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PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, December 7, 2010

7:00 p.m.

in

Second Floor Meeting Room, 344 Broadway
City Hall Annex -- McCusker Building
Cambridge, Massachusetts

Hugh Russell, Chair
Thomas Anninger, Vice Chair
Pamela Winters, Member
Steven Winter, Member
Charles Studen, Associate Member
Ahmed Nur, Associate Member
H. Theodore Cohen, Member

Susan Glazer, Acting Assistant City Manager
for Community Development

Community Development Staff:
Liza Paden
Roger Booth
Les Barber



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1 P R O C E E D I N G S

2 (Sitting Members: Hugh Russell, Thomas
3 Anninger, Pamela Winters, Steven Winter,
4 Charles Studen.)

5 HUGH RUSSELL: This is the meeting
6 of the Cambridge Planning Board. The first
7 item in our agenda is the review of the
8 Zoning Board of Appeal cases for this month.

9 Do you have anything you want to bring
10 to our attention?

11 LIZA PADEN: I didn't have anything
12 in particular, no. I didn't know if anybody
13 wanted to look at anything.

14 THOMAS ANNINGER: There are a lot of
15 signs.

16 CHARLES STUDEN: I noticed there
17 were a number of building identification
18 signage issues. 10033, a logo on the second
19 floor of a building. Is that a two-story
20 building, Liza? It seems to me on Albany
21 Street, those buildings aren't terribly tall

1 if I remember.

2 LIZA PADEN: You mean the Brattle
3 Street one?

4 CHARLES STUDEN: No, I'm sorry,
5 10033, Albany.

6 LIZA PADEN: Albany Street?

7 CHARLES STUDEN: Yes, Albany. My
8 question is how tall is the building? It
9 says logo on the second floor.

10 LIZA PADEN: The building is two
11 stories tall. And this is against the blank
12 wall which overlooks the next-door neighbor.

13 STEVEN WINTER: Is that backlit?

14 LIZA PADEN: I don't think this one
15 is illuminated. No, this one is only for
16 height. It's not for illumination.

17 CHARLES STUDEN: And then the
18 Brattle Street -- sorry, the Lesley
19 University, there are three of them.

20 LIZA PADEN: Right.

21 CHARLES STUDEN: I didn't know if

1 there was anything -- they sound like they're
2 fairly small scaled.

3 STEVEN WINTER: I support
4 freestanding signs. I think it's a good
5 idea, but I didn't know what a tavern style
6 sign is.

7 LIZA PADEN: Wait until you find
8 out. It doesn't have anything to do with
9 ale. This is a tavern sign. It's on a post
10 and it's... (indicating).

11 CHARLES STUDEN: Is that not similar
12 to the other signage on the campus?

13 LIZA PADEN: Yes. It's all part of
14 the same sign program.

15 CHARLES STUDEN: Yes, okay.

16 LIZA PADEN: Okay?

17 The other thing that I did since the
18 last meeting was to go over the transcripts
19 for the following meetings, and I found them
20 to be accurate and representing what actually
21 happened. It was July 6th and 20th; August

1 3rd, September 7th and 21st and the October
2 19th transcripts are all in and I found them
3 to be accurate for what actually happened at
4 the meetings. And I think we're asking the
5 Board to accept what I just said.

6 CHARLES STUDEN: Can you remind me
7 where those are kept? How they're kept?

8 LIZA PADEN: The transcripts are
9 online on the city's web page. If you go to
10 Cambri dge ma . gov under Departments, Community
11 Development, in the left-hand side there's a
12 link for the Planning Board agendas. And
13 there's a chart with the Planning Board
14 agenda, the Planning Board transcript when it
15 comes in, and the hearing notices for that
16 particular meeting. So if you want to look
17 at what was discussed at a public hearing,
18 you can find the transcript that goes with
19 that hearing.

20 CHARLES STUDEN: So, this is
21 excellent. This is in lieu of meetings and

1 obviously this is available to the public as
2 well?

3 LIZA PADEN: Oh, right, yes.

4 CHARLES STUDEN: Thank you.

5 LIZA PADEN: And if somebody needs
6 them, you know, we can get them sent to
7 somebody as well.

8 HUGH RUSSELL: So I think we need a
9 motion or something to the effect that based
10 on the report from Liza that we vote to
11 approve the transcripts as the minutes of the
12 meetings.

13 STEVEN WINTER: So moved that the
14 Board accept Liza's endorsement of the
15 transcripts as accurate and correct.

16 CHARLES STUDEN: Second.

17 HUGH RUSSELL: All those in favor?

18 (Show of hands.)

19 THOMAS ANNINGER: This should become
20 pro forma.

21 (Russell, Anninger, Winters, Winter,

1 Studen.)

2 CHARLES STUDEN: However, I would
3 like to add that I don't think this is a bad
4 thing to be doing this. Actually to have you
5 taking a look at them. Not that I don't
6 trust our trusty notetaker here, but I think
7 it's probably good. And I know what is
8 coming out just this whole notion of more
9 openness and so on around meetings and record
10 keeping and meetings.

11 HUGH RUSSELL: So our first hearing
12 is scheduled at 7:20 and it is now 7:08. So
13 I think we have to wait.

14 SUSAN GLAZER: I can give you your
15 update if you like.

16 HUGH RUSSELL: Yes, please.

17 SUSAN GLAZER: Our next meeting --
18 is this working?

19 LES BARBER: If you get close
20 enough.

21 SUSAN GLAZER: Okay. Our next

1 meeting is December 21st when we will have
2 the Fox Petition on the agenda. And we will
3 also have a presentation by MIT, sort of an
4 update on their thinking on their Kendall
5 Square plans. And you saw the presentation
6 this summer, but they wanted to sort of
7 report back on what they have heard in the
8 course of many focus groups and other
9 presentations.

10 And then the next meetings will be in
11 January, January 4th and January 18th.

12 And then the annual Town Gown meeting
13 will occur on February 1st at the Senior
14 Center for those who are interested. And
15 then the next meeting in February is February
16 15th. So that's the meeting schedule.

17 And given the number of Zoning
18 petitions that the Board will need to
19 address, we're sort of adjusting the schedule
20 as we go along in terms of substance.

21 HUGH RUSSELL: Okay, thank you. I

1 don't imagine we want to take up the last
2 item on the agenda because it will take more
3 than 10 minutes.

4 THOMAS ANNINGER: And we'll probably
5 have a presentation by some architect.

6 HUGH RUSSELL: I think what we'll
7 have to do is I have some ten pages of
8 reading that showed up on my desk here in
9 front of me, so I'd like to take a look at
10 that. And we'll continue on in about seven
11 or eight minutes.

12 (A short recess was taken.)

13 * * * * *

14 (Sitting Members: Hugh Russell, Thomas
15 Anninger, Pamela Winters, Steven Winter, H.
16 Theodore Cohen, Charles Studen, Ahmed Nur.)

17 HUGH RUSSELL: Okay, now it's 7:20.
18 So we're going to begin the public hearing
19 case 252, 40 Norris Street. Special Permit
20 to convert non-residential building under
21 Section 5.28.

1 And I think the way we're going to
2 proceed tonight is first, Susan is going to
3 fill us in on some of the legal aspects,
4 procedural aspects that govern our decision.
5 We'll ask the Petitioner to make a
6 presentation, and then we'll go to the public
7 and ask for comments. And the Board will
8 make comments. I do not believe we have any
9 intention of making a decision tonight. It's
10 simply to start collecting the data and the
11 facts.

12 Now, I would like to accomplish all of
13 what I've said in an hour and 40 minutes
14 because we have another item on the agenda.
15 So, I would think maybe a presentation of
16 less than 20 minutes by the Petitioner and
17 then an hour of public comment and 20 minutes
18 for us to do our work at the end would
19 basically cover that. There are about 20
20 people who said they want to speak. And if
21 we follow our three-minute rule, it should

1 work. If you can speak for a shorter period
2 of time because you've all -- many of you
3 have written us very thoughtful pieces of
4 writing that we've all received and I believe
5 we've all read. So if you were standing up,
6 it's not necessary to reread those into the
7 record. They are in the record because we
8 received them. You can highlight what you've
9 said to us, focus on what you think is most
10 important aspects.

11 Anyway, let's go first to Susan.

12 SUSAN GLAZER: Thank you, Hugh.

13 In order to put the Norris Street
14 housing petition into perspective, I want to
15 give you a brief overview of the Zoning. The
16 Law Department and Community Development
17 Department feel that Section 5.28.2 allows a
18 non-residential building to be converted to a
19 residential use by Special Permit in
20 Residence B and other residential districts.
21 The intent of the Ordinance was to allow

1 Large commercial and institutional buildings
2 in residential neighborhoods, many of which
3 are historic buildings, to have a useful life
4 after their commercial or institutional use
5 ceased. Giving that understanding, CDD
6 accepted the application of Doctor Rizkallah
7 to convert the North Cambridge Catholic High
8 School into residential units. The
9 application for 38 housing units and a
10 parking waiver was dated October 15, 2010.

11 On November 22nd there was a discussion
12 at the City Council meeting about whether
13 multi-family housing permitted under Section
14 5.28.2 could be allowed. Mayor Maher and the
15 City Council asked the Law Department and CDD
16 to draft language to modify Section 5.28 to
17 clarify any ambiguity in the permitted uses
18 and to change the calculation to determine
19 the maximum number of units allowed in lower
20 density districts; a Residence A, A-1, A-2
21 and a Residence B. The departments did draft

1 some language and presented it and sent it
2 through the City Manager's office to the City
3 Council. And on Monday night, last night,
4 the Council referred the rezoning petition to
5 the Planning Board and the City Council
6 Ordinance Committee. The Petition to amend
7 will be advertised by the Council on December
8 16th as I understand it. After that, any
9 petitions will have to comply with the
10 Amendment if it is subsequently adopted by
11 the City Council. The Planning Board hearing
12 on the Petition for the housing will take
13 place tonight, and the Board has 90 days to
14 make a determination on that Petition.

15 So, for tonight it would be helpful to
16 the Board to address your comments
17 particularly to the housing and not the
18 Zoning, because running parallel to the
19 Planning Board's process, a Special Permit
20 process, will be the rezoning process. And
21 both the Planning Board and the Ordinance

1 Commi ttee wi ll hol d publ ic heari ngs where
2 there wi ll be ample opportuni ty for the
3 publ ic to comment on the rezoni ng.

4 The Pl anni ng Board coul d hol d i ts
5 heari ng on the rezoni ng as earl y as January
6 4th and we haven' t final ized that date yet,
7 but keep i t i n mi nd that' s the earl i est we
8 coul d do i t. And the Pl anni ng Board i s
9 advi sory to the Ci ty Council i n thi s case.
10 It wi ll make i ts advi sory report to the
11 Council .

12 So, keep i n mi nd one other thi ng, whi ch
13 i s dur i ng the course of the rezoni ng process,
14 the proposed l anguage may change as a resul t
15 of the di scussi ons. So what i s before the
16 Council ri ght now may be al tered ei ther by
17 comments from the Pl anni ng Board wi th
18 suggesti ons for change or dur i ng the
19 Ordi nance Commi ttee publ ic heari ng process.

20 HUGH RUSSELL: Okay. Thank you,
21 Susan.

1 Charles.

2 CHARLES STUDEN: Sue, I had a
3 question about this Zoning and the order in
4 which this is taking place. If the Zoning
5 Amendment fails to pass for whatever reason,
6 we can't reach agreement on it, does this put
7 the Applicant's Petition for the housing in
8 jeopardy?

9 SUSAN GLAZER: No, just the existing
10 Zoning would apply in this case.

11 CHARLES STUDEN: I see. Because the
12 correspondence we received I found somewhat
13 confusing especially by some of the attorneys
14 that are challenging the Zoning. But I
15 assume that's the purpose of the rezone is to
16 try to clarify that in a manner that
17 satisfies everyone, all parties.

18 SUSAN GLAZER: Right.

19 CHARLES STUDEN: Okay, thank you.

20 HUGH RUSSELL: But it is the -- I
21 think we need to get probably a written

1 opi ni on from the Ci ty Sol i ci tor that confi rms
2 that oral reports, shoul d given, that we
3 could i ssue a permi t under 5.28 even i f i t
4 were not amended.

5 SUSAN GLAZER: You coul d make a
6 deci si on under the current Zoni ng, but then
7 i f the Peti ti oner -- i f the deci si on i s not
8 made before the adverti si ng date, and the
9 Ci ty Counci l subsequentl y adopts the Zoni ng,
10 the Peti ti oner woul d have to compl y wi th the
11 new Zoni ng.

12 HUGH RUSSELL: Ri ght. So I 'd l i ke
13 somethi ng from the Ci ty Sol i ci tor that j ust
14 l ays that out clearl y what our opti ons are.
15 I mean, I 'm not going to guess what the Ci ty
16 Counci l i s going to do. Al though a number of
17 Ci ty Counci l l ors have sent us communi cati ons
18 sayi ng they' re very i nterested i n thi s Zoni ng
19 proposal . So, I don' t want us to become, you
20 know, l egal experts tryi ng to sort through
21 whether what the Ordi nance says or not. I t' s

1 really not our job.

2 Okay, so I'd like to go on to the
3 Petitioner.

4 ATTORNEY SEAN HOPE: Good evening
5 Mr. Chairman, members of the Planning Board,
6 Attorney Sean Hope on behalf of Petitioners,
7 the Lacourt Family, LLC. Tonight we have the
8 owner of 40 Norris Street, Doctor Rizkallah.
9 Dominic Valenti was the project architect.
10 He is ill and is not available tonight.
11 Doctor Rizkallah has worked hand in hand with
12 the architect and is intimately familiar with
13 the project, he's also a builder by trade and
14 he will walk you through the unit floor plans
15 once we get there. I just want to make a
16 brief intro and I'm going to respect the
17 20-minute time limit. I understand this is
18 the beginning of a process.

19 So the Petitioners are seeking a
20 Special Permit to convert the former North
21 Cambridge Catholic High School located in Res

1 B District to a residential housing complex
2 pursuant to 5.28.2. For some background, the
3 building was constructed as a public school
4 in 1898 and is a sole building located on
5 25,700 square foot lot located at 40 Norris
6 Street. This brick story building was
7 designed by architect Aaron H. Gould in a
8 Renaissance reliable style. This building
9 was one of five elementary schools
10 constructed by the city between 1890 and
11 1900. This structures and that of the
12 structures built during the same generation
13 are marked by some key characteristics which
14 I'd like to point out.

15 One of which is the large eight foot by
16 four foot windows to emit natural light.
17 Also is the hipped roof structure to allow
18 the top floor assembly hall on the third
19 floor, and also a spreading footprint to
20 accommodate spacious classroom sizings for 60
21 more children. These same characteristics at

1 Norri s Street presented uni que desi gn
2 chal lenges such as how to i ncorporate the
3 l arge ten foot wi de corri dors and hal l ways
4 whi ch ran the wi dth of the bui l di ng. Al so,
5 how to make proper use of the vault ed
6 cei l i ngs and audi tori um spaces nearl y 35 feet
7 from the audi tori um floor to the peak of the
8 roof. Al so, how best to uti l i ze the existi ng
9 wi ndow pl acements that l arge l y control l ed
10 bedroom l ayout and i nteri or functi onal i ty of
11 the bui l di ng.

12 These chal lenges were further
13 exacerbat ed by the steel col umns and two by
14 si x wood fram i ng runni ng from the foundati on
15 up to the top of the bui l di ng creati ng
16 structu ral wal l s that coul d not be removed.
17 As you wi l l see dur i ng the uni t pl an
18 presentati on, many of the structu ral wal l s
19 have stay ed i n pl ace unti l when
20 Doctor Ri zkall ah, who i s the archi tect, when
21 desi gni ng the uni ts they were l arge l y

1 controlled by some of these steel guarders
2 and wood framing.

3 Many of these same characteristics also
4 created unique design opportunities, such as
5 large functional living space in the lowest
6 level. This was the former cafeteria of the
7 North Cambridge Catholic High School. And
8 this area had existing windows that were
9 three quarters above grade but light in air
10 appropriate for housing, bike storage and a
11 live-in superintendent which you'll see on
12 the plans.

13 Also used are the hipped roof and attic
14 space that allow for some of the more
15 interesting architecturally cathedral style
16 units for the top floor units.

17 The conversion of the former North
18 Cambridge Catholic school to residential
19 housing involves a number of land use issues
20 that have been subject to recent attention by
21 the Cambridge City Council and the Community

1 Development Department. Article 5.28.2 of
2 the Zoning Ordinance was specifically
3 intended to deal with issues presented in
4 this application. The underlying land use
5 theory contained in this section is clear.
6 In the adoption of this provision it was
7 concluded that the more appropriate indicator
8 for residential project that is being built
9 in a building not intended or constructed for
10 residential purposes is not the area of the
11 lot in which the structure is located, but
12 the gross floor area of the building itself.

13 Another issue acknowledged by 5.28.2 is
14 the fact that buildings originally
15 constructed for non-residential purposes
16 often have large volumes of spaces that are
17 not well suited for residential housing. The
18 Norris Street project is a perfect example of
19 that reality. The building stands 77 feet in
20 height with the classroom spaces intended for
21 large classes, auditoriums and not modern day

1 residential living.

2 The petitioner is seeking to add an
3 additional 6,800 square feet to the building.
4 This additional gross floor area is primarily
5 comprised of in-fill floors in an attempt to
6 utilize the 35 foot height from the
7 auditorium floor to the peak roofs. The
8 amount of existing gross floor area in the
9 building is 41,416 square feet. The current
10 section of 5.28.22 states that the number of
11 units permitted shall be either the lot area
12 per dwelling unit in the base district or the
13 number of units produced when the permitted
14 GFA is divided by 900 square feet. Whichever
15 is greater. Applying the current formula to
16 the project would result in 50 plus units.
17 This conversion application only seeks to
18 approve 38 units.

19 The current Zoning Amendment before the
20 City Council in part intends to control the
21 number of units and the density by increasing

1 the denominator from 900 square feet to 1600
2 square feet to Res B. While I do this
3 proposed Amendment is well intentioned, the
4 fact remains that it's just not sound
5 planning for this particular building.

6 As you will see during the presentation
7 of the floor plans, the units average two and
8 a half bedrooms per unit. The proposed
9 increase to 1600 square feet will have the
10 opposite effect, more than doubling the
11 bedroom count per unit. Also the density
12 will be exacerbated requiring units to be
13 built so large and so out of scale that they
14 require multi-tenant occupancy. We hope that
15 the Planning Board through this presentation
16 and in the hearings to come will come to
17 understand that the 1600 square foot
18 denominator is not appropriate for this
19 building as constructed and hopefully through
20 this process you will help both parties find
21 a middle ground that is based on planning

1 principles and not the current political
2 climate.

3 I will now allow Doctor Rizkallah to
4 walk through the unit plans.

5 DR. MOUHAB RIZKALLAH: I don't think
6 I need a microphone. It will be very awkward
7 for me.

8 HUGH RUSSELL: It's got a long cord.

9 DR. MOUHAB RIZKALLAH: Well, I'll do
10 my best.

11 Okay. I'm going to struggle with this
12 microphone, forgive me, please.

13 So looking at the building from the
14 front, I'd like to begin by saying very
15 little of the outside of the building is
16 going to change. We are aiming to place some
17 skylights in the areas of the building where
18 we're planning to add living spaces.

19 This is the front of the building.
20 There are going to be no skylights on the
21 front and the lower levels of the building as

1 Sean mentioned. Approximately 77 feet is the
2 height of the building in the higher levels.

3 In the side of the building on each
4 side there will be skylights. And in the
5 back of the building there also will be
6 skylights. I won't go through that exactly
7 because you have that, and just for brevity I
8 won't go through that. Just a moment I'll
9 flip the page.

10 I wanted to go quickly through some
11 sections of the building. On the upper right
12 here we have the lower level in section, and
13 to the lower left here we have the upbeat,
14 the larger center level in section. Again,
15 we're looking at about 77 foot height, give
16 or take.

17 I'd like to focus for a moment on the
18 text that says here third floor. I have that
19 in front of you I believe. And basically if
20 you look at the building and you just divide
21 this image that you have here in half, that's

1 where the top floor ends. That's where the
2 top floor begins. The rest of it is going to
3 end up -- we're aiming for having some
4 similar levels in here. Because the height
5 of this building on the top level to the peak
6 of the roof, again is about 35 feet. The
7 levels below are 14 foot in height from floor
8 to floor until you get down to the lowest
9 level, which is approximately 10 foot in
10 height. Also notice from this image that the
11 lowest level is about five plus feet above
12 grade and there are many windows throughout.
13 I won't flip the page back for time savings,
14 but there are many windows in the lowest
15 level throughout that really make it living
16 space. In its previous use it was cafeteria
17 space, science room space, parts space. This
18 was some of the most healthiest space
19 expected for this building.

20 In the upper right here, which is the
21 sections of the lower wings of the building,

1 similarly we have in the lowest level 10 foot
2 space, then 14 foot space and then
3 approximately 13 foot space above that. And
4 then in the highest space are some really
5 beautiful structural elements. And it's
6 about 20 foot in height. The overall design,
7 I'm going to go through now and I'm going to
8 do my best to get through it quickly as
9 you've given me just a certain amount of
10 allotted time. If I'm going through it too
11 slow and you feel like you've got the point,
12 please just move me on.

13 All right. The floor plans here are
14 laid out with a lot of different controlling
15 factors. Many of those controlling factors
16 are light requirements for bedrooms. A lot
17 of those requirements are organized around
18 structural limitations. And then there are
19 energy requirements. In other words, how
20 does one efficiently heat a space or cool a
21 space? All of these things affect how this

1 lays out. By in large I would say that
2 you're going to see, as I go through this,
3 that just about every classroom essentially
4 becomes a single unit, give or take. And
5 then there are the areas that get a little
6 bit more complex, which are the large hallway
7 areas. A 10 foot spanning hallway that goes
8 35 feet, how do you use that space? These
9 are the questions we struggled with. And how
10 do you deal with the structures on the side
11 of those hallways knowing that they are truly
12 structural walls?

13 Note that we really didn't change
14 anything here structurally. And as far as
15 I'm concerned, I truly believe that the
16 building really dictated how we laid out
17 these plans. Let's begin with the lowest
18 level.

19 In the center area we see a boiler
20 room, a utility room. On the sides of those
21 areas, we see two large staircases. Those

1 staircases are beautiful. We're not changing
2 them. While one could make the argument to
3 use the space, it's not how we're going with
4 this. And you're going to find as I go
5 through this, there's a certain logic to
6 this.

7 Let's look now a bit at the wings and
8 not necessarily look at the back of that
9 space -- the back of the center area. We
10 have three units on each wing. If you look
11 at the center unit that's shaped as a T,
12 basically what you're seeing there in the
13 narrower part of the T is the old hallway.
14 Think of it that way. What you'll also
15 notice there is that in the area of that T
16 it's hard to visualize, it's hard for me to
17 point out in this distance. There are 1, 2,
18 3, 4, steel columns that basically rise to
19 the roof in the building. So what we've
20 basically did is on each wing of that T we
21 made a unit and another unit. And then to

1 make the T make more sense, instead of having
2 a hallway go all the way down and have this
3 very kind of boring narrow unit, we had to
4 steal a little bit from each side, making the
5 T essentially effectively a one-bedroom unit.
6 Then on each side of the T it ended up laying
7 out as two different three-bedroom units.
8 We've essentially -- by having that
9 conversation, we've essentially discussed the
10 other side because the building is very
11 symmetric.

12 Looking in the back area of the space,
13 some interesting things occurred. This white
14 space here on this sheet (indicating), this
15 is the parking area. In the center of the
16 building adjacent to the parking area, we
17 have an entrance area. That is a ground
18 level entrance that goes all the way to an
19 elevator. In that entrance area there are --
20 there is a -- there are steps down into the
21 building, into the lowest level of the

1 building accommodating internal bike space.
2 You'll notice the little steps. You'll
3 notice a little ramp next to it so that one
4 can bring their bike in, bring it down and
5 then there's a bike room there. Adjacent to
6 the bike room there's additional building
7 space. That area overall has had a lot of
8 conversation with the neighbors, discussing
9 community space, which I'm open to.
10 Discussing that some would argue that make
11 the whole thing bike space, that actually
12 serves the community better. These are all
13 things that I'm open to and I would really
14 ask the Planning Board to use their wisdom
15 beyond mine to define what really is best for
16 that space. I truly don't believe that for
17 building space that we need that space per
18 se. I think between the boiler room, which
19 is huge for what's in it, and the utility
20 room we have what we need for building
21 purposes.

1 To the right of that center area,
2 there's a studio apartment. That's where the
3 superintendent of the building -- my
4 intention is to have a superintendent there
5 full time to manage the needs of the
6 property.

7 And then to the right of that in a
8 longer facility, this used to be a large
9 bathroom for I believe it was girls, actually
10 it was boys. And that is going to turn into
11 just laundry space. I'm going to move to the
12 next page.

13 In our original plans the T situation
14 that we had just discussed on the wings also
15 applied to this floor and the floor above it.
16 Having given it more thought, we actually
17 decided instead of having the same situation
18 of a three-bedroom and a three-bedroom and
19 then a T in the center, we actually felt --
20 and -- we actually felt that it would be
21 better to change that set-up. So what we

1 have in the front of the building is still a
2 three-bedroom. What we have in the center is
3 actually a two-bedroom. And what we have in
4 the back is also another two-bedroom. In my
5 experience, and I own a lot of dwelling
6 units, in my experience the two-bedroom unit
7 is one of the most density sensitive units.

8 As an example, if you have a
9 three-bedroom unit, how many people are going
10 to live there? Well, pretty much three. How
11 many people are going to live in a
12 one-bedroom unit? Well, one or two. How
13 many people are going to live in a
14 two-bedroom unit? Really, it could be one or
15 two. That's been my experience. I have
16 rented -- as a younger person I have rented
17 two-bedroom units for me alone. That said,
18 with an intention of trying to decrease the
19 density of the building, I decided that there
20 would be a better use to go with two-bedroom
21 units wherever possible. But there's a

1 limitation that I have here. I can make more
2 units two-bedroom units. And I'm really open
3 to that, but in my conversations with
4 Community Development one of the things that
5 they stressed to me is the value of
6 heterogeneity of the property. They're not
7 looking for all of the units to be of the
8 same size. They're saying that it's better
9 if you got some one bedrooms, some two
10 bedrooms, some three bedrooms, etcetera. By
11 doing this, as they've described it to me, it
12 taxes the local resources a bit different.
13 I'm not going to lecture you on this. But
14 this is how it affected the planning here,
15 okay, of this layout.

16 So we discussed this. You have the two
17 bedroom, and then two bedroom and then the
18 three bedroom. The same thing applies on the
19 opposite side.

20 In the center areas being flanked by
21 the stairways, we have taken that space, and

1 if you could just look with me for a second
2 here, this hallway space that's here,
3 extended all the way to meet this hallway
4 space here (indicating). So the way that
5 we've managed this center hallway space is
6 we've taken those units and we've consumed
7 some of the hallway. There is still a five
8 foot corridor there, but much of that
9 excessive hallway space has now been utilized
10 for living space. And as we've discussed
11 this, this is healthy for this building. To
12 have unused space is a heat waste, it's a
13 space waste in a place where people need
14 housing.

15 Looking at that building then --
16 looking at that front area, we basically
17 divided the front area as being flanked by
18 the stairs into two different units and
19 they're set up at two, one-bedroom units.

20 Looking now at the back of the
21 building, those were basically two separate

1 classrooms. They have essentially both
2 become large two-bedroom units. And if you
3 look at the numbers there, they really are
4 very large. One could argue to try to turn
5 them into three bedrooms, but they're just
6 too small as three bedrooms, and they're a
7 bit large as two bedrooms. Still we decided
8 that would be the best way to air. It's
9 going to make the space more marketable. And
10 really nicer that way rather than having them
11 be squashed three bedrooms. Let's go to the
12 next page.

13 This will be a quick page because it's
14 essentially what you just saw, except that in
15 the area where we had a corridor on grade
16 coming from the parking area and going to the
17 elevator area, that is no longer necessary.
18 And so we actually do create in those back
19 units, a third bedroom. Notice that we did
20 not split that space to make two, three
21 bedrooms. We did not do that for two

1 reasons:

2 The first reason is because
3 structurally it's too complex. Every wall
4 there is structural. And trying to make that
5 movement happen is really impossible. And
6 the second reason is I felt it would
7 demonstrate a certain point that we are not
8 trying to squeeze things into this building.
9 We're actually really allowing the building
10 to set its own fate.

11 And this is where it gets complex. The
12 third level has three levels. If you take 35
13 feet and you divide it by a normal eight,
14 nine foot height, you can easily argue that
15 it should have four levels. We didn't do
16 that. One of the things I want to talk about
17 here is that there are some really complex
18 structural elements in this space. As you
19 can imagine, a space this large wide open,
20 how is that being held up? Well, there's a
21 massive trust system in this space right

1 about this area that holds up what is a very
2 complex roof, the hipped roof. Not a
3 standard roof. Whenever you're dealing with
4 hipped roofs you're dealing with more complex
5 architecture.

6 Looking at the lower level plan, then,
7 can you see the stairways coming up. And I
8 want to be as brief as I can about this, so,
9 I'm going to air toward brief and then allow
10 you to ask me any questions that you need
11 clarification on. Again, the building is
12 symmetric so we're just going to talk about
13 one half side. If we look at the side that's
14 closest to you, so the left side here. We
15 have a large three-bedroom unit. The size of
16 this living room is bigger than my living
17 room in my home. But to divide this up any
18 other way, doesn't make any sense. Three
19 bedroom unit, two full baths. Above that on
20 this picture is a one-bedroom unit that I
21 actually would argue should be more of a

1 studio, but we've laid it out right here as a
2 one bedroom.

3 In the front of the building, the
4 entire expanse there ends up being the -- on
5 the lower left unit just to the right of the
6 left stairwell is a three-bedroom unit. And
7 if you follow with me, you've got a massive
8 living room, dining room, kitchen area with a
9 full bath. Then you've got a stairwell --
10 and you'll notice there's a curve there.
11 We're trying as much as possible to maintain
12 the design elements of the building. Not to
13 please you, but really to please me. Because
14 that's actually what I want for this
15 building. I really want to control as much
16 of that history as we can.

17 Okay, so you go up those stairs, you
18 get into the next level and you can see
19 you've got a large one, two and a third
20 bedroom space. This actually is the extent
21 of that unit. It does not have a third

1 floor. It cannot have a third floor. But
2 this second floor space, if you were to look
3 at the sections, the heights of the ceiling
4 are 20 feet. So it's a very large vaulted
5 space.

6 So, we're now going to go behind it
7 since the one to the right we've already
8 basically discussed by virtue of symmetry.
9 On the other side of that corridor then we
10 have on the first floor a living/dining room,
11 kitchen, full bath. Going to the next level
12 you've got two bedrooms, and then you can get
13 into a third bedroom space. In fact, it's
14 actually a third and a fourth bedroom space.
15 You'll notice that that third bedroom space
16 is tiny. It's not really a bedroom as I see
17 it. I really see it as a study. Going to
18 the next unit, going again back to the lowest
19 level of the third floor, you've got a narrow
20 unit there. We argue why are you making that
21 so narrow? Actually because we're trying to

1 work through the truss system. Because at
2 this level, above this level we've got this
3 truss system that we're trying to stay
4 between. It's kind of complicated. So,
5 we've got this -- what you see there and then
6 you go to the second floor and you've got two
7 bedrooms. And then you go to the third floor
8 and you actually get -- I'm sorry, on the
9 second floor you have one bedroom -- am I
10 reading this correctly? Oh, yes, oh, yes.
11 Okay. Okay. I aired a little bit here.

12 The far left unit does not have a third
13 floor. It only has a second floor. The
14 second unit from the left does have a third
15 floor.

16 Are you guys with me on this? It's
17 very complex to look at it.

18 HUGH RUSSELL: It's a four bedroom
19 unit.

20 CHARLES STUDEN: Yes.

21 DR. MOUHAB RIZKALLAH: It's a

1 four-bedroom unit.

2 HUGH RUSSELL: We get it.

3 DR. MOUHAB RIZKALLAH: And then the
4 last unit we really need to discuss is that
5 center unit. You're working around the
6 elevator space in that particular unit. That
7 elevator, its highest level is actually at
8 the lowest level of the third floor. Though
9 you'll see it on the second level, this is
10 just boxed space required for construction.
11 And that center space goes again also into
12 the upper unit and you end up with a
13 four-bedroom unit.

14 That's really the extent of what I have
15 to say here. I guess I should say just one
16 more thing. On this left wing there's an
17 area called the game area. And this beam,
18 right, there is a truss running across here.
19 And just to be clear, while this -- this is
20 sort of extra space, because this truss which
21 is an amazing structural element, you

1 actually have to go underneath it to use that
2 space. So this is largely extra space, you
3 know. You can think of it as storage space.
4 But if I was living there, I would put some
5 great plants in there and a ping-pong table
6 personally.

7 That's all I have so say. Thank you
8 guys.

9 HUGH RUSSELL: Thank you.

10 So I would suggest we hold our
11 questions until after the public testimony.

12 (All agreed).

13 HUGH RUSSELL: So I'm going to call
14 your name and when you come up, could you
15 please use the microphone, give your name and
16 address to us. And when you're approaching
17 the three-minute time, which is our rules,
18 Pam will make a statement to you. If you can
19 do it in less than three minutes, we will
20 appreciate that.

21 So the first person is Bronia Clifton.

1 And after her Jason Burns.

2 UNI DENTIFIED FEMALE: Actual ly,
3 Kevi n' s fi rst. If you look at the very top.
4 It' s filled in at the very top.

5 HUGH RUSSELL: Okay. Qui te happy
6 to -- and perhaps -- there' s at least one
7 Ci ty Counci ll or here, maybe more. It' s hard
8 for me to tell. We often allow Counci ll ors
9 to speak fi rst if they want to.

10 ATTORNEY KEVIN CRANE: I wi ll
11 certai nly defer to my former brothers.

12 AHMED NUR: He sai d no thanks.

13 HUGH RUSSELL: Okay, Kevi n, please
14 go ahead.

15 ATTORNEY KEVIN CRANE: Don' t put me
16 on the cl ock, yet.

17 PAMELA WINTERS: I' m not.

18 ATTORNEY KEVIN CRANE: Before I go
19 on the cl ock, Mr. Chai rman, I j ust wanted to
20 make sure that the Pl anni ng Board had
21 recei ved my l etters of November 3rd as well

1 as November 30th.

2 CHARLES STUDEN: Yes.

3 ATTORNEY KEVIN CRANE: Okay. My
4 name is Kevin Crane and I reside at 27 Norri s
5 Street di rectly across the street from thi s
6 si te. I have l i ved there for 28 years. I
7 l ove the nei ghborhood. I anti ci pate bei ng
8 there for the durati on.

9 What i s bei ng proposed, Mr. Chai rman
10 and members of the Board, i s a drasti c change
11 to my nei ghborhood. I don' t thi nk we ever
12 real ized how good a nei ghbor we had when we
13 had the hi gh school . It was a 200 student
14 school at the end. We had the ki ds comi ng at
15 7:30 i n the morni ng and l eavi ng at 3:30 i n
16 the afternoon. There was no ni ght acti vi ty
17 to speak of general l y. There was not much
18 weekend acti vi ty. And duri ng the summer
19 there was certai nly no acti vi ty. So thi s i s
20 a drasti c change to the nei ghborhood. And.

21 I' m going to speak to two parti cular

1 issues. One is density, and the other is
2 parking. And they are interrelated I would
3 say.

4 And density deals with the number of
5 people in the building. The present proposal
6 calls for 88 bedrooms. Conservatively if
7 each bedroom generated one person, we have 88
8 people in the building. The 2008 City of
9 Cambridge Street Listing which calculates the
10 number of residents over 17-years-old, counts
11 87 people that live on Norris Street. So we
12 are doubling the number of people that live
13 on the street. This is way too many people
14 for the neighborhood to absorb.

15 Now, how can we reduce the density? I
16 think the only thing that we're limited in
17 that area is by our creativity. First -- and
18 I'll mention a couple of areas. First of
19 all, there's no requirement that
20 Doctor Rizkallah have 6,800 extra square feet
21 of fill-in space. Community space would be

1 another option which could reduce the
2 density. We could also have a work/live
3 space which would reduce the density as far
4 as the permanent residents in the building.
5 This has been done as you probably know, in
6 other areas of North Cambridge, particularly
7 along the railroad tracks at the end of
8 Regent Street and Porter Road.

9 A fourth area where we could reduce the
10 density, and when we met with
11 Doctor Rizkallah last week, I described it as
12 a two-fer, but I think almost could be a
13 three-fer, and that using the basement for
14 parking. Doctor Rizkallah has expressed
15 reservations about that of the concerns
16 construction wise and, you know, safety wise.
17 However, if there was parking in the
18 basement, it addresses the parking issue, it
19 reduces the number of people who are living
20 permanently in the building. And the
21 three-fer would be that it would provide

1 Doctor Rizkallah with some flexibility I
2 think in the parking that would be provided
3 on-site as far as setbacks and landscaping
4 possibly.

5 PAMELA WINTERS: Sir, your time is
6 up. Could you summarize what you wanted to
7 say at the end? Is that possible?

8 ATTORNEY KEVIN CRANE: Sure.

9 PAMELA WINTERS: Thank you.

10 ATTORNEY KEVIN CRANE: At the end I
11 would say that we have a great neighborhood.
12 We're a reasonable group of people. We're
13 looking for a good development, not -- we're
14 not in favor of no development. The present
15 proposal in my book is nothing more than a
16 dormitory with inadequate parking facilities,
17 and you have to determine whether it's in the
18 detriment of the public interest. And
19 however you define the public interest, I
20 would say that it's being deterred here. And
21 I would ask the Planning Board to deny the

1 building and deserves to be -- deserves a
2 careful and thoughtful reuse. However, I
3 have two major concerns about the project as
4 currently proposed.

5 This echos a little bit of what Kevin
6 mentioned. My two major concerns are parking
7 and noise. As you may know, our neighborhood
8 is composed of primarily two- and
9 three-family buildings, and parking is
10 already tight as it is in many Cambridge
11 neighborhoods. I'm concerned that there has
12 not been enough thought put into the site
13 plan for this property. Specifically
14 providing adequate parking and landscaping
15 for this number of units on a pretty tight
16 site given the scale of the building. I'm
17 also concerned about the inevitable noise
18 that will result in the absence of a planned
19 central air conditioning system. Essentially
20 we're going to have 38 AC units coming out
21 the south side of the building, and there's

1 going to be a real -- a noise issue on that
2 side of the building which happens to face my
3 property of course. Both of these issues
4 will affect a liveability of this quiet and
5 very lovely neighborhood. The liveability of
6 our neighborhood is going to be a great
7 selling point for the future residents of 40
8 Norris Street, but it will be hard to keep
9 the building fully occupied if the tenants
10 can't park their cars or they can't use or
11 park their cars during a snow emergency.

12 Don't throw the baby out with the bath
13 water. Help us maintain the liveability of
14 our neighborhood by improving the site plan
15 and reconsidering the plan for effectively
16 cooling the interior.

17 Thank you.

18 HUGH RUSSELL: Thank you. Jason
19 Burns followed by Robert Casey.

20 JASON BURNS: I have some pictures
21 that show what it looks like from our yard

1 just to give you a sense of how it will
2 impact our privacy. If you could pass those
3 around.

4 I'd like to speak about privacy issues.
5 My name is Jason Burns. I live at 31 Rice
6 Street. I'm directly abutting behind. The
7 privacy issues are related to the use of the
8 building and not the building itself. The
9 building has been a very good neighbor. As
10 used as a school it's complemented the
11 neighborhood both architecturally and in its
12 use patterns. The building is very
13 sculptural. And from my yard it is set in
14 the site in a way that creates a wonderful
15 sense of space in a dense neighborhood. As a
16 school it was used during the day while most
17 of the neighborhood is at work. And at night
18 it's dark and quiet.

19 As an apartment building, its size and
20 sitting will have the opposite effect. Its
21 occupied units set dominantly over our yard,

1 we will feel an impressive loss of privacy
2 due to the additional noise, light and
3 presence of strangers with intimate views of
4 our lives. As an apartment building, its use
5 will shift in the evening or shift to the
6 evening. In the evening hours when we are
7 enjoying our yard, gardening, and dining in
8 the sitting area that you can see in the
9 picture, cars will be coming and going with
10 associated smell of exhaust. Slamming doors,
11 loud discussions, car alarms setting,
12 resetting and going off erroneously.

13 I recognize that despite the clear
14 intention of the authors of 5.28.2 to
15 disallow this type of use in our
16 neighborhood, that a large apartment will be
17 built. But my hope is that damage can be
18 minimized. In order to partially mitigate
19 the loss of privacy and reduction of value
20 that I will experience to my home and my
21 rental unit due to this massive development,

1 I would like to see the following features
2 included:

3 A masonry wall of five to six feet at
4 the rear of the property to help control
5 noise from the cars, and a visual barrier of
6 several feet on top of that. A landscaping
7 strip should be installed on the school side
8 of this wall with accommodation of tall
9 growing deciduous trees and dense evergreens
10 which would be maintained by the Lacourt
11 Family Trust. I see this as the only
12 reasonable option for providing even a little
13 privacy protection.

14 If you look at the picture, you can see
15 one large tree and how that can provide a lot
16 of protection in this situation. A
17 landscaping strip will also move cars away
18 from the property lines. Again this is
19 related to the use of the building. As a
20 school it was okay to park right up against
21 the property line because the use was during

1 the day. But by changing the use of the
2 building, it is no longer acceptable to me to
3 have cars parking on the property line.
4 Landscaping should be on the school property.
5 It should not be my responsibility.

6 Also outdoor lighting should be
7 carefully focussed on his property. I use my
8 yard in the evening, and I don't want to be
9 sitting in the spotlight. And I don't want
10 the building's lighting to disturb our sleep.

11 Finally, the density should be reduced
12 by disallowing construction in questionable
13 areas of the building like under the eaves
14 where this roof line would need to be
15 destroyed to make it habitable. And in the
16 basement units where tenants will be exposed
17 to car exhaust.

18 Thank you.

19 HUGH RUSSELL: Thank you. Robert
20 Casey and after that Paul Ayers.

21 ROBERT CASEY: Good evening, Ladies

1 and gentlemen, my name is Robert Casey. I
2 live at One Drummond Place in North
3 Cambridge. Drummond Place is a private way
4 moving from Norris Street and is right next
5 to the building.

6 Most if not all of the issues being
7 discussed are directly related to the plan
8 density of the building. The current planned
9 density is 38 apartments, 88 bedrooms. There
10 are no separate living rooms, dining rooms
11 and kitchens in this building. All the
12 property is maximized for bedroom space. 40
13 Norris Street plan has zero apartments that
14 have separate living and dining rooms. Very
15 few apartments with kitchen space that's
16 separated. Each unit has a kitchen, a
17 combined living/dining room, a bathroom and
18 the rest are bedrooms. Those are my points.

19 Thank you very much.

20 HUGH RUSSELL: Thank you.

21 Paul Ayers. And after that Young Kim.

1 PAUL AYERS: Hi , good eveni ng. My
2 name is Paul Ayers. I 'm actual ly a di rect
3 nei ghbor of Bob Casey. I 'm at Two Drummond
4 Pl ace whi ch is on the pri vate way ri ght next
5 to the school .

6 We have somewhat i nteresti ng rel ati ons
7 wi th Dr. Ri zka l ah. I met hi m at the North
8 Cambri dge Stabi l i zati on Commi ttee, and
9 through that set up the process of the
10 communi ty engagi ng wi th Ri zka l ah on --
11 Doctor Ri zka l ah on conversati ons about the
12 property.

13 I thi nk my poi nt at thi s poi nt is we
14 have di fferi ng opi ni ons. The nei ghborhood is
15 for a devel opment, and have been fai rly
16 consi stent to communi cati ons on that before
17 an appropri ate devel opment. But I guess to
18 use some of Doctor Ri zka l ah' s own words, we
19 j ust have di fferi ng opi ni ons of what means
20 proper use, other ways to di vi de space i n a
21 reasonabl e fashi on. We have al ternate i deas

1 and opinions as to what that means and how
2 that can happen which would all result in the
3 decreased density, which will come up tonight
4 with many of the neighbors talking about
5 concerns they have: Noise, privacy,
6 pollution and the likes in terms of density.

7 So, thank you very much and look
8 forward to the rest of the evening. Thank
9 you.

10 HUGH RUSSELL: Thank you. Young
11 Kim. And after that Sue Hall.

12 YOUNG KIM: Good evening. My name
13 is Young Kim. I live at 17 Norris Street, a
14 few houses closer to Mass. Avenue from 40
15 Norris Street. I like to thank the Chairman
16 and Planning Board members for giving me the
17 opportunity to speak on this project. And I
18 like to take this opportunity to thank
19 Ms. Paden for her -- all the help she has
20 given me. It was always with a smile. And
21 promptly answers my questions. Promptly

1 answers my e-mail. So I want to publicly
2 acknowledge her.

3 From that list I'd like to thank
4 Doctor Rizkallah. Thank you very much.

5 And you gave us opportunity to walk
6 through the building, and that was the first
7 time I saw the inside. From the outside I
8 realize how grand the building is. We don't
9 make -- we don't build buildings like that
10 anymore unfortunately. But when I saw
11 inside, I was really floored how beautifully
12 it could be. And I really would like to
13 preserve the grandeur of the building. Many
14 of us are people already ahead of me spoke
15 about the issues. And what I'd like to do,
16 being an engineer, I would like to put this
17 into perspective. You have received my
18 analysis and that the total living footage on
19 the entire Norris Street is 65,000 square
20 feet. And according to my calculation or by
21 looking at the footprint of the plan and

1 calculating the living space the way it is
2 done in the property database, I came up with
3 45,000 square feet which is an increase of 70
4 percent. Looking at the number of housing
5 unit, there are 52 units in the street. And
6 now he's proposing 38 unit, which is 73
7 percent. Everything is coming above 70
8 percent. Number bedrooms total is 117. Now
9 he's adding 88, which is 75 percent.

10 Now, I received from Susan Clippinger
11 that there are 71 residential permits issued
12 to that street. And there are 31 off-street
13 parking available according to the property
14 database which would mean -- which means
15 about 1.4 cars per unit. And if I project
16 that to decide this project, it will need 19
17 more spaces on the street. I know I'm not a
18 traffic engineer, but I'm an engineer, and I
19 know the engineering principles of how to
20 analyze the situation. So being a concerned
21 neighbor, I took the time to go out in the

1 morning at various times to count the number
2 of cars parked. And this morning there were
3 total of 44 cars. And I counted about six
4 empty spots. This can be all -- what I'm
5 asking giving you these numbers in the
6 project like this, all the impact has to be
7 carefully analyzed by experts, not a
8 concerned citizen like me, but by real
9 experts. And I took about 14 readings,
10 including the days of street cleaning where
11 people, because they don't want to get up in
12 the morning and not wanting to be told, they
13 found someplace to park their car during the
14 night. And still came up with average of 43
15 cars a night. Okay? The time ranges. Call
16 me crazy, but anywhere between 4:30 in the
17 morning -- I retired last year so I don't
18 have anything to do with my time. And I know
19 I'm going on and on, but I like to put
20 another comparison.

21 I came here for the first time last

1 session and I heard about the 61-69 Bolton
2 Street case. Now, granted and because of
3 this reason, the Norris Street is Res B.
4 Bolton Street is C-1A which is denser zone.
5 And by right, 61-69 Bolton Street could have
6 12 units, whereas the maximum allowed by
7 right on Norris Street is one or two family.
8 Yet the lot size of Norris Street is 25,7.
9 Whereas the lot size at the Bolton Street is
10 19,560. So granted, it's 30 percent larger.
11 But the proposed living space, okay,
12 according to my calculation for 40 Norris
13 Street, is 45,000 square feet, which is 61-69
14 Bolton Street which is at higher density is
15 26,666 which is again 70 percent higher. And
16 the number of units at 40 Norris Street is 38
17 compared to 20 at Bolton Street which is 190
18 percent. Correct? And number of bedrooms at
19 40 Norris Street is 88 compared to 38 at
20 Bolton Street which is over 230 percent. So
21 you can see the massive, massive, massive

1 increase in density, and we do not know all
2 the impacts.

3 The water department was good enough to
4 say that in order to do this, you need new
5 water main from six inches to eight inches.

6 PAMELA WINTERS: Sir, I'm sorry,
7 we've gone over time.

8 YOUNG KIM: Right, thank you so much
9 for your attention.

10 PAMELA WINTERS: And we did get the
11 water department's memo also. But thank you
12 very, very much. Thank you.

13 YOUNG KIM: Thank you.

14 HUGH RUSSELL: Sue Hall. And after
15 Sue, David Bass.

16 SUE HALL: I can speak to the
17 handouts that you have if you like.

18 HUGH RUSSELL: So we have in the
19 handout what you have on the screen?

20 SUE HALL: Yes.

21 HUGH RUSSELL: They'll have to

1 i magi ne what you have there.

2 SUE HALL: That' s right. I' ll turn
3 i t so they can see i t right there.

4 Thank you. Good eveni ng and thank you
5 to the Pl anni ng Board for gi vi ng all of us
6 thi s opportuni ty to speak. My name i s Susan
7 Hall. I live at 23 Norri s Street, whi ch i s
8 diagonal ly across the street from 40 Norri s.
9 I' ve l i ved here for 23 years. I rai sed three
10 ki ds here, and I i ntend to spend the rest of
11 my l i fe here.

12 Like my nei ghbors, I am opposed to
13 Doctor Ri zkhal la' s appli cation for the
14 Speci al Permi t as i t now stands, but I am i n
15 favor of devel opment of the bui l di ng. A good
16 devel opment of the bui l di ng. And the i ssue
17 -- bei ng an MIT math nerd, the i ssue I' d l i ke
18 to address toni ght i s the of the out of
19 proporti on densi ty of the proj ect,
20 parti cul arly as i t relates to other
21 non-resi denti al to resi denti al conversi ons.

1 Oh, good. Performed under the Section 5.28
2 Special Permits. And so I -- thanks to
3 Ms. Paden who was good enough to send us all
4 of the information about past 5.28 Special
5 Permits, I got all the data about the FAR,
6 the number of units, the off-street parking
7 decisions and so on, and did some analysis.

8 So, these are the 15 or so Special
9 Permits that have been granted under 5.28.
10 And this just shows you that the total GFA,
11 the blue projects are somewhat modest. The
12 ones in red are those above 25,000 square
13 feet of GFA. And 40 Norris Street is over on
14 the right here and it's one of the largest
15 that has ever been proposed.

16 And in terms of lot size, you can see
17 that the five largest projects also of
18 course, as you would expect have the largest
19 lot sizes, but 40 Norris has the smallest lot
20 size. It's actually on a fairly small lot
21 for the size of the building in terms of the

1 proposed GFA in the project as it now stands.

2 So the things I looked at here, the
3 first thing I looked at, and I'll try to make
4 this really brief, was the ratio of the
5 granted proposed FAR to the FAR as of right
6 in the district. So for instance, in Res. B
7 the proposal for 40 Norris Street results in
8 a GFA of close to five times what would be
9 allowed as of right if a project were being
10 built from the ground up. And so you can
11 just see how, you know, that most of the 5.28
12 Special Permits that have been granted have
13 been very reasonable in terms of the
14 character of the neighborhoods where they're
15 located. And, you know, they're usually
16 within one to two times the size in terms of
17 FAR of the districts where they're located.
18 But this one is actually almost five times
19 the size. Similarly if you look at the
20 proposed number of units, the 40 Norris
21 Street property stands out quite a bit in

1 terms of being even more than five times as
2 many units as would be allowed by right. And
3 again, the other projects seem very
4 reasonable in this --

5 PAMELA WINTERS: Are you almost
6 through?

7 SUE HALL: Yeah, I am, I am. Sorry.
8 Yeah, sorry.

9 And then I looked at parking. And you
10 can see that for the five biggest projects
11 the one parking place per dwelling unit has
12 been adhered to, but not for the 40 Norris
13 Street project. And so -- and I also looked
14 at this growth policy which states that the
15 -- we maintain and preserve existing
16 residential neighborhoods at their current
17 density scale and character unless the
18 neighbors specifically request it.

19 And so in conclusion I'd like to
20 request that the Planning Board require that
21 the density of this project be reduced in a

1 rather large and also creative way. I think
2 there are ways of doing this very creatively
3 and making it a wonderful, wonderful
4 property.

5 PAMELA WINTERS: Thank you.

6 SUE HALL: Thank you very much.

7 HUGH RUSSELL: Okay. David Bass.

8 And after that George McCray.

9 DAVID BASS: Thank you very much for
10 this opportunity. I'm David Bass. I also
11 live at 23 Norris Street. I also have for 23
12 years. That's not a coincidence. Sue and I
13 chose to live in North Cambridge for a number
14 of reasons, a number of terrific reasons.

15 One of them was a proximity to Route 2
16 so that it would be easy for us to commute to
17 jobs out on 128 where I worked for over ten
18 years and she worked as well. People in this
19 part of Cambridge do own cars. That 1.4
20 ratio that you were cited before, there's a
21 reason for that. On Norris Street

1 historically there have been three
2 populations; there are the long time resident
3 owners of the one, two and three-family
4 houses on the street. There are the tenants
5 and there was the school. And for 112 years
6 these three populations co-existed in a happy
7 equilibrium. And I think if North Cambridge
8 Catholic were to be replaced by another
9 school or even some other weekday, daytime
10 use, you wouldn't be seeing all these people
11 here today because of that equilibrium. Even
12 if the use proposed was mixed use, where
13 there were some residences and some
14 professional use or home office or artist
15 space or a day care center or non-profit use
16 of the space, I think there wouldn't be this
17 kind of objection. But, the worst fears of
18 the neighborhood have been realized with this
19 proposal. The amount of finished floor area
20 in this building has been proposed to
21 increase this already very large building by

1 30 percent. There are no master bedrooms
2 proposed. No nurseries. No common amenities
3 that would attract families with young
4 children who could play in the park across
5 Norris Street, and who would set down roots.
6 Instead we have 88 bedrooms, pretty
7 comparably sized, which are likely to be
8 inhabited by adults, adults with cars like
9 me. 23 of the bedrooms have no windows.
10 Nine have windows that begin at the floor and
11 come up only a few feet. And the remaining
12 56 bedrooms aren't air conditioned. The
13 walls, the interior walls are only three and
14 a half inches thick. In many of the units
15 you enter through the kitchen. Maybe
16 practical at some level, but it's not
17 conducive this would fundamentally change
18 Norris Street from a place where people come
19 to live, raise their families, grow old and
20 die, to a place where the majority of the
21 people are transients who come for a year or

1 two and then move on. This profound
2 transformation of a residential neighborhood
3 is very unusual, perhaps unprecedented, and I
4 urge you to proceed very cautiously.

5 Thank you.

6 HUGH RUSSELL: George McCray.

7 GEORGE McCRAY: First of all, I'll
8 start off by apologizing for the fellow for
9 being late. I had a previous meeting at the
10 Cambridge Club. My name is George McCray. I
11 live at 2301 Mass. Avenue. I lived in North
12 Cambridge for 42 years. I formerly lived at
13 11 Norris Street roughly 12 years, from '68
14 to 1980. I would also say I've had a
15 presence on Norris Street since -- for 42
16 years. I -- I'm using storage space on 40 --
17 on Norris Street since '68 until today. I
18 will start off by saying is that by in large
19 what you've heard from all the abutters,
20 people who are going to be directly impacted
21 by what's going on, and I would urge you to

1 visualize yourself as an abutter living in a
2 residential neighborhood of homeowners and
3 going to receive an onslaught of some 38
4 different units that will change completely
5 not only the fabric but the character of the
6 neighborhood. And we know North Cambridge is
7 fairly consistent for many years, more than
8 100 years. So I urge you to listen here and
9 do your best for the abutters.

10 I will say that we met early on with
11 the Mayor at two points and we were very,
12 very, very impressed by the Mayor in terms of
13 his want to work with us. And when I say us,
14 not just the neighbors but the developer,
15 with the city officials. Stuart whom I've
16 known for years, Li za whom I've known for
17 years, and Les whom I've known for years.
18 And we left yesterday with the understanding
19 that we all have differences, no issue. But
20 the Mayor's going to try to bring the three
21 components together; the citizen, the

1 planners, the developers and allow us to come
2 to a point that we all can agree. Meaning
3 we're all going to lose a little bit and
4 we're all going to gain a bit. But what we
5 must gain and must maintain is a liveable
6 community. And what the abutters have been
7 telling you what is liveable for them? The
8 developer, a wonderful person, does not live
9 in North Cambridge. We live in North
10 Cambridge. I've been interested in North
11 Cambridge as most of you know, for all of the
12 42 years. Most of my time has been spent on
13 community organizations working with the
14 community. So I urge you to work with us and
15 we work with all of you.

16 Thanks very much.

17 HUGH RUSSELL: Next name on the list
18 is Leland Cheung. I assume he is not here at
19 the moment. So after Leland is David
20 Weinstein. And then after David will be
21 Jeanne Fong.

1 DAVID WEINSTEIN: Hi my name is
2 David Weinstein. I live at 49 Norris Street
3 which is directly across and slightly
4 diagonal from 40 Norris Street, with my wife
5 and small child. We wrote a letter together
6 in this packet, and I believe both of the
7 other residents in my building did the same.
8 My experience with Norris Street is
9 very similar to my neighbors who have already
10 spoken. We've lived on the street -- lived
11 in Cambridge for about nine years and owned
12 on Norris Street for five. And same as folks
13 who have lived here 13 years, 20 years, 25
14 years whose families have lived here 40, 50
15 years. It's just a wonderful community.
16 We're starting raising kids in that community
17 and can imagine and would really enjoy doing
18 that the way other people have. But we're
19 concerned that this development in the way
20 that it's currently proposed, would change
21 the character of the street and of the

1 neighborhood. And for surrounding blocks as
2 well so fundamentally that the experience
3 would be nothing like what my neighbors have
4 been lucky enough to experience, some of them
5 since childhood themselves. The number of
6 units, the amount of parking. The park
7 itself which is a terrific amenity, with an
8 entrance directly across from 40 Norris
9 Street is, you know, very well used but by no
10 means underused. Things seem to be as
11 somebody mentioned, sort of an equilibrium,
12 and I think any development, especially with
13 the advantage of having some both parking
14 already there and the possibility of
15 developing some additional parking, I think
16 could fit into that neighborhood and maintain
17 that equilibrium, maybe there are some other
18 solutions that haven't occurred to me in
19 terms of community space and other things to
20 help actually maintain that. I don't see
21 that yet in this plan as proposed. So I

1 really hope that that's something that comes
2 out of this process, to maintain the
3 character of that neighborhood. There's a
4 similar building, same year I believe,
5 construction, same architect in Somerville
6 which developed I believe about 20 units and
7 has a different site plan. So it's not that
8 anything could be carbon copied, but I can
9 imagine a lower density with some other
10 elements that as other folks have said
11 creatively become an asset to the
12 neighborhood, and actually maybe go beyond
13 the equilibrium, but benefit the
14 neighborhood.

15 So thank you for your consideration.

16 HUGH RUSSELL: Thank you.

17 Jeanne Fong. And after Jeanne Tom
18 Gould.

19 JEANNE FONG: Good evening to
20 members of the Board and thank you for the
21 opportunity of addressing you. My name is

1 Jeanne Fong and I'm a resident of 53 Norris
2 Street which is a two-family. I've been
3 there and it's within 300 feet of the
4 property. I have lived in Cambridge since
5 1972 and I've been a resident and homeowner
6 in North Cambridge for 30 years. And I have
7 lived and owned 51-53 Norris Street for 18
8 years. I raised my two daughters there, and
9 they attended the Cambridge Public Schools
10 from kindergarten to high school at Cambridge
11 Rindge and Latin, and they attended the local
12 university down the street.

13 I have filed a letter opposing the
14 approval of the Special Permit, and I'm here
15 to supplement that letter. And I want to
16 confirm that you did receive my letter as
17 well as the letters from Attorney Bracken and
18 Brodowski who represent -- each of them
19 represent some of the residents.

20 I am opposed to the grant of the
21 Special Permit for many reasons. Three of

1 which I will highlight here.

2 The first is legal grounds, that is I
3 believe that the Ordinance, the Zoning
4 Ordinance as it is now in effect does not
5 allow the conversion of the property to
6 multi-family use through a special process, a
7 Special Permit process. Attorney Bracken and
8 Attorney Brodowski have written letters to
9 this, supporting this opinion, and I don't
10 think I shall mention any more.

11 The second reason is based on policy
12 grounds. That is, the building was built in
13 1898 as a public school to serve the public
14 interest. Although the ownership changed in
15 1957, it continued to be a school for the
16 next 112 years for public and charitable
17 interests. The purpose of the building was
18 to be a school to hundreds of students during
19 the day, for the academic year. It was not
20 built for multi-family housing. Current
21 policy appears to be that even if it wasn't

1 built as multi-family housing, it should
2 nonetheless be completely filled with housing
3 units. The unquestioned adherence to the
4 policy is completely filling the building by
5 simply using a mathematical formula and
6 without regard to the location of the
7 building, the character of the neighborhood,
8 the effect on city services of having such a
9 high density, the effect on traffic patterns,
10 and the effect on parking as well as the
11 effect on the health and safety of the
12 residents can lead to problems or
13 dissatisfaction such as what you see before
14 you now. So I request that the Variance
15 process be used instead of the Special Permit
16 process so that we can address some of these
17 questions.

18 My third reason for opposing the
19 approval --

20 PAMELA WINTERS: If you could do
21 that quickly, please. Thank you.

1 manage this process.

2 I'm not going to go over the many
3 arguments that my neighbors have made about
4 the interior of the building. I think
5 they're very sound. Doctor Rizkallah's plans
6 I'm afraid are excessive and not well thought
7 out, and my neighbors have pointed out the
8 flaws there. I'll talk instead about the
9 exterior of the building. I'm an immediate
10 abutter of the building. And literally if
11 I'm complaining about it, because it's really
12 in my backyard. It's adjacent to Jason Burns
13 and the photograph he provided shows about
14 the same view from my house as well.

15 Doctor Rizkallah's plans from the
16 parking go from the edge of the lot up to the
17 edge of the building. He makes no setback
18 from the entrance of the lot which is
19 normally the requirement. He's not taking
20 into account the requirements to keep parking
21 spaces away from windows of residential

1 uni ts. Please don't waive the parking
2 requirements that are in the Zoning today.
3 Obviously the Special Permit is to deal with
4 a situation which is a novelist. If it fit
5 within the Zoning, you could just abide by
6 the Zoning. Your job, it seems to me, is to
7 interpret the principles by the Zoning to
8 make the site work. And I ask you to do that
9 in a thoughtful way.

10 One other issue I'd like to point out
11 is that Doctor Rizkallah's pointed out the
12 interior space very well, but he hasn't
13 talked about some of the functioning aspects
14 of the building. Particular y where does the
15 trash go? The North Cambridge Cathol ic High
16 School had a dumpster in what would be the
17 northeast corner of the lot.
18 Doctor Rizkallah has no -- I see nowhere on
19 his plans where the trash will go. I'm an
20 abutter, attracting vermin or whatever in the
21 neighborhood is a big issue to me. North

1 Cambridge Catholic High School was a good
2 neighbor. We'd like to see Doctor Rizkallah
3 to be equally a good neighbor.

4 Thank you.

5 HUGH RUSSELL: Thank you.

6 Dan Bertko. And following him Matthew
7 Schofield.

8 DAN BERTKO: Good evening. I'm Dan
9 Bertko. I live at 13 Norris Street, and I've
10 been forced to study 5.28. And my wife was
11 studying it with me, but she's way too sick
12 now to come. Looking at the history of it, I
13 found it very enlightening once I saw Sue's
14 slides on the ratios of the floor area. And
15 on Young's report on public street parking
16 view. This project as proposed with the
17 floor area five times what's allowed, is a
18 major problem. You'll notice that -- well,
19 there's a dozen cases I looked at, and it
20 looks like for anyone, the average two, two
21 times what's allowed. This is, for a

1 grandfathered building, they're not going to
2 fit modern -- the new Zoning. But if they're
3 limited to two times the floor area ratio,
4 most of them worked out pretty well.

5 One of the other problems with 5.28 is
6 the idea of putting one parking space --
7 well, that's a generic thing, using 900 foot,
8 that's a generic thing. Those things are
9 used -- they're okay for really small
10 projects. If you have a seven-unit building
11 and it turns into ten cars, well, that's no
12 problem. Three cars can be absorbed. I'm
13 going to stick to parking. We have -- on our
14 street with 1.4 cars per dwelling unit, we
15 have 2.3 bedrooms on average per dwelling
16 unit. This project is slightly bigger than
17 that. That produces an excess of 15 cars if
18 you multiply 37 by 0.4. I believe the
19 parking lot is six short. So that's 21 cars
20 on the street by the North Cambridge average
21 calculations. Maybe you think I'm making

1 this up. Well, the standard traffic
2 engineering for an urban parking lot for this
3 sort of thing is 0.6. So that if I apply 37
4 times the excess of 0.6 and I got the six in
5 with 28 cars. We have 47 permit spaces on
6 the street. We have -- if you put all the
7 people who have driveways, if you fill the
8 driveways, you end up 40 cars on the street.
9 40 of the 47 spaces are filled. We also have
10 a lot of popular restaurants on Mass. Ave. I
11 live on the Mass. Ave. end and there is
12 almost no evening I can come home and
13 actually park in front of my house. Those
14 spaces are often in use. Traffic engineers
15 have terms for what happens when the loading
16 factor gets above a certain point. I believe
17 we're well above that. I don't think that
18 purpose of 5.28 was to bludgeon the
19 neighborhood. I think there are a lots of
20 soft provisions in it that say it has to
21 respect the density and the character of the

1 neighborhood. And you guys certainly have
2 the power to override all that.

3 And then I'll speak briefly how do you
4 downsize the place? Basically I see it as a
5 -- it's like a house on the street. It has a
6 basement. It has an attic, and three floors.
7 Three floors are lovely places to live.
8 Bright, lit, lots of windows.

9 PAMELA WINTERS: If you could
10 summarize.

11 DAN BERTKO: Oh, okay.

12 PAMELA WINTERS: Thank you.

13 DAN BERTKO: I'm just put off by the
14 third floor division of the windows.
15 Doctor Rizkallah's plans takes a lovely third
16 floor window and divides it. His fourth
17 floor starts with the window at the foot
18 level and goes up to about your knee. That's
19 his idea for window of the room. I have many
20 more, but thank you for the time.

21 PAMELA WINTERS: Thank you.

1 HUGH RUSSELL: I should comment that
2 it's not customary for applause at the
3 Planning Board.

4 UNIDENTIFIED MALE: We're happy to
5 be here.

6 HUGH RUSSELL: Right. So if you
7 could restrain yourselves, we would
8 appreciate it.

9 MATTHEW SCHOFIELD: My name is Matt
10 Schofield. I live with my family at 35
11 Norris, which is directly across from 40
12 Norris Street. I've been in this home for
13 now 18 years, I raised two children, sent
14 them off to college. My wife and I live
15 there currently and plan on living there and
16 leaving the house ideally to your children.
17 It's where our family is based. We expect it
18 to be based there.

19 My primary concern is the idea of
20 efficiency in this building and its
21 detraction from our neighborhood. It's the

1 d i s t i n c t i o n b e t w e e n e f f i c i e n c y a n d 40 N o r r i s
2 a n d e f f i c i e n c y i n t h e n e i g h b o r h o o d a t l a r g e .
3 D o c t o r R i z k a l l a h s p o k e a b o u t a 1600 s q u a r e
4 f o o t a p a r t m e n t b e i n g s o l a r g e , s o o u t o f
5 s c a l e , a n d y e t i t i s n ' t e v e n r e m o t e l y l a r g e
6 o r o u t o f s c a l e f o r o u r c o m m u n i t y . W e ' r e a
7 c o m m u n i t y o f o n e , t w o a n d t h r e e - b e d r o o m
8 a p a r t m e n t s . M y a p a r t m e n t d i r e c t l y a c r o s s t h e
9 s t r e e t i s a b o u t 1600 s q u a r e f e e t . W e h a v e a
10 l i v i n g r o o m . W e h a v e a d i n i n g r o o m . W e h a v e
11 a f a m i l y r o o m s p a c e o f f t h e k i t c h e n . W e h a v e
12 t h r e e g o o d s i z e b e d r o o m s u p s t a i r s , a n d o n e a n
13 a n d a h a l f b a t h s . I t ' s a p e r f e c t f a m i l y
14 s p a c e . I t ' s a f a m i l y s p a c e f o r t h e l o n g
15 t e r m . I t ' s e x t r a o r d i n a r i l y c o m f o r t a b l e , b u t
16 i t ' s b y n o m e a n s p a l a t i a l . A n d i t ' s e n t i r e l y
17 a p p r o p r i a t e t o o u r s t r e e t . T h e s e a r e u n i t s
18 w h i c h w o u l d b e e n t i r e l y s e p a r a t e .

19 H e h a s o n l y l i v i n g r o o m / d i n i n g r o o m
20 a r e a s . N o t h i n g w i t h a s e p a r a t e l i v i n g r o o m
21 a n d d i n i n g r o o m . A l l o f h i s b e d r o o m s o p e n

1 directly off the living room space. There's
2 no opportunity for private social space
3 separate from bedroom space. Separated by a
4 door, potentially a hollow door. There's no
5 privacy in a bedroom if someone's in a living
6 room or dining room. Most of the living
7 room/dining room space is the same size
8 (inaudible) whether the apartment is a one,
9 two or three-bedroom space. So social space
10 really is restricted dramatically. There are
11 no interior halls in these apartments. No
12 opportunities for separating social and
13 living space at all.

14 The idea, he does have a few duplex
15 apartments, but I think of as reasonably
16 attractive with a good living room space down
17 below, bedrooms up above. A vast majority of
18 his apartments are packed in tight. Crammed
19 in as tightly as you can, and really have no
20 reflection on the proper living space in the
21 North Cambridge area.

1 I've spoken with him about the
2 difference between my sense of efficiency,
3 his sense of efficiency. I would love to see
4 trimming his interior additions, potentially
5 putting more air conditioning structure in
6 that third entry level, third space above,
7 air conditioning units or such. I'd love to
8 see him leaving the ceiling space -- attic
9 space vacant. Interior storage space, open
10 space. There's nothing grotesque about using
11 a building modestly and efficiently if it is
12 a service to the community and a service to
13 the neighborhood. Every square footage does
14 not have to be bedroom space. I'd love to
15 see a master bedroom. I'd love to see some
16 kind of interior space. I'd love to see
17 proper formal family-based apartments that
18 are more reflective of our community.

19 Thank you so much for your time.

20 HUGH RUSSELL: Jessica Rabban.

21 UNIDENTIFIED FEMALE: Not speaking.

1 HUGH RUSSELL: Okay. Heather
2 Hoffman, do you wish to speak?

3 HEATHER HOFFMAN: Yes.

4 HUGH RUSSELL: And after Heather, it
5 will be Charles Teague.

6 HEATHER HOFFMAN: Hello, my name is
7 Heather Hoffman. I live at 213 Hurley Street
8 in the C-1 District of East Cambridge.
9 However, I am familiar with Norris Street
10 because I have friends there and I visit
11 there.

12 One of the things that the neighbors
13 haven't pointed out, and maybe it's because
14 they're used to it and I live on a lovely
15 wide street where there is actually room for
16 more traffic than there is except for the
17 truck that decided to take out my telephone
18 wires. But, Norris Street is one way and
19 it's narrow. There's parking on both sides.
20 And what everybody has said about the
21 shortage of parking is true. When I go to

1 visi t, there are times when I can' t find a
2 space there, and I'm glad that I don' t have
3 to deal wi th that as someone who lives there.
4 It's very true that there's a lot of life on
5 Mass. Ave. and then down at that end people
6 who don' t live on Norri s Street and who
7 aren' t visi ting Norri s Street are taki ng
8 those spaces. So everythi ng they' ve sai d
9 about that is true.

10 I was also struck by what someone sai d
11 about well, how are they going to take out
12 the trash? And I thought about one of the
13 successful conversions in my neighborhood
14 whi ch is One Fi rst Street. I wal k by One
15 Fi rst Street frequently during the day
16 because I work usual ly at the Regi stry of
17 Deeds and go to get coffee at the mall, and
18 One Fi rst Street and its garage entrance are
19 on my path. They don' t have anywhere for
20 movi ng trucks there. They don' t have -- so
21 that you see all of that stuff on Otis

1 Street, which luckily is a nice, wide street,
2 not like Norris Street. So when people are
3 going to be moving in or moving out, getting
4 deliveries, all of that, where is that going
5 to happen? There isn't room on a one way
6 street with one travel lane for all of these
7 things to happen, and people to actually use
8 the street the way they might want to.

9 And the one other thing that I would
10 like to point out, and I'm sure that this was
11 an oversight and unintentional, is that there
12 is actually another Zoning Petition that has
13 been filed that seeks to clarify Section 5.28
14 by noting that it is in the section dealing
15 with dimensional requirements, not the
16 section dealing with use requirements, and
17 that one should therefore take a look at the
18 use requirements in order to see what uses
19 are permitted somewhere.

20 Thanks.

21 HUGH RUSSELL: Thank you.

1 Charles Teague. And after that Michael
2 Brandon.

3 CHARLES TEAGUE: Hi, I'm Charles
4 Teague, 23 Edmunds Street. I'm four blocks
5 away, but I'm really here because the Board
6 has been handed a city-wide policy issue
7 about the use of 5.28 which goes across the
8 entire city and it takes into this radical
9 change of densities in Kendall Square to this
10 sort of idyllic description of Norris Street
11 with birds singing and the sun shining. And
12 the one size fit all does not apply. And it
13 doesn't apply -- and I submit the Board's
14 been handed a mess. And the Board has not
15 been handed the tools to clean up the mess.
16 There's -- you have letters from two lawyers.
17 What you might not know, but I'm probably
18 sure that you do, is that one took everybody
19 to the Supreme Judicial Court and prevailed.
20 The other wrote the manual, the Handbook of
21 Mass. Law, Land Use and Planning Law that's

1 in every judge's office. And they actually
2 know what they're talking about. There's
3 three serious lawyers wrote you three serious
4 letters. Now we have two zoning petitions.

5 HUGH RUSSELL: Neither of which are
6 the subject of this hearing.

7 CHARLES TEAGUE: I understand. But
8 it's a mess, it's a mess.

9 It seems to me that we're only here
10 because of a rookie developer got slickered
11 by the church once again and didn't get the
12 appropriate experts at the appropriate time,
13 and it's going to be like 56 Churchill which
14 was a hole in the ground for three years, and
15 that guy went bankrupt. It's going to be
16 like St. John's is in year six it's in
17 bankruptcy, it will be in bankruptcy for the
18 next year and it will be two years until
19 finish. This is what happens with the church
20 properties and it happens in North Cambridge
21 repeatedly. So, you have a mess. I say you

1 know what you should do. You should send it
2 over to the BZA as a Variance. Just wash
3 your hands of this mess. Walk away. Do the
4 right thing. It's the right thing legally,
5 morally, ethically.

6 Thank you.

7 HUGH RUSSELL: Okay. Michael
8 Brandon. And after that Mike Fowler.

9 MICHAEL BRANDON: Thank you. My
10 name is Michael Brandon. I live at No. 27
11 Seven Pines Avenue. I'm the clerk for the
12 North Cambridge Stabilization Committee. And
13 our group has been trying to assist the
14 developer and new owner Doctor Rizkallah to
15 outreach to the local neighborhood and the
16 broader community and help the neighbors
17 communicate amongst themselves, and their
18 concerns to him. And I think from what the
19 Board's heard so far, there's an extent that
20 there are two sides, and the neighbors aren't
21 all speaking with one voice, but they're

1 basically -- everyone I've heard opposed. So
2 to the extent that there are two parties,
3 they're talking passed each other at this
4 point. And I don't know, maybe this Board
5 has an opportunity to start to clear up what
6 Mr. Teague described as a mess. Speaking
7 personally, I absolutely agree that what
8 you've heard quite clear there are too many
9 units proposed, too many bedrooms proposed,
10 not enough parking proposed, not enough study
11 of traffic impacts on this one way street as
12 people are driving around looking for parking
13 spaces and so forth.

14 Has the Historical Commission
15 communicated with the Planning Board at this
16 point?

17 HUGH RUSSELL: They have.

18 PAMELA WINTERS: They have.

19 MICHAEL BRANDON: Okay. Then just
20 for the benefit for those in the audience
21 that might not realize, they have voted to

1 i n i t i a t e a l a n d m a r k s t u d y f o r t h i s p r o p e r t y
2 a n d , t h e r e f o r e , a n y S p e c i a l P e r m i t t h a t m i g h t
3 b e i s s u e d b y t h i s B o a r d w o u l d n e e d t o
4 c o o r d i n a t e w i t h t h e i r f i n d i n g s a b o u t i m p a c t s
5 t o t h e e x t e r i o r o f t h e b u i l d i n g a n d t h e
6 e x t e r i o r o f t h e p r o p e r t y s i m i l a r t o w h a t
7 h a p p e n e d w i t h t h e S a i n t J a m e s C h u r c h
8 C o n d o m i n i u m s .

9 O n t h e l e g a l q u e s t i o n , I t h i n k t h e r e
10 w e r e s o m e i n c o r r e c t s t a t e m e n t s m a d e b y t h e
11 a t t o r n e y f o r t h e p r o p o n e n t . H e t a l k e d a b o u t
12 5 0 p l u s u n i t s b e i n g p o s s i b l e . A n d t h e s t a f f
13 a t l e a s t c a l c u l a t i o n t h a t w a s c o m m u n i c a t e d t o
14 t h e C i t y C o u n c i l w a s o n l y 4 0 u n i t s p o s s i b l e
15 u n d e r t h e S p e c i a l P e r m i t p r o c e s s . B u t I
16 w o u l d a g r e e w i t h A t t o r n e y F o n g , I ' v e r e a d
17 A t t o r n e y B r a c k e n a n d A t t o r n e y C r a n e ' s l e t t e r
18 a n a l y z i n g w h e t h e r a n y S p e c i a l P e r m i t u n d e r
19 5 . 2 8 a s i t c u r r e n t l y e x i s t s c a n b e i s s u e d . I
20 h a v e n ' t r e a d M r . B r o d o w s k i ' s , b u t I a m s u r e
21 w o u l d -- h e w o u l d c o m e t o t h e s a m e c l e a r

1 conclusion that you would come to if you read
2 the Ordinance rather than --

3 HUGH RUSSELL: We're actually going
4 to rely on the City Solicitor.

5 MICHAEL BRANDON: That's fine. I
6 would suggest that as this Board has in the
7 past, you might want to consider asking the
8 manager to hire your own outside attorney to
9 advise you on this.

10 PAMELA WINTERS: Michael,
11 unfortunately your time is up. Can you just
12 summarize?

13 MICHAEL BRANDON: Sure.

14 What I would suggest that maybe what
15 you can do to help the process is to make it
16 clear to Doctor Rizkallah that he's going to
17 have to drastically scale back his desires.
18 He needs to sit down with the neighbors and
19 seriously try to work out a compromise both
20 on the use and the intensity. I also ask
21 that you finally, that you keep this hearing

1 open because there obviously will be large
2 numbers of changes, and keep it open for
3 public comments though the neighbors do get
4 to comment on what I think will be drastic
5 changes in the proposal.

6 Thank you very much.

7 HUGH RUSSELL: Thank you.

8 So Mike Fowler. And after Mike, Joe
9 Powers.

10 MIKE FOWLER: Chairman Russell, Vice
11 Chairman Anninger and members of the Planning
12 Board, thank you for the opportunity to speak
13 here tonight. My name is Mike Fowler and I
14 live at 58 Norris Street with my wife and
15 children. I've been a Cambridge resident
16 since 1969, although not continuously.

17 The 40 Norris Street property is
18 clearly visible from my own and is separated
19 from mine by only three others. I understand
20 your time is valuable tonight and I'll be
21 very brief. My primary concerns regarding

1 the plans of Lacourt Family, LLC are three-
2 fold.

3 First, as I understand the current
4 state of their plans, which have been influx,
5 Lacourt family proposes to add 38 new
6 apartments to the street with close to 90
7 bedrooms. As you've heard, this is a
8 dramatic increase in density. It will
9 increase noise, increase light pollution,
10 increase foot traffic, increase automotive
11 traffic, increase use of the adjacent park
12 space, increase use of city water and sewer
13 services. Increase use of infrastructure
14 like power lines and require potentially
15 disrupted new snow removal and waste removal
16 efforts for the property. Ours is a quiet
17 neighborhood far removed from the likes and
18 actions of more urban areas of the city, and
19 I'm concerned about what this huge increase
20 in density will do to my quality of life and
21 the value of my property.

1 Second, I'm concerned about the Lacourt
2 Family design of the building, which is
3 dominated by small units with precious little
4 storage space. With bedrooms and bathrooms
5 apparently arranged only for groups of
6 acquaintances and with little common space.
7 This design suggests to me more of a
8 dormitory for students or transient young
9 professionals than it does home for Cambridge
10 families. Such an emphasis on short-term
11 occupants could erode the fabric of our
12 community and I think it raises some
13 practical questions about property management
14 and neighborhood relations.

15 And finally I'm concerned about
16 parking. According to the most recent plans
17 Lacourt Family, LLC proposes to construct 31
18 regular parking spaces as part of the
19 conversion of the property as well as two
20 handicap spaces. Seemingly that one of the
21 spaces may be used for a superintendent

1 leaves 30 spaces, 30 regular spaces that is,
2 for almost 90 bedrooms. And I can't conceive
3 of a calculus by which this won't produce a
4 lot more pressure on our already full street.

5 To conclude let me be as clear as I
6 can. I'm not opposed to reuse of the
7 building at 40 Norris Street by any means. I
8 am very concerned about the proposals put
9 forward thus far by Lacourt Family however.

10 Thanks for your attention.

11 HUGH RUSSELL: Thank you.

12 Joe Powers. And after him Mark
13 Sutherland.

14 JOE POWERS: My name is Joe Powers
15 and I'm business representative for
16 Carpenters Union Local 40. Our offices are
17 located 10 Holworthy Street in Cambridge. We
18 come here tonight because we stand with the
19 elements of the community that are opposed to
20 this project, and the reasons for our
21 opposition are quite simple. One is there

1 will be no Cambridge residents employed in
2 this project, nor will there be area
3 residents from the Metropolitan area. These
4 will be all be out-of-towners. And
5 residents, wait until you have to compete
6 with the construction workers who play their
7 radios loud in the morning for your parking
8 spaces. The other thing is that the
9 developer has decided to ignore area standard
10 with regards to wages and benefits. This
11 flies in the face of -- and basically is an
12 insult to the community, the Carpenter's
13 Union and the building trades. In this time
14 when there's very high unemployment and the
15 American dream is evaporating, what this does
16 is basically set us back. And I think the
17 project should be seriously curtailed.

18 Thank you.

19 HUGH RUSSELL: Thank you.

20 Mark Sutherland.

21 MARK SUTHERLAND: My name is Mark

1 Sutherland. I live at 132 Pearl Street. I
2 am opposed to this project for similar
3 reasons that Joe just spoke of. It does not
4 conform to community standards. It certainly
5 doesn't conform to the neighborhood
6 standards. It doesn't conform to the
7 standards that the city set forth, otherwise
8 we wouldn't be here seeking a Special Permit.
9 And I'm also speaking on behalf of Sam Mayhew
10 (phonetic) who lives in my neighborhood, and
11 Jack Cicherelli (phonetic) in East Cambridge.
12 For the sake of time we're going to cut it
13 down to one speaker. So I oppose this
14 project.

15 Thank you.

16 HUGH RUSSELL: Thank you.

17 Next speaker why Craig Kelley. And
18 following Councilor Kelley, Charlie
19 Marquardt.

20 CRAIG KELLEY: Thank you very much
21 Mr. Chair, board members. I appreciate the

1 time you're putting into this issue.

2 Unfortunat ely I have not had the luxury
3 of seeing the legal decision by the city on
4 how 5.28 applies. I've only heard a very
5 vague explanation that because of some
6 unspecified language in the Zoning Code at a
7 later date it negates what is a clear no in
8 the Table of Uses. And I'll say here what I
9 said to the City Manager is I get paid 72,000
10 bucks a year. I have a fantastic benefits
11 package. I have a \$4,000 plus travel and
12 training account. And if I wanted to, I
13 could hire an assistant at 60,000 bucks or
14 whatever cost to the city. I do that as part
15 of my job. Part of my job what I'm getting
16 paid all that for is to do Zoning. It's what
17 I do. It's what the City Council does. It's
18 what this question is. It's a Zoning
19 question. It's not a Planning Board
20 question. It's not a Special Permit
21 question. And I've been to not as many of

1 these hearings as you have, but certainly
2 enough to know that all of the concerns
3 you're hearing tonight you have heard from a
4 gazillion other proposals: Parking, traffic,
5 privacy, lights and so forth. The difference
6 here is that the Zoning Code anticipated
7 that. It said, no. It said you can't put
8 this sort of dense use in a Res B area. And
9 the reasons that the City Council did not do
10 so have been stated again and again and again
11 tonight. It's just too big. And in other
12 places people might come and say it's too
13 big, but the Zoning Code clearly says it's
14 allowed and you all have the authority to
15 grant the Special Permit. In this case it's
16 not. And I would ask that if you can grant a
17 Special Permit to this project in a Res B
18 where the Zoning Code clearly says no, why
19 could you not then grant the same Special
20 Permit to allow multi-family housing in the
21 boathouses along the river that are open

1 space which has got the same exact use
2 category as Res B for multi-family use. Or
3 the Fasoli Center which is on open space. Or
4 the field house at Russell Field or Neville
5 Manor up at Fresh Pond. All of those are
6 buildings on open space. And we anticipate
7 that gee, they would never, ever become
8 multi-family. But that's what we've said
9 about places like North Cambridge Catholic as
10 well. When people moved into this
11 neighborhood, this very dense neighborhood, a
12 very stable neighborhood, they looked at
13 North Cambridge Catholic, and the Zoning
14 says, it can't become what is on the table
15 today. So I think that you have the ability
16 and, in fact, I think you have the obligation
17 to say this isn't your job. It's my job.
18 You make me work for what the city pays me.
19 And the people behind me and the people in
20 front of me and a lot of people who aren't
21 here, put a lot of money into the city

1 quaffers so that I can do my job. And I
2 really hope that we can get the chance to do
3 it.

4 Thank you very much.

5 HUGH RUSSELL: Thank you.

6 CHARLES MARQUARDT: Hi. Charlie
7 Marquardt, 10 Rogers Street, about four and a
8 half miles a way to the east. But I want to
9 bring a slightly different perspective here
10 and not yes, this makes sense, but let's
11 think about something. I lived in a condo
12 conversion of an old school, a little bit
13 smaller, in Reading. We had about 40 units.
14 And I want to explain to you what we did each
15 time it snowed and think about how this would
16 apply to Norris Street. Every time it snowed
17 we got a knock on the door. Can you please
18 move your car? Put it out in the street so
19 we can take the bobcats in, shovel the snow
20 and pile it up. Granted we had extra space
21 between the border and the neighbors so we

1 can pile up the snow and put it into a truck.
2 And you can only park on this street, and
3 then we came back and they repeated it with
4 the lower lot. It was really moving about 15
5 cars or so at a time. So I think -- I had
6 that thought in my head, and I think about 30
7 plus cars having to move out of that parking
8 lot, get into Norris Street. And I've been
9 on Norris Street in the snow and it is hell.
10 Or whatever is colder. And it's not, it's
11 not a good scene. And you're talking about
12 putting 30 plus cars there. 33, 38 whatever
13 it is. The other thing we had -- and, you
14 know, regardless of the size of the living
15 spaces, we had visitor spaces. We had at
16 least eight of them. Even the condo I live
17 in now in Cambridge, we have visitor spaces.
18 We're talking about not only no visitor
19 spaces, but purposefully fewer spaces than
20 they have units. And then where are those
21 visitors going to park? Whether it be

1 legally or illegally, they're going to park
2 somewhere. And I've noticed that when
3 someone parks illegally even on Norris
4 Street, they don't tow them away so someone
5 can park there and go about their business.
6 They stick a little ticket on there and they
7 wait until they leave. And hopefully they
8 come back the next day. This is going to be
9 disruptive. I think it's time to take a step
10 back and be really creative. It's a
11 beautiful building inside. Beautifully
12 set-up to be something like the brickworks.
13 An artist's community. Maybe 20 artists
14 living in there. We're using these soaring
15 ceilings to do modern artwork, to do
16 sculpture, to do something. We're losing
17 those spaces in Boston. We're losing them
18 around the city. Wouldn't it be nice to put
19 this part of Cambridge as an artist central?
20 Not as a place where we're trying to add 75
21 percent to the entire street and one unit,

1 and one dwelling building that's supposedly
2 only supposed to be two per right. It just
3 doesn't make any sense.

4 Thank you.

5 HUGH RUSSELL: Thank you.

6 Now, I've reached the end of the list
7 and it's five after nine, and I'm obliged to
8 ask the following questions. Does anyone
9 else wish to speak? Please come forward.

10 SOPHIA EMBERADOR: Hi. Good
11 afternoon -- good evening. Thank you for
12 allowing me to speak and I'm the last person.
13 I'll be short. My name is Sophia Emperador.
14 I live at 37 Rice Street. I'm a direct
15 abutter. I live directly behind the
16 building, and instead of reiterating a lot of
17 the points that have been made tonight, I
18 decided to focus my attention on one or two
19 specific issues that directly impact me,
20 which are parking and also alternative
21 vegetation. Some sort of screening between

1 us and these new tenants, whether it be 80 or
2 40, there will still be a great change to my
3 living space. So, I decided to put together
4 a really, really quick very rough sketch of
5 what a parking lot could look like just to
6 have a different version to the one that
7 Doctor Rizkallah has proposed. This one
8 takes into consideration the five foot
9 setbacks from both the side and the back
10 lots, and also a ten foot lot assuming the
11 first and basement floor of being covered.
12 Just to give an alternative view and just
13 seeing the starkness of one plan versus what
14 would technically be allowed under another
15 plan, just so you can get a view of how stark
16 this could be. And I do appreciate the
17 landscape plan you put together, but to me it
18 really looks like putting priccy on a pig.
19 It doesn't really do much. A little bit
20 here, a little bit there, but it doesn't
21 really take into consideration a lot of the

1 noise and especially light issues that we'll
2 have. Just another issue to take into
3 consideration.

4 Thank you.

5 HUGH RUSSELL: Thank you.

6 Is there anyone else wish to be heard?

7 DARRELL BOUDREAU: I'd like to say
8 something.

9 HUGH RUSSELL: Sure.

10 DARRELL BOUDREAU: Hi. My name is
11 Darrell Boudreau (phonetic), and I am the
12 owner of 27 Rice Street which abuts the
13 property, also. And my in-laws are elderly.
14 They still live there. They've been living
15 there for 60 years. And all the concerns
16 that everybody has here are very much the
17 same for me, and the people who have lived
18 there. And it sounds like a lot of people in
19 a small space. Space is big but not big
20 enough for all the cars. And I just want to
21 say that I have some opposition to it, too,

1 and if anything could be done, it should be
2 scaled down. And I think everybody else
3 would be happy with that, too.

4 So, thank you.

5 HUGH RUSSELL: Thank you.

6 Does anyone else wish to be heard?

7 (No Response.)

8 HUGH RUSSELL: Ordinarily we at this
9 point in time close the hearing to public
10 testimony. There's been a request, one
11 spoken at the hearing, and there was also a
12 request in writing from the Mayor which asked
13 us to sort of cooperate with the process of
14 setting up. I think both of those would
15 imply that there might be significant changes
16 that we would want to get people's input on.
17 So I would propose not closing the hearing to
18 oral testimony at this point in time.

19 (All agreed).

20 HUGH RUSSELL: Now, we have to make
21 a choice ourselves as to how we're going to

1 proceed. My preference would be to spend 10
2 or 15 minutes and put our issues out on the
3 table, but if that's going to be longer than
4 that, I think we need to take a break.

5 What do you think?

6 STEVEN WINTER: I'm willing to try
7 to be brief and push it through, move ahead.

8 HUGH RUSSELL: Does that work for
9 everybody?

10 (All Agreed).

11 HUGH RUSSELL: Okay.

12 I think I will actually kick off some
13 of my concerns, and I'd like to say that I
14 feel particularly qualified to address some
15 of these issues. For 40 years I've lived in
16 a small house behind the Longfellow School,
17 30 feet from the school. I know what it's
18 like to live next to a school. I know what
19 it's like to live when that school changes
20 use to a public library, and then when it
21 changes to a high school. Actually, the high

1 school has the lowest impact, and the library
2 has the highest impact. Because of the hours
3 of operation, the library were open more.
4 They had to do things early in the morning
5 because of their schedule of deliveries for
6 things. So I understand that change of use
7 is a big change for the people who live
8 nearby.

9 Secondly, I'm an architect, and I've
10 done a number of conversion of existing
11 buildings to housing. And I've also designed
12 new housing, about 8,000 units in total of
13 about 30 projects. You can say that I was
14 noticing the white at the bottom of my ears.
15 So, I guess on the site plan I think there's
16 ample evidence, that there's no reason to set
17 aside the screening requirements that are in
18 the Ordinance, that those are essential for
19 the privacy of the abutters. It's clear, you
20 know, there's no reason to ignore the
21 Ordinance that doesn't allow parking within

1 10 feet of inhabited portion of the building.
2 I mean, can you imagine looking up your
3 window that's way up there on the wall and
4 seeing the bumper of a car? I mean, that's
5 crazy.

6 In addition, the handicapped entrance
7 at this building is at the rear. There is no
8 accessible route for a person in a wheel chair
9 to get to that accessible entrance from the
10 street. That's a requirement. It needs to
11 be a sidewalk that goes around the building
12 to get to the back door or else it's not an
13 accessible entrance.

14 Inside I have a question. Are the
15 floors at the third floor level in the side
16 wings presently?

17 DR. MOUHAB RIZKALLAH: Yes.

18 HUGH RUSSELL: Okay. And there are
19 trusses also that are in two locations.

20 I've never seen a project here as
21 proposed, dwelling units without windows.

1 Without windows in living rooms. With, you
2 know, skylights way overhead in bedrooms.
3 This makes no sense to me. It's a
4 demonstration that the project is not
5 sensible in terms of housing. It's probably
6 not legal in terms of the building code, and
7 it's not, you know, the suggestion that the
8 kind of tenants who will live there are
9 substantially different than the people who
10 are living in the two and three-family houses
11 on Norris Street, as I think is absolutely
12 true. This will -- it's building a tenement,
13 it's building something that's actually worse
14 than a tenements were reformed structures,
15 they were built to prevent things like this
16 from happening.

17 I think if you start with a site plan,
18 you'll find you can get maybe 20 or 25 cars
19 legally on the site. That to me is maybe
20 filling bit of the density. And maybe that
21 in itself is too high. I see no reason to

1 fill up parts of the building that aren't
2 suitable now to create even more floor space.
3 It just enhances the problems.

4 I'm particularly concerned about the
5 relationship to the buildings on Drummond
6 Place. I think there's about 15 feet between
7 your building and those buildings. And my
8 own view is that there probably should only
9 be bedrooms on that side of the building
10 because bedrooms have a smaller impact. I
11 think the same argument might be applied to
12 the building on the other side, although it's
13 a little farther away. You have living rooms
14 occupied at different times at night, and
15 people may have their blinds open and may be
16 noise generating.

17 Trash. There has to be a plan for
18 trash. Snow. There has to be a plan for
19 snow removal. I wouldn't want to live in one
20 of those basement apartments. You might find
21 some people who are willing to live where

1 thei r windows are, you know, way up the wall .

2 I thi nk that' s, you know, i t' s not fami ly

3 housi ng.

4 I thi nk i f you start to address the

5 real i ties of the bui l di ng, start creati ng

6 reasonabl e uni ts, your uni ts are not --

7 aren' t l arge, they' re smal l as peopl e have

8 descri bed. There' s none of the

9 i nfrastructure space that you fi nd i n a

10 dwelli ng uni t. And typi cally as I measure

11 your areas based on the dimensi ons on your

12 pl ans, they' re smal l er uni ts than are used i n

13 current market rate housi ng, current rental

14 housi ng. I' ve done a number of projects, and

15 thi s i s very di fferent. I thi nk i f you were

16 to put uni ts i n that were appropri atel y

17 si zed, you' d di scover that,agai n, about the

18 same number, 20, 25 uni ts woul d be what you

19 coul d convert thi s bui l di ng i nto. I thi nk

20 you real l y need to go back to the drawi ng

21 board.

1 And the Mayor's asked us to sort of not
2 pre-empt the process that he's going forward
3 with, we've got plenty of time. You don't
4 have to make a decision right away. My
5 inclination is to let the Mayor see what he
6 can do. If he's unable to work something
7 out, then we can -- you know, we'll make a
8 decision within this statutory time or ask
9 for an extension should that be necessary.

10 So, those are my feelings about the
11 project. Steve.

12 STEVEN WINTER: Thank you,
13 Mr. Chair. I concur with all the things that
14 you've said. And I only wish to add in the
15 interest of sticking to my three minutes --
16 this protection of the fabric of this
17 neighborhood is critically important.
18 Everyone who has spoken has been very, very
19 clearly able to announce why it's important
20 to keep the fabric of this neighborhood. So
21 that's our prime concern.

1 And, Mr. Crane, I would also like to
2 say that your points were very well taken and
3 I appreciate that. So I concur with all of
4 the things that you've said. And I believe
5 that there our core value is to protect the
6 fabric of this neighborhood.

7 HUGH RUSSELL: Okay. Pam.

8 PAMELA WINTERS: Sure.

9 There were so many issues I don't even
10 know where to begin, but again, Mr. Crane, I
11 did appreciate your comments. I thought they
12 were very succinct and to the point. Issues
13 around density. Parking troubles me.
14 Doubling the number of people on a street,
15 although I think somebody said it was upping
16 it by 70 percent. Possibly having a
17 community space or work space in the
18 building. Maybe putting some of the parking
19 in the basement. I don't know if that's
20 possible or not.

21 I'm also concerned about the privacy

1 issue. And I think that we received a memo
2 from one of the City Councilors, and we have
3 so many, so much paper related to this case,
4 but I think that one of the City Councilors
5 said to consider condos rather than
6 apartments so that you would get more people
7 that were living there more long term rather
8 than transient renters.

9 I have issues around the trash, snow
10 and deliveries. And, you know, again I just
11 concur with what my colleagues said so, thank
12 you.

13 HUGH RUSSELL: Charles.

14 CHARLES STUDEN: I concur as well.
15 I actually have a question for the Applicant
16 because I'm not certain that this is true.
17 There's been reference to the fact that the
18 building was not going to be air conditioned,
19 is that true?

20 DR. MOUHAB RIZKALLAH: No, there's
21 going to be a mixture of air conditioning

1 solutions. On the third floor level all the
2 levels, the filler levels that we have there,
3 are going to all those units on that third
4 floor and above are going to get central air.
5 But below the question of whether or not we
6 should put in central air or we should allow
7 air conditioners actually go into the
8 windows, it's really open to us. We're
9 willing to do either. But if we're going to
10 do it as central air conditioning, it means
11 that we have to put those condensers
12 somewhere. And that's a sensitivity that
13 we're trying to maintain and to leave to some
14 degree open. There are flat roof areas on
15 top of that -- on top of the building where
16 -- certain areas you have hipped roofs, and
17 in certain areas you have flat roof space.
18 We could put condensers on that space.
19 There's also some space in the back of the
20 building where there is currently in the
21 landscaping plans there is some Pachysandra

1 plantings in those areas, and we could easily
2 fit condensers in that space as well.

3 The question really becomes what does
4 the Planning Board, what does the community
5 feel is really in their best interest for
6 that, for that?

7 CHARLES STUDEN: Okay, thank you.
8 Not that we're going to solve this here this
9 evening, but I think it's a very important
10 aspect of the project. I couldn't imagine
11 this building being built without central air
12 conditioning in the entire building is my
13 personal take on this.

14 And I also concur with my colleagues'
15 earlier comments about the project. I think
16 that there are a lot of things that need to
17 be addressed to make this workable for from
18 my perspective as well as what I've been
19 hearing from the community.

20 HUGH RUSSELL: Ahmed.

21 AHMED NUR: I also concur with my

1 colleagues. I have a quick question for you.

2 You said there's a flat on this roof?

3 DR. MOUHAB RIZKALLAH: Yes.

4 AHMED NUR: If you could just
5 describe that for your next meeting because I
6 don't see any --

7 DR. MOUHAB RIZKALLAH: On the
8 landscaping plan. It's not accurate.

9 AHMED NUR: Okay.

10 DR. MOUHAB RIZKALLAH: Yeah. On the
11 -- oh, I'm sorry.

12 AHMED NUR: It's okay. It's just a
13 question for the next time.

14 In addition to that, I understand and I
15 appreciate the time that you took, you know,
16 to work with the neighbors as well as to
17 explain to the Board what your intentions are
18 of not changing the facade of the building
19 and your appreciation for the architecture
20 itself, and that probably resulted in you
21 doing the windows or without the windows in

1 certain apartments. However, you know, a lot
2 of people say oh, we don't build buildings
3 like this anymore. And I think that, you
4 know, with our help and with the help of the
5 city architect and so on and so forth, we can
6 come to a happy medium, you know. So I just
7 wanted to say that. Maybe take out some
8 masonry here or there, bring windows there.
9 And everyone here seems to agree that you
10 probably need fewer units than what you have
11 right now. Especially with all the parking
12 is extremely sensitive as you can see. And
13 that's all I have to say.

14 HUGH RUSSELL: Okay. Ted.

15 H. THEODORE COHEN: I concur with
16 everything that's been said before. The only
17 thing I'd like you to think about in
18 considering the overall parking issue is the
19 issue of visitor parking, because regardless
20 for what the density is, unless there is some
21 arrangement for visitor parking, it's just

1 not going to work on the street.

2 HUGH RUSSELL: Okay. Tom.

3 THOMAS ANNINGER: Two things. One,
4 nothing's been said amongst us about the
5 Zoning issue. That will be resolved by the
6 City Solicitor and by the City Council.
7 That's really not something that we could do
8 much about. I'm convinced that the intention
9 of 5.28 was to allow for multi-family
10 conversions in B and even in A, and A-2 and
11 A-1. But I also have no doubt that we didn't
12 quite get it right in the Ordinance and so
13 that has to be fixed. But I understand
14 that's in process and will be taken care of.
15 And if I can make a prediction, it will end
16 up back here in one form or another with the
17 jurisdiction over that issue.

18 I'm a little puzzled why everybody
19 wants to take it to the Zoning Board. I'm
20 not quite sure just what they have that we
21 don't have unless you think that you're going

1 to get a no from them and that's what you
2 really want. I can't imagine that -- I mean,
3 I guess I have two points on that. One is I
4 can't imagine why a no is in your interest.
5 Because to have this building lie fallow for
6 a number of years is not what you want. And
7 I see all your heads shaking at that. So
8 that's, I think where you would end up at the
9 Zoning Board. We are also are capable of
10 saying no. And while I haven't seen that
11 happen very often on this Board, it's
12 perfectly possible. I've been on the Board
13 now for more than ten years, I've never seen
14 a project where my idea of what ought to be
15 here and what we have before us with a gap
16 between those two is so wide. It doesn't --
17 usually we get a draft that we can work on
18 and that we have something to discuss. Here
19 I'm almost speechless because everybody else
20 has said it before, I really don't know where
21 to begin on what I think would be right here.

1 It is not a role that I'm comfortable with,
2 and I don't think any of us really can't do
3 design this for you. And I don't think you
4 want that either. I think that has -- that
5 presents a lot of problems and is not, is not
6 where I think we ought to go. But I do go
7 back to where I think you ended up which is I
8 think we need a fresh start here. And here I
9 don't want to insult you, but I do think that
10 you might want to consider getting some new
11 consultants to help you with that fresh
12 start. Because I think as it stands now,
13 there's a serious risk that you're going to
14 try to use which you've got and just better
15 that, and I don't think that's going to work
16 here. I really think it's worth trying once
17 again.

18 And I understand that you have a big
19 problem in front of you. But I wish you luck
20 with it and I think eventually our hearts are
21 all in the same place. We've got to get

1 something in this building. And I think it
2 has to be more along the lines of what
3 everybody's been talking about.

4 DR. MOUHAB RIZKALLAH: Can I kindly
5 respond to that?

6 HUGH RUSSELL: Sure.

7 THOMAS ANNINGER: I would like him
8 to be able to.

9 HUGH RUSSELL: I mean, I'd like you
10 to respond to overall all the comments of the
11 Board briefly.

12 DR. MOUHAB RIZKALLAH: So, you might
13 think that as I sit here --

14 PAMELA WINTERS: I'm sorry, could
15 you use the microphone?

16 DR. MOUHAB RIZKALLAH: So, thank you
17 to everybody, the neighbors and to the Board.
18 And you might think that as I sit here, that
19 somehow my hopes have been dashed. I want to
20 be very clear about what my hopes are. All
21 things in my life I mean do good. This is

1 how I live. This building is not the end-all
2 be-all of my life not by any measure. I
3 don't hold myself out to be a planner. I do
4 my best. And I am so open to anything that
5 you have to offer us that allows us to make
6 the most sense of this property. I don't
7 consider myself per se a developer first or a
8 builder first or a doctor first or an owner
9 first. All those things are a compilation
10 for me. But ultimately I would like some
11 real guidance, because I can't see it the
12 same way you guys see it. I did our -- we
13 really did put a lot of time and energy into
14 really trying to chew and ruminate on this
15 thing. And to some degree I think I received
16 what you've said. But the reality is while
17 there are so many ideas as you're saying this
18 to me, there are so many ideas that we can
19 apply to modify it, you know, I just don't
20 want to go swinging again and missing. And
21 you say you don't want to guide necessarily

1 how we do it, but, you know, I really need
2 the help. Because you guys have a vision
3 that frankly any individual architect who's
4 not a planner, or doesn't have quite the same
5 sense of how would you feel about in North
6 Cambridge, they're just not going to have the
7 same thoughts on this. To some degree I
8 think I've been given a little bit of an
9 unfair evaluation. To some degree I think
10 I've been seen as sort of some carpet bagging
11 developer. For your information this is
12 going to be in my family for many
13 generations. If I can get my kids to take a
14 good a stewardship as I plan to have for this
15 building, I'll be very proud of them. So,
16 this is not going anywhere. It's going to
17 stay with us. I'm going to love this
18 building.

19 With respect to the comment you made.
20 It's a real concept that I'm open to. At the
21 same time, when you go down to Inspectional

1 Services and you want to ask those inspectors
2 how many condominium conversions are you
3 seeing in three-family, two-family,
4 six-families? And you think to yourself what
5 does that look like 10, 20 years from now?
6 What is going to be the rental market for
7 those units? Who is going to rent a -- a
8 rent a space is going to be available? It's
9 so much more lucrative to take that thing,
10 chop it up, sell it off for the builder. I'm
11 not doing this.

12 So there is a place for apartments.
13 Whether or not there is the place, perhaps
14 it's not. And believe it or not, I'm open to
15 that. Still, it's going to come with a
16 little bit of conversation back and forth. I
17 really would like to say, and I would like at
18 the end of any project that I do, I would
19 like people to be able to say, you know, that
20 Moe Rizkallah, he's a pretty nice guy. And
21 really did his best. Probably I'm not going

1 to get that from everybody. If I can get
2 that from most, I would be really happy. But
3 back to that point, I really would appreciate
4 some guidance. I really do think we need to
5 sit down and have a vision that where the
6 people that you depend on or even possibly
7 maybe even you, sitting with me and saying
8 well, Moe, this is how I see this thing
9 developed. You would be surprised how open
10 minded I could be about this.

11 Thank you.

12 HUGH RUSSELL: So I'll take up the
13 challenge. You know, to me it's --
14 architecturally it's not rocket science. The
15 end wings, divide them into two units, each
16 of about 1100 square feet. It gives you
17 eight units per floor on the first and the
18 second floor.

19 In the basement consider how many units
20 you really want down there. Maybe they
21 should only be facing the street. It might

1 be another two units.

2 On the third floor don't build any more
3 space in the building. I would divide the
4 front of the building into three -- basically
5 three bays, if it works with the structure
6 and it appears that the structure doesn't go
7 up through that floor.

8 DR. MOUHAB RIZKALLAH: Which area?
9 You said on the third floor?

10 HUGH RUSSELL: On the third floor
11 front. Three bays across the front maybe
12 there's a one-bedroom or a two-bedroom in the
13 middle. Living rooms on the side. Maybe you
14 can go back under the eaves to get to some of
15 the bedrooms where you've got the ability to
16 have your skylights relatively low down so
17 that people can look out of them.

18 On the back side, again, just use the
19 space that's there. So you'd have maybe five
20 units on the top floor. If you add that all
21 up, it's 23 units.

1 DR. MOUHAB RI ZKALLAH: We' d have
2 fi ve uni ts on the top fl oor?

3 HUGH RUSSELL: Yes.

4 DR. MOUHAB RI ZKALLAH: So, you' re
5 sayi ng each of the eaves gets one uni t?

6 THOMAS ANNINGER: Two.

7 HUGH RUSSELL: No. On --

8 THOMAS ANNINGER: Sorry.

9 HUGH RUSSELL: No. The eaves woul d
10 si mply be bedrooms for uni ts that have li vi ng
11 rooms that have real wi ndows. So you woul d
12 take essenti ally the -- put a uni t i n the
13 mi ddl e, you put uni t on the si de and as a
14 li vi ng room and the hi gh bay space and
15 bedrooms under the eaves. And then on the
16 other si de of the bui ldi ng you' re probabl y
17 goi ng to have j ust a coupl e smal ler uni ts.
18 To me, that woul d be 23 uni ts as how my
19 cal cul us goes out.

20 The pl an, the parki ng that was provi ded
21 by the woman over there, shows that you can

1 probably get about that same number of spaces
2 and follow the code. You'd have parking --
3 you put a five-foot barrier all the way
4 around the sides and the back. You have a
5 bunch of pet in parking, and some parallel
6 parking up along the school.

7 I mean, to me, that uses the existing
8 building. It doesn't try to create more
9 space. It uses the existing site. That's
10 how I would approach it. It creates units
11 that are -- some units that are somewhat
12 larger that are better. You can now get
13 windows for every room. That's my
14 suggestion.

15 THOMAS ANNINGER: Can I jump in and
16 just say we did have a goal of trying to stop
17 at a reasonable time, and I think we've done
18 a lot. My suggestion would be that we've got
19 to start for a possible process here. It is
20 customary for us to, in a situation like this
21 to refer you to work with the Community

1 Development Department headed up by Roger
2 Booth in this case, the architect for the --
3 and planner. I would think in this case
4 which is somewhat unusual, I would like to
5 see Hugh participate in that, and I see no
6 reason why that can't be done. Because the
7 hearing is open, there will be plenty of time
8 for everyone to see again what comes out of
9 this process. And I think we ought to leave
10 it at that for the moment. I'm not sure what
11 more can be achieved.

12 HUGH RUSSELL: I guess the only
13 amendment I would make to that is the Mayor
14 has written to us saying he's trying to
15 establish a process, that would include
16 Community Development Department and
17 neighbors and the developer. And I think
18 that process should be thought out and worked
19 out so that they get the right people in the
20 room. And if I'm one of those people that
21 needs to be in the room, I'm willing to do

1 it.

2 So, I would like to then -- what's the
3 right word here I'm looking for? Close the
4 discussion for this evening and move on after
5 a short break to the next item of business.

6 Thank you very much.

7 (A short recess was taken.)

8 * * * * *

9 (Sitting Members: Hugh Russell, Thomas
10 Anninger, Pamela Winters, Steven Winter,
11 Charles Studen, Ahmed Nur.)

12 HUGH RUSSELL: So, we're going to go
13 back into session now and discuss General
14 Business Planning Board case 251. And while
15 we're waiting for Pam to come back I have a
16 question for Mr. Rafferty which is you'll
17 notice that there are only six members seated
18 here because Mr. Tibbs took ill this
19 afternoon. So do you wish to proceed with
20 six members or do you wish to have us
21 postpone this until -- can we do it in two

1 weeks?

2 ATTORNEY JAMES RAFFERTY: No, thank
3 you. Ms. Paden did alert us to that issue
4 earlier this evening and we're comfortable
5 proceeding with the Board as it's constituted
6 this evening.

7 HUGH RUSSELL: That means that you
8 still need five votes. Five out of six if we
9 vote.

10 ATTORNEY JAMES RAFFERTY: Correct.

11 THOMAS ANNINGER: We waiting for
12 Pam?

13 HUGH RUSSELL: We're waiting for
14 Pam.

15 (A short recess was taken.)

16 HUGH RUSSELL: Would you like to
17 proceed?

18 ATTORNEY JAMES RAFFERTY: Sure.
19 Good evening, Mr. Chairman, members of the
20 Board. For the record, James Rafferty on
21 behalf of the Applicant. Just briefly you'll

1 recall when we were here last, we were asked
2 to take one final look at the mass of the
3 building to see if it would be possible to
4 address any ways to soften it or somewhat
5 mitigate it. And Mr. Khalsa and his
6 associates were able to meet with Mr. Booth
7 and the design professionals here, and
8 they've explored an interesting concept of
9 splitting the building. No change really in
10 the unit count, but really a significant
11 impact on the building's presence on Bolton
12 Street which is we acknowledge is a small
13 street. So, without much further discussion
14 I think Mr. Khalsa can quickly take you
15 through the changes. The unit count, as I
16 said is unchanged. The parking count is
17 unchanged, but there are some other
18 significant dimensional reductions.

19 JIA KHALSA: For the record, I'm Jia
20 Khalsa, Khalsa Design. We talk all the
21 commentary to heart, and what we did was we

1 broke it into -- the site plan into two
2 buildings. You -- we have a building in this
3 location here which is pretty much the same
4 corner of the footprint of the building that
5 was there in our previous screen, and we have
6 another building over here. This is outside
7 parking in between. And we created this nice
8 landscape and entrance court that will be
9 with a featured textured pavement on the
10 middle so you have a courtyard. The distance
11 between the buildings is just under 40 feet
12 which is actually farther apart than your
13 buildings down the street which are about 30
14 feet apart. Okay?

15 In breaking it into the two buildings
16 we were able to accomplish some of the things
17 that the abutters' requested. One is that
18 this abutter wanted the driveway away from
19 their property for health concerns for their
20 child. We did get it away from their
21 property.

1 We are able to maintain the landscape
2 open space. We are still well in excess of
3 the requirements and we do meet all the
4 parking requirements.

5 Here you just got another rendition of
6 the same thing, but you can see you have two
7 handicap van spaces outside where you're
8 actually only required to have one. You have
9 primary entrance points to the buildings at
10 these locations here. As well as your street
11 entrances at these locations, and then
12 private yard entrances which are happening
13 here. You have secondary egress out of this
14 side building here and this side of the
15 building over here.

16 The parking is, except for four spaces,
17 is contained in each building. And there is
18 bicycle parking in this area here. We did
19 come up with a revised bicycle parking layout
20 which I'll show you at the end of this to --
21 that we open hope will be addressing the

1 bicycle reviewers concerns. Although I'm not
2 going to represent that she's seen it yet.
3 We didn't mention it on the phone but she's
4 not quite there yet with us.

5 Your main entrance to the building is
6 here. You have your mailboxes to the lobby.
7 Short corridor, and then this is your
8 connecting corridor between the two
9 stairwells here serving your upper floors.

10 You trash and recycling is in the
11 interior of the garages. You have a Mandor
12 coming out of the garage here under an
13 overhang with a staircase above. You have
14 staircase egress here and here. And you have
15 a vestibule type of an entrance on the corner
16 unit here from the yard space on that
17 location.

18 As we go up through the building, we
19 did take to heart the unit layout changes
20 that were recommended. Rather than the study
21 being in this location here, you have now a

1 bathroom in this location here adjacent to
2 the second bedroom, and your studies have
3 been internalized which will have glazing,
4 transient glazing and the glass door there.

5 The sizes of the studies vary a little
6 bit, unit per unit, and that's derived from
7 the location of the staircase as it goes up
8 through the building.

9 The other changes to the building, we
10 have a series of more traditional angle base
11 on the building mixed with rectangular bays
12 as well. The style of the building has
13 really changed to more of a traditional
14 Cambridge bow front building.

15 This here we've got our elevations
16 indicated here. This is a courtyard
17 elevation. So this is looking from one
18 building to the next. This is a stairwell
19 here which is sitting on a supporting column.
20 You have egress doors. This from the garage,
21 that from the stairwell, and then your garage

1 roll-up door here. And we have added windows
2 into the garage here. This, your units
3 typically above. And your ground floor unit
4 in this location with its private entrance
5 off of this side here. You can see we've
6 done kind of a very standard Cambridge angled
7 bay. Some rectangular bays, and then a
8 cornice at the top. We've actually dropped
9 the height of the building by a foot which
10 gave us the ability to put our bays within
11 the setback confines within the three foot
12 six of the setback confines.

13 This is your Bolton Street elevation.
14 The buildings are mirror images of each
15 other. And what we're suggesting is that we
16 should go with the same color palette on each
17 building, but mix up where the colors are
18 occurring in terms of trim and body colors on
19 the building to further differentiate them as
20 separate buildings.

21 This is your view looking down between

1 the two buildings. You can see this is where
2 the railroad tracks will be down here.
3 Opportunity to have heavily landscape it.
4 While it's not represented here, we're
5 recommending to the client that he provide a
6 street print type of a pavement. And here,
7 which will be textured and colored probably
8 like brick or cobbles in this area here.
9 Lots of opportunity for landscaping coming
10 around the yards. And you can see the
11 treatment with the angle bays on the corners
12 and the kind of traditional overhanging cap.
13 Yet the aerial view is showing the division
14 of the two buildings. This looking at it
15 from the intersection of Sherman and Bolton.
16 You get the view of the corner coming around
17 here. This side here is back from along the
18 railroad tracks. You can see we fenestrated
19 the garage picking up the pattern coming down
20 and wrapping around the corner in that area
21 there.

1 This gives you your kind of
2 cross-sectional massing of the neighborhood.
3 You know, we fit right in. We're actually
4 somewhat shorter than a lot of other
5 buildings in the area, and the massing I
6 think works quite well and the breaking it up
7 into two buildings helps a lot with that as
8 well.

9 This is a view with the context of the
10 neighborhood buildings. This is looking
11 across the railroad tracks at the back edge
12 of the building from the northern Sherman
13 Street view. This is the Mexican place over
14 here. And beyond there's the apartment
15 building across the street there.

16 This view here is from the Bellis
17 Circle looking across Sherman Street at the
18 project, and you can see the adjacent
19 townhouses here. This being the corner of
20 the Mexican restaurant again here.

21 This is the view from Bolton Street

1 Looking back towards Bellis Circle. This is
2 the adjacent project which are the multi-unit
3 buildings here. And then here's our couple
4 of buildings fitting here nicely within
5 scale. And then another view from Bellis at
6 Sherman.

7 You can see here the height
8 relationships. We're now at 35 feet. We
9 dropped the buildings a foot. You've got
10 essentially a 40-foot building across the
11 street, directly across. 41-foot building
12 here. 36, 38, another 40-foot building
13 there. So we're sitting well within the
14 context of the heights of the neighborhood.

15 Shadow studies are a little bit more
16 shadow cast on the adjacent property at your
17 most extreme times of sunsets. But, again,
18 we're well situated so that most of the
19 shadows are being cast internally or up
20 towards the railroad tracks for most of the
21 year.

1 And I think that's my last slide. So
2 that's basically the changes that we've made
3 to accommodate the requests and the input.

4 HUGH RUSSELL: Thank you.

5 Comments by members of the board?

6 Charles.

7 CHARLES STUDEN: I'll start. I
8 guess I'd say kind of wow. When I got this
9 revised package a week or so ago and took it
10 out and started looking at it, I was actually
11 very pleased by what I saw. I felt as if it
12 responded not only to some of the concerns
13 that we as a Board were expressing, but also
14 what we were clearly hearing from the
15 community. In particular, the breaking up of
16 the massing into two buildings, I think
17 really has made a significant difference.
18 The earlier change of course of reducing one
19 of the floors coming down to three floors.
20 And now what you've done with the buildings
21 architecturally just in terms of the cornus

1 and the bays, I like what you've done with
2 the painting. To me it just looks so much
3 better. I like the interior driveway as
4 opposed to on the -- when it was to the right
5 of the building as you faced it on Bolton
6 Street. And I also think that the floor
7 plans are significantly bigger than they were
8 in the earlier application. Not that those
9 are particularly within our purview, but I
10 think that they just seemed to work a lot
11 better. I still have a little question about
12 the floor plan on the two ground floor units,
13 those vestibules, I'm not sure what those
14 are. And I know you have -- you want to have
15 entrances on the street which I like. But
16 that aside, I think the floor plans are
17 really -- yeah, what are those vestibules
18 for?

19 JIA KHALSA: Well, they're basically
20 a space that leads into the unit from what
21 could be either a public entrance, you know,

1 to the unit itself. It's own private
2 entrance to the street from the courtyard.
3 Or if they didn't want to use it in that way,
4 that could be their exit way into their own
5 private yard space. So, that's why they're
6 labelled a vestibule in that way.

7 CHARLES STUDEN: I just wondered if,
8 you know, another approach could be not to
9 have that entrance that came into space that
10 went into a bedroom.

11 ATTORNEY JAMES RAFFERTY: Can I
12 address that quickly?

13 CHARLES STUDEN: Or is it a building
14 code issue?

15 ATTORNEY JAMES RAFFERTY: Well, it's
16 not. I discussed this with Mr. Booth and we
17 were going to be asking if the Board would
18 allow that very issue to undergo further
19 design review by the staff. The very issue
20 raised, which is what could be the entrances
21 to the building off the courtyard facing each

1 other like a standard courtyard building?
2 That vestibule then could go to the
3 one-bedroom apartment, because there is an
4 awkward relationship where access to that
5 green space is coming to a bedroom now in
6 that smaller apartment.

7 CHARLES STUDEN: Yes.

8 ATTORNEY JAMES RAFFERTY: And we
9 think that was a design attempt to address
10 the street, but in discussing with Mr. Khalsa
11 and Mr. Booth and Mr. Beaudet we were
12 thinking that perhaps with some further study
13 that space could be absorbed into the smaller
14 one-bedroom unit and put those entrances
15 facing each other.

16 CHARLES STUDEN: I like that very
17 much. I hope that you can achieve that.

18 ATTORNEY JAMES RAFFERTY: It's not
19 every lawyer that does this design work.

20 CHARLES STUDEN: You're good, Jim.

21 ATTORNEY JAMES RAFFERTY: You can

1 i magi ne how wel comi ng thi s was.

2 CHARLES STUDEN: Thi s i s good.

3 The other thi ng that I wonder about,
4 you know, I really like the ground floor
5 el evati ons especi ally along the rail line
6 now, the wi ndows, and especi ally along
7 Sherman Street as peopl e are comi ng and
8 goi ng. Earl ier I thi nk the bui ldi ng met the
9 ground i n a fai rly i nsensi ti ve way. But I
10 sti ll wonder about the paved area along
11 Sherman Street and how i t' s goi ng to be used,
12 by whom and what purpose. And whether i t
13 woul dn' t be better j ust landscaped. I don' t
14 know, i t' s agai n perhaps my mi cromanagi ng.

15 ATTORNEY JAMES RAFFERTY: You mean
16 on --

17 CHARLES STUDEN: On Sherman Street
18 you have a pave of bl uestone pati o outsi de
19 the bi cycl e storage area.

20 ATTORNEY JAMES RAFFERTY: Yes.

21 CHARLES STUDEN: Whi ch you can' t --

1 you can't get your -- you have to go through
2 the garage and out the driveway to get your
3 bike out. You don't go out into the patio
4 area with your bike if I'm reading that
5 correctly.

6 JIA KHALSA: Well, if I can bring
7 that one plan up which we're showing what
8 we're hoping would be acceptable to the
9 person reviewing the landscape -- or I mean
10 the bicycles is they were unhappy with the
11 three-foot access way we had here because
12 they were concerned well, what if somebody
13 parks the wrong size car here, would we be
14 able to get in here? So, what we're
15 proposing as a solution is to also put a door
16 out on this side coming out which would go to
17 that patio area and then out to the side. So
18 somebody will have the ability to go in the
19 garage, get in there and get their bike and
20 go directly outside rather than having to go
21 out either through the garage door or the

1 pedestrian door on this side. So that's the
2 intention of why we wanted to keep that
3 there.

4 CHARLES STUDEN: I like it. Again,
5 and I don't want to beat this to death, but
6 the patio area itself, it's unclear to me as
7 to whose using it for what and what time.

8 ATTORNEY JAMES RAFFERTY: I think we
9 would hope that can be an issue explored in
10 design.

11 CHARLES STUDEN: Yes, by all means.
12 But anyway, just to summarize, I do again
13 think that this represents a very significant
14 improvement and I like it very much.

15 HUGH RUSSELL: Steve.

16 STEVEN WINTER: Mr. Chair, I concur
17 with my colleague's comments and enthusiasm.
18 And, Mr. Khalsa, I think you've really done
19 some terrific stuff. I feel that for my mind
20 this project is good to go. I mean, you've
21 really responded well. I think this is going

1 to fit in nicely to the fabric of that
2 neighborhood. And two things I wanted to
3 say:

4 The corner bedrooms on either side, I
5 think they're going to be terrific little
6 rooms. They're going to be very nice little
7 rooms. And I think it's reminiscent of old
8 Cambridge, and I think it's very nice.

9 And the other thing that I wanted to
10 comment on was the name of the lilac is a
11 Miss Kim lilac. And I have to say, what a
12 great name for a lilac bush. Miss Kim.

13 CHARLES STUDEN: It's also a very
14 beautiful lilac.

15 PAMELA WINTERS: It is.

16 STEVEN WINTER: I'm sure it is.

17 UNIDENTIFIED MALE: It's the only
18 one with four colors.

19 STEVEN WINTER: I'll make a point of
20 getting to know it.

21 To finish, Mr. Chair, from my

1 perspective, this project meets all my
2 expectations.

3 HUGH RUSSELL: Pam.

4 PAMELA WINTERS: Is Miss Kim the
5 small one?

6 UNIDENTIFIED MALE: It gets about
7 five feet tall. It has an orange fall color.

8 PAMELA WINTERS: It is. I have them
9 in my yard. And they are, they're lovely.

10 I am, like my colleagues had just said,
11 I'm thrilled that you broke the -- you heard
12 us last time round and you broke the building
13 into two buildings. I'm really happy about
14 that. And I appreciated your -- I think it
15 was my colleague Bill Tibbs that asked for
16 the diagram of the surrounding buildings, and
17 that really helped put it in context for me
18 too. So thank you for doing that. And I
19 think it's going to be a great project.

20 Thank you.

21 HUGH RUSSELL: Well we seem to be

1 going in order which we sometimes do so I'll
2 just continue on.

3 I agree that the architectural changes
4 really make the project much better. I'd
5 also point out that the entry courtyard with
6 the driveway has another potential advantage
7 because it provides a place for, you know,
8 UPS truck to actually pull off the street.
9 Yes, it will block one lane of a two lane
10 driveway, but rather than blocking one lane
11 of a one lane street. So I think that helps.
12 Clearly the same kind of thing, side of
13 access helps with the trash pick up if the
14 truck can make the turn into that. And I
15 think that -- so this represents an
16 improvement in the accessibility and the
17 traffic performance of this building. It's,
18 you know, I don't think we can go beyond one
19 to one parking. And I think we have to
20 acknowledge that there may be continuing
21 parking problems on Bolton Street and in the

1 neighborhood and that's just the way it --
2 it's part of being in Cambridge. You can't
3 drive to park in front of your house everyday
4 that you'd like to do that.

5 So Tom, would you like to comment?

6 THOMAS ANNINGER: Yes, I'd like to
7 talk about the parking a little bit. 20
8 units, 20 spaces, right?

9 ATTORNEY JAMES RAFFERTY: Correct.

10 THOMAS ANNINGER: Am I right, these
11 are condominiums?

12 JIA KHALSA: That's correct.

13 THOMAS ANNINGER: And the
14 condominiums will have deeded with them a
15 space?

16 ATTORNEY JAMES RAFFERTY: Correct.

17 THOMAS ANNINGER: And it will be a
18 little bit interesting how you allocate the
19 compact versus the standard versus the van
20 size spaces to the various units, because
21 eventually you're going to have an SUV in a

1 compact space and vice versa. They're not
2 always going to fit over time. Even if
3 you're lucky enough to get it right at the
4 outset, as you get to the second and the
5 third generation of owners, why they'll be
6 out of whack. You shrug your shoulder and
7 therefore what you're saying that's life.
8 There's nothing you can really do about that.

9 ATTORNEY JAMES RAFFERTY: Me?

10 THOMAS ANNINGER: Did I misinterpret
11 that body movement?

12 HUGH RUSSELL: I'm going to direct
13 you to a house that's about half a block from
14 here, Tom, it's on Broadway Terrace. And
15 it's got a tiny parking space in the front
16 yard that only, you know, a Mini Cooper can
17 fit in and they have a Mini Cooper. And so,
18 if you buy --

19 THOMAS ANNINGER: Maybe the car will
20 fit the space rather than the space fit the
21 car?

1 HUGH RUSSELL: Yes. If you've got a
2 Hummer, you're not going to buy a condo with
3 a compact space.

4 ATTORNEY JAMES RAFFERTY: Sitting
5 still might be misinterpreted.

6 STEVEN WINTER: Tom, if I could just
7 jump in here. What we see with a lot of
8 municipalities throughout the region now is
9 that the Boards of Selectmen and the town
10 councils do not feel compelled to provide
11 parking spaces for large SUV's. They do not
12 feel that that's their responsibility. If
13 their parking is this, and if it meets state
14 code, then that's what's out there.

15 THOMAS ANNINGER: Well, I'm not
16 worried about SUV.

17 STEVEN WINTER: If you can't fit the
18 SUV, then that's your problem.

19 THOMAS ANNINGER: But looking at it
20 from a bird's-eye view, it looks to me like
21 some of these cars are going to have to do

1 some maneuvering to get into these spaces.

2 It's not so easy. It looks tight for me.

3 ATTORNEY JAMES RAFFERTY: And that's
4 the reality. And it's frankly mostly due to
5 the handicap spaces, because there's
6 different requirements. As I understand it,
7 the access code for rental units versus for
8 sale units. So I think the condo documents
9 have to provide that if a handicap person
10 gets a unit, that they somehow have to be
11 able to -- these are usually done by
12 easement. They somehow have to have the
13 ability, the trustees, to adjust that so that
14 the person who is in need of the handicap
15 space actually can get it. So, it comes
16 up -- it is a typical issue about the garage
17 size spaces and, you know, in bigger
18 buildings we see the proximity of the space
19 to the elevator, is a value relationship, you
20 know, buy early, get a better space and all
21 that. Buy a bigger unit and get a bigger

1 space. I mean, there's a whole marketing
2 philosophy behind the relationship to spaces
3 to units.

4 THOMAS ANNINGER: But I'm right, I
5 think I know I'm right, that they will be
6 deeded together so that there's no ability to
7 separate them.

8 ATTORNEY JAMES RAFFERTY: That's
9 correct. Every unit, it's required under the
10 Ordinance, every unit will be a space.

11 THOMAS ANNINGER: And that's a good
12 thing, okay.

13 The only other thing I would like to
14 ask, can you just show me the front doors
15 again so I can understand how you enter and
16 exit.

17 JIA KHALSA: The front doors of the
18 building are here, as currently drawn,
19 although as Jim was saying they might be
20 redeveloped to be over in this area here.
21 And this area then -- let me use the laser

1 pointer.

2 THOMAS ANNINGER: That's Bolton,
3 yes, okay.

4 JIA KHALSA: This area here
5 currently. This is Bolton. Apparently the
6 front doors are here with the vestibule and
7 mail area, a little lobby area, and corridor
8 coming down to connecting corridor between
9 the stairwell. This being the exit from the
10 garage. As Jim alluded to there's the
11 possibility to develop the lobby here in
12 which case this area here would be put back
13 into the unit on this side.

14 THOMAS ANNINGER: I see. That's
15 what you're talking about?

16 JIA KHALSA: Yep.

17 THOMAS ANNINGER: And along Sherman
18 is that an entrance too?

19 JIA KHALSA: It's a secondary egress
20 in from the stairwell here.

21 THOMAS ANNINGER: And same thing on

1 the other side?

2 JIA KHALSA: They're mirror images.
3 And this here is a little yard entrance for
4 the unit here.

5 THOMAS ANNINGER: And my last point,
6 is there an entrance to one of the ground
7 floor units? Yes.

8 JIA KHALSA: There's another one
9 here.

10 THOMAS ANNINGER: All four have it.
11 So, there are doors all around really, which
12 is kind of nice.

13 Has anybody in the neighborhood seen
14 this and reacted to it?

15 ATTORNEY JAMES RAFFERTY: Well, I
16 know some people are here. I think the
17 feeling was they appreciated the break but
18 there was a desire to see a reduction in
19 units.

20 THOMAS ANNINGER: I see. I'm not
21 surprised by that.

1 ATTORNEY JAMES RAFFERTY: I think
2 that's an accurate characterizati on.

3 THOMAS ANNINGER: I'm not surpris ed
4 about that.

5 The only further comment I would say
6 about the neighborhood is I wish there were a
7 way -- I got the feeling that putting aside
8 the resi stance to what was comi ng, the
9 relati onshi p i tsel f was an awkward one and I
10 would just hope that that in some way could
11 i mprove. That's just a wish. I think it
12 could be done. I think we've come a long way
13 and I would like to see an effort in that
14 made on your part, and I would like to see an
15 effort on thei r part. I don't have any
16 control over that, but it's a wish. It's an
17 exhortati on that's all I say. Otherwi se I
18 think the change is terri fic, and I think you
19 have sati sfi ed for me what I was worri ed
20 about whi ch is the claus e in the secti on that
21 we have to deal wi th deali ng wi th that word

1 "overwhelmed." I think it no longer
2 overwhelms and I think that's the key to the
3 whole thing. So I'm prepared to approve this
4 project as it stands with whatever changes --
5 I think I'd like to -- just last point. I'd
6 like to have you work with Roger to finalize
7 -- I'd like to delegate to Roger any further
8 changes that need to be made in detail.

9 HUGH RUSSELL: Okay.

10 Ahmed.

11 AHMED NUR: While I agree with my
12 colleagues of the building itself and its
13 height, however, I am deferring from everyone
14 in the Planning Board from the number of
15 units that still stands in front of us, 20
16 units. I spent a lot of time and I have a
17 lot of friends that live on Blair Street.
18 And it's an external force unfortunately,
19 it's not the building or the architect, but
20 the number of units plus the service, plus
21 the visitors does not fit into that space.

1 And then there's other space at the end of
2 Bolton Street that somehow, and when it
3 finally comes back, that will be built and
4 will probably come in front of us and want to
5 do the same thing again. It's a very small
6 neighborhood. Everything is one way. It's a
7 tiny street, and no one gets a break on
8 Sherman Street. No one stops for people to
9 go out of Bolton into Sherman. The only time
10 that they do is when the train tracks arm is
11 down and that's when they get the yield.

12 So, nothing against the project. I
13 appreciate everything that the developer is
14 doing, but however I really strongly
15 disapprove this proposal.

16 Thank you.

17 HUGH RUSSELL: I'd like to also tell
18 you that last Saturday I looked at both this
19 project and the Norris Street project. And
20 what I did was I bicycled down Richdale
21 Avenue from Porter Square, all along the

1 tracks, looking at all the projects all
2 along. Spent some time at Bolton Street and
3 then went around and went back on Pemberton.
4 And so I saw a bunch of buildings that had
5 been built under the Zoning. And I think
6 this project has really about the most
7 minimal impact of any of the projects that
8 have been built under that Zoning. It
9 represents -- because the buildings
10 themselves were compact and they are, you
11 know, three stories taller. The number of
12 buildings that are a little taller, taller
13 roofs, they have units up in the roofs in
14 some places. They're long, long attached
15 buildings. I mean, I don't dislike those
16 buildings, but I think these buildings have a
17 smaller scale to them that is appropriate as
18 a response to the actual detailed scale right
19 along here. You know, if the world was a
20 better place, we would have said gee, maybe
21 we don't need to give quite so much incentive

1 to make these projects housing. The
2 developers are already foregoing 20 percent
3 of the density they could get. So I think
4 that's what makes this work.

5 PAMELA WINTERS: It makes it work.

6 HUGH RUSSELL: Makes it work is that
7 big step. So, You know, it's the basic
8 policy I think of making sure that developing
9 these properties along the tracks for housing
10 rather than for industrial and business uses.
11 That's sound policy. So I think I'm prepared
12 to vote in favor of this tonight.

13 MICHAEL BRANDON: Mr. Chair, may I
14 be recognized for a minute? I just ask a
15 question. I'll identify myself for the
16 record. I'm Michael Brandon, 27 Seven Pines
17 Avenue. My question is that I understand
18 that you've closed the oral part of the
19 hearing, but given that there's a substantial
20 change to the project, will you allow
21 questions and comments from the public?

1 HUGH RUSSELL: I think we're looking
2 at the clock and --

3 STEVEN WINTER: No, we're ready to
4 vote.

5 HUGH RUSSELL: We've heard a lot
6 from the public and we understand what people
7 want, and I think Mr. Rafferty's brief
8 characterization is what I would expect to
9 hear, people wishing there was less, but it's
10 better than it's been before and we know
11 that. But we have an obligation under the
12 Ordinance to make the findings within the
13 law. And so I don't think we'll hear
14 testimony.

15 MICHAEL BRANDON: Okay. I was just
16 questioning that on the due process basis for
17 the record.

18 HUGH RUSSELL: Okay.

19 Would someone like to make a motion? I
20 mean, we can have basic findings we have to
21 make traffic generated and patterns of access

1 and egress would cause congestion, hazard or
2 substantial change to neighborhood character.
3 We have letters from the Traffic and Parking
4 Department that say they don't believe that
5 is the case.

6 And the development of adjacent uses
7 would be adversely affected by the nature of
8 the proposed use. The nature of the use is
9 housing, and adjacent uses aren't mostly
10 housing. I think they would not be adversely
11 affected by more housing.

12 Nuisance or hazard be created. I think
13 we find that --

14 SUSAN GLAZER: Can you speak up a
15 bit, please?

16 HUGH RUSSELL: I'm fading. Sorry.
17 Nuisance or hazard. That's a fairly
18 limited finding.

19 And we've talked about trash. We've
20 talked about other issues which have been
21 resolved properly.

1 The building is consistent with the
2 urban design objectives, 19.30.

3 It's responsive to the existing pattern
4 of development.

5 It is pedestrian and bicycle friendly.

6 It has a reasonable relationship to its
7 surroundings.

8 It has been redesigned to mitigate the
9 impacts that have been articulated by
10 abutters.

11 The infrastructure is adequate.

12 Reinforcement enhances complex urban
13 aspects of Cambridge as it's developed
14 historically.

15 I guess I'll leave that to the
16 department to try to figure out what that
17 means. I think -- and what I think it means
18 is that this is not a city of uniform things,
19 one after the other, different size
20 buildings. They're different kinds of uses.
21 There are different kinds of streets, and

1 that that's okay. We like that.

2 It's mentioned in here housing is

3 encouraged. It does that.

4 And the open space amenities shall be
5 incorporated into the development. And
6 there's been attention to the -- particularly
7 to concentrated landscaping along street
8 frontage where it can be appreciated and it
9 has a very elaborate plan for that.

10 And then the criteria for the approval
11 of multi-family dwellings. First one is key
12 features is landscape should be preserved to
13 the maximum extent feasible. Tree removal
14 should be minimized. They are proposing to
15 basically prune the rear lot line so that
16 trees along that site can flourish, and
17 selectively remove some of the trees that are
18 against that. I would say that we would find
19 that it's simply not practical to preserve
20 the very large tree that covers perhaps 25
21 percent of the site.

1 STEVEN WINTER: I concur.

2 THOMAS ANNINGER: A Mulberry tree.

3 HUGH RUSSELL: Is that what it is?

4 THOMAS ANNINGER: Yes.

5 HUGH RUSSELL: The building should
6 be related sensitively to the existing built
7 environment. It should avoid overwhelming
8 the buildings. I think we've discussed that
9 before in this meeting and before.

10 Particularly this new plan dividing the
11 building really accomplishes that.

12 Three, about the benefits to abutters
13 and passersby, which I already mentioned
14 that.

15 Parking areas, internal roadways,
16 access points are safe and convenient.
17 Traffic and Parking Department has sent us a
18 letter on that.

19 Parking area landscaping there's really
20 a thing for parking that is outside lots by
21 putting parking in the building. There's

1 actually minimized the site parking, and it's
2 not going to be readily visible from the
3 street or from abutting properties.

4 And they have addressed a trash
5 collection so that they're convenient for the
6 resident and unobtrusive.

7 I think that's all the pieces. You're
8 simply asking for a multi-family permit.

9 AHMED NUR: Where's the snow again?
10 Are we still collecting snow in the handicap
11 parking over there at the end of the
12 driveway?

13 HUGH RUSSELL: They're going to have
14 to work exactly with how that works with the
15 landscaping behind those spaces. There is an
16 access aisle that could be used to actually
17 transfer the snow. There's not tremendous
18 area that has to be done. It's the drive
19 basically. So, I think that's feasible. I
20 think we might note that as something that
21 needs to be worked on.

1 The other piece that we've identified
2 that might be studied, the change would be
3 the way in which the entries to the buildings
4 and the units are to the rest of the street
5 and further view of the landscaping by the
6 department.

7 So now would somebody like to make a
8 motion with that preamble?

9 THOMAS ANNINGER: Where is the
10 agenda?

11 CHARLES STUDEN: It's actually
12 stated wrong in the agenda. It says
13 construct 25 units with 25 parking spaces. I
14 think it's 20.

15 THOMAS ANNINGER: I would make a
16 motion to approve a Special Permit to adopt
17 or approve a Special Permit to construct 20
18 dwelling units with 20 parking spaces under
19 4.26 of the multi-family Special Permit in
20 Section 10.40 of the Ordinance reflecting the
21 findings that Hugh so well just went through.

1 HUGH RUSSELL: Is there a second?

2 CHARLES STUDEN: Second.

3 HUGH RUSSELL: Any more di scussi on?

4 (No Response.)

5 HUGH RUSSELL: On the moti on, all

6 those i n favor?

7 (Show of hands.)

8 HUGH RUSSELL: Fi ve i n favor.

9 (Russel I , Anni nger, Wi nters, Wi nter,
10 Studen.)

11 HUGH RUSSELL: And all those
12 opposed?

13 AHMED NUR: Opposed.

14 HUGH RUSSELL: And one voti ng
15 opposed.

16 The Speci al Permi t granted.

17 ATTORNEY JAMES RAFFERTY: Thank
18 you very much.

19

20

* * * * *

21

1 HUGH RUSSELL: Is there any more
2 busi ness for us?
3 We' re adj ourned.
4 (Whereupon, at 10:30 p. m. , the
5 meeti ng adj ourned.)
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C E R T I F I C A T E

COMMONWEALTH OF MASSACHUSETTS
BRI STOL, SS.

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

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.

I further certify that the testimony
hereinbefore set forth is a true and accurate
transcription of my stenographic notes to the
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IN WITNESS WHEREOF, I have hereunto set
my hand this 17th day of December 2010.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
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