

PLANNING BOARD  
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, January 19, 2016  
7:05 p.m.

in

Second Floor Meeting Room  
344 Broadway  
Cambridge, Massachusetts

Catherine Preston Connolly, Acting Chair

Hugh Russell, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Louis J. Bacci, Jr., Member

Ahmed Nur, Associate Member

Thacher Tiffany, Associate Member

**Community Development Staff:**

Jeff Roberts

Swaathi Joseph

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# I N D E X

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### **GENERAL BUSINESS**

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### **Public Hearings**

7:00 p.m. Elizabeth M. Stern, et al zoning petition to change the current zoning designation of the parcels identified as Lot 84 (2551 Massachusetts Avenue) and Lot 65 (7 Richard Avenue) on Assessing Block Map 186 from Business A-2 (BA-2) to Residence B (Res B) and remove both parcels from the Massachusetts Avenue Overlay District (MAOD) and the North Massachusetts Avenue Subdistrict (NMAS), and to redraw the zoning district boundary lines so that all portions of these two lots and the abutting portions of Massachusetts Avenue and Ricard Avenue up to their centerlines (which portions currently lie in the BA-2 zone, the MAOD, and NMAS) are situated solely in the Res B zone and are not included in the MAOD or the NMAS.

Keyword Index

## PROCEEDINGS

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CATHERINE PRESTON CONNOLLY: All right, so we are -- the hour having arrived, we are calling this meeting of the Cambridge Planning Board to order.

First on the agenda, we'll have an update from Community Development.

JEFF ROBERTS: Thank you. Jeff Roberts, zoning planner Community Development. I will give a brief update.

Next week's Planning Board meeting there will be a -- we will be having a public hearing next week, it will be a continuation of the public hearing on the Friends of MAPOCO petition which has changed the zoning requirements along the corridor of Mass. Ave. between Porter Square and Cambridge Common that was heard by the Board

back in December. The Board had some questions and we on the staff will be reporting on back on some of the questions that the Planning Board had.

We were also scheduling -- that continuation of the hearing is scheduled for eight p.m.

Before that at seven p.m. we're planning to hold the rescheduled Planning Board discussion on rules and regulations. So that is the material that we gave to the Planning Board back in December, and I believe that that particular meeting went late so the Board decided to postpone it, and so it will be held at seven o'clock and there will be -- it's not a -- it's not a standard public hearing, but the public will be asked to and allowed to comment as the Planning Board wanted for that particular item.

There will also be a review of some Board of Zoning Appeal cases, including some antenna installations. So be ready for antennas.

Next week, the following week will be the Town Gown, annual Town Gown reports. The Town Gown reports are available on-line and we will be distributing copies to the Board, I believe, by next week. You will have printed copies of that as well. That will be held at the Senior Center. So in two weeks be sure to go to the Senior Center rather than this room.

So the only other update is that the City is moving forward on the citywide plan effort and it has a name, which is Envision Cambridge. I think that might have been announced the last time, but the process at this stage is that the City is soliciting interest in participating on the Community Advisory Committee for that process

and that will -- the deadline to apply for that is this Friday. You can apply on-line on our website, so for anybody who is interested, and we'll be communicating with the Planning Board Chair talking about ongoing Planning Board involvement on that process and we'll report on that to the rest of the Board.

CATHERINE PRESTON CONNOLLY: Okay.

JEFF ROBERTS: So that does it for updates.

CATHERINE PRESTON CONNOLLY: Okay, thank you.

And do you know do we have any meeting transcripts?

JEFF ROBERTS: Yes, we have received the transcript from December 15, 2015.

CATHERINE PRESTON CONNOLLY: And it's been certified as complete?

JEFF ROBERTS: It has.

CATHERINE PRESTON CONNOLLY: All right.

Do I have a motion to accept?

HUGH RUSSELL: So moved.

STEVEN COHEN: Second.

CATHERINE PRESTON CONNOLLY: All those in favor?

(Show of hands.)

CATHERINE PRESTON CONNOLLY: All right, great.

So moving right along, we have the seven p.m. public hearing on the Stern petition.

Do you want to say a few words about that?

JEFF ROBERTS: I'll just say quickly. So this is a petition that affects the area at the very northern end of the Business A-2 and Massachusetts Avenue Overlay District in the

Northern Mass. Ave. area. The petitioners have been -- for this particular petition have been working with affected property owners. I believe those discussions are ongoing. The petitioner is here and can give a brief update if you like.

CATHERINE PRESTON CONNOLLY: Come to the podium and state your name and address for the record?

ELIZABETH STERN: Okay.

CATHERINE PRESTON CONNOLLY: Thank you.

ELIZABETH STERN: I'm Elizabeth Stern from 20 Cambridge Terrace and Seven Richard Avenue.

SARAH BELL: My name is Sarah Bell. I live at 19 Muller Avenue.

ELIZABETH STERN: That's at the end of Richard Avenue.

CATHERINE PRESTON CONNOLLY: Okay.



ELIZABETH STERN: Okay. So we would really like -- we're, as Jeff Roberts said, we are working amicably with the developer and his attorney and would simply like more time. We're working on a few different strategies and it's been -- there have been a number of large events that have sort of distracted people such as the City Council elections and the holidays and various other things, so we would just like to ask for more time.

Would you like to add anything to that, Sarah?

SARAH BELL: Yeah, I mean I think we've had a lot of conversations, and the tone is much, you know, very positive between us and the developer. And there's been some contact, you know, with the CDD staff. So it's a very interactive environment. It's been a little

sluggish for the last month, but we do feel optimistic that we'll be coming to more conclusion on next steps, you know, in the next coming six to eight weeks.

ELIZABETH STERN: Yes.

CATHERINE PRESTON CONNOLLY: Okay.

Thank you.

HUGH RUSSELL: Jeff, do you know when the petition expires?

JEFF ROBERTS: I will have to look it up. It -- I believe it -- so the -- it will be 90 days from the Ordinance Committee hearing which I believe was on December 17th, so it's going to be somewhere in the middle of March. I'll say somewhere round about St. Patrick's Day.

UNIDENTIFIED AUDIENCE MEMBER: March 16th according to your website, Jeff.

JEFF ROBERTS: March 16th I'm being told.

HUGH RUSSELL: So it would appear that this will expire again and be re-filed again because you can't -- if you take six weeks to make a deal, the Council can't do its business in two weeks. This is not a bad thing. It's just more paperwork.

CATHERINE PRESTON CONNOLLY: So, Jeff, at this point are options as the Planning Board here are either to leave the hearing open and to have a further discussion with the petitioner after they've had more meetings with the property owners or to make recommendation at this time; is that correct?

JEFF ROBERTS: That's correct. I think my advice would be based on the ongoing discussions, would be to open the hearing and if there are no additional comments tonight, to simply leave the hearing open until a future

date. And as Hugh Russell noted, the likelihood is that this will expire and a new petition will be filed to take its place and then a new hearing will be scheduled at that point.

HUGH RUSSELL: We would hope that maybe the next meeting would be the one that you actually work out the deal on.

ELIZABETH STERN: Let us hope so.

CATHERINE PRESTON CONNOLLY: Right.

STEVEN COHEN: The thing is, you know, I hope a deal is worked out, also, but it should be worked out on its merits. And this is, you know, I guess supposed to function as a threat. In my view it's an inappropriate threat, possibly a toothless threat. But in any event, inappropriate. And you certainly don't need the pendency of the zoning petition to work out whatever arrangement, you know, you may wish or

be able to work out with the proponents of the project.

So, you know, I don't like being pulled into that sort of dynamic and, you know, I don't think the petitioner has any merit for various reasons, and I for one would, you know, recommend against the passage by the City Council. And in doing so, I express absolutely no opinion on the merits of the proposal for development of that site or the opposing interest of the neighborhood. I just don't think that this is an appropriate or timely tool to be using in those discussions.

AHMED NUR: Jeff, so four to six weeks, can we leave -- you said to leave it open. So can we leave it open -- shouldn't we have to choose a date, for example? I guess the four weeks would be February 16th and the eight weeks

would be March 16th and if nothing happens, does it just expire?

JEFF ROBERTS: No. The Board doesn't have to hold -- the only thing the Board has to do is open the hearing. I think it's pretty pro forma exercise at this point unless the Board wants to discuss the substance of the petition. But my advice would be to simply open the hearing, see if there's any comments tonight, and then just leave it open indefinitely.

If it comes to a point where the Council wants a Planning Board recommendation on this particular petition, we can always schedule another hearing to take place at a future meeting between now and when the Council would have to act.

CATHERINE PRESTON CONNOLLY: Which would be an advertised continuation of the hearing

we're opening tonight?

JEFF ROBERTS: We would send notices is our custom. We would send notice of when that continued hearing would take place.

CATHERINE PRESTON CONNOLLY: Okay.

I'm inclined to go with the staff's recommendation that we open the hearing and defer further discussion of the merits of the petition until the petitioner and the affected property owners are ready to talk to us about it, but I'm certainly happy to hear from other Board Members and see if that's the will of the Board.

LOUIS J. BACCI, JR.: So as this expires, hopefully they would have come to some agreement and put that in the new petition?

CATHERINE PRESTON CONNOLLY: That would be the hope, that a -- that rather than re-filing the same petition, that the new petition would

reflect an agreement.

But if they have not yet reached an agreement, they're certainly free to re-file the existing one until that time.

STEVEN COHEN: Are we talking about an agreement for a rezoning of this lot or just an agreement for development of this lot under the existing zoning?

HUGH RUSSELL: What we were told a few months ago was that a confirming development -- that if you want to make a deal, it's not going to conform to any deal.

CATHERINE PRESTON CONNOLLY: Correct.

HUGH RUSSELL: So it would have to be a specially crafted amendment that allows, you know, the uses and densities --

CATHERINE PRESTON CONNOLLY: For some use of the lot.



HUGH RUSSELL: Yes.

CATHERINE PRESTON CONNOLLY: There is going to have to be some kind of relief of some sort.

STEVEN COHEN: So we're being asked to spot zone the lot in order to accommodate the neighborhood?

CATHERINE PRESTON CONNOLLY: Well, we're being asked at this point --

HUGH RUSSELL: Not today, but later.

LOUIS J. BACCI, JR.: It seems like it, yes.

CATHERINE PRESTON CONNOLLY: That is the request that we are deferring on at the moment, yes.

AHMED NUR: All right. Is there any public --

CATHERINE PRESTON CONNOLLY: Is everyone

other than Steve okay with deferring on this?

TOM SIENIEWICZ: Yes.

HUGH RUSSELL: Yes.

CATHERINE PRESTON CONNOLLY: All right.

Then we'll call the public hearing open and ask if there are any additional comments from the public.

(No Response.)

CATHERINE PRESTON CONNOLLY: Seeing none, we will continue this public hearing.

STEVEN COHEN: Let's take a vote?

CATHERINE PRESTON CONNOLLY: On continuation?

STEVEN COHEN: Yeah. It just lends the integrity of the Board that not all unanimous. Okay.

CATHERINE PRESTON CONNOLLY: Okay, so I'd like a vote --

STEVEN COHEN: Nay.

CATHERINE PRESTON CONNOLLY: I'd like a vote to see if the Board is in favor of -- do I have a motion to continue the hearing?

AHMED NUR: Yes, you do. So moved.

STEVEN COHEN: Second.

CATHERINE PRESTON CONNOLLY: Second?

All right. All those in favor of continuation of the hearing?

TOM SIENIEWICZ: Aye.

CATHERINE PRESTON CONNOLLY: All those opposed?

STEVEN COHEN: Nay.

(All Members Voting in Favor of Continuation Except Steven Cohen.)

CATHERINE PRESTON CONNOLLY: All right, the hearing will be continued and will be advertised because we don't have a date certain

for when we will take it up again.

UNIDENTIFIED AUDIENCE MEMBER: Was it Ahmed or Thacher?

CATHERINE PRESTON CONNOLLY: You got last time. So I'm appointing Ahmed as the vote on the continuation of the hearing at this time. So you have to show up when it comes up again.

JEFF ROBERTS: In this case there's a -- the Board is full with seven members today so everyone is --

CATHERINE PRESTON CONNOLLY: That's right. Both of you count, so there you go.

Okay, there you go.

Any other business to come before the board tonight?

(No Response.)

AHMED NUR: Thank you, ladies.

CATHERINE PRESTON CONNOLLY: Thank you

very much both of you for showing up tonight,  
albeit brief. It's always good to hear from the  
petitioner.

With that, I think we're adjourned.

(Whereupon, at 7:20 p.m., the  
Planning Board Adjourned.)

\* \* \* \* \*

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BRISTOL, SS.**

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

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

**IN WITNESS WHEREOF**, I have hereunto set my hand this 8th day of February, 2016.

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

My Commission Expires:  
April 29, 2022

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