PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL MEETING

Tuesday, May 21, 2013

7:00 p.m.
in
Second Floor Meeting Room, 344 Broadway
City Hall Annex -- McCusker Building
Cambridge, Massachusetts

Hugh Russell, Chair
H. Theodore Cohen, Vice Chair
Pamela Winters, Member
Steven Winter, Member
Tom Sieniewicz, Member
Steven Cohen, Member
Catherine Preston Connolly, Associate Member

Brian Murphy, Assistant City Manager for Community Development

Community Development Staff:
Liza Paden
Roger Boothe
Stuart Dash
Jeff Roberts
Taha Jennings

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PUBLIC HEARINGS

PB#276, 33 Cottage Park Avenue (continued from 3/5/13 and 4/9/13), Special Permit application for 67 dwelling units pursuant to Section 10.47.4 -- Multifamily Special Permit and 19.20 Project Review Special Permit. This property is also known as Fawcett Oil site and the proposal is also known as Tyler Green. 19

Amendments to the existing Special Permits of 125 CambridgePark Drive (PB#26) and 150 CambridgePark Drive (PB#47) and an application for Special (PB#279) located at 125, 150 and 180R CambridgePark Drive to permit the construction of a new multifamily residential building of 220 units on a portion of the above property to be known as 130 CambridgePark Drive, and a parking garage for 456 parking spaces on 150 CambridgePark Drive. The amendments to the existing Special Permits (PB#26 and PB#47) and Special Permit PB#279 are required pursuant to

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Section 20.70 -- Flood Plain Overlay District, 20.95.1 -- Maximum Floor Area Ratio, 20.95.11 -- maximum Floor Area Ratio, 20.95.34 -- Waiver of Yard Requirements, 20197.2 -- Pooled Parking, 20.97.3 -- (and 5.25.42) Waiver of Gross Floor Area Provisions for Parking Facilities, 6.35 -- Relief from Parking Requirements, 6.43.6 -- Common Driveways, 6.44.1 -- Setbacks for On Grade Open Parking Facilities and Driveways and 19.20 -- Project Review. The applicant is The McKinnon Company, as developer on behalf of BRE/CPD LLC, for the property 220

Charles Teague, et al, Petition to amend the Zoning Ordinance of the City of Cambridge in the following ways: Create new definitions for Lamp, Luminaire, Direct Light, and Indirect Light; amend portions of Sections 6/41 and 6.46 in Design and Maintenance of Off-Street Parking Facilities to replace terms "glare," "reflection," and "lights" with other terms as defined in the petition; amend Paragraph 7.15(B) in General Limitations for All Signs Permitted in the City of Cambridge to remove the term "indirect" from the text; create a new Section 7.22 Lighting Restrictions for the City of Cambridge; and modify the title of Section 7.20 Illumination to read Section 7.23 Lighting Restrictions for Residential Districts and remove the term "indirect" from the text. 220

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P R O C E E D I N G S

(Sitting Members: Hugh Russell, H. Theodore Cohen, Pamela Winters, Tom Sieniewicz, Catherine Preston Connolly, Steven Cohen.)

HUGH RUSSELL: Let's get started. This is a meeting of the Cambridge Planning Board, and the first item on our agenda is the review of Board of Zoning Appeal cases.

LIZA PADEN: One of the cases is 52 Church Street listed as a Sign Variance. This sign exceeds the height limit of 20 feet, and it's internally illuminated and the dimensions exceed the 30 inches. So this is The Sinclair in Harvard on Church Street. And The Sinclair is the new venue where you go up a flight of stairs and it's set back from the street and it has a very art deco sign.

The Cambridge Historical Commission has

reviewed it and they are in support of it. I actually have another copy for this end of the table.

TOM SIENIEWICZ: So, Liza, it's set back from Church Street considerably as I understand it?

HUGH RUSSELL: 30 feet maybe.

LIZA PADEN: Yes, about 20 feet set back. And they do have a performance schedule that will be up in a marquis sign. They're actually going to use the moveable letters that hang on the sign board.

HUGH RUSSELL: So, Historical Commission didn't choose to find a formal storage warehouse which consists of the first three or four floors of that building?

LIZA PADEN: No.

I didn't know if anybody on the Board had a comment about it or not.

HUGH RUSSELL: Right. I would think this would fall in the general category of the Historical Commission does design review in Harvard Square and they're tough.

(Steven Winter Seated.)

LIZA PADEN: Yes.

Yes, Pam.

PAMELA WINTERS: This is Mr. Rafferty's case. Is he here tonight?

LIZA PADEN: No, he's not here yet.

TOM SIENIEWICZ: Mr. Chair, I'm sure that the Zoning Board will take into consideration all the particulars, but the particulars of the way of where this is on the site, it is set back significantly from Church Street, down an alley -- a service alley, so to my eye it may warrant some consideration for Zoning relief on that basis, and I would like to send that message.

I agree, the Historical Commission is the toughest when they do design review, but ultimately I don't want the Zoning Board to stand on ceremony in particular with this site.

HUGH RUSSELL: Okay.

LIZA PADEN: Are there any other cases that the Board wants to look at?

H. THEODORE COHEN: What is the Somerville Avenue sign?

PAMELA WINTERS: That's the one I was just going to ask, too.

LIZA PADEN: Okay. This is going back to the building where Pier 1 Imports used to be. Yes, Pier 1 Imports. So this is the next proposal. This is for a Sleepy's. And their proposal is to put in a sign that's above the second floor sill line which is what the height limit is. And here's some

more of the plans here.

HUGH RUSSELL: So this doesn't actually show the sign?

PAMELA WINTERS: Ted, you have the sign?

H. THEODORE COHEN: Yes.

PAMELA WINTERS: Let's see.

HUGH RUSSELL: Is it dimensionally conforming?

LIZA PADEN: Let me see what they finally came in with because they changed their mind a number of times.

H. THEODORE COHEN: So there are two signs?

LIZA PADEN: Right. So what they did do is they kept the letters at 30 inches, which is the maximum it can be for internally illuminated, and the entire sign is 40 square feet. It's the location that they're looking

for to be above the second floor sill line.

HUGH RUSSELL: This design doesn't have an established sign between the first and second floor.

PAMELA WINTERS: This is another Mr. Rafferty?

LIZA PADEN: No.

PAMELA WINTERS: No? Sorry, no, you're right.

H. THEODORE COHEN: Wasn't there a ZBA case last week or a couple weeks ago for Pot Belly?

LIZA PADEN: Yes. Pot Belly's has asked for a fast order food signage. Their signage will be on the ground floor. This building tenant -- there was another building tenant, Walgreens, and they received the Variance from the Board of Zoning Appeal for the location, I believe, but not the -- the

Walgreens was asking for size and internal illumination and they didn't get those parts of the Variance. I believe the location on the building was granted a Variance.

H. THEODORE COHEN: Do we know what all three enterprises' signs will look like together?

LIZA PADEN: Yes.

HUGH RUSSELL: Not on one drawing.

LIZA PADEN: Not on one drawing, no.

HUGH RUSSELL: Well, since Bill isn't here, he would ask for that drawing or at least for that drawing to be available to the Zoning Board so they can understand what the whole building is like. It seems to me there's a risk of this where they're seeming really jumbled with a lot of signage.

LIZA PADEN: Yes.

HUGH RUSSELL: And I'm kind of

surprised that signs this big are conforming in size.

LIZA PADEN: Well, it's 40 square feet and they have enough retail frontage on that building. And the building owner has allocated a certain amount to each tenant.

HUGH RUSSELL: They have two signs.

LIZA PADEN: There's a lot of signage on this building. It has Somerville Avenue. It has White Street. And because of the way sign allocation is measured, there's an alley overlooking the garage parking and that's considered to be a frontage, so that is included.

HUGH RUSSELL: I can't tell from what's before us.

LIZA PADEN: Okay.

HUGH RUSSELL: You know, what --

H. THEODORE COHEN: Seems like a

huge amount of signage for one building.

LIZA PADEN: Okay.

STEVEN COHEN: But that's exacerbated that -- the building wasn't well designed for signage. And I think further exacerbated by the fact that many of these signs are what we call formula retail, in short contrast to the other case, which is again a distinctive and unique retailer here. You know, Sleepy's well, that could be any place and it's going to make the whole building look like a suburban mall, but I don't know that there's anything under the code that we can say or do about that.

HUGH RUSSELL: Right. The pull for me is that this may actually be an okay place to put a sign.

STEVEN COHEN: You know, in a multi-tenant building we really should be

evaluating each individual sign in the context of the entire building signage.

HUGH RUSSELL: So we could recommend that the Zoning Board, and if they took that to heart, they might bounce it back to us and, say okay, then we'll get you to what you need to do, and then I don't think we should fail to make a recommendation at this time because we presume they're going to be heard.

LIZA PADEN: On the 23rd, this Thursday.

CATHERINE PRESTON CONNOLLY: Just to clarify, though, the only relief they're looking for is the height, the location, not the amount of signage?

LIZA PADEN: Correct.

HUGH RUSSELL: Right.

PAMELA WINTERS: So, I had a question about -- I left my glasses at home

tonight. And this is Mr. Rafferty's case, 155 Webster Ave.?

LIZA PADEN: Okay.

PAMELA WINTERS: Converting the single-story commercial structure on a lot containing three-family dwelling units. Could you tell us a little bit more about that, Liza?

LIZA PADEN: So this development requires -- this proposal requires a Special Permit from the parking regulations. They are, excuse me, they are -- I'm sorry, there's only one parking space and they're required to have one for each unit. And they're requesting to have four dwelling units and they'll only have one space --

PAMELA WINTERS: I see.

LIZA PADEN: -- on their lot.

And a Variance for lot area per

dwelling unit is the other one.

HUGH RUSSELL: I'm guessing from the description there's no new construction, just using the existing buildings?

ATTORNEY JAMES RAFFERTY: There's a square structure on the lot that's been there for 70 years and it was a corner grocery store. It was the candy store, and it's been unused. And so the owner hired Mr. Ellsworth to come up with a very attractive but admittedly small dwelling unit, but it's trying to make some functional use out of the structure which has been nothing more than a storage shed but it sits rather prominently. So it did look like there was an opportunity to create something there.

LIZA PADEN: So do you want to pass on any comments or leave it to the Board of Zoning Appeal?

HUGH RUSSELL: It strikes me that this is the only thing the Board of Zoning Appeal deals with. It's, you know, it's a reasonable use. It's just how does it fit? Is there a huge parking problem here that one more unit will cause an enormous disruption? Who knows, but that's what they'll find out.

LIZA PADEN: Yes, okay.

PAMELA WINTERS: Great.

LIZA PADEN: Any other BZA cases anybody want to look at?

HUGH RUSSELL: Okay, thank you. Here's the paperwork.

LIZA PADEN: Okay.

HUGH RUSSELL: Do we have any meeting transcripts?

LIZA PADEN: We haven't gotten any meeting transcripts since the last meeting.

HUGH RUSSELL: Okay.

LIZA PADEN: I'm going to fill in for Brian.

HUGH RUSSELL: So would you update us then, please.

LIZA PADEN: Okay. So the next meeting is May -- I'm sorry, the next meeting is June 4th and that will be a public hearing for the Harvard Inn to convert to the dormitory use that was touched on during the Town Gown comments. It will also be the 240 Sidney Street which is a residential development in Cambridgeport. And the Phillips, Et Al Zoning Petition which is Special Zoning District 2, a Zoning Amendment District, and the standards in that Zoning District.

On June 11th we're going to have more discussion on the K2-C2. I think it's going to focus on Central Square.

June 18th is the Kaizer Zoning Petition for a Special District 8A which is in Cambridgeport. And there is Councillor Kelley's Zoning Petition to create a new Ordinance to allow for flat roofs to be converted to allow the collection of water and diversion from the storm drains. I'm sorry, diversion from the sewer drains so that rainwater run off -- we'll have the public hearing. It's like now I've described the whole petition to you.

And July 9th, again, would be the Kendall Square/Central Square evening as that comes up.

And in July we'll be back to two meetings a month.

HUGH RUSSELL: And so the 9th and the 16th?

LIZA PADEN: The 9th and 16th in

July. And then August 6th and 20th. And for people looking ahead, September 3rd and 17th.

HUGH RUSSELL: Okay, thank you.

Okay. The next item on our agenda is Planning Board case 276, 33 Cottage Park Avenue which we heard a lot of testimony in April.

Roger, did you want to kind of give us a picture?

ROGER BOOTHE: Yes. The Board -- is this working? The Board mentioned at the last meeting, especially some of the new members, that they would like a little more information to start off the hearings about the type of relief being sought and so forth. And while the two hearings we're coming up against now already started, we thought it would be good to have a little preamble on both of those.

So it's starting off with Cottage Park Avenue. There's a plan on the wall behind Steve there. I'm going to go over and point to it.

So this is a plan of area of focus on the Fawcett Oil site. Here's Massachusetts Avenue here, Cottage Park Avenue here, Brookford, Whittemore, and the Linear Park along here. So you see there's some larger buildings and the asphalted areas that serve, that were the Fawcett Oil site. It's quite a large piece of this part of the neighborhood. The Linear Park, of course, was set up in the '80s when the Red Line extension was in place, and some of the neighbors have been here a long time, and some of the Board members will remember that there was a whole discussion about whether that should be a park or parcelled off. And thank goodness I

think it was made into a wonderful park.

And then there were a series of special districts set up to try to deal with the fact that along what used to be a rail corridor, there were a lot of light industrial sites, like the one in question tonight. And so the idea was to have a sort of transitional Zoning that will allow continuation of some of those light industrial uses until which time as the conversion to residential would make sense. And there have been a number of cases along the Linear Park where that's happened. Normally the cornerstone of the project right down here along Linear Park was permitted probably 15 years ago. I'm not sure exactly what the date was on that. And this is a couple of larger buildings fit in with smaller contextual homes that were there all along. And then some people noted during

the hearing on the Fawcett Oil case that right across the way, the former Cambridge Lumber site has been permitted for transitional housing. And I know you can't see it that well from this distance, but the footprint, though those buildings are to this aerial photograph here. So more of an approach with the -- the Fawcett Oil site is definitely the largest one and probably the most complex in terms of all issues that the Board has been hearing about. And the hearing -- and we probably discussed some more tonight. So that's some of the context.

Todd, did you want to add anything to some of the background on that?

UNIDENTIFIED SPEAKER: The Norberg site? The Norberg site.

ROGER BOOTHE: What about it?

UNIDENTIFIED SPEAKER: You didn't

describe it for members who are new. And how it --

ROGER BOOTHE: I don't know what point you're trying to make. I just want to say that's the context for the Special Permits that are being sought.

HUGH RUSSELL: So the permits that are being sought are actually design review permits and so there aren't, you know, it's not a question of setbacks or floor area or uses. All of that is conforming. It's just review of the design and the criteria. We list it fairly briefly in the application in which we got in March.

So since we last met, we've received some new plans. So I presume that the Petitioner wants to present those to us?

ATTORNEY JAMES RAFFERTY: That's correct. Good evening, Mr. Chairman. While

Ms. Speakman is setting up, just to go over a couple items for the Board.

For the record, I'm James Rafferty with an address at 130 Bishop Allen Drive. I'm appearing on behalf of the applicant Robert Fawcett, Jr., who is seated in the front row. His family owns the property. This Applicant -- the design team is Mr. Boyes-Watson and Ms. Speakman, the traffic consultant, and David Biancavilla is the engineer. And our landscape architect is also present this evening because there has been a request that she give us some details.

It really is a project that we've spent a lot of time on, and it's encouraging that there's a high level of interest in this site. We were grateful that last evening we extended an invitation to update neighbors to see these plans so they wouldn't have to

experience them for the first time in this presentation. And 20 of our neighbors came, and we had a good, healthy exchange and once again we were able to hear concerns. And the concerns, I think, are -- can be categorized into two areas:

One deals with the overall design and massing of the multi-family building. And as there has been from the outset, there's a legitimate concern about traffic. Traffic distribution, the impact of traffic on residential streets. So we're hoping to demonstrate tonight how we've addressed both of those things. It may be of some interest to the Board, I don't know if Board members ever wonder what happens after an Applicant leaves here, after a night we had last month, everyone has a role on this side of the room. And my role happens to be to tell people now

relax, go home, and have a good night's sleep and we'll think about everything that was said and we'll begin to synthesize and try to understand the best way to proceed forward. We had a unique opportunity here, however, because I don't know if you noticed, likely there's been a local cinematographer who has been attending the meetings and I discovered that there was a You Tube video of the Planning Board hearing in April. I don't know if any of you have had an opportunity to go on You Tube. I must say you all look wonderful. Really, you have family and friends over some night, you should really show it.

One thing about those things, though, you're convinced everything you said was so smart and then you listen to yourself, and nothing against you, Mr. Cohen, you're a new

member, but you may want to watch that before the next hearing. But at any rate, you can come away with the conclusion that we were asked to look at this site and say, what is it that could be done differently? Because of this language is Special District 2, that talks about the form that's consistent with the neighborhood, and I'm kind of paraphrasing here. And we all know it, and we identified it off the bat, and Mr. Cohen spoke first. And what you asked us to do, if you looked at this question, show us what you've done. And if you -- you know, look at other alternatives and share them with us. So we've been, a project team meets and says well, what do we do now? I say to them well, look, you just want to get a permit and be over and be done with. You heard what they said. Give them what they want and you get

yourself a permit. And that's tempting and lawyer talk, but on our team we have Mr. Boyes-Watson, and I say this with all sincerity, he was resistant. He's been studying this site and he's convinced that simply cutting the building in half wouldn't work. So he had all types of other ideas that needed to go to the heart of this thing, and we spent weeks looking at those things and pricing those things, and at the end of the day, you know, it just -- we weren't getting too far. And the answer was, you know, we've got to go see Community Development shortly and show them what we come out with. Why don't we divide this building in two and go see Community Development. And we did that.

Mr. Boyes-Watson came and his associate and Mr. Fawcett came and we sat with

Mr. Boothe and Mr. Dash and we said here's what we got. We think this is what the community wants out of this project. And the building was divided in two and you started to see a few changes and all that. And Mr. Boyes-Watson out of nowhere says, you know what we should do here -- and he was too far to kick him because you don't do that. You're still not going to fix the problem here because the problem here is the context drops off at the end of Cottage Park and at the end of Whittemore. And you've got to build the residential context at the edges of this site and then you have to -- you could put the building along the park and it could be a fabulous building. And cutting that building in half is a hollow gesture that will do nothing for anyone. It will create two buildings, each one with one elevator.

You lose the efficiencies if one elevator is out. And no one will ever experience it, and it's a lose/lose. And he starts tracing out on paper, and he talks about a Brattle Circle cluster of homes around the green and all that. And, you know, to the Fawcetts' credit they said, well, can we lease them? What will they cost to build? How is it all going -- and we really worked long and hard. I shouldn't say -- we, Ms. Speakman and Mr. Boyes-Watson did. They came up with this plan. We were late in getting it to the Board. Our apologies. We got it out Friday and we distributed it to the community on Friday and got it out to them.

Tonight what I'd like Mr. Boyes-Watson to do is walk the Board through the process what you asked, what Mr. Tibbs asked, Can you show us what you came up with? And I think

frankly, when you understand the relationships that have been created here in terms of trying to create the context here that is simply missing, I mean Cottage Park Avenue dead ends into an oil distribution with a chain link fence to the other streets, total asphalted place. You've seen from looking at the site plan what we've done here. We've created context at the end of Cottage Park Ave. by creating ten dwelling units contained in five townhouses. So those five townhouses allowed the building, the multi-family building to get reduced. And Mr. Boyes-Watson will walk you through the reduction of that change. And there are the first -- now allowed us to have a setback on the park of over 25 feet, and there was some surprise. In fact, we were surprised on our part when we met with Inspectional Services

when figuring out the Zoning envelope here that was a side yard. There was a suspicion that we cooked the books here, but that's a side yard for a whole range of geometric reasons for where the streets are and what's a front and what's a side. And we had the 12 and a half feet, but we had to get there because we had to be 50 feet off the park and certain height and 35 feet. So it worked, but it was quickly pointed out in this hearing I think by members, it feels, it feels like it should be a rear yard. So by taking the ten units out, the first thing we were able to do is get that building off the park which is now 25 feet and it feels a rear setback on the park.

The second thing is the height of the building on the Cottage Park Ave. edge is reduced to three feet.

MARK BOYES-WATSON: Three stories.

ATTORNEY JAMES RAFFERTY: Three stories.

And what you'll hear tonight, too, is an attempt, and it's more than just an attempt, it's really an effort to create separate identities for two buildings. We anticipate the building on the Cottage Park Ave. side will have an address box and it contains about 25 or 30 of the units.

There's the third thing that's happening in this building in addition to the setback, and the reduced height is a notch that's created in the middle of the building. And Mr. Cohen, who frankly directed us and we saw that as a bit of a shortcoming, it was the least flattering edge of the building. We made a case of how unflattering a site it faced so that that edge wasn't our most

sensitive edge. It was a place where we put things where you might not otherwise, you know, want to put them, but that worked for parking. That worked for a bunch of stuff. But it was unrelenting. There was really no break. So Mr. Boyes-Watson explored that break both in terms of the functionality it's going to create at the ground floor a notch in a way that becomes a single corridor, single loaded corridor on floors two, three, and four. So actually an elevation in rendering you can really appreciate. And the site plan, you don't get to see the impact it has, but it goes to the point of, you know, if we just simply broke the building at that point, it would do very little, cost the building a lot of functionality, and we'd still have the building over on the Cottage Park edge.

Cottage Park Ave. edge, and we wouldn't be able to create the circulation. So those are the big moves.

On the site side I want to point out one of the benefits of the way the property has been subdivided. You recall that the far western edge of the site, we left a little land to buffer the proposed residential houses from the Grey's parking lot and that has -- and that is a great opportunity to create another point of access into the Linear Park. And that's a point of access that I think speaks to the shortcomings of the adjacent point of access, which is kind of a dirt path on the Grey's Site which was a challenge with the baby carriage. And I think the Chair noted challenges with the bicycle. But we're going to be able to create a point of access there, so we'll now

have two points of access on the site. But that isn't merely an accommodation or a remedy for the residents of the buildings that's for the entire neighborhood above it: Madison, Harrison, Magoun, they're not going to be able to have a defined portal into the park at that location as a result of the way we created the subdivision. It's worth noting on the subdivision we have recorded a subdivision plan, those are five separate lots of 5,000 square feet.

Mr. Fawcett told some neighbors last night that he has an offer on the top lot, right there from a buyer. Gentleman was actually here at the prior hearing. He has an offer from him, and that gentleman's intention is to construct a single-family home. He now has an offer for the site. One of these lots for a property owner, proposed

owner who wants to build a two-family home. So we haven't designed those units because we're not going to build those units. They're literally going to be sold to third parties. If those two conveyances were to occur, we've only got two lots left and the economics of this site, the highest and best house is for best units. It could be combined as townhouses if someone bought two lots or three lots. The reality is yes, it could. I'm not convinced that's very inconsistent with the overall development pattern of the neighborhood. It is different, but it really creates a residential edge at Whittemore, and that frankly was the inspiration of what was lacking at the Cottage Park Ave. edge which caused Mr. Boyes-Watson to make that change. Building-wise it's a very exciting story.

And I think if you watch the You Tube video, you'll see that this is a highly responsive movement.

The most remaining nagging issue, of course, is traffic. And there's a, there's a range of views on traffic. But we have to acknowledge, and we have said consistently when we left here, we worked with our traffic engineers and even had discussions with the City Traffic Department about the possibility of creating two separate parking lots. One that would have a physical separation so traffic from the east would only be able to feed into a parking lot that serviced those three streets. Cottage Park had months and Tyler Corp., and then traffic on the west would go to a fixed parking lot that could only be accessed through the streets at Whittemore, Magoun, Madison, and that

neighborhood. What we heard back and what our traffic engineer was emphatic about, the city confirmed that was not ideal that the theory behind mitigating, the impact of this traffic was to have multiple points of access and multiple points of distribution. Now we have one street that isn't in the distribution network and, frankly, there's little we can do about that. That's a decision, a court order, that's impacted and we've been told we should do more about it. I would respectfully suggest that is within the municipality to make changes in that if they see fit. It's not within our ability to do so. So we have designed the building that does allow for access as many streets that come into the site. But the one thing we've done again is to put in a control gate so that the other principle of traffic

management that surfaced in our most initial meetings with the Traffic Department were not to allow for a scenario of where we have cut through traffic for the site. That the project wouldn't create an opportunity for traffic on the western side and the Whittemore Ave. edge to be able to cut through to avoid intersections on Mass. Ave. and cut through. As you recall, we had two gates at the edges before, controlled gates for parking. We kind of winced that people said it's a gated community like in Florida. That was the furthest from our mind. We're trying to prevent -- but reasonable people, and people said it to have some impact. We relocated the gates to the interior of the site. If you were to drive or walk around the site edge, you wouldn't see the gates and maybe, maybe that takes away the gated

feeling that was causing some concern. So we have located the gate.

UNIDENTIFIED AUDIENCE MEMBER: Could you show where the gate is?

ATTORNEY JAMES RAFFERTY: We're putting the gate right in that direction right there. It would be a controlled gate, a clicker or a transponder or something. So it is true that residents of the building, both multi-family building, and presumably the townhouses as well, would be able to access the site. And our traffic engineer is here today. It's a 67-unit building with five streets that distribute it. Traffic gets measured, as you know, on trips generated per hour, particularly peak hour trips. This won't make me popular, but the numbers are not that high. That's just what the facts show when you look at the traffic

analysis. But if you live on these streets, it's not to suggest that there aren't other factors taking place. The Emerson project is putting 16 or 18 units there. So people on Cottage Park Ave. are legitimately feeling we are going to experience a different volume. What the traffic study did show, however, is that the dance studio and the oil distribution business today generates a significant amount of traffic. In the case of the oil distribution business, the employees who arrive there and leave in those oil trucks, as well as the administrative staff that is there are different hours but they generate a high level volume of traffic. So traffic will be changed. It will be different, but it will be manageable. And these are people who will be living there. And we at the end have concluded that simply

closing off another street here, reducing the street access points from four to five simply will not create the solutions that are necessary.

I'm going to conclude because I don't want to be accused of stealing all of Mr. Boyes-Watson's thunder. But the pedestrian connections, and I challenge people to study this plan, to envision what Cottage Park Ave. looks like where there's a continuous sidewalk now that comes down passed these and Linear Park. Cottage Park Avenue ends as a chain link fence right there. And if you're on a bike or walking, good luck getting from that point to an access point on Tyler Court behind a dumpster. If you live on Edmund Street, you're not going to be looking over a parking lot anymore. You're going to be looking over

a residential unit. If you're confident enough, adaptive reuse of a nice masonry building, you're not looking over the back of what was an ice house and now is the dance studio. You're going to be looking into a courtyard and a green space. The renderings by Mr. Boyes-Watson really show the transformative effect of this development at taking an area that's devoid of any open space, any green space, any permeable space, and really creating a wonderful neighborhood.

So, we're literally excited to be here because we do think that this, this plan is actually -- and we've been at this a long time. This is really -- this exercise has led us to a place that we feel very good about in terms of the project itself. We know we need to continue to work with the neighbors and to remain vigilant on the

traffic issues, but we think the design here is the one that meets the criteria.

I would only close by reminding the Board that associated with the multi-family Special Permit in Special District 2. The last provision in the language 17.24.3, No. 4, and I don't know if Board members have seen it, it says for additional Special Permit criteria in consideration multi-faceted, the Planning Board should consider as a criterion, the development of residential units of various sizes and with various number of bedrooms with specific attention to three and more bedroom units with the overall goal of providing growing units suitable for diverse household sizes. We have ten, three-bedroom units. All those townhouses are three bedrooms, and seven more in the main building.

But when you consider the home ownership opportunities that get created on Whittemore, the range of units which would be accessible through an elevator and the multi-family building, and the townhouse-style units that are quite ideal for families, I would say that we not only meet that test, we exceed it in a very significant way. And that that is a critical an element in the Board's determination as any other factors. And I think between the criteria of the multi-family Special Permit and the urban design guidelines of Article 19 which you're asked to apply for this project, you should have little difficulty in concluding that both of the applications for Special Permits are warranted.

Thank you very much.

MARK BOYES-WATSON: Good evening.

I'm Mark Boyes-Watson from Boyes-Watson Architects, 30 Bowes Street in Somerville.

I have more slides maybe less words. And so I'm going to maybe just let most of these slides go. Some of you both in the Board and the neighbors have seen many of these, and just letting -- so just quickly just going back to the side as Jim described. Let me just go back. I want to take that one more section, the existing conditions photo.

So we have the asphalt. The -- this is the Norberg lot by the way. This is the Norberg lot here. Is it just here? Yes, just here. No, this whole thing.

Anyway, this actually shows clearly what Jim said. See the like light version of this? That's the better theme that's being subdivided into four parcels. And the rest of this, all that, basically the whole thing

there's no green space at all over the lot.

There are three buildings on the lot. This is the Fawcett Oil. This is the garage. And this is the access.

So here we are, we're just looking across the site. We're looking one way east and the other side west.

This is the ice house. And this is the now converted Emerson Lot.

Here we're looking -- this is the garage building. And you're saying this is wintertime shot showing the Linear Park. Now it's fairly matured. It has gotten up there so it's a great many (Inaudible).

This is looking back towards Edmunds Street. Keep going.

So what I think the Board had asked and so I'm going to quickly do, is sort of give a little bit of the history of, as Jim said,

we've been working on this for a little while. And this was the earliest -- we never formally presented this to the Board. But as you see, this is 104 units with the original SD-2 Zoning to reduce the residential development. Think about 12 years ago between the property owners and the neighborhood. And we had designed a pair of buildings with 104 units in it in a park-like landscape that related to Linear Park. Then there was a move to down zone the site, and in fact the site was eventually down zoned. As part of that process, we shrank the building down to 77 units. And here you see that configuration. And what you see is a couple of ideas here of always trying to resolve these street conditions and trying to create the linkages. So some ideas have stayed consistent. But, again, what Jim was

referring to is context issues still remained an issue.

We were here last time showing you this scheme which we're now at 67 units. That's in the main building. There are still these out-parcelled capacity for eight units here. But this is a 67-unit building. Very compact building. And then we took on board your comments about massing, and that brings us to when we went to the Planning Board and this was looking at splitting the building. You see the dotted line underneath. And actually there's no windows that face our site here. The Linear Park's here. And there you can see sort of what Jim was referring to. Does that really make anything any different? And so we've moved on to this current scheme. And Jim rightly pointed out so what, the fundamental ideas here remain. That you, you

connect, you resolve as many issues relative to the streets coming into the site as you can, remembering that Whittemore is a two-way street. It dead ends as a two-way street right here. This Magoun is a one-way street coming down. So there's a really weird condition here. So we have, you know, resolved kind of the ends. But the big idea is that the context that we create in terms of streetscape, we do at both ends, not just at one end. So we actually create the context that actually doesn't really exist, because this is a bare site. This is a bare site. This is a gas recharge facility. This is a condominium building that's converted into a warehouse -- converted into an industrial building which has like a blank wall here. This is an Emerson lot. So it's kind of interesting. So we didn't have a

one- and two-family neighborhood, but I think that's the context that all of the neighbors kind of want to feel this building belongs there. So we decided let's go there and find that neighborhood and then place our building in that context, that new created context.

So I think I can just skip over here. So I'm just going to walk through those renderings of the site. And in fact do we -- I'm just going to pop this up because I get lost on this site. And so I am just going to put that way up so I can show you where we are each time because I get lost. I've never designed such a big site in Cambridge before. So here we go.

So where we are here, we're looking down -- this is the Emerson Loft building, the corner of the Emerson Loft building. So right now this is taken looking from here

into here. So you're seeing on the right the first of the houses we've created that house. You're seeing that house is that house. And what you're seeing is right now the garage building is right here. So now you're seeing the Linear Park. And in fact, this path leads straight in. There's an existing path up to the Linear Park that's right behind that garage building that dead ends into the back blank wall of it. We're getting multi-use path that links the sidewalk system of Cottage Park right up to Linear Park and takes you to Davis Square.

On the left here you see there's two pairs of houses that create -- this pair of houses that create this little courtyard here.

So here we're looking, we're standing right here. And we're looking down here and

we're starting to see the multi-family building. What Jim was referring to is that we have -- part of what we did in terms of the response to your comments about massing is to see where it would be really advantageous us to change the masses, change the spirit of the building, change how it appeared. So what happens down on this courtyard, this is appearing as a three-story building, and you can see the view. There's the house left and right. The frame. And here's the Linear Park existing trees behind. So this stuff up here is actually a full 30 feet back from this corner slot.

Here we're now actually entering from Tyler Court. So here we're standing right here and we're looking between this building and this building and we're seeing the multi-family building in the back. So Tyler

Court's behind my back. And this is gonna lead out to Edmunds Street. And here you see the multi-family building again.

This is just making a turn as you come down Cottage Park and looking into this courtyard.

And so now I'm just walking down the back -- actually I've walked down, I've walked down here and this is where all of our parking -- not all of our parking. A lot of the parking for the multi-family building is here. Jim was referring to this. This is what we call the notch in the building. So I'm actually looking from here back in this direction. I'm seeing this house, that house as I look down this way, and I'm seeing that way in. So you're parking along here and you've got a change in the paving pattern here, and it takes you in and you go through

a little thing and there's leasing office and etcetera, etcetera. And right opposite in the panel I'll show you later, is the main common room for the project that lead you out to the court that abuts the Linear Park.

Here we're now at the other end of the site and we're looking down whatever this street is here. Magoun. Sorry. Looking down Magoun. So I just want to just be clear again. So this house exists and you'll see it's got a few side-by-side photos. So that's the last house. So that is actually -- is it just showing right there? Just there. And then -- so this house here is this house, and then here you're looking down the end of terminating the view down Magoun. Now these are just -- I'm just sketching here because these are not part of the project. These are the out-parcelled single, one- and

two-family 5,000 square foot lots.

Again, you see Linear Park in the background.

And just to refresh, the connections to the Linear Park that we're making, there's a sort of easterly connection that we saw at Cottage Park. The westerly connection that would lead you over to Alewife is right going to be over here. I'll show you where that is on the other side. Our site starts here. And what you're seeing there is one, two, three of those one- and two-family lots. That's that, that house there is this house here. So that house is on the left. And there in the far distance about a hundred feet back from the setback again, and that's the way that we've done this, the multi-family building is framed, it's well back from this streetscape and this

streetscape, framed through these buildings down to it. It actually happens to terminate the access of Whittemore right there.

Okay. Let's keep going.

Lastly this is a wintertime kind of rendition of -- this is the Linear Park and then she has a very mature set of trees here. And here you're looking -- it's hard to distinguish, but that's the courtyard of our building. So that's that courtyard. This shot is taken from here looking like that. So here you're seeing the closest of the elevations right here looking into the courtyard area. In the summertime you probably couldn't see much from that view.

Just to reiterate, there's sort of -- right now this site, Whittemore terminates, Magoun comes down, Brookford continues to terminate. The sidewalk systems all die out

as they reach the site, right? And Edmunds doesn't even make it across here so the site will peter out here. Tyler actually has no sidewalk. And so if you go to the next slide, what our strategy here is first of all, that by connecting everything back up with proper sidewalk systems, Edmunds only has a sidewalk on one side. We connected to that sidewalk. We loop it back round and up so that Cottage Park has a continuous sidewalk system and links back to Edmunds, here down to the other side of Cottage Park and links. And because you could walk through that existing opening that Jim was referring to here, but there's no sidewalk up here. And there's no sidewalks here. We don't control the land. So the idea is that for pedestrian movement will get everybody up on to the car. And that connection is opened

and now instead of that you have this and it leads you straight to Davis Square and Mass. Ave. Just going round Brookford remains closed.

As you come down then all of the streets, this end in site, they -- right now that -- it's a clear on here, is that right here you would walk -- you walk through this parking lot, the Grey's parking lot and there's a little sort of place you can get on here and you can walk up on to the Linear Park right there. So we are formalizing that through that 20-foot reserved area here. And a nice pathway through that green space there that leads you to the point and gets you back on to that same existing point where you can get on the Linear path. So the whole community at this end of the site can get up on the Linear Park. The whole community on

this end of the site can get up onto Linear Park using this site.

Just a little bit more detail and quickly. And so not showing, and so what's happening here is show you how the parking works. And so we basically have parking here, along here. There's that gateway. Parking under the building here and here. The parking for these is right here.

As Jim explained, the idea of the building as you will, it will functionally break into two ends. There's a fire door right here. But basically this is what we call the Cottage Park end, and this is the Whittemore. And we intend that these have separate addresses. And although the building obviously shares resources, etcetera, the identity of the buildings are from what their street presence is. So you

have this 33 Cottage Park Street presence here, and the -- what it will be two -- we're discussing what this might end up like being Two Whittemore at the other end.

As you go up, I just want to point out a couple of things, is that the -- there you're seeing that notch that goes all the way back to the corridor and lights the corridor here. What you're seeing as you go up on to this floor, these are all changes to the massing that we did. We basically sort of bitten away at this building to try and bite in the places that give the most efficacy. You're continuing to see the Linear Park is here and the fourth floor is set back at least 50 feet here from the Linear Park.

Here you see that, where that roof is, that fourth floor has been removed at the

Cottage Park end, and you'll see the big notch. We're up here on the fourth floor on this slide.

And this kind of just -- very quickly flick through again. Just going very fast, we've basically done this. This is existing and proposed juxtaposed.

So just to go back over that idea of the -- so here you have the Cottage Park elevation of the multi-family component. And so you're facing here. You're facing east. And here at the other end you have the Whittemore end. You have the Whittemore elevation. And this, it shows that's the full 25 feet back over whatever.

Yes, Jim.

ATTORNEY JAMES RAFFERTY: Masonry.

MARK BOYES-WATSON: Yes. So the idea here is to pick up a little bit more

masonry. We're referencing lightly. This is a bit smaller than the Emerson building short of kitty-corner over here. We're sort of picking up a little bit of that atmosphere as you come down Cottage Park and you pass the Emerson building and we sort of increase the amount of masonry on this facade. It's still picked up as an element of the building elsewhere, but it's more minor things that you're seeing. You see us deliberately differentiate these kind of buildings and slightly different character while still belonging to the same building.

This is the -- so this is this facade that faces the Linear Park. You will see the two wings that are coming here. You'll see that sort of missing fourth floor and our courtyard garden in here and our common rooms are down here.

This is the elevation what I think Hugh Russell described as the stealth elevation last hearing where you got your parking and there's that notch that's -- I showed you the illustration of.

KELLY SPEAKMAN: That's it.

MARK BOYES-WATSON: The traffic study -- the traffic study because although all the massing has changed, the issues of the traffic have actually remained the same, remembering that what we did is we took ten units out of the -- out of the multi-family dwelling and into the small one. So the question is do we need to talk about traffic in specific or do we answer questions?

ATTORNEY JAMES RAFFERTY: We don't have any new information, but I do think if there's question afterwards about, you know, I think the trip distribution is an

interesting analysis as well as the vehicle trip generation. We could save Mr. Ham (phonetic) for questions if that's appropriate.

HUGH RUSSELL: Okay. I think that's acceptable to us.

So does that conclude your presentation?

ATTORNEY JAMES RAFFERTY: Well, we do have our landscape architect. I know last time the suggestion so maybe we could ask just to briefly --

LESLIE FANGER: Thank you. I'm Lesley Fanger from PSC Group and I'm the project landscape architect.

First I just want to reiterate what the existing condition is on the site right now. It's basically an industrial building and parking. And the one attribute that it does

have are the perimeter trees that exist along the property line. And just through benign neglect they've been allowed to grow up into some nice, mature trees that every one of them will remain as part of this proposal except for maybe one along Cottage Park. There's a lot of trees there, and 99 percent of them are going to remain.

So what I'm going to do is just walk you starting in the west sort of around the site. As we travel along Whittemore Ave., the first thing you'll notice is the access to the Linear Park that has been discussed. But also the existing trees that have recently been planted, the cherries and the pears are going to continue into the site along with the sidewalk as well. So there will be some continuity along the streetscape going into the site and extending through.

Also as part of the requirement for development we have to plant so many trees. And in this case there are 60 surface parking spaces, and we're required to plant six, three-and-a-half-inch caliper shade trees. Well, we're proposing to plant ten shade trees, exceeding requirement by four. And in addition to that we're planting another 34 ornamental trees that will really help to reforest what is now an empty site and help to really beautify the neighborhood and provide something nice for the residents as well.

So as we continue along the north property line, remember all of those trees are going to remain, and we're going to reinforce those trees by planting a buffer of accommodation of evergreen and deciduous plant materials; shrubs and so forth, that

will help to buffer in between the parking area and the adjacent land uses. And that's pretty much going to be the case along the entire property line along the north.

When we enter into the two-family neighborhood that's being created along Cottage Park, Cottage Park is going to do the same thing. It's going to be continued. The character of the road will be continued so that when you're looking down Cottage Park, you're going to see trees and a sidewalk, go all the way through, and out to I believe it's Edmunds.

The residential or the two-family units will be buffered along the edge with the similar plant materials. We're suggesting lilac and some viburnum. In areas where it's really tight up against the existing adjacent buildings, we're proposing to do a hedge of

hews that are very narrow and sort of columnar and when put together can be sort of a green wall but still allow space in back of the two-family units.

So when we come around to the east and northeast again, we have that access into the Linear Park. So you really have a real neighborhood asset going through our site and into the Linear Park.

So say you are taking along -- a walk along the Linear Park, what are you going to see? Well, you'll see the parking area, Cottage Park coming along. You will see a little bit of the parking lot. You will see the back yards of the two-family units which will basically be lawn and maybe some plantings that they might choose to plant. You'll also see some ornamental trees that will help to provide sort of a separation

between the two-family and the multi-family providing nice yard area. And then along the Linear Park, again, we're going to replace the fence along this southern property line all the way to Grey's and all the way along to Cottage Park. And that will be sort of screened using a combination of evergreen shrubs like rhododendrons and some oak leaf hydrangea in combination and provide a nice buffering at the closest point to the multi-family building. So that will help, you know, you'll be up a little bit while you're along the Linear Park, but you'll be looking down on a nice view of plantings with the building behind and some lawn areas.

Then as we continue on, your view opens up because the building is set back away from the Linear Park quite a distance. And we've taken the opportunity to create a place where

the residents can be outdoors. We've kept it very simple, just three trees; they're tulip poplars and they're beautiful straight trunks. They make masts out of them because they're nice and straight. And they have really beautiful flowers that can't always be appreciated from the ground, but because you're going to be looking down from the Linear Park or down from the apartment, you'll see these cupped shaped tulip flowers. Very nice. So it's a very simple design. We have nice patios for the residents. And then a similar sort of balanced design with evergreen along the common property line between the Linear Park. And then we come back to the parking area and we're doing some low impact storm water management by placing a rain garden here that takes all of the water from the parking lot and infiltrates it

back into the ground which is very popular method for dealing with storm water. And we'll plant that with various, there are some -- there's a tree and various grasses and some ornamental shrubs and so forth. And then we're back to the west. We come full circle. And, again, we're having a nice combination of flowering trees. And in this case they're crabapple trees with an understory of flowering viburnum and yellow twig dogwood. And let's see, there's one other aspect that's quite nice, is that we have sort of nice decorative pavement places that help to warn people that whoever is driving through the parking lot, they know that this is a pedestrian way and they should slow down. And it also creates a little center garden space that has some roses at the back edge to create a screening between

the parking and the multi-family house or multi-family building. Excuse me.

I'm happy to answer specific questions about plant materials if you like.

PAMELA WINTERS: Hi. I have a question about watering systems.

LESLIE FANGER: Yes.

PAMELA WINTERS: And can you tell me a little bit about that?

LESLIE FANGER: I believe there is a plan for irrigation although we're not specifically showing that in this proposal right now. Most of the plant materials are native and don't require a whole lot of watering once they're established. And common lilac, viburnum, those sorts of things. But you do need to water them.

PAMELA WINTERS: You need to water them before they get established.

LESLIE FANGER: Correct. Right.

STEVEN COHEN: I have a question about the hardscape. We asked last time about the fence which was originally a chain link fence. Are you responsible for the fence?

LESLIE FANGER: Well, the choice for replacing the fence along the southern property line, I think we talked a bit about that, and decided that a black vinyl-coated chain link was an appropriate fence for along with this area. It's used in all of the parks. They're standard fencing. And this being, you know, part of the park system, we felt it was appropriate.

HUGH RUSSELL: How tall?

LESLIE FANGER: Six feet.

STEVEN COHEN: Can you just explain to me the rationale for the black chain link

fence rather versus, you know, a more decorative wood fence or some such thing?

ATTORNEY JAMES RAFFERTY: Well, I could speak to that.

Two things: One, is that there is in the Bishop petition there's a requirement here that the fence be able to see through. It's an unusual district. It has a requirement like that. And as we looked at different fence types, we began to look at what was a common fence material at Fresh Pond frankly which we thought had some elements, and the vinyl. And there is the fence, the same fencing that's used in a number of green open spaces in Cambridge. So we selected that.

MARK BOYES-WATSON: The notion was also, and always was, that -- about that fence is that it's, it's kind of -- I mean,

you might say why isn't that a black picket fence or something like that? And I think the idea is that this has nothing to do with the front yard. This -- I mean, there's always this tension on the Linear Park, and it's whether you're here or anywhere else in the city, about whether you're fronting it or backing into the Linear Park. And I think we're hedging our bets with this building. I think we front on it more than most buildings do. But nevertheless I think when it comes to that fence, what we're basically saying is that we want vines and materials to basically bury the fence so there's a sense of visual continuity of the green space. So that's why we don't have a more formal space. That's the idea. So that's why I think when Jim references like the more park-like landscapes, using the black vinyl which has

become sort of Cambridge's standard that's why we think that's a good selection.

STEVEN COHEN: And the rationale for the fence being six feet tall?

MARK BOYES-WATSON: Is it now? I can't remember what it is. It is now.

Do we know do we control that fence?

ATTORNEY JAMES RAFFERTY: The fence is barbwire now on the top. So we don't intend to use the barbwire.

STEVEN COHEN: Not even black barbwire?

ATTORNEY JAMES RAFFERTY: Depends how the hearing goes.

KELLY SPEAKMAN: Can I add the Linear Park is actually six feet higher than our courtyard naturally and the grade slopes down. So when you're standing on there, a six-foot fence is actually below your eye

level. So even though it's a tall fence, there's a big, steep grade drop right there. It won't feel six feet taller than when you're walking along.

STEVEN WINTER: Thank you.

Mr. Chair, I concur with your perspective on the fence. I think the fence, six feet is mighty high. However, that's an old railroad path so --

KELLY SPEAKMAN: Yeah, the path is six feet up.

STEVEN WINTER: And I guess my question for is what would that -- what would the fence look like from the path? What would you see?

LESLIE SPEAKMAN: You'd see the top rail basically. You would be looking down at the top rail.

STEVEN WINTER: Looking down on it?

LESLIE SPEAKMAN: Yeah, because you're up that much higher than the grade level. And the grade level is six feet higher than --

STEVEN WINTER: Okay.

The two other questions: The lilac and the viburnum, thank you very much for that.

LESLIE FANGER: Oh, good.

STEVEN WINTER: Are they planted freestanding or are they attached to some kind of a structure to grow on?

LESLIE FANGER: They're going to be planted directly in the ground. There's no structure. They're going to be planting beds and so forth.

STEVEN WINTER: And the last question I have is this may not be your specific responsibility, but are these, pathway access from the neighborhood to the

park, are they lit by the proponent and is the lighting maintained by the proponent?

LESLIE FANGER: There's going to be, there's going to be lighting as part of the project. And I think that the -- are the paths -- I don't think we've gotten that far but it's something that could be considered I think.

STEVEN WINTER: Thank you.

HUGH RUSSELL: I assume the path itself is a dawn to dusk?

ATTORNEY JAMES RAFFERTY: The signage at the Linear Park is.

HUGH RUSSELL: Yes. That doesn't mean that people can't get there. The path itself -- is the path itself illuminated?

ATTORNEY JAMES RAFFERTY: Yes. Well, there are some street lamps along the way.

H. THEODORE COHEN: I have a sort of a joint traffic, landscaping question. If you can leave that up there.

If the City, that's the ultimate entity, were to do something about Brookfield Street (sic), you've got a tree there now, and I just don't understand how would the opening of Brookfield work with the landscaping and with the traffic around the building. Has anyone given that any thought?

MARK BOYES-WATSON: Well, I, think you know, at various times we've not had a tree here. The -- if we were to open Brookford, which we do not intend to, but were it to be opened, it would give access so that it could be one of those, it could be another route. And obviously this design does not anticipate it being a primary route into the site. So it would be a place that

cars could come and go, but and it would also be controlled by the cut through control. But maybe that tree is not optimally located should such an eventuality occur.

UNIDENTIFIED AUDIENCE MEMBER: You've got to move the gate.

MARK BOYES-WATSON: The gate is right there.

UNIDENTIFIED AUDIENCE MEMBER: You would be able to cut through if you move the gate.

MARK BOYES-WATSON: Better not open it.

HUGH RUSSELL: So it seems to me that there -- if the City Council decides to open Brookford Street, then you may have to make some changes in your plans.

STEVEN COHEN: Mr. Chair, I was going to address the parking issues later,

but since Brookford Street has come up, you know, there's a -- there's going to be a traffic impact here. The Traffic Department has nevertheless given a seal of good housekeeping here. Vanasse Associates assures us that we're going to be okay, and -- but we all know that, you know, changes in development cause repercussions in traffic, and I think as a Board under those circumstances, what we want to do is make sure that an Applicant has done all that is reasonably possible under the circumstances to address that concern. And every time I look at this plan and I see Brookford Street there I'm, you know -- well, we've heard that the solution here is to have as many points of access, multiple points as possible. And Brookford Street just sits there and it just seems to me that it should be open and it

should help relieve, you know, any potential traffic burden here. Now Mr. Rafferty has said that that's not up to the Applicant, that's up to the City. What do I know about Brookford Street is what I've heard at these hearings, and my understanding is that the impediment of opening Brookford Street is actually a court order which I presume arose from a private lawsuit involving the owner of this site and the residents of Brookford Street.

ATTORNEY JAMES RAFFERTY: I could correct that because that is not --

STEVEN COHEN: Is that not the case? Well, that's what we asked the last time. What is the history here and why in fact can nothing be done?

ATTORNEY JAMES RAFFERTY: Well, I apologize. It's my understanding that a copy

of the Court decision was provided to the staff and has been shared with the Board. But the litigation providing Brookford Street was a civil action brought against the property owner, at the time was Fawcett. There had been a building, former ice house, at that location, at the end of Brookford Street. So much in the same way that there's a building -- the garage building blocks the access today into Linear Park, there was a building there. And this was a case brought from the '70s. And when the building burnt down, then the owners of Fawcett Oil created an opening and started using Brookford Street. And I say this from having read the decision and the facts set forth in the Court's order without any firsthand experience. And that's what led to the enforcement action by the City. And the

Court concluded that because the ice house had been there for decades, maybe 70 or 80 years, that the property owner, Fawcett, had lost the common law right of access and egress on to the public way by virtue of the placement of the building in that location. That's the decision. It's decades old. There's been talk about well, that only applied because it was a commercial use and now that it's residential it doesn't apply. If you were to read the order, and I hope Board members get an opportunity to do that, you'd see that that isn't the distinction of the operative decision. It had to do with the placement of the building for nearly 100 years at the end of the -- on the site that precluded access on to Brookford Street. So the Court similarly ruled on a fence -- that the city placed a fence at the end of Cottage

Park Ave. and attempted to restrict access onto Cottage Park Ave. as well. And the conclusion in the order says that the City had a reasonable interest in restricting commercial vehicles from Cottage Park Ave. But the property at the Cottage Park Ave. And did enjoy the common law rights of access and egress to the public way that it abuts.

STEVEN COHEN: Mr. Rafferty, did the order say that the City had the right to block off Brookford Avenue or did it not require the parties to block off Brookford Avenue?

ATTORNEY JAMES RAFFERTY: I'm doing this --

STEVEN COHEN: The distinction.

ATTORNEY JAMES RAFFERTY: Yes. Well, what the order said was that the Applicant didn't have the right to access

Brookford Street because its right of access had been forfeited. And I'm paraphrasing. But that was the legal theory I read about. I suspect there are people in the room here who have a stronger understanding and view of this as they live on Brookford Street.

I saw the order most recently when it appeared on the agenda of the City Council a few weeks ago. And it was, I think, sent to the City Council. It was referred to the Council's Ordinance Committee for their hearing tomorrow night on the Phillips Petition which is a petition that is aimed solely at this site. So I imagine it will be the subject of deliberation at the Ordinance Committee. But that's why when I say that it's not within our ability to open the street, there is a standing order that says that this property does not enjoy the

benefits of access of onto Brookford Street.

STEVEN COHEN: Well, it doesn't have the right of access, but there's no prohibition of access and that seems to be a matter subject to the control of the City.

ATTORNEY JAMES RAFFERTY: Well, I think that's probably correct. But I'm going to hesitate to characterize an order that I've only read once or twice as to what's set forth. I do think it's a worthy exploration for the City's Solicitor's office and the Law Department. If the Board needs advice on it, I think they would be well served to get it. The City was a party in that action.

HUGH RUSSELL: Any other questions at this time?

TOM SIENIEWICZ: I have a question that relates to traffic and landscaping as well, and forgive the level of detail on this

question, but it is coming down to the detail especially where this property abuts the public way. I see that the perspective drawings are promising the characteristic of the entry and the exit. I don't know what the correct answer is, but the site plan seems to suggest that the public way and the driveways are all rendered in the same color and that they appear to be all part of a roadway and network system. The perspective, particularly the view down Cottage Park looking south here, shows the entrance to the site with a curb cut and a sidewalk that does not dip down. So this is a very different feeling about how you would be entering a precinct that would have a large building. And I just want to understand in which way does the proponent see the multi-family? Is it part of the street network system? Or is

it on its own site that's accessed through a curb cut?

MARK BOYES-WATSON: So, maybe I can. I think that's -- I think that the answer is that we saw this -- there's already had lots of streets. So we saw that the privacy being the Cottage Park here. And actually if we went to the site plan, the -- these actually -- we see this as a driveway. And partly one of our primary goals is to get this sidewalk to work well with the connections of the Linear Park. We also -- these are only about -- how wide are these?

DAVID BIANCAVILLA: These are 18.

MARK BOYES-WATSON: 18. These are sort of filing -- so then deliberately you're supposed to be like chugging like five miles an hour on these. So it is a difficult site for deciding where the curbs are and where

they aren't. That was the decision we made. And I think the key idea. We are -- we didn't really go over in the plan, but we have 100 percent bicycle parking in here. We're right next to the Linear Park. I know that traffic is an issue and we know that traffic is an issue in Cambridge. And we're all encouraged by the fact that vehicle ownership is falling in Cambridge and bicycle and walking is increasing. So we intended from the very first touch of this project to somehow everything we did in this project would reinforce the goal of people walking and biking, connecting to that new park. We are, in a site that doesn't have in itself any inherent joys, that Linear Park is a great asset. So we always knew that and we wanted to make sure that was a beautiful connection.

ATTORNEY JAMES RAFFERTY: If I could follow up on that, Mr. Sieniewicz, and that has become a critical issue in our discussions with DPW and the Community Development Department. One of the more challenging comment about this is a gated community. We actually looked in the earlier iterations, the public street ends -- can you show where Cottage Park ends? We had a scheme that had a gate right there, because that's where the public way ends. But if -- the way the site functions and has for decades, is that vehicles on Cottage Park Ave. come through the private property and up to Tyler. Particularly some residents of the condominium building on Mass Ave. whose garage access is on the back of the building, and I personally witnessed, those people come down Cottage Park Ave., through private

property, and connect into their garages.

The city's trash truck at the end of Edmunds Street comes through the private property. So this became is this an extension? Is this a private way? Do we want to extend the public way? So it becomes a bit of a hybrid. We want to calm the traffic, but we don't want to gate it off. And we want people who live on Cottage Park to be able to walk through this site into the Linear Park. We want people on bicycles to do it. And frankly, people who live in the Emerson Condominiums might choose to exit but instead of going up Cottage Park, there's actually advantages, they could choose to go out Tyler Court depending on the direction they were heading. So we made the conscious decision not to place the gate at the edge, because what you really have here are three

streets; Cottage Park -- can you show where Edmunds is? And Tyler, are all dead ends into private property. And we, and as we studied the site and analyzed it with the Traffic Department, the conclusion was it should have a connectivity. And we should provide a framework for vehicles and pedestrians and bicycles to do that. So this plan is an attempt to do achieve that.

MARK BOYES-WATSON: Interesting. Actually also, then and just to I think going on to that, Tom, and this, we ride up on the sidewalk here. Because there isn't really a need for a sidewalk across here. You know, Inspectional Service consider that a front. So here the sidewalk, we ride over a sidewalk to get into our site in a typical curb cut and existing curb cut. So this one was an odd ball and that's the one where we don't.

And we also don't know about Tyler which it has no sidewalks. And Tyler is treated you don't ride up on a sidewalk here. And as we come around here, this sidewalk detours around there, right? So we don't actually -- we actually -- on Edmunds, because again we don't control. It's not really well defined in here. But what we are doing is continuing this Edmunds sidewalk passed -- it stops right there right now, and we are bringing it and we are creating a proper curb cut here. And so in an attempt to say should this tidy up one day, that we would have done our part.

TOM SIENIEWICZ: So this end of the site will look and feel like a public way even though you're crossing private property, right?

MARK BOYES-WATSON: Yes. So the

only exception -- so you ride over -- you go over a curb cut detail here. You don't here. Which is this is just a 20-foot right of way, Tyler. So there's no room for sidewalk, 20-foot right of way. You ride a sidewalk here. So this is the exception. And actually at one point we did have a raised intersection here. You know, it's sort of one of those traffic calming things like we have in the city. We don't show it right now. I mean this easily could be there, but it's not shown.

ATTORNEY JAMES RAFFERTY: One of the things that came up in the meeting with the neighbors last night is the width of what we might consider Cottage Park Extension is narrower than Cottage Park. So I think, and you know, we're subject to collaboration with the City and others on this, the thinking was

that it would be a bit of a hybrid, that you might -- I mean, obviously it's not going to be maintained by the City. It's not -- I'm assuming we're going to be plowing it. I assume, you know, issues around parking and the like are going to be private enforcement and not the city. So like so many other places, we have those private courts and private ways around town. This property has more vestiges of that but still has the permeability but it's an ongoing discussion.

H. THEODORE COHEN: Can we follow up on that? Can you put up the image with the parking?

So people who would be coming down Cottage Park or coming in from Tyler Court will have to go into the horseshoe area?

MARK BOYES-WATSON: Yes, through here.

H. THEODORE COHEN: If they're in the multi-family --

MARK BOYES-WATSON: Yes.

H. THEODORE COHEN: -- will go into the horseshoe area and then park in that side presumably?

ATTORNEY JAMES RAFFERTY: Yes.

H. THEODORE COHEN: Now you've got parking spaces at the end of Brookford, what would be the end of Brookford. And as I understand it, though, you've got gates on both sides. How are those -- those people who are parking there will have to go in through the gates?

MARK BOYES-WATSON: Yeah. The idea is that the only gate is one gate. It's right there. And the idea of that gate is anybody who is a resident on this parcel will have a clicker that gets through that gate.

The reason for the gate -- it may be that there's sort of contorted layout of the streets would be enough to stop people coming through, but people are pretty inventive. Because we wouldn't have that gate except to prevent people who would not in -- not residents of this site, from making those cut throughs which would throw off all the traffic planning and all the other ideas. So really that's why we call it a control gate. So it's actually I could just as easily, if I came through here, I could park here just as easily as I could park here because I wouldn't be able to go through that gate.

H. THEODORE COHEN: But if you came in through the Whittemore side you could park in that area up above the notch without having to go through the gate?

MARK BOYES-WATSON: You could. In

fact, the parking is distributed -- just like we have those two building identities, the parking is distributed to work more or less like that. So if they end up in timing spaces, I don't know if it's decided whether they do that or not. So the number of spaces at each end of the (inaudible) are roughly right for the usage. But it is important that our notion is that if I want to go to Harvard Square and I parked here, I would be able to do this.

H. THEODORE COHEN: And now, is the parking going to be assigned?

ATTORNEY JAMES RAFFERTY: Yes. The current thinking is that given this scheme, that would be a necessity. That you'd want people in the Whittemore Ave. building having adjacency to the parking lot in front of it and abutting it, and the balance of the

building would take advantage of parking there. We've been able to identify parking at the edge by Edmunds which serves nicely for the duplex properties.

H. THEODORE COHEN: Right.

And what's the parking going to be on in the building?

MARK BOYES-WATSON: There's six spaces and a handicapped space here and here under the building.

H. THEODORE COHEN: And the facade now does not call for any garage doors?

MARK BOYES-WATSON: It does not.

H. THEODORE COHEN: Can they be put in?

MARK BOYES-WATSON: You know, the trouble with those garage doors is that they rattle the whole building structure and they're also management problem because you

don't really know what's going on behind the garage doors. And I know that that's a little bit of a sensitive issue. Remember that this is a gas, re-gasification plan, and this is the blank wall of the old warehouse building. So it's -- we think it's much better to just keep it simple.

H. THEODORE COHEN: Well, and I mean from my point of view that's the least attractive aspect of the facade and, you know, the skinny pole's just holding it up. If something could be done with that, I think it would be a great improvement. Certainly, you know, if it's, you know, assigned spaces and you're talking about 10 or 12 people, there seems to me there must be some other solution that could enclose that or cover it up somehow.

MARK BOYES-WATSON: Okay.

HUGH RUSSELL: One thing that happens when you do that is you tend to lose -- it takes more space because you've got the frames of the doors and so you may have to -- it's --

H. THEODORE COHEN: Well, they seem to have extra space in their sketches.

MARK BOYES-WATSON: Yeah, I mean, I think that what we could do there -- I mean, we can look at the first one. But one of the things that I found is that is true, what we, it's a one-foot post there, but changing the ratio of the amount of the facade that comes on down would help and we could look at on how those -- this is actually -- is, that's the square space there is it helps with that car door. But we could look at that. We could look at getting a bit more meat in there. I think the advantage here there's

not at lot of it. There's only just -- you know, there's not that many spaces here. But I think we could redistribute this space here and get those piers to start to read more like part of the facade.

H. THEODORE COHEN: Well, I think whatever you could do would be an improvement. So if you could think about that.

CATHERINE PRESTON CONNOLLY: One other thing we asked about at the last hearing was a statement from the fire department.

PAMELA WINTERS: I was just going to ask that same question.

CATHERINE PRESTON CONNOLLY: So do we have a response that indicates that this is a circulation that they think serves the neighborhood well?

DAVID BIANCAVILLA: For the record, David Biancavilla. I'm the sole engineer for the project at BSC Group.

We did run the standard Cambridge turning radiuses for the fire trucks down Cottage Park, around the horseshoe, out behind the back of the building and out Whittemore. We were able to make those turns very easily. So the site has been designed with the fire trucks in mind for access. We have not met with the fire department at this point yet. Typically we do that during the DPW process. But we're comfortable that we're going to meet those requirements.

HUGH RUSSELL: Any other questions?

So, the hearing has not been closed and the question I guess before us, for the Board is, do we want to hear other testimony and do we want to restrict the public testimony to

certain subjects? Which would be getting comments on the specific changes that have been made, which I think really are the changes that were outlined by Mr. Rafferty in the beginning; the creation of the duplex structures at the right side of the site and the access through to the Linear Park at the left-hand side of the site. I mean, those are the big changes to me. Now there some architectural changes also to the building. The three-story height as seen from the extension of Cottage Park. And the notch in the back that nobody will see unless they actually are living in the building.

So do we want to hear some testimony?

H. THEODORE COHEN: I think we should. I think it's been significant changes and I'd like to hear what the public thinks about the changes. But I agree that

we don't want to just hear, you know, what we've heard a month ago. You know, that we don't want anything -- you know, we've heard the people about what they think about the size. But I would like to hear now what they think about the reconfiguration.

STEVEN WINTER: I concur.

PAMELA WINTERS: I'd also like to know what the City thinks. Maybe what Roger and the City thinks about the changes, too.

Do you have any comments, Roger?

ROGER BOOTHE: Want to do the hearing first?

HUGH RUSSELL: Why don't we actually hear from you first and I would ask Sue Clippinger if she has any comments she wants to make.

ROGER BOOTHE: Yes, we have met several times, and I think feel that they've

been very responsive, especially the strategy of cutting back on the massing of the building, having more of a setback from the Linear Park makes a big difference, I believe. And trying to integrate the ends of the streets so that they feel more like a part of the neighborhood. I think it was a major change that we felt was a good idea and we felt was responsive to what we were hearing from the neighbors. And certainly I think the landscaping approach seems extremely well thought out. And so I'm very comfortable with the project the way it stands now.

HUGH RUSSELL: Okay.

Sue, did you want to make any comments?

SUSAN CLIPPINGER: You know, I think the change to adding the connection to the Linear Path, the western part of the project,

is a very positive change and very responsive to issues of keeping that connection both for the community and for the project. And I think the proponent has spoken several times, you know, of our basic concept of having the multiple access/egress points so that traffic is distributed as much as possible among those streets without allowing cut through from between Whittemore and Tyler Court. And that that's been maintained, which has been basic to our belief all along. So those public connections that were being asked about between Cottage Park and Edmunds and Tyler Court are all important parts of providing that flexibility of access.

HUGH RUSSELL: Thank you.

Okay. And so I will then ask: Does anyone wish to speak? So why don't you, sir, start.

WILLIAM FOX: And I want to say one thing and then I won't say much more. As it old you the last time, traffic is our problem. The color of all these blanks that are shown this, I can't see them from where I live so I'm objected to that. It doesn't matter. What color cars are you going to run up and down in there? Are you going to make those all green cars or are you gonna -- that's the important factor of anybody living in a neighborhood is to get hit with a car. Now, I don't want to get killed. I want to live at least ten more years. I've lived there since '55 and I can -- they -- Rafferty got up and spoke to the court order. Do you really want to see the court order? And do you want to read it what it says? Cottage Park is restricted to commercial traffic.

HUGH RUSSELL: Excuse me, sir,

you're not --

WILLIAM FOX: It's two orders, not one order. And I went to Court with this order.

HUGH RUSSELL: Excuse me, we're asking you to comment on the changes --

WILLIAM FOX: Okay.

HUGH RUSSELL: -- to the plan.

WILLIAM FOX: The changes -- well, all you did was bring more traffic to Cottage Park Ave. We're only -- it's 10 seconds' drive from their property to Mass Ave., 10 seconds. And I've driven it so many times. And there's a dog leg. And you can't see traffic coming off of Mass. Ave. When you go up -- many times I've backed out and started to go up Cottage Park and the --

HUGH RUSSELL: Excuse me, sir, you're --

WILLIAM FOX: -- their plans that took all the traffic. Are they going to make this a public street all the way? Or are they going to make it public from Cottage Park and then the rest of it it's private?

HUGH RUSSELL: Yes.

WILLIAM FOX: It's still one road all the way through. And the traffic, they just told you, they've stood and watched traffic come from other ways down Tyler Court and up Cottage Park. Are they otherwise -- they come all the ways all the time. If you want to come down and stand on the street and see what happens, not what they saying --

HUGH RUSSELL: Excuse me, sir, you're not listening to me.

WILLIAM FOX: Okay, let me stop.

HUGH RUSSELL: Yes. Because you're talking -- you're making the points that

you've made before.

WILLIAM FOX: Before, yeah.

HUGH RUSSELL: That many people have made before. What we're asking --

WILLIAM FOX: What you're asking me is did they change anything? No. They put more traffic on the same spot.

HUGH RUSSELL: Okay, thank you.

THE STENOGRAPHER: Sir, can you state your name, please?

WILLIAM FOX: Oh, My name is William Fox. I've lived on Cottage Park for 55, 60 years now.

THE STENOGRAPHER: Okay, thank you.

WILLIAM FOX: And I was there when there was only two cars. I'm just saying there were two cars. And the saturation now, it's just outrageous. It's outrageous. I mean, even the Board should see it. Look at

it. I couldn't, I couldn't say any more.

HUGH RUSSELL: Yes, sir.

ROBERT CYR: Robert Cyr, C-y-r.

What right does it give them to use 33 Cottage Park Ave.? since 40 years ago it was One Tyler Court. They do not abut Cottage Park Ave.

HUGH RUSSELL: Excuse me, sir, that's not responsive to the testimony question.

ROBERT CYR: All right. Now, one quick question. At the end of Cottage Park Ave., that's going to be a handicap spot for the people that are going into the new Emerson building, 16. That's going to be a handicap right at the end of the street because they have to park on the other side of Cottage Park Ave. and then come in from the -- right at the fence. Right at the end

they get into their building. And that's going to be a handicap. Now what happens if traffic is going through like that? I mean, it's, you know, it's a problem. They have to, that's where the elevator's going to be at the end of the Cottage Park Ave. for that building. So they have to come across the street because they have to park on the other side, and then go into their building. And that could be a big problem for somebody handicapped.

HUGH RUSSELL: Yes, Young Kim.

YOUNG KIM: My name is Young Kim. I live at 17 Norris Street.

Two things: One, is the traffic. I don't think it was ever pointed out that Whittemore is a one way going out to Alewife Brook Parkway in the evening. So right now there is a big backup right along there from

there to Mass. Avenue.

HUGH RUSSELL: Excuse me, you're not responding to our question. I want to make it very clear. I'm not -- we're interested in what people think is this better than the last thing or is it worse, is it no change? I don't -- we don't want to hear the same arguments. We heard those.

YOUNG KIM: I didn't think that it was.

HUGH RUSSELL: So if you start talking about traffic, then it has to be related to that change.

YOUNG KIM: Okay. Then to that change, it is shame to lose the green space which is now turned into parking lot. I think that's a step backwards. And that if there's any way to make it like underground parking lot and restore the green space, that

would be a very good point.

HUGH RUSSELL: Thank you.

THOMAS FLYNN: Mr. Chairman, I have one question.

HUGH RUSSELL: Yes.

THOMAS FLYNN: You're limiting the questions that we can speak on. I handed to every Board member 240 signatures with a list of items that you quoted last time that you wanted to see changed, and the proponents have talked about everything on that list with the exception of going even into Brookford Street. And we can't talk about it? Whatever they talked about we should be able to come up with your answer. Now if you want to hold it to a tight that we can talk about the color of the building, the size of the building, the building hasn't changed in size. It's still 266 feet long. You sent

them out with homework and they came back with the same length building.

THE STENOGRAPHER: And your name, please?

THOMAS FLYNN: Tom Flynn.

JONATHAN MILLMAN: Can I follow up on that question?

HUGH RUSSELL: Sure.

JONATHAN MILLMAN: Jonathan Millman, 9 Cottage Park Avenue. I was wondering if they can go back to the nice presentation to show the overview of the neighborhood. It speaks to the size of the building.

HUGH RUSSELL: Sure. Can you put that slide up, please?

MARK BOYES-WATSON: I think maybe Roger's is the best. I'm not sure we have one.

JONATHAN MILLMAN: You have an

overview of the --

KELLY SPEAKMAN: That was my last presentation and I don't have it.

JONATHAN MILLMAN: I saw it. Somebody put it up. If you didn't put it up, somebody put it up. No, no, I mean the actual photograph.

KELLY SPEAKMAN: Today?

ATTORNEY JAMES RAFFERTY: The Google Earth photo?

KELLY SPEAKMAN: The traffic pedestrian one? I'll get it.

JONATHAN MILLMAN: There you go. First, I'd like to correct a misstatement that was made by one of the presenters who said that in fact the neighborhood is not characterized by small two- and three-family houses. I think if you see the picture, you could see that it overwhelmingly is two --

one-, two-, and three-family houses. So the question is how does this new plan conform to that neighborhood? How does the size of that building conform to this neighborhood? It's a valid question.

HUGH RUSSELL: Okay.

Does anyone else wish to speak?

THOMAS FLYNN: You didn't answer my question, Mr. Chairman. Can we comment on what the proponents came out with tonight?

HUGH RUSSELL: You can comment on what has been new in the testimony tonight, yes.

THOMAS FLYNN: All right. For No. 1 my name is Thomas Flynn, lifetime resident on Madison Avenue. The size of the building, you sent them back to come back with a number of different designs, at least that's the way I understood. Come back with different

proposals. They took the building and nipped the front off so they can get the further distance back from Linear Park. And put five units, five duplex units off to the side. That's all they did. Move the building down. If you look at your plan, it shows an overlay. Match them up. The building's the same size.

Second of all, the accesses. The more accesses the better. Brookford street should be open. 240 people in that petition signed it AND said it should be opened. And now this gentleman here asked why it was closed? Closed for non-use. They took away their rights to it. But yet they allowed them to buy the property, being the Norberg property. It had an access. Tear down a building in between. And now they broke the 100 year non-use to another entrance. But they can't

use Brookford Street. I don't understand that one. 100 years that land was divided. All of a sudden you buy the adjoining lot tear it down, and I've got my driveway. And to top it off it's a curb cut. It's not a driveway for a complex as I brought up to Mr. Rafferty who is the city czar on curb cuts.

The other one is traffic. I'm hearing that we're using old standards for the traffic as far as future. There's 2300 units going in North Cambridge that are either proposed, under permit, or in the last five years. 2300. That's not going to affect the traffic a bit. I don't know what school you went to as far as traffic, but me I add it up. There's a problem. And to top it off using the future numbers of one percent increase. No. It should be ten percent

increase.

And the planting, they talk about the trees they're saving. Norway maples. The city don't even consider them a tree any longer. I'm on the committee for public planting. They would never plant a Norway maple.

And the fence, six foot tall? That's very inviting to the neighborhood or to somebody on Linear Park. At least the Cambridge lumber project, the guy is working with the neighborhood. Working with the Linear Park, making access to his site. They want to wall it off on the other side. And if you look at them plans, the size of Emerson Loft building, on one of the sheets, compare that to the Fawcett building, it's about a third. It's 16 units. 16 times 3 is 48 to me. Not 50 or 67. No. The building's

way out of scale, too big, too many units.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak? Yes, Ma'am.

ANN McDONALD: Ann McDonald, 24 Columbus Ave. I'll keep it short. But I think that the -- to reiterate what Tom just said, the idea that we were going to see options, I'm surprised that what was presented today is one option and that there was a hollow gesture towards splitting it in half but no discussion of any other options. And the fact that the thing is entitled, "The Building," suggests to me that's the assumption that was made all along, is "the building" is staying. "The building" can be clipped, but it's "the building." And then there really isn't an exploration of how else

this could feel like part of our neighborhood rather than the site, you know. Us and them. So I really look forward to ways that we can work together to bridge that so that it isn't just a little cluster at the end that keep us appeased instead of thinking about what's in the middle.

Thank you.

HUGH RUSSELL: Yes.

JULIA BISHOP: Julia Bishop, 9 Cottage Park Ave. I'll try to stay on topic. I want to talk about the townhouses on Cottage Park Ave. I know the residents that shared the street with me. Would love to see townhouses at the end of the street as opposed to more of the building in the original project. Cottage park Ave. has been the focus of a lot of compromise and concessions throughout this whole project.

A year ago in January we were basically offered, and you saw that today on one of the slides, a kind of a cul-de-sac on Cottage Park Ave. to try to eliminate a lot of extra traffic given we have the Emerson project coming online. We're going to have 23 parking spaces right at the property line, the Fawcett property line. We were said we could have that if we would go to 89 units. If we would agree to 89 units, that is what we would get. Cottage Park Ave. residents turned that down because our neighbors down the other streets weren't getting an offer. And because they would have to absorb our traffic if we went for the cul-de-sac, we would love it. But our neighbors were not going to get that concession. And we said no. We stand united. We said no.

Anyone sitting in this room that cannot

believe the traffic is still an issue. That this project and the streets that move away from this project abut Mass. Avenue, a major commuter route, Routes 2 and 16. That's the piece that, you know, the ownership of cars might have dropped in Cambridge and that's great if they have. That does not talk about the commuter traffic that is a part of our daily life. You can't get off Cottage Park Ave. and take a left-hand turn to Arlington during rush hour. I can't get on my street if I come home too late at night and take a left-hand turn on Cottage Park Ave. from Mass. Ave. It's unrealistic. I don't know where the numbers are coming from, but I'm just telling you, and I invite you again, and maybe some of you took me up on my invitation the last time, come and get in the line of traffic between four o'clock and seven

o'clock every night in our neighborhood if you really want to understand why. This neighborhood has stood so strong and wants to continue talking about parking and traffic. It is a major problem, and I don't see that this really alters it. I see a shell game. I see that we've moved things around a little bit and we still have the same traffic. And I appreciate Mr. Cohen's comments because for anyone to now look at this project and question why that one street should be left closed is missing the boat. And you have a united neighborhood that is not going to stand for it.

To the other issue, to the other issue, this gate pass key thing. I have spent three years calling the city about the lack of snow removal on Tyler Court. If that's gonna be a city or a private removal once this gets

built, I don't know, but we call -- me and Mr. Flynn call regularly to say well, Tyler Court's got snow on it. You can't go -- you can't use Tyler Court. You're using the parking lot that abuts Tyler Court. Fawcett's own trucks got stuck this year. They were stuck. They couldn't get through because cars were parked on Tyler Court. So there's major infrastructure that's missing there. So this idea that we're gonna have all this flowing of traffic, well, I hope that works. But you are eliminating the flow of one major street which is the longer street than the, two Edmunds and Cottage Park together. And this pass key idea, all we need is for the pass key or some part of it to not work and then we have something, a gate that's broken and people who are gonna have access. And if it's any -- getting that

fixed is anything like getting the city to remove snow off of Tyler Court, it will never get fixed.

I think that's it, thank you.

HUGH RUSSELL: Yes, sir, in the back.

BOB McGOWAN: My name is Bob McGowan. I live at 22 Brookford Street in Cambridge. I'm a lifelong member of Cambridge, too. Lifelong resident.

I like what they've done with the Cottage Park as far as the two-family homes that they had at the end. I like the setbacks from Linear Park. I like that they've moved the building, the four-story back further away from the Cottage Park and Linear Park. I like the facades that they've put up on the sides trying to keep in with the landscape of what they already have on

both sides. As far as Brookford Street, you've also received a letter from Brookford Street residents asking you to stay and comply with the court order and we're hoping that does come about, too.

Other than that, I like what they've done with the Linear Park and the paths and all that stuff. And I think there's plenty of traffic to get out of the streets. I think the fire access, even you know, they've left off -- but when we had the fire at Fawcett, they were able to get up the road on Linear Park and use that to get fire apparatus up there, too.

So that's it.

HUGH RUSSELL: Thank you.

Yes, sir.

JOHN ATHANESOPOULOS: John Anthanesopoulos,

A-n-t-h-a-n-e-s-o-p-o-u-l-o-s.

So I'm not going to get into details about the traffic which is -- a lot of my neighbors brought up. One thing I just wanted to say about this rendition here, and I think it's somewhat misleading, is they didn't draw in the parking lot there for the Emerson because that would give it a different flavor. So there is about, I don't know, 20 plus cars that are going to be parked there all the time. So I think that's critical especially as you visualize it.

Now with respect to changes to the plan the way we propose it. I'm a proponent for, you know, opening Brookford and have permanent barriers to direct traffic. Meaning I would not like to see traffic going through this place. So if you're, you know, if you're restricting it. If you live in a

certain area you should only park in that area and there should be no access to the rest of it with your car. And furthermore one thing that I heard these gentlemen talk about is how wonderful it's going to be for bikes and people to walk through, but you know, if you're going to be socially conscious about that, is where are the bikes going to be parked? Somebody mentioned about having these the garage underground or next-door that's going to look ugly maybe just put bicycles there. Fill it up with bicycles, give opportunity and promote use bikes instead of cars, and that could alleviate some of the traffic in this area as well, you would have that, bike racks.

HUGH RUSSELL: They actually do have bicycle rooms inside the building --

ATTORNEY JAMES RAFFERTY: Right.

HUGH RUSSELL: -- for every -- one bike space.

JOHN ANTHANESOPOULOS: But that would change the intent to have it.

HUGH RUSSELL: It's already there.

JOHN ANTHANESOPOULOS: Anyway that's my comments.

HUGH RUSSELL: Yes, Ma'am.

THERESA WALKER: Hi. I'm Theresa Walker. I'm at Three Magoun Street and I have notes on my phone, sorry.

I just thought it was interesting hearing the language from the landscape person using the word buffer. And when I look at the site map and I'm looking at the top part where Brookford dead ends, that's what it looks like to me. It is a buffer. I am also, like what Ann said, that the two ends, the edges, they appear to me an

illusion. Basically what it seems like you're doing, you're hiding the huge gigantic building that of course everybody has heard does not conform to the, you know, residential area of the neighborhood. So I like what they have done so far, but I still don't think it's enough. I think they're just hiding the fact that there's a huge building there.

As Julia said, you can't make any left turns on to Magoun, on to Edmunds, on to Cottage Park. You can't make the left turns to go into Arlington. I mean, traffic is and it will be an issue. I don't think that this whole site is, you know, integrated well with the neighborhood because of this buffering. And she also mentioned there's green wall. Just the use of those words doesn't feel like that it's a part of our neighborhood. And

the fact that somebody mentioned that there's less cars in Cambridge which is great, but I don't know how you're going to guarantee that the residents of this property are either going to have no cars. How you're going to guarantee that they are going to use bikes, and that they are going to use Linear Park? How are you going to make sure that they're going to use the subway? I don't know if there's going to be restrictions or -- I just don't understand how the rental company is going to, you know, make sure that those streets have less cars in our neighborhood.

Thank you.

HUGH RUSSELL: Yes, sir.

PAUL ROBERTSON: Paul Robertson, 45 Magoun Street. Owner of 45 Magoun Street. It took these presenters over an hour to present the problems. The newest problems:

The size of the building, the location of the building, the traffic. Brookford Street was closed for commercial traffic years ago. Is this building going to create less traffic? Of course not. I asked my grand -- I asked -- I have six grandchildren, but I asked the one that we're grooming -- I'm second generation developer, my son's a third, and we have the fourth coming. There's six grandchildren. And I asked them what building doesn't fit in this picture? And the two-year-old pointed to the building. And thank God the 14-year-old pointed to it also. So, you know, it's a problem. The problem is that it's landlocked with the park. The traffic can get in, but it really can't get out. Certain times, three to five in the evening, go down Whittemore you have to be let out by the police officer. I know

you're sick of hearing it.

HUGH RUSSELL: Excuse me. Well, we're trying to run a meeting and do our business. And we don't want things --

PAUL ROBERTSON: The building's still 265 feet long.

HUGH RUSSELL: Okay.

PAUL ROBERTSON: Mr. Walker made -- an architect for 40, 50 years. He commented about people carrying --

UNIDENTIFIED AUDIENCE MEMBER: Groceries.

PAUL ROBERTSON: Their groceries to their unit. Look at the size of the building. And also in the state of Massachusetts if a building doesn't comply and it takes away from your value in the neighborhood, it doesn't belong. Or compliance. Don't build it if it's not gonna

be an asset to the neighborhood. This is not an asset. It's going to devaluate our property. We have a vested interest in our neighborhood. The developer is not experienced. The financier held out a big carrot and the developer took a big bite.

HUGH RUSSELL: Excuse me, sir.

PAUL ROBERTSON: And they're choking on it. I'm finished.

HUGH RUSSELL: Back in the back corner.

BEVERLY COURTNEY: Beverly Courtney, Brookford Street. C-o-u-r-t-n-e-y. I'm a lifelong resident of Cambridge. I have lived in North Cambridge 76 years.

I've lived there for 76 years in North Cambridge. Brookford Street has never been an open street. Never, never. Plus the fact that where were these people 30 years ago

when we were going through this? We're still going through it 30 years. I'm satisfied with what they've done and I wish they would go ahead and do it and end it.

HUGH RUSSELL: Thank you.

Yes, sir, in the middle.

MIKE PHILLIPS: Hi. My name is Mike Phillips and I live at 57 Madison Ave. Phillips with two L's. I'll stay on topic. There are some things I like about the changes and some things I don't. I'll start with the positive and end strong is what I figured.

I like the duplex townhouses that are being added. I would like to see more of that. They -- I'd like the duplex townhouses -- (inaudible).

I like the concept of the smaller buildings. I like to see more of that. Does

it need to be just two units necessarily? Could it be three or for our something small like that. I could imagine a multi-family building, also the project maybe of the Emerson scale. Maybe not quite as large.

I like the fact that they was a pull away from the park. That's, I think, that's great.

The stepping back on the fourth floor of the Cottage Park side is nice. I wouldn't mind seeing it on the Whittemore side as well.

One thing I didn't mention, and I probably should mention it for them, is the parking next to the Linear Park they've added is cleverly hidden behind the MBTA head house so it minimizes the fat of Linear Park. So I'll give them points for that.

Now the Linear Park access, I like the

idea of that. However, the drawing shows the path leaving their property and still being constructed there. So I think the Board should just make sure that they are either working with grates or have easements or something. I'd like it to not end with the path that turns into dirt again. It will eliminate the angle but we'll still have the same problem with access to the actual bike path.

You asked about lighting, and I believe the traffic and parking memo of March 5th asks that the proponent light the access to the Cottage Park side. And I assume that today that would also apply here getting onto the Linear path. We've not really heard anything about lighting so you might want to ask about that.

The chain link fence I would say

contrasts that with Cambridge Lumber. And you know that the Linear Park elevation does vary. It is high in some places and comes back down a bit.

Parking lot material, I don't know what that is. I didn't look closely, but it would be nice if it wasn't just plain asphalt, something greener. And I don't see a sidewalk along the back of the building in terms of getting pedestrians through the site in the back, but that might just be my eyes.

And then to wrap up, you know, I will say enthusiastically, you might say presumptuously, submitted to you in writing a list of the things that you asked about. I would just encourage you to review that and see if you're satisfied with those answers you have or have not received from the proponent. I think there's a lot lacking

there. I would also continue to encourage towards meeting with the developer. The meeting last night was, I guess I'll say cathartic in some ways, but not entirely unproductive I think you would say. And I think together this is our chance to make this great neighborhood all the better.

So, thank you.

HUGH RUSSELL: Thank you.

Yes, sir.

JEFF SUAREZ: Jeff Suarez, S-u-a-r-e-z. I live at 38 Brookford Street. I've seen the plans kind of aerate over time and I think this is an improvement. I think I like a lot of the green that's been added and I think, you know, it does blend better with the neighborhood. I'd like to disagree with the gentleman up front who said that this would devalue the land. I don't think

that you can tell me that having a parking lot is going to be better for my property value than having a developed space with trees and, you know, nice space for people to access the Linear Park. So I'm happy with the direction that things are going.

HUGH RUSSELL: Okay.

Anyone else?

JOHN WALKER: My name is John Walker. I live at 150 Whittemore Ave., and traffic is a problem, especially a problem where I live. But I'd like to say what they've done, the work that they've done since we met the last time, is better. That we have the nice soft edge as you enter from Whittemore. We actually had that the last time. But this time you also have the soft edge on Cottage Park which is good. And it's set back more room from the bike path. And

I've walked the bike path and tried to envision what the building would look like if it were there. And it's substantial. I complimented the Board last week about the work that you did with Cambridge Lumber. And if you walk down there at nighttime, the project is stunning and, you know, I think it's really beautiful. And I feel sorry that people are going to buy those units and they're going to be looking at this. That's what they'll get. So they're at a disadvantage. But over the years when I worked with developers and design projects that go ahead or don't go ahead or blow up or are incredibly successful, there are always concessions made where reasonable people do reasonable things. And I can remember working with the developer where nothing was going right. And after the meetings that we

had he burst out into laughter in a parking lot and said that this is crazy. And I said, well, what are you going to do? He said, I'm going to build a single-family house on the lot and leave. Because it's more important for me to do another project and turn it over, do another one and turn it over. And Mr. Lee will turn over Harvey Street in a year. And he'll be gone. He'll have another project going. And sometimes you beat your head against the wall and you have to admit that, you know, maybe it's just too big. And, you know, I haven't done a lot of big work in residential work in Cambridge. I've done other buildings, university buildings, but the Zoning envelopes which I'm sure you're all familiar with, and Cambridge has a very complex way of figuring out what you can build in, and I kind of think they're filling

the envelope and to break that into two buildings, well something else has to give. There's always limitations in Zoning. Usually in the suburbs it's parking. The minimum site requirements. Every Zoning has its own unique aspects. But there's always a limiting factor that's a deal breaker. And I think it's hit the deal breaker. And that's why it keeps coming back as a single building. Frankly, I don't know how to fix it. My initial thing was this should have been townhouses. You know, a road going through. Maybe a little Louisburg Square in the middle with townhouses in the back, townhouses in the front. Everybody owns their own property. It would be beautiful. Like Mass. Avenue after Huntington and before Tremont Street it has that little opening with the bow front townhouses going around.

And if you go up to North Arlington and Mill Street, the corner of Mill and Mass. Avenue, they've done a very nice townhouse project on that corner. Nowhere near the classiness of the Mass. Avenue in Roxbury, but it's nice nonetheless. And then you walk around Cambridge and every place you go it's stunning what people have done with old properties. And this thing looks to me like a mattress factory or a fabrication plant or, you know, last time I thought it was a hay and feed. You know, the detail, there's no details at all on the building. And it's just, it's just -- it's a box. It's a box for living. And thank God I'm not in the box. I'm down the other end. I'll take my little two-family with all the traffic.

Thank you.

HUGH RUSSELL: Thank you.

Okay, do we want to take a break now and then come back and discuss this?

CHARLES TEAGUE: I have one more comment, please.

HUGH RUSSELL: Mr. Teague.

CHARLES TEAGUE: Charles Teague, 23 Edmunds Street. I was going to -- I want to point to that so I'm going to walk over there. But in the meantime if you could find your little North Cambridge map is the next thing. But I think this was a -- I think you asked whether this is better or worse. And I think this is worse. And I just don't -- I live here. I experience the garbage trucks where you have to get out and move our cars because they come through here. And to make this narrower than Cottage Park, doesn't make any sense. This is either, this is either a -- this is either access or it is not, and

it's always been access. So to make it narrower and then to have this crazy little -- another set of intersections through here. I experience all this. They may be able to get a -- fire engines over here, but this is madness. And this has been used when Fawcett had their second fire on the site. Remember the first fire burnt down the building that almost opened Brookford Street. So I just don't -- and this is all parking. So this, this is -- this I live with. This is the loop. And now you're going to have people backing out of those spaces. It doesn't make any sense. It doesn't make any sense that this is narrow. It doesn't make any sense here. And as, as much as -- I want the whole site to be townhouses, but these townhouses are just ornaments on a dead tree. You know, there's

no difference. We're just -- they're just camouflaging this giant building. And the point -- the point is that we told them at the very beginning years ago, townhouses. We sent a memo. We made a model. And when you unplug the model and you plug in townhouses, it's seamlessly integrated into the neighborhood. And they don't understand that we're not talking about the color or the shape or the size of the building. We're actually talking about the community and integration with the community, and that goes to the map here. And last night we were told that we need large rental apartment buildings. We have 1500 large rental apartment buildings coming within a half mile. We don't need any more large rental apartment buildings especially on this site which is embedded in the neighborhood. The

large rental apartment buildings belong where they are, up in the Alewife, up next to the T where Rich McKinnon's building. This is not the place to be jamming this thing in. This is a neighborhood and we want a community. And that is -- this is not what's supposed to be here.

Thank you.

HUGH RUSSELL: Yes, sir.

TOM WOJSIESHOWSKI: My name is Tom Wojsieshowski, W-o-j-s-i-e-s-h-o-w-s-k-i.

I just wanted to make a comment on the changes. The townhouses are welcome but clarify for me the ones down on the end might become something else? Is that what I heard? On the left side?

MARK BOYES-WATSON: These are, these are 5,000 square foot lots for sale.

TOM WOJSIESHOWSKI: Which could be

joined together?

MARK BOYES-WATSON: You could join all three and buy them.

TOM WOJSIESHOWSKI: Okay, so that's a problem.

This is going to be built by you folks?

MARK BOYES-WATSON: Part of the project.

TOM WOJSIESHOWSKI: That's good.

I would reiterate what other people have said, the big building is still the big building. It hasn't gotten any smaller. It doesn't fit the neighborhood. And the presentation tonight took great pains to say what used to be there in terms of Fawcett Oil, what used to be on the boards in terms of a larger building, and I just want to create a palliative to that strategy which is a classic strategy, bring a loud, smelly goat

into the room and try to discuss things and then put a slightly smaller goat in the room and say oh, we've done it.

Thank you.

HUGH RUSSELL: Okay.

Anybody else?

(No Response.)

HUGH RUSSELL: Good. So should we take a break and come back.

(A short recess was taken.)

HUGH RUSSELL: All right, we're going to resume.

So we have two different visions of what might happen on this lot. There's a vision that's been articulated by some of the previous speakers that this should be a two-family house development. And then there's a vision of what's up there on the wall, that fixes that. Now as I recollect,

the City Council was presented with a petition 10 or 15 years ago Zone this Residence B and they did not do that. And the Zoning for this area has been changed, was changed roughly 10 or 12 years ago. I've forgotten exactly when it was. And it was been changed to three years ago to reduce the development that's in response to the first proposal.

But the law in the Zoning Ordinance doesn't say you have to build two-family houses. So my question is does this project meet the standards for the design review permits that we have to apply? And it's not my question that whether we should ignore those standards. And I think what you see on that plan is that the two-family density produces, you know, uses up a lot of the land to both ends. If you make it all two-family,

you're going to have a lot less development on the site. Many people here will think that's absolutely the right thing to do, but that's not what the Zoning permits.

The Zoning permits larger buildings. And the reason it permits larger buildings is because it wants to -- Zoning policy of the City is to convert this from an industrial use to a residential use. And it is felt, and I think it's been proven, that you need a level of density to make that happen in the marketplace.

So how should we proceed?

TOM SIENIEWICZ: Mr. Chair, I think what I'd like to do is go through the criteria and discuss criteria point on point if it's not, if other Board members think it's not too laborious, have some discussion, make some findings about the criteria so that

we can go on record saying here's our view about a particular criteria that's been put before us and the public gets a chance to understand how this Board makes an assessment about a conformance to the City's Ordinances. That's what I would recommend.

PAMELA WINTERS: I think that's a good idea.

HUGH RUSSELL: Okay, so the -- if people have the application, about the fourth page in there's a section called Supporting Statement for a Special Permit. And so the -- one of the requirements is a -- one of the pieces is the general standards for a Special Permit that the requirements of the Ordinance can be met, and the finding we would make is that it does conform with the Zoning requirements of the district.

The second is traffic generated or

patterns of access or egress would not cause congestion, hazard, or substantial change in established neighborhood character.

TOM SIENIEWICZ: Well, this obviously warrants some discussion.

I mean we appreciate the perspective that many, many community members have taken the time to come out tonight to express both at the last hearing, and despite our admonition, it's obviously one of the central issues of concern over this project and so a few comments on the record. The way in which the plan has been modified to allow for multiple ways for cars to move through the site, but also with an understanding that it would be horrible if this became a shortcut as this neighborhood is obviously overburdened with regional traffic rather than just neighborhood traffic. An example

of that understanding is the keyed or gated gate in the center the site to prevent that shortcut. So, there's ways in which this project in particular is trying to deal with not only its specific traffic burdens but also to begin to ameliorate some of the congestion issues in the neighborhood. And we can be specific if you want on the record, but that's my feeling of making this assessment of what I've got before.

HUGH RUSSELL: Right. I think it's important that the actual amount of traffic generated in the peak hour corresponds to like one car every ten minutes down each of the five streets if they were evenly distributed, which I really don't think they will be because it would be certain ways at certain times that will be better.

And secondly that the traffic generated

by the residential project is in quantities similar to the traffic that was generated by the most recent use. So that we're not causing congestion or hazard or in the congested situation and it's not going to change that.

CATHERINE PRESTON CONNOLLY: Hugh, if I could go one step further on that, I think that it's worth noting that encouraging residential density in Cambridge actually helps alleviate some, you know, admittedly marginal but some regional commuting traffic demand by making it feasible for the workers in Cambridge to live closer and to do things like take the T and bike to work. And that by creating those housing opportunities, we're balancing all the other work we do with permitting office and labs in the city.

STEVEN COHEN: Mr. Chair, if we're

addressing the traffic issue now, I feel obligated to address the question of Brookford Street once again. As I expressed it earlier, I think, you know, that's important for an Applicant to do everything that's reasonably possible. And as I look at this plan, and as we've heard from many of the neighbors here, it just seems to be a shortcoming in the overall plan here, that the potential traffic cannot be further distributed along Brookford Street. And I find it difficult to address the subject because neither I nor anybody here I think has actually read the court order, and we don't fully clearly understand what the parameters are here. I would say for myself anyway that ideally frankly, I would be inclined to condition a final decision on access to Brookford Street and thereby, you

know, put the onus on the Applicant and ultimately the City to make any of that happen. I do understand now that there is apparently a petition before the City Council. I've heard that tonight for the first time and I think I would suggest and recommend to the Board tonight that at very least if you don't go the route of a condition, that at the very least that we express in some appropriate fashion our professional opinion and request to the City Council that they do take whatever steps are necessary and proper to open access to Brookford Street and, you know, to express our opinion that to do so would be the appropriate thing to alleviate or, you know, appropriately share the traffic burden within this neighborhood. I think we've heard a number of things. I think your point was

exactly right on on the Zoning issue and the massing and the height of the setback. That's exactly right on. But the other big issue that we hear has been traffic and I, I think that we would be remiss not to address the question of Brookford Street.

H. THEODORE COHEN: Well, I too would like to see Brookford Street opened and it being part of the project or take into consideration the project, and I would support the concept of asking the proponent and the City to investigate it as quickly and thoroughly as possible. I can't really envision, though, making it a condition since they do have access through other streets, and there is, as you say, we haven't seen a court order but there is, it's been represented that there is a court order preventing the use of Brookford Street. And

so I just, you know, would be very hesitant to condition something -- condition that approval in something that we don't know whether it can be achieved or not.

I did want to follow up on the traffic issue in that, you know, I do live in North Cambridge and I know what traffic is like there during rush hour, but it really is not from this area where it's coming from. The traffic is backed up on Mass. Ave. It's due to Route 2. It's due to Route 16. It's due to Alewife Brook Parkway. It's due to a lot of things, and, you know, I don't think it's due to any really great extent in the traffic that's going in and out of this project and these streets. And so I think that having reviewed the traffic reports and the historical use of the property and the historic traffic, I don't see that this is

going to significantly change what has happened historically, and so I don't think -- the traffic which is indeed a problem, there's no question about that it's going to be changed in any significant way by this project.

STEVEN WINTER: Mr. Chair. Steve, I concur with you that Brookford Street is very puzzling in a lot different ways. And I don't completely understand the issue myself. However -- and I would -- any dialogue on how to open the street I think would be good. I think the street should be open. But I don't think we can ask the proponent to take an obligation to address a judicial issue. I just don't think we can do that. So I don't mind it being on the table for discussion, but I do think it's a little onerous to ask the proponent.

STEVEN COHEN: Mr. Chair, if I could simply respond. It's difficult to even address the subject not knowing exactly what that order is. I think one possible understanding, based on the little bit that we've heard, is that the proponent simply doesn't have a right of access but it's not prohibited from access and that that factor can be readily managed by the city. I don't know. And I'm just troubled to have to make a decision like this without knowing that. Like I said, at the very least we express our sentiments to the City Council which will have this issue before them. I think that would be something.

Let me just say one other detail on traffic, and that is Sue Clippinger's letter includes a number of recommendations at the end, and I don't know exactly how these

letters from the Traffic Department relate to our final decision, but I would certainly hope and expect that her recommendations be incorporated as conditions to any final decision.

HUGH RUSSELL: Right. That's what we normally do. Because I'd like to speak about Brookford Street because I think we cannot impose a condition on somebody to require that. And frankly, I don't believe it's necessary for the success of the project. The amount of traffic is low. It means a car will come every 12 minutes instead of every 10 minutes, and so that's not a substantial change. It clearly is a substantial change to the character of Brookford Street which has not been opened in memory of anybody here. It may never have been open. So, I would much prefer to let

the City Legal Department, the Council, and that process deal with this question and write a decision that says should Brookford Street be available, that the proponent has to make that connection. If the process through the Council results in that, then this proponent has to make the necessary site plan changes to make it work and work with the staff to implement that.

STEVEN COHEN: Would the Board consider incorporating into such a provision a recommendation that it be made available?

HUGH RUSSELL: Well, I don't know. I would not be prepared to make that recommendation myself. You know, I think -- so, I don't know who else -- I think we're kind of evenly divided on that?

STEVEN WINTER: I would not -- Steve, understanding as you do, much too

little about the issue. I don't think I could make that commitment.

PAMELA WINTERS: And there's a petition that's going before the Council, so it's their decision and they will have to do the homework to decide whether or not it's legal or not. It's not our, not our -- in our purview to do that.

STEVEN COHEN: No. I'm granting and conceding and getting the point, the legal point. But I would imagine that as the City Council is trying to decide what legal decision to make, that they would be interested in the Planning Board's assessment simply of the traffic issue, of the planning issue in essence. So if we made a recommendation, it wouldn't be a legal matter. It would simply be that, you know, access to the street would be beneficial, you

know, to the traffic patterns in the neighborhood.

HUGH RUSSELL: Well, we don't have a recommendation from the Traffic and Parking Department that says that. And I would be reluctant to make such a recommendation.

H. THEODORE COHEN: Conceptually to my point of view it would make sense to have Brookford Street opened and available to the project. And I think it if we had full information, then I think it would be appropriate for us to make a recommendation to the City Council. But I agree with Hugh that we haven't heard from Traffic and Parking yet on the issue at all and so, you know, it's just sort of my personal feeling about it rather than being an informed, you know.

CATHERINE PRESTON CONNOLLY:

Mr. Chair, could I suggest that as the process goes through the City Council, that we ask the staff to provide us any updates, including any memos, that Traffic and Parking might provide to the Council so that if there's an opportunity for us to provide a letter to the City Council on the planning issues, we do so?

HUGH RUSSELL: Sure.

TOM SIENIEWICZ: I'll change the subject a little bit from that local street. I too agree that we don't have the facts in front of us to make a recommendation on Brookford Street. But I did note in the table, the Dimensional Table that the proponent is suggesting that they're going to provide twice the amount of bike parking at the facility that is required under the Base Zoning. And I know that some people might

argue that's a relatively minor thing, but I think that that's a significant understanding that the way in which people will be moving in and off of the site might be in ways, modes of transportation that don't rely on cars.

HUGH RUSSELL: Right. Essentially jumping the gun on the Petition that we have in front of the Council. As several people have done that, and you've stated the reasons for that.

Item C: Continued operation of or the development of adjacent uses permitted under the Zoning Ordinance would not be adversely affected by the nature of the proposed use.

So this is a use. And I think the answer is as a good neighbor, it's the best use, that's the intent of the Ordinance in this district.

D: Nuisance or hazard would not be created to the detriment of health, safety, welfare of the occupant of the proposed use or the citizens of the city.

That's a curious provision, but it actually goes back to, I think, the 1924 Supreme Court decision that legal -- or upheld the right of communities to create Zoning. That's the actual language that's in there.

STEVEN WINTER: Is it (inaudible)?

HUGH RUSSELL: Yes. You lawyers know more about it than I do.

And we haven't heard anything it's going to be nuisance or hazard. I think the traffic -- the word hazard also occurs in the traffic. So I think that's where we would address that.

For other reasons the proposed use

would not impair the integrity of the district or the adjoining district or derogate from the intent and purpose of the Ordinance.

CATHERINE PRESTON CONNOLLY:

Mr. Chair, I think as you recall about the rezoning of the neighborhood and the intent and purpose of this Ordinance, the Zoning as it applies to this site, really was to encourage exactly this kind of conversion from industrial to admittedly larger scale residential than exists in the adjoining neighborhood with the idea that it is a transition. And that it provides exactly the kind of good neighbor, residential to residential that the Council was looking for. And it does so at a scale that financially enables the conversion of a previously industrial site.

HUGH RUSSELL: Okay. The next set of findings is found in the conformance with the citywide urban design objectives. Heights and setbacks provide suitable transitions to abutting or nearby residential Zoning District that are generally developed in low scale residential uses.

And I think your -- because of the setback, the abutting buildings in the district have been two and a half to three stories. They've done what they need to do.

STEVEN WINTER: Mr. Chair, the residential ledges on either side moving into the fabric of the community, and I think that the traffic distribution and flow I think also tries to do that to meet that need.

STEVEN COHEN: Mr. Chair, I agree with what Steve says. I think it's the small scale structures on the two sides are an

important piece of this whole puzzle providing that transition, but I do want to address the parcel on the left where there are three separate parcels as configured in our plan. You know, it provides that transition to the single-family portion of the neighborhood, and I think that really is an important piece of making it work. If in fact the three parcels were combined, I think that would compromise precisely those factors which make the whole plan palatable to me anyway. And I guess I would suggest the possibility of a condition that requires that they not be combined or that at least that they be ultimately developed, as shown as three separate structures.

HUGH RUSSELL: Unfortunately those --

PAMELA WINTERS: Is that legal

though?

HUGH RUSSELL: Well, it's not legal in the sense that those are not part of the application.

STEVEN COHEN: It's owned by the Applicant?

ATTORNEY JAMES RAFFERTY: No, it's not.

STEVEN COHEN: It's not owned by the Applicant? How can you make representations on these plans then if they're not controlled --

ATTORNEY JAMES RAFFERTY: It's subdivided. It is not the Applicant.

STEVEN COHEN: So in other words we're looking at plans with -- that I mean you made representations about how they're going to be developed and sold.

ATTORNEY JAMES RAFFERTY: Excuse me,

Mr. Chairman, we were very cautious at the outset. The initial submittal didn't have any footprints at all. What we have done is demonstrate what the setbacks are. Those are footprints for illustrious purposes to show what the setbacks are. What the distance from those buildings need to be from the street, from the rear, and from each other. It's subject to SD-2 Zoning. So we put footprints -- we consciously didn't even put in driveways because we weren't sure if they would be singles or ones or what the owners of those properties would do. So we've been clear. That land isn't part of the application. It's not part of the lot area. But we have been saying all along that it is land that's being sold and we have two offers on it.

STEVEN COHEN: We -- I think it's

funny use of the word We.

HUGH RUSSELL: So the -- I look at it and say we're creating four lots that are in conformance with Residence B, and that's a big step they have. It's not part of this application, but it is part of the overall development of this area and that was the right thing to do I think.

ATTORNEY JAMES RAFFERTY: We have -- the subdivision plan is on record. We've created the four separate 5,000 square foot lots. So -- but beyond that they're four lots abutting the site.

STEVEN WINTER: Mr. Chair, what is the property currently Zoned for? Or what could a proponent build on that property by right if a proponent owned it?

HUGH RUSSELL: I don't know the answer to that question.

CATHERINE PRESTON CONNOLLY: Mr. Chair, I might suggest it's not relevant as Mr. Rafferty has repeatedly told us those are separate lots. And I appreciate his clarification that the footprints we see there are illustrative but they're not part of this application.

STEVEN WINTER: I understand that they're not part of the application, but I still think the question's relating to the nature of it is what we are --

ATTORNEY JAMES RAFFERTY: I can address that.

HUGH RUSSELL: I believe that the ratio of dwelling unit to lot area is 2500?

ATTORNEY JAMES RAFFERTY: That's correct. The FAR is 0.5.

HUGH RUSSELL: 0.5.

ATTORNEY JAMES RAFFERTY: Minimum

lot size is 5,000 square feet.

HUGH RUSSELL: Right. So when you look at that, there is enough development in that to build eight units on all of that, all of those four lots.

ATTORNEY JAMES RAFFERTY: Correct.

HUGH RUSSELL: And so --

ATTORNEY JAMES RAFFERTY: I should point out that the three contiguous lots do theoretically have the potential to be acquired by a single land owner, in which case the six units that are permitted on those three lots could be contained in a footprint that was a row house, townhouse style, or some other form, but the fourth lot is not contiguous. It could not be combined.

HUGH RUSSELL: Right.

The next criterion is new buildings are designed and oriented in the lot said to be

consistent with the established streetscape on those streets on which the lot abuts.

This is a provision that -- the Applicant's said there's no established streetscape on this site, and yet what they've chosen to do is actually try to extend the adjacent streetscape into the property to terminate the views down Cottage Park Avenue and on the street. And so, however, we can't talk about Magoun Street because it isn't part of the application. But at least they're not building a big building out there. So....

TOM SIENIEWICZ: I would go one step further and say that certainly there's a pattern along the Linear Park of industrial scale buildings, and so the extent to which this is not on the street but on the Linear Park, on the former rail right of way, the

larger footprint is consistent with that pattern of larger structures on that right of way. And fortunately for us now we're looking at housing rather than industrial space.

HUGH RUSSELL: Excellent.

Next criteria relates to mixed use projects which doesn't apply.

And the next criterion is historical context. And, again, that does not apply.

And the next section is development shall be pedestrian and bicycle friendly.

And ground floor is where they face public streets, public parks, public accessible pathways shall consist of spaces that actively inhabited by people.

And that plan demonstrates that.

And the next is covered parking on lower floors of the building and on grade

parking, particularly we're located in front of a building as discouraged where the building faces the public street or public park or publicly accessible pathways.

In this case the on grade parking or parking for the building does not face any of those cited places, and that's one of the actual strengths of the seeing as how the parking has been split up and maneuvered around and hidden.

Ground floor shall be 25 to 50 percent transparent, and that is what they've shown on the ground floor fenestration.

Entries to buildings are located so as to ensure safe pedestrian movement. To encourage walking as preferred mode of travel. To use public transit for employment and earlier trips.

So I think, again, with the entries at

and the pathway system that connects to the Linear Park, they've achieved this.

Pedestrian bicyclists shall be able to access the site safely and convenient. Bicycles shall secured storage facilities immediately located on-site and out of weather.

That has been met.

We -- probably what will happen is the decision that staff and fills in the actual citations of the building features. I'm not going to go there.

Building and its site shall mitigate adverse environmental impacts of a development upon its neighbor. Mechanical equipment is carefully designed, well organized, or visually screened, significantly buffered with neighbors.

That will probably end up as a

condition. They've made -- they've got a strategy of how to put small scale mechanical equipment that's up on the roof and it's being demonstrated.

STEVEN WINTER: Mr. Chair, could we pay particular attention to the sound and request specifically that the mechanical equipment meet sound, noise requirements in the city?

HUGH RUSSELL: That's a yes. That's also a standard condition.

STEVEN WINTER: Got it. Okay, yes.

HUGH RUSSELL: And one hopes they would actually go beyond the minimum requirements. Which they can do by the selection of the equipment.

Trash is handled to avoid impacts of noise, odor, or visual impacts on neighbors.

And they've cited they have two trash

containers enclosed in a six-foot fence. So I couldn't actually point them out so maybe somebody can point them out to me.

TOM SIENIEWICZ: Yes. Can we get the details on how the trash is handled?

KELLY SPEAKMAN: Right here is one. And then we had one down here, but we put a building there in the last three weeks.

HUGH RUSSELL: Right.

KELLY SPEAKMAN: And so we will put another one at this end of the site, but somewhere. We'll put one where it's in a fence and it's contained and out of the way that the people that live on this end of the building won't be able to access their trash and not have to go to the other one.

HUGH RUSSELL: Okay. So that will involve a condition that that be submitted for review by the Department.

Let's see, loading docks. There are no loading docks.

The storm water best management practices and water quality provisions and -- are done. And they, I believe they have been -- in the actual text or text citations it's precisely what they've done.

STEVEN WINTER: And, Mr. Chair, we see that in the low impact development that they're using with the landscaping as well.

HUGH RUSSELL: That's the next criteria.

H. THEODORE COHEN: Mr. Chair, could I go back very briefly to the mechanical equipment. Just ask staff to take particular regard of the view from Linear Park, and that any mechanical equipment on the roof would be screened so it couldn't be viewed from Linear Park.

HUGH RUSSELL: Okay.

So the next criterion Steve has jumped the gun on. Is landscaped areas a required green open space? (Inaudible) probably reduce the rate of volume for runoff compared to the predevelopment conditions. Well, of course a single, perhaps this big would be better than present existing conditions. But they've gone way beyond that. And they have these existing permeable open space increased from 25 to 49 percent.

Structures designed to minimize shadow impacts on neighboring lots.

I think that's because of the relatively small height and the very large set back that there are not going to be shadow impacts.

DAVID BIANCAVILLA: Excuse me, Hugh. When we redesigned it, we changed the open

space from permeable from 49 and it ended up being 46.4 percent.

HUGH RUSSELL: Thank you.

DAVID BIANCAVILLA: There was a slight reduction.

HUGH RUSSELL: Yes, I'm going off the original -- thank you for making that correction.

ATTORNEY JAMES RAFFERTY: Right.

HUGH RUSSELL: Next one has to do with a minimizing the need of structure of restraining walls and there aren't any structural retaining walls proposed.

Building scale and wall treatment, including provisions of windows, are sensitive to existing residential uses on adjacent lots.

And I think the point of this is the, is large windows looking right into somebody

else's house and that condition simply isn't -- doesn't occur here.

Outdoor lighting is designed to provide the minimal lighting necessary.

That's going to be a condition because I don't think we have a detailed submittal on that yet. So we're going to have to make a submission on the outdoor lighting and that would be reviewed by the staff.

Tree protection plan.

There is a tree survey and they're planting some new trees.

And next section is city infrastructure. The building and site design are designed to make use for the water-conserving plumbing and minimize the amount of storm water runoff. The best order of practice is storm water management.

You're using water conserving plumbing

fixtures, are you?

ROBERT FAWCETT, JR.: Absolutely.

HUGH RUSSELL: We'll put that in as a condition that's because --

ATTORNEY JAMES RAFFERTY: David, the best management practices.

HUGH RUSSELL: Plumbing fixtures.

ATTORNEY JAMES RAFFERTY: We're going to have them.

KELLY SPEAKMAN: We have to be LEED certifiable anyways.

ROBERT FAWCETT, JR.: For what it's worth I'm in the air conditioning and plumbing business so I'll make sure we get the right stuff.

ATTORNEY JAMES RAFFERTY: At a right price.

ROBERT FAWCETT, JR.: Regrettably it won't be oil fired though.

HUGH RUSSELL: The capacity and condition of drinking water and wastewater infrastructure are adequate and that's the -- and they must be adequate. And so the narrative says that they are probably going to -- they've done tests that indicate that there's enough water but they're going to provide a loop-to-loop a water main through the site which should put water pressures in the neighborhood so it can be a condition. Some of the stuff is stuff that actually gets reviewed by the City's engineering departments but....

And then the last is the LEED certification standards, and you are going to do that?

Yes.

STEVEN WINTER: Mr. Chair, would we make that a condition also that we generally

get the letters from Owen O'Riordan indicating that all the infrastructure engineering is as it should be. Do we need to do that here or is that part of the inspection by the City?

HUGH RUSSELL: It can happen either way. You know, if this were a much larger project, I think we'd want it that. But I think in this case this is appropriate.

STEVEN WINTER: Okay, that's fine. I get it.

HUGH RUSSELL: The City won't let them do it unless it happens. And I think part of -- well, part of this language is that somebody comes and says I'm not going to do it, then we have the ability to deny their Special Permit which puts a certain -- it encourages them to do it shall we say.

New construction shall reinforce and

enhance the complex curving aspects of Cambridge as it is developed historically.

Tom.

TOM SIENIEWICZ: Mr. Chair, I think the street extension that they're taking about that are incineration of the planning seem to build on the excentric byways of Cambridge in a way that it's also functional given the scrutiny we put the Applicant under. So I'd say that this plan is consistent with that. Also, again, the larger building seems to be consistent with that pattern of building along that (inaudible).

HUGH RUSSELL: Next criteria is expansion of interior housing is encouraged. And they -- they are a housing project, but in addition they cite the creation of the number of three-bedroom units which is really

unusual. And I don't know the exact number because it's changed I think.

KELLY SPEAKMAN: 17.

HUGH RUSSELL: 17. There was a change --

PAMELA WINTERS: From 12.

HUGH RUSSELL: Yes.

Enhancement and expansion of open space amenities shall be appropriate for the development.

And here we have all felt the relationship to the Linear Park and the connections to it were crucial, but they've also created other open spaces of a smaller scale very visible from other points of view.

And the townhouse and multi-family permit criteria in Section 1047.4, and the first one is key features of the natural landscape should be preserved.

And they've determined that that's really the perimeter trees and they're preserving them.

Two, new buildings should be related sensitively to the recently built environment.

The location or orientation of massing of structures and development shall (inaudible) overwhelming the existing buildings in the vicinity of the development.

TOM SIENIEWICZ: I think this deserves some discussion. It's obviously the concern of many people who have spent their time to come out tonight and other nights to express their strong opinion about the massing of the building, and I've certainly heard that and read the letters as well. The position of this larger building behind both the gas plant and the other industrial

building, it hides it from the neighborhood to some degree and it is tucked in -- this larger building is tucked in behind the extensions of the traditional street patterns that have now emerged in this iteration. There's ways of which this larger building, the scale of this building has been designed in its site to deal with the pattern, existing pattern of this neighborhood as best it can while realizing the -- and not exceeding the allowable and development rights on the property. So, there's ways in which the proponent is trying very, very hard to take this larger building and also hide it or tuck it into the fabric in its least impactful way.

HUGH RUSSELL: I think the other thing is the actual architectural treatment of the elevations is it's not monolithic,

it's different things are happening as you go around which helps to relate it to the scale of other larger buildings.

TOM SIENIEWICZ: Mr. Chair, I think we need also to address the condition of it being one building and two buildings because that's obviously a concern that was brought to us by the community, and it's something that the proponent tested and there was, you know, a couple hours ago a long discussion of the virtues of the larger building, a single building and the two buildings, and it extended beyond initially thought it would be the economics which would be the primary argument for that, but it seems that there are ways in which the planning of the building allows more light and air into the units. And the corridor in fact is also detailed so that there's light inside that

corridor. So there are ways in which the single building offers some advantages beyond just the economics in terms of the quality of life and the quality of the architecture and the quality of the building itself.

HUGH RUSSELL: And I think in addition the relationship between the ends of the building and the neighborhood if it's broken apart, then the building has to move closer and by whatever amount it's broken apart. And I think the study they showed of breaking it apart showed that you didn't get any benefit from the slice in the middle of space.

H. THEODORE COHEN: I also think having looked at some of the earlier plans and the way this building is tucked in behind the ice house and the other industrial buildings there was no particular reason to

break it into two buildings. It was visually not going to be perceived that way by anyone, and that actually if you're on Linear Park, the massing of the single building with the nice courtyard in the center, I think, is visually appealing as any of the other proposed possibilities of breaking it into two buildings.

STEVEN WINTER: Mr. Chair, may I ask the proponent are there efficiencies of scale involved in energy usage and energy footprints in terms of one building rather than two?

MARK BOYES-WATSON: By virtue of -- it's interesting, because in balancing different things. But on balance if you reduce the exterior perimeter of the building, you will increase your energy efficiency. I would say, though, in this

case we have taken pains to vary the massing. So maybe as always in design, you're balancing these different things. So I would say there are definitely a single building has energy efficiencies that a broken down building would not.

HUGH RUSSELL: Shall we move on?

The location and (inaudible) landscaping of open space shall provide some visual benefit to abutters and passersby as well as functional benefits to the occupants of the development.

And, again, I think each of the three sides there are benefits.

STEVEN WINTER: I think so. This is a good time to indicate that the landscape design is a really exceptional effort to provide visual and natural attractiveness.

HUGH RUSSELL: Yes. The other thing

that's nice about the landscape design is that it's different things are happening in different places along Linear Park that -- so it's, you know, it could have been sort of monolithic landscape, and actually it's very small scale idiocentric, but that's a good thing to do here. And so that's another benefit.

STEVEN COHEN: Mr. Chair, I just have one comment. I agree, I think it's a great landscape design. But going back to that fence for a moment, the six-foot fence. I think the point raised was good because of the differences in grade, it's not going to be perceived from the Linear Park as overwhelming per se. But I'm also struck by one of the neighbors who reacted to a six-foot fence as, you know, sort of walling out or walling in, as the case may be, the

new building. And I guess I'm still wondering about the need for a six-foot fence as opposed to perhaps a four-foot fence which presumably would serve the same function but visually would not create that same, you know, sense of barrier.

PAMELA WINTERS: But, again, though doesn't it, isn't it -- doesn't it slope down so that you get the feeling of a lower fence?

STEVEN COHEN: Well, if I understand it correctly, from the Linear Park, right, because of the difference in grade, it's not going to be overhanging the park. But still from whatever perspective that you do see the fence, you will see that it's a very tall fence. And, you know, if there's a function, if there's a need for that, by all means. But if there isn't a particular functional need for it, it would seem to me that a

four-foot fence would just, you know, feel less exclusionary, more open and inviting. And I think the openness was one of the things that we were trying to achieve there.

STEVEN WINTER: Mr. Chair, could we leave that to discussion with the Cambridge staff, City of Cambridge staff? Frankly I think the fence is large as well, but I'm not sure where to hang my hat to ask them to bring it down.

HUGH RUSSELL: Right.

One of the peculiar things about the Linear Park is that it is bounded by these high fences almost everywhere. And, yeah, it's easy for a kid to get over a four-foot fence and it's considerably harder for them to get over a six-foot fence. But there are breaks in that fence sections at the two connection points. You really don't want

people to -- so I think the idea of asking them to explore with the City the questionable height of that fence makes some sense. What would it be like if it was only four feet tall and it sends a very, I think it sends a somewhat different message.

STEVEN COHEN: I think so.

ROBERT FAWCETT, JR.: We're happy to explore that.

HUGH RUSSELL: Okay.

Parking areas, internal roadways, access, egress points shall be safe and convenient.

Well, I think the answer there is that it's been designed, you know, that the radii and the turning points and the sight distances and those kinds of things have all been designed into it. The Transportation and Traffic and Parking Department which does

comment when they feel that people have not succeeded, did not make that comment. So....

CATHERINE PRESTON CONNOLLY: Mr. Chair, I'd like to actually encourage a condition that the proponent work with Traffic and Parking going forward as many of these changes to the circulation and parking layout haven't yet been thoroughly embedded with them is my understanding. And so I think while conceptually it's a good layout and it isn't a big change from the last one, you know, things like it was brought up that the way the parking's currently laid out, folks are going to be backing out into Edmunds Street, I think that we need them to be working with Traffic and Parking to make sure that works.

HUGH RUSSELL: Yes, it's kind of the fact that my letter from to Sue is dated two

months before the date of the plan.

You're willing to take that on, Sue?

SUSAN CLIPPINGER: Yes.

HUGH RUSSELL: Criteria 5 is parking area landscaping should minimize the intrusion of on-site parking so that it does not substantially detract the use and enjoyment of the proposed development and neighboring properties. That's essentially the same finding we made earlier about how the parking's been spread around and screened.

And then service for trash collection should be resident. We said before that we want to, we shouldn't have to be reviewed.

Jim, have I missed any criterion on my list?

ATTORNEY JAMES RAFFERTY: There is that added criteria that I brought the text

of it is in Special District 2 when evaluating --

STEVEN WINTER: 17.24.3?

ATTORNEY JAMES RAFFERTY: Yes. I have a copy of it if you like.

HUGH RUSSELL: Sure.

PAMELA WINTERS: Is this one of the newer ones?

ATTORNEY JAMES RAFFERTY: Yes. Particular attention to three-bedroom units. It starts there and I have to get the next page. Page 17, 6 and 7.

HUGH RUSSELL: The Planning Board shall consider as a criterion of the development residential uses of various sizes and with various numbers of bedrooms with specific attention to three or more bedroom units with the overall goal of providing units dwelling units for diverse household

sizes.

And so the answer is they're finding 17, 67th of the project of three-bedroom units which is a --

STEVEN WINTER: Exceptional.

HUGH RUSSELL: -- a very substantial ratio.

All right, now we've made findings and under the General Rules about Special Permits if you meet the criteria, we are obliged to vote and to grant the permit.

So we're ready to make a motion?

TOM SIENIEWICZ: It may be good to briefly list some of the special conditions that we want to focus on. I think in particular we're interested, I was interested in five. One was to assure that there's access to the Linear Park across the site. They're promising I think 20 feet on the

western side. That's absolutely critical to my understanding of how this would work and what the public benefit of the development would be.

That there's public access across the extension of Cottage Park even though it's on private property. You know, I think that that needs to be cemented in our decision.

That the gate in recognition that the terrible burden that this community bears because of regional traffic, it's critical to me that this site never be used as a shortcut. So to that understanding that's the purpose of the gate mechanism, I would make that a condition of granting the Special Permit.

And I guess lastly I would say consideration of that fence height which was something that was of concern to a fellow

board member here, be a consideration and a condition.

Thank you.

STEVEN WINTER: Mr. Chair, is it true that these kinds of conditions are noted by staff and then reviewed to make sure that they're included prior to you signing the letter; is that correct?

HUGH RUSSELL: Yes. I read all the decisions and. So what the staff does is they keep notes about our whole discussion. So we may have said something along the way that didn't make it into the last half hour, but it will make it into the decision. We're only a quasi traditional body.

STUART DASH: We have redundant note takers.

HUGH RUSSELL: Yes. This would probably be quite a lengthy decision because

of the --

TOM SIENIEWICZ: So at the risk of dragging this out another 15 seconds, I -- discussion about the fire truck got my attention and consideration that the proponent had yet to check in with the Cambridge Fire Department, and felt properly I believe that that happens at the permitting stage of the project, but that's something obviously that I think we're all concerned on, and we want to make sure that the fire department makes sure that the site works for them.

STEVEN COHEN: And, Mr. Chair, also just to revisit what seems to have been my obsession from an earlier phase of our discussion, I think we were going to include the statement that should the City Council permit the street to be opened, that that

would be, you know, acceptable.

HUGH RUSSELL: Yes, I would agree to that.

PAMELA WINTERS: Can I just make one --

STEVEN WINTER: Do we know what that is?

HUGH RUSSELL: Pam.

PAMELA WINTERS: I just wanted to make one, I'm glad that you -- Hugh, I'm glad that you mentioned that we, if the plan met all the criteria, that we are obliged to vote for it. I just wanted to say that this would not have been my preference for the use of this space. I would have loved to have seen a group of townhouses. Somebody had mentioned something like Louisburg Square or something that's a little more, oh, fitting in with the neighborhood perhaps. I don't

know. This would not have been my first preference. But they met the criteria and so we are obliged to vote for it. So I just wanted to put my two cents worth in about that.

HUGH RUSSELL: Okay. Any other comments?

So would someone like to make a motion to grant the Special Permits?

H. THEODORE COHEN: Sure.

I move that we grant the Special Permit under Article 10.40, a multi-family Special Permit under Article 10.47, 10.47.4, and a project review Special Permit under Article 19.20 in accordance with the plans that were submitted and discussed at the Planning Board meeting this evening, and subject to all the terms and conditions and findings made by the Planning Board and discussed this evening.

And also that indication that the requirements of Section 17.24.3 with regard to granting a certain Special Permits have been met with regard to the size of units.

HUGH RUSSELL: Liza, who's --

LIZA PADEN: Everyone except for Tom.

HUGH RUSSELL: Okay. Because you missed one hearing.

Okay, so on the motion, all those in favor --

H. THEODORE COHEN: We need a second.

PAMELA WINTERS: We need a second.

STEVEN WINTER: Second.

HUGH RUSSELL: Steve is seconded. And on the motion, all those in favor.

(Raising hands).

HUGH RUSSELL: And the six members

that were authorized to vote are voting in favor and the permit is granted.

(Russell, H.T. Cohen, Winters, Winter, Connolly, S. Cohen.)

HUGH RUSSELL: I'd like to have a discussion with the members of the Board about the two remaining items on our agenda. I think we have no choice but to open the Teague hearing and probably should continue that. And so I'd like to know what people think about 130 CambridgePark Drive.

My preference would be to put it off to another time.

H. THEODORE COHEN: I agree with that. It's late and --

HUGH RUSSELL: Well, that's what I'm asking.

H. THEODORE COHEN: Whatever we do the public ought to have a right to hear and

not necessarily at quarter of eleven or eleven.

HUGH RUSSELL: Right.

CATHERINE PRESTON CONNOLLY: On the other hand, Mr. Chair, I am sensitive to the fact that this would be the second time that we've had to bump this particular Applicant.

HUGH RUSSELL: Yes, and my opinion is that we should have never scheduled two major items of business in one meeting, and I -- unfortunately the, you know the -- Liza, I'm sure agrees that's a great principle, but it happens. I guess my feeling is that the Petitioner's willing to accept the postponement and I think we'll do a much better job if we do that. I don't know when that would be.

H. THEODORE COHEN: Well, June 11th is K2-C2 further. Could we take this up

first thing?

HUGH RUSSELL: Yes, let's do that.

LIZA PADEN: Okay. So this will be June 11th, Rich, at 7:20.

Does that work for you?

RICHARD McKINNON: Yes. We've just had the bad fortune to be behind Fawcett Street twice and I know that it's late. I now know exactly what every hair on the back of Jimmy Rafferty's hair looks like.

LIZA PADEN: You'll be 7:20 on the June 11th.

RICHARD McKINNON: You promise?

LIZA PADEN: I promise.

HUGH RUSSELL: You have to send more cookies to Liza I guess.

And I think we really need to open the Teague hearing?

LIZA PADEN: Yes, because we're at

65 days.

RICHARD McKINNON: You need me to sign?

LIZA PADEN: No.

RICHARD McKINNON: Okay. We're not there yet?

LIZA PADEN: Thank you, Rich.

RICHARD McKINNON: You bet, Liza.

LIZA PADEN: Mr. Teague.

HUGH RUSSELL: Mr. Teague.

LIZA PADEN: He's here. Let me find him, please.

HUGH RUSSELL: The Board is going to open the hearing at the Charles Teague, Et Al petition and people want to postpone the actual substantive hearing until a later date. So what date would that be?

H. THEODORE COHEN: There are two other Zoning petitions on June 18th.

LIZA PADEN: June 18th has two Zoning petitions. One is, as you said, one is Special District 8A which is also the location of 240 Sidney Street. And the other is the discussion of changing roof lines for collection of rainwater.

HUGH RUSSELL: Have you scheduled things yet? Published times for them?

LIZA PADEN: Yes. 7:20 and 8:00.

HUGH RUSSELL: Is that published or not?

LIZA PADEN: Yes.

HUGH RUSSELL: We have -- so we can't put Mr. Teague at the head of the list then.

LIZA PADEN: Well, unless you put Mr. Teague at seven o'clock. Okay?

STEVEN WINTER: I'm willing to do that.

HUGH RUSSELL: I think in fairness to our intrepid videographer here.

LIZA PADEN: So I'll work on getting the BZA cases for June 11th, I'll hold them until July 9th and see what I can work out with Inspectional Services and see if I can move that to work. And I will put Mr. Teague's petition at seven o'clock on the 18th.

HUGH RUSSELL: Okay.

LIZA PADEN: Can you make the seven o'clock on the 18th?

CHARLES TEAGUE: Yeah, that's fine. It's just -- I was just looking at the clock, getting an early night tonight.

LIZA PADEN: Thank you.

HUGH RUSSELL: I don't know, 25 years ago when I was a kid, I could go to one o'clock in the morning. Carolyn remembers

that.

UNIDENTIFIED AUDIENCE MEMBER: Yes, I remember it well.

HUGH RUSSELL: Okay. So I believe we are adjourned.

(Whereupon, at 10:55 p.m., the Planning Board Adjourned.)

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I am not related to any of the parties in this matter by blood or marriage and that I am in no way interested in the outcome of this matter.

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IN WITNESS WHEREOF, I have hereunto set my hand this 31st day of July, 2013.

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