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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No.: PB #66 Major Amendment #4 and Planning Overlay Permit

Premises: First Street, Thorndike Way, Edwin Land Boulevard,
Lechmere Canal Park

Zoning District: Business A/PUD-4

Applicant: CambridgeSide Residential Associates Trust

Date of Original PUD Special Permit (PUD Permit) Decision: June 16, 1987

Date of Minor Amendment No. 1: May 3, 1988

Date of Minor Amendment No. 2: November 15, 1988

Date of Minor Amendment No. 3: April 4, 1989

Date of Minor Amendment No. 4: April 18, 1989

Date of Minor Amendment No. 5: May 16, 1989

Date of Minor Amendment No. 6: June 5, 1990

Date of Minor Amendment No. 7: August 14, 1991

Date of Major Amendment No. 1: September 17, 1991

Date of Minor Amendment No. 8: April 14, 1992

Date of Minor Amendment No. 9: July 20, 1993

Date of Minor Amendment No. 10: November 9, 1993

Date of Major Amendment No. 2: December 21, 1993

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Date of Minor Amendment No. 11: June 21, 1994

Date of Major Amendment No. 3: March 21, 1995

Date of Minor Amendment No. 12: July 11, 1995

Date of Minor Amendment No. 13: June 18, 1996

Application: (1) Major Modification No. 4 to PUD Special Permit No. 66 (Section 12.37) for a change in use from residential housing to hotel, restaurant and related uses for the remaining undeveloped portion of the CambridgeSide development, and (2) Planning Overlay Permit (Section 11.500) for approximately 154,000 square feet of hotel, restaurant and related uses.

Date of Application for Major Amendment No. 4
and Planning Overlay Permit: July 19, 1999

Date of First Public Hearing for Major Amendment No. 4: October 5, 1999

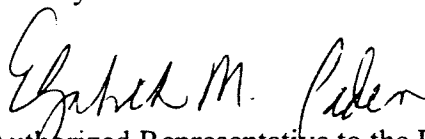
Date of Second Public Hearing for Major Amendment No. 4
and Public Hearing for Planning Overlay Permit: December 21, 1999

Date of Planning Board Decision on Major Amendment No. 4
and Planning Overlay Permit: December 21, 1999

Date of Filing of Decision on Major Amendment No. 4
and Planning Overlay Permit: December 30, 1999

Decision (summary): MAJOR AMENDMENT NO. 4 AND PLANNING
OVERLAY SPECIAL PERMIT GRANTED WITH CONDITIONS.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after the filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Office of the Community Development Department and the City Clerk.


Authorized Representative to the Planning Board:

For further information concerning this decision, please contact Liza Paden at 349-4647, TTY 349-4621, or email lpaden@ci.cambridge.ma.us.

PB#66, Galleria Hotel
Major Amendment #4

Application

The following documents were submitted in support of the application:

1. Application for Major Modification of PUD Special Permit No. 66, certified complete on July 20, 1999, including ownership certificate, project tracking form, dimensional form, project photographs and the building details described below.
2. Survey plan entitled "Subdivision Plan of Land, 25-41 Commercial Avenue, Cambridge, Massachusetts", scale 1" = 40', dated August 29, 1988 (1 sheet), site plan entitled "The CambridgeSide Hotel", scale 1" = 100', dated July 15, 1999 (1 sheet), and building details entitled "The CambridgeSide Hotel," scale 1" = 40', including floor plans for levels one through eight, elevations at Edwin Land Boulevard and at the access drive, and elevations from the courtyard looking south and east, dated July 15, 1999 (6 sheets). (Original Development Plan)
3. Application for Planning Overlay Permit, certified complete on July 20, 1999, including a Traffic Impact Study for Proposed CambridgeSide Hotel prepared by Abend Associates and copies of the site plan and building details listed in paragraph 2, above.

Other Documents Submitted

1. Revised application for Major Modification of PUD Special Permit No. 66 dated November 2, 1999, including the survey plan described above (1 sheet), the site plan described above revised through October 29, 1999 (1 sheet) and the building details described above revised through October 29, 1999 (8 sheets). (Final Development Plan).
2. Traffic Impact Study for Proposed CambridgeSide Hotel, Final Report, prepared by Abend Associates, dated November 1, 1999. (Traffic Study).
3. Letter to Beth Rubenstein, Assistant Director of Community Development, from Richard McKinnon, dated October 4, 1999, regarding a commitment by the applicant to make a contribution to the Affordable Housing Trust Fund.
4. Letter to the Planning Board from Vice Mayor Anthony D. Galluccio, dated August 17, 1999, regarding the proposed major amendment to permit hotel use.
5. Letter to Richard McKinnon from the East Cambridge Planning Team, dated September 10, 1999, expressing support for the proposed hotel development.
6. Letter to the Planning Board from Stephen H. Kaiser, Cambridge resident, dated October 4, 1999, listing comments on the Traffic Study.
7. Letter to the Planning Board from Thomas Graves Landing Condominium Trust, dated October 5, 1999, expressing support for the proposed hotel development.

8. Letter to Robert Brown, Thomas Grave's Landing Trust, from Richard McKinnon, dated 12/21/99, outlining proposed hours of construction.

9. Transcript of the 12/2/199 Planning Board public meeting.

PUBLIC HEARING

On October 5, 1999, the Planning Board held a public hearing on Special Permit No. 66, application for Major Amendment No. 4. The applicant was represented by (1) Richard McKinnon, project consultant, (2) Christine Hanley and Richard Feldman of New England Development, the project developer, and (3) and George Tremblay of Arrowstreet Inc., the project architect.

Mr. McKinnon presented the request for a change of use from residential housing to hotel and related uses for the remaining undeveloped portion of the CambridgeSide development and Planning Board approval to permit construction of the hotel in accordance with the application submitted, and cited the relevant sections of the Ordinance for the proposed amendment. Mr. McKinnon and the Community Development staff presented slides showing the history of the CambridgeSide development and the size and location of the proposed hotel in relation to the rest of East Cambridge and, in particular, the Lechmere Canal. Mr. Tremblay presented a series of illustrations depicting the proposed hotel, including an approximately 200-seat restaurant and bar with outdoor seating and landscaping improvements along Edwin Land Boulevard and in and around Lechmere Canal Park. Mr. Feldman described the history of the intended use of the project site for residential development and the reasons for the inability to construct the same.

Mr. McKinnon emphasized that the hotel will use existing parking spaces and loading areas in the CambridgeSide Galleria parking garage, so that no additional parking spaces or loading facilities will be constructed in connection with the project. Mr. McKinnon stated that this arrangement is contingent upon receiving the consent of the owner of the CambridgeSide Galleria.

The Planning Board asked about limitations on hours of construction pursuant to the request in the letter from the Thomas Graves Landing Condominium Trust dated October 5, 1999. Mr. McKinnon stated that the applicant would work with the Trust to establish satisfactory guidelines relating to hours of construction prior to the second public hearing.

The Planning Board asked about pedestrian access from the proposed hotel to Lechmere Canal Park. The Board requested that the applicant investigate improvements to the pedestrian access to the Park, to be constructed of brick or other paving on the portion of the pedestrian walkway owned by the City. As illustrated in the presentation materials, access would be via a walkway that crosses a roadway owned by the Metropolitan District Commission (MDC).

The Board also discussed the voluntary housing contribution offered by the applicant in connection with the hotel. The Board asked the applicant to reaffirm its commitment to make the housing contribution to the Affordable Housing Trust Fund described in the letter from Mr. McKinnon dated October 4, 1999 included in the application materials. Mr. McKinnon stated that although the applicant does not believe it is subject to Section 11.200 of the Zoning Ordinance, the applicant is committed to making the contribution specified in the letter.

One member of the public expressed concerns about traffic and pedestrian patterns around the proposed hotel. The Planning Board recommended that the applicant work with this individual in private prior to the second public hearing on Major Amendment No. 4 to address these issues. No other members of the public requested to speak at this hearing.

Mr. Brown from the Thomas Graves Landing Condominium Trust read a letter from the Trust in support of the proposed hotel.

A second public hearing for the application for Major Amendment No. 4 was held on December 21, 1999. Mr. McKinnon, Ms. Hanley, Mr. Feldman and Mr. Tremblay again represented the applicant. Mr. McKinnon summarized developments since the first public hearing, including submission to the Planning Board of the Final Development Plan. This plan shows an additional pedestrian access entrance from the hotel to Lechmere Canal Park (subject to obtaining all necessary consents). The plans also show brick paving of the portion of the walkway which will be used by pedestrians to access the Park, as well as brick paving of the adjacent portion of the roadway owned by the MDC and the entrance to the Park from Edwin Land Boulevard

Please refer to the Planning Board transcript of December 21, 1999, for deliberation and decision.

Findings

After review of the application documents, testimony presented at the public hearings and subsequent information provided by the applicant, staff of the City of Cambridge and the general public, the Planning Board makes the following findings:

1. Conformance to the Requirements for a Major Modification of a PUD Special Permit, Sections 12.37 of the Zoning Ordinance.

a. Difficulties in Constructing the PUD

The applicant has encountered difficulties in constructing the PUD which could not have reasonably been foreseen sufficient to satisfy the requirement of Section 12.37 of the Ordinance. As described by the applicant at the first public hearing, due to market

conditions and other circumstances beyond the applicant's control construction of a residential building on the project site proved to be uneconomical.

b. Satisfaction of Requirements for Original Application for PUD Special Permit

Under Section 12.37, a Major Amendment is considered as an original application for a special permit to construct a PUD and shall be subject to Section 12.37 and the procedures specified in Sections 12.34 through 12.36. All requirements, procedural and otherwise, of Section 12.30 of the Zoning Ordinance have been met, with the granting of extensions of time by the applicant. In particular, Section 12.35.3 states that approval of a special permit shall be granted only upon determination by the Planning Board that the proposal satisfies the following:

- (i) The proposal conforms with the General Development Controls set forth in Section 12.50 of the Ordinance and the development controls set forth for the specific PUD District in which the project is located.

In Paragraph 2(a) of the Findings in the PUD Permit, the Planning Board determined that all general development controls set forth in Section 12.50 and all development controls applicable in the PUD-4 district set forth in Section 13.50 were met with respect to the overall project. Except as discussed below, Major Amendment No. 4 will not result in any of those development controls being unmet.

With respect to requirements set forth in Section 12.50, Major Amendment No. 4 will result in no change in the PUD development size or construction of any new roadway. All requirements for construction of utilities and public works, landscaping and compliance with environmental laws and regulations have been or will be satisfied.

With respect to requirements set forth in Section 13.50, Section 13.52.6 permits the Planning Board to allow uses not otherwise allowed in Section 13.52 if certain findings can be made. Hotel use is not an allowed use in Section 13.52. However, the Board does find, as set forth here and elsewhere in this Decision, that a hotel is compatible with the Lechmere Canal and Square district described in the *East Cambridge Riverfront Plan* and that it is necessary and desirable to support the predominant uses in the PUD-4 district, including the protection, enhancement and utility of the adjacent park system. Other uses proposed are among the uses permitted and satisfy the requirements and limitations established in Section 13.52 for those uses. Except for the FAR requirement set forth in Section 13.53.1, all dimensional and open space requirements of Sections 13.53, 13.54 and 13.55 have been satisfied. The applicant has applied for a variance as to the FAR requirement from the Board of Zoning Appeal. Parking will be provided in the existing CambridgeSide Galleria parking garage sufficient to meet the requirement of Section 13.57.1. Finally, the project fully meets the development guidelines established for the East Cambridge riverfront area.

(ii) The development proposal conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD District is located.

The project and the modifications to the project made subsequent to the first public hearing conform to the policy plan entitled East Cambridge Riverfront Plan and the development guidelines for East Cambridge entitled East Cambridge Development Review Process and Guidelines.

(iii) The development proposal provides benefits to the city, which outweigh its adverse effects. In making this determination, the Planning Board shall consider the following:

Quality of site design, including integration of a variety of land uses, building types and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public.

The project will fulfill the urban design goals of the East Cambridge riverfront by completing the CambridgeSide development and complementing existing commercial and office uses in the area. Additionally, the project includes landscaping improvements along Edwin Land Boulevard and around Lechmere Canal Park, which will serve to preserve and enhance the open space and natural features around the Lechmere Canal.

Traffic flow and safety.

The project, including the mitigation measures described below in connection with the grant of a Planning Overlay Special Permit, will have no significant adverse effect on traffic, as described below.

Adequacy of utilities and other public works.

The project can be adequately served by existing and proposed utilities and public works, and will not significantly burden existing utilities and public works.

Impact on existing public facilities within the city.

The proposed hotel will have no substantial adverse impact on any existing public facilities within the City. The hotel project includes landscaping improvements on Edwin Land Boulevard and Lechmere Canal Park and a restaurant with outdoor seating adjacent to the Park (as the weather permits), which will enhance pedestrian use and enjoyment of the Park and the Lechmere Canal.

Potential fiscal impact.

The proposed hotel will be privately financed and will not require any additional public expenditure, and will complement existing commercial development in Cambridge. It will also provide an additional source of tax revenue to the City of Cambridge.

2. Conformance to the requirements of the Planning Overlay Special Permit ("POP"), Section 11.500 of the Zoning Ordinance.

a. Submittal of Required Documents

All requirements of Section 11.511 have been met with the submittal of a complete application, including a certified traffic study.

b. Finding of No Substantial Adverse Impact on City Traffic.

The Planning Board identified five criteria that would assist in determining whether a project should be found to cause substantial adverse traffic impact: (1) project vehicle trip generation, (2) traffic generated on residential streets, (3) effect on level of service at identified intersections, (4) length of traffic queues at identified intersections, and (5) nearby locations with a high incidence of accidents.

All intersections within the traffic study are within the parameters set out in the POP criteria 1-4.

With respect to criterion (5), which is an indicator of existing conditions unrelated to the project, two of the six intersections analyzed have been identified as having unfavorable accident histories. The O'Brien Highway/Land Boulevard intersection likely fails because of the large volumes of traffic through it. The First Street/Binney Street intersection is of recent design and conforms to the highest design standards. Given the modest impact the hotel will have on area traffic, the Board does not consider these failures a significant factor in its determination.

Therefore, the Board concludes that the project, with the implementation of mitigation measures imposed by the Board as conditions of this Decision and with the redevelopment of the project site as indicated on the approved plans, will not have a substantial impact on City traffic.

c. Conformance with Enumerated Growth Policies.

The Planning Board further finds that the project is consistent with the growth policies enumerated in Section 11.500 of the Ordinance.

(1) Policy 13: Pace of development, maintenance of the tax base, adjustment to changing economic conditions, consistent with urban design plans, disruption of neighborhoods, overburden infrastructure.

The proposal will complete and complement the larger CambridgeSide development, which has been the subject of ongoing review and cooperation among the applicant, Planning Board and Community Development Department for more than a decade. Much of the infrastructure needed to support the hotel has been in place for some time, including parking and loading facilities in or near the CambridgeSide Galleria parking garage.

The proposed development is consistent with the existing commercial and office development around the Lechmere Canal. The hotel will complement the architecture of the CambridgeSide Galleria, and will serve the needs of business travelers to this area and other commercial and high-tech businesses in East Cambridge. The development also provides the opportunity of enhancing the landscaping and pedestrian paths in the adjacent Lechmere Canal Park. The hotel and restaurant on the ground floor, including outdoor seating oriented toward the Park and pedestrian access from the hotel to the Park, will increase use and enjoyment of the Park and the Lechmere Canal.

As with any new construction, the hotel will add to the city's expanding tax base and the revenue derived from it.

(2) Policy 27: Affordable housing and neighborhood character.

The proposal is similar to other commercial activities and uses around the Lechmere Canal. In addition, the applicant will make a contribution to the Affordable Housing Trust Fund as specified in the letter from Mr. McKinnon dated October 4, 1999. The scale and character of the proposed hotel is an appropriate use in this location.

(3) Policy 39: Minimize impacts on abutting neighborhoods.

Section 11.500 is specifically designed to address the principal impact development of this site would have on residential neighborhoods; i.e., significant adverse traffic impacts. One adopted criterion for measuring such adverse impact is the amount of traffic directed to nearby residential streets. The site has access to major transportation routes and public transportation without directly impacting residential areas. With the exception of Thomas Graves Landing, actual residential occupancy is separated from this site by nearby commercial construction including the CambridgeSide Galleria, office buildings at 10 Canal Park and One Canal Park, the Sonesta Hotel, and several commercial businesses along First Street. As the hotel is well removed from existing low density housing, its physical features (e.g. height and bulk) and operational characteristics (e.g. parking and delivery access and noise) will not significantly negatively impact enjoyment of the residential qualities of life in East Cambridge.

(4) Policy 66: Open space facilities.

The development of the site represents the completion of the CambridgeSide Galleria development and the East Cambridge Riverfront Plan. The CambridgeSide development has provided significant amounts of open space to the area, including portions of Charles Park, the Lechmere Canal Park and the Lechmere Canal, as well assistance in ongoing maintenance of these facilities. The hotel fulfills the goals of the original development plan by completing the unfinished corner at Land Boulevard and Lechmere Canal Park. Additional site improvements and the introduction of public uses along Land Boulevard and adjacent to the park will enhance existing open space and promote pedestrian access to and through these facilities.

3. Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance:

Special permits will normally be granted where specific provisions of the Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

- a. The requirements of the Ordinance cannot be met.

With the exception of the FAR requirement in Section 13.53.1, Major Amendment No. 4 meets all requirement of the Ordinance. The applicant has applied for a variance as to this FAR requirement from the Board of Zoning Appeal, subject to the applicable appeal period. The issuance of the Planning Overlay Special Permit does not result in any requirement of the Ordinance being unmet.

- b. Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

As described above, the proposed hotel will result in no change in neighborhood character or create any congestion or hazard.

- c. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance will be adversely affected by the nature of the proposed use.

As indicated above, the proposal complements or is similar to other activities and uses around the Lechmere Canal and other nearby sites, and like them is consistent with permitted zoning uses.

- d. Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.

No nuisance or hazard will be created by the operation of the hotel.

e. For other reasons, the proposed use would impair the integrity of the district or the adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The proposed development will not impair the integrity of the PUD-4 District or adjoining districts or otherwise derogate from the intent and purpose of the Zoning Ordinance.

Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings the Planning Board GRANTS (1) the requested Major Amendment No. 4 to Special Permit No. 66 authorizing a change in use from residential housing to hotel, restaurant and related uses for the remaining undeveloped portion of the CambridgeSide development, and an increase in the maximum FAR for the CambridgeSide development to 2.18 (subject to the granting of the necessary variance relief) to permit development of the hotel in accordance with the Development Plan, subject to the conditions and limitations set forth in Section A below, and (2) the requested Planning Overlay Permit, subject to the conditions and limitations set forth in Section B below.

References to the permittee below shall mean the applicant and any successor owner of the project site.

A. Conditions and Limitations to Grant of Major Amendment No. 4.

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board, which documents are referenced above as the Final Development Plan and include (i) a site plan dated July 15, 1999 and revised through October 29, 1999, and (ii) building details (including floor plans and elevations) dated July 15, 1999 and revised through October 29, 1999, as such documents may be further modified in response to the conditions and limitations set forth below in this Decision. The Community Development Department shall certify such conformance for plans submitted to the Inspectional Services Department for a building permit, prior to issuance of any building permit.

2. The permittee shall make a contribution to the Affordable Housing Trust Fund of three dollars (\$3) per square foot of the floor area of the hotel as constructed. Based on the Final Development Plan, the contribution is currently estimated to be \$462,000. The Applicant shall make the payment to the then Managing Trustee of the Affordable Housing Trust on or before the issuance of an occupancy permit for the hotel.

3. The project shall continue to undergo design review with the staff of the Community Development Department. Particular attention shall be paid to refinements in the design of the improvements across the access drive between the hotel and Lechmere Canal Park, owned by the Metropolitan District Commission (MDC) with an easement to Ten Canal Park. It shall be the objective of the design to encourage and enhance pedestrian flow across this space to the park from the hotel and to the hotel and public streets from the park. The permittee shall cooperate with the City of Cambridge in securing all permissions necessary from the MDC and the owner of Ten Canal Park to permit the improvements to be installed and the permittee shall be responsible for the full cost of the installation of such improvements in a form and manner acceptable to the MDC and the owner of Ten Canal Park and the City of Cambridge.

4. The applicant will work with the Thomas Graves Landing Trust to establish satisfactory agreement relating to hours of construction as outlined in the letter from Rich McKinnon to Robert Brown of the Thomas Graves Landing Trust, dated 12/21/99, before the issuance of the building permit.

B. Conditions and Limitations to Grant of Planning Overlay Permit.

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board, which documents are referenced above as the Final Development Plan and include (i) a site plan dated July 15, 1999 and revised through October 29, 1999, and (ii) building details (including floor plans and elevations) dated July 15, 1999 and revised through October 29, 1999, as such documents may be further modified in response to the conditions and limitations set forth below in this Decision. The Community Development Department shall certify such conformance for plans submitted to the Inspectional Services Department for a building permit, prior to issuance of any building permit.

2. In order to ensure that this development over the long term continues to comply with the standards for the issuance of this Section 11.500 special permit, the following mitigation measures shall be required:

a. The permittee shall contribute \$7,500 to the City to support implementation of traffic improvements at the intersections of (i) Edwin Land Boulevard and Binney Street, (ii) Edwin Land Boulevard and CambridgeSide Place, and (iii) Binney Street and First Street, as such improvements are recommended and described in the "Proposed Intersection Changes" Section of the Traffic Report. The permittee shall make the contribution on or before the date of issuance of a certificate of occupancy for the hotel.

b. The permittee shall provide information in the hotel lobby and each hotel guest room on the availability of public and alternative transportation in the area. Such information shall include a description of the existing CambridgeSide shuttle and the Charles River TMA shuttle, the location of and access routes to the Lechmere MBTA

station, the availability of bicycles for use by hotel guests as described below, and information on walking distances to major destinations in East Cambridge.

- c. The permittee shall coordinate efforts with other hotels in East Cambridge to provide shuttle service between the hotel and Logan Airport.
- d. To encourage non-automobile travel by guests, the permittee shall make available for hotel guests no fewer than ten bicycles and parking spaces for such bicycles in an area of the hotel protected from the weather. Such bicycles shall be available for use by hotel guests at no charge on a first come, first served basis.
- e. In order to encourage carpooling and use of public transportation by hotel employees, the permittee shall participate in carpool databases and programs implemented by adjacent businesses. The permittee shall also implement a "Guaranteed Ride Home" program whereby employees who carpool or use public transportation and who miss their rides or connections due to work schedule changes are assured a ride home.
- f. The permittee shall subsidize the purchase of MBTA bus and subway passes by hotel employees, and make such passes available for purchase at the hotel.
- g. The permittee shall, in a form and manner approved by the CDD in consultation with the TPTD, annually monitor the modes of travel to work undertaken by employees, to determine consistency with trip generation assumptions presented in the permit application. The survey instrument shall also be designed to solicit employee attitudes with regard to their travel modes and programs that might encourage use of other than single occupancy vehicle (SOV) trips. The permittee shall report all findings to the CDD in a timely manner.

The permittee shall, at two year intervals, undertake parking utilization counts for its designated parking spaces and report all findings to the CDD in a timely manner.

3. On an ongoing basis, as experience is gained with the operation of the hotel, the permittee shall explore reasonable ways by which persons coming to the hotel via commercial or private automobile can be made aware of access routes to the hotel without resort to illegal U-turns at congested intersections. As a first step the permittee shall contact regional taxi cab organizations to develop a means by which taxi cab operators can be advised as to the best routes to be taken to access the hotel in a legal manner.

Voting in the affirmative to GRANT Major Amendment No. 4 to PUD Special Permit No. 66 and to GRANT the Planning Overlay Special Permit were F. Darwin, T. Anninger, H. Russell, L. Brown, B. Shaw, and K. Benjamin and P. Winters, associate members appointed by the Chair to act in the place of full members of the Board, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,


Florrie Darwin, Interim Chair

A copy of this decision shall be filed with the Office of 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 December 30, 1999 by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision.

No appeal has been filed.

DATE:

City Clerk
City of Cambridge