

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, November 10, 2015
7:00 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
Thacher Tiffany, Associate Member

Iram Farooq, Assistant City Manager

Community Development Staff:

Jeff Roberts
Stuart Dash
Swaathi Joseph

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Public Hearings

7:00 p.m. (continued) City Council petition to amend Article 6.000 of the Zoning Ordinance of the City of Cambridge to create a new section 6.24 Carsharing Provisions. This new section will create a definition and general provisions for Carsharing and will allow the limited use of parking spaces for Carsharing as a means to provide mobility options for Cambridge residents, employees, and visitors who may not possess a private automobile, thereby promoting City goals by increasing mobility, reducing reliance on automobile ownership and use, and lessening the total demand for parking spaces. This public hearing was opened on October 27, 2015. 9

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7:45 (continued) Cambridge Redevelopment Authority Petition to amend the Kendall Square Urban Renewal plan and to amend the existing MXD Zoning, Article 14.000. The proposed zoning amendments include increasing the maximum aggregate gross floor area from the current 3,333,000 GSF to 4,273,000 GSF, the maximum retail limit of 150,000 GSF would be deleted and small scale retail would be exempt from the GFA cap, and 5% of new office/R&D development would be required to be Innovation Space. Also to be amended is the existing height limit of 250 feet, a new height of 200 feet would be allowed in the MXD area 450 feet north of Broadway, and residential buildings that satisfy certain middle-income requirements may be allowed for each a height of 350 feet. This public hearing was opened on October 13, 2015.

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Keyword Index

P R O C E E D I N G S

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H. THEODORE COHEN: Good evening, welcome to the November 10th meeting of the Planning Board. We'll start with the update from the Community Development Department. Iram.

IRAM FAROOQ: Thank you, Mr. Chair. Good evening. So today's agenda the focus is on two public meetings, continued, I mean two public hearings, continued from prior --

JOHN HAWKINSON: Excuse me, Iram, it's super hard to hear you.

TOM SIENIEWICZ: You have a voice changer on.

IRAM FAROOQ: Let me try to move away. Is this better?

JOHN HAWKINSON: I think it's all the mics.

IRAM FAROOQ: Okay. So we have two public hearings. The first one is on -- is a continued hearing on the carshare zoning continued from the meeting of October 27th. And in addition to a revised memo, we have Stephanie Groll, our PTDM officer, here to respond to any questions that the Board may have about specifics related to that petition.

We also have a continuation of the MXD District Zoning Petition which is continued from October 13th, and I expect that folks from the Cambridge Redevelopment Authority will join us soon to answer questions anyone would have related to that.

Coming up on the next November meeting which is November 17th will be a continuation of the Volpe Rezoning Petition and also a public hearing on the Coolidge Place land

disposition which is the walkway at the Mass. and Main residential project where the city would essentially be -- essentially the public easement that is currently owned by the city would be -- it's a disposition of that easement, and then two new pathways would be created as part of the residential project that gets built on the site.

Other items of interest in November, such as at City Council, is that the Volpe rezoning petition will be at the Ordinance Committee on November 12th.

The carshare petition will be at Ordinance Committee on November 18th.

The Barrett Petition, which was also here a couple weeks ago, it will be at the Ordinance Committee on November 19th.

So those are the highlights coming up at City Council.

But I did want to mention one of the most significant events of recent weeks at the reception for boards and commissions that the Mayor organizes, there was a new award that was instituted, the Frank Duhay Award. And Frank Duhay was a Mayor of Cambridge, longstanding before most of our time. So I only met him recently, but he really embodies a spirit of public service. And when there were offers to name buildings after him, he decided that this is not what he really wants, but instead he would like his legacy to be an award that goes to people who are serving the citizens of Cambridge. And so there were four recipients. And one of them was our very own Hugh Russell. And Hugh was not at that event. He can tell you why he wasn't at the event, but instead Liza and Jeff were the ones that accepted the award on

his behalf. So I'm very pleased and honored to be able to present the award to Hugh now.

Thank you.

HUGH RUSSELL: Thank you very much.

Well, this is particularly appropriate because it was Frank Duhay who suggested years ago that I get involved in public service in the city.

AHMED NUR: Oh, there's a photographer here.

H. THEODORE COHEN: Well, I was at the event because I did not get caught in the immense traffic jam in East Cambridge, and the most impressive thing was that the city manager literally went hoarse reading the list of boards and commissions and positions that you have sat on over the past 40 plus years. I mean, it was really just remarkable to hear what Hugh has done. And it was

really awe inspiring. So congratulations, Hugh. I can't imagine anyone more deserving than you to get this first award.

HUGH RUSSELL: Thanks very much.

H. THEODORE COHEN: And in 1972 Frank Duhay signed my application to become a Notary Public because I needed a city official.

You all set?

IRAM FAROOQ: Yes, thank you.

H. THEODORE COHEN: Are there any -- I don't see Liza. There are no transcripts.

So then we will go to our first public hearing. This is a continuation of the hearing to the City Council petition to amend Article 6.000 of the Zoning Ordinance to create a new Section 6.24 carsharing provisions.

We had a lengthy discussion about this

matter on October 27th and ended up -- had some questions, and basically we were looking for some further information from staff, particularly with regard to whether it would be appropriate to put some sort of limitation on the number of carsharing spaces that would be in mixed use lots or in purely commercial lots, and we would let the staff give us comments on that and then we will continue the public hearing, but we would like to limit any comments really to that one issue because I think we've resolved the other issues.

JEFF ROBERTS: I'm going to see if my thing works. Does it work?

HUGH RUSSELL: Yes.

JEFF ROBERTS: Oh, okay. It's hard for me to tell. So, we supplied a very brief memo very late. We spent the past couple

weeks, and Stephanie wasn't back until last week, so we basically spent one week trying to put together some information on things that came up in the Planning Board meeting, particularly the items that you mentioned. I'm going to briefly talk through what we submitted, and then Stephanie and I are available to answer any questions.

One of the questions that came up last week was aside from the evidence and studies showing that carsharing opportunities result in people owning fewer private cars, there was a question about well, does it actually cause people to drive less as well? And we had said that -- our understanding is that it does and we've cited some information studies in this memo just sort of backing that up.

The question about how would this trend or how might this trend be affected by the

one way carsharing services? We have acknowledged that that is still a new entry into the carsharing system, so we don't necessarily have the information or the evidence, although we are keeping track of that both in terms of national studies that are being conducted as well as locally how those kinds of programs are working. I think it's important to keep in mind that it does still work on the same premise that it is a system where instead of one person owning and using one car, you have a larger set of people making use of fewer cars. So inherently in order for that kind of a system to work, it requires people in general to be driving and using cars less than they would if they owned and used their own car. So, that is something that we'll continue to look at.

There was another question about parking permits for carsharing vehicles. And we consulted with Traffic, Parking and Transportation. They do not issue resident parking stickers to car sharing vehicles, however, just as a matter of practice, when there's a carsharing vehicle parked in a resident permit parking area, their practice is generally not to ticket those cars given that if they're being parked in a place that's not an assigned carsharing space, it's probably because there's a person who is a resident using that car and maybe they're dropping off groceries or maybe they're just using it for a trip to the park or doing something on a short-term basis. And since they're only paying for the car on a short-term basis, they tend to forego that enforcement. So that was another question.

The question that you mentioned about the limitations on carsharing and accessory non-residential parking, in this report we tried to explain a bit more clearly why in the initial petition the logic was not to put an artificial restriction on carsharing for those types of uses. The overall rationale being that a property owner is more -- is in a better position to make a determination as to what balance of parking spaces should be for carsharing vehicles and what should be for private vehicles or privately owned cars just because it affects the marketability of that space and the functioning of that space. If a property owner were to put all carsharing spaces in their lot and they say own an office building where tenants are going to want to have on-site parking available, then it would impact not just the

parking but the marketability of the building as a whole if they're not providing enough parking spaces for that use. On the other hand, there are often uses that don't have such a high demand for those parking spaces and one of the examples that often comes to my mind is where you tend to see a lot of carsharing vehicles are in gas stations, and they might have a certain number of parking spaces, parking spaces aren't always being used because people are parking at the pumps or they're, you know, they're only there for a short period of time, and so the property owner can make a judgment as to how many of those spaces are being used and whether it would be more of a benefit to have carsharing vehicles use those spaces rather than private vehicles.

Another issue that we pointed out is

that when it comes to non-residential uses, there's a wide variety of types, so the Board asked about coming up with a policy for how we could figure out what's an appropriate number or ratio to limit, to set limits for those uses, and it's very difficult to do because there are so many different types of uses and so many different parking requirements for those types of uses that it's hard to come up with a uniform policy that would be backed up by a lot of information as to, as to what's the appropriate number of parking spaces that are needed. With residential spaces it's -- there is still some variation, but it's a little bit easier to get a handle on how many parking spaces -- what the actual demand is that we would expect from, from private car owners versus carsharing users.

So what we did, though, is we suggested that if the Board wanted to include a provision, the same as the limitation on accessory residential spaces, being that a property could only -- a property would have to maintain at least 75 percent of the required spaces for private cars and could then use any additional spaces for carsharing vehicles, that there be sort of a little bit of flexibility added to say that in any case up to four spaces could be used. And the rationale for that four spaces is that for non-residential uses generally speaking if a use is only required to have four spaces, those spaces are waived. That's something that's already a provision in the Zoning Ordinance and something that just allows a little bit of flexibility where you have non-residential uses that may need that

flexibility because it would be very difficult to provide the spaces or because the -- it wouldn't, it wouldn't make that much of a difference to not provide the spaces. So that was our suggestion. That text is on page 3 of the memo.

The last piece is addressing the question about carsharing vehicles used in single-family homes. And we suggested some language there that clarified that it can be used if the residents of the building that's using the carsharing vehicle, the resident homes using the carsharing vehicle, then it would be allowed. That this wouldn't prevent somebody from renting a carsharing vehicle and then driving it to their house and using it for whatever they're using it for.

So those are the four things that are covered in the memo, and like I said, we're

happy to answer questions.

H. THEODORE COHEN: Ahmed.

AHMED NUR: Just a clarification of the last two points. One was -- let's start with the last one. The residents, the one and two-family house. Are you talking about a residential curbed driveway parking? Is that usually -- we don't get involved with that, right? The City can -- anybody can park there as long as the owner says you can park there.

JEFF ROBERTS: Right. Generally speaking that's the case. And I think that the -- I think it was the Chair that brought up the issue that if this Zoning language were restricting carsharing vehicles from using single-family home driveways, that can be interpreted to mean that a resident could not rent say a ZipCar, go to the store, get

groceries, and then park it at their own house to unload the groceries.

AHMED NUR: Right.

JEFF ROBERTS: So we wanted to make it clear that wasn't the intent of the language.

AHMED NUR: Got it.

Second question that I had. May I, Mr. Chairman?

H. THEODORE COHEN: Yes.

AHMED NUR: Is the physical application on the non-residential, the spaces, the point before that, are those the ones that the ordinance -- that the zoning calls visitor's pass, it's the visitor's parking spaces?

JEFF ROBERTS: No. When we were talking about accessory non-residential parking, we're talking about a

non-residential use which could be like a -- could be an office or a retail use or university, educational use, industrial uses. Anything that's non-residential that has parking associated with it that is considered -- that's what we're calling accessory non-residential parking.

AHMED NUR: And that would -- okay, then in that case the carshare would then overlap or take those spots away from those non-residential spaces is what you're saying? There's a language --

JEFF ROBERTS: Well, they would be -- I think the purpose of this whole sort of initiative is that it's not taking away parking spaces, it's just clarifying what can parking spaces be used for? And we are trying to clarify and create a policy by which parking spaces can be used not just by

individuals who own their own private cars, but also by carsharing organizations which are groups of members that all buy into a program where they can use cars as they need them.

AHMED NUR: Okay, thank you.

H. THEODORE COHEN: Jeff, my first question is with regard to the single-family residents which, you know, I've been making probably a much bigger deal than is necessary, but I would prefer that it says used by a resident of or visitor to the single-family home so that if somebody has a home without a car and has a parking lot there and somebody comes to visit them, they could park there while they were visiting.

My second question goes to the non-residential accessory, and I may be being dense, but I don't understand the provision

in subsection ii. It says in any case, if a limitation paragraph 1, is not met, than up to four parking spaces on a non-residential lot may be maintained for active use by carsharing vehicles.

What is the -- what is the intent of that?

JEFF ROBERTS: I mean, I think the intent of that is to leave a bit of a relief mechanism so that it wouldn't be -- let's say, it wouldn't be over restricting opportunities for small numbers of carsharing vehicles to occupy accessory non-residential parking spaces. If I recall correctly, and was asked what the Planning Board talked about the last time, one of the concerns was whether in large parking areas we could see wholesale parking facilities turning into very large carsharing facilities. And if

there was something that should be put in the zoning to prevent that from happening, if it was something that we weren't expecting or something that we had concerns about. So in the case of providing that four space relief mechanism, we'd be looking -- we'd be talking about properties that maybe have, you know, maybe a few parking spaces, maybe five parking spaces or maybe three parking spaces, in which case having a provision with that percentage limitation might make it impossible to have any carsharing vehicle on that property. And I think, you know, the Board had asked the last time, because this came up in the discussion in the first round of hearings about residential parking about, you know, what would the impacts of that be? And so we did spend sometime looking in terms of residential uses what we thought the

impact of that -- putting a limitation of that might be. I think for non-residential uses, I think it's very difficult to understand what the impact of putting a limitation on that might be. So currently about -- we looked at this in about two thirds of the locations where carsharing vehicles are currently located are non-residential. The biggest number is on university campuses, and then there's also ones in parking lot -- principal parking lots and just on non-residential lots; larger lots, smaller lots, like I mentioned gas stations before, a place where you often see a carsharing vehicle located. If we put a restriction in place on -- that only a certain number of spaces -- or only a certain number of spaces above what the required spaces would be on a non-residential lot,

then it could make a lot of what we have existing non-conforming and it could be overly restrictive on future carsharing opportunities. So that's why we wanted to have some --

H. THEODORE COHEN: I'm sorry, I'm still confused because if we have -- if there's less -- four spaces or less, you don't have to have -- you can waive the parking?

JEFF ROBERTS: Yes.

H. THEODORE COHEN: All right.

But if you did have four spaces, then this would say they could all be carsharing spaces and there wouldn't be any for the non-residential use?

JEFF ROBERTS: Well, there wouldn't be -- there wouldn't any be for private -- if a property owner chose to use all of their

parking for carsharing vehicles, then there wouldn't be spaces available for private car owners.

H. THEODORE COHEN: Correct. And there wouldn't be any until -- I guess the language is confusing me because until we would get up to -- my math is horrible. But presumably until we got up to say 12 spaces, in which case I guess nine would be required. Nine would be required for the use -- of the principal use of the property. And then four could be for -- or three would be for carsharing vehicles.

JEFF ROBERTS: Well, the one thing that I'll -- the one sort of correction I'll make is that we, we have a very hard time knowing how many spaces are required compared to how many spaces are existing on a non-residential lot. If we looked at -- if

we looked at one lot, we could figure it out, but looking across the entire city at what the impact of the provision would be on every non-residential lot there is, it would be very hard for us to really make an assessment of what this means in terms of the number of parking spaces that would be available for carsharing and the number of spaces that are actually existing on the lot.

H. THEODORE COHEN: Okay. So this is intended to somehow grandfather in what's in existence now?

JEFF ROBERTS: Well, it's meant to, it's meant to help in -- to make scenarios where there are four carsharing vehicles located on a lot, to make those conforming. That would be one effect. The other effect would be to provide some relief for situations where there's an opportunity for

carsharing but because of the technicalities of how many parking spaces are technically required for that use compared to how many spaces are actually existing for that use, there might be no opportunities for carsharing in that location even if it was amenable to everyone.

H. THEODORE COHEN: Okay. If we go back to my example then, we've got a lot where there are -- 12 spaces are required.

JEFF ROBERTS: Yes.

H. THEODORE COHEN: And we say 75 percent of them have to be for non-carsharing and three could be for carsharing.

JEFF ROBERTS: Right.

H. THEODORE COHEN: So the intent of this is to say notwithstanding that we're going to say you could have four carsharing spaces?

JEFF ROBERTS: That would be the effect, yeah, would be to say it could be four in any case because we don't -- because, again, the principle is that four -- it's just based on a current flexibility in the zoning that says four spaces can be waived to say that we're okay with any situation where up to four spaces might be used by car sharing vehicles.

H. THEODORE COHEN: All right.

Well, if we were to go forward with that concept, I would take out the language if the limitation paragraph one above is not met, because I find that totally confusing. And just say, in any case up to four parking spaces on a non-residential lot may be maintained for active carsharing vehicles. That would clarify, at least to me, what this is saying. You know, we can discuss whether

we think that's a good idea or not.

And my last question is, there was also an issue about purely commercial lots that are not accessory to anything. And so is the suggestion that there be no limitation on the number of carshare spaces that they could have?

Stephanie, you're shaking your head yes.

JEFF ROBERTS: We didn't change that from the initial proposal. And as was discussed last time, there's currently very little restriction on who can, who can rent spaces in a commercial parking facility. There's really no restriction on who can do that. So we would be -- we'd really be treating carsharing as a very different class of parking than many other kinds of parking.

H. THEODORE COHEN: Okay.

Do any of the other members have questions now?

TOM SIENIEWICZ: Well, just conceptually the comment that it's not a taking away of parking spaces, it's just changing the -- what's permitted in a particular parking.

CAROL O'HARE: Can you speak into the mic, please.

TOM SIENIEWICZ: I'm speaking as close to the mic as I can.

I found that very helpful. We're not taking away spaces. We're just simply changing the designation of what could happen in a particular space. So, the -- conceptually that's just important to keep in the forefront, at least it's helpful for me as I began to think this through, so that's just the way I'm thinking about it. I don't

think about it as a taking away from a particular inventory. I see it as a recognition of a transition in the way in which people are driving cars and rationalizing of our zoning to acknowledge the trend.

H. THEODORE COHEN: Steve.

STEVEN COHEN: So, on the non-residential properties where parking is accessory, in other words, parking is required for that use, I mean, the Zoning Code says for that use, you need a certain amount of parking and I would say that that use, that building provides the parking that zoning says is required for the users. So we're saying for large such lots, 25 percent of that required parking can be devoted to shared parking. Fine, that's what we all discussed, and I think that's sort of the

compromise that -- of the zoning that we make in order to encourage this use. But going back to this whole thing that Ted was grappling with, it does seem kind of strange that for small properties that might only have a few parking spaces, you know, four, six, eight parking spaces, which may not even meet the zoning requirement but may be grandfathered in because they're older properties, it seems strange to say that in some small non-residential property that might only provide four parking spaces for that use, that the owner can devote all four of those spaces to carsharing and doesn't have to provide any of them for the use housed in that structure. Again, you know, you say it's difficult to calculate the need for non-residential properties, and I'm not sure why, why, it's difficult. But even

assuming that it is difficult, as you say, and you don't want to unduly constrain or compromise this new trend for carsharing, unintentionally do so, but it seems to me that you may be unintentionally, you know, creating other sorts of problems for the users of the facility for which zoning, you know, dictates that you're supposed to provide a certain number of parking spaces for the users of that facility. So I mean, I understand that you want to sort of deal with those situations and you're not quite sure how they're going to play out in every situation, but I'm not sure that, you know, that dictating that you can always allow four under any conceivable set of circumstances strikes the right balance of those interests.

I have one other point. Did you want to respond to that first or should I just go

on to my other point?

JEFF ROBERTS: I don't know if I necessarily have a new response. I think, again, the point is that -- well, I guess, you know, part of the point is just going back to a higher level is that carsharing vehicles, I think Ted was describing this before, may very well be accessory to the uses that are on that lot. They're often used in a way that they serve retail customers or office tenants who may have options to -- or may have the ability to take other modes of getting to work if they know that there's a shared vehicle that can be used for making any necessary trips during the day. So I think the premise behind the proposal is that carsharing -- it's appropriate to allow carsharing with some limitations in accessory parking facilities

because they are serving an accessory function. So that's one point. And on the point about the -- just the number I think that, again, the Zoning Ordinance currently provides flexibility in various ways for parking for non-residential uses, and I think we wanted to make sure we're continuing to maintain a level of flexibility that will make it -- that will make property owners, give property owners the ability to make choices that are most appropriate for their use and the particulars of their own use.

STEVEN COHEN: The only thing I'd add -- I understand that. The only thing I'd add, though, is that sometimes the financial interest of the property owner who is able to, you know, rent this to ZipCar or somebody else, may trump what, you know, we might otherwise consider to be the public interest

in providing parking for the active users of a property.

IRAM FAROOQ: Excuse me, if I might just try to address one thing, is that in the existing Zoning Section 6.12(c) which talks about existing structures, for instance, and there's a change in use and that you still have to provide the minimum amount of parking, I think what Jeff is suggesting by the four parking spaces that existing right now in that section is a provision that either case the first four spaces required need not be provided. So the number of four spaces essentially coming from that pre-existing provision, but I think we hear you and certainly don't want this to be the make or break of the provision -- you know, the entire carsharing provision. So I think we're totally comfortable hearing where the

Board wants to land on that particular --

STEVEN COHEN: And I agree, this doesn't go to the center of the whole thing, it's just a detail, but as they say that's where God resides.

TOM SIENIEWICZ: Are you finished with your point?

STEVEN COHEN: I had another point. I'm finished with that point.

TOM SIENIEWICZ: To the extent that zoning is to lessen the burden on the streets, right, I appreciate your logic, saying we might be displacing four unnecessary spaces to the street and then a property owner will realize some income from the ZipCar, but to the extent to which the ordinance is to try to lessen congestion in the city, the evidence that was presented to us whether or not we believe it, it is

suggesting that for each ZipCar we're eliminating between 5 and 13 cars from the inventory in our city, right? So there is a public good that we're weighing here, there is a maybe an exceptional public good from a private space to a shared space in terms of lessening the burdens of traffic and just a different way to look at it.

STEVEN COHEN: I hear you and I accept the theory and the philosophy, I don't accept that particular number I question the methodology, but that's another matter.

Anyway, let me go on to just my other point. Just another detail perhaps. And so the ZipCars are -- the shared cars, you don't get resident stickers as a matter of practice, however, they're not ticketed and permitted. But it seems to me that my good friend who lives in J.P. who uses ZipCar all

the time can drive into Cambridge and park any place he pleases and he's not going to be ticketed because it's a ZipCar. And that's great for my friend who lives in J.P., but I'm not sure that it's great Cambridge public policy. Just a thought.

H. THEODORE COHEN: I think maybe that's an issue for Traffic and Parking to deal with if it becomes an issue and if there are complaints about it.

STEVEN COHEN: Yeah, I mean, it's not part of our goal here. And it's clearly an operational issue, but it does seem kind of a strange thing, and it's really an invitation to folks who live in our surrounding towns to, you know, if they work here, if they want to shop here.

H. THEODORE COHEN: But they're still paying for the car by the hour and so

the thought that --

LOUIS J. BACCI, JR.: Not if it's a one way.

H. THEODORE COHEN: If it's one way, it has to be parked in a specific spot. It has to go back to its authorized spot.

LOUIS J. BACCI, JR.: That's what we're trying to clarify all this.

H. THEODORE COHEN: No, that I don't see as an issue. If it's a one way, it has to go back to its authorized spot. If it's parked on a street in a residential district, that would be the issue. But if someone does do that, they're not going to park all day because they're going to be paying for the car by the hour. And so it's going to cost them a lot more than if they parked at a meter.

STEVEN COHEN: Anyway, it's not part

of our Zoning.

H. THEODORE COHEN: Right.

LOUIS J. BACCI, JR.: I guess I have one question. Where else do we give the property owner the power to make the regulations? It seems like in the carsharing use we're leaving this, leaving a lot of flexibility to the property owner to determine the number of parking spots that they require as opposed to the carsharing spots. Doesn't the zoning already cover this except for places that are grandfathered? If someone was to come -- were to come to us with a new retail establishment of some sort that required parking, we would require a number of parking spots, and I guess after that we would allow them to carsharing slots. How do we work through this now? It seems like we're leaving the property owner a lot

of flexibility. And I understand why. And I understand it may be a good thing, but all of it? I don't know. It seems that's what it says.

HUGH RUSSELL: Well, can I follow up on Lou's comments?

If somebody comes to us and we give them a permit and our permit says two carshare spaces. And then so many other spaces for other uses, does this now overrule that?

LOUIS J. BACCI, JR.: Seems to.

HUGH RUSSELL: That the owner can, under these regulations, convert spaces that are under conditions of our Special Permit.

JEFF ROBERTS: Well, as a general rule -- I'll let Stephanie comment on just the carsharing, but as a zoning principle when the Planning Board issues a Special

Permit, it's for the development that's been proposed and there's conditions and they have to abide by the conditions of the Special Permit, that's whether or not the zoning changes in the meantime. Typically when the Planning Board is approving those conditions, it's not -- it's not meant as a limitation on carsharing spaces, it's meant as a requirement for -- it's not saying you can put up to two carsharing spaces there, the Planning Board is usually saying you have to put two carsharing spaces there. So it's a -- it's a little bit of a different scenario. If in the future the Planning Board were looking at a project and wanted to say, you know, say the rezoning that allowed carsharing spaces, and the Board wanted to say well, you can't have any more than this carsharing spaces even if the zoning allows

you to have more, than the Board can incorporate that in conditions.

Did you want to jump in?

STEPHANIE GROLL: So the language of the conditions for the Special Permit project for carsharing we always say a minimum of two car share spaces. We want that to be the, you know, the floor.

H. THEODORE COHEN: All right, why don't we --

STUART DASH: Was your question about the other spaces?

HUGH RUSSELL: Right.

LOUIS J. BACCI, JR.: Yeah.

HUGH RUSSELL: That's what it sounds like --

LOUIS J. BACCI, JR.: The proper answer is.

HUGH RUSSELL: -- the language being

proposed here if somebody has a, you know, small property and a small property they're probably not coming here as a -- they're more likely to go to the Zoning Board. But the Board hears testimony about the need for parking and overflow uses and all of that, and then when it's all done, the owner has the ability to decide whether, that a portion of those spaces could be leased to carshare vendors as a way of meeting the overall parking demand, even those spaces aren't for people who are parking on the premises. And in fact they're specifically not for people parking on premises who would want to rent a carshare and pay for it and leave it sit in a space it's in?

JEFF ROBERTS: Well, it -- but presumably it would be used by the -- not necessarily by drivers, but by residents or

office tenant -- or office users or other people in the building. I think that's the purpose of why those carsharing conditions tend to be included within those large projects --

IRAM FAROOQ: Well, some of that flexibility exists even today. I think that's what Stephanie was attempting to say. The flexibility in terms of somebody doing more than the baseline that they are required to do, that flexibility exists right now as well.

LOUIS J. BACCI, JR.: Above what would be required?

IRAM FAROOQ: Above what would be required.

LOUIS J. BACCI, JR.: Above what would be required in required spots?

IRAM FAROOQ: Yes.

HUGH RUSSELL: That's because in the provisions that come to us and conditions, and conditions are not the absolute number, they're a minimum number. And has been the City's policy and does not seem to have led to abuses that are brought people down here complaining about it.

H. THEODORE COHEN: But, you know, what I'd say what we've talked about in other zoning amendments is that if something doesn't work the way we intended it to work, then it can be changed. But it's an issue about the numbers, you know, we may find that, you know, 75 percent is not the right number. You know, over the years if more and more people are using carshares and there's less and less private cars and we may have to change that or subsequent and City Council would have to change it.

IRAM FAROOQ: Or you may even find in Special Permits if there is some great proliferation over what seems right, you might want to say a minimum of two and a maximum of 12 or something. So you may choose to cap it if you feel that there's something to be used in the provision even if zoning is hard to change.

STEVEN COHEN: Could I, I just want to confirm my understanding, and this is, this may not be a practical likelihood, but, you know, so I'm a developer. I go do a -- build a four-unit building someplace in the North Cambridge. I build four units. Zoning requires that I provide four parking spaces when I build those four units. I get my Building Permit. I build my building. And then I lease those four parking spaces to ZipCar and none is provided for the four

people that I rent those units to. I say hey, you know, park on the street. And I can still rent the place because it's Cambridge.

HUGH RUSSELL: That applies if it's commercial.

STEVEN COHEN: Pardon me?

HUGH RUSSELL: If it's residential, you can only rent one of those spaces.

STEVEN COHEN: Oh, is that right?

HUGH RUSSELL: Yes.

STEVEN COHEN: Oh, the four -- the minimum of four is only after --

H. THEODORE COHEN: Non-residential.

STEVEN COHEN: I'm glad I asked to clarify.

Thank you.

H. THEODORE COHEN: Yes.

JEFF ROBERTS: That was, and that was the -- to be clear. That was the

previous Board's recommendation, and so the last time I think that the focus of the Board two weeks ago was on the Board's prior recommendation, which I mentioned at the last meeting has not been adopted or incorporated by the City Council but the Board could elect to send it in its previous version or could make amendments to it and send a different recommendation.

H. THEODORE COHEN: Why don't we hear from the public now.

So please come forward and state your name and address for the stenographer and please speak only for three minutes.

Steven Kaiser.

STEVE KAISER: Name is Steve Kaiser, at 191 Hamilton Street. And the memo today from CDD refers again to studies that show that each carsharing vehicle can result in

the reduction of 9 to 13 private vehicles. I have trouble believing that because I've seen a 1 to 5 ratio in the literature and what this would mean is if you had a parking lot of 13 cars in it parked, private vehicles, and you put in one carshare vehicle, all 13 vehicles disappear. People trade them in, they get rid of them. I just have problems with anything. It sounds to me as if this is a very selective number that might have come from the industry, and I was trying to find a good number. In my memo to the Board I used 5 to 1 because that's what I'm hearing. And just for disclosure, during the hearing and discussion on the Normandy Zoning, I'm opposed to the zoning but I met with the developer and he said, well, why don't we sit down, see if we can work up some language on carsharing. I said okay, that might help

make it better. So I sat down with the lawyers and came up with some interesting numbers, and they used the ratio of 5 to 1 and they had a traffic consultant, Vanasse Hangen who was there, and so it seemed to me to corroborate the 5 to 1 ratio. And what this tells us in the CDD memo is nothing more than we knew previously in these rather odd 5 and 13 numbers. Where are they from?

At the last hearing I went to the ZipCar guy and I said look, do you have any verification of these numbers? Could you get it to me? And he was rather uncooperative. And the staff person said oh, yeah, we'll send it to you. I gave them my e-mail, never heard anything.

I think what we could really use here is an effort by Traffic and Parking to get at this because this is a parking issue and

they're really the experts. And I have a lot of trust in Joe Barr, I think he's doing a good job. And so we've got to get at some of these numbers. And the CDD memo doesn't help us. Maybe they got stonewalled like I did.

But the other thing I'm concerned with is Section 6.24.5 and, Mr. Chairman, you were concerned with item ii and I could spend far more than three minutes on item i, the first one. I think it's badly written, it's confusing, and all kinds of words in there that shouldn't be in there. So between the concern about item i and item ii I would suggest the 6.24(a) be totally rewritten starting from scratch, starting from scratch.

So the one last concern -- I've raised this before so I'll just hit on it, but Mr. Chairman, you did use the word not withstanding tonight, and I'm having trouble

with that in zoning if it appears in different locations in zoning, because one part conflicts with the other, and we've got carsharing provisions in at least three pieces of zoning; this one, the Normandy, and the CRA which is going to be next. Which one rules, you see? So you've got these conflicts that appear, and usually the word notwithstanding is right in the middle of all of that. So I think we've got some wording problems to work out.

Thank you.

H. THEODORE COHEN: Thank you.

Miranda Hlaing.

MIRANDA HLAING: Hello. Can you hear me. Mic? Hello, members of the Planning Board. My name is Miranda Hlaing, spelled H-l-a-i-n-g. And I am the representative of the marketing Boston

operations including over 300 vehicles that serve our Cambridge area members. I'm happy this evening to respond to any questions on ZipCar, but first I'd like to express my own personal support of carsharing in Cambridge.

I'll start by saying that I haven't personally owned a car in seven years. I actually went from driving the car that I did own at least twice a day to someone who now uses a carshare vehicle maybe a few times a month. Instead of driving every day, I now balance my transportation with walking and taking the T. I'm very proud to say I even tried biking in the city for the first time which quite honestly used to terrify me, but Hubway got me over that fear very quickly. My story is like that and many carshare members who drive far less and are much more open to alternative transportation. So I

share this information because it ties into a few questions that were brought up in the last Planning Board meeting. They also heard in tonight's meeting as well, one of which was the concern over the potential of companies like ZipCar flooding the marketplace with an unlimited amount of carshare vehicles. So it's easy to think that if we simply place a ZipCar somewhere, people will automatically flock to it and start using it, but unfortunately this isn't the classic case of if we build it, they will come. Keeping a fleet of cars is very capital intensive and we own every single one of our vehicles. So it really isn't in our best interest to fill vacant parking lots and hope demand will come later. What we do want, however, is the future flexibility to add cars where Cambridge carshares are asking

for them. And as the city continues to grow and innovate, it's important for us to grow alongside the community in which we were founded. So I'll end by emphasizing my support for carsharing in Cambridge and I'm happy to answer any questions on behalf of ZipCar.

H. THEODORE COHEN: Thank you.

If we have questions, we may ask you later, but right now we're still seeing if there are any other members of the public who wish to speak.

MIRANDA HLAING: Thank you.

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

(No Response.)

H. THEODORE COHEN: All right, if not, are we ready to -- yes.

RONETTE SEENEY: Sorry. I live at

143 --

H. THEODORE COHEN: Please come forward and use the microphone.

RONETTE SEENEY: Hi, my name is Ronette Seeney, R-o-n-e-t-t-e S-e-e-n-e-y. I live at 143 Albany Street in Cambridge and I live close to the ZipCar at the Stop-N-Shop and the Star Market. And I just want to say it's really helpful. I had a car for about two years and I got rid of it. A lot of people are using ZipCar and I think it's growing and I would just like to say that I think it's important to realize the lady was saying for ZipCar that the -- I don't think a lot of developers are gonna convert all their parking spots to ZipCar unless there's a demand for it, and the money isn't gonna be there. It's not gonna be a better option to convert to ZipCar if you have tenants who are

willing to pay for the parking spots. So I think that's important to keep in mind, that not all the developers are gonna flock to convert their spots into ZipCar especially if the demand within the apartment units are still there for parking spots by the tenants. So I just want to say that. And I'm a big supporter of ZipCar, and I think it's important for the environment to have carsharing.

So, thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not, are we ready to proceed with this matter? I mean, we had -- didn't vote, but it was the sense of the Board last week that we were content

with the principle language of the revision to the carshare ordinance and the questions came up with regard to the single-family and also whether we should put some limitation upon the number of spots that would be used for non-residential parking. So we now have two proposals, one has the language in the section to make clear that the carsharing vehicle can be parked in a single-family driveway that's being used by the resident or a visitor to the home.

HUGH RUSSELL: Yes.

H. THEODORE COHEN: People have any problems with that?

AHMED NUR: No.

H. THEODORE COHEN: Okay, so then the issue -- last remaining issue is the proposal for staff that on non-residential accessory parking spaces at least 75 percent

of the minimum number had to be retained for privately owned vehicles and the rest could be for carsharing vehicles with the exception that in any event there could be up to four parking spaces for carsharing vehicles.

AHMED NUR: I think he said non-residential or carshare for the 25 percent, right? 75 percent residential --

H. THEODORE COHEN: No, 75 percent residential is already in the earlier provision.

AHMED NUR: Oh, I see.

H. THEODORE COHEN: This provision only really deals with the non-residential accessory parking.

STEVEN COHEN: Accessory parking.

AHMED NUR: Accessory parking.

H. THEODORE COHEN: Yes.

Anyone have any further comments on

this?

(No Response.)

H. THEODORE COHEN: Are we --

HUGH RUSSELL: I just have a question. I was impressed by Jeff's comment that he observed gas stations as a place that you can have more than one or two cars. My guess is that the ordinance doesn't require much parking in the gas station, that most of the parking spaces in the gas station are actually required for operating a business as opposed to --

H. THEODORE COHEN: I was actually on the non-commercial parking committee which meets about once every six years because I think there are only, the only categories that fall into that area are I think two or three gas stations in the city, and there may be one other place. And so those are indeed

private spaces that I believe the gas stations rent out to private individuals to people who -- I think they usually rent them out to residents who live in the vicinity so that they can have their on street parking spot. But there is a committee that does oversee those particular parking spots.

HUGH RUSSELL: Right.

So, it strikes me that those are useful spots. We wouldn't want to put any provision in, but the provision -- if you take out the ability to have four spaces anywhere, it's not going to make any difference to the gas stations.

H. THEODORE COHEN: I think that's correct.

AHMED NUR: Yep.

H. THEODORE COHEN: And we're not saying they have to have four spaces, we're

saying they may have them should they choose to do that.

HUGH RUSSELL: Right.

H. THEODORE COHEN: So --

AHMED NUR: So move on that one.

H. THEODORE COHEN: All right, people in support of the provision as proposed by staff?

AHMED NUR: Yes.

STEVEN COHEN: The only comment I would ask is I'm not sure whether this is something that's done as a matter of course whenever we change zoning or pass regulations or what have you. It seems to me this would be a good candidate to actually request that in a year or two years that staff or Parking and Traffic go out and evaluate how this thing really played out in the real world and report, report to whom? I guess it's City

Council or to us or to the paper. I don't know. But somehow or another that it actually it be built into the process to evaluate.

H. THEODORE COHEN: Yes, well I'll remind all of us and the public that what we're voting on is merely a recommendation to the City Council. It will be the City Council that if in their wisdom they choose to amend the Zoning Ordinance, to insert this or some other provision, so I would think -- while I think it's a good idea --

STEVEN COHEN: I'm just suggesting that as part of our recommendation.

H. THEODORE COHEN: That would be fine.

AHMED NUR: I have no problem with that.

H. THEODORE COHEN: I have no

problem with that.

So are we all in agreement with this particular provision?

(All Members in Agreement.)

H. THEODORE COHEN: All right.

Could we have a motion to make a recommendation to City Council to adopt the amendment to Article 6 to provide a provision 6.24 carsharing provision in the forms suggested by CDD staff to the Planning Board at its October 27th meeting and as amended at the November 10th meeting?

STEVEN COHEN: I would move as you recited, again, with the recommendation that there be a provision for a periodic review of the effectiveness and consequences of such a change.

H. THEODORE COHEN: Is there a second?

AHMED NUR: Second.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Anyone opposed?

(No Response.)

H. THEODORE COHEN: No. It's unanimous.

Great, thank you so much.

Why don't we take a five-minute recess while the redevelopment authority sets up for the next hearing.

(A short recess was taken.)

H. THEODORE COHEN: Can we come back together? Could I have your attention?

First, I understand that we have a group of students here from MIT urban planning.

THACHER TIFFANY: And Tufts.

H. THEODORE COHEN: MIT and Tufts planning department. I know you're all here to see how the sausage is made, so enjoy yourself.

If you get into this field, you will spend a lot of nights, a lot of long nights at a lot of long meetings, but it is fun. Hugh's been doing it for 40 plus years.

STEVEN COHEN: After 40 years they give you a little thing.

H. THEODORE COHEN: That's what you have to look forward to.

Anyway, welcome. And welcome, everybody. This is a continuation of the hearing of the Cambridge Redevelopment Authority's petition to amend the Kendall Square Urban Renewal Plan and to amend the existing MXD Zoning Article 14 of the Zoning Ordinance. We started a couple of weeks ago

and we had an excellent presentation and it had a lot of excellent questions and we asked a lot of questions and suggested some areas that we thought we'd like to have the CRA think about some more and they're back this evening to present to us again what they've -- what they may have rethought or not rethought, and we will then proceed with them and then pick up with the public hearing. And then if we are satisfied with everything, conclude with everything, we'll then act upon the -- again, what we do, we would be making a recommendation to City Council. We are not the Board that adopts zoning.

So CRA, Tom, are you presenting?

TOM EVANS: Yes.

H. THEODORE COHEN: Thank you.

TOM EVANS: For the record, Tom

Evans, Director For the Redevelopment Authority. Can you hear me okay in the back? Okay.

So tonight we come before you with some revisions to both the MXD petition and corresponding revisions that are in the urban renewal plan amendment proposal which I just might want to add, and a reminder for later, to make specific findings with that as well as to City Council. So there are sort of two actions that you're making a recommendation to the City Council on.

So, just a quick outline of what I want to talk about this evening. Just for especially with new members from the audience, a quick project review, very brief. I'm not going to go through all the history as I did before, but I just wanted to lay that context.

I want to discuss also briefly the Kendall Square Urban Renewal Plan MEPA process. We had since our last hearing have had our DNR published. And that's a specific requirement of the Kendall Square Urban Renewal Plan, but there are some elements of what was discussed by the Planning Board that are addressed in that document. So I just want to touch on a couple of items on that and then go through the revisions of the MXD Petition.

So just for review, we're talking about the MXD Zoning boundary which is also a boundary in the Urban Renewal Plan Amendment. We often refer to these by their parcel numbers and these are big parcels per urban renewal project.

Parcel 1 is the original NASA site in the urban renewal plan within the MXD there's

parcel 2 and parcel 3 and parcel 4. Again, I think part of the numbering there is because of the prominence that the original NASA plan had in the concept for urban renewal.

And it's shown here as a just general illustration of ownership within the district. Most of the properties are owned by Boston Properties, but some are owned by others. Boston Properties still remains our major redeveloper for the project area.

AHMED NUR: I'm sorry, for those who are not familiar, can you show them what streets, what the street names?

TOM EVANS: Thank you. So I start with the transit, since transit-oriented concept.

The main head house is there. This Marriott Plaza. This is the Marriott building. This is Main Street which

continues to Central Square. This is Broadway, which continues to where we are now. And this is Binney which then also becomes Galileo Way to Third Street, Sixth Street are some of the prominent streets. So thank you for that --

AHMED NUR: Sure.

TOM EVANS: Always good to set the stage and there are no street names on this.

So the goal of this petition and the urban renewal plan is to carry forth the goals of the K2 plan which was finalized in 2013. The goals of that were to continue to nurture Kendall Square's growth as being the center of innovation economy, but also a real enhanced focus on place making and mixed use development throughout the area and also environmental sustainability becoming a prominent issue in planning issues.

And so here we have maps that spin you around so I'll just try to reorient where we are. There's Broadway and there's Main and this is Binney. The MXD is often characterized as a ski boot shape. Winter's coming, it's a good reference. And there's your toe and there's your calf.

So, next slide.

Just turning the ski boot around so we're facing north now. So this is, stood back up, you know, so now you're actually skiing. And so, the focus of the concept for in-fill development is -- and prominently on what we call parcel 2. Right now there's a parking garage in the middle of this block, we often call it the north garage. It's recently been relabelled the blue garage. And then a site here is formerly called 11 Cambridge Center, that's currently a

four-story commercial building. The site of the Whitehead Plaza here, site of -- what is formerly called Three Cambridge Center, is a shorter building right off the plaza, and then a little bit of square footage in the Broad Institute.

And so I'll walk into this in a little more detail. So the total new development that was contemplated both in the K2 plan and in the zoning and in the urban renewal plan is a million gross square feet. This includes 400,000 square feet of residential and 600,000 square feet of commercial. It's worth noting that there's a little bit of delta swapping around of square footage, most notably if you -- when you remove the square footage in 11 Cambridge Center to put a residential project there, then that square footage then can float to another project in

the future.

So that's, the Whitehead is a 60,000 square foot proposal that's actually already been acted upon in zoning, but it is an element of the urban renewal plan amendment.

A hefty portion of new commercial on the north garage and a mixed use site within a mixture of commercial and residential at Three Cambridge Center.

Next slide.

Focusing a little bit more, this is the first phase that we anticipate moving forward both in our EIR and just in our planning to date, again, with a commercial component on the garage and a residential piece on the corner of Broadway and Galileo.

Other elements -- actually next slide. Can't see it ahead of me. This is just an illustration of what that might look like.

This is the most developed from a conceptual design standpoint with the commercial components, there's a garage underneath this, and the residential component here.

The other components include a -- the mixed use building. Right now Google occupies the building that's about that tall, so adding some square footage on top of that and a residential element above. This is the site as it is today. And as we discussed, there's a conversion of mechanical space for the Broad Institute that actually doesn't change the envelope of the building at all, it just converts some space within the existing building's footprint. And actually the height occupied of the building is here.

And then the Whitehead proposal which came forth as a petition originally also but also needed to be incorporated in the Kendall

Square Urban Renewal Plan. That's the element of both the EIR analysis and the planned amendment, but the MXD has been specifically written to not change at all the reservation of 60,000 square feet for that project.

So, the MEPA document that was filed and advertised in mid-October as an extensive review basically it says, although we had an existing EIR from 1977, basically this document, which is here, has become the depth of a new EIR as if it was a new project. And it has a number of components. We spent a lot of time on transportation, also air quality and sustainability, and then there's a fair amount of analysis on water, both storm water and sewage. And an element of the MEPA process is that we initially put forth a notice of project change which had

some analysis and then we received comments from state agencies, from city departments, and so forth and added to that analysis a lot of it was substantial and new study of multimodal issues, and it's some key intersections and road corridors, a deep diving parking and the parking supply. And a lot of analysis of what options might be for storm water. So I want to talk about those in a little bit more detail.

For the transportation piece, we really approached this project from a transit first concept and that includes, including in the project facility improvements for bicycle and pedestrian travel in the area. My map is now very small. This is the recently published bike plan, transposed into the Kendall Square area with a focus on Binney and Galileo which is anticipated to be a cycle track in the

future, and also the grand junction path which we're currently working on now. But then also a number of intersections around the area that were identified as needing multimodal improvements or safety improvements per massDOT's review of the project.

Initially we have proposed as far as a urban renewal plan amendment a contribution to a transit enhancement program that the CRA would work with the city and massDOT to provide enhancements to transit servicing the area. One of the things that's been interesting about this from a MEPA perspective, is that they were usually like you to say exactly what you're gonna do, but the Kendall Square community with the state have been going through a transit study that is current -- that includes the Kendall

Square mobility task force. And so the agreement is that we would want to work with that task force which will have some recommendations hopefully for us by the second quarter of 2016 whereby we would make commitments to assist in delivering on some of those project components. So rather than identifying specific transit pieces at this point in time, we identify commitment to contribute to the goals of that study which is currently underway.

We also have been for the past 20 years monitoring traffic in the core Kendall Square area and have committed to continue that process and expand it to include more transit data and hopefully to expand the scope a little bit more to wider collection of intersections as have been studied in the EIR.

Next.

Water was also a big focus. We're looking at not only resiliency issues but water quality issues and the whole spectrum of issues of what happens when it rains in Kendall Square. There's provisions in the EIR commitments for rainwater reuse on the buildings, but more importantly we think is that there's a commitment to go beyond building by building solutions for storm water and actually look at what's called a neighborhood scale solution that has again not been designed yet but we've been coordinating with DPW and Boston Properties and also more recently with the eco district for Kendall Square to look at what district level opportunities there are to improve storm water management for the area. And then additionally in the EIR commitments to

resiliency measures not only for the buildings but also for the Kendall station of the MBTA. So part of what's happened because of the EIR and which was triggered by the urban renewal plan amendment we started making commitments to infrastructure and so forth that you might not normally see until you get in the Special Permit process. For some of these things we started the baseline of that next level because the state basically requires it for the redevelopment project.

So then I want to go through some of the revisions we made to the MXD petition. The way I've shown them is in blue or sort of highlighting additional -- or changes to what we presented to you a month ago. The first element is that the middle income height bonus concept has been removed and replaced

with a middle income requirement of five percent. That is, again, continues to be based on square footage, and with some added nuance language to explain that square footage calculation is based on for the square footage of units so not, not necessarily counting hallways and accessory space. The goal of that is, again, to make it more possible to create larger family-oriented units or multiple bedroom units for the inclusionary and middle income components. Instead of having a residential height bonus, we just increased the height for residential components only to 350 feet and then added a phasing requirement that requires the production of a second major slug of residential component before continuing on with the rest of the commercial development.

Next slide.

On the commercial space and ground floor, there is a provision for innovation space that was at five percent upon recommendation really from the Ordinance Committee hearing that has been increased to ten percent. The -- also the added provisions related to retail, one is that the exemption for ground floor retail is contingent on 25 percent of the space that is speaking that exemption, it needs to be local or independent retail, with the exception of supermarkets which would be sort of exempt from both the numerator and the denominator for that calculation. Or large pharmacies like CVS. So knowing that those don't necessarily fit into the mold -- as much as we might love to see an independent pharmacy, it's not really a business model we're seeing

much of these days.

Additionally there's a 75 percent active use requirement and we added banks and financial institutions don't count towards that. So it's not a prohibition of banks but they don't count for that active ground floor use or retail component.

So we had discussed parking a great deal and we also analyzed it in our EIR, and just did some survey of the projects in the area. And basically from -- and this is data that they measured quarterly in all of the garages of what is the utilization of the garages in the Kendall Square area for residential units. Now some of the garages are mixed, so that, for example, the two Twining buildings, Watermark East and West are sharing a garage with the commercial development, so that this is from what they

measure as far as residential uses and they're leasing. So there's a range of utilization, and not counting Kendall Crossing which is a bumblebee buildings which is an outlier for a few reasons, yes, but at that range it's between 40 and 60 percent of utilization. Sort of -- so 40 percent or 60 percent of the residential units are taking parking in their provided garage. And we found that it seemed that there's some, some pricing to this a little bit. The lower price garages seem to have a higher percentage.

This and in addition to some other research we did both in the EIR which looked at the assumption of adding over 700 parking spaces was set on assuming we were maximizing the commercial allowance for parking and then providing housing for about, providing

parking for about 35 percent of the housing units. That the EIR found that with a shared parking scenario across the three garages in the area, that there's adequate parking with a slight kind of peak in utilization between ten a.m. and two p.m. and with spaces and especially visitor spaces. And then with that we looked around for precedence elsewhere in New England and found that the lowest standard in zoning code parking ratio was in Boston at 0.4 units, 0.4 spaces per unit. Now there's lots of ways that that may get exempted in the Boston redevelopment process and there's special districts and so forth, but then the base zoning that was their lowest base zoning parking ratio. So we changed in our MXD proposal to go from 0.25 per unit as a minimum to 0.4 sent it to match the other transit-oriented residential

that we saw in the region.

So, next slide.

We're looking at two documents, one is an urban renewal plan and one the zoning. We talked a lot about the zoning pieces, but I just wanted to highlight that the urban renewal plan has other specific elements of Kendall Square community contributions to things such as the transit which I mentioned, to open space and also economic development programs that we're envisioning building as part of the urban renewal plan amendment.

The two processes for review meet in this concept of an in-fill development concept plan which historically the CRA had reviewed a concept plan that had been produced over the years basically on a parcel by parcel basis, and merging that with the, with the concept of a PUD development plan

had proposed this in-fill development concept plan.

And so this is my little diagram to explain how we think that this process can work best to merge the design review of the CRA and the Planning Board. We discussed a little bit and this has been adapted since that discussion. So rather than having a subcommittee or a working group of two parts, we're now going to have an in-fill development concept plan come to both arenas, the Planning Board, and the CRA board arena for their design review. But in order to make sure that we're hearing the concerns of both, we are proposing that for that there be at least one joint meeting of the two. Now the decisions to be made by the committees would be independent, might occur at other meetings, but there would be one point in

time where we would ask the two boards to sit down together and review the proposal.

Likewise, we would say that would happen again as subsequent building design review happened per the original Special Permit process. So, again, rather than -- we heard a lot of concerns about breaking off a subcommittee of the whole, so we would probably request that the CRA board would come on a scheduled night with the Planning Board to hear these items.

And then one other slide I believe. Then we layered into that in-fill concept plan a few additional requirements per the discussions we had. One, is that the various MEPA requirements that come out of the EIR would be tabulated in the concept plan so you can look to see that its implementation schedule fits in with what we promised the

state we would do. That there's a plan for open space programming that would be a combination of either the private landowner or a CRA program. A retail plan that would look at the distribution of retail and talk to the 25 percent local requirement. That building commissioning would be an element of the sustainability requirements, and also that there be a study of steam or district energy connectivity. There's already an existing district energy plant on parcel 2 that's owned by Biogen and we would certainly be looking into whether that has room to grow physically in place and whether they would then be potentially a combined heat and power provider for other development in the area.

But that's -- we would make sure that study was a component of the in-fill concept plan.

So that's the end of my brief set of revisions and review. Happy to talk and answer questions about the EIR, the urban renewal plan, or the MXD petition.

So thank you.

H. THEODORE COHEN: Is there anyone else from the CRA who is going to speak right now?

(No Response.)

H. THEODORE COHEN: Fine.

Jeff, do you or anyone from staff wish to have some comments now?

JEFF ROBERTS: I was about to go for the list.

The -- so the CRA staff has been in touch with us and has worked with us to review their suggested modifications and they're all pretty consistent with what the -- what's discussed at the last Planning

Board hearing and very responsive to those comments. I think overall the proposal continues to be largely in conformance with what the recommendations of the K2 study were. The one area that remains a little bit of a difference I think is the parking regulations. Going to 0.4 is still a little bit less than what the K2 study recommended of 0.5 space per unit, but it is close and there is still a process -- I think one of the key aspects of this zoning change is that it does put a review process in place that hadn't really existed before by which the Planning Board would look at the specifics of a development proposal and be able to ask questions about what's being done to manage parking and to make sure that demand is being met in an appropriate way. So there are ways to -- there are processes that will help

compensate and help take a closer look at some of those parking issues.

I did want to note one thing, this is a little bit of a side point, but we've been talking about this internally in the office. And one of the questions that's come up that I think it's important to clarify is that we are -- when we're reviewing and commenting on this, we're looking at the zoning and we're making comments on what the specific provisions of the zoning are. I know that as part of this there is, there's been some, some illustration of what the CRA and others that they're working with are anticipating that the development might actually look like and how it would be shaped on the site, and I think it's important to make clear that we're, we're not weighing in on that. At this point we think that there would be a

good and robust process for the Board, the Planning Board together with the CRA to look at the specifics of a development plan and to talk at that point about the urban design issues that would come up and to apply the Kendall Square design guidelines and the Kendall Square plan as a reference at that point for reviewing a development plan.

Did you want to add anything?

So I think that's it just in brief.

And as Tom is here to answer any questions, we are as well.

H. THEODORE COHEN: Do any board members have any questions or should we go to public?

AHMED NUR: I have one question and this is related to the groundwater. So, I think there's a statewide relations about conservation of groundwater to make sure that

new foundations, especially this district, Kendall Square being close to the river, does not have a -- I'm thinking of the Volpe Center or that area, does not have the groundwater or rainwater from recharging and instead these foundations would need -- push the water into the sewer line or storm water into the -- so does the city -- I know that Boston BRA has Article 32 for the groundwater conservational district. Do you have similar?

IRAM FAROOQ: Yes. Our regulations in Cambridge for dealing with storm water are actually more rigorous than the state regulations and they're enforced and implemented by the Department of Public Works.

AHMED NUR: I see.

IRAM FAROOQ: You actually have even

storage, on-site storage requirements over and above the state regulations. And we anticipate that moving forward will become even more robust as we wind up our climate change vulnerability assessment and move into our preparedness planning phase where there will be a lot of impact -- a lot of emphasis on living with water concepts and that will have both planning -- site planning implications but also building design and site design implications. So those will become clearer as that process advances. This construction is unlikely to actually happen and -- before that is all thought through and we will certainly make sure that whatever we learn through that work is feeding into the review of this project.

AHMED NUR: All set. Thank you.

STEVEN COHEN: Ted, we'll have an

opportunity to ask questions after public comment?

H. THEODORE COHEN: Yes, certainly.

STEVEN COHEN: Okay.

Can I ask one question.

H. THEODORE COHEN: Certainly.

STEVEN COHEN: Tom, where does this proposal come from? Just -- I mean it's Boston Properties who is, you know, had some plans and has asked the CRA to do this or has the CRA sort of on its own initiative -- just sort of put it in context.

TOM EVANS: Originally the idea of in-fill development within the MXD came out of the K2 Planning Study which had looked at four areas within Kendall, looking at opportunities for growth and the locations of new development. There's opportunity sites were actually identified in the K2 plan with

a slight different arrangement of housing here versus commercial here, but the three main sites that were identified were -- had come out of the K2 planning process with some swapping of uses among those. The illustrations here are illustrations that have been developed with between review from originally from Boston Properties that came up with about four or five different concepts that were viewed both by city staff and CRA staff and just kind of informally to look at where things may land and for, in order to move forward with an EIR process you had to pick one because they, you know, EIR wants to kind of know where things are when they start looking at intersection level analysis. And so this is the one that we had picked for analysis. And, you know, in the zoning we're not setting any of these building plans in

place. I would wonder if we made dramatic changes, what we would have to do from a MEPA standpoint because if you start shifting developments south, they might want to tweak that. We had sort of a coordinated effort to come up with a general concept of where the development might be, so it's matured and grown from the K2 plan with some input from Boston Properties, their architectural work to really look at structurally what you can do on top of the parking garage, because I'm not a structuring engineer. Ben Lavery (phonetic) is from Boston Properties, so he's, definitely had some interesting thoughts about how to reuse the space above the garage. So it's been a combination. I mean, it's not -- Boston Properties' definitely been at the table as we've been looking at this and looking at EIR analysis.

But as far as writing the zoning and so forth, we've been offering that with discussions the Board and through the parameter of K2 Board.

STEVEN COHEN: Thanks.

IRAM FAROOQ: I was just going to speak about the K2 plan which started back in 2011 when there was a desire to rather than, you know, this criticism that I think the Board has heard also of not dealing just site by site, but looking at Kendall Square district comprehensively zooming out as well as the same thing for Central Square. That's why we hired a consultant and started looking at the two squares and the transition space between them, and essentially came up with what is the vision for this area? What is its role in the city? And what is needed in order to accomplish that. So that's what

sets the stage for the zoning proposals in that, in that study, and that's really the launching point for this proposal.

HUGH RUSSELL: Although I might comment at the launching point was actually earlier in the citywide rezoning where this Board said there was a priority to get more housing in Kendall Square.

IRAM FAROOQ: That is true.

HUGH RUSSELL: And that the only way to get more housing in this particular district was to given entitlement for housing, and now it sort of worked in the steam of how much housing can you get by giving some incentive for commercial development. And so now it's sort of 60/40 split of what's happening in this chain and what's happening in Volpe. But it started a long time ago.

H. THEODORE COHEN: Let me ask a couple of questions before we go on. There had been a question about the amount of potential residential in the whole district. And has that amount changed in your reconsideration of everything?

TOM EVANS: We haven't changed it. We added a rapid delivery of the residential component in the phasing element. The discussions we've had, and I think similar to discussions that have been taking place on Volpe as well is the role of residential in Kendall Square is not -- is not going to solve the housing issues of Cambridge or the region, but is designed to diversify the activities to support a more dynamic street life and 24 or 18 hour activity, and also to assist a little bit with some commute challenges also. So to have some residential

closer to workplace. However, there's -- there is in the region only one Kendall Square for commercial development and for the growth of the innovation economy, and so in conversations with not just the development community but also the technology and biotechnology, there have said that 60/40 seems like a good growth mechanism, a balance, but you don't want to stifle the growth of innovation in the commercial spaces that can only occupy the commercial square footage. And while there may be areas that would like to have more of the commercial development, the demand for -- especially for biotech stuff, it really is orbiting around the Kendall Square environment.

H. THEODORE COHEN: And if everything were built out under the proposal, the total square footage of residential would

be --

TOM EVANS: About 20 percent within the MXD that -- if I'm doing that math quickly, yes. But I don't -- if you look at the entire district, I would have to look to --

IRAM FAROOQ: Well, it's 400,000 square feet new and the Ames Street housing is two hundred and --

TOM EVANS: I was adding that.

IRAM FAROOQ: 600,000.

H. THEODORE COHEN: 600,000.

IRAM FAROOQ: Yes.

H. THEODORE COHEN: In this district. And that takes into account the potential of going up 350 feet in those two buildings?

TOM EVANS: Correct. It would actually be a little bit more than 40 percent

because it would be a five percent bonus of that because the middle income is not counted against the gross square footage.

H. THEODORE COHEN: Right.

And could you explain for the public again what the concept of that open space is right now?

TOM EVANS: Sure, I'll stand up since we're -- so the concept on an open space is, there's basically like I said both documents have a play on the open space provision.

One is historically 100,000 square feet public open space requirement in the MXD district. And then separately on a lot by lot basis an amount of open space depending on how much square footage you've developed. And as we've discussed before, that there's -- that some of that lot by lot wasn't

necessarily creating the quality public open space that we were looking for. So, in the zoning what we did is take -- remove that lot by lot requirement and just put an overlay of 15 percent of the area, not counting streets, would be open space. So that's above and beyond 100,000 plus or two, 150,000 square feet of open space.

The and then additionally in the concept plan one would have to lay out exactly what the design of that space is, the location, and as we discussed added programming. There's an element of the lot by lot open space requirement that we kept in the urban renewal plan as an element of a section on project by project basis for open space contributions that could be district-wide or leave the district that still had a project by project contribution

to open space for the Kendall Square East Cambridge area. So it's set at eight square feet per every 100 square feet of development and that was kind of the average of a very complicated formula that was in the urban renewal plan that we kind of cleaned up just to be very simple. And that, you either meet that by contributions to the public open space on your site or elsewhere and that would be -- an element of negotiation on a project by project basis that we would undertake with the developer, primarily Boston Properties, but there are some other property owners that would be falling under this that then we would then work together to build that open space in the district, in Kendall Square and in the nearby neighborhood. So it's kind of two prime approach.

H. THEODORE COHEN: All right.

IRAM FAROOQ: Mr. Chair, if I might just add one thing to that.

H. THEODORE COHEN: Yes.

IRAM FAROOQ: In the K2 plan and partly incorporated in the zoning and partly I think in the conceptual thinking of the CRA, there are three sort of approaches; one is that there is a \$10 per square foot fund part of which, part of which is supposed to go to open space programming. So the idea is how can we have existing open spaces be more of an amenity than they are right now. And the second piece is that it was contemplated during the K2, the two open spaces that are owned or in the process of being transferred to the city but still owned by the CRA, one of them is the pork chop lot on the corner of Binney, the other parcel is owned by Boston

Properties and CRA which is Point Park and both are thought to be very central spaces that need help. There was some contribution from Boston Properties during the Google, some financial contribution during the Google rezoning to the funding of design and construction of improvements on the pork chop lot but it's not sufficient to actually do the full -- all of the work. So it was contemplated that there might be additional contribution to that. There might be additional contribution to work on Point Park. And I think a hard piece that we hadn't so much thought about, but that CRA has come up with is this idea of there are still left over interstitial spaces that you could think about as contributing to the open space network because they may right now feel like just remnant spaces but a great example

of that, if you look, a different part of the city is on Western Ave. when you look at Cronin Park and McElroy Park and the work on Western Ave., what felt like really not very -- not very useful open space areas have suddenly transformed into really rich elements that contribute to the neighborhood. So that potential exists also. And we -- we're working on right now procuring -- along with the CRA, procuring consulting assistance for design of some of the Kendall Square parks, three of which are owned by the city and the fourth is Point Park. So it's all part of that package. And so City Council may choose to pick some contributions related to all of those as well, but just to throw that as the full picture as well.

H. THEODORE COHEN: Okay, great.

Well, I have a couple of very minor

sort of technical questions. So why don't I do them now and then we can go to the public.

In the zoning amendment it talks about the Planning Board may make -- may approve arrangements for shared parking, etcetera, or otherwise suggest the minimized parking requirement. In the urban plan amendment No. 10 it says that this would be done by the CRA. Was there an intent to have them be different bodies?

TOM EVANS: I think both would have to make those -- the zoning is in many ways a creature of the Planning Board to review consistency with the CRA needs to make sure proposal remains consistent with urban renewal plan.

H. THEODORE COHEN: Okay, so the two bodies would both have to make the adjustment?

TOM EVANS: Correct.

H. THEODORE COHEN: I'm sorry, give me a moment. When you talk about innovation space in Section 14.32.5, and this actually wasn't changed but I missed it before, it says: The innovation space requirement shall be met through provision of office space of at least 10,000 square feet and then it says (or 10 percent of the newly constructed non-residential GFA if less.)

What does the less refer to?

TOM EVANS: So if say you're only building -- so right now it's a 10 percent requirement, so if you're building 100,000 square feet of new commercial development you would have an innovation space of 10,000 square feet. If you had a -- the goal was to make sure that you had, you know, sizable chunks of --

H. THEODORE COHEN: Ten percent of whatever you built?

TOM EVANS: Right. And I don't think this is the way it would phase out, but if you were going to only build 80,000 square feet, it would have -- it wouldn't necessarily be required to build more just to create that one space of 10,000 square feet. The goal is to keep the increments big so that you don't just have 600 feet there and --

H. THEODORE COHEN: Right.

TOM EVANS: -- and 2,000 there. But the initial commercial development is less than 100,000 square feet, you weren't required to build more than the 10 percent requirement. That's the intent.

H. THEODORE COHEN: Okay.

TOM EVANS: You can certainly look

to --

H. THEODORE COHEN: You might want to look at the language again to see if that can be clarified a little.

TOM EVANS: It needs a diagram, yes.

H. THEODORE COHEN: Well a general question is that sometime you refer to in-fill development GFA and sometimes just in-fill GFA. Are they interchangeable terms?

TOM EVANS: They are interchangeable.

H. THEODORE COHEN: Because I know you did define in-fill GFA.

In Section 14.35 where you're talking about middle income units equal to at least five percent of the total floor area devoted to private residential dwelling units and project. So I just want to make sure are we talking about five percent of all of the

residential in the building?

TOM EVANS: Correct.

H. THEODORE COHEN: Not five percent of, you know -- if we've got 15 percent in inclusionary and five percent market and so you're not talking about five percent of the remaining 80 percent. You're talking about five percent --

TOM EVANS: Five percent of the project.

H. THEODORE COHEN: Of the 100 percent.

TOM EVANS: Yes.

H. THEODORE COHEN: You might want to look at that language again just to make sure it's clear.

And active ground floors on 14.37 where you say ground floor has to be a certain amount of in-fill with frontage along Main

Street, Broadway, and Ames, do we mean that to be an "or" so that there's frontage on any of those streets, not that it has frontage on all three of the streets?

TOM EVANS: I think that the goal was that there was a define streets that require active ground floor uses, not -- I'm trying to figure out what the -- so if it has frontage on -- I'm trying to think if there's actually a place.

H. THEODORE COHEN: Why don't you take a look at that again. As I read it, it was talking about the building that had frontage on all three of the streets needed active, whereas I assume you mean --

TOM EVANS: That would be one big building.

H. THEODORE COHEN: Right, it would be a big building. That had frontage on any

of those streets, it had to have the active ground floor.

And, again, look at the language in that entire Section 14.37. Again, there's a reference to for redevelopment that I think might be worded a little bit differently to be a little clearer.

TOM EVANS: So what's that second point that -- for --

H. THEODORE COHEN: Well, it's really a -- it says, additionally the Planning Board may allow development proposal to provide for the development of existing buildings, etcetera, etcetera. I think if it were that provide -- (Reading) -- I think for should become that, that the redevelopment of the existing buildings use of may have -- may be credited up to 50 percent of the ground floor requirement elsewhere. It's just --

TOM EVANS: I would say that it activates the Planning Board action. I understand.

H. THEODORE COHEN: Right. Just look at that sentence. I know what your meaning is. I just think it could be a little clearer.

HUGH RUSSELL: Ted, can I jump in on the previous point?

H. THEODORE COHEN: Yes.

HUGH RUSSELL: The principle that if your new construction has frontage on those three streets, then that frontage is subject to the 75 percent.

TOM EVANS: Correct.

H. THEODORE COHEN: Correct.

HUGH RUSSELL: If there's part of the building defined as a building that is not new but it's still on those streets, does

that get triggered? I don't know if that's even contemplated.

TOM EVANS: So that's an interesting question. So if you were building on a portion of the building not along that frontage, would you then need to retrofit that frontage of that building?

HUGH RUSSELL: Yes. Just think about that.

AHMED NUR: Just look into it, that's all.

TOM EVANS: That is a good question.

HUGH RUSSELL: It needs to be clearer when somebody's trying to actually design a building.

H. THEODORE COHEN: Like a handicap provision of the building if you do work over there, you may need the whole provision.

HUGH RUSSELL: I feel confident you

can figure it out.

TOM EVANS: Clarify, yeah.

H. THEODORE COHEN: Those were really my minor comments.

Why don't we go to the public. And if you come forward and state your name and address for the record and spell your name if it's other than Jane Doe and speak for three minutes, please.

Carol O'Hare.

CAROL O'HARE: It's not to be read, it's to be looked at the yellow part.

My name is Carol O'Hare, 172 Magazine Street. I am -- I've just handed out an excerpt from -- at the bottom, the proposed MXD District rooftop mechanical noise provision, mitigation provision as compared to Alexandria Properties' PUD3A and PUD4C rooftop mechanical noise mitigation

provision. One of them, Alexandria's is -- and this was adopted in 2009, is six inches long and it is out of date. The one for this huge MXD District is one sentence long. And what I don't understand and I talked to Jeff about this this afternoon, is why when we work so hard, you and the staff work so hard to include various developments and get to state of the art or near state of the art on environmental matters, zoning matters, noise, light, we don't just keep that as boilerplate for the next one? Why do we have to start from scratch, ground zero for each one? Why do we have to negotiate these things? And so as I say, I understand that from Marilyn Wellins, especially who knows a lot about these things and she couldn't come tonight and therefore I have a little blurb from her to read, you know, you heard it. I don't

understand why when noise pollution is a major issue, and we talk on each project about dissemination of noise from rooftop mechanicals, we are allowing them -- we are allowing this zoning to say that it will be per best available and feasible practices regarding the location, sizing of equipment, selection of equipment and sound attenuation measures? That's just plain, a nothing standard. So I think they should aspire to the best, not to -- especially if it's Boston Properties. They shouldn't be held to the lowest common denominator. They should be made to satisfy the high standards, I think.

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

CAROL O'HARE: Yes. Can I mention what Marilyn Wellins who couldn't -- she has a letter that I'm going to deliver to you.

She mentions in addition to the noise standards, and she is much more specific about them. She mentions light pollution from the buildings themselves and she mentions open space definition which includes sidewalks, roof decks, elevated, and enclosed shopping pedestrian bridges and arcades. So if all of those things can count towards open space in the computation of the total open space that diminishes what the areas that are really feel like open space.

H. THEODORE COHEN: If you could wrap up?

CAROL O'HARE: I've wrapped up.

H. THEODORE COHEN: Great, thank you.

Lee Farris.

LEE FARRIS: My name is Lee,
L-e-e --

JOHN HAWKINSON: It's worse with it on.

LEE FARRIS: F-a-r-r-i-s. We're still having our sound issues.

So I appreciate the changes that the Community Development Authority has made in its petition and it certainly shows that they have listened to concerns from the Planning Board, public, and so forth so I appreciate that. I find that many of the comments that the East Cambridge Planning Team made in its letter to the Planning Board about the Volpe redevelopment apply as well to the MXD redevelopment, albeit it's a smaller thing. So, again, to ask that the city should be articulating the economic and political rationale for granting this increase in zoning, and I'm still not really hearing a representation from the city as opposed to

from the Redevelopment Authority about whether the benefits that are being offered to Cambridge residents are sufficient, so that's sort of a larger point about how do we do this whole process, and that goes to the point that you all raised at the last hearing about the economic projections. And I could be wrong, but I thought that Iram said that there was going to be some kind of economic report coming back to you, I thought around this time. So it was either gonna be available for this project or for Volpe at least in my memory.

So to make the basic point that was discussed by you guys about the fact that Kendall Square or the MXD District when fully built out would end up with about 20 percent housing. To restate my concern from the last time, I don't think that's what we should be

aiming for. We need to get a greater proportion of housing in Kendall Square. And it's not because I forget which person said it, that the Kendall Square housing will solve the housing problem. We all know that it won't. It's about getting the right feel and use of the place. So I still think that the proportions in this development need to be flipped to at least 60 percent residential, and I know that Mr. Evans basically decided not to do that when he came back, but I hope that you guys will talk about that some more.

It will help with traffic congestion and so forth.

So I still think that as best I'm able to read it, there's not a clear articulation of how the housing will be calculated in a mixed use building. I brought this problem

up last time, so the housing can be 350 feet, but if you layer on six floors of business below that, then how do you calculate how much affordable housing or below market housing you're supposed to have? And so I can't solve that problem. I can only, you know, say that it seems to me is to still be there.

Mr. Evans's memo said that the home, that home ownership cannot be required by zoning. I'm not completely sure why that's the case, but I do feel that simply as it says encouraging developers to consider mix of home tenancy that would include ownership opportunities. It's not likely to be sufficient. I would also point out that other recent zoning has required ten percent three-bedroom family sized units in the housing, and I think that would be a good

requirement to add to this proposal.

And lastly, as I was discussing with some of the board members beforehand, three-bedroom units that are occupied by roommates don't solve our three-bedroom unit problem. So they, I think, the best solution is to say that the three-bedroom units should be included amongst the required below market units --

H. THEODORE COHEN: If you could wrap up?

LEE FARRIS: Okay. That way CDD will ensure that they are actually families.

Thank you.

H. THEODORE COHEN: Thank you.

Steve Kaiser.

STEVE KAISER: Steve Kaiser, 191 Hamilton Street. Mr. Chairman, I wonder if you could get slide 14 on the screen if that

would be possible? It's the bottom of page 7 on the handout. It shows a very nice graphic of 145 Broadway and it's a housing development, very tall building that --

TOM EVANS: It's going to take a second.

STEVE KAISER: Oh, okay. It needs step backs. It comes up straight from the back of the sidewalk and right up to the top.

H. THEODORE COHEN: Well, Mr. Kaiser, this is just a drawing. If this were adopted and it goes above the 250 feet, it would need step backs to have a floor plate of only 12,000 square feet. So we're not passing upon any particular building design this evening.

STEVE KAISER: It's just that I would like to see specific step backs in the zoning so that we step a building like this

appropriately. I'm worried about wind at that intersection, okay? I wouldn't mind a taller building on top of the parking garage. But that intersection is very difficult to cross. It has lots of pedestrians and it's the worst place to create a wind tunnel. I just want to highlight that one.

I brought a copy of the EIR in and that's a big traffic analysis in there. And the real message is there's not really much to be done with traffic. There's no magic solutions there.

And the conclusion I draw from it is any new growth in the area should not increase traffic and should not increase parking. Now CRA proposes to increase parking by 750 parking spaces. There's no room for traffic here, okay? Transit is the answer. And that's got to be what we're

working on. We've got to change the modal split so that we can use the capacity of our transit system.

And I'm sitting in the back row there with the students and I'm a student of transit myself, and a couple seats away from me is a student from Shanghai, and you should see their transit system. They had no subway system 22 years ago. And today they have 450 miles. They're the biggest transit system in the world. What has Boston done in the last 40 years? Zero. They can't even do the Green Line properly. They can't run the trains on time. So we have a long way to go to match Shanghai. But there's one thing in EIR that had a very good transit section, a very good transit section, but it missed the MIT count. MIT did a count out there at the Kendall Square in May, picked up three hours

in the morning and three hours in the afternoon. And I did a numbers check, and the CRA got another engineer to do a numbers check and the numbers now look good in terms of accuracy. So what I did is I took all the numbers and put them in a spreadsheet. One in the morning and one in the afternoon. And from that I could calculate the head ways, a separation between all the trains. I could calculate the dwell times, how long the trains stay at the stations before they move out, and the numbers are very revealing. The dwelling time, the head ways average between 13 minutes and 22 minutes. They're all over the place. A dwell time, one of the stops in Kendall Station, eleven minutes. A train just came in and sat there for eleven minutes. This was normal service. There was no emergency, no, nothing extraordinary about

it. And this is what the data tells you. And so I would note, too, is this report by the way, is actually a joint venture thing. It's between CRA and Boston Properties and I think Boston Properties paid for most of this, but their part of this new perspective on transit and what can be done and the leadership that Cambridge is actually achieving, remarkable because Boston's doing nothing. They're absolutely clueless. All of the improvements and ideas for transit improvements on the Red Line are coming from Cambridge.

So I just wanted to hand this -- it's extraordinary. It's a bit of data and it's going to possibly overload you, but I wanted to give it as an example of what an engineer does to do data analysis and what kind of conclusions can be reached from it. And if

you want to look at this and say it's too much, that's fine. If you want to look through it and just look at some of the answers and the conclusions you can draw, but it's a measure of how important the MIT count was and what you can do with it. So I won't offer any more comments about the data here, but I'll leave it just for the Board for your information.

Thank you.

H. THEODORE COHEN: Thank you very much.

Heather Hoffman.

HEATHER HOFFMAN: Hello. Heather Hoffman, 213 Hurley Street. And the first comment that I would make about this is that is something that you can't put in the zoning and that is what we really, really need is a culture change. We need to change the

attitude of mostly Boston Properties because they own most of this property that's going to be developed further, and they have to see this as an asset, as something that reflects upon them, something that they ought to be proud of. They shouldn't belittle the things like the Sixth Street Extension by overshadowing it with taller buildings that will, you know, depending on where Volpe building happens can make it seem like a narrow canyon instead of what it is now. The attitude that we saw with the roof garden that they really did not value it. And I know you can't put that in a zoning, but that should be something that's in the back of your mind, that if we want Kendall Square to be something other than a squished urban office park, we have to change attitude. Now part of that is going to be in making sure

that we get everything that we think will make this a real place. So people before me have spoken of the open space. Open space shouldn't be checked off the box. I have a lot more belief that between the Planning Board and the CRA we will get some real look at open space and making sure that it's something worth having rather than what too much of it is now which is like motorcycle parking on a sidewalk. We also need to have better architecture. And I know that in some of the zoning that has been through here, there's been discussion of that. But Boston Properties has really not taken pride in any of that. The reason that 88 Ames Street may even be built, and I will still call it the Vaporware Arms. Look up Vaporware if you don't know what it means. Until I see someone moving in there, but the only reason

that's happened is not because Boston Properties thought it was a good idea, it's because they were pushed. And so one of the really good ideas in this zoning is to say you have to build the residential if you want to get all of this commercial. And I really commend the drafters of the zoning for doing that.

However, with residential there's another thing to think about. Noise was mentioned earlier. The current MXD Zoning has a standard that first off is not enforced at all in any way, shape, or form. And second, I wish could be clarified. And that is it says that you shouldn't be able to hear anything 100 feet from the property line. So what does that mean? Does it mean that if you're standing exactly 100 feet from the property line you shouldn't be able to hear

anything? Well, consider if you have a building that's pretty much out to the property line and it's 300 feet tall, would you hear anything even if there was a tremendous racquet from the mechanicals on top of it? So shouldn't we have this say from 100 feet to infinity that you shouldn't be able to hear it? Because right now if you go and walk, walk along the north side of Binney Street you will definitely hear stuff that way -- that obviously exceeds zero because you can hear it.

H. THEODORE COHEN: Can you wrap up?

HEATHER HOFFMAN: So that's a thing that I hope that you will address. So really, I think most of this is aspirational. Make this a place that people could live in and that then they would want to live in.

Thanks.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: None appearing.
Then board members, any questions, comments?

AHMED NUR: I have one. We'll start from there.

H. THEODORE COHEN: Thacher.

THACHER TIFFANY: I wish we had raised this when we were talking about open space earlier, but it took me a while to understand the question. Can someone explain how the open space requirement works? There's some language in the latest draft. I hope I'm reading the latest draft which says -- requires that the open space include at least one large civic space. I'm just trying to understand, like, where is that

space going to be and how does that -- at what point do we confirm that that requirement has been met? Or am I missing something?

JEFF ROBERTS: I think you're looking at a different petition language. That would be next week's hearing.

THACHER TIFFANY: Thank you.

JEFF ROBERTS: That's the expectation for the Volpe site to have a large --

THACHER TIFFANY: That makes more sense.

AHMED NUR: Hugh?

HUGH RUSSELL: I think this is ready to be recommended to the Council favorably.

H. THEODORE COHEN: Ahmed.

AHMED NUR: I second that notion. I just have one clarification with regards to,

I don't know where I heard this from. In terms of \$10 to benefit per square feet to benefit the community. I'm hearing from Iram now maybe it's going to the open space, but did you work at one point maybe it was a petition but did we decide that City Council we could recommend it to donate that to maybe middle income or students housing or some sort of housing as opposed to open space? This is up in the air or this is definitely decided that \$10 will go to open space or affordable housing or low income?

IRAM FAROOQ: Well, the \$10 per square foot was intended in the -- as part of the K2 study to go to improvements in the Kendall Square and surrounding -- Kendall Square area and surrounding neighborhoods and were intended to focus on public space improvements, primarily programming of open

space on workforce development. So connecting people to jobs and job training and such, and transit improvements. So the idea is that there are housing requirements that are built into the zoning like we had introduced additional middle income requirement that is, did not exist before, and in addition proposed the \$10 a square foot to meet the other means. So we would have a comprehensive type rather than focusing on one issue.

AHMED NUR: Okay.

JEFF ROBERTS: I wanted to add because this may be part of the confusion, and this wasn't discussed as part of this, but as part of the larger citywide requirement there's incentive zoning payments that were just amended a month ago and those would apply to new non-residential

development as part of this and that's 12 -- it's a rate of \$12 per square foot increasing to \$15 per square foot over the next three years.

AHMED NUR: That's probably what it was.

JEFF ROBERTS: And that's in addition to what Iram was discussing.

AHMED NUR: So if a building was zoned for commercial, let's say, 200, let's say 100 feet high and we wanted to go to 120, then we get in trade.

HUGH RUSSELL: Every foot.

JEFF ROBERTS: Any project. So, for instance, any 100,000 square foot non-residential building would be required to pay to the affordable housing trust on a per square foot basis. It's based on the nexus between the housing need generated by that

new development and then the provision of that housing.

IRAM FAROOQ: So if they have 600,000 square feet of commercial -- of non-residential development, they will pay --

AHMED NUR: \$12 per square feet.

IRAM FAROOQ: Yes.

AHMED NUR: Yes, I get it. Thanks for the clarification.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: I like Lee Farris's idea about somehow encouraging the three-bedrooms in the affordable units, if they truly are family units, I think that that's -- if there was some way we can memorialize that idea, that's a strong notion. I wish we could regulate better architecture.

I agree with Heather, I don't know how

to detail that without adding much bigger books than those MEPA books.

And once again Steve Kaiser's modal split is the way to go. He's spent the earlier part of tonight talking I think in some way modal split and, gosh, I wish we had enough resources to fix the Red Line, but unfortunately I think that happens at a state level. And then let's see, that's all. That's all.

H. THEODORE COHEN: Steve.

STEVEN COHEN: First of all, I like the others strongly, the proposal, and I think most of the city already has been responsive to a number of the points that we raised last time which I believe certainly makes it more attractive. I do want to follow up on the question that I left the last hearing with, and I guess Lee Farris

mentioned it, and that is, you know, when we create a million square feet of new development space in Kendall Square, one of the most valuable pieces of real estate in the United States, we're creating a lot of value, and, you know, I don't know what that value is, but, you know, I would have to measure it, but it's, you know, one of magnitude of, you know, perhaps 100 million, 200 million, dozen, 200 bucks a foot. That ain't chicken feed and it leads me to several thoughts. One of which is just to sort of understand, you know, how that value gets divvied up. In part, I think you told us in the last time, Tom, that's a payment to the CRA. And I kind of like to know, you know, kind of ballpark what it is and what the CRA does with that. You know, in part that value is taken up by the benefits that the

developer will be providing to the city in terms of affordable housing, open space improvements, innovation space, you know, retail, that they might not otherwise be providing, you know, various benefits provided. And then in part the developer would then get the benefit of some of that, but it's a big number, and I have absolutely no idea sort of, you know, how, how that value gets allocated. And I'd love to ask you to address that. And, you know, one way of asking that question is if you're creating that much value, you know, can you tell us a little bit more about how the city benefits from it? But before you answer it, if you would, I just want to make one other comment, you know, however you might answer it, there's a lot of value being created. And just a statement that I would make is I think

Boston Properties does great work and has done great work in Boston -- in Cambridge in large measure, but as we go through the process down the road and reviewing specific applications, given the value that we're creating here, neither this Board nor the CRA nor the City Council should be in the slightest bit shy in demanding the very highest standards of development here. And Tom and others you said, you know, how do you get the great architecture? Well, I don't know how, but I don't think we should be in this slightest bit hesitant to demand it. And as I frequently said here, frequently applications come in and they're already well developed and architects have worked hard and the developers paid for it and sometimes we feel a little bit differential to the fact that so much work has been done already, but

especially here -- probably every project, but especially here as we get these applications in the years to come, really we shouldn't be differential. We should be demanding the very best, because we're creating some serious value here. The city's got a value -- to benefit, certainly the developer's going to benefit, but we should be demanding the best whatever that means down the road.

But anyway, Tom, I'd love it if you can just sort of give us the outline of how this value gets allocated.

TOM EVANS: Thank you. Through the Chair, the CRA has, since the beginning of this project, had a land transaction formula whereby every square foot of development is paid for by the developer as part of the land disposition of all the land that was

originally owned by the CRA after having taken it from a bunch of individual private businesses. We don't need to go through the whole history. But the history is important in setting up the land transaction. Both parcel -- so there's a formula for parcel 2 and formula for parcel 3. Formula, and has an escalator attached to it on an annual basis. So at this point in time that's -- the formula varies, but depending on where you're building, but today the formula puts you in the range of 40 to 60 dollars per square foot of payment to the CRA for development. So that's, that's then a piece of negotiation that we will continue to have with Boston Properties on some of the public benefits on which side of the line those things fall on. We have had some discussions with the CRA board about well, what do we do

with this, say, you can do the math as a sizable amount of funding for the CRA which at this point in time the CRA's -- we're not a taxing entity at this point in time and we don't have federal or state assistance as had taken place in the past for redevelopment efforts. So all of the work that we're seeing in our work plan for the next 10, 15 years is kind of like is hinged on this as the major funding source. So that includes things such as redevelopment of the Foundry, for example. It includes elements of enhancing the economic development opportunities.

So one of the things we talked a lot with some of the City Councilors about well, you can create innovation space, how do we know that people can work and you can create retail space? How do you know that

entrepreneurs can really get into that at lower prices? So we've discussed creating what I've sort of dubbed at this point in time sort of innovative opportunity programs that the CRA could help find need-based opportunities into innovative retail space, innovative startup space, and so forth. Or other work development start programs that we've had discussions with.

We've been discussing contributions to ongoing open space programming for the area. And even some of the other parks in the Kendall Square, East Cambridge area that we look to provide some enhancements to beyond just mowing and trimming trees, but how do you add, you know, more -- some of the ideas we've had come forth in the park planning to date, imagine a high level of programming and maintenance and operation. So we see that as

a role we could step into.

We've discussed elements of public art or other grant making such as the forward fund which is a program we launched this year which is provide micro grants in the city to do work.

And through our strategic plan we imagined roles elsewhere in the city and we've been having some discussions with the city manager about where other things, other redevelopment activities where we have a unique ability to help the city with its goals.

So it's -- I mean, it's a broad brush element of the pieces of our mission that we believe the Board would pursue. I could offer that the Board could speak to these issues as well. It has from their interest in what the newly constituted Board is in

making sure that we're leveraging private development to provide benefits to Cambridge as a city wholly and also specific to the neighborhoods around Kendall Square. I don't if you would.

STEVEN COHEN: Tom, if I could ask a question, just you can debate what the right number is, but for the sake of discussion let's say it's 60 bucks a foot. So we're talking about \$60 million from a million feet of -- actually, it's going to be more than a million feet because, you know, some of it doesn't count for, but whatever. It will be in that order of magnitude of 50, 60 million dollars. Just out of curiosity just so we know what we're doing. It's decided by the CRA, are there any statutory requirements or constraints on this or is this a purely sort of open ended quasi political process? I

mean, I --

TOM EVANS: So I think that there's -- so there's not a whole lot of statutory requirements, but the fact that once money is spent for public purpose, if there's also sorts of rules you need to follow from contractor rules to procurement rules and so forth, and an open decision making process by the CRA board in preparing an annual budget creating redevelopment programs and deciding how that money gets spent as it comes in. So part of the requirement that came out of the agreement with HUD from the original land transaction that HUD was involved in, what provides sort of a broad brush concept of the additional revenue that comes from the property can be used to complete the project or can contribute to other initiatives that align

with what's called the comprehensive plan which is the CDGD grant program. So sort of, it sort of steers the CRA to work towards those sorts of utilizations that were consistent with other HUD programs. So economic development, housing, quality of life improvements in the area. So that's, that's from -- that's kind of the guidance that HUD provides in looking at what was the HUD closeout agreement for we paid back HUD the loan that we had had from the initial infrastructure improvements. And so that's where it is. And we have a strategic plan where it does provide, I think, guiding principles through a mission and through for what we forecast in the future. It does fall on the responsibility of the Board, the CRA board to manage those funds to the benefit of the city.

STEVEN COHEN: And just one last follow up question, sorry.

So is this a -- first of all, the process, the Board's process a public process are all board meetings public?

TOM EVANS: Very much so.

STEVEN COHEN: And again just out of curiosity, is the CRA subject to the Open Meeting Law?

TOM EVANS: Yes, they are. And Public Records Law.

STEVEN COHEN: Okay, thanks.

H. THEODORE COHEN: You all set?

STEVEN COHEN: You want more?

AHMED NUR: Don't ask that question.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: I'm good.

H. THEODORE COHEN: You're good.

HUGH RUSSELL: I just wondered if I

could make another comment?

H. THEODORE COHEN: Surely.

HUGH RUSSELL: You want to do clean-up your batter.

H. THEODORE COHEN: I'll keep it for clean-up.

HUGH RUSSELL: I think Tom's answering the questions brought out that the thing that's very different about this development than any other development that's before us is the existence of the CRA board. And most of us came into the planning process in the city when the city board was a very weak board, they retired, they sort of I guess felt they've done their job, and it's a wonder you could see a tremendous difference that's been made. So in terms of design quality, think about the zoning quality of the building on Ames Street where you go out

and you get the best -- arguably one of the best architects around, an expert in this kind of building who does a very good job. At least in my opinion.

Now did that happen entirely from Boston Properties? No, I don't think it did. If it happened, I think by the CRA board saying there's a standard that we want to have achieved here and we're going to talk to you a lot about how we get there in looking at that. The answer to the benefit question I thought was very interesting. It was well, actually, we're gonna -- we've got a pool of money that can produce not only the benefits for the project through the staff input and the board input, but they can do other things. So, and part of the challenge of this zoning is how does our board work with their board to get, get to a common

understanding and a common point of view at various points in the process? So I'm -- I guess the other comment I would make is sort of a personal comment. Look at the members of the board. The Manager in his wisdom, you know, picked very able, very experienced people, and that's -- that shows the intent from a City Manager's point of view.

STEVEN COHEN: Hugh, I think you didn't take my question as expressing skepticism or anything.

HUGH RUSSELL: No, no.

STEVEN COHEN: These are just fundamental elements of what's going on here and I didn't know most of --

HUGH RUSSELL: It's not a criticism, I just think that part of having the benefit of discussing things with Kathy over the last few years is that she and the Board started

to try to figure out what they were going to do and what -- you know, it was, I mean, it's very exciting to me.

AHMED NUR: To all of us.

HUGH RUSSELL: To see what's going to happen.

I'll also comment that this Board, when Iram brought the K2-C2 process to us, she was hoping that we would just send it all off to the Council and the Council would pass it about three years ago or was it four years ago. And this Board said, we think, in particular for this parcel that's before us now, the CRA is a crucial player and they've got to be, you know, they've got to be taking a leadership role. And I think you can see very clearly that within the general constraints of C2 there's a lot of leadership, there's a lot of extending, and

there's a lot of thought going into this and there's a way of validating the Board's judgment. And we forced this on the CD Department, and I think we can look back and say, well, look at what we've achieved. Now we just have to convince the Council that in fact we've got something pretty good here.

STEVEN COHEN: Minor detail.

H. THEODORE COHEN: Ahmed.

AHMED NUR: I just -- forgive me, Mr. Chair, I just wanted to voice a rather counterbalance to my colleague to the left comment with regard to the three-bedroom apartment accommodations. I think that, you know, this member anyway is all for three-bedroom apartments and families, we can put the language such as do not discriminate against the families with children, but I don't think we should be making that same

mistake in saying, you know, grown up siblings or same-sex people cannot go in three bedrooms. So, you know, I just want us to be careful.

H. THEODORE COHEN: Right, okay.

Well, I -- actually, Steve, I do appreciate your questions because I think it was very interesting to hear the discussion about it although I think one point that neither of you brought up was the fact that there will be substantial tax revenue coming out of this going into the coffers of the city that presumably is outside of the purview of the CRA but will do a lot for the city.

STEVEN COHEN: New microphones?

H. THEODORE COHEN: You got new chairs. What more do you want?

You know, I have a page full of notes

from the October 13th meeting and I applaud, you know, CRA and its staff and our staff for working together and really coming up with something that to my mind has addressed all of the issues that I wrote down and talked about here. I was, you know, questioning the percentage of residential versus commercial, but, you know, after hearing the discussions last time and this time and the discussions about Volpe, I'm convinced that what K2 came up with is the right answer for Kendall Square and this is what the CRA is proposing.

It really, I think is excellent. I do concur that I've been advocating for three-bedroom units for a long time on the Board and I really do want to see them in these properties. I don't know that they should all go to affordable and middle income housing. There is a class of families, me,

and other people I know who want to downsize from houses, who want to stay in Cambridge, who need three-bedroom apartments. They're rare in Cambridge. And so I think we need a mix of everything throughout the city. And, you know, sometimes three roommates can be a benefit to a family and to a neighborhood and families that are -- families that can afford market housing because they want to live in a certain area because we are creating a neighborhood that would be across the board for everybody.

So I applaud this and I think we are ready for a vote.

AHMED NUR: Yes.

H. THEODORE COHEN: So, Tom --

HUGH RUSSELL: Two votes.

H. THEODORE COHEN: So, Tom, and, Jeff, we need to take two votes on this?

JEFF ROBERTS: So the Board needs to make a recommendation with the -- remembering that the petition is still before the City Council, still the original petition. So the Board, if you want to incorporate the new text and if you had suggested changes to look at, I think you communicated that with -- just clarification changes, then you would want to incorporate those into the recommendation. So that's one piece is a recommendation on the zoning petition.

The next piece I believe Tom was explaining is a -- that the Board make a finding, you can correct me if I didn't get this right, that the Board make a finding that the Kendall Square Urban Renewal Plan, with the proposed changes, is consistent with the city planning for the area, which would include the K2 planning study and is that

the --

TOM EVANS: The legal words is conforms.

JEFF ROBERTS: Conforms with the -- so what I said, but conforms.

H. THEODORE COHEN: Okay. Why don't we take a second one first. If anyone remembers it. So that there's a request for finding that the amendment to the urban renewal plan conforms to the --

STEVEN COHEN: City's planning in the area.

H. THEODORE COHEN: City's recommendation for the area.

TOM EVANS: If you want to reference the K2 plan specifically.

H. THEODORE COHEN: With the K2 plan and with other plans applicable to the Kendall Square and the area that MXD is in.

STEVEN COHEN: So moved.

H. THEODORE COHEN: Second?

HUGH RUSSELL: Second.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Anyone opposed?

(No Response.)

H. THEODORE COHEN: It is unanimous.

And I would ask for a motion make a recommendation to the City Council that they adopt the amendments to the MXD District as presented to the Planning Board initially with the amendments that were presented to the Planning Board today on November 10th in substantially performed as it was presented in those two dates so that if there are any typos or, you know, language that needs to be clarified consistent with our discussion

today, that can be made.

STEVEN COHEN: Let me just say I have no suggested revision. Does that -- but did anybody with the discussions of three-bedroom apartments or anything or do we want to just recommend adoption as presented to us?

AHMED NUR: I think it's fine as Tom noted and as I noted that, you know, that we're in agreement. All I said different from what he said is let's not say only families with children as opposed to that --

H. THEODORE COHEN: I mean I think when the individual projects come before the two boards, they can address those issues as we have been doing with other matters within other projects we've been looking at.

STEVEN COHEN: Then I would move that we recommend adoption along the lines

that we just outlined.

AHMED NUR: Second.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Anyone opposed?

(No Response.)

H. THEODORE COHEN: Again, it's unanimous.

Thank you so much. It was a great job, great presentation, and thank you to both our staffs for working together to bring us this.

I don't think there is anything else to come before the Board this evening so we are adjourned.

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

* * * * *

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

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BRISTOL, SS.**

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That the hearing herein before set
forth is a true and accurate record of the
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IN WITNESS WHEREOF, I have hereunto set
my hand this 10th day of December, 2015.

Catherine L. Zelinski
Notary Public
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