

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA. 02139

## Notice of Decision

Permit No: **PB #141, Minor Amendment #2**

Address: 364 Third Street

Applicant/Owner: BMR-350 E Kendall F, LLC, c/o Biomed Realty Corp.

Zoning District: Office-3A / PUD-3

Date of Final Development Plan Decision: March 16, 1999

**Date of Minor Amendment #2: June 5, 2007**

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OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

**Application:** Request to revise the construction schedule of Special Permit PB #141 as outlined in the decision, condition 1C to June 3, 2017.

**Decision:** GRANTED with condition.

### Submitted Documents

1. Letter and updated site plan with proposed construction schedule, to the Planning Board from BMR-350 E Kendall F LLC, affiliate of Biomed Realty Corp., undated, requesting a Minor Amendment to adjust the construction schedule.
2. Letter to the Planning Board from Barbara Broussard, President, East Cambridge Planning Team, dated 6/4/07.

### Findings

After review of the submitted materials and comments from the applicant on the updated schedule, the Planning Board makes the following findings:

- a. The Planning Board considered the substantial progress made at the site to date and finds it to be acceptable. Members explored reasons why the proposal as approved and permitted should not continue to proceed, under the amended construction schedule, and found none.

b. The Planning Board finds that the work done to date complies with the conditions and intent of the special permit and that future construction will as well.

c. As construction will be extended for a number of years into the future and some building sites may remain empty for some time, the Board finds it appropriate that the Permittee should prepare a plan for interim use or landscaping of portions of the Development Parcel.

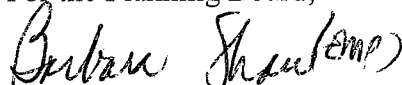
### Decision

Based on the above findings, the Planning Board determines that the requested amendment to the Final Development Plan as originally approved in Special Permit #141 is a Minor Amendment to the Special Permit, as that term is defined in the conditions of the Special Permit Decision and Article 12.000 of the Zoning Ordinance. The Planning Board GRANTS the Minor Amendment to Special Permit #141 to extend the date by which construction must be completed to June 3, 2017, as authorized in Section 12.42 of the Zoning Ordinance, subject to the condition set forth below:

The Permittee shall prepare an interim plan for the south part of the Development Parcel (in the vicinity of the Broad Canal) and for any other area that is likely to remain fallow for some time, that will, through landscaping or other treatment, enhance the environment of the development until final construction begins. The Permittee will present the plan to the Planning Board for review before the work is begun.

Voting in the Affirmative to GRANT the Minor Amendment were B. Shaw, P. Winters, H. Russell, W. Tibbs, S. Winter, A. Finlayson, and P. Singer, Associate Member appointed to act in place of an absent Planning Board member, constituting at least two thirds of the members of the Planning Board necessary to grant a Minor Amendment to a Special Permit.

For the Planning Board,

  
Barbara Shaw, Chair

A copy of this Minor Amendment to Decision PB #141 shall be filed with the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on June 18, 2007 by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date or as part of the original application.

DATE: