

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE
GENERAL HEARING

Tuesday, December 6, 2016

7:10 p.m.

in

Second Floor Meeting Room
344 Broadway
Cambridge, Massachusetts

H. Theodore Cohen, Chair
Hugh Russell, Member
Tom Sieniewicz, Member
Mary Flynn, Member
Steven Cohen, Member
Louis J. Bacci, Jr. Member
Thacher Tiffany, Associate Member

Assistant City Manager, Iram Farooq

Community Development Staff:

Liza Paden
Jeff Roberts
Stuart Dash
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Overlay District for a proposal to renovate an
existing warehouse into a retail Registered
Marijuana Dispensary. 9

8:00 p.m. 605 Concord Avenue. Abodez Acorn
Concord, LLC, seeks special permits pursuant to
Section 19.20 Project Review, 6.44.1(g) Reduced
Setbacks at Building for On Grade Parking, 20.95.1
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construction of Phase II of a mixed use
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H. THEODORE COHEN: Good evening everyone. Welcome to the December 6th meeting of the Planning Board. And we will start with our update from the Community Development Department.

IRAM FAROOQ: Thank you, Mr. Chair. Tonight's meeting has two public hearings: One is on a Medical Marijuana Dispensary at 110 Fawcett Street, which is one of those rare spots that actually is within the Medical Marijuana District.

Second hearing is about housing on 605 Concord Avenue, which is a project review Special Permit followed by a couple of general business items.

We'll have design review of North Point buildings J/K and related landscaping, and then

there's an extension request for the Special Permit in the MXD District in Kendall Square.

In terms of upcoming meetings, the Board's next meeting will be December 20th, and on the agenda will be two pretty significant items:

One is the changes to the Inclusionary Zoning Ordinance, and the centerpiece of that of course is increasing the set aside for affordable housing to 20 percent from the -- and that's a net 20 percent as opposed to the current 15 percent which with the bonus nets out from anywhere to eleven-and-a-half to fifteen percent.

The second hearing is on the MXD District and design review for 145 Broadway which is one of the four buildings in that complex.

The Ordinance Committee's hearing on the Inclusionary Housing Petition will be January

4th.

The Board's next meeting -- so December 20th is actually your last Board meeting in December. And then January 3rd will be 47 Bishop Allen Drive which is the smaller project north of Bishop Allen that's affiliated with Twining Properties, Mass. and Main project, but they're separate Special Permits so 47 will be coming to you.

And then zoning petition for changes, brought out changes to the Medical Marijuana Dispensary section of the Ordinance. Those are upcoming elements at the Board.

The only other thing that the Council -- that's scheduled is that the Economic Development and University Relations Committee has a public hearing to discuss changes in development projects and leasing changes in Harvard Square

and how they impact the square. This meeting was scheduled for this week and has in fact been moved to December 13th so just in case anybody had marked their calendars.

I guess the only other thing that I would say is that this week everybody on the city side has really been grappling with the tragedy from this weekend where we had fire in Wellington-Harrington that has been fairly devastating and has impacted about 18 buildings, some of which have come down and over 50 families are impacted, over 100 people, and many of whom -- well, they're mostly all out of their homes right now. Many of whom will not be able to go back to their homes. So we are working very hard, a whole series of city departments, but also the state agencies as well as local non-profits have gotten together and incredible

process that's like a command station at City Hall. If you walk in where people are being served on an ongoing basis, and we're trying to find housing for them. So we just sent out an e-mail blast earlier today just to let people know that if anybody has a rental unit or knows of one that might be available both, there are both market rate folks as well as folks in affordable housing that have been displaced. And so as we try to match them to units, any information about what's available in the market will be extremely helpful.

Thank you.

H. THEODORE COHEN: Thank you.

Liza, are there any transcripts?

LIZA PADEN: We have the October 25th transcript that's been certified.

H. THEODORE COHEN: Do we have a motion

to accept that?

HUGH RUSSELL: So moved.

H. THEODORE COHEN: Second.

STEVEN COHEN: Second.

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

Okay, we now have a public hearing on the application of Cardiac Arrhythmia Syndromes Foundation located for a Special Permit pursuant to Section 20.700 Medical Marijuana Overlay District, 4.35 and 20.70 Flood Plain Overlay District for a proposal to renovate an existing warehouse into a retail registered marijuana dispensary at 110 Fawcett Street.

Start your presentation.

TIMOTHY FLAHERTY: Yes, thank you very much. Good evening. My name is -- Mr. Chairman,

and members of the Board, my name is Timothy Flaherty. I'm a project consultant --

JOHN HAWKINSON: Is the mic on?

TIMOTHY FLAHERTY: Is that better?

My name is Timothy Flaherty. I'm a project consultant for the Cardiac Arrhythmia Syndrome Foundation, and I'm here on behalf of that organization and requesting the Special Permit relief that was submitted in our papers.

I reside at 105 Fresh Pond Parkway in Cambridge, and my thoughts are with the displaced families in East Cambridge as well. It's a very difficult situation for everyone involved.

As was mentioned, the site 110 Fawcett Street which is displayed up on the board is one of the only sites I think and maybe presently in Cambridge right now other than the MMD-3 that was obviously expanded upon by this Board and the

City Council recently. This site was selected by the CAS Foundation because it was located within the original MMD-1. And they did that at great expense. The lease hold that they entered into was much more expensive than other areas that may have been available to them outside of the districts, but the reason why they did this, I think demonstrates what hopefully will be true and will be apparent to everyone that gets to know the people behind CAS is that they're committed to being a good neighbor in Cambridge. And they did this because they wanted to have strict adherence not only to the zoning regulations in Cambridge, but to become a good neighbor to everyone with law enforcement agencies, community groups, business associations, and the city as a whole. So my role tonight will be to introduce you and orient

you to the project itself and the building.

Bert Vining who is the COO of CAS Foundation will be here. He'll tell you more about who they are and why they're doing this.

Mike Joyce is a civil engineer who will be able to handle the floodplain issues.

And Melissa Piper Worth is from the architectural firm, she'll discuss any technical questions that anyone has.

I think it's important to point out at the outset they selected this site after much research, effort, and great expense because they wanted to adhere to the zoning regulations.

And also at the outset, I'd like to point out if I were sitting in your chair or if I were a City Councillor in Cambridge or I was some member of a regulatory body, after the recent passage of Question 4, the ballot initiative, one

question in my mind would be: Is this RMD, the Medical Marijuana Dispensary that is to be sited at 110 Fawcett Street, is this a medical marijuana dispensary or is it a site that will be immediately transferred and used as a recreational facility? And the answer to that is there is absolutely no intention from CAS Foundation to do anything other than serve patients with medicine at this site. They have no intention whatsoever to do that for a number of reasons, and I think we're all probably and I'm sure the Board is very well aware of the gold memorandum and the conflict of law between the federal jurisdiction and the state jurisdiction. But beyond that, their mission is to provide palliative healthcare through the supply of safe and effective medicine.

And you'll see from their mission

statement that's exactly what they're trying to do. They want to provide patients with a secure and dignified setting, will be able to receive safe and effective medicine. Their mission was originally giving school-aged children electrocardiograms and screening tests to determine whether or not there were any heart defects. This is because Jane Vining who is not with us tonight, she's actually ill, the CEO of CAS, she lost a child due to a sudden cardiac arrhythmia. She got into the foundation's work. She then tragically enough lost another child to an opiate addiction, and then being steadfastly opposed to drug use and substance problems, she ultimately was convinced that medical marijuana, in addition to all the other benefits, and I'm sure all of us have heard enough about the benefits of medical marijuana so I wouldn't bore

you with it, but she became convinced that this is the way to stem the opioid addiction crisis. And so that's what they're doing. They're not interested as far as we are here now with being involved in the sale of recreational marijuana.

The site as you're probably all aware, is in the Alewife neighborhood. Not far from where I live in the Alewife triangle within the existing MMD-1. Fawcett Street is that street that runs off of Concord Ave. and it takes sort of a dogleg left turn. And the building is located directly at that turn. It's a 4,650 foot corrugated metal warehouse. It's gonna require extensive build out and will undergo extensive build out as you'll hear tonight to satisfy the needs of the medical marijuana dispensary.

It's located within the MMD-1 as you know.

It's more than 500 feet away from any childcare, educational, place where children would congregate.

The building itself will aesthetically fit in that neighborhood. We understand that it's a transforming neighborhood, and it's near the developments that are planned directly across the street. But the way that the building will operate and patients will enter and exit, we don't believe will cause any sort of disruption to the flow of that neighborhood.

There will be extensive, as you can imagine, security systems in place at the building. Lan-Tel Security is an expert team, and some of the things that they're doing in the building as you can see from the papers that have been submitted, is they'll have surveillance cameras mounted, exterior, interior, around

proposed parking, anywhere product is handled.

There will be an entry trap. Any patient obviously has to be a registered qualified patient with DPH. They'll have to show their ID card that will be run through a computer screen, verified. They'll go through the trap. There will be security people on-site. It's a 24/7 operation. The point of sale mechanism and the software systems that they have will track each person, how much, what they buy, when they buy it, all of that is interfaced with DPH. In addition, the software that Lan-Tel is proposing, we had a meeting with Interim Commissioner Burke from the police department and he was very pleased to learn about the software. It gives the police department in realtime information if there was any emergency or crisis there, that they can rely upon it if any type of situation

occurs, if there's any type of situation. I've heard it said by people much more intelligent than I am, much more well-versed in security functions than I, is that siting of this RMD in this location will make this neighborhood, in addition to the satellite police station nearby, probably the safest neighborhood in the City of Cambridge.

This is a retail only operation. There will be no cultivation whatsoever. CAS has been provisionally approved for a cultivation site in Fitchburg. There will be transportation obviously of product to the site at varying staged times for security issues. The transportation analysis, and I'm not sure if anybody has had an opportunity to read, shows that there will be about 280 trips per day. This is our transportation analysis. It's -- we all,

anybody who lives in that neighborhood, myself included, understands what the traffic congestion is there. This we believe won't negatively impact that neighborhood or any of the traffic areas there. At peak hours there might be 30 or 40 trips but no more than that.

And that's just a basic range of the one-eighth, one quarter mile.

The landscape siting plan, all of this is designed to make the aesthetics of the building obviously welcoming and beautifying the area around 110 Fawcett Street. There is a security plan involved in that. Obviously they're not going to put any fencing or shrubbery to allow anyone to hide or not be detected from security personnel on scene or surveillance cameras.

And these are just some photographs of the existing corrugated metal warehouse. This

was originally a lumber storage. And as I say it's gonna take some extensive remodelling and rehabilitating to make it the state-of-the-art facility that CAS intends to make.

So, if you'd like, I can turn it over to Bert Vining who can speak more to about his mission and the operations of CAS. Or if you have any questions for the civil engineer about the technical aspects of the building or the floodplain, Mike Joyce is here. But I'd like to introduce Bert if I may. If you have any questions, I'll be happy to answer them.

H. THEODORE COHEN: Why don't we continue with your presentation.

BERT VINING: Hi, I'm Bert Vining and I'm chief operations officer of the CAS Foundation. Again, thank you for giving us the opportunity to present to you this evening. We're delighted to

be here and delighted to be in Cambridge.

Everything we do when we look at coming into the city, we consider one thing and that is how can we be the best partner in the City of Cambridge? Everything that we've done to date and will continue to do, always has that in mind. We want to be the best partner for the City of Cambridge. So, it's been a pleasure working with everyone so far and we want to continue to do that. And just so you have a better idea of who we are and what we're -- what we plan to do, first of all, I just want to apologize that our CEO Jane Vining couldn't make it. She's feeling under the weather today so I'm speaking on her behalf.

We got our start back in 2008 when we learned that there was a way that may have prevented the loss of her son Mark. He had an

undetected heart condition that wasn't picked up during routine physical examinations. However, what we learned later a simple \$25 EKG could have detected and led to a normal healthy life, it was a tragedy. And when we learned that the new testing protocols that have been started over in Europe and we brought them over here and we've been successful in doing screenings in about 15 different states and we've saved well over 100 lives of finding and identifying children with undetected heart defects by going to schools, much like a blood drive, we would do heart screening drives. Set up mobile screen rooms using the latest technology to screen the children, doing realtime reads by certified cardiologists and identify those children at risk and able to take corrective action.

So now we fast forward a couple years ago

after the recession when the sponsorship nature of our business model was drying up due to the recession, we weren't able to raise money to screen the kids. Then years later the Humanitarian Use of Marijuana Act was passed in 2012 and we have identified that this would be a great opportunity to use the medical marijuana profits to go ahead and fund the screening operations to continue screening hearts and saving lives of young people.

Another family tragedy that Tim touched on was Jane also lost her daughter and my stepsister Julie to opiate addiction. She got in a car accident, she never used a drug and she was overprescribed painkillers and narcotics and when the prescriptions ran out, as all too often, the addictive nature of the drug didn't run out and she was dating some person who he turned her on

to something that he shouldn't have and long story short, she died five days before Christmas in 2010.

So our goal and our mission beyond the eloquent mission statement put up there is really to try to help people prevent and prevent untold grief. You can only -- I can't even imagine what it would be like to lose a child, and unfortunately Jane's had to go through that twice. We've now made that our mission to try to prevent other people to have to endure those needless losses. And now as the study that Liz Warren is pushing around and showing everyone bringing a lot of attention to that studies have come out and shown a 25 to 33 percent reduction in opiate-related deaths where medical marijuana has been made available. And so we're very proud to come to Cambridge and provide the safest,

legal alternatives to patients who have been able to benefit from these proven success stories that are available via medical marijuana.

So, again, we're delighted to be here and we hope that you're willing and able to pass our Special Permit because we're really looking forward to serving the needs of the community via our registered medical marijuana dispensary here. We've gone to great lengths to try to address everything from traffic concerns, floodplain, everything, doing everything in the most environmentally responsible manner. You'll be happy to know that our growth facility out in Fitchburg, Mass., has 300 solar panels, 28 geothermal wells, and every aspect has been done with trying to create the most green facility not in the state but potentially in the nation. That's something we take great pride in and it's

the upfront costs have been staggering and a little more than we expected, but we believe that that's a great investment knowing that by creating such a green facility, that that will pay off into the future in a great way. It's something that I'm sure the people of Cambridge as well as yourselves can be very proud of the more you understand about what we're doing, how we do it, and what we'll continue to do as we move forward. So, again, I thank you for your time and if you have any questions I would be more than happy to address them.

H. THEODORE COHEN: Thank you. Is there anything further in your presentation right now?

BERT VINING: No.

H. THEODORE COHEN: No?

Board Members, do you have any questions right now or go to public comment?

LOUIS J. BACCI, JR.: Public.

H. THEODORE COHEN: All right. Is there a sign-up sheet?

Whether you signed up or not you'll everybody will have an opportunity to speak if they wish to. When you're acknowledged, please come up and state your name and spell it for the stenographer and state your address and we ask that you speak for three minutes.

There is a lighting system that you should have a green light to go and when it turns yellow it's near the end of your three minutes and when it turns red, we ask that you wrap up your comments.

Ellen Aaronson, please come forward.

ELLEN AARONSON: Good evening. And thank you for this opportunity to speak. I have to apologize in advance because I just learned about

the hearing yesterday and so I had some questions and I tried to familiarize myself as much as possible and so I'm a little disorganized but I just wanted to ask a few things.

So, I live near Alewife Brook Parkway and Fayerweather Street off of Concord Avenue, and I've been concerned about development in Alewife just because there's been some huge impacts in terms of traffic congestion, air pollution, noise. Our quality of life in the neighborhood has been impacted and it looks like it's going to continue to be impacted with greater development down the road. One of the things that just concerns me and the question that I have about medical marijuana facilities is that really in one year and three weeks it does become obsolete, from what I understand, with the new referendum that was passed, I believe that one will no

longer need a prescription. And so my worry is that when I first looked at the numbers, and the estimate is that there's 4,000 possible customers for medical marijuana within the region of Alewife Brook Parkway and that translates per month to 136 customers a day, that seems manageable. It's a little worrisome to add extra cars. But if you think about, if it no longer is medical marijuana in a year, what are the numbers then? What's the reality? So my feeling is are we really discussing a basic permit for -- into perpetuity now or is this for just one year? Or does this mean that this company can continue to sell marijuana to the public without a prescription? And if one isn't necessary any longer after one year, what does it mean? Statistics show more than ten percent of people smoke marijuana, adults. I got the statistics

from Forbes Magazine today so you'll have to excuse me, it's not very scientific. I was just trying to get a sense.

If you take the 4,000 medical customers and you multiply that or take ten percent of the population, you could have, I don't know, 40,000 people looking to purchase medical marijuana and -- excuse me, marijuana, and then what does that do to that area of Cambridge? What does it mean to just have regular customers? And I know we're in unchartered territory so we don't really know what that means. And I think that's the discussion we should be having is what is that dispensary going to be in two years from now or three years from now? And it seems like it's, it has a wonderful mission, but it could change. I just wonder what are the safeties that are in place in terms of permitting for that? Because

I'm not so sure, I don't know how I feel about the legalization of marijuana and what it means for my neighborhood. Do I want a dispensary next-door to me? Do I want it within, you know, a few blocks of me? I don't know because I don't know what that means and I haven't heard all of the information yet.

So that's what I'm asking you to consider is what is the reality of this permit? In other words --

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

ELLEN AARONSON: -- after one year no longer medical.

Okay, thank you.

H. THEODORE COHEN: Thank you.

Nicola Snow.

NICOLE SNOW: Good evening. You called

my Nicola Snow. Thank you. My uncle actually used to call me Nicola when I was younger.

My name is Nicole Snow. I'm Executive Director of the Massachusetts Patient Advocacy alliance. I reside in Salem, Massachusetts. I actually have a few questions that I can answer for those in the room that are concerned about it.

The medical marijuana statute of 2012 is, its own statute and it's gonna be unaffected by the Question 4 statute. So implementation of medical marijuana that is completely separate but parallel to adult use marijuana.

This particular applicant, the CAS Foundation, I've actually been meeting with them for several months and I met Jane Vining and her family and they are committed to patients. Their very nature is the commitment that they've made

to patients. The CAS Foundation was set out to find cardiac arrhythmias and they want to find a way how they can help patients further. And they're committed to treating the patients that are registered at the Department of Public Health.

And our mission is also aligned with theirs in that we're finding new ways to research patients and how they're affected and helped by medical marijuana. And the -- I just came from the State House where we were talking about these two different statutes and how it's different, medical marijuana from adult use marijuana. When these facilities are built and they're -- the patients access these facilities with their medical marijuana patient card, they're not the general public. There is a kill switch inside the statute after a certain date that they'll,

you know, consider these experienced facilities to apply for adult use licenses. I understand that, but we haven't even seen the regular -- the regulations from the adult use statute. So this applicant is very committed to patients and serving those patients that come from the medical marijuana program. And I do see them committing to development and research so that they can administer applications to patients and find out why they work for those patients.

So other than that, I mean unless there's any particular problem with the location, which I guess you guys decided beforehand when you created the original overlay, the CAS Foundation will be serving those 37,000 registered marijuana patients and I'm -- I don't see them switching over to serve the general public, just medical marijuana patients at this time.

So thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

SONNY ROSE ROBERTS: Good evening,
everyone. Thank you for letting me speak.

H. THEODORE COHEN: Is the microphone on?

SONNY ROSE ROBERTS: Thank you for being
here, letting me speak. My name is Sonny Rose
Roberts. I'm a resident of 20 Ware Street in
Cambridge. And I'm here to speak on behalf of
CAS Foundation. What I would like to say is the
words of cause and effect. The cause of medical
marijuana is because we have a need for it.
Cambridge being a humanitarian city and CAS being
a humanitarian organization, it's a good
combination. I think what I'm trying to say is
that being Cambridge is so progressive, that we
need to encompass and embrace alternative ways of

treating the public which is going forward with the times and the agenda; political, personal, and financial. It is very expensive to purchase marijuana so I don't think there will be a problem with too many people going at one time and causing a problem for any environment that it's in. But the main thing would be the effect of the cause and the effect would be very positive for Cambridge because Cambridge is a mentor for other cities, not only in our state but really across America. And if we do it right here, it will be right. We don't want carpetbaggers, we want Massachusetts people involved in this. We want our students and our colleges. They're already educated with microbiology. We could really have so many offshoots effect from this cause of introducing these dispensaries in a user-friendly atmosphere.

So I'm asking the City Council of Cambridge to consider favorably the permit for CAS. And also to notice that how special their agenda is. I think it's a good thing. I'm a heart patient myself. I get wonderful treatment -- excuse me, and soon I'll be really healed and be able to function again because of the medical treatment in Massachusetts. So I urge you and hope that you will give the permit tonight.

Thank you ever so much. And I wish you the best of luck with housing our wonderful people and thank God no one was harmed and that we have the resources and the potential to do so. Thank you. Merry Christmas.

H. THEODORE COHEN: Thank you.

MICHAEL LATULIPPE: Hello, everyone I just wanted to make a comment. I'm Michael Latulippe. I'm development director at the

Massachusetts Patient Advocacy Alliance and I live in Salem, Massachusetts.

You know, there is -- I heard testimony this evening, there is a time frame, I believe it's January 1, 2018, if the Cannabis Commission does not issue regulations at that time, that medical facility will be able to start selling to adult users. Kind of like a backup plan if the legislature holds things up or something like that. But I would like to say that with the new elected leadership in Washington, representing the new Attorney General, the new Health and Human Services Secretary, I think it would be -- I don't know which applicant would operate and start selling to adult users without a license from the state. And the only thing that keeps the Federal Government and the DEA from rating these facilities we have here in Massachusetts,

is that license that they get from the state. So, you know, even though that is in the initiative, I really, really doubt that any one of the dispensaries that are open right now are going to start selling to adult users without a license from the state because they would risk having federal enforcement against them. So I guess that's my comment tonight.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: None appearing, then Board Members, questions? Comments?

Before we go on, why don't I quickly run through the criteria for this Special Permit.

In addition to the general criteria for issuance of a Special Permit under Section 10.43 Planning Board shall find the following criteria

met:

The registered marijuana dispensary is located to serve an area that currently does not have reasonable access to medical marijuana or is proposed in an area that is already served. It has been established by the state that supplemental service is needed.

The site is located at least 500 feet distance from a school, day care center, preschool, or other facility where children commonly congregate. Where it's not located in that distance, it's determined by the Planning Board to be sufficiently buffered from such facilities.

The site is designed such that provides convenient, safe, and secure access and egress for clients and employees arriving to and leaving the site, using all modes of transportation.

Traffic generated by client trips, employee trips, and deliveries to and from the site, shall not create a substantial adverse impact on residential uses.

Loading refuge and service areas are designed to be secure and shielded from abutting uses.

The buildings and site have been designed to be compatible with other buildings in the area and to mitigate any negative's aesthetic impacts that might result from required security measures.

And the additional Special Permit -- well, that's in section -- I'm sorry, that only applies to MMD-3 and we're MMD-1.

So those are the criteria which we have to find in order to grant a Special Permit.

Okay?

Hugh, did you want to start?

HUGH RUSSELL: Yes.

So I'm focusing in on the very tiny questions here, but I'm concerned about the relationship of this to the new residential building a few hundred feet away. And I'm also unclear about what the land in between this parcel and that building, who owns it? What's its potential use? Would that affect -- my specific concern is that there's a wall pack light located on the end of the building that is a, you know, it's LED down light, wall pack light. But what that does, since I live next to a facility that has wall pack light, it turns the building into a light fixture. The light is all shining on an area of the building which then -- and this is not by any stretch of the imagination a handsome building with elegant materials.

There's -- it's real effort to make it much -- you know, to spruce it up, to do some stuff. But I don't think if I'm living 100 feet away, I want to look at it at night see a brightly lit industrial building. So I think if you are -- if you have to light that area for security, then you should do it in such a way that the light doesn't not fall on the building itself.

Does anybody know what the adjacent parcel is? I take it it's not under control.

TIMOTHY FLAHERTY: Mike Joyce who is the civil engineer.

MICHAEL JOYCE: My name is Michael Joyce from Joyce Consulting Group, civil engineers for the project. The piece of property -- I assume you mean to the south of the existing?

HUGH RUSSELL: Yes, that's correct. Yes.

MICHAEL JOYCE: That's owned by the MBTA.

If I can get the plan up. That -- basically the MBTA owns behind and to the right and south of the existing building. And then to the left is Iggy's Bread. So the MBTA owns everything that's not Iggy's Bread.

HUGH RUSSELL: And do you know if they make any use of that land?

MICHAEL JOYCE: From my discussions with the Conservation Commission, I believe there's an electrical easement across the property and they just recently planted it. I don't think that there's any proposed uses for it as far as I know, but I can't say for sure.

HUGH RUSSELL: So the rendering, then, might describe the proposed use?

MICHAEL JOYCE: Right, yeah, yeah, I would expect it to stay landscaped.

HUGH RUSSELL: Or grow wild or something.

The T's not known for its horticultural skills.

LOUIS J. BACCI, JR.: I think they access that right of way also.

HUGH RUSSELL: That's it for my comments.

H. THEODORE COHEN: Mary.

MARY FLYNN: I just have a question about sort of that medical marijuana world, because where this is a permitted district, and we know that there are users who are looking to site in Cambridge. So if you ended up with two or three facilities in the area, and how do you -- like where, where are the customers coming from? And how do they decide, like, which one they're going to? And then in general, like, how many are needed within a -- within the city, for example?

TIMOTHY FLAHERTY: I guess that's more of a political question than a pragmatic question.

MARY FLYNN: Yeah.

TIMOTHY FLAHERTY: The service area that's, that is contemplated by CAS is a five mile radius from the location at 110 Fawcett Street, which touches pieces of Brookline, Watertown, Arlington, Somerville, and that area of Cambridge. And it's feasible I suppose and hypothetically speaking people could take the Red Line from Braintree to come to CAS if they wanted to to fill a prescription for medical marijuana. But it's unlikely I think.

It's a very good question. How many does the City of Cambridge need? And I suppose everybody has varying opinions on that. This area, according to the, you know, the Special Permit criteria, is not currently being serviced by anyone. As a matter of fact, the only other MM -- the registered marijuana dispensary in Cambridge is the Sage on Massachusetts Avenue.

And it's a very, very rigorous process to get through DPH to get that provisional certificate. So although there's been a lot of interest from other applicants in Cambridge, it's not as easy as just applying and getting approved. There's massive barriers to entry. And the regulatory schemes are very difficult to meet and satisfy all of those burdens. So I understand your concern because I share it and it's a very good question. I don't know what the real answer to that is, but --

MARY FLYNN: Apparently I'm just thinking of also the economics of it. I realize you're not-for-profit but obviously you want to use what, what income you do generate to fund your other use in the cardiac area. And I mean it's -- it really is just kind of my own interest.

TIMOTHY FLAHERTY: I think the market's going to control a lot of this depending on what happens with the zoning regulations in Cambridge and, you know, the aftermath of Question 4, however that plays itself out. But I think one of the people in public comment, you know, they mentioned there's real barriers to recreation -- to the sale of recreational marijuana, and the first is the enforcement of the Federal Government. And with the new administration, with Mr. Sessions being appointed the Attorney General, I think it's low hanging fruit for him. And in a state like Massachusetts I wouldn't be one bit surprised if he swooped in and made a point of prosecuting the first person to open up, even though they're a good faith reliance on a state statute, to prosecute them for a violation of federal criminal law. I wouldn't be one bit

surprised. And I think any person who's interested in patient care and in running a real legitimate bona fide medical marijuana dispensary is aware of all of the pitfalls and the dangers associated with that. In addition to, even in Massachusetts, whatever the tax scheme would be. I don't think that the market really, and this is just me speaking, I don't think that the market is going to bear out to be as profitable as some people think the sale of recreational marijuana will be in Massachusetts based on what I think the tax scheme ultimately will be. So it's a very good question. I'm not so sure I can answer it.

MARY FLYNN: My other comment is on the parking. I know that you don't really have a good sense yet. I mean, you obviously are projecting what you think the demand will be for

parking and it seems reasonable what you're supplying, but I do have concerns with the residential properties nearby, and particularly like on the weekends. Because, you know, from what we've heard at other hearings, there's limited guest parking and things of that nature. I would ask that the Transportation and Parking Department comments related to that, that you do really monitor that and try to -- as we go forward, potentially make adjustments. Maybe that is when the shuttle really does become a reality if it turns out there's not enough surface parking. Because I think we have to be, you know, cognizant of the neighborhood.

TIMOTHY FLAHERTY: Yeah.

MARY FLYNN: And try not to --

TIMOTHY FLAHERTY: And I think we agree with the Traffic Department's assessment. And

we've had discussion about that, and the shuttle. And I know just from personal experience bringing my son to the gymnastics academy and seeing the people using the shuttle from the building, it works. So I think it is a viable transportation alternative. And, you know, who knows where the pedestrian bridge will be in the future and if that happens or doesn't happen, that would alleviate many of those concerns hopefully. But you're right, it is uncharted territory, but I don't think that this particular facility is gonna generate so many transportation trips to cause any sort of a real impact on the existing traffic congestion in that region right now.

MARY FLYNN: Thank you.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: I guess I like Hugh have relatively few and small comments and I was

interested to read the staff memo relative to the architectural detailing of this being worked on at staff level. I rarely disagree with our staff, but I just want to make this observation, that I think the existing building in its vernacular as an industrial building actually is pretty striking in a good way. And that the conversion of it respects the kind of spirit of this vernacular industrial building which marks this neighborhood and history of this neighborhood, I think, in an actually significant way culturally. So it's -- some people might say it's a pig, but I think it's a really elegant pig and I would caution us not to try to put lipstick on it. It's quite striking and taut and I think pretty cool. So don't fuss with it too much. The architect seems to have captured that spirit.

So that's my, that's my one comment

relative to the Special Permit criteria on whether it should fit into the community and the neighborhood. I think it does very, very well and I believe it -- all of the other categories and the applicant has fulfilled the spirit of the building.

H. THEODORE COHEN: Thacher.

THACHER TIFFANY: I guess I'd like -- I'm generally supportive of the project. I'm interested to hear about how the entryway functions. You know, we don't necessarily need to go too far into the building in most cases, but this is such a unique use and it seems like the way you set up the entryways is conventional. If someone can describe that that would be very helpful.

MELISSA PIPER WORTH: I'm Melissa Piper Worth and I'm project director.

Pardon our laptop this evening is being a little finicky.

As you can see in the rendering, in the rendering and also in the existing photographs, there is an existing overhead door at the front of the building as well as a front entry swing door. The plan is generally broken into three different pieces:

The pink at the front is public. Anybody can enter. Anybody that is walking by and needs to seek shelter while making a phone call, can go in the pink area.

The blue area is restricted only to patients that have been able to show their medical marijuana registration card to the receptionist and they're able to enter the facility. Those blue areas are the accessible bathroom, the sales floor area, the entry, and

then the exit at the bottom of the plan.

And then the majority of the plan is restricted access only for staff members only.

So, if you would imagine someone that works at the facility that is a manager, comes to a building that is closed with the overhead door closed, there's a sliding door on the bottom half of the plan over by the entry and over by the staff porch, those are all closed off. Again, a manager will come in through the swing door right by the north arrow and open up that entry area and opening up the porch for anyone from the public that would like to speak.

THACHER TIFFANY: So the porch is not an enclosed heated space.

MELISSA PIPER WORTH: Correct, it is covered outdoor space like a porch.

THACHER TIFFANY: And you've got the bike

racks that are there?

MELISSA PIPER WORTH: Correct.

THACHER TIFFANY: And then you go up to the reception window and hand your card through?

MELISSA PIPER WORTH: Correct. Just to the left of the reception area is storefront glass window. Of course it will have anything that protective glass that we think is very difficult to break into. But at that point that's when a medical marijuana card holder will show their ID to the receptionist. They will then be buzzed into the secure entry, which it's basically an air lock. And then at that point they can discuss with the receptionist any services they need and enter the facility.

THACHER TIFFANY: Got you. That's very helpful, thank you. I don't think I have any comments on that. I mean, this is really beyond

our scope, but I would imagine you'd want that door to swing the other way.

MELISSA PIPER WORTH: Which door?

THACHER TIFFANY: The entry door, the entry into the air lock because if you're --

MELISSA PIPER WORTH: It's technically an egress door so it has to swing out in the case that --

THACHER TIFFANY: No, no, I just meant to have the hinge on the other side so that if you're looking through --

MELISSA PIPER WORTH: Oh, that's a very easy revision.

THACHER TIFFANY: Yeah. It's beyond our scope, really, but just something I observed.

MELISSA PIPER WORTH: Of course.

THACHER TIFFANY: The other thing is I totally agree with Tom on the architecture and

maybe in the relation to Hugh's comments, maybe there's something to do with a better, better light fixtures that can in some extent sort of accentuate of the mill -- that's not mill, the warehouse architecture I guess, and maybe bring the light source a little ways away from the building so it doesn't reflect off. You know, you think of sort of these hood lights that come out of --

MELISSA PIPER WORTH: Of course. Yeah, there's definitely an emphasis on finding that balance between making the area safe at night. So anybody walking passed, you know, is not completely hidden in the dark but also not accentuated the industrial age part of the building.

THACHER TIFFANY: Right.

BERT VINING: And if I can touch on that

as well. I'd be remiss not to comment on our security company who is Lan-Tel who has a Homeland Security contact with the City of Boston and surrounding communities including Cambridge. And so we could put everything in there from gunshot shooter detection system to the latest technology cameras which are able to pick up in low light or no light at all. So we're very sensitive to those needs. We can put in light fixtures that won't be a detraction to the neighborhood in any way whatsoever. We're confident in the ability of our cameras to meet the security needs without any light at all. So we can certainly find that balance as Melissa touched on, and still live up to our commitment to the safest block in the neighborhood.

Thank you.

H. THEODORE COHEN: Lou?

LOUIS J. BACCI, JR.: I like what you did with the building. Also my only other concern was the lighting. Really don't want this glowing beige building to stick out in the neighborhood, but good luck.

MELISSA PIPER WORTH: Thank you.

H. THEODORE COHEN: Steve.

STEVEN COHEN: There's certainly no question about the permit use here. I may have missed one of the e-mails or materials, so I apologize in advance, but could somebody for me or and perhaps for the audience just quickly review the parking and loading? And how many spaces and where? And in connection with that, we're thinking 30 to 40 patients per hour perhaps at a peak and, you know, what your thoughts and assumptions are about what portion of those 30 or 40 would be coming by vehicle versus Mass.

Transit? And also in connection with that, how many employees you will have at any given time on-site? Just a quick summary of that.

BERT VINING: Great, thank you. Well, we also have a provisional license in Somerville, and that facility has over 20 parking spots and a three bay garage. And so we're going to be doing the bulk of our home deliveries out of the Somerville location, and we've also strategized ways to have employees carpool from Somerville into Cambridge in some regards, and as well as we're also trying to hire Cambridge residents. So we hope that the impact to the traffic will certainly be minimal. And we're even gonna try to incentivize somehow have like a green incentive, whatever, to try to, you know, be responsible with their use of, you know, public transportation, walking, etcetera.

So at any given time we expect to have anywhere from six to eight employees on-site. And with that we're anticipating anywhere from 40 to 60 percent will be using public transportation and not driving in. So -- and we've also built in some systems, too, where certainly not on their first visit, and their first visit would be required to learn the rules of road and, you know, operating rules and how we go, sit down with a consultant, discuss the patient's needs, requirements, as well as the services and products that we offer. However, on their second subsequent visits, we're going to try to have a speed line or a speed pass where they could be quickly in and out. So hopefully the eight parking spots that we requested will be granted and that that will be more than sufficient for our needs.

So, when we combine the fact that we're gonna have first of employees will be to Cambridge residents, and we're really going out of our way to thank the community for having us there by having Cambridge residents working with us. And as well as other mitigation measures that we put in place such as joining the Alewife Transportation Association and trying to get a bus stop in front of our spot. We're putting in Hubway. We're doing all of these different things to try to, again, be the best neighbor we can to the City of Cambridge. And we believe that what we've requested will be sufficient.

And I hope that's answered your question. If not....

STEVEN COHEN: It hasn't fully allayed my concern but it's answered my question.

H. THEODORE COHEN: Well, Joe is here we

can ask him about questions about traffic and parking.

STEVEN COHEN: Yeah, I'd guess I'd like Joe to tell us he has no concerns.

JOSEPH BARR: That seems like a leading question.

STEVEN COHEN: I missed that memo.

HUGH RUSSELL: He's got an elaborate analysis full of recommendations.

JOSEPH BARR: Do you want it now?

STEVEN COHEN: Do you want to go through that?

H. THEODORE COHEN: Joe, if you could briefly, you know, summarize for us and for Steve, you know, what some of the issues.

STEVEN COHEN: Yeah, I apologize.

H. THEODORE COHEN: That's all right. Sometimes the e-mails come fast and furious.

JOSEPH BARR: Sure. And I was trying to be brief. Joseph Barr, Director of Traffic, Parking and Transportation.

I guess as we alluded to in our memo, you know, this is a use that we obviously don't have a lot of experience with and therefore and I'm not, you know, the expert on the whole zoning aspect of this, but certainly the parking. Both vehicular and bike parking, is, you know, sort of up as a discretion to the Board because we don't really know exactly how this plays out in different locations. We certainly expect like with the Sage location to see relatively small trip generation, but even for a location like this we would not expect a huge amount of trip generation just because, you know, it's a relatively limited number of potential customers as was described. You know, the first visit

might be more lengthy, but subsequent visits presumably will be quicker. And also there's a substantial home delivery component to this we think, and particularly for some of the users who may have mobility limitations or just part the reason that they're looking for medical marijuana product, may also mean that they're not as able to get out of the house as much, that the home delivery would be important as well. And since the applicant has committed to doing the home delivery activity from their location in Somerville, which actually if you look at, I don't know the exact address, but when we talked about it from them, that it's actually probably closer to most of Cambridge in this location and even from a, you know, vehicle miles travelled perspective it's probably a better location than this for home delivery. So I don't think we

expect to see huge amount of trip generation. We believe that the parking is sufficient based on what we know. And I think part of why we put in a fairly strong monitoring component in our suggested mitigation is because it's an opportunity to find out, you know, more about this use. And, you know, presuming that this is a use that continues to grow, we'll be able to use that for a better planning going forward both here and elsewhere around the area.

So, you know, I think like I said, we don't have any significant concerns about trip generation. I think the proponent has committed to, you know, some good TDM measures as well as some good additional mitigation measures, and so I think when you put that all together with the use, we believe that this should be pretty straightforward. It won't have any significant

transportation impacts. Again, we're going to have to keep our eye on this. And I certainly, you know, I am happy to hear -- and the applicant and noted this before that they don't have any intention of turning this into a, you know, non-medical dispensary regardless of what happened locally and federally, but that it would remain as a medical facility.

So, and I think just to go back to Hugh's question about the land use, the -- this is the site immediately to the south is being discussed not in any sort of official or not -- I shouldn't say official. Any kind of final way as the one of the landing sites for the bridge.

And then this MBTA right-of-way that kind of cuts diagonally across the area starting from this location as being discussed as a potential pathway in the more distant future. So I

wouldn't anticipate that there would be any development occurring there, it would be more of a transportation use, not just MBTA railroad use.

So I don't know if that answers your question or gives you the assurance you were looking for. I don't want to overstate how certain we are only because it's a new use and we don't have a ton of -- well, we have zero experience with it to be honest. And, you know, we believe based on the analysis that the -- we did our own evaluation of this it's not going to be a problem. I just don't want to say this too definitively because we don't really know for certain, so just being honest. I wouldn't have any sense that we have any serious concerns about it. I don't want to overstate what we know and don't know.

STEVEN COHEN: I hear you. I think all

involved are making optimistic assumptions here, which hopefully will be warranted and time will tell and we'll learn.

JOSEPH BARR: Yeah, and we're actually, as we stated in the memo, we're actually hopeful that the parking demands will be even lower than anticipated and maybe some of that parking can be returned for some other, you know, for a more of a, you know, outdoor area or something like that in the future. So we don't know that. And we're just taking our bets and, you know, at the Board's discretion if they want to give the applicants some flexibility in that respect, again, the parking ratios are not defined because we don't sort of know, we don't know yet what's gonna happen.

STEVEN COHEN: Right. Thanks.

JOSEPH BARR: All right? Any other

questions?

(No Response.)

JOSEPH BARR: Great, thank you.

STEVEN COHEN: Mr. Chair, could I just ask one peripheral question.

H. THEODORE COHEN: Sure.

STEVEN COHEN: Frankly, I don't think bears directly on this application, but my recollection of the general Marijuana Ordinance is something to the effect that wherever medical marijuana is permitted is that the recreational use of marijuana us be permitted as well? Is that the case?

H. THEODORE COHEN: I believe that's Question 4 says.

STEVEN COHEN: Yeah.

H. THEODORE COHEN: In this particular location it's already allowed. We were

discussing that in, I think there was another proposed zoning amendment, and we -- I think we decided to continue that hearing to see what happened with Question 4 and what might come out of it.

STEVEN COHEN: Yeah.

I'm just trying to think it through. Is there anything that we could or should be thinking about in that connection as we review an application like this? Or do we simply review this application on the basis of how it covered the ordinance and let the chips fall where they may in the future?

H. THEODORE COHEN: Well, I think the City Solicitor has already rendered an opinion about the potential impact of Question 4. This was before the ballot question. If I were to just guess, I would say that since this is

already a zoning district which allows it, whatever we did with regard to this particular Special Permit, would probably have no impact whatsoever on what the ultimate impact of Question 4's language would have.

STEVEN COHEN: Assuming for a moment that we grant the Special Permit, it is only for medical marijuana under this ordinance, and if in fact the General Laws provide broader rights, you know, that grant of right is independent of anything that --

H. THEODORE COHEN: Right. The City will have to deal with it.

JEFF ROBERTS: Mr. Chair, I'll just provide a little bit of clarification on this point. This is a topic that we're going to continue to discuss I'm sure over the better part of next year.

The ballot initiative that was approved states that -- well, a couple of things:

One, is I think it was previously mentioned by the applicant. That there is a provision allowing for what they called experienced marijuana establishments to convert to sales to any adults over, you know, 21 or over. What that means in relation to Special Permits that have been granted, specifically authorizing only medical marijuana is a question that we'll need to, we'll need to get into.

The secondary question, it actually says that in a city cannot prohibit a marijuana establishment in an area where a medical marijuana treatment center has been registered to operate. So it does seem to be tied to not, not necessarily the zoning that was created but the registration of particular medical marijuana,

what it calls medical marijuana treatment centers. And exactly what is meant by area is still a bit of a question. And, again, because Cambridge has a Special Permit provision requiring that it doesn't allow it as a yes or no by-right use but a conditional use requiring a Special Permit for the Planning Board, there will still need to address the question of how that, how that applies. You know, there was discussion at the last time the City Council took this up about are there things that can or should be done to limit clustering of these uses? And especially with looking at medical and non-medical marijuana establishments potentially in the same area, that's one of the topics that will need to be explored. But the law seems to suggest if an establishment exists, there is some provision that relates to other establishments

and how, and in some way they can't be sort of outright prohibited I think, and whether they can be conditionally allowed in some way is still something we'll need to think about.

H. THEODORE COHEN: Do you have further comments?

STEVEN COHEN: No, I'm good.

Thank you.

H. THEODORE COHEN: Okay. Well, I had a couple of questions and comments.

So, Jeff, following up on that brief summary. So there had been a proposal to rezone the area around Smith Place to allow medical marijuana dispensaries, I guess. And that was a rezoning petition. So if it were to be allowed, it would still then require an application for a Special Permit, correct?

JEFF ROBERTS: That's correct. The

proposal was to expand this district, the MMD-1 district to include some additional sites. I believe that's -- I'm not sure if -- I don't recall if the petition expired, but it was held in the Ordinance Committee. If that were to pass, then -- and another dispensary operator would have to apply to the Planning Board just like this application, the Planning Board would have to assess the same question whether it's providing additional needed service or whether the service at that point would be duplicative in some way or whether it's necessary. So that's, that would be a consideration.

H. THEODORE COHEN: Right, but this is the first proposal before us. Well, there was a proposal on the Special Permit for Sage, but this is the first proposal for a Special Permit in this particular area of Cambridge?

JEFF ROBERTS: That's correct.

H. THEODORE COHEN: Okay.

You know, I too had some questions about -- while it is a district where it allows it the fact that there have been so many residential -- developed, so much residential development in the immediate area and proposed residential development, but I was impressed by reviewing the community outreach comments that were provided that the proponent has spoken to I think the residential developments. They seem to all be on board with this, and certainly no one has appeared at this public hearing from one of these locations to register any opposition to it.

I had some questions about the design influence by staff's memo, although I think Tom's comments are persuasive and, you know, the parking still seems to be an issue, but, you

know, Joe's provided us with a quite thorough memo on the issue which leads to a question for the proponent: Have you seen this memorandum?

BERT VINING: The traffic one?

H. THEODORE COHEN: For the traffic and parking?

BERT VINING: Absolutely.

H. THEODORE COHEN: And the memo indicates certain conditions --

BERT VINING: Absolutely.

H. THEODORE COHEN: -- that should be attached to the Special Permit. Are you agreeable to all of those --

BERT VINING: Absolutely. They've been great to work with and we really appreciate the opportunity to work with them. There's pushback on both sides and we're very comfortable with everything in there.

H. THEODORE COHEN: Okay.

BERT VINING: We feel that lives up to our commitment to be the best neighbor and partner with the city.

H. THEODORE COHEN: Okay.

Well, I certainly personally have been in favor of registered medical marijuana facilities in commercial districts, and this is certainly in an area where it's been zoned for it. And I think all of my concerns have been allayed by Traffic and Parking. And I guess DPW feels that the floodplain issues can be addressed. So I have no further comments.

Are we prepared to move forward with this now? Is there any additional information people are looking for?

IRAM FAROOQ: Mr. Chair.

H. THEODORE COHEN: Iram.

IRAM FAROOQ: I think I'm going to speak.
My hand raising is slower than usual today.
There were a few parts that came across the
Board's discussion I wanted to mention.

One of course what Joe touched on about
the -- it was just a point of information about
the MBTA land, that that will at some point be
more, we hope in the future ones the pedestrian
bike bridge is done, that will have more people
along it, so it will be a more populated area.

The -- that is the most optimal in our
analysis so far, location for landing and then a
connection to Fawcett. Which shouldn't make a
difference to your decision, but just as a point
of information.

The second is the question about
lighting. And as you heard some of the
discussion on the lighting ordinance previously,

there is definitely a concern about light trespass which people don't necessarily think of ahead of time, so I think it may be worthwhile for the proponent to think about meeting those guidelines and admitting -- I mean, they're not requirements yet, but to treat them as guidelines and try to meet those limitations to light trespass and making sure that they're cut off fixture so that they're not illuminating the sky.

And just I think the final thing related to what Jeff was saying, it is -- this is an evolving discussion and our Law Department in following it with Mass. Municipal Lawyer's Association who are also thinking about what the ramifications of the new Question 4 changes are going to be, but they won't really become clear for a while. But in the meantime we are getting together an internal working group with, you

know, our zoning staff from CDD, Inspectional Services, Law Department, as well as our Public Health Department to make sure that we are tracking all components of it in a coordinated way so that as soon as we have more information, we can start transferring that to the Board as well.

So those were my things.

H. THEODORE COHEN: While you're there, I have a question about the bridge. So, I know we've been talking about the bridge for years and years and years.

IRAM FAROOQ: Yes.

H. THEODORE COHEN: If it were ever to come to fruition, what is the earliest you think this might happen or the most reasonable time frame in which it might happen?

IRAM FAROOQ: I would say it's -- I would

think if it as long term because as a long-term proposition we are currently what we've done is more in the nature of conceptual design. We are trying to currently utilize funding that we have gathered from various developments, but we need to supplement that with some to advance the design to -- 25 percent design which can then be utilized at the state and federal level to try to, try to get funding. So that's kind of a baseline. And so as you can imagine, it's a, it's not always clear how long gathering funding. I mean, this could be, depending on how the bridge, whether it's just a bike/ped bridge or whether we're able to do a commuter rail station at the same time, there's a lot of coordination. The City, MBTA would have to be involved. There would have to be -- there are fairly complex negotiations which would have to be undertaken

because of easements. There are utility easements that exist which may or may not facilitate bridge easements because they're going to need to be expanded in any case. So it is a complex process. I would say definitely -- I would not be thinking shorter than five to ten years, that I think is a realistic assumption.

H. THEODORE COHEN: Okay. Thank you.

Lou? No?

So the criteria that we have to meet is one that it's located in a certain area that does not have reasonable access to medical marijuana.

JEFF ROBERTS: Mr. Chair, I just wanted to -- there were a couple of technical points that I wanted to raise. It came up a little bit in the materials and I just wanted to put it out there before the Board proceeds with this because it's a little -- it creates some potential

technical snags.

So first of all, just aside from the Medical Marijuana Special Permit, this is a Flood Plain Special Permit due to the work being done within the floodplain area. And the requirements for the floodplain Special Permit, I'm sure you'll get to those criteria, include that a, that the plans we sent to the City Engineer and the Conservation Commission and the Planning Board receive a report or would have to wait 45 days on -- and not having received a report before making a decision.

In this case the Public Works Department has come -- the City Engineer has come back with a comment. That same comment goes to the Conservation Commission. And I don't know if the applicant, because I don't have this information, can let me know what the status of the

Conservation Commission's review is.

MICHAEL JOYCE: We're on the agenda for December 12th, but I have met with the conservation agent Jen Letourneau, and I believe she said that she had included a comment in the DPW letter at the end of it as part of their letter incorporating -- she left me with the impression today that she was confident that the project would be approved pending the Commission's obviously hearing of it. So she wouldn't say definitively obviously, but that was the impression I was left today.

JEFF ROBERTS: Thank you.

And the other piece of this, and this was mentioned in the Traffic and Parking memo. I know the Board received that a little bit later than usual, but the because this is creating parking spaces on a location that's not currently

registered for parking spaces, it triggers our parking and transportation demand management requirements. And while they have begun that process of submitting and receiving approval for a PTDM plan, that Ordinance states that Planning Board Special Permits would not be issued until there is an approved PTDM plan. Sometimes the Board will, knowing that the process is underway, and this is simply a matter of time, will conclude the findings and make a decision, and we may hold it and have the Chair, have that included and stated in the conditions and then wait before having the Chair sign and final decision until those technical details have been resolved.

I just wanted to put that information before the Board. If the Board decides to proceed, you should just be aware that we make

sure we follow that process.

H. THEODORE COHEN: All right, well, to take them in order.

So the floodplain issue and the Conservation Commission, are you suggesting that we cannot proceed until we've received the report from the Conservation Commission or 45 days have elapsed?

JEFF ROBERTS: I'm actually -- based on what was said, I'm looking at the City Engineer's report to see if there was a comment included from the Conservation Commission. I don't see that communication in there. But it's been -- it's sometimes been the case if there -- because it's an application that's in two places at once, if the Planning Board were to make its decision pending that approval from the Conservation Commission, that's something that we've allowed

to happen. We want to make sure procedurally that we're, in terms of how we record the different permits and decisions, that we're following the correct order. So that's just something that I think that the -- if the board members wanted to put that as a condition of the findings and the decision as being made tonight, then we can make sure it's processed appropriately.

HUGH RUSSELL: I personally would be more comfortable if tonight we would vote to have a decision prepared, make our findings, but not actually vote on that decision until these precedent actions have happened. Since we meet so frequently, it's not a hearing process.

H. THEODORE COHEN: That's what we're doing with the next hearing.

MARY FLYNN: Right.

H. THEODORE COHEN: And do board members feel comfortable with that?

(All Board Members in Agreement.)

H. THEODORE COHEN: Why don't we quickly go through the criteria to make sure that staff has all the information they need to draft findings and be prepared.

And I guess, Liza, do you have any timing issues with this?

LIZA PADEN: No, this is the first night, so the 90 days starts today.

H. THEODORE COHEN: Okay.

LIZA PADEN: We could announce a date certain and then know when the decision would be finally voted. We could put that on the calendar right now if you want.

H. THEODORE COHEN: Well, could we know a date certain when we're still waiting for

Conservation?

LIZA PADEN: Well, the Conservation is meeting on December 12th and they should have their report.

UNIDENTIFIED MEMBER THE AUDIENCE: Excuse me.

H. THEODORE COHEN: I'm sorry.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:
May I?

H. THEODORE COHEN: No, you may not.

LIZA PADEN: And the PTDM, I talked to Stephanie Groll today and she expects that to be, you know, by the end of the year.

H. THEODORE COHEN: Okay. So sometime in January ought to be doable if that fits in with the rest of staff's schedule for preparing things.

LIZA PADEN: Well, we could put it on the

agenda for either January 3rd or January 17th.

H. THEODORE COHEN: Why don't we do the 17th to give you a little bit more leeway.

LIZA PADEN: Okay.

H. THEODORE COHEN: Okay.

So if we can go back to criteria.

TOM SIENIEWICZ: That's the summary.

H. THEODORE COHEN: Okay, great.

So first is the location shall serve an area that currently does not have reasonable access.

TOM SIENIEWICZ: Okay.

H. THEODORE COHEN: I have to do all of them. To medical marijuana.

Are we all in agreement?

(All Board Members in Agreement.)

H. THEODORE COHEN: That's complied with.

So what we didn't talk about, location.

I think -- so it has to be at least 500 feet distance from a school, daycare center, or after school facility in which children commonly congregate.

My recollection is that is true except for the fact that there is a daycare center across the railroad tracks in, I don't remember which building.

TIMOTHY FLAHERTY: Mr. Chair, it was at the Apt and they've moved over to New Street.

LIZA PADEN: No, there's a daycare center on CambridgePark Drive.

TIMOTHY FLAHERTY: Oh, I didn't know about that.

H. THEODORE COHEN: Right. And I believe that's within 500 feet.

LIZA PADEN: It is.

MARY FLYNN: Across from the commuter

rail.

LOUIS J. BACCI, JR.: Wait until they get the bridge.

STEVEN COHEN: Ten years.

H. THEODORE COHEN: So can we -- are we willing to say it's sufficiently buffered from such facility so use will not be adversely impacted?

HUGH RUSSELL: Yes.

TOM SIENIEWICZ: Yes.

H. THEODORE COHEN: Okay.

Site and design provides convenient, safe and secure access and egress for clients and employees arriving into and leaving from the site.

TOM SIENIEWICZ: Yes.

H. THEODORE COHEN: Traffic generated should not create a substantial adverse impact on

nearby residential units.

TOM SIENIEWICZ: Yes.

HUGH RUSSELL: With the conditions.

H. THEODORE COHEN: With the conditions.

MARY FLYNN: Yes.

H. THEODORE COHEN: Yes. I assume all the conditions from Transportation and Parking's memo will be incorporated and will be conditions to the Special Permit.

MARY FLYNN: Yeah.

H. THEODORE COHEN: Loading refuge in service areas will be designed to be secure and shielded from abutting uses.

Yes?

And the building and setting designed to be compatible with other buildings in the area to mitigate any negative or aesthetic impacts that might result from required security measures.

So whether it's -- I'd say whether it's compatible or not, it is -- the existing building, it's making use of a vernacular of the building and so I learned something.

LOUIS J. BACCI, JR.: That's right.

STEVEN COHEN: That's one way of putting it.

H. THEODORE COHEN: Yeah. A rare occasion.

And that with regard to lighting, we will recommend that the lighting is -- follows the guidelines. You know, if the lighting ordinance adopted at some point, but if not it, that it will follow the guidelines that are currently being considered in the lighting ordinance.

So those are all the requirements for the Medical Marijuana Overlay District.

The requirements about the Flood Plain

Overlay District are that no encroachment of the floodway or displacement water retention passage is allowed unless fully offset.

I think we have a memo from DPW that they expect that to be complied with.

Floodwater system shall not cause nuisance, hazard, or detriment to the site or abutters. I think that's still part of the DPW memo.

Development is consistent with zoning areas, points of applicable laws including Wetlands Protection Act.

So it is before the -- will be before the Conservation Commission and presumably they will determine that it is in compliance in order to, in order of conditions. If not, then they will be -- we will not be going forward with the Special Permit.

HUGH RUSSELL: So is the proposed ground floor elevation of the building above the current floodplain?

MICHAEL JOYCE: It is.

HUGH RUSSELL: But it's not necessarily above some of the City's projections of what might happen?

MICHAEL JOYCE: It's not. However, all of the mechanicals are gonna be placed above those elevations.

H. THEODORE COHEN: And that also review by City Engineer Conservation Commissioner required. And that will be ongoing.

HUGH RUSSELL: Right.

H. THEODORE COHEN: And then we have the normal Special Permit criteria in 10.43 which we're all pretty familiar with, and we don't have any problem with any of those.

Jeff, is there -- and so then obviously all the conditions that are proposed in Joe's memo would be conditions.

Is there anything else you need from us?

JEFF ROBERTS: No. Just, again, it's I guess Hugh was mentioning a vote to authorize, prepare that decision for a final review and approved by the Planning Board on January 17th.

H. THEODORE COHEN: Right. That this hearing will be -- that we would close -- I suggest that we close the public comment portion of the hearing and that if matters continue until January 17th, at which point we'll review proposed findings. And assuming that we have heard back from Conservation Commission and maybe from the City Engineer or anyone else that needs approval we need to receive, we will proceed with the vote at that time.

HUGH RUSSELL: And indeed the draft it might incorporate response to those comments --

H. THEODORE COHEN: Yes.

HUGH RUSSELL: -- for us to.

H. THEODORE COHEN: If need be.

Okay, thank you all. We are continued until January 17th.

TIMOTHY FLAHERTY: Thank you.

H. THEODORE COHEN: We'll take a five minute break now and we'll get set up for the next hearing.

(A short recess was taken.)

H. THEODORE COHEN: All right, we are back in session and perhaps somebody can open the doors so that it will be a public hearing.

This is a continuation of Special Permit for 605 Concord Avenue, pursuant to Section 19.20 Project Review, reduced setbacks at the building

for on grade parking, for increase in floor area, for a waiver of yard setback requirements, for height increase, for reduction in open space, and the Special Permit criteria for construction of Phase II.

So this matter was continued to this date for staff to prepare proposed findings for us to review and ultimately vote upon.

So, we were all given proposed findings and conditions last week and we can run through them quickly or do members have questions they wish to ask of staff at any point?

(No Response.)

H. THEODORE COHEN: So under -- for the Project Review Special Permit in Section 19.20 there are traffic impact findings which need to be made.

The proposal refers to the traffic impact

study and the review by Traffic and Parking in its memo of October 17th.

Does anyone have any issue with the Traffic and Parking findings?

(No Response.)

H. THEODORE COHEN: And then there are a series of findings relating to the urban design of the building, which there are significant comments primarily referring to the residential and retail nature of this site and how it fits in with the shopping center subdistrict and how it fits in and improves pedestrian and bike and other landscaping matters in along Concord Ave. and the Concord/Alewife district.

Are there any questions, comments about these particular findings?

(No Response.)

H. THEODORE COHEN: And then there is a

Special Permit to increase the FAR and height and waive yard requirements in the Alewife Overlay District. Again, the Planning Board has the power by Special Permit to do all of these things and proposed findings, talk about how in each instance this makes for a better design and a better project. And the only comment I have is in with regard to maximum permitted height where by Special Permit we can grant a height of up to 85 feet provided that the area between 55 feet and 85 feet is limited to 10,000 square feet. And my understanding is that is correct in this situation. I just like to have the reference made that that is the case.

So does anyone have any other comments with regard to the waiver of the FAR or the height or the yard requirements?

(No Response.)

H. THEODORE COHEN: No.

And there's also the Concord/Alewife plan goals for the Quadrangle and indicates how they comply or why they're not applicable in any instance.

And then the next one is the Special Permit to reduce the green area open space in the front yard in the Parkway Overlay District pursuant to Section 20.63.7 which ultimately is the correct site. The only comment I have, again, is that there is -- that the Ordinance is quoted, and the Ordinance actually has a typographical error in it, and that the decision include the typographical error with the sic notation. Staff was very adept at changing it to the correct citation, but I think where we're quoting we need to quote it accurately.

And then there is a Special Permit to

reduce on grade open parking facilities, which, again, it indicates that this will ask for more sufficient parking layout and is appropriately screened from the streetscape and won't be a hazard.

Does anyone have any problems with those proposed findings?

(No Response.)

H. THEODORE COHEN: And then the last one is the general criteria for issuance of a Special Permit. Don't have any issues with those.

There are then proposed conditions, and they're basically are what was our standard conditions and also comments from Traffic and Parking in their memo. I just mentioned with regard to the TDM program, there are a couple of places where it refers to the property owner shall do this, and I think it should -- that

should be changed to the permittee which in all our decisions refers to any subsequent successor in interest.

I guess the only other kind of -- I'm fine with -- only other comments I have -- questions really I guess for I guess Jeff, does there need to be anything in the decision relating to the balconies in Phase I or is that simply encompassed by the plans that are referenced in the decision?

JEFF ROBERTS: Well, the plans have been submitted. I'm looking to Liza to confirm if there are provisions in the application materials that cite the special, the previous Special Permit which the number is escaping me.

H. THEODORE COHEN: 319.

LIZA PADEN: No, that's this case. He's talking about --

H. THEODORE COHEN: Yeah, the earlier one.

HUGH RUSSELL: So we're going to need an amendment from the earlier one?

H. THEODORE COHEN: Pardon me?

HUGH RUSSELL: We'll need an amendment from the earlier one to add balcony?

H. THEODORE COHEN: Well, it referenced -- the application referenced some revisions to the earlier Phase I.

ATTORNEY JAMES RAFFERTY: Right.

Right. In this application the lot area has been expanded to include both sites. So the FARs and the dimensional requirements are addressed now collectively in the initial -- in the first Special Permit they didn't have control of this site so it doesn't feel like we would need to amend the prior Special Permit in that

the FARs that are approved in this Special Permit include the areas on the balcony and the original building.

H. THEODORE COHEN: But I guess --

HUGH RUSSELL: So effectively we're saying this entire Special Permit is an amendment to be thought of as an amendment to the earlier one.

ATTORNEY JAMES RAFFERTY: It could be, yeah.

HUGH RUSSELL: And under that kind of thinking to me it's an interesting question. This is something we would -- this is a good thing that they're going back and enhancing --

H. THEODORE COHEN: Right.

HUGH RUSSELL: Will earlier project. It's going to be managed and thought of as one project ultimately. It's sort of a phasing

issue.

H. THEODORE COHEN: I mean the notice says the project will also include minor expansion and modification of the existing Phase I project at 601-603 Concord Avenue.

ATTORNEY JAMES RAFFERTY: Right. I mean with the exception of PUD districts there really isn't a separate mechanism for amending a Special Permit. Right? It's a successor or subsequent Special Permit. So these are companion Special Permits. They're sequential. I don't think the underlying authority in the earlier Special Permit is what gives that building the ability to -- the current building to be there in the form that it's in. And these later revisions of the balconies and all of that are authorized by the, this successor petition, the application.

HUGH RUSSELL: Is there language in the

decision that makes that --

H. THEODORE COHEN: No, that's what I'm -- that was my question. There is no language in this decision except in the paragraph where it says application, it says the proposal also includes the addition of balconies in a residential management office to the Phase I building. And so my question to Jeff was whether -- I mean, we don't have it here, but there will be another page prior to the findings that list all the documents that are more in the substance for the findings. And I think the conditions say the project plans hereby approved by the Planning Board are those dated September 6, 2016.

So if those plans show the modifications to the balconies and the new office, that that's was my question, was that sufficient?

JEFF ROBERTS: So let me try this again because it maybe took me a few minutes of hearing that to jog my brain to what we should be thinking about.

So a major piece of this Special Permit is project review. There are other provisions about FAR and height and everything. But project review sometimes forces you to think about what exactly is the project that's being reviewed. In most cases it's a new building, but in some cases it's an expansion to a building or some, you know, other enlargement or change of use. And so I think what's -- the way we're looking at this, and it's a matter of how this project that's being reviewed is defined. So it's the new building and it's the addition to -- additions to the existing building that are being contemplated as a new project. It is -- it's a little strange

to think of a project as a building and then some kind of balconies stuck on another building, but it is reasonable that under a project review, a project could be an existing lot that has expanded floor area.

H. THEODORE COHEN: Okay.

So that brings us back to my question which is do the September plans reflect the changes to these balconies --

ATTORNEY JAMES RAFFERTY: Yes.

H. THEODORE COHEN: -- and inclusion of the whatever the office is?

JEFF ROBERTS: They are represented on the plans that were submitted, yeah.

H. THEODORE COHEN: Okay.

So then you think that is sufficient?

JEFF ROBERTS: It may be a point that should be clarified in the approval piece of the

decision, that the approval for the project includes the new structure and the added balconies and management office to the existing structure.

H. THEODORE COHEN: Okay, fine.

ATTORNEY JAMES RAFFERTY: Mr. Chair, I was going to go -- make the suggestion that, you know, an affirmative statement to the effect acknowledging that the application involves the combination of this lot with an existing lot containing a multi-family building approved and Special Permit such and such. I don't think that reference would hurt anybody, least of all the person who has to write a zoning opinion.

H. THEODORE COHEN: No, right. I'm not opposed to that. I just want it to be clear.

ATTORNEY JAMES RAFFERTY: That's an excellent idea. I wish I thought of it because

I'm supposed to think of these things. I guess I was thinking you read my mind.

HUGH RUSSELL: And so I have a related question. Are the ownership of the two parcels in identical ownership and could be they be owned by separate parties at sometime in the future?

ATTORNEY JAMES RAFFERTY: Yeah, I think the current ownership is separate.

PHIL TERZIS: Two LLCs.

ATTORNEY JAMES RAFFERTY: As the Ordinance allows for, we have ownership certificates from both owners and they've combined the lots for purposes of this building.

H. THEODORE COHEN: We are actually also modifying Phase I with regard to the TDM requirement.

ATTORNEY JAMES RAFFERTY: Right. And there's also, you'll recall, garage changes. We

were going to connect the garages and remove the stairway in the garage and the head house that's there now. So there are some --

H. THEODORE COHEN: Yeah, I think some general statement about how this impacts with the other decision in 269.

ATTORNEY JAMES RAFFERTY: And Mr. Terzis reminds me that site improvements on the existing building in terms of landscaping and patio work that's set forth in the plan and approved as part of this Special Permit. So I do think the decision would benefit from an acknowledgement of the relationship between the two permits and the two buildings.

HUGH RUSSELL: So, any reference to drawings would indicate that to the extent that there are --

H. THEODORE COHEN: Changes from 269 they

supersede that.

ATTORNEY JAMES RAFFERTY: Fine.

H. THEODORE COHEN: And then one last question which I guess I just saw DPW's comments today. Was there anything in the DPW's comments that need to be incorporated into this? Or is that, is it everything that they required simply something that gets what they do?

HUGH RUSSELL: I think it's in general that's -- they comment on what they're, what they're going to require of the project.

H. THEODORE COHEN: Right.

HUGH RUSSELL: Rather than what we have to require.

H. THEODORE COHEN: Right. That was my question. Was there anything that we needed to say we incorporate by Special Permit or just --

HUGH RUSSELL: Just list their --

H. THEODORE COHEN: -- subject to the DPW's approval.

HUGH RUSSELL: -- letter in the documents we've received.

JEFF ROBERTS: Right, so this is -- yeah, I'm just reviewing it now. I believe the comment doesn't -- it does include some -- it calls it recommendations, but these are items that would be incorporated in the DPW's standard review of a building permit in this area. So the Board doesn't necessarily need to incorporate them, although, you know, the Board could refer to it or take any points from it that the Board felt was important to reiterate a decision. But we don't always do that and it's not necessary.

H. THEODORE COHEN: Okay. If you feel that this is their jurisdiction and the fact that this is subject to meeting all the requirements

of Traffic and Parking and all other entities of the city, applicable entities of the city, that these are things that will be picked up by them.

ATTORNEY JAMES RAFFERTY: I think there's a practical benefit, Mr. Chair, of doing it that way, because if it's set forth explicitly in the decision, oftentimes in the construction document phase the engineers --

H. THEODORE COHEN: They change something.

ATTORNEY JAMES RAFFERTY: -- there may be an adjustment. And they say, wait a minute, we're tied to this. They say we need DPW to sign off an approval to get the Building Permits and so the recommendations will in all likelihood find their way into the building permits.

H. THEODORE COHEN: That's fine.

Okay. Would somebody like to make a

motion that we grant the Special Permit subject to the findings and conditions in this draft as modified by our discussion?

MARY FLYNN: So moved.

H. THEODORE COHEN: Is there a second?

LOUIS J. BACCI, JR.: (Raising hand.)

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: It's unanimous.

(H. Theodore Cohen, Russell, Flynn, S. Cohen, Bacci, Tiffany.)

LIZA PADEN: I wanted to ask the Chair if they were willing to take up the extension for the MXD case since their attorney is here and I don't think -- are you staying for North Point?

ATTORNEY JAMES RAFFERTY: Not if I don't have to.

LIZA PADEN: So we have a letter from

Mr. Rafferty representing Boston Properties to extend the deadline for the public hearing and the decision of the Planning Board case No. 315 until January 31, 2017.

H. THEODORE COHEN: And my understanding of the need for this is because we had quorum issues --

LIZA PADEN: Right.

H. THEODORE COHEN: -- and we're starting the hearing all over again two weeks from today?

LIZA PADEN: Right.

H. THEODORE COHEN: Anyone have any opposition to the extension?

HUGH RUSSELL: We have to vote it, right?

H. THEODORE COHEN: Yes, we do.

LIZA PADEN: Yes, please.

H. THEODORE COHEN: All those in favor of granting such an extension?

(Show of hands.)

H. THEODORE COHEN: Again, unanimous.

Thank you. Go home.

(H. Theodore Cohen, Russell, Flynn, S. Cohen, Bacci, Tiffany.)

H. THEODORE COHEN: And now, Liza, we have another matter of General Business?

LIZA PADEN: Yes, they have to bring in their model. So it's going to take a second.

H. THEODORE COHEN: All right. We'll take another two minute break.

(A short recess was taken.)

H. THEODORE COHEN: Okay. We are back and now we have General Business which is a design review of North Point building J/K and the landscape and design review for the Baldwin Park. Please.

MARK JOHNSON: My name is Mark Johnson.

I'm director of Divco West. I wanted to begin by thanking you and thanking to the Board for the approval of the North Point guidelines at the last meeting. We've worked extremely hard with staff over the past six months with the guidelines, and I want to thank Suzannah and the rest of the CDD staff for their efforts.

Tonight's presentation is an outgrowth of that effort. I'd like to introduce the team with me tonight, John Sullivan and Nicole LaBossiere from Divco West. Anthony Galluccio. Kishore Varanasi and Chris Leary of Jacobs, and Chris Matthews of Michael van Valkenburgh Landscape Architecture.

We're here tonight to ask for your design review approval of the first commercial building at North Point. And it's a lab building on parcel J/K. And also for your approval of the

open space of Baldwin Park which is adjacent to parcel J/K. As you know, North Point has been very successful in developing housing, however, it has been far more challenging to attract commercial tenants to North Point. In order to have mixed use commercial components of the development. Divco West has committed to spending over 100 million of building roads and utilities and parks. And when the City of Cambridge asked developers to step forward and contribute to the Green Line, Divco West was the only private party to do so. Divco West made these commitments in advance of signing any leases with any commercial tenants. Now Divco West has made a strategic decision to proceed with construction of the J/K lab building on spec before signing any commercial leases. And this is a significant financial commitment for our

company and it speaks to our confidence in North Point.

For our first commercial lab building, Divco West hired Jacobs as the architect. Jacobs is well known in the local Cambridge life science market and is the best architect for lab buildings. Jacobs understands the complicated needs of lab tenants and can deliver spaces that meet those needs. And while the inside needs to attract commercial live tenants Jacobs also understands the needs for the exterior of the building to fit within the North Point master plan and to adhere to the North Point design guidelines.

With that I'd like to introduce Chris Leary of Jacobs. And after he speaks, Chris Matthews of MVA will talk.

CHRIS LEARY: The images up on the screen

here give you a sense of what could go on inside the building. These happen to be some examples of our client works for Cambridge-based companies that range from global companies like Novartis to small venture backed companies like foundation Medicine and launch pads of our economy of lab central. The building's assigned to flexibly accommodate a number of uses, but this gives you a sense of what could go on inside the building.

We understand first and foremost that this building block J/K is the first realization of the public realm of this part of the North Point master plan. So the presentation will focus largely on the outside of the building.

The new block J/K sits at the terminus of a very important allay of trees and retail space along North First Street coming up from Lechmere and culminating at the corner of North First

Street and North Street at the corner of our building. Up close where the building sits across from these other retail buildings, there's a very intentional placement of the retail in dialogue with those buildings. And in a few slides I'll show you how that works in detail, but in the master plan you get a sense here of how block J/K interacts with the other retail and also the retail spaces that Chris will describe shortly.

We began the development of this building almost a year ago now. And our design team built upon the good work that CBT had done in partnership with Divco West and HYM and multiple people beforehand. And CBT was a constant part of our design team and we rode along in the final development of the master plan guidelines and they were vigilant in reminding us what the plans

were.

We also recognized the hard work of staff, helping us over the past few months and reacting to some of our earlier design proposals and keeping us again true to the North Point design guidelines.

So there's plenty of departure. This image shows the allowable building envelope straight out of the master plan guidelines. And I'll draw your attention to the 150-foot height limit plus penthouse and a lab building you can expect another 40 feet over a two-story footprint that in the case of the envelope here covered the entire site.

As we begin to look at this footprint, this envelope and the design guidelines, some obvious things jumped out at us that we need to respect. First was the scaled pedestrian

experience of the ground two stories of the building. The next was that the role of retail and engaging that streetscape. Looking at the public realm, the upper floors of the building address two very different context; one facade facing North Point Common and the facade on the other side facing Dawes Street. Two very different urban conditions. And then of course breaking down the scale of the building to a human scale was another important driver.

To walk you through a little bit of our design evolution at a diagrammatic level, one of the first design moves we proposed was to functionality scale the masses of the building appropriate to the lab and office use that we anticipated, but also to break the building down into two discrete masses that each mass addressed one of these different urban conditions, Dawes

Street and the park side. And also respected the idea to fill out the base of the building at the street.

A lot of time and attention was devoted to the mechanical penthouse. You know from other lab buildings that have been before you, there's quite a substantial plan for the top of the lab building, but we worked very hard and through many experiments pushing the mass back to Dawes Street at first and then to the park side and then finally settling on the highest mass towards the center of the building and then carefully sculpting with setbacks the Dawes Street and park sides of the building, integrating that mass very carefully in the design of the building.

The next move was to curve the park street facade and this was done very deliberately to add some visual interest across North Point

Common but also to allow a sense of movement and a view into Baldwin Park. And most importantly as I'll show shortly is to allow more sunlight especially in the afternoon to reach into Baldwin Park.

And then finally at a diagrammatic level, a lot of attention came near the end of the process to look at the articulation. And in the south facade you'll see in more detail in a few slides was intentionally a very open facade. And the articulation is very much driven by the sun shading and the functional aspects of the building which have a technical basis which we also think lends a sense of scale in between using different shading devices. And also a change in plan in the middle of the building we were able to break up the mass of the building and also provide a little bit of a clue to find

the entrance.

And finally had a very deliberate approach to defining the two-story retail base where you see in brown, but also allowing part of the tower to come down and touch the ground at Baldwin Park.

Finally this last analytical slide compares the allowable building envelope to what we're proposing. And what we want you to see here is that the proposed massing is shorter. And it is noticeably set back at the street corner of First Street and North Street. But, again, most importantly that the curve in the corner set back quite a bit into Baldwin Park.

And I explained this shadow earlier. What we're attempting to show in this diagram in yellow, imagine that to be cast upon the ground in Baldwin Park. What that is showing is the

sunlight that now reaches Baldwin Park as a result of curving the building and setting it back. That would be in shadow if we built out to the original envelope proposed by the master plan.

So to show how we realize this in some more detail, first I'll take you quickly through a few floor plans. This is the floor plan of the ground floor obviously. And starting at the bottom left in red you see just under 15,000 square feet of tenant retail space. The -- just to the right of that in yellow is the main building lobby. You'll also notice that that yellow goes out on to Dawes Street where there's another entrance. There's a large bicycle parking facility inside the building off Dawes Street directly at the outside of the building with the door directly to the sidewalk. Along

the necessary services are along Dawes Street, the loading dock and the electrical utility, the entrance to the parking garage. And then finally coming around just north of that red retail space with the yellow is the entrance to the public parking garage. There's three stories of underground parking below this building.

The upper floors of the building, this is a core shell building, are designed to be flexible. This gives you sense of what one of the floor plates would look like before the tenants arrive. And the final realization of this interior experience will be like by the tenant but there's eight floors of tenant space above ground floor.

Next what I want to do is walk you around the building through a series of perspective views to show you what you might experience as a

pedestrian walking around block J/K. So this is a view up First Street approaching -- you're looking across the edge of North Point Common, and seeing the glazed southern facade. And if you look, you'll see the shading devices that I mentioned earlier and you'll see those in more detail in a few minutes.

One thing I want to draw your attention to, if you look to the left, you'll see a different architectural vocabulary in that rear mass. There's a different -- intentionally different vocabulary addressing Dawes Street that one would get a little bit of a preview here from this view.

Zooming in a little closer, this is that same street corner. And the retail tenants that are shown here just for illustration, we'll see what those will be as the building leases, but

there's a deliberate architecture of these large brown wood pilasters -- I'll show you the materials in a minute, and the tenants would be allowed to determine their own expression in that signage band and in that lower register of doors or windows or glazing are whatever the tenants will prefer.

And this is a view from around the back street of the building. Again, the expression on Dawes Street is intentionally different. This is going to be a very urban street, you know, much tighter. We carried this two-story expression around the building. These wood pilasters to give the two-story pedestrian scale. And then up above the elevation, a deliberate, very simple punched windows and metal panel. It responds well to the northern exposure which suggested a tighter window patterning but also to the scale

of Dawes Street which we feel is very different.

And then coming around through the Baldwin Park and looking back towards the first corner, again, you see the glazed southern facade, the sun shading, and the breakdown of the front facade including that center bay that denotes the building entrance.

The next three slides show you in a little bit more detail how we propose to build the building. It's very hard to see these materials. I know under the artificial light they look quite a bit different than under the sun. The southern facade is predominantly glass. The glass you're going to have to take my word for it in the sun, is a warm silver glazing, almost a pewter color, has a very nice metallic quality to it. And what you see in that cross-section just above the white silhouette are

these deep sun shades that are happening to the left and right of the entry. There are a series of fins that project out a few feet from the building. And then in the middle over the entrance is a similar technique, but we're using shallower fins that are more frequently spaced. Technically they do the same thing, provide shading, just in a different scale and expression. So the southern facade of the building is meant to be expressive of the technology of the building appropriate to a scientific use.

The Dawes Street facade, as I mentioned, is intentionally very different. It -- and the material, the glazing would be similar to the south side in its glazing type but obviously different geometry. And the building would be a metal panel. This is a color that the

manufacturer calls champagne, but it does have a nice shimmer to it in the sun but and it is a bit lighter metallic color.

And then finally this is a view of the lower two floors of the building. The brown pilasters are a wood material. A wood material that's very carefully treated to be weather resistant, but this is actually wood. These would be those pilasters. And we use a different metal at the base of the building, a brush stainless that would form those three-sided portals around the region retail tenant entrances.

So, I hope that provided a good sense of the building.

I've walked around the green spaces which obviously the context of the building is in. So Chris will walk you through the landscaping

around the building now.

CHRIS MATTHEWS: Thanks, Chris.

Chris Matthews of Michael van Valkenburgh Associates, landscape architects.

So I wanted to start off with one of the master plan diagrams that we showed you as we were discussing the design guidelines to remind you that the eleven acres of open space at North Point are a contiguous and connected system made up of parks with very different character and very different functions, different typologies, within the system. And north -- Baldwin Park sits north of the Common which has been completed out there at the moment and faces onto the Common and is connected as part of the pedestrian system that runs north/south through the project. It's called a pocket park connector. So that pedestrian connectivity is a really important

part. It's about 20,000 square feet in total, Baldwin Park.

Because of the location where it sits in the master plan, it's a very important connection between the two T stations as well. So community college up on the Orange Line and the new Lechmere Station on the Green Line, people will pass through up First Street and through the Common and through Baldwin Park we think to get to Dawes Street as at least one of the, one of the ways to get to Dawes Street.

So zooming in just a little bit to our rendered plan, you can see that the Baldwin Park in essence has a very different character to the North Point Common. We wanted to really emphasize that difference. And I would say that it's really a hybrid between a plaza and a very richly planted shaded landscape. So on the

ground plain it's very open, paved, lots of choices for places to walk, huge amount of places to sit, which I'll talk about later, but it's all framed within this very richly planted landscape canopy trees over head, shrubs and variation plants below. You'll see we were able to get working with staff, pedestrian tables on both ends of the park with the double crosswalks on Dawes Street and North Street. So it's very well connected with the wider pedestrian networks. And you can just see the top end of the existing boardwalk that will be completed, the boardwalk that goes through North Point Common. So you'll be able to walk all the way from the O'Brien Highway through park space and through Baldwin Park.

This view also shows how -- this one's better. This shows how Baldwin Park wraps around

the front of the building, and so really sort of extends on to the J/K parcel. And the idea is that it just feels seamless. You won't feel any separation between the park itself and the J/K lot when you're out there in the park.

So the park's about 90 feet wide, about 200 feet long, and it's really arranged around the idea of having very public and open edges, sidewalks that people will be encouraged to walk down. And then a central space that, as I said, it's a paved plaza surrounded by trees, but that can be used in a way, be it very robust landscape, used in a very different ways to the Commons. Be able to hold activities and events out there as often as you like. I won't say it's indestructible, but it's a very robust landscape made up of stone and planting.

These two arrows are the primary

sidewalks down either side of the park. They're nine feet wide. They're street, they're unobstructed. And that came out of conversations here at the Planning Board and with the city staff about maintaining the public nature of the park and the fact that it wouldn't feel proprietary to either of the buildings on either side.

This diagram is of the seating around the all the plant beds. So we're really trying to create a very intricate and detailed texture to the park. It might be the sort of place where you go and sit and do a little bit of work, eat your sandwich at lunchtime, meet a few friends, have an outdoor meeting. The building I would say complement -- we're trying to work with a kind of almost rustic landscape character if that's not quite the right word to use. But

something that will complement the very contemporary feelings of the buildings around it and complement the very simple sweeping lines of North Point Common.

Cross-section of this -- this cross-section of the parking shows how we have nine-foot circulation zones on Baldwin Park with planting and bordered back and central space which can be programmed and used in a number of different ways as a paved surface.

And a view looking down North Street at the corner of J/K, the entrance to J/K is right in here. So showing how the pedestrian table, the materials are carried through on to the sidewalk. We don't have a curb at that point. The sidewalk is protected by bollards. And then a variety of open ways to walk and meander through the space and really just to emphasize

that the openness and this sort of welcoming character of the landscape's important. So we have a canopy of trees above. And below that the planting is below eye level. So at eye level you have nice clear views to the park itself.

And then turning our head and looking up the sidewalk towards Dawes Street shows that that's a straight shot pedestrian path going through, going down the edge of the park.

So the aerial view I think best shows how the park wraps around the corner of the building. And the amount of afternoon sun they're going to get in the space really is terrific for us. It expands the possible planting pallet, and of course in the shorter season it will make it a much more comfortable microclimate to use. We're showing in this image movable chairs and tables out in the space, and I think the flexibility as

well as the robust nature of the space is key to the design.

So the sidewalks around the building we've maintained as we will -- as we described in the master plan, as we will for all the lots at North Point, six feet zoned for street trees and on the back of the curb. And then eight feet for open sidewalk. And then at the corner of the street as Chris described, the retail zone we have ample space for tables and chairs to spill out of the building. And then at the tightest condition we have the six feet for tree pits, and then just short of nine feet between that planting zone and the face of the building. But it varies between eight feet, ten inches and seventeen-and-a-half feet. Eight inches as you go around the building, it's never narrower than eight feet, ten inches.

So we did work with Jacobs and with CBT on making sure that we had enough sunlight in Baldwin Park. This is a diagram of the spring and fall equinox showing how many hours of sun you'll get in different parts of the park during the day. So unsurprisingly you get most of the front on the southern edge, eight hours of sun. This is also factoring in the envelope of L/M. So as the sun moves around, we even get two hours of sun right in the shadiest corner in the back. Shade is not a bad thing in a landscape, and having a range of between two and eight hours gives us a good range of possible plant material to use.

I'm slightly hesitant to show you the material samples, but not quite as exciting as the architects but we have, we've unearthed a lot of granite blocks on this site during the initial

roadway and infrastructure work. This is an example of one of the blocks. The interesting thing is that they're from all over New England. We've got types of granite that you can't get anymore. Our granite guru is very excited as we are in the, in the North Point Commons we started to use blocks out there as seating elements and as a beach element by the pond, and we really think that as we unearth more and more of these blocks, it can be a really signature material for the project.

This is an example of the paving that we would use. In the central Baldwin Park, which is an exposed aggregate concrete, totally ADA accessible, but using granite as the aggregate. So sort of tieing everything together with these -- that's all I have. I didn't want to bring the stone dust in.

And of course all the sidewalks will be a standard City of Cambridge brushed concrete sidewalk. So very, very simple and robust material pallet.

Variety of trees that we want to use, I think in Baldwin Park we would like trees with -- all on the Cambridge tree list, but with of course texture and sort of noticeable flowering. So something that supports that slightly rustic feeling for the park, and has really a good seasonal interest. And then two layers of planting underneath that. The shrub layer, again, seasonal interest and flowering and then a herbaceous layer, too. The idea is that there will be plenty of places to sit on the granite rocks and then there be almost like a, almost close to a garden level of texture with different layers of planting we think.

MARK JOHNSON: So we received this week a memo from CDD that is supportive of the project, but also raises some points which I wanted to go through. We've distributed hard copies of a written response that goes point by point through the memo, but I also have some slides. So with your permission I'll also run through those slides.

The first is the articulation of the south facade. So the design guidelines call for commercial facades of longer than 200 feet to have visual articulation and permeability.

And we've done that with the articulation of the central bay of the facade. That's right here and it's right over the main door.

The CDD staff raised the question as to whether that bay could be more deeply recessed in order to create a more pronounced break, and you

can see the shadow line here of a deeper bay.

And we're open to either alternative. We just wanted to show that we had explored it and open for whichever version is preferable.

The second request in the memorandum was for a pedestrian level perspective and we were glad to provide this. And we're really excited about the way this park has shaped up and the way that Chris and his team have done.

The third is a more technical issue, it deals with the treatment of the rooftop mechanicals. So I'll explain this diagram. This is a section cut at the very top of the building. So the uppermost occupied floor is right here and it shows two levels of a mechanical penthouse. Over here is Baldwin. This is North Point Common, and over on this side is Dawes Street.

And this showed the full height of the

mechanical on the park facade. And after meeting with staff, we actually changed the configuration and we're able to lower the height along North Point Common. So I'll show this in elevation.

CHRIS LEARY: And one more step above that.

MARK JOHNSON: And as Chris pointed out, this leading edge here as well.

As you can see in this elevation, this was the original proposal in this elevation and you can see the full height of the mechanical we're talking about, the leading edge right there. And then the next version, the dashed line represents that leading edge and how much we were able to reduce it with CDD's help.

And then this is the image as it is proposed today.

All right. Next is the southwest corner

of the building. This is the corner of North Street and North First Street. So right on the retail spine of the building. Right here, this leading corner. And we evaluated several alternatives for this corner including one that allows the plants to go out to the build two line. And in the end we decided to go with the corner that recesses because it gives more space on the street for seating, more sidewalk seating. It still holds the street wall along North First Street and it still provides a really striking view up North First Street. So we prefer this alternative, although we recognize that others may have different preferences.

The next point raised in the memo had to do with loading and loading located on Dawes Street in order to preserve the retail and park facades. And the design we have has grown out of

meetings with the City of Somerville staff who are very supportive of our approach. We've carefully integrated vehicular entrances and loading dock entrances into the same bay rhythm that we have on the retail front of a building. So that those wood pilasters, that rhythm of wood pilasters continues all the way around the building and we believe creates a very satisfying kind of pedestrian experience for those walking around the building. We've also employed glass at a lot of these building necessities in order to make sure that the facade again is activated as much as possible.

We received other staff comments in accordance with the Planning Board's request. We included a wind study in the packet. The wind study includes three red dots which are labelled uncomfortable. And just to clarify those, two of

them exist in a park that hasn't been designed yet. And when we get to that park, we will obviously mitigate those wind conditions and they will not be red when that park goes through for design review.

The third red dot exists on the upper roof of J/K and it is not a condition that anyone will ever experience. It's not an occupied roof.

The location of the garage ramp, we've responded in writing and we believe that that is in the correct location. We've provided site line diagrams and we can explain further why that's been located correctly.

The staff recommended that the bike room have separate street access, and we agree. And we will provide that access. And the staff have asked that we locate on street bike parking on the parcel itself rather than the public sidewalk

zone, and we will make that change.

The memo also contained a number of comments on Baldwin Park and I'll try to run through those quickly. The first is the question about having hardscape in the center of the park. And as Chris mentioned, we've tried to think about this park in concert with the other public open space and by having a hardscape there it actually makes for a more durable and usable space where you could have loose tables and chairs that you couldn't really have on the grassy lawn of North Point Common.

We also want after having pulled the corner of J/K back, the ability for sun to shine into the middle of the shaded plaza.

And the next question was about the setback between JK and Baldwin Park. And so this is the edge of J/K and this is Baldwin Park and

this is one of the sidewalk zones that Chris described in his presentation. And rather than an ornamental screening here, these rock walls are all seating areas. They're all areas where people can sit. So we view that edge as a very active occupied edge rather than an ornamental green buffer.

Staff also suggested widening the circulation zones on either side of Baldwin Park which would be right here and here. And we have not proposed that. We have proposed those as pedestrian sidewalks. And I wanted to explain our rationale for that.

As Chris mentioned, the sidewalks on either side of Baldwin Park are nine feet wide and that's the same width as all the other sidewalks at North Point and it's also the minimum required width from the design

guidelines. And the question is whether we should introduce -- sorry. Bicycle lanes through the park. And our preference is to maintain those as pedestrian walkways. We believe introducing bicycles would actually narrow the park and provide less open space, usable open space, and we think that having a place that is for pedestrians only is appropriate because we've accomplished bicycle circulation through the network here shown in red.

And, again, on Baldwin Park the question about having more seating niches. And as Chris mentioned, each one of those landscape forms are ringed with granite blocks that are appropriate for seating.

And then just to wrap up the last of the staff comments. There was a comment that we had too many bollards on the south and north of

Baldwin Park. We're very pleased to remove some of the bollards and will do so.

The parcel W retail zone was noted in the report and we were glad to talk further about that loading zone when we come forward for design review on parcel W.

And the staff asked if the roof was solar ready? And it is indeed designed to be solar ready. And the staff also proposed a number of issues that would be the subject of continuing staff review, and of course we'll be glad to work with staff and continue to review beyond this hearing.

So we're happy to entertain your questions. Thank you.

H. THEODORE COHEN: Thank you.

Suzannah, I wondered if you've had an opportunity to review these proposed changes and

the capacity to comment upon them now?

SUZANNAH BIGOLIN: I think they are an improvement and are closer to meeting the design guidelines in terms of the south facade and the not increasing that.

And have you added color to the other?

MARK JOHNSON: Yes. So there was a question of the north facade facing Dawes Street whether we could introduce color in that facade and we have. We've taken the same brown color that exists in the pilasters. Pardon me while I find that part of the slide. We were able to extend the pilaster color up into the tower portion of the building. You can see here the color extends up, carrying the same base up into the tower of the building. And that's carried around --

H. THEODORE COHEN: That's the same wood

material?

MARK JOHNSON: We actually have durability concerns about wood above the plinth. So where you can touch it and feel it and it's right there, we want to have the wood. But where it's above, we want to match it to the wood, but that's a more durable material that would retain the color a bit longer.

SUZANNAH BIGOLIN: I think that's an improvement to the tie the two sort of podium and the tower together.

H. THEODORE COHEN: Do you have any other comments you want to highlight?

SUZANNAH BIGOLIN: I -- it would probably be just the mechanical treatment on this side of the building.

LOUIS J. BACCI, JR.: Yeah.

H. THEODORE COHEN: And, Suzannah, maybe

if you sat down and used the mic.

SUZANNAH BIGOLIN: It would, I think Mark has gone through most of our comments, but it would be the mechanical treatment on this side of the building. So the north elevation, whether or not a different setback is needed or a different sort of material to help mitigate the visual bulk.

MARK JOHNSON: I can -- so we've, as Chris mentioned, the building is divided into two bars; a north bar and a south bar, and we've studied kind of notching the south bar at that location and taking a bite out of the building here in order to get a setback, and when we do that, it tends to, in our mind, kind of water down the design logic of that bar.

So, Chris, if you want to elaborate.

CHRIS LEARY: Yeah, the thing that I

foresee on Dawes Street is the view that we are showing here is a view that we showed today that you will be able to experience when the building's built. If you look carefully, we're standing back in what's the Baldwin Park North across the street, the next stretch over. If you can imagine and we're showing not standing out on Dawes Street I think that penthouse will be on your head and not as prominent. Functionally what's going on there, is the building has an intake side and exhaust side obviously, and most of that louver at the top is actually live louver. That is all the intake of the building. One of the ways that will make lab buildings quieter is we've increased louver area so the air movement is less. So a lot of that functional areas is in fact required and quite full. And again, you know, we looked at options of pushing

the mechanical to one side or the other. And as a matter of fact, similar to earlier schemes we were intentionally pushing a lot of the mechanical equipment towards the park exploring if that were more appropriate. So, again, we're trying where it feels best. So there's a functional basis to why this is, but again and maybe we should show the view. I think if you were standing on Dawes Street, this would be over your head and you would have to cram your neck to even see.

LOUIS J. BACCI, JR.: Can you set back those louvers from the facade?

CHRIS LEARY: The current design of that space is quite full. So that equipment has to be somewhere. And so, again, we thought that was the best location for it.

LOUIS J. BACCI, JR.: I think everyone's

concerned with the flush condition. It just extends the building, there's no top.

CHRIS LEARY: Okay.

MARK JOHNSON: Just to amplify what Chris said, the condition here of louvers in plane with the facade, we feel like we've shrunk that east -- sorry, north/south dimension as tight as we can get it. We're open to a change in color or something else that would help make that recede visually. But I think we've reached kind of the technical limits on that north/south dimension of what we can squeeze out of it.

HUGH RUSSELL: Have you considered providing some sort of articulation on what I would call the recessed portions of the facade in the projecting areas particularly on Dawes Street would make an enormous difference perception at the top. Right now it's sort of a one material

stops and another starts. Is there a way to articulate that transition maybe by I don't know. You know, I mean obviously they put a cornice out there because this is not a sort of a cornicey building, but on the other side there are lots of articulations, maybe there's a way to draw a line.

LOUIS J. BACCI, JR.: Yeah. The metal panels coursing around the building are all flat.

HUGH RUSSELL: Yeah.

And I'm sorry, I'm just, you know, this is a -- I think you're -- you've got some very interesting and sophisticated ideas on this building.

LOUIS J. BACCI, JR.: Yeah.

HUGH RUSSELL: I don't know think we need to propose a particular idea but to think about there might be a way to make it a little clearer

that one's stopping and the other's starting.

MARK JOHNSON: We do want a base, middle, top expression so we would be very open to an idea along the lines of what you said. Put a band of some variety, some color, some break, some visual relief there to separate out the louvers from the tower portion of the building.

HUGH RUSSELL: The other thing I wondered as I looked at this is whether the -- there should be a subtle color difference between the projecting bays and the main form of the building. Just, I mean, it's got to be like, you have to be like ten percent difference in color, enough so that you don't think it's just a mistake. But a little bit more richness.

CHRIS LEARY: We could explore that that works architecturally.

HUGH RUSSELL: I understand we're looking

at Somerville.

MARK JOHNSON: That is true. The staff in Somerville have reviewed this facade as well.

H. THEODORE COHEN: Could I just ask a question?

I mean, how does it all work with Cambridge and Somerville? Do staffs talk to each other? Can they talk to each other?

STEVEN COHEN: They talk the same language.

H. THEODORE COHEN: I don't know.

SUZANNAH BIGOLIN: I think Jeff they may be able to respond to that question.

JEFF ROBERTS: I mean, it's -- this one is unusual because it is in -- it is in two jurisdictions, so it's going to need permits from both jurisdictions and we have different Zoning Ordinances and we have different permitting

requirements. So from a, you know, from a permitting standpoint, they need a Cambridge permit, they need a Somerville permit. We don't need to -- Cambridge and Somerville don't need to come to any real agreement. We just both need to approve this. So, you know, the portions that are in Somerville as I understand it, they have a slightly different approach to their zoning, somewhat more prescriptive requirements for facade design. And I think those are playing out here. We have more of a set of guidelines and principles and examples which then have to come to the Planning Board to get reviewed and approved. So that, you know, the slightly different approaches on both sides of the building, and obviously there's other reasons for the different approaches as well, but ultimately it just needs, this one just needs both. There

are some others that are entirely in Cambridge and I guess at least one building or I think one building that's entirely in Somerville.

H. THEODORE COHEN: I guess that still doesn't answer my question which is do the staffs talk to each other?

JEFF ROBERTS: Yes. But we're not, we don't have -- we haven't conducted a joint review of this project. We could talk to them and offer to do that, but if it seems like there's any conflict -- and other -- unless there's a real conflict that we need to sort out it's seen separately --

H. THEODORE COHEN: Well, the reality of this building, except for the, I don't know, 100, 200 feet right in front of the building, right in front of the north facade, people are going to be walking on Cambridge Street on both sides and

Looking at a building that's, you know, half in Cambridge and this whole different facade. And it just, I don't know, it seems odd to me that you know, there can't be some more cooperation between the two.

IRAM FAROOQ: Mr. Chair, is there something that you're concerned about that does not seem to be working?

H. THEODORE COHEN: I don't know that I don't think that it's not working. And, you know, but one half of the building that's all glass now maybe that's facing the south and maybe having a more -- a less glazed north makes sense from an energy and environmental point of view, but it just seems like, you know, the two buildings have just been thrown together. And other than the wood pilasters that are sort of on both sides, it doesn't seem like --

IRAM FAROOQ: I think this is actually a design choice, because on the Cambridge side there is no prohibition to having facade that's similar to what is on the Somerville side. But I would say that's a design choice by the architects and the team. And to us it seems to be actually working quite nicely, but if it seems problematic or anomalous, certainly we can add more discussion about that.

CHRIS LEARY: And, yeah, if I could -- thank you for that, yes. In the end we chose to embrace the reality that part of the building is in Somerville and Cambridge. And there are different requirements. In a different set of circumstances that might have been frustrating. As you pointed out, there is a rationale to have smaller glaze facing north and broader glazing facing south. There certainly was a rationale of

a dense urban street in Dawes Street and a larger scale expression from the park. So what could have been a frustrating problem of two different problems in two different cities, we felt played out quite nicely. And, you know, there are many architectural expressions where you have a solid mass of the building and a wider glazed portion that sort of leans on that more robust structure. So in the end as I built up the diagrams, that was sincere. We started with the move of breaking down the mass into two volumes very much working in concert with how you plan the building internally and just took on and embraced the idea that they would be different. And there are similarities. The color pallet, the material as far as the metal for example are consistent, but we took that on as a design challenge and it actually did drive a lot of design.

H. THEODORE COHEN: I mean, I can respect that. I can respect that, you know, it was a design challenge and a design decision. It was just that some of the comments that I've been hearing seem to imply well, this is Somerville and they have these requirements and this is Cambridge and they have these requirements and it didn't seem like the between were meeting, but if you feel that's, you know, that's how you've incorporated, you know, that's fine.

Hugh, I didn't want to cut you off.

HUGH RUSSELL: Well, I just wanted to comment that the result of this is that the ends of the building end up with some very vertical and articulated facades. And the end, you know, this end is in Baldwin Park and the other end is quite important in the way that the streetscape works. And while I think they're integrating the

base into the end design has got its own challenges: This, that's a difficult corner, but when you get -- there's another rendering where you're quite close and it becomes much less difficult when you're close which is really what you're gonna see. And it's kind of, it's kind of fun, you know, this huge, round column holding up the upper building while the other thing slips behind it. And I think that the desire to have that usable corner is a reasonable desire.

H. THEODORE COHEN: What do you think of the wood?

HUGH RUSSELL: Well, I didn't realize it was wood. I thought it was going to be brick. But I like -- I think I prefer the wood to the idea of a, you know, marble that's that color or a brick that's that color. I mean, it's a product that is -- we're seeing more and more of.

In which it up close it -- you can see the woodiness of it from a, you know, across the street you get a suggestion of wood. From a block away it's a color.

LOUIS J. BACCI, JR.: Right.

HUGH RUSSELL: But I think it's a rich kind of a product.

Let's see, I get -- one other comment I would make to the Board is that the -- I mean, the pedestrian experience along this building on Dawes Street is not wonderful because all of the surface functions are there. Reminds me of my grammar school in which the boiler room was a perimeter kind of thing, the classroom was around the core, and one of the rooms in the core was the boiler room. And there was a big window from the corridor looking into the boiler room which at that time of course involved people shoveling

coal into boilers and stuff in the basement level of building. And there was a big fan and this sort of -- you could see the big belt and it was, as a kid it was kind of fun. I think the contemporary mechanical equipment isn't quite as much fun.

JOHN HAWKINSON: Did your mic shut off?

HUGH RUSSELL: Thanks, John.

So, there are some opportunities. But the notion behind Dawes Street is that the other side of the street, the north side of the street gets more sun and it's got a double row of trees and a wider sidewalk and it's the place that people are gonna want to walk. Now that doesn't mean everybody is going to be over there, but it's trying to -- and I think the way in which the buildings work on that side of the street is the loading zones are in the ends rather than in

the street frontage. So, it's not going to be a two-sided retail street, but it's not intended to be a two-sided retail street. So, you know, it's the problem of being in Somerville. You're going to have -- I mean, it's -- I mean, Somerville wanted the commercial uses to give the whole city a more of a balance of commercial use, and so this use of this particular parcel helps achieving that goal. And what's -- I asked the question as I was standing at the model, it's like basically this is the only big commercial building on the site. All the other structures are intended to be housing structures.

And then I have an unrelated comment to Dawes Park -- well, maybe it is related. The other -- Baldwin Park. The other side of Baldwin Park is a retail -- I mean, it is a residential building. And so I'd like to see in Baldwin Park

things that would attract mothers with small children and not to change the overall character, but in just make it a little more interesting because I think some of the users of this park will not be the office workers during lunch but will be, you know, childcare people with small kids in tow. And that, I -- as someone who might kind of be sitting on rock days kind of behind me. I might like to see few more benches.

LOUIS J. BACCI, JR.: Benches in front of the rocks would be good.

HUGH RUSSELL: Just proportion and maybe some of the recesses are a little heavier on the more comfortable seating. Or seating with backs. Chris, you know those wonderful benches in Washington Street T station which are stone benches but they do have backs. You can't probably find stones in your excavation that have

that character. So, I mean I think all of Suzannah's comments are very well taken. I think the responses are working on those problems. I certainly support the four-foot setback compared to the two-foot setback.

And I guess a question. The material of the podium, is that the same kind of champagne colored metal all the way around the building?

CHRIS LEARY: Yes. There's -- the glazing is the same as above, but the band above is the same metal panel.

HUGH RUSSELL: Some of the renderings on the Somerville side it doesn't seem as sparkly. Of course that is north, but it's not going to be as sparkly. But I know in creating computer renderings of these kinds of materials, it's extraordinarily difficult to capture so that -- I think it's a good material. I think it's a good

color. I think it will enhance what's up above. And I think it's going to actually -- on Dawes Street even if it's not a lot of setback between that, it's going to really make a big difference to the scale if you're a pedestrian to have that, you know, 40-foot high cornice, 45-foot high cornice.

H. THEODORE COHEN: Do you have an image of the east side that's not just showing you trees?

CHRIS LEARY: We do not here today. It's always a funny dilemma because if we didn't show you the trees, we wouldn't be showing you what is there.

H. THEODORE COHEN: Right.

CHRIS LEARY: What we're showing you is what we expect Chris's landscape to be realized.

H. THEODORE COHEN: I was curious what

that side of the building actually looked like at the ground level.

CHRIS LEARY: Without having an image, maybe I could try to describe -- this image isn't rendered, but it will give you a sense. So from the lobby around to the back corner of Baldwin Park is the one place where the tower reaches the ground. And we did that very deliberately so that the retail was unique and different. So the lobby and the tenant space. So what you see here is about the third floor and above the glazing is out and then it recesses and then there's a series of columns that are expressed. If you've walked along --

H. THEODORE COHEN: And are those columns the same concrete columns that -- on that side of the south facade?

CHRIS LEARY: These columns here would be

clad in the same metal. Not the brown wood. But there's a steel column, you know, with an aluminum clad jacket around it.

To give you a sense of what it might look like, if you walk down Main Street, the Broad Institute building, the first one has a little bit of an arcade. They have the genetic sequencing on display behind the glass. So this would be similar where the glass would be a little over arm's length back right behind those pilasters.

H. THEODORE COHEN: So there's no wood cladding in that area?

CHRIS LEARY: No.

H. THEODORE COHEN: It appears in your model that there might be some that's what I was trying to figure out.

CHRIS LEARY: Actually this may be the

best way to answer your question. I'll just walk this over because we can stick our eyes in it. But he know what that's actually the model maker took a little liberty. What I was describing -- this is a model and you see the white dowels there.

H. THEODORE COHEN: Right, so these, these columns here --

CHRIS LEARY: Yeah.

H. THEODORE COHEN: And these are concrete or they're clad in --

CHRIS LEARY: They're clad in the same aluminum.

H. THEODORE COHEN: In the same aluminum?

CHRIS LEARY: Yeah, actually here. Thank you. Can you check for this image, Mark?

MARK JOHNSON: Yeah.

CHRIS LEARY: You can see in this view

which you have, these are the column here.

H. THEODORE COHEN: Right.

CHRIS LEARY: And behind that literally just inches behind that will be a wall of glazing.

H. THEODORE COHEN: And those are the columns, those columns continue around the east side?

CHRIS LEARY: Yeah, you can see this go to here.

So underneath this bar of the building is where the gravity kind of comes --

H. THEODORE COHEN: So what looks like the wood panels around here was the model maker's choice and not yours?

CHRIS LEARY: Yeah. It's an interesting idea, we could look at it. But our vision -- You know, part of our condition is to edit out too

many ideas. Our thought was it was a simple plane --

H. THEODORE COHEN: I actually thought that that was kind of an interesting idea because I find it a little odd that there's the wood on the podium that goes around three quarters of the building and is not there.

HUGH RUSSELL: I think it's really elegant to have the --

H. THEODORE COHEN: To have it changed?

HUGH RUSSELL: Right, particularly because it's along the arc and I think it's glassier more effect.

H. THEODORE COHEN: Keep that away from trees?

HUGH RUSSELL: Well, it's more open in a sense.

H. THEODORE COHEN: Okay.

HUGH RUSSELL: I thought that was one of the, that was one of the parts I particularly liked was that sort of peeling away to show what was behind.

H. THEODORE COHEN: What happens on the terrace above the retail?

MARK JOHNSON: The terrace is available for the tenant of that floor, and we have hopes that it will be fit out with, you know, cafe tables or plantings or other things that will animate it. We think it will be a great spot with south facing exposure and a great view over the park.

H. THEODORE COHEN: Okay.

Any other comments?

MARY FLYNN: I have a question on the, the sun shades. Do those move at all or are they just permanent, you know --

CHRIS LEARY: No, they're fixed.

MARY FLYNN: They are fixed?

CHRIS LEARY: Yeah. And the building faces south.

MARY FLYNN: Yeah.

CHRIS LEARY: And we did a lot of analysis, more of the geeky details than you ever want to hear about, but in concert with the operable window shades. And the sun that strikes this facade midday is actually quite odd. And so as a result, the -- going the wrong way. If I can come back to it. The projections that we're showing of a couple of feet actually will cast a pretty good shadow across that glazing. You know, the lower sun angles in the morning, there's not much you can do about those and that's when you draw the blinds. The added will not provide much. They do well in that simple

stage.

MARY FLYNN: I like them. I think they really add a lot of character to the facade.

I like the two different approaches, you know, between the Dawes side and the other street side. I think it helps to make a very large building seem less large, and in a way it almost -- it does kind of read like two different buildings which I think makes it much more interesting. So, yeah, I'm very impressed with that. I do think that the recessed is helpful.

And on the park, yeah, I think my comment is really what Hugh mentioned, too, is, yeah, the days of rock sitting are over, too. I don't mind it for ten minutes, but I'm not going to do it for lunch. Spend my entire lunch out there. So something with some backs. There clearly will be people who love the rocks and they're going to

look great, but I think some more comfortable seating would be very useful.

MARK JOHNSON: We'll certainly make that change.

H. THEODORE COHEN: Is there any playground equipment anywhere in the Common or anywhere else proposed in North Point?

MARK JOHNSON: I would say not yet. We do want to have play equipment, and as Chris mentioned, there is kind of a network of open space and we do want to start introducing whether it's a sandbox or a slide or fun things for kids, that is part of our goal for the network as a whole and we hope in the future designers to come forward with designs. One of those designs.

H. THEODORE COHEN: And but that's not going to be in Baldwin Park?

MARK JOHNSON: I think based on today, I

think having some fun things for kids would be great. And I was thinking of myself kind of a sandpit or making one of those ground areas, you know, appealing to kids. I'll defer to Chris on this, but that would be, that would be great.

HUGH RUSSELL: The, you know, the field of large rounded boulders at the science center does appeal to kids.

H. THEODORE COHEN: Oh, yeah.

HUGH RUSSELL: It may not appeal to parents.

H. THEODORE COHEN: But the fact that it's still working but -- the fountain that they used to spray.

HUGH RUSSELL: And then they had steam in the winter. That seems to be behind us. It was very fun.

H. THEODORE COHEN: The kids liked it.

HUGH RUSSELL: Yeah.

MARY FLYNN: And I just have another question if I may.

H. THEODORE COHEN: Yeah.

MARY FLYNN: What about public art? Is there any thought of incorporating that? I'm thinking that might be something where you sort of try to attract kids to, you know, make it playful and interesting.

MARK JOHNSON: Yes. So we are, we're actually really excited about the opportunities for public art. Our first party tonight was to get the commercial part of the development underway.

MARY FLYNN: Yeah.

MARK JOHNSON: But, again, we'd like to come back and show you a more comprehensive plan when we develop it. I think the open space

network really lends itself to kind of taking a master plan view of art and outdoor art, and having, again, kind of fun interactive pieces in the park or in the retail areas. I think there's a lot of opportunity there.

H. THEODORE COHEN: Yeah, I wanted to say, I mean, the bicycles might not like it, but I thought the concept of it being just pedestrian for Baldwin Park --

LOUIS J. BACCI, JR.: It would be a lot quieter.

H. THEODORE COHEN: -- made a lot of sense and, you know, widening it to deal with bicycles seems that you've then lost so much of the park. I thought that, that looked very nice.

MARY FLYNN: Yes.

HUGH RUSSELL: One thing that happens to perception and distance when you're on a bicycle

is a block is nothing. So if you know, it might be the shortest way to go from what you want to do, if it's like easier and smoother, you know, so you don't have -- you don't have to go everywhere. You don't have to go the shortest thing. Pedestrians are more interested in the shortest possible route.

H. THEODORE COHEN: True. That's right. And it seemed like it made the park.

HUGH RUSSELL: Yeah, I think it makes it much --

H. THEODORE COHEN: Much friendlier to pedestrians, and especially if we have something for kids there, we don't have to worry about them, you know, looking out for bicycles, too.

Any other comments? Questions?

LOUIS J. BACCI, JR.: I have a simple one. Any rooftop lighting?

MARK JOHNSON: I say declaratively we will not have Zinc lighting on this.

CHRIS LEARY: Perhaps a red one for the FAA.

MARK JOHNSON: FAA I'm told required lighting.

JOHN HAWKINSON: Is your mic still on?

H. THEODORE COHEN: I had actually asked to see the earlier designs that had covered the whole penthouse and, you know, I went with Hugh and staff that it's much nicer without it. And, you know, it's a very handsome building.

MARK JOHNSON: Thank you. We feel like that comments -- the comments from staff were right on and we're appreciative.

H. THEODORE COHEN: Steve, do you have any comments?

STEVEN COHEN: No, you know, I just look

at the big picture on these things and the big picture is just right. It's a great building, good articulation. Though I must admit every time I look at it now, I'm zeroing in on the comment that Louie had about the penthouse on the Somerville side. It does need something. You know, you've done everything so well that when you do everything so well, even the small things that you've missed suddenly, you know, stand up like a sore thumb and that does. It's too flat and it needs something, but we've been there, and you're going to do that, but I think you guys have done a great job. And by the way, I also want to compliment you on the presentation. Both the model and just the whole order and organization that in a way that you've presented it. Right from the beginning the way you went through the thought process step by step is

helpful, entertaining, and persuasive. Good job.

MARK JOHNSON: Thank you very much.

H. THEODORE COHEN: So, Jeff what do -- well, I guess the question is for the Board, do we want to see something else right now?

And, Jeff, what is the next step?

JEFF ROBERTS: This is design review. So the Board needs to review the design and grant approval. As always, the designs will be subject to continuing review by staff, but this is the -- there's a PUD, there's multiple phases, and so the design review is kind of intended to be another stop at the Planning Board before the -- before they can seek a Building Permit for this particular phase. So the question for the Board is is the Board comfortable with this being the last time you see it? Assuming that there's no changes between now and when they go for pulling

a Building Permit? Or, you know, is there any element of it that the Board wants to see again? Is there anything that any comments, any particular comments the Board wants to pass along to the staff to be incorporated into staff review? It's really just a matter of what -- you know, it's exactly what you said, is there anything that the Board needs to see again or some substantially revised version before it goes to the construction and Building Permit phase?

H. THEODORE COHEN: Well, it seems to me that what I mostly heard was the need for further articulation of the penthouse on the Dawes Street side.

HUGH RUSSELL: In Somerville.

LOUIS J. BACCI, JR.: Right.

MARY FLYNN: It's nice we care about it.

H. THEODORE COHEN: Turns around.

STEVEN COHEN: Somerville deserves as good of a facade as we get.

HUGH RUSSELL: They also deserve the respect to voice their own interests.

H. THEODORE COHEN: Right.

HUGH RUSSELL: I don't think we're asking for big changes. We're asking for further -- putting up further development. And I would suggest -- I'm kind of curious to see how they're going to respond to the detailed design of the park, trying to incorporate some of these things we've been talking about. I don't think we have to see that, but I'm just curious. Maybe an informational presentation much farther down the road.

The other thing is that sometimes we get into projects where the staff feels a change needs to be made and the owner can't make it.

And in the case whether should there be an impasse, and already this presentation is shown a lot of willingness to -- but if that happens, then I would think that we would be here to be the enforcers.

H. THEODORE COHEN: Well, I guess the question from my perspective is do we want to see what they in Somerville come up with for the penthouse before it --

HUGH RUSSELL: I don't want to delay it. I would be curious maybe just a, you know, a little packet of a few pages that shows how these things get resolved.

LOUIS J. BACCI, JR.: I would like to see how it ends up.

MARY FLYNN: Right.

HUGH RUSSELL: Not rising to an agenda item. Just informational.

H. THEODORE COHEN: So we then be prepared now to approve this design subject to the comments we've made and subject to receiving some informational material about whatever changes get worked out for the penthouse in the Somerville Dawes Street side and how it may wrap around.

Does that make sense?

LOUIS J. BACCI, JR.: Yes.

MARY FLYNN: I'm good with that.

H. THEODORE COHEN: And so, Jeff, you need, what, a vote approving the design?

JEFF ROBERTS: Yes, the Board just needs to take a vote for the design and we'll fill in the rest as you said.

H. THEODORE COHEN: Okay.

So, could I have a motion to approve the design -- design review to building J and K and

Baldwin Park subject to the comments we've made and subject to ongoing review by staff and at least an informational session with regard to any changes that are proposed to be made?

HUGH RUSSELL: So moved.

H. THEODORE COHEN: And is there a second?

MARY FLYNN: Second.

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: It's unanimous.

Thank you, all. It's very handsome building.

STEVEN COHEN: Nice job, guys.

H. THEODORE COHEN: Nice job.

H. THEODORE COHEN: Liza, there's nothing else, is there?

LIZA PADEN: No.

H. THEODORE COHEN: We are adjourned.

(Whereupon, at 11:00 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 13th day of January, 2017.

Catherine L. Zelinski
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