial development or a residential development, it would be in the interest of the owners to in fact modify that scenario if they're getting a lot of complaints from their tenants. So, so that self-correcting mechanism just by virtue of the lease exists.

LOUIS J. BACCI, JR.: I already went through all of this in my mind, and I still came up in the conclusion that people are generally lazy and will take the easy way out. The economics of this you can't --

IRAM FAROOQ: It's not borne out by the data.

LOUIS J. BACCI, JR.: Well, I don't know. I have no data. All I have is....

IRAM FAROOQ: Well, Jeff presented --

LOUIS J. BACCI, JR.: That's why I'm looking at it as kind of -- the people who are going to use them, and the more of them there are, the more of them will be tended to be used, and I'm not saying there's anything wrong with this, but the whole, the part about this that I really didn't like is the unlimited supply. Now, this is probably going to be market driven, I understand, but you have someone with a vacant or a partially vacant parking garage that some carsharing company is willing to take a chance and fill that place up with carshare cars, and then

some good advertising gets people in the seat.

IRAM FAROOQ: And that's good feedback for us. We can take that back and try to see if the -- if there's some way to better bracket the percentage.

LOUIS J. BACCI, JR.: I'm just going at this that we're trying to -- I understand it reduces the parking, and I can understand that very well. It's the trips I don't know it's going to reduce. I think it's going to be a convenient use for someone because they want it to be convenient. So someone with a couple of kids and got to go from East Cambridge to North Cambridge and doesn't want to put them on the train, doesn't want to put them on the bus, doesn't want to drag them and has to make a couple stops, they're in these cars.

H. THEODORE COHEN: All right, why don't -- we have another hearing on another matter. So why don't we see if we can reach some sort of conclusion.

First of all, sir, are you connected with one of the carshare companies?

JEREMY POMP: Yes. I'm the general manager of ZipCar here in Boston.

H. THEODORE COHEN: All right, does the Board wish to hear from this person or not?

LOUIS J. BACCI, JR.: Sure.

H. THEODORE COHEN: Okay, why don't you come forward and I would -- don't want to presentation about how wonderful you are or your company is, but if we had made wrong assumptions or working on wrong facts or if you have some data that you wish to share with us, we would appreciate that.

JEREMY POMP: So my name is Jeremy Pomp, J-e-r-e-m-y P-o-m-p. I live in Melrose.

So one of the things that was brought up was commuting. And one of the statistics I just like to give to the board is that 94 percent of the Cambridge ZipCar members, so this is just a ZipCar, walk, bike, or take public transit to get to and from work.

LOUIS J. BACCI, JR.: Are those Cambridge residents?

JEREMY POMP: Yes.

LOUIS J. BACCI, JR.: Okay, what about the people that don't live in Cambridge?

JEREMY POMP: I would think the -- it would bear out pretty similarly, but I think we're speaking of Cambridge.

LOUIS J. BACCI, JR.: You don't

know? Right. I'm speaking of commuting into Cambridge.

JEREMY POMP: Commuting into Cambridge?

LOUIS J. BACCI, JR.: And home at night.

JEREMY POMP: And so the economics, because I was doing some math as you were talking. So the average -- you're specifically I believe the one way vehicle. Ability to go one way --

LOUIS J. BACCI, JR.: This is a fairly new phenomenon. The first question I was going to ask is when is it going to go one way? And when I was leaving work today and one went by. ZipCar one way on the side and so I know it happened. And that changes the -- because you don't have to bring it back.

JEREMY POMP: That's right, it's a slightly different product. Right now we have 250 cars. We're still in the Boston metro area. We're still in beta mode. So we're testing this model out and determining the profitability and that nature. It requires, you know, slightly different economics to make it work. The car is correct. It's for right now, the price is six dollars. So, again, we're about a year into this and we have 1500 cars in the Boston area. 250 of them, so still a pretty small minority dedicated to one way. The financials on that -- so the average trip in a one way car is slightly over an hour, so that puts it at \$12 each way, times two if you're going to commute with it, that's \$24 a day. You multiply that by 26 days a month that's \$624.

LOUIS J. BACCI, JR.: How much is a commuter rail pass?

JEREMY POMP: Well, it depends.

LOUIS J. BACCI, JR.: Right. That's what I'm saying.

JEREMY POMP: The other thing that's interesting about this model, what's different from ZipCar you can't reserve it ahead of time. So if you want to go to work tomorrow --

LOUIS J. BACCI, JR.: A half an hour.

JEREMY POMP: A half an hour, right. It's dependent on two things: Is there a car near you where you want to start?

And two, is there a parking space available where you want to end?

LOUIS J. BACCI, JR.: And in this -- yes, unlimited.

JEREMY POMP: So I do not have unlimited parking.

LOUIS J. BACCI, JR.: We do. So wherever you are and you're he going to park because there's unlimited parking.

JEREMY POMP: No, I have to own the space in order to park there. To rent the space.

LOUIS J. BACCI, JR.: What I'm saying there. In this proposal has unlimited numbers of carsharing cars in these buildings in this unlimited.

IRAM FAROOQ: They would still have to register.

LOUIS J. BACCI, JR.: I understand you saw the need you wouldn't put them there.

H. THEODORE COHEN: Lou, do you have specific questions? I mean, we --

LOUIS J. BACCI, JR.: I have a lot

of them.

H. THEODORE COHEN: Well, why don't you ask them.

LOUIS J. BACCI, JR.: I used them. Go ahead. Go ahead.

H. THEODORE COHEN: I mean, please, if you've got some more data you want to give to us, fine.

JEREMY POMP: I'm done. You know, if there's any other questions, I'm happy to answer them and address any concerns.

H. THEODORE COHEN: Does anyone else have any questions for this gentleman?

(No Response.)

H. THEODORE COHEN: Okay. Thank you very much.

JEREMY POMP: Thank you.

H. THEODORE COHEN: So we're back to the question we had before, are we going to

do something this evening and make a recommendation to City Council about this? City Council -- I'm sorry, Iram, you said when the Ordinance Committee is taking it up or when City Council is taking it up?

JEFF ROBERTS: It's November 18th. November 18th.

H. THEODORE COHEN: City Council?

JEFF ROBERTS: The Ordinance Committee hearing is November 18th and the City Council can take it up whenever the Ordinance Committee or Planning Board submits a report.

H. THEODORE COHEN: Okay.

So, it's -- it seems to me the one, if you'll assume from what I've heard, is that we're all in favor of carsharing, the concept of carsharing?

LOUIS J. BACCI, JR.: Yes.

H. THEODORE COHEN: And the one issue we seem to be struggling with is whether there should be unlimited carsharing and with commercial parking lots. And is there some restriction? Is there support for putting some sort of restriction on this unlimited nature? And if so, does somebody have a suggestion of what that ought to be?

STEVEN COHEN: Yeah, I guess I raised that issue, so I guess there's two situations in the non-residential; there's where the parking is an accessory parking to a primary use and then there's the situations where the parking is the primary use, essentially a public garage.

So in the accessory use, again, I don't know how it will play out long term, but I would just, you know, be a little bit cautious as we get into this brave new world,

and I guess I would be inclined to have the same sort of requirement that we have in the residential which is that we can provide a carsharing to the extent spaces exceed 75 percent of the required parking for the primary use. And, you know, the data supports reducing that number over time, then we can do that. And where parking is a primary use, I don't know what to say because it isn't a particular other use that you can refer to in terms of the parking requirement and yet a primary use parking garage probably plays an important function in providing parking for nearby uses.

HUGH RUSSELL: And the city garage and courthouse.

STEVEN COHEN: Exactly. It's kind of an awkward thing to figure out. I'll let more brilliant people --

LOUIS J. BACCI, JR.: That's the thing --

STEVEN COHEN: -- address that one.

But I think there's sort of cautionary principle suggests some sort of equation for that, for the accessory parking garages.

LOUIS J. BACCI, JR.: And we were talking about lease agreements and so forth for the parking and some of these -- in a lot of these buildings that the tenants would want. I mean, can we use that type of a number with anything in excess of zoning.

H. THEODORE COHEN: Why don't you use your microphone? I am sorry, I didn't understand.

LOUIS J. BACCI, JR.: Well, when we're talking about the amount of parking required in some of these buildings, a lot of it has a problem with lease agreements and so

forth. They happen to provide a substantial amount of parking and so forth. And are these lease agreements normally written to the zoning level? You know, that they would not have to exceed a level allowed in the zoning?

HUGH RUSSELL: I don't think they can lease more spaces than the zoning allows in the building.

LOUIS J. BACCI, JR.: That's what I mean, so that seems like a good -- no, I understand, but this is where these may be normally written that way that they would be up to the allowed limit of the zoning. So I don't know do we go over that for the carshare cars to not create a problem with those leases? Does that make any sense?

STEVEN COHEN: What I'm suggesting is that 75 percent of spaces which are

required by zoning --

LOUIS J. BACCI, JR.: Okay.

STEVEN COHEN: -- not be available for carshare. But anything in excess of that 75 percent --

LOUIS J. BACCI, JR.: Makes sense.

STEVEN COHEN: -- be available. Basically the same equation that, that we recommended last time around.

AHMED NUR: That's the last time.

TOM SIENIEWICZ: That what we said last time.

H. THEODORE COHEN: And that would be up to the landlord of these facilities to determine what percentage they may have of excess taking into account their leases.

STEVEN COHEN: Exactly.

H. THEODORE COHEN: Okay. So --

HUGH RUSSELL: I would like to

suggest that 75 percent is too generous for a large parking garage, and it might be -- what do you think about the guy that has a six car lot, say, near the courthouse? Is there anything wrong with him just leasing the whole thing to ZipCar?

LOUIS J. BACCI, JR.: No.

HUGH RUSSELL: So it's --

STEVEN COHEN: But, you know, is it in his house?

HUGH RUSSELL: No, it's just --

STEVEN COHEN: It's just a commercial lot.

HUGH RUSSELL: Commercial lot.

STEVEN COHEN: That's where it's a primary use, and I'm not addressing the primary use.

H. THEODORE COHEN: Right. First we're dealing with lots that are accessory.

So the lot underneath --

LOUIS J. BACCI, JR.: The building.

H. THEODORE COHEN: -- the
Cambridgeside Galleria. That lot is
accessible to the stores above it.

HUGH RUSSELL: Right, I would be
cautious accessory commercial because we
don't think that the provision of these
spaces is going to reduce the number of cars
when you get there. That would be my theory.
I mean, I can see in the residential
district. The registrations go down. But
just because you have ZipCars in a building,
doesn't mean fewer people are going to try to
drive there. So there's some allowance. I
mean these buildings tend to have 100 cars in
them and said okay, 15 percent, I don't think
ZipCar's going to put 15 cars in one spot in
an office building.

STEVEN COHEN: So you're suggesting that there should be, again, a safety net of the sort that I'm talking about that should be higher than 75 percent?

HUGH RUSSELL: Yes, I think so for the commercial uses if you think about the reason for the 75 percent in residential. But then if it's a primary use, maybe there is no restriction.

AHMED NUR: Just be, you know, or higher for commercial.

STEVEN COHEN: Yes, we're not talking about changing the 75 percent for residential. Just --

AHMED NUR: Just the commercial, yeah.

HUGH RUSSELL: And the question is when, does for the process we've got a couple meetings before the Ordinance Committee

hearing, maybe the staff could think about that, and the staff members who are not in this room who think about these issues, maybe they can come back with us to address what we've heard tonight.

H. THEODORE COHEN: Right.

STEVEN COHEN: Okay, but let me just say on Hugh's point, he suggests more than 75 percent.

H. THEODORE COHEN: Right.

STEVEN COHEN: Who the hell knows what the right number is. But I'd rather air starting out here too high because we can always lower that percentage later and it's much more difficult to go in the other direction because at that point, you know, contractual relations and commitments will have been made on that premise and it's hard to go backwards, you know. So, you know,

again, you know, if you think it should be higher, I'm amenable to that. I'd rather air in that direction.

H. THEODORE COHEN: I understand talking about the accessory use. Now with regard to the non-accessory, primary use you're suggesting there should be no restriction?

HUGH RUSSELL: That's what I'm thinking that, because I think there are certain instances where somebody might own a lot and might want to rent the whole thing out, and, you know, what do you say if there are only tiny cars, you can rent the whole thing out. And but something like the city parking garages, I mean, you know, again, I don't -- I think the numbers are going to be relatively small in the foreseeable future. So if there is a problem --

H. THEODORE COHEN: I don't disagree with you personally, but that's not addressing Lou's concern which is that --

LOUIS J. BACCI, JR.: Yeah, no, and I'm....

HUGH RUSSELL: There aren't many non-accessory garages in the city.

LOUIS J. BACCI, JR.: Well, there are -- yeah.

HUGH RUSSELL: The gallery garage is an accessory garage.

H. THEODORE COHEN: Right.

HUGH RUSSELL: They can come to us any day and ask us to approve them leasing a thousand spaces to somebody else and we probably --

LOUIS J. BACCI, JR.: Well, they have. We've had a lot of proposals to use that garage for a lot of these. But this,

you know....

HUGH RUSSELL: And of course in dealing with that, we can then assess.

H. THEODORE COHEN: And courthouse garage is owned by the city.

LOUIS J. BACCI, JR.: And the courthouse is talking about using it, 150 spots for parking.

STEVEN COHEN: But if I understand it correctly right now they don't have to ask for a Special Permit. Right now it can be used without limit for carsharing.

HUGH RUSSELL: Yes, I believe that's the case.

STEVEN COHEN: What is proposed.

HUGH RUSSELL: Well, even with the present regulations.

JEFF ROBERTS: I mean, just to be clear, principal use parking can be used for,

can be rented to anyone. Anyone with a car --

STEVEN COHEN: Exactly. Right.

JEFF ROBERTS: -- can rent a space. So limiting carsharing would essentially be saying why we think carsharing is worse than someone commuting and driving a car. So I think that, and this is, as Stuart mentioned, this was -- these issues were thought about when we were looking at this and there's a rationale for saying that there are certain situations where it may be better not to have the city as a regulatory body intervene in what would be an economic decision about who -- who are the private car users that have, that are generating a demand for these spaces versus what can be allocated to carsharing and serve to -- serve more people. So that's --

STEVEN COHEN: Well, you know, I -- it's difficult for me to imagine any sort of a rationale way of coming up with a percentage for the primary use garages because only because we have really no clear understanding of who their users are and what impact it might have in the nearby uses. It is true, and I would reiterate that as far as economics go, I assume that it will always be economically advantageous, you know, for an owner to rent to carsharing as opposed to the public. And I don't know how demand is going to play out in the years to come, and I don't think we -- even though I have concerns there, I don't think we know enough and understand enough to regulate that in any rational way in the primary use. But, you know, I do think for the accessory use garages, this sort of thing that we're

talking about, whether it be 75 percent or higher, that does make sense.

LOUIS J. BACCI, JR.: My one added point to that is what do we do with the vehicles that we displace in the primary use garages by putting the carshare cars in?

TOM SIENIEWICZ: Five to 13 vehicles that are displaced by the carshare. What are you talking about?

LOUIS J. BACCI, JR.: Well, we don't really know.

TOM SIENIEWICZ: So, okay, after two hours of discussion on a matter that was heard at a board and I don't know what they were thinking about in June of this recommendation. We've re-talked through the whole thing, right? So we're going to have a little self-consciousness here, guys. So where are we? We're going to reduce -- add a

level of complexity to the ordinance, and I think the rationale is pretty good to say I agree with Hugh to say that the commercial spaces should reduce the allowable carsharing, but I, I was happy with what we seemed to achieve in a pretty thorough and rational hearing back in June and I'm still happy with it tonight.

H. THEODORE COHEN: All right. So to try to summarize this and bring it to an end, does anyone have any concerns other than this issue about the accessory use commercial parking and the primary commercial use commercial parking with regard to the proposed ordinance as has been revised by staff in consultation with Legal Department and taking into account the concerns that had been raised by this Board in June?

LOUIS J. BACCI, JR.: Include the

resident parking sticker question.

H. THEODORE COHEN: Resident -- well, I think the one issue is the ability of carshare vehicles to temporarily park in the single-family residential.

LOUIS J. BACCI, JR.: On a public street. That was not answered really.

H. THEODORE COHEN: Well, we don't have the information about whether carsharing vehicles have Cambridge parking stickers and can park on the street or not. But I mean realistically --

HUGH RUSSELL: We don't regulate the parking stickers.

H. THEODORE COHEN: Sorry?

HUGH RUSSELL: We don't --

H. THEODORE COHEN: No, I know.

It's --

LOUIS J. BACCI, JR.: But it's

attached --

H. THEODORE COHEN: You're paying for this car on an hourly basis --

LOUIS J. BACCI, JR.: I don't --

H. THEODORE COHEN: -- so I don't think people are going to be parking anywhere but in a spot where they're running an errand and getting back in the car, running another errand, and then taking it back to where it gets the finally deposited.

LOUIS J. BACCI, JR.: It's just an information. It's just information.

H. THEODORE COHEN: All right. So, I just want to be clear, we have no concerns or we are in agreement with what staff has done incorporating what was discussed in June? My one comment is with regard to clarifying that the carsharing vehicle can be parked in a single-family residence driveway

while it's being used rather than it's being garaged there as it were.

And then we are asking staff to look into and make a recommendation as to what, if any, is the appropriate percentage of parking that has to be -- parking that is not for carshares and accessory's parking lot, and while I'd say most of the Board thinks that we ought not to limit, put any limit on primary use, commercial use parking lots, if staff also wants to look into that and determine whether there should be some limitations, that would be great. And also if we could get information whether carshare vehicles do get Cambridge parking stickers, we would welcome that information I guess either at our November 10th -- probably ought to be the November 10th meeting if we're going to make some sort of recommendation to

the Ordinance Committee before they meet on the 18th because our next meeting thereafter is the 17th and it would not give a lot of time to coordinate everything.

STEVEN COHEN: So, Ted, I guess -- I might suggest that we actually propose and vote on a recommendation tonight, same as last time, with your amendments except that commercial is an accessory use that we propose a similar mechanism as the residential at 75 percent unless staff determines that it should be a higher percentage as Hugh has recommended. At least that way we can get it off of our table so to speak. Does that -- have any merit or just put it on.

H. THEODORE COHEN: I don't think we should vote on anything now until we have all the pieces in place. And I think that's

clear, that's really the one piece that's missing. And I guess, you know, you initially had said 75 percent. Hugh is suggesting perhaps 85 percent. And let staff come back to us with a recommendation which could be either of those or it could be something --

AHMED NUR: Different.

H. THEODORE COHEN: -- different.

Everyone comfortable with that?

STEVEN COHEN: Yes.

LOUIS J. BACCI, JR.: Sure.

HUGH RUSSELL: Yes.

H. THEODORE COHEN: Fine. And hopefully this can come back on the 10th.

JEFF ROBERTS: Just to be clear, is the Board continuing the public hearing to the 10th?

H. THEODORE COHEN: Yes, we're

continuing the public hearing. Thank you.
We're continuing the public hearing until the 10th. When we say it's the 10th and we have to re-advertise it.

And we will take a five minute break and really keep it to five minutes because we have another petition.

(A short recess was taken.)

H. THEODORE COHEN: All right, we're now having a public hearing on a petition brought by Patrick Barrett, et al, to amend the Cambridge Zoning Ordinance in two parts; one would amend the definition of provisions for accessory apartments in Article 4.000, Section 4.22. And the other would amend the definition of gross floor area in Article 2.000 to effectively exclude all basements or cellar areas in a single-family, two-family home from the GFA, and to allow basement or

cellar areas and other structures to be excluded from GFA by Special Permit.

Is there someone who is make the presentation?

ATTORNEY PATRICK BARRETT: Hello, Mr. Chair, Board. My name is Patrick Barrett.

IRAM FAROOQ: Patrick, use the microphone, please.

ATTORNEY PATRICK BARRETT: My name is Patrick Barrett. I live on Broadway, down the street. Just a brief introduction of myself. I'm an attorney. I've been working in real estate for 25 years in just about every facet of it. I'm a developer. And I have been working on this petition for about two years, and the impetus behind it was several fold, it was in my initial submission, but primarily to free up some of

what I would call the ice in the development and in Cambridge in general.

You know, I'll get into the specifics of how this will be affected, and I've included in my presentation a map of Cambridge that will show you on the GIS what properties will be affected by this so that you can see sort of the impact this petition will have on the city. At least locationally.

The main issue was for part A dealing with the accessory apartment is the accessory apartment current definition in parameters I find to be overly restrictive. We're in a city that's looking to create more housing. We're in a city that's looking to do whatever we can to allow residents to stay in Cambridge, and yet the accessory apartment portion of our ordinance requires that a

house be built prior to 1940.

Requires that a house be 135 square feet.

Requires that it be in a Res. A District.

Requires that the land mass be somewhat larger than what you would find in most areas of Cambridge. And I believe that the original impetus for the accessory apartment, I'm going to say impetus one more time. For accessory apartment in Cambridge was and is antiquated. It needs to be updated. There are several people in the city that are over-housed. There are several people in the city that are under-housed. And we need to look at all things that we can do with the existing space that we have. Before we do anything else, before we master plan, before we, you know, rezone whole swaths of the

city, to look at what the impact would be if we decided to say adopt the petition like mine and reduce the requirements for the house that's 118 square feet, which is not an arbitrary number. That was a number that was the median house size in all of Cambridge in 1872, so I want to hit a big a target as I could instead of going down so small that it was ridiculous.

Also I know several City Councillors mentioned to create a thousand units of affordable housing, a laudable goal but rarely have we seen the zoning to allow for such things.

This particular petition, if adopted, would create a potential 1100 some odd units. We can see that on the map when I put it up. That addresses that. Potential units, not thing that will pop up overnight.

You know, I want to sort of address each part of the petition as separate pieces but they do in some ways go together.

The other issue and, you know, I would say, and I included this in my original submission, that is the zoning language, this is not -- these are not things I made up. These are things that come from state recommendations. These are things that guidelines from the state, that we have adopted in some ways and modified others to sort of more mold to Cambridge. I put a few things in there that I think are target items. The first being a parking requirement as a target item. Meaning if I eliminate the requirement parking for an accessory unit where I think some people have submitted, I think, letters to the Board about having issues about that. And I will address that,

too. But the other requirements, the requirement of a submission of an Affidavit of ownership I think is another one that we should probably talk about as well, undo hardship on the city to regulate. But the guidelines that are provided by the state are guidelines. They're a sample of an example that could be done and what might be done. The basement section of this petition. Right now we've got two buildings codes and they're one and two families and we have a whole different section for larger structures. If we're looking to keep families in Cambridge and we're looking to maximize, utilize the space, there's hundreds -- there's tens of thousands of square feet of space, of basement space that is not in flood zones, that are in places where we can actually utilize the spaces and keep people in

Cambridge. If this is adopted as part of the idea, we put accessory apartments that was not the intent. The intent was that we create space. How you use it should be up to the property owner in some cases. The building code will guide us. But right now we are allowed to finish spaces off at six-foot, eleven per the code. And all over the city, you know, this has happened and I've been in real estate long enough, that I don't think there's been a place in Cambridge to buy or sell or buy mostly that someone hasn't done something in a basement. I've represented tenants for several years in Suffolk that they go in Chelsea and Revere and find all sorts of things that you just don't want to see necessarily. But a lot of this is done primarily because the rules say that's what you should do. There's a

sanitary code of adjustment that took place in January of 2014 that requires now a seven-foot height for a liveable and habitable space. There's also the building code which says you can go down to six-foot, eight. There's a zoning code that says six-foot, eleven -- above six-foot, eleven you have to add GFA space. This creates all sorts of problems for variances. This creates all sorts of problems for people, and I think in the past two years there's been 16 variances granted for that particular issue, and I'm not sure necessarily, because I can't tell from the open data website, how many were continued, but it's clearly something that's on the mind of people who own single and two-family houses that to expand family space. And this is also prompted by my next-door neighbor on Plymouth Street, I

won't divulge where he lives, but he's 32-years-old, he's got four kids. He's got a two-family house, and he wants to add a family room in his basement space and he needs a variance to do it because he's maxed out in GFA. And if you look at the ones and two-families across the entire city, 51 percent of them are already non-conforming as to FAR. So if FAR is supposed to control the massing above land, why do we sort of jumble it together with how we do below the surface. And I think this is an issue that, it will continue to keep coming up. People come seeking variances, whether it be for residential or even commercial. I own a building at 899 Mass. Avenue on Main Street where I have a tenant Cinderella's that uses their basement space constructively as a kitchen. If I go to look to redo this space,

redo the building where a historical preservation or whatever in my mind, I'm going to have to go open up a door on that GFA down below and fill it with concrete or I'm going to have to apply for variance because I'm non-conforming GFA or put it somewhere else. To me it creates a slew of scenarios that just seem to be the wrong way to design a city if we're trying to be creative and we're trying to use all the existing space that we have.

But I put it as a Special Permit caveat. I didn't want it to be a variance because I think it's a higher threshold, but I also didn't put it as a freebie because I thought people might have an issue with that. That it's too much. Too -- I think I categorized this petition to some people as baby steps. Even though it's a citywide

petition, it only affects -- there's a total 6,602 single-families and twos in the city. 1100 would benefit from the accessory apartment section, the rest -- who's to say would benefit from the basement. We just don't have that kind of information, but it's not a huge change to the city necessarily and it's also a change that takes place without building anything. You create all this space, all this usable space, you know, opportunities for people who might want to use their homes to house their own children, to house hospice care, any number of possibilities. And it now opens the door for them to do that and use it much more creatively instead of changing the character of the neighborhood which is always an issue or building high rise which is always -- I've got no personal problem with it. But those

kinds of things. But I think if our strategy is going to be in earnest strategy, we ought to look at every space, and not just -- and not funnel people into a variance that quite frankly, and I say this without trying to be overly, overly sympathetic, but I think often times we put -- our ordinance exists and used by residents as more than the sword than the paintbrush that it ought to be. It pits neighbors against each other by creating some obtuse rules that at some point in time may have made sense, but I think in this day and age when we're trying to progress the city along, don't make sense anymore. We should stop doing it. And we should also stop putting it on the adjudicated boards to make decisions on variances that legally it's a very difficult task to make. I think the BZA has been carrying the bulk of that burden of

the basement space issue because that's, that's what they do. But it's not I don't think it's fair, but it puts them in an awkward position where you have people looking to use these spaces and the BZA, you know, doing the best they can to grant the variance without incurring a lawsuit, without incurring all this agita that sort of comes afterwards.

I'm gonna just show what the accessory apartment division does to the map. This is a website that was built by a very smart person who is much more smarter than myself. You can plug in any data into this. And so in this particular scenario I plugged into the data that I put in.

CAROL O'HARA: I can't hear you.

ATTORNEY PATRICK BARRETT: In scenario -- in this scenario I plug in the

data that I have in my petition. So I reduced, I eliminated effectively the 1940 caveat. I reduced the living area down to 1800 square feet. I reduced the land area to 5,000 square feet for both the single and the two, but I also include every area of the city. The reason for that is I like zoning changes that I think are all encompassing. So if we're talking about housing and housing diversity, we should be looking at the city as a whole and not just certain sections. I'm just trying to make the rules plain across the board so they're easy to understand and that you don't really have to understand if you're one of the 50 zoning map areas that you're in whether you can do X, Y, or Z especially when it comes something as nuanced as this.

So, I get an idea here of what this

looks like. And I think the map here is a little difficult to lead, but you get the outline of the city. So like the GIS I can't pull out the city, but this I think you get a feel for how this maps out. The blue are properties that this is allowed.

The red are properties where it is not allowed.

These are all the ones and twos in the city. And it's much more helpful to look at this on your own personal device than the very generous offering of Jeff Roberts letting me use his looks like 1998 ThinkPad.

AHMED NUR: Can you point where Central Square is?

ATTORNEY PATRICK BARRETT: Right around here.

AHMED NUR: Okay, thank you.

So that's Harvard Square, it's allowed?

ATTORNEY PATRICK BARRETT: There's just more there. So it's a question of we're already maxed out on what spaces qualify in the parameters that I've given. We can adjust that and the map will change accordingly. But I thought it was unfair for me to bring a petition like this and at least show you what the impact will be. We have greatest studying creative team of all time, but I think with the zoning petitions like this, that it's scary to some. It's helpful to see which, and identify which properties are the ones that will be affected.

I am more prepared to answer questions than I am to continue talking. So with that I'd open the door.

H. THEODORE COHEN: Well, does anyone have any questions for Mr. Barrett right now or should we proceed to public

hearing?

AHMED NUR: Public, please.

H. THEODORE COHEN: All right, I think we will. Thank you.

ATTORNEY PATRICK BARRETT: Thank you.

H. THEODORE COHEN: And we will proceed to public hearing. And when people come forward, please state your name and address.

JOHN HAWKINSON: Mr. Chair, perhaps Jeff Roberts could scope the public hearing better? On his memo?

H. THEODORE COHEN: Jeff, do you want to review -- before we go to the public, do you want to briefly summarize staff's memo issues that have been raised?

JEFF ROBERTS: I think if the Board would like me to.

H. THEODORE COHEN: Surely.

JEFF ROBERTS: So this is a zoning petition that we received and provided some background information on as well as some more detailed analysis of the particular provisions. I wouldn't say that, you know, that it's not really an extensive study. This proposal isn't based on any study that we conducted at CDD, but we provided sort of an overview of what some of the issues are that are involved. Accessory apartments are a concept that exist in Zoning Ordinances in many communities. The concept is usually that in areas that only allow single-family residential homes, you have an accessory apartment as an option to make use of some additional space. And in Cambridge it hasn't generally been looked at as an alternative because in most of Cambridge the districts

allow two-family or multi-family or townhouse residential developments. So one of the, one of the particular questions that's raised in the petition is -- introducing the concept of accessory apartments in addition to as an added accessory unit within a building that already has two units. And not to say that there's necessarily a problem, but it's just, it's in zoning and planning a bit more of a foreign concept so it's not clear how that would play out in practice.

Accessory apartments are used for a variety of reasons. The proposal talks about relaxing some of the limitations that currently exist which is, which is what sort of what's being considered, and I think the map helps to show that the main impact of that is to open up more single-family and two-family properties to be eligible for

having accessory apartment, but it would still require Special Permit review and approval by the BZA which could attach conditions to it.

Another point that I think was made briefly in the presentation is that it would require that the unit be, that the unit that has an accessory unit be owner occupied. The current zoning simply says that the ownership of the residence and the accessory apartment has to be same. How this would be looked at and enforced would be a question that we would have to look into if the Council were to act favorably on it. Zoning, we currently don't have an a mechanism for establishing owner occupancy, although the City's tax assessing department does make that distinction about our occupancy, so that's one place we could go to look.

So I think the first part of the petition was described. The second part of the petition is -- really has to do with the fundamental part of the Zoning Ordinance. The definition of gross floor area. Gross floor area, plays a number of different roles or has a number of different functions within zoning. It does, as the petitioner described, provides some regulation on the overall bulk and massing of development, but it's also a mechanism that the city uses to, or the zoning uses to determine the overall intensity of a use, so things like parking requirements are based on gross floor area and the definition of gross floor area. Currently the zoning has a, has a complex definition of what counts and what doesn't count as gross floor area, and those provisions have been modified many times over

the years in response to particular policy decisions. So if this proposal were looked at in that light, the suggestion is that, you know, as a policy matter, the city should, generally gross floor area is excluded when it's something that the city either wants to -- wants to provide more of or wants to at least hold harmless from other development controls so that would be the implication with exempting all the basement gross floor area from gross floor area. The one of the technical concerns that I had was by having a Special Permit provision apply to the definition of gross floor area. It's a bit complicated to have a definition that could mean one thing or another thing depending on whether someone has a Special Permit or not. In some ways it creates a sort of circular logic if you're going to the BZA to apply for

something you don't really know what you're applying for because you don't know what the definition is until you get the approval. So I in the memo suggested some alternate ways to have a similar effect.

And then on the final note, looking at these combined proposals caused some of us to go back and look at the discussion that was held when the Basement Housing Overlay District was proposed which was a much more narrowly defined provision in a particular area for particular types of buildings, but, you know, raised concerns about whether encouraging more living space in the basement, and in particular more apartments in the basement, at the basement level would carry greater risk of flood hazard and there are certain -- there are a number of hazards that can be, that could be generated or that

could apply to basement living space. Some of them can be mitigated through requirements either of the city's Public Works or of conditions of Special Permits, but there are some things that really, there are a few ways to control in particular flooding that comes over land which is something that we're learning is potentially an increasing risk as the effects of climate change that take effect in Cambridge and cities like it.

I think that's covers the overall proposal and our take on it and some of the initial concerns that were identified. And I can answer any other technical questions about it, too.

H. THEODORE COHEN: Thank you.

Are there any questions for Jeff right now.

AHMED NUR: If I may, Mr. Chairman,

I wasn't going to, but I request from the public not to comment on whether we should have Jeff speak first or the public should public. John says Jeff should speak. We were going to ask Jeff to speak after the public. I appreciate it if the public doesn't tell us how to run the agenda.

H. THEODORE COHEN: Thank you.

So now the public would come up and when they're called and give us your name and address and speak for three minutes.

Carole Perrault.

CAROLE PERRAULT: Good evening. I have a little difficulty with my voice so please bear with me. My name is Carole, C-a-r-o-l-e Perrault, P-e-r-r-a-u-l-t. And I live at 9 Dana Street.

I wish to reaffirm the point made in Carol O'Hare's e-mail to you of yesterday

particularly her statement that the Barrett amendments are not ready for prime time. Quote, policy-wise, substantially, and procedurally. And like Carol I too have not had time to carefully review the petition but when I did my initial read through, red flags flew in many directions. Unlike Carol, I do not have zoning expertise. My perspective here comes from having served on a neighborhood conservation district commission for many years, and as a professional architectural conservator. I am concerned that the neighborhoods have not been systematically made aware of the potential changes that this citywide zoning petition would have on their housing stock and streetscapes. Has the petitioner made a reasonable attempt to meet with all the neighborhood associations, neighborhood

conservation district commissions, and the Historical Commission? Sometimes unfortunate changes occur to the zoning code without widespread publicity, and only when those changes are enforced do residents feel the impact on their quality of life. The exterior architectural character above the building and the streetscape can be seriously impacted by what happens if the basement level, especially where historic structures are concerned. Savvy developers in this city know exactly how to capitalize on basement development in addition to -- in additions and backyard in-fill projects especially when basement development is exempt from FAR calculations all to a profit-driven end. And yes, a means a method to add to our housing stock sounds highly laudable on the surface, but this petition should not be rubber

stamped until it is thoroughly deliberated by you, and in other words, understand what it contains. As to the potential impact on the architectural and historic character of our neighborhoods, character that enhances our quality of life and imparts tangible charm to our neighborhoods reacts zoning that can contribute to the slow but consistent erosion of that character. The question that begs to be asked here tonight why isn't this petition put on hold to carefully -- to be carefully vetted as part of the city's up and coming comprehensive planning process, a/k/a master plan. Not doing so makes no sense in my eyes.

Thank you.

H. THEODORE COHEN: Thank you.

Marilee Meyer, do you wish to speak?

MARILEE MEYER: Hi, I'm Marilee

Meyer. M-a-r-i-l-e-e Meyer, M-e-y-e-r, Ten Dana Street. I have come basically unprepared. I came to observe and I am thrilled that I had a complete explanation prior to, because frankly I didn't really understand how you were presenting. So I, it was helpful to me which triggered immediate questions now, they may be naive and ignorant, but they need to be put on the table.

The idea of trying to find more affordable house or more housing, I think is an interesting concept, and in some cases it probably could be very beneficial. I, too -- and I concur with the previous speaker, I, too, am worried about the impact of the fabric of the different kinds of neighborhoods, and I -- we've seen over and over again when a developer takes a really

wonderful cottage with good bones and raises it just a little bit to get that extra height and it ruins the site and the proportion and actually the neighborhood starts to look like a suburb or a condo or something, you lose that kind of character. And that is the one thing that I'm, that I'm really worried about with a blanket zoning that this does not have regulations or oversight. Just to rubber stamp something or to say that it's, yes, this is what we did for the whole -- over the whole city of Cambridge, no, we still have to look at parcel by parcel. And I think neighborhood associations are really important as part of, as part of that discussion. And I am, I am totally with Carole on that because people buy in for the character of Cambridge and not the density and the potential of change and traffic,

etcetera.

So, thank you.

H. THEODORE COHEN: Thank you.

Carol O'Hare, do you wish to speak?

CAROL O'HARE: I do. My name is Carol O'Hare, 172 Magazine Street, Cambridge.

I think I want to speak because some of you may not have had an opportunity to read this in the short time that it's been available to you. And as I said, this, as Carole with an E said, I don't think this is ready for prime time in many ways that I haven't itemized in my three-point memo because I haven't had time to look at it. And I agree with Carole Perrault, and one of the reasons I haven't had time is because it hasn't been circulated to the neighborhoods that it would severely impact or could severely impact.

It seeks to expand and liberalize property owners' ability to create accessory apartments and it seeks to include basement space for residential purposes. It -- I appreciate its effort to encourage and ease the speed of additional rental housing on the market, but the devil is indeed in the details. My three examples will illustrate that this amendment is based on the Massachusetts Executive Office of Energy and Environmental Affairs modeled bylaw, but it omits a number of protective provisions which in some cases are optional, but in other cases are incorporated into that model bylaw with no comment and no options suggested.

The first requirement that owner occupancy be maintained in one of the units. There's no way that this proposed amendment, there's no mechanism for enforcing it. The

model bylaw requires that that owner occupancy agreement be recorded with the title with the Registry with Deeds so that all future owners and their lenders are aware of the restriction. This model, this bylaw does not include a Registry of Deeds provision. It simply says that there has to be a certification filed with the Building Department. For people like me who often research at the Building Department. A certification at least in its current, in its current basement storage room, a certification like that is very likely to be lost. And then there is no subsequent mechanism for assuring that subsequent owners, whether it's a buyer, whether it's an estate selling the property, whether it's a buyer at a foreclosure sale has any notice of the owner occupancy restriction. And, you

know, these kinds of -- this kind of -- kind of non-enforceable restriction becomes pretty meaningless to owners down the road.

H. THEODORE COHEN: Miss O'Hare, could you limit your comments? We have received your written comments.

CAROL O'HARE: Okay, can I just sum up the other two?

H. THEODORE COHEN: Please just summarize them.

CAROL O'HARE: I'm sorry, I'm -- no off street parking is required for the, the, the two units and given the discussion about the parking situation in Cambridge, that could be a problem.

The amendment would also assign -- this is about the basement, the amendment would also assign to the Zoning Board of Appeal a very wishy-washy standard for granting

approval for use of basement space. If it supports the character of the neighborhood or district in which the applicable lot is located, basement space in any building can be used so long as it complies with the building code. Basement space in any neighborhood can be used and that standard is really wishy-washy.

H. THEODORE COHEN: If you could wrap up, please?

CAROL O'HARE: Okay. So in short, I mean this is only three examples. I encourage you to read my memo because I haven't been very well spoken tonight. This is just three examples, and this really isn't ready to go anywhere.

Thank you.

H. THEODORE COHEN: Thank you.

Steven Kaiser.

STEVE KAISER: Again, Steve Kaiser, 191 Hamilton Street.

Community Development has already reported on some of the flooding problems, and just to clarify and elaborate a little bit, the basement areas of homes are the most vulnerable to flooding in Cambridge, particularly in areas like Alewife. And there are four types of flooding that could pertain here. One is flash floods. Very quick intense storms. We had one in July 2010. Four inches of rain fell in through eastern Cambridge, Somerville, Beacon Hill, parts of Back Bay, and it flooded out some basements along Pearl Street near my house. Flooded out the Public Works office. They broke a pipe inside and flooded the basement, you know, where the literature is.

The other is FEMA flats which are

somewhat longer and protracted, eight and a half inches of rain in the whole day, and that's a hundred year flood elevation. And that's the one that gets a lot of basements in the Alewife area consistently when that happens. Even in the 25 year storm.

And then of course we have hurricanes. Hurricane Sandy and the ocean and coastal surges which are higher than FEMA.

And there's finally a combination of rain and snow. We had one of those instances in March of 2001. We had a one year rainstorm on top of about eight inches of snow. And the clog drains that created a 25-year flood event. And so, that's some of the things that I would be concerned about here. And apparently in the development of this proposal they have not yet considered flooding which I think is -- if I were on the

Board, I would like to have that information and be able to deal with it before I judged this situation.

And the other one is a little tough to figure out which is climate change. Which is how much is climate change going to be affecting the flood elevations. And so, on part A, I was happy to see in the CDD memo that they compared existing conditions in the zoning with the proposed, and it would have been nice to have that in the presentation as well. What they're missing here is what were the reasons that the zoning, the existing zoning was done and put in place? We have some ideas of the reasons that don't want to change it, but there may be some very good valuable reasons why the zoning is the way the it is. And I haven't had a chance to get into the details of all of this and put this

in context, but it seems to be another case of where we need to do some more planning and thinking about what's going on here before we actually do the zoning language. Zoning language is nice, but you want to take your plan and put it in force. So I would have to agree with the previous speaker that this may be before its prime time and we should give it some more chance to think about.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who would like to speak? Please.

PATTY CHEN: Hello. This is my card. Good morning. Hi, the Central Square Cambridge neighbor. My name is Patty Chen, P-a-t-t-y C-h-e-n.

So, the real -- first of all, I want to say two years ago there's a very famous

hearing called Old Asia Block and I'm the owner, I'm the one -- it's above me and my club at the 334 Mass. Ave. I got a lot of support from neighborhood and Cambridge Residents Alliance that with their help so I can, I can get a better, I can -- they help me negotiate with MIT so I can move on to the next project. And today I'm here to make a statement not because Patrick is my landlord because what -- with his help, and Robin from Central Square Business Association with a passion and a love for the community. I move in and I raise two kids in Central Square, this community. Last two years I provide 50 jobs for the neighborhood. I inspire them with the cooking. And all the people they live in the project. I train them. I teach them everything I know. I give them another change, another hope. Also they don't --

they, they -- last year Cambridge was a working city and a bike city. I know we had a lot of traffic. Honestly this traffic didn't help my business. But I'm here to, I'm here to (inaudible) this community because this is my second home. And I struggled with this is the land of opportunity but we need to change. I embrace this change with Patrick.

Thank you so much.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

KIRIL ALEXANDROV: I'll spell my name for you. Kiril, K-i-r-i-l. Last name. Alexandrov, A-l-e-x-a-n-d-r-o-v. Thank you for listening to me.

I think the very few ideas that are both elegant and simple by their nature while

at the same time solving multiple problems. The common sense idea at the core of this petition is one of those rare instances where the elegant solution proposed will help Cambridge on multiple fronts. I am going to give you a quick list of why I support this as well as my wife.

I live at 406 Franklin Street by the way. No. 1, helps generate income and economic activity. Homeowner, do-it-yourselfers, jobs for contractors, plumbers and electricians, city personnel, masons, concrete specialists, this will open up and create I think some jobs. Help keep college students in Cambridge. Due to high rents, many grad students cannot get housing. They have to live outside of Cambridge, due to their transit nature, students would be the best renters for the basement units.

Having been one of these students and come here 25 years ago, there's tons of basement apartments that are completely illegal right now and have been historically as everyone knows this. What this plan, petition helps to do is formulate a set of rules and structures and police that and create some kind of a framework for enforcing this and having certain guidelines. So in a sense it is very helpful and potentially could be.

Of the obvious increase overall affordable housing stock. Cambridge does a great job in affordable housing. This is yet another avenue to pursue to increase the affording housing stock that already exists without building, without more building, killing green spaces, or building more towers. Right now the range board is passing pretty much everything to allow through

building, what I call backyard building. So if anyone is upset about those kind of changes, this is a minute change using an existing structure that's not going to require too much change while increasing the housing stock and you're not killing green spaces or knocking out people's sunlight or anything like that. Incentives are created to take existing new spaces turn them into usable spaces. So finally all those basements that are falling apart can be fixed into something useful, more aesthetically pleasing, thus making Cambridge better looking, therefore increasing property value and taxes making it more attractive to live and work.

Another reason, Cambridge has to stay competitive. This is another opportunity to improve Cambridge so it can best provide

affordable resources for its denizens both permanent and temporary Cantabrigians will have more choices.

Help elderly or low income residents who own their own houses generate more income. After rent control increase many folks have seen the value of their homes increase, taxes increase, cost of everything increases. Now they will have a way to generate extra income that will help to make ends meet.

In essence it's progressively liberal in the sense that it gives the homeowner more options on how to choose their space that has minimal effect on their neighbors and their neighborhoods.

Naturally, fosters a closer sense of community since living density increases providing more human on human interactions,

helping with the local economy, essentially making Cambridge more vibrant and more interesting.

Thank you.

H. THEODORE COHEN: Please.

ATTORNEY PATRICK BARRETT: No clapping.

H. THEODORE COHEN: Is there anyone else who wishes to speak?

DOUG BROWN: Doug Brown, 35 Standish Street. I sent in a letter earlier today. I'm not sure if you received it in time. If you did, I won't bore you with the details. If you didn't, I'm happy to read it for you.

My comments are in response to the letter you received yesterday voicing concerns. In the e-mail Carol O'Hare claims that future issues arise -- that if future issues arise from the proposal, it will be

too late to address them. I think what I would propose here is that perhaps there's a more dynamic way to do zoning, which is you make adjustments, you see how that goes. You make more adjustments. It's a dynamic process. It's not set in stone for the rest of our lives. Specifically, though, I want to address some of the issues raised in that letter. One was owner occupancy. One was parking. And one was saddling the BZA with additional responsibilities. Carol, in her letter, quoted from the document that was used to write this, I think, which is the state's guidelines on ineffective bylaw for excessive housing and we already have a bylaw for excessive housing. It's an existing one. It's been on the books for a long time. A close review of the map which currently there's 288 housing that qualify. The

average assessed value of this house is north of \$3 million. That's not accessory housing. That's servant housing. Okay? And perhaps this is a time where we now ease some of those restrictions because what that document says, what that model bylaw says is, quote: Doing these things creates, quote, unnecessary administrative burden. That's their definition for in effect. The more rules you put on it, the less you're gonna get. And if you want to solve a housing crisis, the issue isn't to put more rules on who creates housing. It's to actually ease some of those rules that actually make sense.

They say things like no requirements for annual compliance of owner occupancy are recommended. They say that in effect once you certify that you've done it once, you don't have to keep doing it every year. They

have language in there that helps you with that if that's what you so choose, but you're choosing to have less housing is what you're choosing when you do that.

They also say that it's recognized that there's no single model that could be added to community regulations without some tailoring. Therefore, revisions to the effect in this model is encouraged. They encourage you to take what's written and modify it for use with your own city. And we live in a city that's very dense and has a lot of needs right now around housing.

I would say if you share those concerns, though, then the petition certainly can be amended to require that someone file a paper every year or that they put something in the deed that restricts them. I will tell you based on prior cases, that having

something in the deed doesn't necessarily restrict them. I can look at the Honda dealership in my own neighborhood, we just had conditions written their deed for the last 20 years, and we're still out there everyday talking about their lights and their signage and all the rest of it even though it's in the deed. So that doesn't necessarily buy me anything.

H. THEODORE COHEN: Mr. Brown, if you could --

DOUG BROWN: Sure, I will.

Regarding parking what the document says is, quote, the number of additional vehicles associated with the property may be minimal due to the limited size of the units. It also says you might want to consider allowing a waiver when transit's a reasonable option. I would propose that almost

everywhere in Cambridge, transit is a reasonable option. It's a pretty dense city with a lot of transit.

The last thing I would say is regarding the specifics of the basement issue, I think the current model is untenable which is we're in a situation where you have three choices as a homeowner, not as a developer, as a homeowner, as me. I can do nothing and live with my currently unsafe basement with the lack of egress and a lack of fire protection and all the rest of it. I can get an expensive variance which I think the going rate right now is \$3,000 to hire a lawyer plus whatever you pay for an architect, plus six months of your time. Or I can do illegal renovations, which is what the guy up the street did. I don't think any of those are a good options. I think we're encouraging a

bunch of bad options, and it might be better to think about how we can change that so that we get something that works for all of us. And I feel like our city kind of deserves that.

H. THEODORE COHEN: Mr. Brown, can you wrap up?

DOUG BROWN: Yes, I'm done.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

MAHMOOD FIROUZBAKHT: Good evening, Mahmood Firouzbakht. I live at 7 Crescent Street with my wife and two kids. We have lived in Cambridge all of our lives and hope to continue to do so. One of the -- our son is over at the Baldwin School in the second grade, and over the past I'd say five years one of our biggest challenges and biggest

gripes is seeing friend after friend grow out of their current housing in Cambridge and move out to the suburbs, you know, or outskirts of town, and it's been this constant trend. And so I think that one of the benefits of providing for this additional housing in particular and existing basement spaces would be to sort of offset that trend and, you know, for example, my wife and I were in a two-family and we have an unfinished basement space that we talk about at some point hopefully having a family room down there which, you know, would make our living situation more tenable and more sustainable over time, and I think we're an example that gets repeated over and over. And so hopefully with perhaps some tweaking and modification to what's being proposed we can in a smart way utilize some of the

existing spaces that we have that can accommodate families like mine to hopefully stay in this fine city and not necessarily have an adverse impact if we craft language that is protective enough.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman, members of the Board, Sean Hope, 131 Erie Street in Cambridge. Speaking tonight as a Cambridge resident and also as a practitioner. I'd just like to say that I support the zoning amendment in concept. The idea of adding additional housing to an existing built form, I think makes a lot of sense. As a practitioner, I have seen recently in the last year or so rear

additions, in-fill additions being particularly hard to have approved by the ZBA even when you think you have a hardship or even when you think you have what would be mostly a compliant addition, because I think because of the boom and there's just so many applications being filed, there's so much housing development going on. The idea oftentimes the Zoning Board will ask have you asked to adding in the basement? Have you looked into making more space without going into rear yards that are blocking light and air for rear abutters. I think this petition, although it needs tweaking, creative about how to increase housing. I also think that the GFA, the way it's calculated in the basements, I think what it does is it's a pretty common known practice you create a basement space, you finish it

out, and it's below seven feet and it's not included in gross floor area. You have these basement spaces that are maybe not a bedroom, but they're shallow, and they're not designed as habitable as they could be. This petition takes it, takes it on but I don't think it necessarily think that the regulations to have it be owner occupied is necessarily the most appropriate limitation. I do think looking at the citywide is important. And I think if the Planning Board found certain areas to craft this, I think that would be helpful, but I do think that this is a way to be able to create accessory housing in a way that would be appropriate and hopefully maintain some of the integrity of the neighbors. This is what I see all the time. This addition is out of scale of what's existing. This is a way of trying to utilize

some of that basement space. I did think the basement overlay that happened, the petition for the Planning Board, it raised a lot of concerns about the people that would be living there and those issues, and I did find I was educated in the fact that DPW does have a lot of measures and conditions that could make these habitable spaces more safe than otherwise would have thought. And I think this is picking up on the progress that was made on the part of that zoning amendment, and I do think the Planning Board should give it serious consideration even if it doesn't pass this time through. And I think eventually there are some appropriate basement spaces on the outside of Residence A-2 that would be appropriate for accessory housing.

Thank you.

H. THEODORE COHEN: Thank you.

Anyone else wish to speak?

GUS RANCATORE: Hi, my name is Gus Rancatore, R-a-n-c-a-t-o-r-e. I live at 18 Amory Street, not far from here. And I make ice cream at Toscanini's. I'm also a tenant of Patrick's. And I think the single thing I'd like to say is that I think this proposal is an interesting idea that would, that may bear some fruit and that it's worth discussing. That people's objections and people's -- the points that people like could work out very well over time and that's all I have to say.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: Apparently not.

So, Board Members, why don't we start discussing this.

Hugh, why don't you start?

HUGH RUSSELL: I'm going to give you a piece of history as to the -- how the existing accessory apartment --

H. THEODORE COHEN: Great.

HUGH RUSSELL: You know, sometime I think in around 1980 Cornelia B. Wheeler who was one of the finest City Councillors to serve our city about 50 years ago and developed a kind of a committee called Cambridge Living Options for Elders was essentially a lady's volunteer committee. This was when women who were -- didn't go into the workplace. They went to --

CAROL O'HARE: Excuse me, could you move the mic closer to you?

HUGH RUSSELL: And I was a part of this committee. And it was fun and educational. And it was trying to address issues around people staying in their homes. If you lived up on Coolidge Hill -- and so she was thinking of people more in her situation. And there was a problem that when people became elderly in those big houses, they were unable to sort of keep them up and maintain them. So the idea was to allow an accessory apartment so there could be somebody else living in the house with the primary homeowner and they might provide services, they might be able to shovel snow. They might -- there were a lot of varieties. They might be family members. They might not be family members. And that petition was written and submitted by Cornelia and ultimately passed by the Cambridge City

Council. It was a very limited intent and that's why it seems so -- and very few people took advantage of it.

Now I support looking very closely at the ideas in this petition. But I think the proper place to do it is in the citywide master planning process, because I believe these are -- this is only part of a bigger question which is how do we serve the people who live in our one and two and three-family houses and residential neighborhoods? What are the issues they have with the zoning and planning regulations? Clearly the idea that there are spaces that could be used more effectively is one of those questions. The question of, you know, making it possible for people to use basements as some homeowners' basement flooded three times in the last 45 years. Many people may have lived there a

long time, and one was when a pipe broke, a city pipe. One was a storm. And the third one was when the city rebuilt the street and they screwed up the drainage and started pumping into the water table. And it went through my porous basement wall and in my neighbors' porous basement walls. So there are lots of kind of events. But family circumstances change and buildings should be -- people should be able to change their houses. At the same time it if everybody on my street -- if every structure had one more dwelling unit on it, I think that would change the character of the street. I don't think that's going to happen because most of the units on my street are now condominiums in two and three-family structures. I don't know how this affects a condominium in a two-family structure, but there might be

unused space in those buildings that might be productive use.

So, anyway, I think it's very important to listen to this proposal, but I think the right thing to do is to refer it to the master plan and process.

H. THEODORE COHEN: Ahmed.

AHMED NUR: As well I do support everything that Hugh says, but I'm not sure when the master planning is coming out or what that really means to refer to, so I will say that I am in support of this petition. I really like hearing this petition because it does -- I don't want to repeat what everyone else said, especially the last three supporters, it takes care of our housing problems. The students are going to Somerville. They can't afford anything here. There's this dark, mildew, mold basement,

really difficult do breathing of a first floor. Basement floods it will be taken care when people are living in it that's how you know the basement's a solution. And so as long as we have, we'll look at it very carefully, whether it's in a flood zone or whether traffic does, we'll bring it up to light. Because experience in Boston people are living in a basement illegally because it's not in the zoning and we have fire and we have people literally getting hurt, and so if we don't want to shine a light onto this and bring it out to the open, people are going to do it their ways and they're going to deal with contractors are illegal and, therefore, we can't touch this and it's going to be illegal. And thank you, Patrick, and as well as thanks to the Cambridge residents who came in to support or not support. I

think it's a good thing that we're all talking about this. And, yeah, that's all I have to say.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: I thought it was a very thoughtful petition as well, but given it has citywide implications and some of the more liberal ways of looking at it might be spectacular in terms of its effect on the housing stock. And conversely I think the basement provisions seems a practical use of existing space we need to be careful about because of marginal use of substandard housing. These are questions that I know should be addressed and the proper place to address that it's fortuitous that we've got a really good consultant starting last night who was going to take us through a citywide conversation and I think it should absolutely

be on our agenda. For this conversation at this hour, I'm not ready to pull this apart.

H. THEODORE COHEN: Steve. You don't have to speak.

STEVEN COHEN: Well, I think there's a really interesting thing, important thing, it's really a complicated subject. Each element of the proposal itself is interesting, but how they start interacting with each other is an especially, you know, interesting. You know, deferring to the comprehensive planning process, you know, certainly this is big enough that kind of warrants big time treatment on the one hand. On the other hand, though, that process is going to have so many issues to deal with and I doubt that these issues are going to be very high on the agenda at that point. And I don't know, you know, we are the Planning

Board and we've got this great planning staff, I mean and it is before us now. And I certainly agree with Tom, I'm not ready to do anything tonight. But I'm not sure that this doesn't fall in our bailiwick if not to actually, you know, decide at least to you know, do some serious analysis and give it some thought and, you know, make a recommendation which we can then throw into the citywide planning process.

Quick thoughts, first on the basement use, first of all, in my mind I sort of divide it between existing structures and new structures. And in existing structures that have a basement well, you kind of figure people have a house, they have a basement in their house, they ought to be able to use it. Well, they probably can use it, even if it counts as GFA right now, because if it does

count, well, it's existing non-conforming. And I think it's counted as GFA whether or not they finish it. So they may as well finish it and use it. The only time it gets complicated, I guess, is if you want to not just use it as your family room or media room or what have you, but if you want to create a new apartment down there, then it opens another whole kettle of worms. And the thing with your apartment, an accessory apartment, I'm kind of confused really between as Jeff pointed out in the memo, that sort of the difference between an accessory apartment and just another unit. I think that's problematic to distinguish the two, but, you know, we are kind of in the mood where we are trying to create more housing in the city and particularly more affordable housing in the city, and I'm trying to think through what

exactly would be the downside of permitting people to add additional units, call it accessory unit or otherwise. I'm also trying to think through, you know, I love to see better maps as we go along where we even talk about it. We just talking about like single-family homes in the A District and/or just two-family homes in the B District? But aren't we essentially then going to be saying here well, okay, in the A District you can have two units and in the B District you can have three units, not just two. That wouldn't be an irrational thing to say, but I think maybe we should be thinking about it that way. Again, maybe existing structures. I'm not sure what we say going forward. And, you know, if you start changing the rules for basements, if we're developing new housing, you know, what do we end up doing? Gosh,

every multi-family house will have, you know, a whole, you know, a whole floor below grade and what do we even mean about a basement? And how far below or above grade does it have to be? If it's three feet above grade, is that a basement? Is it four feet? Where's the break point?

HUGH RUSSELL: It's six feet.

STEVEN COHEN: Oh, is that the definition?

AHMED NUR: They have a definition for basements.

HUGH RUSSELL: It's a complicated definition.

STEVEN COHEN: Oh, it's complicated. Imagine that.

HUGH RUSSELL: It's in the Building Code but it's very complicated but it's basically at six feet.

STEVEN COHEN: I think there's a lot of good stuff here and there's a lot of stuff that is really reasonable and consistent with some of our housing policies here, but there are so many permutations and this is -- actually I'm reminded of what I said in the previous case where I'm a little bit nervous of unintended consequences. Some of the first folks who expressed concerns about changing characters of housing and changing characters of neighborhoods physically, well, you know, I think that's a legitimate concern but maybe that can be addressed by neighborhood conservation district commissions that Carol served ably in the Mid-Cambridge Commission back when I was chair of that commission. And, you know, that's -- this is the sort of issue that could come before us if somebody wants to do

some work in the basement, but they're going to make any changes at all in the exterior appearance of the house in connection with those improvements, well it would have to come by us and, you know, we could make sure that any changes are made in the way that doesn't prove to be detrimental to the character of the neighborhood. Again, more permutations.

I think it's important that we do pursue these things. I think we really need some help from staff to help us understand, you know, how this plays out. And the one thing I do feel, though, Hugh, is that I don't think it's inappropriate for us to, with the assistance of staff, to take a first look at this thing ourselves rather than sort of throwing it into the what is already going to be a very complicated citywide process.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: I guess a lot of good can come out of this. I think it's going to be harsh over at the Building Department to make this all work, access and egress, flooding, and so forth besides the work that we would have to do on it. I tend to go with Hugh on this one and put it in the citywide master plan. It does influence the whole city. I'd like to see it go there I guess.

STEVEN COHEN: Can I just add one thing before --

H. THEODORE COHEN: Sure.

STEVEN COHEN: I'm sorry. And, you know, I do want to echo what has been pointed out here, and that is current practices, I mean all sorts of games are played by owners and developers about basement space in every

which way. Sometimes they're made a little short so they don't count and sometimes they're sold as not habitable space but everybody knows they're going to be habitable. Sometimes it goes the other way, somebody wants to get a permit for something but they say they have too much GFA and so they end up lowering the height of their basement so that the basement space doesn't count for GFA. I mean, it's absurd. It's irrational. It serves absolutely no, you know, useful policy. And, you know, whether we end up enacting this particular proposal or something different, it really would make some sense and be good practice for us to somehow rationalize the way basement space is used in the city and address all the illegal uses. And, you know, I think would be advantageous to the city and to all involved

to somehow, you know, legalize them and then make sure that they are safe and comply with the reasonable building code standards.

H. THEODORE COHEN: You done?

STEVEN COHEN: I don't know, give me a second.

H. THEODORE COHEN: All right, well, I agree that there's a lot of good stuff in this proposal. That as we talked about before, that they're not making any more land in Cambridge and that we do have a significant housing crisis and we need to be able to create more housing, but I also agree that I don't think that this is ready for prime time. I think staff has pointed out a lot of the issues that we have to address -- that have to be addressed. Whether that is through staff or this Board or whether it initially goes to the master planners, you

know, I don't have a strong feeling right now but I think it is -- there are issues that have to be addressed. I think the quality of the neighborhoods is one. I think whether you change every -- potentially change every single-family into a two-family and every two-family to maybe a three-family or a four-family, I think that's what zoning is all about, to try to decide how your neighborhoods are going to be.

I think there are differences between, you know, what I usually think of as an accessory apartment, whether there's a separate door that, you know, people come into a main entrance and, you know, have -- maybe go down to the basement, to other places where there are separate entrances. I think the issue of parking is something that really that has to be addressed. So, you

know, I think it is an issue whose time has certainly come. I was a strong supporter of the accessory apartments for the couple of buildings in -- along Mass. Ave. that we spent many hearings on, over two or three years before we reached a conclusion about it, and I think a lot of rationale for that also applied to allowing accessory apartments here. Although I think, you know, while DPW does have a mechanism in place to deal with flooding and those issues, it would be a harder task for them if this is citywide. So I think that's an issue that has to be looked into.

I think the issue of doing away with exempting GFA in the basements has -- potentially has lots of consequences that I don't know what they are right now, and I think that really has to be studied in great

detail. One of the City Councillors who wrote to us if we're doing the basements why aren't we doing attics? And so the GFA issue in my mind calls into questions a lot of issues related to dimensional restrictions under zoning and that we shouldn't be looking at just one. That, you know, I think that is certainly something that we can -- the master plan people can be looking at to determine whether all the dimensional restrictions that we have now, you know, conceptually makes sense and whether some of them can or should be changed.

So, you know, I think lots of good ideas in it and lots of things we seriously do need to look at and think about and be prepared to change, but I think this, you know, cuts too broad a swath right now without a lot more investigation about it.

HUGH RUSSELL: I was wondering if I could ask Iram to comment on this question of is this a study that we can undertake with the staff now or whether it would be more appropriately done in the master planning process?

IRAM FAROOQ: So, the one thing to keep in mind that's just the timing issue, that --

CAROL O'HARE: Iram, can you speak at the --

IRAM FAROOQ: Yes.

So the timing issue is one that will be important in terms of thinking about whether we delegate to the citywide planning process simply because the process is conceived in three distinct components.

The first one being research and vision -- research and data collection. And

then moving into vision formulation and then going into scenario development. And then finally going into a stage where you're formulating recommendations. So for citywide type thinking of this nature, I think we're probably looking at year three if we're going to punt to that process. So just in terms of how quickly we might want to act on this, if we think that it's something that should be addressed soon, then probably better addressed here, but there are certainly a logic to moving it so the citywide process as well because it could in fact belong there. And we'll be thinking about housing for sure in a bigger way. So this could, this could certainly fit as one of the components that we, that we think about. So I don't really have a strong recommendation one way or the other.

HUGH RUSSELL: Right, because the other point is that part of the citywide planning process is a very extensive public engagement process. And several people spoke about how this may play out differently in different neighborhoods, and if you're -- so I think, you know, I think also probably the staff's ability to respond to things is going to be, you know -- it's like the master plan process isn't going to happen independent of the current staff, they're going to be involved in that process so that they're undertaken a complicated and difficult thing at the same time, might not be the best recommendation. You know, I think it's going to take -- if we were to start doing it, it might take us three years to do it, too. So why not do it better with the people who are --

H. THEODORE COHEN: One other point.

LOUIS J. BACCI, JR.: I have one question actually. It's simple -- not simple. But how does this fit into the whole sustainable thing with the eventual climate change thing? Are we going to be putting people in living space below grade and how is this going -- is this going to fit into this whole program of -- where is that going to head? Is that -- is anyone going to be recommended to living below grade? In this -- because there are a lot of -- in the presentation last night they had buildings on stilts, raised sidewalks. So there was a lot of --

HUGH RUSSELL: Right, and on the other hand using buildings that are existing more effectively. And finding a mechanism to maybe fund energy improvements might cut the

other way and it could, it's a difficult, complicated thing to work your way through.

LOUIS J. BACCI, JR.: Yes, they're going to be doing this work.

HUGH RUSSELL: So....

IRAM FAROOQ: I mean, the benefit I think of moving it to the citywide process is that -- that process will be thinking about all of these elements together. So it will allow more comprehensive analysis.

And the one other intermediate thing is that we have been asked by City Council to think about this goal of a thousand new affordable housing units. And so, so that is going to happen in parallel with the citywide planning process. So you heard from the affordable housing trust a few meetings ago about their -- some of their ideas. And I think this might be something that could fit

into that picture, not as a designated affordable component, but more of a -- things that are unusual or small and hence informally if not restricted but affordable through the market itself which is becoming a rarer thing because new development tends not to fall in that category but something that is developed in the basement or attic may in fact fall into that category. We don't have that many attics.

H. THEODORE COHEN: Okay.

So, Jeff, do you need a vote from us or recommendation from us?

JEFF ROBERTS: I, Mr. Chair, I don't really need anything. This is a zoning case. The Planning Board could make a motion to vote to submit a report or recommendation to the City Council or could simply -- or could keep the hearing open and have future

consideration or could simply close the hearing and not make a recommendation. It's not required for the City Council to act. So it's certainly the discretion of the Board.

H. THEODORE COHEN: Well, I certainly think we want to communicate to the City Council the Board's feeling about this -- feelings about it. And so if the best way to do that is to, you know, make a recommendation, I think that would be appropriate.

JEFF ROBERTS: I would say, too, the Board doesn't necessarily need to make a yes or no recommendation. It could be simply a comment that gets transmitted.

STEVEN COHEN: Mr. Chair, there's -- obviously there's no way that we're ever going to get to a positive recommendation on this petition within the statutory time

frame.

H. THEODORE COHEN: Right.

STEVEN COHEN: I mean, that's a non-starter. But, you know, so I think, you know, the only question that we really have is the one we've been talking about whether this is something that we want to take up and perhaps submit a petition on our own initiative if and when we complete a review of these issues or whether we would prefer to just, you know, defer to the citywide process which to me sort of feels like just kicking the can a little bit. You know, probably we could do as good, if not better job, of hitting this thing ourselves. But I think that's the question. Do we want to deal with this at some point going forward or not? But there's no way we're ever, you know, going to get to an actual recommendation here.

H. THEODORE COHEN: I don't know that we have to decide that right at this moment. I think we could make a recommendation to City Council that while the petition has many things to recommend in it, there are issues that need to be reviewed in greater detail and analyzed and reviewed in greater detail and discussed, you know, citywide and that that should be done either by this Board or it should be done through the master planning process. And that staff can --

ATTORNEY PATRICK BARRETT:

Mr. Chair?

H. THEODORE COHEN: Please.

And then staff can, you know, assist us in deciding whether that's something they can -- we should be doing or whether it makes more sense to refer it out to this other

body.

TOM SIENIEWICZ: That's one other observation. There's clearly an issue about accessory units, lots of positive things to be said about that mix of housing types, etcetera. And it's very -- it's easier for me to swallow that. You mix in the basement issue, and I really think they're two tracts and two discussions and okay, yes, it's a convenient place to build accessory units, absolutely. But displacing FAR, there's a lot of complicated reasons to get a real dramatic effect on the physical form of various neighborhoods to some degree or other. I for one would, when I'm thinking more clearly, like to maybe potentially recommend bifurcating the proposal, look at it in two places.

H. THEODORE COHEN: I think that

makes sense. Especially we've only been discussing about GFA as it relates to residential. The petition also excludes it from non-residential structures which, you know, might have a whole different set of consequences.

LOUIS J. BACCI, JR.: Yes.

H. THEODORE COHEN: So, yes, I think it does make sense to bifurcate them into two different issues and they probably overlap in a lot of places but I think that makes sense.

Any other thoughts?

HUGH RUSSELL: I guess coming off a two hour meeting about the master plan process and that process has several advantages because they're wanting to be data driven and really look very carefully at the facts and examine things and have resources to do that. And the second is a community

involvement process that, so that's what tends to make me think this belongs in that camp or at least the part of the accessory apartment belongs in that.

H. THEODORE COHEN: Well, do we feel strongly enough one way or the other to make that part of our recommendation right now or leave that open for a decision at another time?

STEVEN COHEN: I'd rather leave it open myself. I understand your point.

HUGH RUSSELL: I'm on the other side, unless we can come together we can vote.

H. THEODORE COHEN: I think we'll just leave it open for a future discussion. Does anybody want to make --

LOUIS J. BACCI, JR.: Do we want any more information? Do we need anything?

H. THEODORE COHEN: I don't think so right now.

LOUIS J. BACCI, JR.: But I mean for next time.

H. THEODORE COHEN: Well, yes, we can talk to staff about that.

AHMED NUR: Mr. Chair, can I request to hear what Patrick had to say? I think he wanted to say something real quick.

ATTORNEY PATRICK BARRETT: I'll be very brief, Mr. Chair.

First off, I apologize to all of you. It's not my intention to keep you all up late and make us do all this work.

H. THEODORE COHEN: It's not your doing so you don't need to apologize for that.

ATTORNEY PATRICK BARRETT: My -- there are a lot of concerns that were

addressed tonight and a lot of issues brought up tonight. I want to let you all know that this petition has been in the works for several years. I've spoken to lots of different neighborhood groups, and you can see from signatures on my petition that lots of those groups have been engaged, and individuals have been engaged as often times a possibility. The other issue I also brought up as a member of the C2 Advisory Board, I spent two years -- really five years actually reworking the plan for Central Square. And, you know, how the master plan is going to go as optimistic as we are. I was at that meeting, too, Hugh. And I do appreciate your words about wanting to speed up the process and have more flexibility. We're going to go through a master planning process. Zoning may be done in tandem, but

we know exactly what's going to happen at the end of that process. It's three-year process at minimum. We're going to bring zoning recommendations and the people in Strawberry Hill are not going to care what the people in East Cambridge care about. The people in North Cambridge aren't going to care what the people in Central Square think about. And we have a bunch of recommendations that are going assume the floor and doing nothing. All I'm talking about right now is the accessory apartment thing can be scary, and I agree needs to be analyzed. The basement issue in ones and twos are already allowed. This is already happening by right at six-foot, eleven.

H. THEODORE COHEN: Mr. Barrett, please I think we've heard the arguments on both sides and --

ATTORNEY PATRICK BARRETT: Thank you for letting me speak.

H. THEODORE COHEN: And are we ready to proceed?

AHMED NUR: Sure.

H. THEODORE COHEN: Somebody wish to make a motion?

STEVEN COHEN: Well, sure I would just echo the words that you used previously, Mr. Chair, that what we see is a lot of merit in this application and much of which requires further study. And we think that this proposal should be taken up seriously in the future, either by the Planning Board and staff or in connection with the citywide master planning process. And that's a motion.

H. THEODORE COHEN: Well, the only thing I would suggest is that we indicate

that we believe that the two parts should be bifurcated.

STEVEN COHEN: Indeed. Please.

H. THEODORE COHEN: Is there a second?

AHMED NUR: So moved.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Opposed?

(No Response.)

H. THEODORE COHEN: Thank you very much, Mr. Barrett. I appreciate what you've done. I think you've brought before us something that is very significant and that we take very seriously and it's an expeditious way of handling it.

ATTORNEY PATRICK BARRETT: Thank you, Mr. Chair.

H. THEODORE COHEN: There are two ZBA matters.

LIZA PADEN: There were two Board of Zoning Appeal cases that were requested. Mr. Hope is here representing the 21-23 Bay Street and he's able to answer any questions you may have. This is a case to adjust -- to put an addition on an existing four-unit building on Bay Street. Which is from Mass. Ave. going down to Riverside.

AHMED NUR: Oh, yes.

LIZA PADEN: Does anybody want to see the plans?

LOUIS J. BACCI, JR.: He's not putting it in the basement?

LIZA PADEN: No.

So the changes in the building will reconfigure the existing floor plans of the building and it changes the roof line and

there's some in-fill. So this exceeds the allowable gross floor area that's allowed on the site.

LOUIS J. BACCI, JR.: It's too much information to go over now.

EDRICK VAN BEUZEKOM: Do you want to see the site plans?

H. THEODORE COHEN: Did somebody request to be held?

STEVEN COHEN: I don't know.

LIZA PADEN: Mr. Russell did.

HUGH RUSSELL: I did?

AHMED NUR: Mr. Russell leaves it to the discretion of the BZA.

STEVEN COHEN: What say you, Mr. Russell?

EDRICK VAN BEUZEKOM: Updated site plans and information that just corrects the setbacks.

HUGH RUSSELL: So this appears to be some small addition to a building that is grossly non-conforming currently and makes it slightly more non-conforming.

AHMED NUR: Right.

HUGH RUSSELL: And so virtually every feature of the building is non-conforming except for the height.

AHMED NUR: It looks like they're also in violation of the setback required ten feet.

LIZA PADEN: Yes.

HUGH RUSSELL: Yes, there's a lot of -- I don't know if it is or not. It doesn't change the footprint much. And it appears to me to be something that the Zoning Board ordinarily would handle.

AHMED NUR: Yes.

STEVEN COHEN: That's my feeling.

HUGH RUSSELL: As a small change to non-conforming to a building.

STEVEN COHEN: Yes, I would defer to the ZBA.

LIZA PADEN: Okay, thank you.

H. THEODORE COHEN: Sorry to keep you here for so long.

LIZA PADEN: The other case is 299-301 Columbia Street. So on this particular case there's two, single-family structures on an existing lot and this will have also an addition. The addition will be conforming to a non-conforming single-family. It's in the rear of the lot.

STEVEN COHEN: Conforming to a non-conforming?

LIZA PADEN: Yes, it means it won't violate the existing setbacks or exceed the height. So the addition itself will not

increase any of the non-conformity.

STEVEN COHEN: Who flagged this one?

LIZA PADEN: Mr. Russell.

HUGH RUSSELL: So as I read the dimensional sheet, the floor area of this proposal is conforming, and with these additions -- and again, it does not seem to be a major change. It is an unusual configuration and it seems like -- and the elevations are pretty. And so, again, I think we can leave this safely for the BZA.

LIZA PADEN: Okay.

H. THEODORE COHEN: Very good.

HUGH RUSSELL: Sorry to delay your guys.

AHMED NUR: Anyone we need to apologize for?

LIZA PADEN: Mr. Rafferty declined to attend.

H. THEODORE COHEN: All right, if no one has anything else, we are adjourned.

(Whereupon, at 11:20 p.m., the Planning Board Adjourned.)

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IN WITNESS WHEREOF, I have hereunto set
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Catherine L. Zelinski
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