

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, October 16, 2012

7:05 p.m.

in

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

- Hugh Russell, Chair
- Thomas Anninger, Vice Chair
- William Tibbs, Member
- Pamela Winters, Member
- H. Theodore Cohen, Member
- Steven Winter, Member
- Ahmed Nur, Associate Member

Community Development Staff:
Brian Murphy, Assistant City Manager for
Community Development

- Susan Glazer
- Liza Paden
- Roger Boothe
- Jeff Roberts
- Stuart Dash
- Taha Jennings

REPORTERS, INC.
CAPTURING THE OFFICIAL RECORD
617. 786. 7783/617. 639. 0396
www.reportersinc.com

I N D E X

<u>GENERAL BUSINESS</u>	<u>PAGE</u>
1. Board of Zoning Appeal Cases Telecommunication antenna Special Permits	3
2. Update, Brian Murphy, Assistant City Manager for Community Development	45
3. Adoption of the Meeting Transcript(s)	

PUBLIC HEARINGS

City Council to amend the Zoning Map of the City of Cambridge in the area known as the North Cambridge Trolley Yards and the area abutting Linear Park from the current Business A-2 to Residence C-2B

49

PB#274, 51 Cedar Street, Special Permit for a second structure on the lot further than 75 feet from the street line. Section 5.53.
Rich Brawn, Applicant

87

PB#179, Major Amendment to revise the Master Plan of 2003 and reflect the recently enacted amendments to the Zoning Ordinance for the North Point PUD area, increase the amount of open space, provide for a retail plaza and public market, and adjust building sizes, building heights and proposed uses. While the total amount of development will not increase and the allocation of gross floor area to residential and non-residential uses will not change, the location and phasing of uses would change. The applicant is CJUF III North Point, LLC, c/o the HYM Investment Group, LLC

169

GENERAL BUSINESS

PB#179 Design Review for Building N

172

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

2 (Sitting members: Hugh Russell, Pamela
3 Winters, H. Theodore Cohen, Steven Winter.)

4 HUGH RUSSELL: So we'll get started.
5 Is that audible? We'll get started when Liza
6 returns since this is her part of the
7 meeting. For the record, this is the meeting
8 of the Cambridge Planning Board.

9 LIZA PADEN: The Board of Zoning
10 Appeal cases has two telecommunications
11 antenna installations as well as the case for
12 698 Mass. Avenue, the Board of Zoning Appeals
13 asked you to look at it again for further
14 comments and so there's a number of
15 revisions. Those are the color prints that
16 you have.

17 ATTORNEY BRIAN GROSSMAN: Good
18 evening, Brian Grossman on behalf of the
19 applicant T-Mobile East, LLC. The first of
20 the two -- if it's okay with the Chair, I'll
21 address the 678 Massachusetts Avenue, I ast

1 which is the one that was sent back from the
2 Board for further comments.

3 HUGH RUSSELL: Sure.

4 ATTORNEY BRIAN GROSSMAN: The first
5 T-Mobile proposal that needs a recommendation
6 from the Planning Board to the Zoning Board
7 of Appeals is at 25 Eighth Street. What
8 T-Mobile propose to do there is swap three
9 panel antennas that are existing with three
10 of the new air panel antennas and then add
11 three additional antennas as well. So bring
12 that to a total of two per sector. And there
13 will also be one equipment cabinet added to
14 the existing platform of the roof of the
15 building as well. All of the antennas on
16 this building are facade-mounted. As part of
17 the change out, the existing mounts will be
18 changed to the low profile mounts that
19 eliminate the pipe and then utilize the
20 pipeless bracket, and the new proposed
21 antennas will also utilize that same new low

1 profi le pi pel ess bracket as wel l .

2 (Thomas Anni nger Seated.)

3 STEVEN WI NTER: Can you hel p me,
4 orient me, please? Are the cases that we're
5 di scussi ng now i n thi s packet here?

6 ATTORNEY BRI AN GROSSMAN: No,
7 they' re not.

8 STEVEN WI NTER: Okay, they' re not.

9 HUGH RUSSELL: It' s the last case on
10 the BZA docket.

11 STEVEN WI NTER: Thank you.

12 ATTORNEY BRI AN GROSSMAN: I' ll wal k
13 you through the si mul ati ons. I do have
14 one --

15 LI ZA PADEN: I have one.

16 STEVEN WI NTER: Thanks, Li za. I' m
17 al l set.

18 HUGH RUSSELL: Tom, di d you want to
19 see a hard copy?

20 LI ZA PADEN: Tom has one i n front of
21 hi m.

1 THOMAS ANNINGER: Of what we're
2 looking up there?

3 LIZA PADEN: Yes, it's this one,
4 Tom. This is the first one that he's talking
5 about. This is what he's going to talk about
6 last.

7 THOMAS ANNINGER: Okay, thank you.

8 LIZA PADEN: Yes.

9 ATTORNEY BRIAN GROSSMAN: And
10 quickly I can walk through the photographic
11 simulations. The existing conditions, you
12 can see the one panel antenna mounted to the
13 side of the building, and then in the next
14 view it has both the regular scaled views.
15 So it has the unzoomed in view and in the
16 upper right-hand corner it has the zoomed-in
17 view. As you can tell, the antennas we
18 located are just a foot above the cornice
19 there so they won't have that two-tone color.
20 They would just be painted to match the
21 existing brick.

1 This is the other sector on the other
2 side of the building, again, you can see the
3 second antenna there.

4 I'll back up. If you look in the far
5 right side of that one, you can actually see
6 the new proposed antenna in the other sector
7 and moving forward more direct view. Again,
8 this is the view of the existing sector. You
9 can see the panel antennas right here on that
10 corner. And here you have now the two new --
11 the replacement panel antenna and an
12 additional panel antenna on the corner of the
13 building.

14 THOMAS ANNINGER: Is this the one
15 that is the faux chimney?

16 ATTORNEY BRIAN GROSSMAN: No.

17 HUGH RUSSELL: No. This is a
18 housing for the elderly building in East
19 Cambridge on Eighth Street. It's designed by
20 Paul --

21 ATTORNEY BRIAN GROSSMAN: Is it the

1 Harry Truman building?

2 HUGH RUSSELL: I think it was
3 designed by Paul Feloni (phonetic).

4 THOMAS ANNINGER: In this package I
5 see these brick-like attempts at making them
6 fit in.

7 ATTORNEY BRIAN GROSSMAN: Yes.

8 THOMAS ANNINGER: Is that what we're
9 looking at up there?

10 ATTORNEY BRIAN GROSSMAN: Yes.

11 THOMAS ANNINGER: So it is -- it's
12 not a faux chimney, but it's a --

13 ATTORNEY BRIAN GROSSMAN: No, this
14 is not the building with the faux chimneys.
15 These are all three sectors of
16 facade-mounted.

17 THOMAS ANNINGER: I misspoke. To me
18 it looked a little bit like an attempt at a
19 chimney because you're painting in the brick
20 lines.

21 HUGH RUSSELL: Are you painting the

1 mortar joints to match the brick color?

2 THOMAS ANNINGER: Yes, I look.

3 ATTORNEY BRIAN GROSSMAN: I think
4 the existing may have the mortar joints.
5 That's the proposed. If we found the flat
6 actually works better, but if the
7 recommendation were to do the mortar lines,
8 we can accommodate that question.

9 HUGH RUSSELL: I prefer the flat
10 color.

11 THOMAS ANNINGER: This is a good
12 example of why you can't see.

13 ATTORNEY BRIAN GROSSMAN: The flat
14 that's why it was proposed that way. So the
15 existing, if I go back. If you look at the
16 existing there, can you see that they did
17 paint in the mortar lines and the new
18 proposal includes just the flat color.

19 THOMAS ANNINGER: The old ones is
20 the mortar lines, the new one is without?

21 ATTORNEY BRIAN GROSSMAN: Correct.

1 THOMAS ANNINGER: I see.

2 H. THEODORE COHEN: There was one I
3 saw.

4 THOMAS ANNINGER: I don't think
5 that's it, but that's the idea. I guess
6 that's the old.

7 HUGH RUSSELL: That's a different
8 building.

9 THOMAS ANNINGER: Yes. This is the
10 old --

11 ATTORNEY BRIAN GROSSMAN: Right.
12 That's the existing.

13 THOMAS ANNINGER: -- approach? Is
14 this Harry Truman?

15 ATTORNEY BRIAN GROSSMAN: Yes, it
16 is.

17 THOMAS ANNINGER: Well, it was a
18 sincere attempt even though it's kind of
19 hairy.

20 ATTORNEY BRIAN GROSSMAN: The new
21 proposal is to paint the flat color which is

1 the preference of the Board.

2 HUGH RUSSELL: The preference of the
3 Chair man.

4 THOMAS ANNINGER: I agree with the
5 Chair man. I mean, we always agree with the
6 preference of the Chair man.

7 STEVEN WINTER: Or else.

8 THOMAS ANNINGER: Right.

9 HUGH RUSSELL: Or otherwise we have
10 no comments on this?

11 H. THEODORE COHEN: Well, two's
12 worse than one, but they're lower and
13 flatter.

14 HUGH RUSSELL: And some of them
15 aren't -- are pretty difficult to see just
16 because where they're located on the
17 building.

18 THOMAS ANNINGER: Okay.

19 HUGH RUSSELL: We can approve a
20 development in East Cambridge.

21 H. THEODORE COHEN: And then there

1 would be no more antennas.

2 HUGH RUSSELL: Right.

3 All right, let's go on to the next
4 case. Sherman Street.

5 ATTORNEY BRIAN GROSSMAN: Again,
6 just for the record, Brian Grossman on behalf
7 of the applicant T-Mobile Northeast.
8 T-Mobile's proposal at 80 Sherman Street is a
9 one-for-one replacement of the existing
10 antennas inside the existing chimney or faux
11 chimney. There are three existing panel
12 antennas in there now. They will all be
13 swapped out with the newer model. As you'll
14 see in the photo simulations, and I'll start
15 to scroll through them for you. That's the
16 view of the existing chimney. In order to
17 accommodate the new panel antennas, including
18 the clearance that's required for air
19 circulation, there needed to be an increase
20 in the overall size of the chimney.

21 STEVEN WINTER: Can you toggle back

1 a forth a few times?

2 ATTORNEY BRIAN GROSSMAN: Sure.

3 THOMAS ANNINGER: I see.

4 STEVEN WINTER: What is the function
5 of the air circulation?

6 ATTORNEY BRIAN GROSSMAN: The panel
7 antennas need that to avoid overheating.
8 They have to be kept at a maximum
9 temperature.

10 STEVEN WINTER: Oh, okay.

11 PAMELA WINTERS: It seems
12 significantly bigger.

13 H. THEODORE COHEN: What building is
14 that?

15 THOMAS ANNINGER: I don't know where
16 Sherman Street is.

17 PAMELA WINTERS: I know where
18 Sherman Street is. It's where the other
19 Italian restaurant is and with the brick --

20 LIZA PADEN: This is where the Gusto
21 Restaurant is on Sherman Street. This is

1 the --

2 H. THEODORE COHEN: That building?

3 LIZA PADEN: Yes.

4 H. THEODORE COHEN: The brickyard?

5 PAMELA WINTERS: The brickyards?

6 LIZA PADEN: Yes, that's Sherman

7 Street.

8 THOMAS ANNINGER: Thank you.

9 PAMELA WINTERS: And is that that
10 building, Liza?

11 LIZA PADEN: Yes.

12 PAMELA WINTERS: Okay.

13 H. THEODORE COHEN: So I think you
14 actually can't see that except probably from
15 the field and from the parking area in this
16 view.

17 HUGH RUSSELL: So one of those
18 viewed from Sherman Street itself?

19 ATTORNEY BRIAN GROSSMAN: I'm sorry?
20 That's the map of the photo location.

21 HUGH RUSSELL: Can you zoom in on

1 that? Because I can't see it.

2 ATTORNEY BRIAN GROSSMAN: Sure.

3 HUGH RUSSELL: So Sherman's Street
4 got the yellow line running down it. And
5 it's located sort of in the middle of the
6 building.

7 THOMAS ANNINGER: Can I make a
8 comment?

9 I think a faux chimney works when it
10 looks like a faux chimney. I mean it looks
11 like a real chimney. The proportions of this
12 chimney are no longer recognizable as a -- as
13 something sticking out of the roof. It's
14 girth is expanded considerably and now it
15 looks obese.

16 So I --

17 PAMELA WINTERS: I agree with you,
18 Tom.

19 STEVEN WINTER: Tom, are you
20 indicating it looks more like a mechanical
21 shed than the faux chimney?

1 THOMAS ANNINGER: Now Ted is
2 probably right, maybe you have to walk around
3 to find it, but I'm not so sure. I wonder
4 what other options there are besides the
5 chimney approach, the stealth chimney. I
6 know that at least, I think -- you haven't
7 said this, but I think you've done that
8 because we have in the past been drawn to
9 stealth chimneys as a solution to this. This
10 might be stretching it. Maybe there are
11 other ways of approaching this that might be
12 more discrete?

13 HUGH RUSSELL: So you can't mount on
14 the facade because there isn't enough facade
15 to mount on; right?

16 THOMAS ANNINGER: But even two
17 chimneys might be better than one. Is the
18 girth because you have multiple things going
19 on in there or because something is very
20 large?

21 ATTORNEY BRIAN GROSSMAN: It's a

1 little bit of both. I mean, you do have the
2 three panel antennas that are all congregated
3 together, they each need that separation for
4 inner circulation from the sides of the
5 proposed faux chimney. So if you break them
6 up, you may not get a significant gain
7 because they are clustered together. It
8 might make each one slightly smaller. But
9 even something like a faux vent pipe might be
10 about 30 inches round to accommodate that.
11 To accommodate a single antenna. So if you
12 broke it up to try to view that as a faux
13 vent pipe, you know, something that's not 30
14 inches around. I'm sorry, 30 inches in
15 diameter.

16 THOMAS ANNINGER: This doesn't look
17 like 30 inches. This looks twice that.

18 ATTORNEY BRIAN GROSSMAN: The
19 chimney -- the existing chimney is two and a
20 half feet by two and a half feet, and it goes
21 up to four feet by four feet with the

1 proposal .

2 STEVEN WINTER: If I can then
3 continue with what we spoke about.

4 ATTORNEY BRIAN GROSSMAN: Sure.

5 STEVEN WINTER: The girth of this
6 faux chimney and the safety in response to
7 the heat that's created by the equipment and
8 so there must be space farther apart to avoid
9 creating enough heat to cause a fire; is that
10 right?

11 ATTORNEY BRIAN GROSSMAN: No, it's
12 not a fire hazard. It's a venting for the
13 antenna. The antennas exceed a certain
14 temperature.

15 STEVEN WINTER: So the equipment
16 itself becomes hot then it malfunctions.

17 ATTORNEY BRIAN GROSSMAN: Correct.

18 STEVEN WINTER: It's not that the
19 building would burn?

20 ATTORNEY BRIAN GROSSMAN: Correct.

21 (William Tibbs Seated.)

1 STEVEN WINTER: Okay.

2 HUGH RUSSELL: How tall is the
3 chimney on the roof?

4 ATTORNEY BRIAN GROSSMAN: It's 10
5 feet.

6 HUGH RUSSELL: Is the existing
7 actual view a photograph or a simulation?

8 ATTORNEY BRIAN GROSSMAN: All of the
9 existing views are an actual photograph --
10 all of the photographs labeled existing are
11 photographs of the existing conditions.

12 THOMAS ANNINGER: Well, I guess I'd
13 like to suggest that we ask if there are
14 other ideas, that the engineer and the design
15 people, architects let's call them, might
16 come up with as an alternative to this. I
17 think this is a bad precedent. I think we're
18 going to look for trouble if we start to
19 allow chimneys to grow.

20 STEVEN WINTER: Tom, can you --
21 could we specifically tell the gentleman the

1 cri teri a that di sturbed us so that he can
2 take that back to hi s desi gners?

3 HUGH RUSSELL: I think i t' s the
4 physi cal di mensi on of the chi mney whi ch i n
5 perspecti ve has -- looks l ike i t' s about si x
6 feet wi de because of you see si gns of i t.
7 Because of the perspecti ve you actual ly see
8 si x feet of bri ck and i t' s not convi nci ng as
9 a chi mney anymore, al though actual ly i t mi ght
10 -- you know, bi gger and smal l er chi mneys.
11 The Longfel low School has a chi mney and i t' s
12 about ei ght feet square.

13 So one opti on woul d be to break i t up
14 i nto three separate encl osures and separate
15 them. I assume they can be separated
16 somewhat?

17 ATTORNEY BRIAN GROSSMAN: The
18 antennas themsel ves, they don' t have to be
19 cl ustered together to -- they j ust have to be
20 poi nti ng i n thei r own parti cul ar (I naudi bl e).

21 HUGH RUSSELL: If you spread them

1 around the roof, then at any given point of
2 view one of them might be prominent and the
3 others might be less. Or maybe they --

4 ATTORNEY BRIAN GROSSMAN: We can
5 explore that.

6 PAMELA WINTERS: Bill made an
7 interesting comment that the actual structure
8 was not, it's not in proportion to the
9 building. It doesn't aesthetically look
10 right to the building. It's too big for the
11 building.

12 ATTORNEY BRIAN GROSSMAN: The
13 proposed in terms of the size?

14 PAMELA WINTERS: Yes.

15 WILLIAM TIBBS: If you look at this
16 from a design perspective, I mean I'm kind of
17 late to this, but I was flipping through some
18 of the ones here and my reaction was oh, my
19 God. And so I think the --

20 ATTORNEY BRIAN GROSSMAN: The ones
21 you're flipping through there are the next

1 one.

2 WILLIAM TIBBS: I'm sorry. But in
3 general the goal is when you look at these
4 things, just look at the -- yes, look at the
5 building and just try to do something that
6 proportionally looks reasonable. I think
7 sometimes you focus too much on just your
8 equipment and hiding it as opposed to looking
9 at how it really looks on the building
10 itself. And maybe some, you know -- that's
11 in terms of we can't design it for you, but
12 that really has to be a criteria as to, you
13 know, how does this look.

14 HUGH RUSSELL: Okay, so we're -- we
15 can communicate that to the Zoning Board on
16 this case and go on to 678 Mass. Avenue.

17 (Ahmed Nur Seated.)

18 HUGH RUSSELL: And as I recollect,
19 our concern was not with the antennas mounted
20 on the back of the building, but the antennas
21 mounted above the roof on the front. When I

1 think of this package, we've been given there
2 maybe eight or ten different ideas starting
3 about five or six pages in. And so I have --
4 there's a different option, slightly
5 different option, that occurred to me and to
6 Pam, a few in these pages. The first
7 observation was Pam's observation that we try
8 to decide what color the things above the
9 roof should be, but maybe picking up on the
10 spandrel color, the terra-cotta that's sort
11 of a tan color might be a good idea.

12 PAMELA WINTERS: I think it's more
13 grey, greyish color kind of, I don't know.

14 HUGH RUSSELL: Right. Some -- and
15 as you look through these, the ones that are
16 white stand out, the ones that are black
17 stand out.

18 PAMELA WINTERS: Black is bad.

19 HUGH RUSSELL: And the ones that are
20 intermediate in color, which includes sort of
21 the existing condition photo, seem to be the

1 least conspicuous.

2 The second idea is -- I would
3 contribute is if you go to one of the options
4 that shows four antennas without any shrouds
5 or enclosures. And on one note I understand
6 that these antennas face in two different
7 directions; the one on the left sort of look
8 off down one way down Mass. and then one on
9 the right look the other direction. And my
10 question is: Could they all be mounted in a
11 straight line rather than in this array? I
12 think if they were in a straight line, they
13 would be less -- they would look more
14 organized.

15 PAMELA WINTERS: Yes.

16 AHMED NUR: Want it to be one more
17 perspective.

18 HUGH RUSSELL: Now, I don't know
19 whether that's technically impossible to do
20 that, whether they have to be exactly -- the
21 two antennas in a sector can be offset from

1 each other very slightly or whether that
2 causes problems.

3 ATTORNEY BRIAN GROSSMAN: The
4 problem you would run into there is you end
5 up, one sector or the other ends up being
6 sacrificed in that you have it set back too
7 far. Because remember, the azimuths -- each
8 antennas are pointing on an angle. So you
9 either -- the carry you would get from that
10 location to the roof edge would be too great.
11 So they need to be up closer on the roof edge
12 otherwise you get shadowing and you don't get
13 the propagation that you're looking for in
14 terms of the overall network and that the
15 network needs. And so you do need some
16 minimum distance to the roof edge to avoid
17 that.

18 HUGH RUSSELL: I guess what I'm
19 suggesting is that you pick the average
20 distance on a roof edge and set them all at
21 that distance.

1 ATTORNEY BRIAN GROSSMAN: That
2 woul dn' t work that way ei ther. Then nei ther
3 sector woul d perform because the di stance for
4 ei ther woul d be too great. You can' t just
5 average i t out. Each one has i ts own --

6 HUGH RUSSELL: Wel l, two of them
7 woul dn' t change at al l. Two of them are
8 actual l y the same di stance on the roof. Thi s
9 one on the l eft --

10 THOMAS ANNINGER: The fi rst and the
11 thi rd.

12 HUGH RUSSELL: The fi rst and the
13 thi rd. My suggesti on i s to move the second
14 back and the fourth up.

15 H. THEODORE COHEN: Wel l, i n one of
16 your photo si ms wi th the whi te box you al so
17 have four antennas cl ustered ri ght i n front
18 of the box on two si des. I mean they seem a
19 di fferent confi gurati on than the others.

20 PAMELA WINTERS: Does the box bel ong
21 to you al so?

1 THOMAS ANNINGER: Sure.

2 ATTORNEY BRIAN GROSSMAN: Which box?

3 HUGH RUSSELL: I think that was
4 started to make a faux roof structure that --

5 PAMELA WINTERS: Oh, sorry.

6 HUGH RUSSELL: Which isn't the bad
7 idea except you would never have a roof
8 structure in that so close to the corner of
9 the building, so it doesn't -- so it sort of
10 looks funny.

11 H. THEODORE COHEN: But I'm just
12 curious, you know, because it seems to me
13 here you've got the four antennas plus the
14 box. And I'm trying to figure out is there
15 then anything in that box? That one, yes.

16 ATTORNEY BRIAN GROSSMAN: That's an
17 existing penthouse.

18 THOMAS ANNINGER: No, no, no.

19 LIZA PADEN: No, to the right.

20 H. THEODORE COHEN: To the right.

21 ATTORNEY BRIAN GROSSMAN: This?

1 H. THEODORE COHEN: The inset of.

2 ATTORNEY BRIAN GROSSMAN: This?

3 That's not an existing box. That's one of
4 the proposals.

5 H. THEODORE COHEN: No, I understand
6 that. But you have four antennas outside the
7 box.

8 ATTORNEY BRIAN GROSSMAN: Yes.

9 H. THEODORE COHEN: Is there
10 anything in the box?

11 ATTORNEY BRIAN GROSSMAN: No.

12 H. THEODORE COHEN: So that was just
13 there as a structure to put them on?

14 ATTORNEY BRIAN GROSSMAN: Yes.

15 Because similar to -- there's an option
16 similar to that that splits them up. And
17 because of the way those look, one of the
18 other options was okay, well maybe if we
19 combined them together.

20 H. THEODORE COHEN: But in that one,
21 then your four antennas are in the box?

1 ATTORNEY BRIAN GROSSMAN: Correct.

2 H. THEODORE COHEN: And then the
3 other one we were looking at, the box was
4 empty but it was just there to hold them.

5 ATTORNEY BRIAN GROSSMAN: Right.
6 But it gave you something, it gave a
7 background for the antennas and allowed us to
8 mass everything as small as possible.
9 Because again, if we actually put them in the
10 box, that box would have to grow much larger
11 than it is because of the air circulation.

12 H. THEODORE COHEN: All right. Now
13 in the black one, I can't tell from this, but
14 in the black one, are they also just sitting
15 on the box? That one.

16 ATTORNEY BRIAN GROSSMAN: That one,
17 yes.

18 THOMAS ANNINGER: Let me make a
19 comment. I think Hugh is right, that of the
20 different options the best by far is the four
21 relatively narrow, thin antennas just

1 sticking up. However, this is Central Square
2 which we are now focusing on, and this is the
3 heart of Central Square, and this is a
4 building of design and decoration, and in the
5 past when there are what we might call
6 significant buildings, when I think of
7 Harvard and its library in Neighborhood 10 in
8 Western Cambridge, we asked them to go back
9 to the drawing board and find another
10 location, which they then proceeded to do. I
11 for one am not quite willing to give up on
12 this because I think it's a significant
13 corner in a place that we are now trying to
14 improve on, and I don't see this as helping
15 us. So I'm rather on the negative side of
16 this one.

17 ATTORNEY BRIAN GROSSMAN: Even with
18 this proposal, which doesn't have any of the
19 additional camouflaging techniques that we've
20 shown in some of the other options, a couple
21 things all of the designs do are one, push

1 back the existing antennas. The existing
2 antennas are almost right up, the two nearest
3 the corners are almost right up on the roof
4 edge. So we have pushed them back to help
5 minimize the profile somewhat. And in each
6 of the options, if you go back to the first
7 kind of proposed, that just shows it being
8 pushed back. But as you see, you still have
9 the existing cross piece. And then the
10 subsequent options were at least getting rid
11 of that to help try and minimize the overall
12 visual profile.

13 HUGH RUSSELL: It was a suggestion
14 that Ahmed made and probably the last time we
15 met, which was to somehow relate to the
16 architecture of the building better. And so
17 here I'm gonna offer a suggestion. You take
18 the two antennas that are on the left and you
19 move them over.

20 ATTORNEY BRIAN GROSSMAN: These two?

21 HUGH RUSSELL: Two on the left, and

1 you move them over so they're nicely aligned
2 with that little bump.

3 PAMELA WINTERS: Right.

4 HUGH RUSSELL: So they're hiding
5 behind that bump. Of course they're not
6 hiding because they're taller, but slide
7 those over.

8 ATTORNEY BRIAN GROSSMAN: This?

9 LIZA PADEN: Hugh, you want this?

10 THOMAS ANNINGER: Well, just the
11 aligning with the vertical lines.

12 HUGH RUSSELL: So take these two
13 antennas and line them up with that thing.

14 THOMAS ANNINGER: And the other two?

15 HUGH RUSSELL: Take these two, and
16 line them up with the similar feature that's
17 got to be over there that we can't see,
18 because that way each one is pointing to the
19 general direction it's trying to serve, but
20 they actually are separated, and each group
21 has got some relationship to the architecture

1 of the building. Now maybe I've completely
2 screwed up your idea.

3 AHMED NUR: No, no, I think that's
4 the idea is to see if this somehow -- but
5 this building as Tom's mentioned is a
6 building that's filled with great design and
7 architectural facades. And, you know, this
8 is a short-term and we're going to see it
9 week after week after week. And I think in
10 my case I'm really blind. I'm not a
11 communication engineer or an electrical
12 engineer to figure out relying on this
13 gentleman to figure out exactly where we can
14 put this stuff. And I think that the City of
15 Cambridge should look into really an
16 engineering department and figure out and
17 give us a cross-sectional area where we can
18 put these things. We keep on asking the
19 questions and they'll tell us oh, no, we
20 can't do that, can't do this and can't do
21 that. And these things are just going to

1 keep on coming on top of the buildings. And
2 I forgot to mention when I was in London, I
3 seriously looked for them all over the place.
4 Pickering Square, beautiful sandstone
5 buildings. Not a single antenna up. And the
6 cellphone communications was clear, you know.
7 And so, you know, we have to figure something
8 out. This is just going to keep on coming at
9 us.

10 PAMELA WINTERS: Where do they put
11 them, Ahmed? I'm just curious.

12 THOMAS ANNINGER: It's a European
13 system. It's a different system.

14 AHMED NUR: It's a different system.

15 PAMELA WINTERS: Oh, okay.

16 AHMED NUR: So maybe we can adopt
17 that system or maybe we can force the makers
18 or the manufacturers to give us a bigger area
19 to work with. But we can't have these
20 things, you know -- yes, for now we could
21 figure out to, like Tom said maybe line them

1 up with the vertical spandrels, like you
2 said, but he's going to tell you it's
3 blocking the magnetic field.

4 PAMELA WINTERS: So I just have a
5 quick question and it may have been asked
6 before while I was thinking of something
7 else, you can't put two of the antenna on
8 that little box and then two on the other
9 side?

10 ATTORNEY BRIAN GROSSMAN: No, that
11 existing penthouse is not available to
12 T-Mobile. We've asked the landlord.

13 PAMELA WINTERS: Oh.

14 HUGH RUSSELL: It's owned by
15 somebody else?

16 ATTORNEY BRIAN GROSSMAN: There are
17 antennas on the other side. So it's a map,
18 it would need the separation anyway. But we
19 have asked the landlord that's facing us in
20 that picture, and the response was that
21 that's not available.

1 PAMELA WINTERS: Is that because
2 there's another company that's using it?

3 ATTORNEY BRIAN GROSSMAN: I -- there
4 wasn't a reason given other than it wasn't
5 available.

6 PAMELA WINTERS: Oh, okay.

7 HUGH RUSSELL: All right. I mean,
8 that's actually not a very good answer
9 because while you make revenue providing
10 service to us, at the same time you pay the
11 landlord significant fees for the sites for
12 the antennas. And if the landlord should get
13 the idea that his choice is no antenna and no
14 fees, or freeing up that side of the
15 penthouse, he might have a different point of
16 view. And it kind of -- what I'm hearing
17 from my colleagues is you're not as inclined
18 as I am to try to do the best you can and
19 want it to be better.

20 PAMELA WINTERS: Yes.

21 WILLIAM TIBBS: Definitely.

1 HUGH RUSSELL: So if technically
2 that's an option, then it's an option that I
3 think we would very much want to see pursued.

4 ATTORNEY BRIAN GROSSMAN: It's not
5 an available option to us. T-Mobile doesn't
6 have the authority. I mean there isn't an
7 eminent domain on the part of T-Mobile to
8 tell them we're taking that spot.

9 HUGH RUSSELL: Okay, well, then we
10 say to the Zoning Board well, they're
11 unwilling -- they're unable to negotiate a
12 place to put the antennas in a proper place
13 so we recommend that you disapprove this
14 application. I think that's what we're
15 saying.

16 PAMELA WINTERS: That's what we're
17 saying.

18 AHMED NUR: Yes, that's what we're
19 saying.

20 HUGH RUSSELL: Now, if you want that
21 recommendation, that's what you'll get.

1 ATTORNEY BRIAN GROSSMAN:

2 Mr. Chairman, I'm not trying to be
3 argumentive. I'm just saying -- you know, I
4 just want to -- it's not necessarily an
5 unwillingness on T-Mobile's part to make that
6 work. If it's not available to T-Mobile,
7 even if we request it, even if we try and
8 negotiate it, and the answer is just no,
9 that's not something T-Mobile has the
10 authority to just unilaterally change.
11 That's my only point.

12 HUGH RUSSELL: I understand that
13 you're going to --

14 ATTORNEY BRIAN GROSSMAN: I'll take
15 it back what the Board has said tonight and
16 go again back to the landlord and say, look,
17 this is a serious concern. This is where we
18 are. But I just don't want it to seem like
19 T-Mobile comes back and says, look, it's just
20 not available to us, that that's something
21 that we're just not unwilling to do. It's

1 something that may s not be available to us.
2 That's all I'm saying. And there's a
3 difference there.

4 HUGH RUSSELL: Who owns the
5 building?

6 LIZA PADEN: Do you have a copy of
7 the application? Because it will have the
8 ownership certificate in it.

9 H. THEODORE COHEN: I mean, I
10 understand what you're saying, but if you go
11 back to the landlord, the owner of the
12 building, and that person's option is losing
13 the income for that he's getting now because
14 the ZBA won't approve the proposal versus
15 agreeing to let you put them on the other
16 structure, he may have a different point of
17 view about it. So, I understand that you
18 don't have the power to take it by him and
19 you can only do what the landlord will let
20 you do. But this may be a spur to the
21 landlord to let you do what we're suggesting

1 might be a better alternative.

2 ATTORNEY BRIAN GROSSMAN: I
3 understand.

4 HUGH RUSSELL: And I don't think
5 this is necessarily something that you have
6 to fight on your own. I think it's something
7 that the Department could get involved in and
8 maybe communicate with the landlord and
9 explain to them what the city interest is.
10 And the reason I asked who owned it is
11 because it's been owned by a variety of
12 different people over time. At one point I
13 think it was owned by Graham Gund.

14 THOMAS ANNINGER: This building?

15 HUGH RUSSELL: Yes.

16 LIZA PADEN: No. It's owned by 678
17 Mass. Avenue, LLC. And I don't recognize who
18 the agent is. It's not a name I know.

19 HUGH RUSSELL: Right. But I'm
20 almost certain that Graham got a hold of this
21 building --

1 L I Z A P A D E N: He di d.

2 H U G H R U S S E L L: Yes.

3 L I Z A P A D E N: Yes.

4 H U G H R U S S E L L: And, you know, if it
5 was Graham Gund sayi ng I won' t do i t, I thi nk
6 he woul d l i s t e n t o u s.

7 L I Z A P A D E N: Yes.

8 H U G H R U S S E L L: Because he' s a very
9 reasonabl e man. And very the i n t e r e s t e d
10 i n --

11 T H O M A S A N N I N G E R: And obvi ousl y
12 desi gn ori ented.

13 H U G H R U S S E L L: Yes. And Graham Gund
14 i s an archi tect and owner i n the ci ty.
15 Archi tects all over the country.

16 Okay, so we are one out of three.
17 We' re sorry about that, but that' s the way i t
18 i s.

19 So I guess we woul d report to the
20 Zoni ng Board that the Board i sn' t sati sfi ed
21 wi th any of the opti ons and has asked the

1 applicant to work on other ideas.

2 AHMED NUR: And to go beyond that,
3 actually, to see if we could actually have
4 staff help us to try to figure out how do we
5 get hold of the specs on these things so that
6 way if not us, an expert could communicate to
7 us and how do we work with these antennas in
8 the future.

9 HUGH RUSSELL: I guess my feeling is
10 this is a matter of such high technical
11 rapinous that there aren't simple rules that
12 -- and so I've given up on the idea of trying
13 to understand it very well and say their
14 engineers are going to be -- I take it you're
15 not an engineer.

16 ATTORNEY BRIAN GROSSMAN: I am not.

17 HUGH RUSSELL: Right. The engineers
18 are studying this, they're coming up with
19 recommendations. They're trying to do the
20 best they can for the customer, you know, get
21 the best --

1 AHMED NUR: But what I would like to
2 know if we can rent a room for them, open the
3 window, who cares. I don't care. All the
4 bank machines are rented rooms or whatever.
5 So if it's a height and an azimuth angle, I'm
6 sure there's a room there. Why does it have
7 to be in the roof? You just, I don't know
8 anything about it. And I -- every time I
9 come down here and talk about this, I feel
10 like an idiot.

11 PAMELA WINTERS: As I do.

12 AHMED NUR: You know?

13 WILLIAM TIBBS: Also, I kind of look
14 at it from even a broader context in this
15 instance. This is such a critical
16 infrastructure, turning out to be an
17 infrastructure piece of the city that we
18 should think of the broad framework as to how
19 to best deal with this and have other cities
20 dealt with this and do they have a more, do
21 the cities help to get a more thought out

1 approach so that all the various companies
2 can do something? I think you're looking at
3 areas of coverage and where they are and how
4 you do that. I'm not quite sure how you do
5 that, but I think just -- it is, it's like in
6 the old days when they used to have poles
7 with billions of telephone wires all over
8 them. At some point the cities said that's
9 not acceptable and they look at the framework
10 from which you can do that.

11 THOMAS ANNINGER: I'll give you a
12 partial answer, Bill. I think over time we
13 have developed on a case-by-case basis
14 principles. And the one that I think is at
15 play here is that prominent locations require
16 a higher standard. If it's a warehouse in a
17 back water, our -- we lower our guard. But
18 this is at the corner of the crux of Central
19 Square and is the peak corner.

20 WILLIAM TIBBS: Yes, a prominent
21 corner.

1 THOMAS ANNINGER: And, therefore, we
2 look to a high standard to satisfy us. I see
3 nothing -- I think that fits with what you're
4 saying.

5 WILLIAM TIBBS: Uh-huh.

6 HUGH RUSSELL: Okay, thank you very
7 much, Brian.

8 Are there any other cases that you
9 would like to bring to our attention, Liza?

10 LIZA PADEN: I don't have any other.

11 HUGH RUSSELL: That was my reading
12 of the cases, too. They're all sorts of
13 cases the Zoning Board ordinarily deals with.

14 LIZA PADEN: Okay.

15 HUGH RUSSELL: Okay. So then we
16 will have the next item on our agenda is an
17 update from Brian.

18 BRIAN MURPHY: Thank you. We first
19 start with a few orders of business in terms
20 of some committee hearings that are coming up
21 on the Council side. This Friday, October

1 19th, the tandem Operations Committee has a
2 hearing to discuss community benefits.

3 On October 24th the Ordinance Committee
4 will have a hearing on Trolley Square at four
5 p.m.

6 And on November 14th, Ordinance
7 Committee at 4:30 will be hearing the Patty
8 Chen, Et. Al. Petition for the changes and
9 use limitations in the Central Square Overlay
10 District. This is essentially All
11 Asia/Valkyrie issue on Prospect Street.

12 The other piece I should let you know
13 is that some of you may be aware that there
14 are changes in the Cambridge Redevelopment
15 Authority, and for now Susan Glazer
16 administrator of CDD is acting as the Interim
17 Executive Director of the Cambridge
18 Redevelopment Authority. So if there are any
19 questions, Susan can help you.

20 HUGH RUSSELL: Congratulations.

21 BRIAN MURPHY: You may want to have

1 a question mark in your voice with that.

2 October 30th hearing for the Planning
3 Board as of now we have tentatively scheduled
4 a continuation of 165 CambridgePark Drive and
5 54R Cedar Street. And as well under general
6 business Kendall Square update, bike parking,
7 Sanofi sign variance for the BZA, and
8 entrance review for Planning Board 231A.

9 November 20th is the aforementioned
10 Chen Petition. And we will also have
11 hearings on December 4th as well as December
12 18th.

13 February 5th is also scheduled for now
14 as the Town Gown reports.

15 HUGH RUSSELL: Okay, thank you.

16 Are there meeting minutes to be
17 adopted? She stepped out. We can come back
18 to that.

19 So, the next item is a public hearing
20 of the City Council proposal to amend the
21 Zoning map in the area known as North

1 Cambridge Trolley Yards from the current
2 Business A-2 to Residence C-2B. And it's
3 Mr. Jennings.

4 TAHA JENNINGS: If I set up an
5 easel, is there an area you prefer?

6 HUGH RUSSELL: I think where the map
7 is that way everybody in the room has a
8 chance to see it.

9 So is this a petition that we already
10 -- we submitted to the Council or has it been
11 changed?

12 TAHA JENNINGS: It's been re-filed
13 by the Council. The Planning Board didn't
14 have public hearings on this petition in
15 particular because I think it was --
16 procedurally there are probably staff that
17 could answer better. But staff, in the
18 summer, had meetings to allow for additional
19 meetings.

20 BRIAN MURPHY: This was a subarea
21 within the initial North Cambridge North

1 Mass. Ave. discussion that sort of felt like
2 it called for additional discussion. And I
3 would also even guess that there's probably
4 still more discussion that takes place, I
5 would be -- it would not surprise me if this
6 ended up being re-filed yet again as it gets
7 honed a little bit.

8 HUGH RUSSELL: Okay, that's helpful
9 to know what we're trying to do tonight.

10 BRIAN MURPHY: Yes.

11 TAHA JENNINGS: Thank you. My name
12 is Taha Jennings. I'm a neighborhood planner
13 with the City of Cambridge Community
14 Development Department. I'm here tonight to
15 talk about the Trolley Square Zoning Map
16 Change Petition which is before you. The
17 petition and proposed map change is a result
18 of a recommendation that came out of a study
19 process to look at ways to improve the
20 character of Massachusetts Avenue and North
21 Cambridge. And something we heard during

1 that process was a desire to look at the
2 current Business A-2 Zoning District
3 boundaries where they extend out passed the
4 typical 100 feet from Massachusetts Avenue
5 and into more residential areas. Trolley
6 Square is one of the areas where this
7 happens. And, staff, during the process, had
8 suggested and ultimately submitted a petition
9 for a map change for parcels in the Trolley
10 Square area that are more than a hundred feet
11 from Massachusetts Avenue that would rezone
12 those parcels from a Business A-2 District to
13 a Residence C-2B District.

14 The Residence C-2B District allows
15 residential uses at a similar density to
16 what's currently allowed under the Business
17 A-2 District. However, there are some
18 slightly stricter setback and open space
19 requirements in the Residence C-2B Zone.

20 The other and really primary difference
21 is that the Residence C-2B District generally

1 only allows residential uses while the
2 Business A-2 district allows a wider range of
3 uses including office and retail.

4 During the North Mass. Ave. process
5 there wasn't a lot more in-depth discussion
6 about this area in particular, however, since
7 the time that the petition was originally
8 filed, we've had the opportunity to have
9 discussions with property owners, neighbors,
10 and abutters affected by the potential Zoning
11 change and get more of a sense of the issues
12 and concerns with both the current and
13 proposed Zoning here.

14 And as we've had those discussions and
15 as we've looked closer at the area and the
16 Zoning change, we felt that there are
17 considerations that should be taken into
18 account, additional considerations that
19 should be taken into account when thinking
20 about a Zoning change in this area. When --
21 if, Stuart, you can put up the other map?

1 STUART DASH: Sure.

2 TAHA JENNINGS: When we look at this
3 area, there are really three locations, each
4 with their own set of issues that should be
5 addressed. The first and largest is -- are
6 the -- or is the MBTA trolley yard. As most
7 of you know, it's -- right now currently used
8 as storage and for maintenance of the MBTA's
9 trackless trolleys. We don't have any
10 indication that the MBTA has any plans to
11 change that use or to do anything with the
12 site in the near future. However, it is a
13 relatively large site. It is mostly
14 landlocked by other properties with the
15 exception of some limited frontage along
16 Massachusetts Avenue. And it would seem to
17 make sense that a parcel such as this, it
18 would be appropriate in the long term future
19 to think about more residential uses as
20 opposed to the wider range of uses that are
21 allowed under current zoning.

1 The Residence C-2B District, however,
2 that's proposed does allow heights of up to
3 45 feet which is higher than the existing and
4 allowed heights in the adjacent Residence B
5 Zone. So that does bring up some issues of
6 impacts and appropriate transitions
7 particularly along the eastern, I guess would
8 be the eastern edge of the parcel here where
9 it abuts a Residence B Zoning District and
10 smaller existing structures.

11 You may notice in this map and in your
12 handouts the property pretty much extends
13 into Linear Park. It extends passed the
14 boundaries of Linear Park on the eastern and
15 western edges resulting in basically a
16 narrowing of Linear Path here. And if we're
17 looking at Zoning options, we think it makes
18 sense to consider Zoning options that might
19 help facilitate turning this portion of the
20 lot into open space or even public open space
21 at some point in the future.

1 The next kind of subarea is across
2 Linear Park on the western side of Elmwood
3 Street, and it's mostly occupied by an active
4 auto body shop. And considerations for this
5 area really have as much to do with what's on
6 the site now as what could happen there.
7 Right now the buildings associated with the
8 auto body shop are about 20 to 30 feet in
9 height, which is consistent with the adjacent
10 residential buildings. But the buildings are
11 built right to the property line so there's
12 really no setbacks to the adjacent
13 residential properties. But, again, right
14 now the heights are generally under 30 feet.
15 And, again, their Residence C-2B District
16 that's proposed would allow heights up to 45
17 feet here which is higher than the adjacent
18 uses. So you have those same issues with
19 potential impacts and appropriate
20 transitions. You also have a little less
21 room here to deal with the setbacks than you

1 would on the trolley yard site. The
2 Residence C-2B District has what are formula
3 setbacks, so it's really based on the -- I
4 couldn't tell you the exact number of feet
5 that would be required, but it depends on the
6 dimensions of the building that would be
7 located there.

8 Another consideration that we thought
9 about when looking at here, and it's hard to
10 tell how much of an issue it is at this
11 point, is potential contamination issues as a
12 result of current and past uses on the site.
13 That's important to consider because any
14 redevelopment of those parcels would probably
15 involve some kind of clean-up and costs
16 associated with clean-up here. And that's
17 something to consider if there's a strong
18 desire to see a change of use here. It's
19 important to consider what's allowed or what
20 can happen under, you know, any Zoning.

21 Finally the last location is a parking

1 lot which is an accessory to a mixed use
2 development that's really located mostly
3 within Somerville with the exception of a
4 small corner of the building here. This
5 parking lot doesn't abut any residential
6 uses. As I said, it's associated already
7 with a mixed use, mixed uses on the rest of
8 the lot which is within Somerville. So from
9 the city's perspective, we didn't really see
10 a compelling reason to rezone this to an
11 exclusively residential district. And in
12 fact, with the site like this, with frontage
13 along Linear Park, it may make sense to have
14 the opportunity to allow some kind of small
15 scale retail that could serve uses of Linear
16 Park here.

17 So this site is really, probably
18 impacts other neighbors and abutters at least
19 in Cambridge, the least amount.

20 So taking all of these things into
21 consideration, we feel that it probably makes

1 sense to look further into Zoning options
2 that could address these issues in a more
3 comprehensive way as opposed to only using
4 the C-2B Zone for the entire area. But we do
5 want to hear what your thoughts and comments
6 are on what we've talked about and on the
7 petition, and we'll be happy to answer any
8 questions you have.

9 Thank you.

10 HUGH RUSSELL: Thank you.

11 Yes, Ahmed.

12 AHMED NUR: And I just had a quick
13 question. So the owners, MBTA are willing to
14 sell this place back to the city or how do
15 you suppose?

16 TAHA JENNINGS: No, no. We don't
17 have any indication that they would be
18 willing to do that. There are Zoning options
19 that have been used in other areas where you
20 have potential open space pathways that are
21 privately owned. Staff can speak more in

1 detail about the specific Zoning language
2 that would be used in a situation like that,
3 but we could still Zone it how we felt
4 appropriate.

5 AHMED NUR: Right. And the other,
6 you talked about a clean-up might be
7 necessary for that upper area where Dick's
8 Auto Body is?

9 TAHA JENNINGS: Yes, and that's only
10 based on speculation on the uses that are
11 there. I have no data about the site or the
12 conditions on the site, and it probably
13 wouldn't come up unless the property was
14 going to be actually redeveloped. But it is
15 something to consider because if you want to
16 create an incentive for a site like that to
17 change, you have to consider what's going to
18 make it worth it for someone to actually do
19 that.

20 AHMED NUR: I was just going to say
21 from experience we -- usually soil needs to

1 be cleaned up under the trolleys, the
2 hydraulics.

3 TAHA JENNINGS: That could be an
4 issue there as well.

5 AHMED NUR: Yes, okay.

6 HUGH RUSSELL: Yes, Bill.

7 WILLIAM TIBBS: I have somewhat of a
8 follow up on Ahmed's question. When you said
9 you talked to the owners, did you talk to
10 specific owners of these parcels and
11 particularly the state? Are they favorable
12 to this change or did you get any sense of
13 their concern about it?

14 TAHA JENNINGS: The state we did not
15 talk to, but I have no sense of their, you
16 know, favorability to this change.

17 WILLIAM TIBBS: What about Dick's
18 and the --

19 TAHA JENNINGS: Yes, I've spoken to
20 the woman who now runs Dick's Auto Body.
21 She's interested in having the use being able

1 to continue. Right now it's a non-conforming
2 use under current Zoning so this change
3 wouldn't change that at all. We've spoken to
4 the reps from the mixed use development here
5 in Somerville as well, and they've given a
6 lot of thought about how they see the future
7 of their property, and particularly that
8 parking lot, and would like to have the
9 option of mixed uses remain there.

10 HUGH RUSSELL: Steve.

11 STEVEN WINTER: Just a quick
12 question. Does Dick's Auto Body, does it
13 cover all three of the structures that we see
14 within the red line?

15 TAHA JENNINGS: I don't believe so.
16 The last building here I think is a separate
17 building. It's not totally within the A2
18 Zone either, so it's kind of -- the building
19 is actually in a mix. It's a split lot.

20 STEVEN WINTER: Crossing city lines
21 also?

1 TAHA JENNINGS: I don't know if it
2 actually crosses city lines. There is a
3 little sliver that's Residence B still
4 actually.

5 STEVEN WINTER: Okay, thank you.

6 TAHA JENNINGS: Yes.

7 HUGH RUSSELL: Oh, my.

8 All right, should we go to the public
9 testimony portion?

10 PAMELA WINTERS: Sure.

11 HUGH RUSSELL: First person on the
12 list is Michael Brandon.

13 MICHAEL BRANDON: Thank you,
14 Mr. Chairman. Good evening to you and
15 members of the Board. Thanks for hearing me.
16 I'm Michael Brandon, 27 Seven Pines Avenue,
17 and I'm speaking tonight on behalf of the
18 North Cambridge Stabilization Committee of
19 which I am the clerk.

20 The stabilization committee has
21 discussed the proposed Trolley Square

1 rezoning map change and last week voted
2 unani mously to oppose the recommended
3 Residence C-2B Di strict. It woul d prohi bi t
4 ground floor retail and consumer servi ce uses
5 in parts of Trol ley Square rather than
6 promoti ng them, whi le simul taneousl y openi ng
7 the door to unwanted hotel and motel uses and
8 to dense housi ng proj ects near upper North
9 Massachusetts Avenue that the nei ghborhood
10 has repeatedl y resi sted. Contrary to the
11 staff' s asserti ons, thi s peti ti on was not the
12 resul t of the extensi ve i nput from the
13 effected resi dences -- resi dence, busi ness,
14 land owners before i t was fi led, and i t
15 confi cts wi th the goal s of the Massachusetts
16 Avenue Overl ay Di strict Amendments that the
17 Ci ty Counci l unani mousl y ordai ned thi s
18 summer.

19 Whi le revi ewi ng the appropri ateness of
20 the current BA-2 Di strict resi gnati on seems
21 warranted. The recent nei ghborhood focussed

1 di scussi on that was conducted by Mr. Jennings
2 made i t clear that the most affected
3 stakehol ders, as wel l as the broader
4 nei ghborhood, do not support the proposed
5 C-2B desi gnati on, and that further study wi th
6 greater ci ti zen i nput i s needed before an
7 i mproved peti ti on can be drafted for
8 consi derati on by the Ci ty Council . We urge
9 the Pl anni ng Board to wi thdraw the peti ti on
10 or recommend that the Ci ty Council allow i t
11 to l apse wi thout further acti on on i t at thi s
12 ti me. So that' s basi cal l y our group' s
13 concl usi on bei ng very aware over decades
14 speci fi cal l y about how thi s area works and
15 the Zoni ng changes that have occurred.

16 Just very qui ck l y to hi gh l i gh t -- I' m
17 gl ad to see that as a resul t of the
18 nei ghborhood meeti ng, I thi nk the staff has
19 come to the concl usi on that we have, that
20 thi s needs more study, more work, more fi ne
21 tuni ng before i t' s real l y ready to be

1 considered for ordination.

2 PAMELA WINTERS: Michael, your time
3 is up. Do you just want to finish up?

4 MICHAEL BRANDON: If I can highlight
5 issues that came up at this meeting and
6 others that need to be addressed?

7 Two Trolley Square studies, public
8 planning studies over the past decades have
9 recommended mixed use for this area. The
10 Bishop Petition you will recall and similar
11 section didn't want dense housing development
12 with no ground floor non-residential uses.
13 Concerns were raised about the loss of the
14 parking lot in the triangle area that was
15 pointed out. Lots of concern about potential
16 for a hotel/motel use which was specifically
17 removed from the BA-2 Zoning when one was
18 proposed for this section of the avenue. The
19 open space issue, in addition to protecting
20 and widening the strip of Linear Park, we
21 would like to see consideration possibly

1 widening that down the line. Special
2 district might be -- I see the Chairman is
3 wanting me to wrap up.

4 HUGH RUSSELL: No, actually I was
5 saying just the opposite. This is a case
6 where you seem to me to be representing a
7 group of people and you're speaking and
8 telling us what this group of people has said
9 is very useful to us.

10 MICHAEL BRANDON: Oh, I'm sorry
11 then.

12 HUGH RUSSELL: I was trying to reign
13 in Pam.

14 MICHAEL BRANDON: Thank you for
15 that. I'm glad it's helpful. I lost where I
16 was at.

17 Oh, just in terms of what the Board
18 might consider and the staff, is possibly
19 another special district as is what occurred
20 on the other side, the properties of Mass.
21 Ave. abutting Linear Park, the Bishop area,

1 the Cambridge Lumber site, and so forth to
2 really look at this specifically. The
3 neighborhood would like for the CDD to be in
4 touch with the state, which is the biggest
5 property owner, to see what their short-term
6 and long-term goals or plans might be. We're
7 not aware of any, you know, imminent changes
8 but there's talk at some point of the trolley
9 yard shutting down. Also the financial
10 difficulties that CDD has. You know, they
11 are selling off some of their properties.
12 So, that's a question.

13 Another question that came up is
14 whether in fact state law requires that the
15 city have first refusal if that property is
16 disposed of by the T. Taha mentioned the
17 environmental issues, and we're pretty
18 familiar with those, but those should be
19 explored. There's an activity and use
20 limitation on the parking lot section of the
21 Davis Square Lofts, and there's currently a

1 21-E clean-up ongoing of the Dick's Auto Body
2 Shop that had a terrible spill of
3 polychloroethylene (sic), a dry cleaning
4 fluid, that's migrated across the avenue. So
5 I'll wrap up.

6 One other point is the idea of rezoning
7 or looking at this issue came up during the
8 Mass. Ave. Overlay District, North Mass. Ave.
9 improvement study, and I actually made the
10 recommendation. This was a time when we were
11 trying to convince the city to adopt the Fox
12 Petition which downzoned the section of
13 Cottage Park Avenue that extended way beyond
14 a hundred feet into Res B District with very
15 small scale housing. Clearly it seemed to us
16 it was inappropriate zoning. We propose that
17 since the Mass. Ave. improvement study was
18 going on, that the city, in order to create
19 uniform zoning for all of upper North Mass.
20 Ave., take those areas that jut in, and
21 there's -- there was the Fox area, there was

1 on cottage park, there was this section of
2 Trolley Square, and the Henderson Carriage
3 Building. And our recommendation or, you
4 know, in raising that was that those just be
5 made Res B to conform with the surrounding
6 areas. The staff kind of took that
7 recommendation and then kind of switched it
8 and came up with this plan to just rezone --
9 well, Fox Petition ultimately passed. So
10 that's moot now. It's now Res B. This area
11 is the one that they recommended a change
12 for. And they've taken Henderson Carriage
13 off the table. It's not clear to us why that
14 necessarily makes sense if we're talking
15 about Zoning into the future that, you know,
16 just is really what we're doing here, we
17 should maybe be looking at that parcel also.

18 Thank you very much. Sorry for going
19 on so long, but thanks for considering our
20 comments.

21 HUGH RUSSELL: Thank you.

1 Heather, do you wish to speak?

2 HEATHER HOFFMAN: Yeah, just two
3 words. Hi, my name is Heather Hoffman. I
4 live at 213 Hurley Street. And the one thing
5 I wanted to emphasize Linear Park. And I
6 spoke many times when the Bishop Petition was
7 under consideration about the importance of
8 preserving Linear Park and making sure that
9 it doesn't get overshadowed and encroached
10 on. And this is another piece of it and I
11 hope that in considering what this Zoning
12 should be, you will keep that in mind.

13 Thank you.

14 HUGH RUSSELL: Thank you.

15 Does anyone else wish to speak? Yes,
16 sir. And then the woman at the end of the
17 row.

18 CALVIN McLEMORE: My name's Calvin
19 with a C, McLemore, M-c-L-e-m-o-r-e. I live
20 at 17 Shea Road and I'm one of the abutters
21 of the bus terminal.

1 I just wanted to say that I think the
2 meeting that we had with Taha was excellent.
3 I'm relatively new to Cambridge. I'm
4 relative, eight, nine years.

5 My main concern, and I brought it up in
6 his meeting and it shows up in his notes, is
7 that if this area was Zoned as C-2B, I think
8 it is, it seems that it's going to be
9 probably the largest C-2B in Cambridge. I
10 don't have that for a fact, but just looking
11 at the maps it seemed that there's going to
12 be a big chunk. And it's a big chunk for a
13 high density development, that's what this
14 comes to, and that's scary for this area in
15 my opinion. So, that was the main thing.
16 And the other one, though, I would also
17 double up on what the lady said, that get the
18 open space back. At least in the Zoning, and
19 then whatever happens in the future, it's in
20 the Zoning. If the MBTA decides to move,
21 Zoning is already spelled out. We want the

1 space back. I think that's it.

2 Thank you.

3 HUGH RUSSELL: Okay, thank you.

4 DIANE HOBSON: Good evening,

5 Mr. Chairman and two others who are seated as

6 distinguished personnel here for this

7 evening. My name is Reverend Diane Hobson

8 and I'm a resident of Cambridge. I am here

9 just to -- I wasn't going to speak, but when

10 I heard the presentation in reference to the

11 antennas, I just wanted to make a comment and

12 that is as a former community development

13 commissioner, housing commissioner, I just

14 wanted to just point out that -- or ask for a

15 consideration of maybe one of the

16 representatives might want to go to the

17 actual site just to see what it looks like.

18 You made a good recommendation about

19 coupling, I think some people may call it

20 that, or putting it in a room, something like

21 the banks have, and that's one option. And

1 then -- and the only reason I'm saying that
2 is because we have lots of residents in this
3 area. The elderly are healing, and a number
4 of people use that area that's very close to
5 that area, and I'm just not sure of the
6 ramifications as it relates to if you put it
7 an antenna up there, would it kind of block
8 the, you know, what others are having in the
9 neighborhood or would it, you know, call some
10 kind of fuzziness or something. I'm just not
11 sure. So I'm just saying I think it might
12 help if one of you might -- I know
13 everybody's busy, I know that. But so, if
14 someone maybe become a committee of one or
15 two that might would want to do an on-site or
16 ask questions from the persons, all of the
17 people who are involved in that, just to see
18 if it's not. So if you say yes, you can do
19 this and then they do it and then you find
20 out you've got all these issues about people
21 being able to, you know, turn on their cable

1 or turn on their television or telephone
2 service or things like that, and sometimes
3 that makes a difference. So I just wanted to
4 share that if that was okay.

5 HUGH RUSSELL: Okay, thank you.

6 DIANE HOBSON: And thank you so much
7 for allowing me that time.

8 HUGH RUSSELL: Does anyone else wish
9 to speak?

10 (No Response.)

11 HUGH RUSSELL: Okay. I would
12 entertain a motion to recommend to the
13 Council that they not act upon this petition
14 and that they allow time for a
15 reconsideration on what the proper Zoning is
16 in this area.

17 STEVEN WINTER: I concur.

18 AHMED NUR: I concur.

19 PAMELA WINTERS: I concur, too.

20 WILLIAM TIBBS: Yes, I agree. And
21 can I comment before we actually make the

1 motion?

2 It's funny because when I first saw
3 this, I didn't have any particular concern
4 for it, but I think and I assumed that there
5 was maybe a little bit more thought as to
6 which the proper Zoning could be. I just
7 looked at the Zoning map real quick, and he's
8 correct that the -- they're not allowed
9 C-2B's around. And it makes me wonder what's
10 our criteria for using it and stuff like
11 that. And I think the North Cambridge
12 Stabilization Committee made a valuable point
13 in that we need to just decide what is the
14 best use for it even though I think the
15 change is definitely something that I think
16 makes sense.

17 HUGH RUSSELL: In the area that's
18 this fine grained, it was such desperate uses
19 is somewhat of a challenge. My concern about
20 leaving it the way it is one, is what happens
21 when the T decides that they aren't going to

1 have trackless trolleys anymore and they
2 don't need this facility? Now that is not a
3 decision I would want them to make, but it
4 could happen. And, you know, the idea --
5 every time I go down to Linear Pathway, I'm
6 sort of annoyed at the section. It's just
7 like there is an encroachment already, right,
8 the busses do encroach upon the pathway. I
9 mean you can get over it, you know. It's
10 like when you cross Mass. Avenue, there's an
11 encroachment, but everyone takes away a
12 little bit and it's a wonderful asset to both
13 Cambridge and Somerville.

14 But I would also be concerned that if
15 the T were to, you know, say well who's going
16 to give us proposals? If the proposal was
17 for a Business A2, people might say oh, well
18 I'm going to build a little shopping center
19 in there. And I suspect an automobile
20 oriented shopping center also is not what we
21 want to see there. It's kind of at least,

1 you know, there's different parts have
2 different goals, and trying to write that in
3 the Zoning will be challenging but probably
4 has to be done to make it right. And it
5 might be a mix of Res B, of maybe some other
6 existing Business A2 stays along the avenue.
7 I don't know what the right answer is for
8 Dick's and the lots, but you know, so
9 that's --

10 WILLIAM TIBBS: There's also a
11 certain logic to a special district since we
12 all along the Linear Path on the other side
13 of Mass. Avenue seems to be the special
14 district except for a little bit of one still
15 being left. So that I think it's some more
16 thought in terms of where we want it to go in
17 the future would be helpful.

18 HUGH RUSSELL: Tom.

19 THOMAS ANNINGER: I'm a little
20 puzzled by this one because I don't remember
21 when it came to us the first time very well.

1 I think it went by pretty quickly. But I got
2 the feeling reading it that this was a
3 carefully worked out proposal by the
4 Community Development Department. Taha did
5 spend a lot of time on it, and I had a
6 feeling there was a consensus around this and
7 all of a sudden that's not the case. To me
8 it's more a question of maybe you can explain
9 to me why we would on the one hand have this
10 sense of what it seemed like a perfectly
11 sensible proposal to me. I thought this was
12 going to be easy, and now it's not.

13 Taha, can you speak to that process at
14 all and just explain to me why it isn't what
15 it seems?

16 TAHA JENNINGS: I mean, I think I
17 would share your thoughts on it. You know, I
18 thought it seemed on face value that it was
19 pretty straight forward when we proposed the
20 Residence C-2B it would make sense to have
21 residential uses here. I think once of the

1 petition was filed, I think we got to hear
2 from additional property owners who were
3 specifically affected by the change and had
4 concerns with it. So because during the
5 Massachusetts Avenue study process, most of
6 our discussions were focussed along the rest
7 of Massachusetts Avenue and the ground floor
8 retail. This particular area didn't get that
9 same kind of scrutiny or in-depth discussion.
10 I think issues started coming out more after
11 the petition was filed, and honestly that
12 some of the issues that came out of concerns
13 we felt warranted a further look. I think it
14 could still make sense to have, you know, the
15 Residence C-2B, but I think the issues that
16 came up still warranted looking closer at
17 each individual location that I mentioned
18 and, you know, how it affects those
19 particular properties.

20 THOMAS ANNINGER: So if I'm hearing
21 you right, you yourself now feel in spite of

1 all the work you've put into it, that it
2 deserves some further consideration?

3 TAHA JENNINGS: Yeah, yes, yes, I
4 think so.

5 THOMAS ANNINGER: Well, that makes
6 it easy. Okay.

7 H. THEODORE COHEN: I have a
8 question. Does anybody know the history of
9 the MBTA piece that juts into Linear Park? I
10 mean at some point either the city took
11 Linear Park or the Commonwealth, you know,
12 gave it. I think it had been an old railroad
13 line. And, you know, does anybody know why
14 this one piece ended up the way it is?

15 TAHA JENNINGS: I don't know.

16 WILLIAM TIBBS: Why it isn't a nice
17 swatch going right through this. That's
18 something.

19 STUART DASH: My sense is for the
20 operation for the yard. It must have been a
21 request from the T for the physical operation

1 of the yard and the needs of their space at
2 the time when that was being done, when that
3 was being converted to railroad line to open
4 space. I can't tell you the specific.

5 HUGH RUSSELL: Didn't the yard
6 continue all the way along the frontage at
7 one time to --

8 STUART DASH: That's right. It did.
9 That's right, it went all the way to the
10 corner.

11 STEVEN WINTER: To Cameron.

12 AHMED NUR: To Cameron?

13 STUART DASH: That's right, to
14 Cameron.

15 HUGH RUSSELL: And it started as a
16 streetcar yard I would guess.

17 H. THEODORE COHEN: But then did the
18 city acquire it to build housing?

19 STUART DASH: That's right. Now
20 there's a long process where the T made a
21 commitment to the city and it was a part of

1 the land exchange with -- back to the Red
2 Line construction over at Alewife and the
3 land swap and a long, drawn out process with
4 that and that took many years so that's how
5 that piece of land changed hands.

6 HUGH RUSSELL: So probably it was
7 part of that deal, they said, we'll give you
8 the frontage but we need to keep --

9 STUART DASH: That's right.

10 HUGH RUSSELL: -- keep the piece
11 back there. And the photograph makes it
12 absolutely obvious they don't need all that
13 land. That's an ironic statement by the
14 Chair.

15 THOMAS ANNINGER: Sometimes you
16 can't tell.

17 WILLIAM TIBBS: Yes, that would be
18 qualified.

19 HUGH RUSSELL: Ted, did you want to
20 make a comment?

21 H. THEODORE COHEN: Steve.

1 STEVEN WINTER: I would like to make
2 a comment.

3 HUGH RUSSELL: Steve.

4 STEVEN WINTER: I have to say, Taha,
5 when I read this I didn't think you were
6 offering this a fait accompli. I felt like
7 there were enough considerations brought up,
8 that considerations about who owns the
9 trolley yard, about the remediation on Dick's
10 Auto Body, about do we want to go 45 feet on
11 the Dick's Auto Body parcel? You know, so I
12 felt like we were still discussing this. So
13 that's the impression that I got because
14 there were just so many things that were not
15 quite yet resolved. And I still feel like
16 that. And I want to say very strongly that
17 we need to look at this comprehensively as we
18 have in other places. For instance, we need
19 to know what Somerville's long range plans
20 are for that part of Elmwood that comes out,
21 that's next to the loft parking lots,

1 etcetera, etcetera. We need to know what all
2 those things are all about. And we also need
3 to really be able to -- we need to be able to
4 understand what kind of density can this
5 neighborhood tolerate, because in fact the
6 Shea Road and Locke Street which abut right
7 on to this, it's a very fragile neighborhood
8 ecosystem. It's beautiful and it's
9 wonderful, but we need to be very, very
10 careful of it in the same way that we were
11 over on Seven Pines Avenue and many other
12 places to not disrupt the fabric of that. So
13 I think this is a, this is a good starting
14 point and it brings up a lot of good
15 questions, but I also believe that a lot more
16 dialogue is in store for us.

17 HUGH RUSSELL: Ahmed.

18 AHMED NUR: Mr. Chairman, now that
19 we have concurred with your recommendations,
20 may I just open the second phase of this
21 brief quickly and make a comment as to what I

1 would be supporting. I mean, I do like the
2 intent of getting rid of that
3 inter-residential or even open space of
4 Cambridge has and its residents has
5 recommended. One other thing that I didn't
6 understand is that for those of you that
7 could see here, this is Res B and it seemed
8 to continue. What was the overlay, about a
9 hundred feet off Mass. Avenue?

10 TAHA JENNINGS: Yes.

11 AHMED NUR: Okay, so I would like to
12 see that hundred feet to continue on that
13 other lane so that way they have the retail
14 and the offices in the frontage, and then
15 continue that Res B through so that way
16 things look a lot more uniform.

17 TAHA JENNINGS: I'm sorry, I wasn't
18 quite following what --

19 AHMED NUR: This Res B here, instead
20 of making it a B -- was it a C-2? No -- yes,
21 C-2B. Instead of making that, if this

1 continued on Res B, and that first hundred
2 feet off Mass. Avenue to continue on the
3 overlay.

4 TAHA JENNINGS: To continue the
5 BA-2?

6 AHMED NUR: Yes. I think that would
7 have just, would make more sense to me. But
8 those are the only two comments that I wanted
9 to add on.

10 HUGH RUSSELL: Okay, that's what --
11 I agree with you, Ahmed. That on the surface
12 without digging into it seems like an obvious
13 thing to do and one that doesn't, I can't see
14 the negatives to that.

15 We have a full agenda tonight so would
16 someone like to make a motion on this?

17 WILLIAM TIBBS: I make a motion,
18 which is the one you asked for, which is that
19 we advise the City Council not to take action
20 on this and that we feel that some further
21 study is needed.

1 HUGH RUSSELL: Okay.

2 Is there a second?

3 AHMED NUR: Second.

4 HUGH RUSSELL: Ahmed, second.

5 Discussion?

6 (No Response.)

7 HUGH RUSSELL: On the motion, all

8 those in favor?

9 (Show of hands).

10 HUGH RUSSELL: All members voting in

11 favor of the motion.

12 The next item on our agenda I am
13 recusing myself from because it's a friend of
14 mine is bringing this request to the Board.

15 THOMAS ANNINGER: Let's take a true
16 five minute break. There are other things
17 going on tonight that all of us are
18 interested in, so let's move this along
19 tonight.

20 (A short recess was taken.)

21 THOMAS ANNINGER: Okay, let's

1 reconvene, please. We have a Petition at 51
2 Cedar Street. I'm going to ask first the
3 proponent to tell us what you're asking for
4 and then we'll proceed from there. So please
5 proceed.

6 ATTORNEY SEAN HOPE: Good evening,
7 Mr. Chair.

8 BRIAN MURPHY: Tom, do you need to
9 make sure the Board's okay -- the
10 Petitioner's okay with the Board of six.

11 THOMAS ANNINGER: That's right. I
12 forgot that.

13 We are only six because Hugh has
14 recused himself. You have a choice, but not
15 a very good one, because we really only have
16 seven members and so you really don't have
17 much of an option.

18 ATTORNEY SEAN HOPE: Yes, we wish to
19 proceed.

20 THOMAS ANNINGER: You wish to
21 proceed?

1 ATTORNEY SEAN HOPE: Good evening,
2 Mr. Chair, members of the Planning Board, for
3 the record attorney Sean Hope, Hope Legal
4 Offices in Cambridge. I'm here tonight with
5 the owner of 51 Cedar Street, Mr. Richard
6 Brawn and also project architect Peter Quinn
7 of Peter Quinn Architects.

8 This is an application to construct a
9 two-story single-family on a lot located in
10 the Residence B District. Because the
11 proposed single-family is greater than 75
12 feet from the street line, this triggers the
13 5.53 Special Permit review. The site is
14 known and numbered as 51 Cedar Street. It's
15 approximately 9,175 square foot lot, and it
16 has an existing two-family structure located
17 at the front of the property. You can see a
18 photo of or should be, an image of the
19 existing building. The existing two-family
20 structure is non-conforming dimensionally
21 because of the front yard setback. I think

1 contact is very important as part of this
2 application. Peter Quinn has a series of
3 photos that he's going to walk you through.

4 If you look at the abutting properties,
5 they are a series of one- and two-family
6 structures. Some of them have been made into
7 condos. This application is very similar to
8 an application that was approved by the
9 Planning Board at 2010 at 49 Cedar Street.
10 If you look at the image, on the context
11 image, this would be a set of properties to
12 your right or also to the north of the
13 property. And the 49 Cedar Street, as I
14 said, received a 5.53 Special Permit and it
15 consists of a single-family house at the
16 front of the lot, and then two
17 single-families that were constructed or
18 permitted back in 2010.

19 If you look at the design, and Peter
20 will talk more about this, the design of the
21 single-family structure in the rear of the

1 lot, is very similar to the structures on 49
2 Cedar Street in terms of the design, the
3 height, and the massing of the structure.
4 I'd like to --

5 STEVEN WINTER: May I interrupt just
6 for a moment?

7 ATTORNEY SEAN HOPE: Sure.

8 STEVEN WINTER: The 49 that you're
9 mentioning are the two shapes that are to the
10 right of the back house that's in color?

11 ATTORNEY SEAN HOPE: Exactly.

12 STEVEN WINTER: Okay, thank you.
13 I'm all set.

14 ATTORNEY SEAN HOPE: Yes, and
15 there's one also to the front but you can see
16 the two houses to the right.

17 STEVEN WINTER: Thank you.

18 ATTORNEY SEAN HOPE: There is a
19 difference. The proposed single-family is
20 oriented just east to west as opposed to the
21 two single-family structures that are

1 oriented separately. So the fronts are
2 separate, and that was actually part of a
3 design, a design that Peter will talk about.

4 Just in terms of the community
5 outreach, a couple of weeks ago we hosted an
6 open house at the property. We invited all
7 of the abutters. At that time the plans were
8 in process and there were a couple of issues
9 that came out. Just to go through a few of
10 them. One was the window placement. So if
11 you look at our house, 51 Cedar Street, the
12 property to the immediate left along Cedar
13 Street is 53 Cedar, and there was an issue
14 about the windows and lines of site. Now,
15 our property is an existing two-family, but
16 this renovation is allowing us to actually
17 move some of the windows. They're outside of
18 the setback so we can actually move those
19 windows without requiring relief. So one of
20 the requests that was that we actually alter
21 some of the windows to create additional

1 privacy. 53 Cedar is actually directly on
2 the property line along the driveway, so if
3 there was a window across from that, it
4 actually impacts on the privacy so we moved
5 some of those windows.

6 Another issue that was brought up by
7 the neighbors was construction management.
8 51 Cedar Street is in need of repair, and so
9 some of the materials used on the siding may
10 contain hazardous material. So that one of
11 the things that was important, because there
12 are a lot of children in the area as well as
13 at 53 Cedar Street, is that we make sure in
14 removing the siding and doing the much needed
15 facelift, that we were careful to do that and
16 we assured the neighbors that we could do
17 that.

18 Also, too, on the rear, and Peter will
19 talk about it, there was a request for some
20 buffering and the planting of the bamboo
21 which Peter will talk about. I think it's

1 also important to note that there is an
2 existing maple, a very large maple at the
3 rear of the lot that is going to maintain.
4 Part of the siding of the house had to do
5 with making sure that the house was not too
6 far in the rear lot to affect that root
7 canopy of the maple tree. And so if you see
8 the parking, and it's partially hidden, but
9 there's a parking section there, the
10 conforming parking, we have three parking
11 spaces meeting the Ordinance requirements.
12 You have the existing house, you have the
13 parking, and then you have that rear yard
14 setback and the maple leaf. And there really
15 was only so much of a footprint where that
16 house could be moved. One of the last pieces
17 of feedback was about actually the siting of
18 the proposed house and its affect on
19 specifically No. 42 Cedar, and there was an
20 issue of shadow, and so we've been working
21 with the abutter trying to -- excuse me.

1 THOMAS ANNINGER: 49.

2 ATTORNEY SEAN HOPE: 49 Cedar,
3 excuse me. So specifically No. 2 to try to
4 orient the house in such a way to reduce --
5 and Peter has a shadow study, but I think the
6 worst -- the most difficult time of year was
7 the winter solstice, so that period of time.
8 So we actually had adjusted the siding of the
9 house to try to mitigate that impact, but as
10 you know, if you move the house to satisfy
11 one neighbor you can -- if you move it too
12 far back, then you're actually having a house
13 directly across. So that was kind of an
14 internal dialogue as well as with the
15 neighbors to try to figure out how we can
16 satisfy as best we could all the different
17 ideas.

18 And the third, or lastly there was also
19 requests for drainage. And you can't see it
20 on this site plan, but on the site plan that
21 Peter has, it also shows that there was a

1 drainage area in the rear lot to help with
2 drainage on the site. And these were all
3 based on feedback that we had at that
4 neighborhood meeting and then continuing
5 e-mails with Richard as well over the last
6 few weeks.

7 So I know we want to get to the actual
8 diagram, but briefly, so any Special Permit
9 has general criteria, and this project
10 satisfies that. And just briefly, that the
11 traffic generated and patterns of access and
12 egress would not cause hazard or substantial
13 change to the neighborhood. So this is a
14 residential use, this is allowed in Res B.
15 And as I said before, this is dimensionally
16 conforming so in terms of density, in terms
17 of setbacks, besides the 75-foot rule, this
18 is conforming. Also, additionally, the
19 operation of adjacent uses, as I said before,
20 this is a residential neighborhood, this is a
21 single-family home, and I think it's

1 consistent with the character and context of
2 the neighborhood.

3 And then briefly specifically 5.53B has
4 criteria that asks the Planning Board to look
5 at certain aspects to consider. And in the
6 standard is whether or not the additional
7 structure has identifiable benefits beyond
8 trying to do this addition all in one
9 structure. So this is -- and Peter can walk
10 you through this, but the existing structure
11 is a two-family. We do think that the
12 proposed single-family is a much better and
13 appropriate use with the layout and the
14 length and the size of the lot. But part of
15 the criteria of the Planning Board is
16 supposed to consider the preservation of
17 contiguous open space. I think if you look
18 at the adjacent lots, I think we do provide
19 generous open space. The rear yard setback
20 is still maintained. And as I said before,
21 we oriented that site to try to preserve that

1 but to be able to satisfy the neighbors in
2 terms of shadow.

3 Also, there was an incentive as part of
4 5.53B, the locations of buildings and the
5 front half of the buildings and the front
6 half of the lot. And as you can see here,
7 the actual parking location is consistent
8 with where the parking is, but we decided to
9 maintain the parking there also because it's
10 a way to be shielded primarily from the
11 street.

12 Along that north property line next to
13 49 Cedar there's an existing six-foot fence
14 and so between the fence and the proposed
15 bushes there, I think it's fairly well
16 screened from the abutters, but more
17 importantly the code actually requires being
18 non-visible from the street, and I think
19 we've achieved that there as well.

20 There's also an incentive to retain
21 existing buildings. This was not a proposal

1 which was going to tear down the existing
2 building which you see in some of these 5.3.
3 We're actually going to use almost
4 essentially the footprint of the existing
5 building, and renovate that and then just
6 have one additional single-family structure
7 to the rear. And so I guess that's there.
8 I'll turn it over to Peter.

9 THOMAS ANNINGER: Thank you.

10 PETER QUINN: Good evening, Mr.
11 Chairman, members of the Board. My name is
12 Peter Quinn, Peter Quinn Architects in
13 Cambridge, Mass. Thank you, I wanted to just
14 go through briefly the context so everybody
15 can understand what this neighborhood looks
16 like now.

17 So we set up a context map here. This
18 is 49 Cedar where the two single-families
19 were built in 2010. I believe that's when it
20 was done. This is 53 Cedar. You can see it
21 has a building in the back as well. And a

1 front building. Some of these others have
2 been filled in as well in the same way. I
3 also want to say this is completely separate
4 from the -- I think it's 42R Cedar that --

5 THOMAS ANNINGER: 54.

6 PETER QUINN: Yes, 54, excuse me,
7 that you've had before this Board even though
8 it's the same attorney. He's already
9 apologized to us about that.

10 But this is an area that has very, very
11 deep back yards. I think these back yards
12 are 185 lineal feet to the rear, 50 feet
13 wide, so they have minimum frontage of
14 course. But we have in the neighborhood are
15 lots of two and a half story buildings, most
16 of them with standard gable fronts. There
17 are some differences. This is the building
18 immediately to the left of the site, and then
19 one more to the left; 53 Cedar, 55, another
20 view of that.

21 This is the view down the driveway of

1 49 Cedar where the two single-families were
2 built in 2010. That's a view of one of the
3 singles from the yard of 51 Cedar. These are
4 some of the buildings you'll see on the
5 street. This is immediately across the
6 street. Here are some others. A mansard,
7 gable, kind of a flat roof. I'm not sure
8 what that is on the left.

9 And then in the backyard of 53 Cedar,
10 we have -- this is that house that fills in
11 the rear of 53, it's an old brick house.
12 It's actually quite nice. And then this
13 gives you a view, this is back by the maple
14 tree that we mentioned. This maple tree
15 here. That looks toward 51 Cedar where the
16 two single-families are.

17 In placing the house I tried to locate
18 it at first right between these two in order
19 to maintain the view lines out the windows.
20 These are actually -- I actually designed
21 these buildings. These windows here are

1 minor in terms of light and air compared to
2 the windows on the other faces. But
3 nonetheless, if we place the ridge in the
4 opposite direction, we would be able to
5 continue that idea of having the main windows
6 of the new building looking out toward the
7 rear toward this structure -- I mean toward
8 the tree, while also having a much less of a
9 facade facing these two units because of the
10 gable roofs. I'll get into that in a minute,
11 but here are some more pictures of the area.

12 This is the existing house. You can
13 see it's in need of some renovation. It's
14 the driveway leading to the rear. That's the
15 side of the house. And we wanted to
16 completely renovate the front of this to give
17 it a better presence on the street. Replace
18 this deck with a one-and-a-half-story
19 structure that's attached to the building as
20 an addition. And give you the view of the
21 rear yard. It's the rear of the existing

1 house. You can see it's basically a shoebox.
2 So we're trying to work with that form and
3 create something a little more interesting
4 for the street. And I'll go into that. Some
5 of the details, you can see it's -- the
6 basement level is kind of a garden level, has
7 a fairly high windows.

8 THOMAS ANNINGER: Can I stop you for
9 a second?

10 PETER QUINN: Sure.

11 THOMAS ANNINGER: What you just said
12 about that addition where the deck now is,
13 can you do that as of right?

14 PETER QUINN: Yes. Yes, you're
15 allowed to add 10 percent to an existing
16 non-conforming building by right. And we
17 would, we would actually be less than 10
18 percent. Yeah.

19 PAMELA WINTERS: And how far would
20 that extend to the rear, to the rear? How
21 many feet out?

1 PETER QUINN: The footprint of this
2 right here?

3 PAMELA WINTERS: Of the extension.

4 PETER QUINN: Yeah, so this is
5 actually on the side. Here I'll show you
6 here.

7 PAMELA WINTERS: So as of right, how
8 far can you extend into the backyard?

9 PETER QUINN: Let me just explain.
10 Can I come back to that question in a second?

11 PAMELA WINTERS: Sure.

12 PETER QUINN: Okay.

13 So the existing lot configured like
14 this, this is the existing house. This is
15 the deck that we were just looking at here.
16 If you look at that.

17 PAMELA WINTERS: Right.

18 PETER QUINN: That is actually
19 conforming as the side setback. There's
20 really not an issue with that. There's a
21 bunch of smaller additions on the rear.

1 There' s a lean two structure. All of these
2 would come off on the proposed plan.

3 WILLIAM TIBBS: I see.

4 PETER QUINN: And there' s actually
5 an addition over here as well that would show
6 up but that would come off as well. So the
7 building would be taken back to more or less
8 a simple rectangular form. We would add on
9 something in this area, including at
10 approximately that shape and size. It
11 wouldn' t be completely conforming as to side
12 setback. It' s actually a bathroom. It' s a
13 lower level and upper level. And that' s
14 really the only addition. There' s some steps
15 on the side, but no other addition on this
16 building.

17 PAMELA WINTERS: Okay, thank you.

18 PETER QUINN: Yep.

19 Why don' t I just go to this plan here.
20 So this gives you a pretty good idea of what
21 the context looks like. I know this house

1 looks large. I think that's because it's --
2 it's really the same size as these. I
3 essentially use the same model. And because
4 it's yellow and in color, I think it looks
5 bigger than it is. But the idea is that
6 because of the ridge runs this way, there's
7 less wall presented to these houses. It
8 allows more sunlight to get into here. And
9 by adjusting this a little bit, we could, we
10 could try to reach some reasonable compromise
11 about what the shadows would look like in
12 here. And I would be happy to show you the
13 shadow studies. I have them on this
14 presentation.

15 The front, as you can see, is
16 inconsistent with a lot of the other houses
17 on the street which are mostly two stories.
18 There's a mansard that we looked at before
19 over there. I'll go to the site plan. So
20 what we were trying to do here was to place
21 this thing -- originally we had it more

1 centered to this yard across the way, and
2 keeping it sort of straddling the two houses
3 would push it back about three feet in order
4 to create a little less shadow in that yard.
5 We would completely preserve all the trees
6 that are on the site. I don't think there's
7 a single one we would cut down with this
8 development. We'd screen the cars and add
9 more screening in and around the front and
10 the sides of the building. We would
11 reconstruct the front porch. We would have
12 -- create a fairly sizable entry here so that
13 you would see it from the driveway as you
14 look down the street. Look down the
15 driveway. And then of course there's a place
16 for a good deck or a patio on the rear all of
17 which would still be within the setback
18 that's 41 feet, where 35 is required. And
19 the rear to the back of that building. So
20 this building is small. It's 1380 square
21 feet. So these are small single-families.

1 We' ve got a l i t t l e b i t o f s c r e e n i n g h e r e t h a t
2 w e' r e d o i n g a t t h e r e q u e s t o f t h e a b u t t e r o n
3 t h i s s i d e . T h i s i s w h e r e t h a t b r i c k b u i l d i n g
4 i s a n d h e w a n t s t o r e t a i n h i s p r i v a c y t h e r e .

5 S o t h a t' s o n e t h i n g w e' v e d o n e . W e' v e
6 a d d e d m o r e s c r e e n i n g h e r e . T h e c a r s a r e ,
7 a g a i n , a t t h e r e q u e s t o f a n e i g h b o r .

8 A s f a r a s a d d i t i o n s g o o n t h i s e x i s t i n g
9 b u i l d i n g , t h i s i s t h e o n e t h a t w e w e r e j u s t
10 s p e a k i n g a b o u t . W e h a v e a d e c k a t t h e t h i r d
11 l e v e l , a n d t h e n t w o s m a l l r o o m s b e l o w i t .
12 T h i s i s j u s t a n o p e n p o r c h o n t h e s i d e b u t
13 t h e w a l k w a y l e a d i n g t o t h e p a r k i n g , a n o t h e r
14 w a l k w a y h e r e , a l i t t l e p o r c h , w a l k w a y a n d
15 p o r c h t h e r e . O k a y ?

16 S o o u r p l a n s a r e -- I ' d b e h a p p y t o g o
17 i n t o t h o s e i f y o u w o u l d l i k e t o . T h i s i s
18 w h a t w e' r e p r o p o s i n g f o r t h e f r o n t e l e v a t i o n
19 i n t e r m s o f j u s t t h e l i n e s . I f w e g o t o t h e
20 v e r y f r o n t o f t h i s w h o l e d e v e l o p m e n t , I h o p e
21 t h e P o w e r P o i n t p r e s e n t a t i o n i s g o i n g t o c o v e r

1 the drawing you're going to take a look at.
2 We create a cornice and a smaller bracketed
3 soffit here, create a porch. And with a
4 railing and some nice columns give it a
5 little bit of a -- some detail so that it
6 stands a little bit more proudly on the
7 street. And it's consistent with some of the
8 other cornice lines that you see up and down
9 the street. Likewise -- sorry. There are,
10 it would be a lot of window changes to this
11 building, and I think that that would be --
12 we did review where these windows would be
13 located relative to our neighbor immediately
14 across the driveway, and I think we're okay
15 on that. They're pretty much in the same
16 place. The rear of the building would be
17 cleaned up a little bit. We'd put a parapet
18 there so we wouldn't see the sloped box
19 that's there now.

20 The new building in the front as I
21 said, we'd have a significant porch on the

1 corner so you can see it from the driveway,
2 and then create a simple symmetrical
3 composition with a nicely pitched roof and
4 dormers on the side.

5 The side facing 49 Cedar would have a
6 small dormer with a high sill at the second
7 floor, and the lower level is also high sill
8 at a kitchen. And so that the privacy of
9 those units would be maintained. The unit
10 that 49 Cedar maintained.

11 Just -- these are just here for -- okay
12 so the shadow studies. When you look at
13 this, this is the existing condition. This
14 is -- the pink shadow shows the new shadow
15 that we would add by building this structure
16 at proposed location. So first we're
17 starting with March and September equinox.
18 And you can see that there's a fairly small
19 shadow. It doesn't quite reach the yard.
20 Most of that if you put the shadow in from
21 the fence, it would be about the same as that

1 little bit of shadow right there. We usually
2 don't show fence shadows because they can
3 disappear. And late in the day, this is
4 three o'clock, you would have some shadow
5 heading out in that direction.

6 And in June of course there's
7 practically nothing. It's all within the
8 yard.

9 And then in December when everything is
10 shadowing everything else, we would add a
11 little bit of shadow out here. At midday
12 we'd have some shadow in the yard of between
13 unit 2 and unit 3 on 49 Cedar. And this is
14 the yard actually belongs to unit 2, their
15 primary yard. And then this shadow here is
16 late in the day, three o'clock. And it
17 actually just cuts through the yard much like
18 it does at noon.

19 So that's roughly what I have here, and
20 I'm happy to go through in more detail and
21 questions, happy to take those.

1 Thank you.

2 THOMAS ANNINGER: Thank you.

3 That concludes what you wanted to tell
4 us?

5 ATTORNEY SEAN HOPE: Yes.

6 THOMAS ANNINGER: Okay, this is a
7 public hearing.

8 STEVEN WINTER: Let's see what folks
9 have to say.

10 THOMAS ANNINGER: I'm tempted to
11 just go ahead for the sake of time. Do we
12 have a list, Liza? Does anybody want to
13 speak? Would you raise your hand.

14 LIZA PADEN: Mr. Kim.

15 THOMAS ANNINGER: Okay, we have two
16 people who want to speak, one on the list.
17 Mr. Kim, why don't you come forward -- three
18 people. Councillor Kelley, I want to
19 recognize our councillor here. Thank you for
20 coming. I'll give you the option of speaking
21 first if you would like.

1 COUNCILLOR CRAIG KELLEY: I'll speak
2 after everyone else. Thank you very much.

3 THOMAS ANNINGER: Mr. Kim, why don't
4 you go ahead.

5 Thank you.

6 YOUNG KIM: Thank you. My name is
7 Young Kim, 17 Norris Street. Mr. Peter Quinn
8 was kind enough to present us the plan at the
9 last North Cambridge Stabilization Committee
10 meeting. The concerned neighbors discussed
11 many negative impact of the project, and
12 unfortunately Mr. Brandon could not stay to
13 give a presentation position regarding this
14 project. Hopefully Councilor Kelley who was
15 also there could summarize the finding better
16 than I can. What I'd like to speak here
17 today is my concern and limit on continual
18 disappearance of this magnificent deep yard
19 properties constantly being taken up by
20 putting additional buildings in your back,
21 especially up in North Cambridge area. I

1 don't know how many there are, but there's
2 quite a few cases that's happening. And
3 after the NCS meeting I looked up the
4 Ordinance and I saw three that defines the
5 various districts clearly defines the B
6 district as two family or semi-detached
7 dwellings. Now I think 5.532B stipulates
8 that two or more structures may be built on
9 the same lot by Special Permit if there is
10 identifiable benefit beyond the provided that
11 should all construction be in a single
12 structure. Therefore, if you add on to the
13 existing building, expand it, and make it
14 into three unit, I don't think that would be
15 allowed because now you have three-unit
16 building on the lot. So why is it that you
17 have two unit in the front and three unit in
18 the back for total of three units on a Res B
19 which defines as two units? Now essentially
20 I understood that will make that particular
21 plot Res C. So by -- if I extrapolate that,

1 can we then take Res A which allows only
2 single-family houses, and add it to the back
3 and make it two units? Definitely that would
4 not be allowed. So why is it allowed on Res
5 B to add third unit clearly against the
6 definition of Res B?

7 Thank you very much for your
8 consideration.

9 THOMAS ANNINGER: Thank you.

10 AMY TAN: Hi everyone.

11 THOMAS ANNINGER: Please give us
12 your name.

13 AMY TAN: Amy Tan. I'm the owner of
14 49 Cedar Street unit 2.

15 THOMAS ANNINGER: Thank you.

16 AMY TAN: As you can see how they
17 are proposing to the site of the building,
18 I'm here to sort of state my opposition to
19 this. I purchased my home about a year ago,
20 and for the very reasons that this is a
21 single dwelling unit that offered a small

1 open space with a deck that I can enjoy, I
2 think according to the shadow study that
3 you've seen during the winter solstice, it
4 creates really new shadows that never existed
5 before for me completely really covering the
6 entire open space of my yard. I have
7 pictures of my backyard if you're -- that I
8 can distribute.

9 PAMELA WINTERS: We've got them,
10 Amy.

11 AMY TAN: Pictures taken in October,
12 and even though we're not really in the
13 winter solstice, a lot of the light shadows
14 really depict a lot of the what's shown on
15 the shadow study. In particular, I do have
16 these evergreen shrubs that would require a
17 particular amount of sunlight throughout the
18 day. I think that these new shadows will rob
19 me of my existing sunlight that I have at
20 this point and, you know, and it really
21 eliminates sunlight to some of the sun's

1 sensitive shrubs that I have on-site.
2 Further concerns that I have in regards to my
3 open space is potential delay of melting of
4 snow, sort of creating a persistent wet, cold
5 dark environment through the winter. And as
6 we all know, we're all pretty energy
7 conscious, and it may drive up indirectly
8 heating costs and so forth. And as my
9 understanding the City's Zoning Ordinance
10 under Article 19.3 would recommend that a
11 structure's design is sited to minimize
12 shadow impacts on neighboring lots,
13 especially shadows that would have a
14 significant impact on the use of the open
15 adjacent open space. And I stand here
16 forward to say that this proposal that they
17 have is not sited nor designed to minimize
18 any shadow impact, especially on my lot. You
19 know, carrying this over, this just does not
20 impact my unit. As you can say at three
21 p.m., it extends directly to the 49 Cedar,

1 unit No. 1 blocking out their entire deck
2 open space area, too.

3 So thank you.

4 THOMAS ANNINGER: Thank you very
5 much.

6 PAMELA WINTERS: Thank you.

7 THOMAS ANNINGER: Councilor Kelley.

8 COUNCILLOR CRAIG KELLEY: Good
9 evening, Planning Board members. I will take
10 inspiration that when 200 million people are
11 settling in front of their TVs to listen to
12 Romney and Obama, you all want to listen to
13 me. So I thank you all for your time and
14 attention.

15 WILLIAM TIBBS: I wouldn't say we
16 want to listen to you, but we will.

17 COUNCILLOR CRAIG KELLEY: You are
18 rapidly enthralled I'm sure. My name is
19 Craig Kelley. I live at 6 St. Gerard
20 Terrace, actually not that far from this
21 project. Michael Brandon did ask me to say

1 that the North Cambridge Stabilization
2 Committee unanimously opposes the Special
3 Permit, and he tried giving me the list of
4 reasons why. And I told him it was his
5 business to explain that to you. And he said
6 he would do so if the record stayed open,
7 they would submit something.

8 I am here, I'm speaking in opposition
9 to this project. And I think it's actually a
10 bigger issue than just opposition to this
11 project. I think it's really a solid
12 interpretation of the Zoning Code. And if
13 the Council at one point in life went and
14 took specific pains to talk about shadow
15 impacts when you're granting a Special
16 Permit, and it specifically talks about the
17 need to minimize, not just mitigate, but to
18 minimize the impact of shadows on open space.
19 It talks about the need to design the project
20 or to site the project in such a way that
21 shadow impacts would be minimized, and we

1 don't really see that here. And we won't see
2 this in other places as well. If you go up
3 to that part of North Cambridge, you see an
4 awful lot of long deep lots. And they look
5 very inviting to put another building on,
6 because, you know, arguably the FAR is there.
7 I think doing my quick math, the FAR for this
8 site is just about maxed out which leads me
9 to think that there's not much mitigation,
10 much less minimization going on. But we're
11 going to see this sort of thing, and the idea
12 I believe that the Council would have is that
13 the in-fill in and of itself isn't good or
14 isn't bad, but certain things need to be
15 considered. And I heard Board Members
16 talking about that earlier when we were --
17 when you were discussing the proposed
18 rezoning for Trolley Square, but these sort
19 of fragile ecosystems, these fragile
20 neighborhoods. They're fragile partially
21 because they're so dense. And they're

1 surpri si ngl y dense gi ven how much open space
2 somewhat have on the back si de, bei ng on the
3 i nteri or frequentl y i t' s l ot to l ot, and the
4 Counci l recogni ze that and sai d wel l , i f
5 you' re goi ng to bui l d there, you' ve got to
6 bui l d i n such a way that you' re mi ni mi zi ng
7 the shadow i mpacts. Mi ni mi zi ng i t by a si te
8 desi gn, you coul d move the bui l di ng around.
9 Or mi ni mi ze i t by proj ect devel opment, whi ch
10 i s you can make the bui l di ng smal l er whi ch
11 obvi ousl y I don' t thi nk was done here. And
12 once you start movi ng the si te around wi th
13 these narrow si tes, once you start movi ng the
14 actual bui l di ng si te around, you run i nto
15 setback i ssues, you run i nto al l sorts of
16 l andscapi ng i ssues, you run i nto parki ng
17 i ssues. And that' s preci sel y the goal .
18 These are very, very di ffi cul t l ots to bui l d
19 on. And so someone shoul dn' t l ook at a l ot
20 and say, boy, there' s a l ot of open space
21 back there and I can j ust plunk a house down.

1 Because the Zoning really says you should not
2 be able to do that. It says when you build
3 you've got to minimize. There's no shadow
4 impact from a building there now. This
5 building, which is very close to the 35-foot
6 max of the district and pretty close to the
7 seven-and-a-half foot minimum side yard
8 setback, is going to take a lot of light from
9 the neighboring properties at precisely the
10 time of year when that light tends to be most
11 important to people. So one time when we had
12 a Council Planning Board special meeting, I
13 had suggested that perhaps the Planning Board
14 went and heard all these different things
15 could come up with various Zoning changes.
16 To me this one's clear, the Zoning says you
17 really can't do that if it's not minimized,
18 and in this case it isn't minimized. If this
19 isn't something that's super clear, perhaps
20 the Planning Board or city staff could come
21 up with some recommendations for the Council

1 so this sort of in-fill would be able to
2 happen under clearer guidance that you all
3 felt comfort with. But for right now I'm
4 looking at it and I'm saying that the Zoning
5 says that it shouldn't happen. And the
6 discussion of the next-door development,
7 which was built previously, looking at the
8 map, and I haven't seen the studies for that,
9 but the shadow studies, looking at the map it
10 doesn't look like there's a shadow impact
11 from those projects on the adjacent one. So
12 if we're simply talking about what the shadow
13 impacts and the Zoning requirements for that
14 and the sunlight, I'm not sure really how
15 relevant that is. So the thing I hope you
16 can consider is that light and shadow are
17 important. They're pulled out in the Zoning
18 in this particular case. They also pull out
19 the need to protect registered solar
20 equipment. There is no registered solar
21 equipment here, but I worry that were someone

1 to have registered solar equipment, and that
2 receives no special extra protection over
3 open space, but were someone to have invested
4 thousands and thousands of dollars in
5 registered solar equipment to have someone
6 use this sort of project as precedent to say
7 well, it worked elsewhere, I think we'd
8 endanger our whole solar encouragement
9 program which is exactly why we changed the
10 Zoning to allow that. So I would be thrilled
11 to have a greater discussion on shadow zoning
12 and in-fill zoning in particular with anyone
13 here, and I thank you very much for your
14 time.

15 THOMAS ANNINGER: Thank you.

16 STEVEN WINTER: Mr. Councilor, may
17 I ask a question?

18 COUNCILLOR CRAIG KELLEY: Sure.

19 STEVEN WINTER: Mr. Chair, may I ask
20 a question?

21 THOMAS ANNINGER: Yes, you may.

1 STEVEN WINTER: Councilor, does 49
2 Cedar, unit 1 and 2 come with the same
3 feeling of inappropriateness as the back, the
4 proposed house, the single-family on the back
5 of that lot? Do you feel that they're both
6 equally inappropriate buildings?

7 COUNCILLOR CRAIG KELLEY: I'm
8 sorry --

9 STEVEN WINTER: If we look at 49
10 Cedar, unit 1 and 2 which are built on the
11 lot behind that --

12 THOMAS ANNINGER: It's actually 2
13 and 3.

14 STEVEN WINTER: -- 2010 -- I'm
15 sorry, unit 2 and 3.

16 COUNCILLOR CRAIG KELLEY: Right.

17 STEVEN WINTER: And then if we look
18 at the proposed house, the SBL houses to be
19 built back there, do you feel that all three
20 of those are really are inappropriate for
21 that neighborhood?

1 COUNCI LLOR CRAI G KELLEY: Well, it's
2 -- and this is sort of the whole shadow
3 thi ng. I'm not qual ifi ed to say what's
4 appropri ate or inappropri ate in terms of
5 devel opment, and we saw some fabul ous
6 pi ctures about this wide array of bui ldi ng
7 si zes and frontages and the way porches
8 looked and all this other stuff. I'm just
9 looking at the code and I'm looking at
10 shadow, and I'm thi nki ng to myself this is
11 really clear language. There's super narrow
12 lots and at 35 feet max, which this one
13 doesn't go quite to 35 feet, but at 35 feet
14 max, by the time you put something even close
15 to that height on such a narrow lot, anyone
16 nearby is going to say wait a minute, what
17 happened to my, you know, December 15th light
18 or whatever it is. And that sort of thing, I
19 mean we've all been in places where we say
20 boy, this is a nice yard to sit in, this is a
21 nice room to sit in, this is -- now the

1 Zoning Code by the way does not expressly
2 protect light into buildings. It
3 specifically protects light into open space.
4 But when you look out, that open space, the
5 one that was talking about shrubbery and ice
6 melt and things like that, that all makes a
7 building much more habitable. And we grasp
8 what we can in these areas. And I simply
9 think that that development is too big for
10 that property. So if they wanted to lop off
11 a floor, for example, they may not make their
12 money but they wouldn't have to worry about
13 the shadow impacts. And the Zoning Code
14 isn't there to help the developer make the
15 developer's money in my opinion at least.
16 The Zoning Code is to give us all a
17 reasonable expectation of what we should see
18 happening next-door to us and what we should
19 be allowed to do with our own property. And
20 in this case I don't think the Zoning Code
21 would allow this.

1 Okay?

2 THOMAS ANNINGER: Thank you very
3 much.

4 COUNCILLOR CRAIG KELLEY: Thank you
5 very much.

6 THOMAS ANNINGER: Thank you.

7 Before we have a discussion on this I'm
8 going to ask Jeff to just frame for us the
9 zoning parameters around which we are going
10 to be looking at this petition.

11 JEFF ROBERTS: Sure. Thank you.

12 Jeff Roberts, CDD. I'm just going to
13 just try to briefly set up what the, what the
14 zoning request is and then I can I guess
15 answer any -- try to answer any more general
16 questions about the district.

17 There are lots of special regulations
18 in the zoning, and one of them -- and the
19 Planning Board has seen a number of these
20 cases, is requirement that in -- it says it's
21 within 5.53 of the zoning. In Residence B

1 Districts only one structure containing a
2 principle residential use shall be allowed on
3 a lot. Except, and they give you two
4 exceptions to where such rule can be violated
5 or waived. Which one is that any structure
6 is located within 75 feet of an abutting
7 street line. So say if you had a lot that
8 was long along the edge of a street, you can
9 kind of line them up along that edge. That's
10 option one.

11 Option two is a Special Permit from the
12 Planning Board. And the Special Permit from
13 the Planning Board again falls -- the
14 Planning Board has to make a finding which
15 again falls under sort of two options. And
16 one says that the development in the form of
17 two or more structures will not significantly
18 increase or may reduce the impact of the new
19 construction should it occur in a single
20 structure. And then the second option is two
21 or more structures may provide identifiable

1 benefits beyond that, provided should all
2 construction be in a single structure.

3 There's a list of the findings that the
4 Planning Board would consider which include
5 preservation of open space, the location of
6 buildings and parking within the -- in a way
7 that's compatible with the prevailing
8 development pattern of the neighborhood. The
9 extent to which it provides an enhanced
10 living environment for residents. So if it's
11 better for the actual residents to be living
12 there. And incentives to retain existing
13 structure, so if there's value in retaining
14 what's existing and by granting the Special
15 Permit you allow that to happen that's a
16 consideration. Reduce visual impact of
17 parking. And opportunities to reduce height
18 and bulk as new construction is deeper into a
19 lot or closer to structures on abutting lots.

20 So essentially it's a -- it provides by
21 Special Permit, and as the case generally

1 with Special Permits, they are to be granted
2 when -- rather under Cambridge Zoning,
3 Special Permits are to be granted where it
4 meets both a general criteria, which were the
5 criteria that the Planning Board considers
6 during any project which includes, which
7 actually Mr. Hope had outlined, and it's in
8 the application. And then also meets the
9 specific criteria that are in 5.53.

10 THOMAS ANNINGER: Let me ask you a
11 question. Under the general requirements it
12 speaks to the adverse impact on adjacent
13 uses, but I know of no specific Ordinance
14 speaking directly to this question of
15 shadows. Can you tell me where that is?

16 JEFF ROBERTS: Well, the -- you kind
17 of have to go a couple levels for that one.
18 So one of the criteria for a Special Permit
19 is that it's consistent with the urban design
20 objectives in 19.30. That was part of
21 Article 19 that was established in the

1 city-wide rezoning. And within those, in
2 Article 19 there is one which -- I'll try to
3 get the language exactly right, which says
4 that the building and site design should
5 mitigate adverse environmental impacts of a
6 development upon its neighbors, among which
7 the indications include --

8 STEVEN WINTER: Jeff, what number
9 are you on?

10 JEFF ROBERTS: I'm sorry, this is
11 19. If you have your Ordinance, it's 19.33.

12 STEVEN WINTER: Thank you.

13 JEFF ROBERTS: Or if you have the
14 kind of the sheet that was distributed.

15 19.33 deals with mitigating adverse
16 environmental impacts on neighbors which
17 deals with issues, including the design and
18 placement of the mechanical equipment,
19 handling of trash, loading docks, handling of
20 storm water, management of storm water on the
21 site, provision of landscaping and open

1 space, and minimize -- and the relevant point
2 here is No. 6, the structure designed and
3 cited to minimize shadow on neighboring lots,
4 especially shadows that would have a
5 significant impact on the use and enjoyment
6 of adjacent open space, and shadows that
7 might impact the operation of registered
8 solar energy system. And then there are
9 several other of those environmental impact
10 criteria, but that's where the shadow
11 statements are.

12 THOMAS ANNINGER: Okay.

13 And parking is the usual?

14 JEFF ROBERTS: The requirements for
15 parking is the same across the city. It's
16 one space per dwelling unit.

17 THOMAS ANNINGER: Three units, three
18 parking spaces here.

19 JEFF ROBERTS: Yes.

20 And there are in terms of the
21 residence, the Residence B requirements,

1 because I think this came up a little bit,
2 and I can sort of speak to that a little bit.
3 The number of units is a function of the
4 allowed lot area per dwelling unit or the
5 required lot area per dwelling unit on a lot.
6 In this case, the lot -- based on that
7 calculation, the lot would allow three units.
8 However, in the Residence B district the
9 types of housing that are allowed include two
10 single-family housing, two-family housing, or
11 attached townhouse dwellings. And in this
12 case it looks like, one, I think the
13 proponents stated it was -- that it had
14 existing non-conformities, but the existing
15 building on the lot is a two dwelling unit
16 structure, and then the addition would be a
17 single structure. So that is -- it's an
18 option for an allowed use arrangement in
19 Residence B.

20 THOMAS ANNINGER: Thank you.

21 H. THEODORE COHEN: But I just want

1 to follow up on that. But do I understand
2 that to mean that they could not demolish the
3 existing structure and build a three-family
4 dwelling?

5 JEFF ROBERTS: They couldn't build a
6 sort of a three -- what you consider a
7 traditional three decker. They could build
8 three units if they were arranged as
9 townhouse units that were attached along
10 party walls with separate entrances.

11 STEVEN WINTER: Mr. Chair, may I ask
12 a follow up on that? So, Jeff, help me out
13 with this now. So we have the lot -- this --
14 a proponent could build three units, three
15 family units on that lot if in fact they were
16 connected town homes. And would the
17 proponent require permission from the
18 Planning Board to do that or could the
19 proponent do that as of right?

20 JEFF ROBERTS: As always, it would
21 depend on exactly how that was accomplished.

1 So if it were in a -- if the three units were
2 contained within a single structure, then it
3 would not need to, it would not need relief
4 under this 5.53 provision.

5 STEVEN WINTER: Okay.

6 THOMAS ANNINGER: Because it
7 wouldn't violate the 75 feet?

8 JEFF ROBERTS: Right, exactly.
9 Assuming that that entire structure were
10 within the 75 feet of the street line.

11 STEVEN WINTER: Okay, so the three
12 units could be built as town homes and three
13 families could occupy them. And another
14 option is to have the front, the older
15 building be -- house two families and another
16 structure house one family, but that would
17 require permission from the Planning Board?

18 JEFF ROBERTS: Yes, that requires
19 this Special Permit to allow the two
20 structures -- the two independent structures,
21 one of which is 75 feet.

1 STEVEN WINTER: Okay.

2 And I'm also behind the eight ball on
3 the 75-foot thing that you just mentioned,
4 Tom. So I need a little help with that also.
5 Given the two separate structures that the
6 proponent is bringing forward, how does
7 that 75-foot rule apply here?

8 JEFF ROBERTS: I'm looking at
9 someone craftily changed the slide while I
10 was speaking. You can go back to that one,
11 because I think that slide shows -- and I
12 believe -- and someone who created the slide
13 can point it out, there is a line indicated
14 on that plan showing the 75 feet from the,
15 from the street edge.

16 STEVEN WINTER: From the street,
17 okay.

18 JEFF ROBERTS: So what that means is
19 that any -- if there is more than one
20 structure on this lot, then either both
21 structures or all of the structures have to

1 be to the right of that 75-foot line. Or if
2 any one of those buildings or any portion of
3 any one of those buildings extends more than
4 that 75 feet, then they need to seek this
5 Special Permit for --

6 STEVEN WINTER: And as that would be
7 the case with this proponent's request?

8 JEFF ROBERTS: Yes.

9 STEVEN WINTER: Okay, thank you.

10 WILLIAM TIBBS: So just to follow up
11 on that, too. They could have built an
12 addition on the existing structure?

13 JEFF ROBERTS: Right. If it is only
14 one structure, then the 75 feet is not a --
15 this particular provision about 75 feet isn't
16 applicable. It's just for if there's more
17 than one structure on the lot.

18 H. THEODORE COHEN: If they were to
19 build an addition on to this structure, could
20 it be classified as a townhouse development
21 or that's not feasible?

1 JEFF ROBERTS: Again, we would have
2 to look at what the specific proposal is. I
3 believe theoretically you could try to adapt
4 it so that this were a, this would be
5 configured as town homes where the existing
6 house would be one of the, would be sort of a
7 duplex town home and then another town home
8 would be attached to it.

9 STEVEN WINTER: If you put the wall
10 that makes them townhouses?

11 JEFF ROBERTS: Right.

12 STEVEN WINTER: Yes, thank you.
13 Thank you.

14 AHMED NUR: And I just had a quick
15 question. Did the City Council adopt the
16 bicycle for a new buildings for new houses on
17 that property, for example? That shed that
18 we talked about, has that been adopted?

19 JEFF ROBERTS: No, that hasn't been
20 an advantage to the Petitioner. We'll be
21 talking about that at the next meeting.

1 THOMAS ANNINGER: Okay. Let's move
2 this along. Thank you very much, Jeff, that
3 was very helpful.

4 STEVEN WINTER: Yes, thank you.

5 THOMAS ANNINGER: Let's begin our --

6 PAMELA WINTERS: Can I start?

7 THOMAS ANNINGER: -- our discussion.

8 We have not closed the hearing, but we are
9 now --

10 H. THEODORE COHEN: I actually would
11 like to ask a question of the proponent.

12 THOMAS ANNINGER: Sure.

13 H. THEODORE COHEN: Have you
14 considered the possibility of expanding the
15 existing building or, you know, demolishing
16 it and building townhouses or doing some
17 alternative since one of the requirements of
18 the Special Permit is that we determine that
19 the Special Permit is more advantageous than
20 the other alternatives?

21 PETER QUINN: So what you're looking

1 at right here actually is a by-right
2 addi ti on.

3 AHMED NUR: The mi crophone?

4 PETER QUI NN: I think I have it on.

5 AHMED NUR: Is it on? The green
6 light?

7 PETER QUI NN: Green light.

8 What you're looking at here is in fact
9 an addi ti on to this bui lding. There is a
10 small aspect of this existi ng bui lding which
11 is non-conformi ng which is the front setback.
12 And there's a porch that's been filled in.
13 If we remove that, we would have a conformi ng
14 front setback which is over 15 feet. 15 feet
15 is requi red. And then at that point we can
16 add to this bui lding as much as the FAR would
17 allow us provi di ng we're di mensi onal ly
18 conformi ng on the sides to the side setbacks
19 and that there's no other non-conformi ty in
20 this existi ng bui lding. I menti on the
21 non-conformi ty because if you are a

1 non-conforming building, you can only add 10
2 percent by right. And you can add up to your
3 FAR if you are conforming. So we would want
4 to make this building conforming. As
5 mentioned, we would probably separate this
6 building into two townhouses and then make a
7 third on the rear. This is can be done, you
8 know, as far as we have been able to analyze
9 by-right.

10 RICHARD BRAWN: But it would cost.

11 PETER QUINN: Yeah, there are some
12 cost issues with this because this existing
13 house on the interior is actually renovated
14 very nicely, and we think that this house
15 right here would be disadvantageous to the
16 neighborhood. It would be very, very long.
17 There's no break in it. These units would
18 not necessarily be any better because they
19 don't get as much light and air as they would
20 if we were able to separate them. So the
21 separation has a number of advantages as I

1 just mentioned. It also allows us to get
2 landscaping around the building and to
3 control the parking and to keep it out of the
4 backyard, and to create sort of an equal
5 distribution of light and air for all the
6 units.

7 THOMAS ANNINGER: You say you were
8 involved in 49?

9 PETER QUINN: Yes.

10 THOMAS ANNINGER: Well, if you
11 recall, the argument you're making here was
12 identical to the one you made for 49. You
13 could have done it all in one.

14 PETER QUINN: Right.

15 THOMAS ANNINGER: And for the
16 reasons you just gave it was decided that it
17 was better to break them out into two
18 separate units and we agreed to that. And
19 actually unit 2 is benefitting from that as
20 is unit 3.

21 WILLIAM TIBBS: If you don't mind,

1 and I know you wanted to say something, but
2 relative to that point, I remember when we
3 were kind of dealing with this on the Board,
4 I think, Tom, you were around then, and that
5 was the crux of this issue.

6 THOMAS ANNINGER: That's right.

7 WILLIAM TIBBS: We realized that we
8 had Long -- and help me, Roger, if we're off.
9 But we had Long cites where we were trying to
10 figure how to sort that out. As a matter of
11 fact, we did a great little -- the city, the
12 staff did a great little magazine-like piece
13 to help describe to the neighbors or to folks
14 in general how this thing works. And that, I
15 think that was the crux, that you had to
16 decide -- given that you could do this, you
17 had to decide if you're going to do it in a
18 single building or do it in a separate
19 building. And if it was a separate building,
20 it had to have the quote, unquote -- you
21 would have to prove that the separate

1 building was better than the single.

2 THOMAS ANNINGER: That's right.

3 WILLIAM TIBBS: And so I think
4 that's where we are now kind of. And it's
5 not an issue of whether or not you can or
6 can't build in the background.

7 PETER QUINN: Right.

8 WILLIAM TIBBS: In the backyard.
9 It's an issue of as the Zoning is written.
10 It's do we do -- is it better to do it in one
11 building or is it better and what's the pros
12 and cons of those.

13 H. THEODORE COHEN: Just to follow
14 up on that, has the Historical Commission
15 taken any position with regard to this
16 structure?

17 PETER QUINN: We have not consulted
18 with them because it would not require any
19 renovation or demolition at this point.

20 H. THEODORE COHEN: I'm thinking
21 that there were other cases we heard where --

1 well, it was theoretically possible to expand
2 an existing building or demolish it, and
3 rebuilding was viewed as a historic worker's
4 cottage which the Historical Commission did
5 not want to see demolished or expanded upon.
6 And so that was a critical factor in our
7 determination, whether there was an advantage
8 to allow the Special Permit.

9 PETER QUINN: Right, right. I can't
10 speak for the Historical Commission, but I
11 believe this building has been so renovated
12 and modified over the years that it hardly
13 looks like it originally did. But it's
14 certainly one of -- the front porch as it
15 exists right now has all been filled in and
16 removed so that I think what we're doing is
17 to try to give it some presence on the street
18 and to give it some character as I showed you
19 on the other drawings. I think you have to
20 consider that this structure over here, which
21 was the existing house at 49 was a relatively

1 short building. This is much, much longer.
2 It's twice as long, really, and fairly
3 narrow. So it's -- while that gives quite a
4 bit of landscape area around it, it also
5 forces the point about how do you add onto it
6 without creating, you know, a much too long
7 structure? You know, this structure would be
8 approximately a hundred feet long. Whereas,
9 if we can break it into two, you know, we
10 create the possibility of more light and air
11 in general around this lot. More landscaping
12 rather than just have it all pushed to the
13 back.

14 THOMAS ANNINGER: All right, let's
15 keep talking if we can.

16 PAMELA WINTERS: Can I say
17 something?

18 THOMAS ANNINGER: Pam.

19 PAMELA WINTERS: I've been biting my
20 tongue here. I really don't like this
21 project, and I rarely come out with that

1 comment. If I were the neighbors living in
2 that charming little brick house to the left
3 or the neighbors living in those two houses
4 that are separated by the white fence, to
5 have another house plunked down that close --
6 and I took a lot of time yesterday walking
7 around, first of all, I really hate
8 in-filling long backyard spaces. That's
9 something that I -- I think that open space
10 in this area is very precious, and it means a
11 lot to those two houses and to the little
12 brick house just to have that kind of
13 sunlight and air available. I just, you
14 know, if it were me, if I lived in one of
15 those houses, I would be really upset to have
16 a house that close to me. And I just don't
17 like it. I would rather you go back to the
18 drawing board and manage, somehow or other
19 maybe put three units into that one building
20 on the street. But that's my, that's just my
21 opinion. I just -- it makes me crazy when I

1 see backyard areas being in-filled. So I'm
2 sorry. I rarely get upset at meetings, but
3 this is upsetting me, but probably because I
4 walked around the area yesterday and really
5 saw what it was going to be like.

6 THOMAS ANNINGER: Bill.

7 WILLIAM TIBBS: You shouldn't be
8 upset. I think, you know, you're just
9 expressing yourself.

10 PAMELA WINTERS: All right.

11 WILLIAM TIBBS: And I don't want to
12 disagree with you, but I think, as I said, we
13 spent a lot of time, and we have, the Zoning
14 allows for them to do this. So it really is
15 how do they do it is the real issue.

16 PAMELA WINTERS: Right.

17 WILLIAM TIBBS: And quite frankly I
18 see two properties right beside this where
19 that has been done. And so for me I just
20 have a hard time saying it's okay for this
21 one, it's okay for this one. Okay, and now

1 that the Zoning allows that and this one
2 wants to do it. So I must admit, though, I
3 do feel that I think it's up to the proponent
4 to really discuss or present this in the
5 terms that the criteria requests, because I
6 think in the past we've actually done that.
7 They've actually made the case as to why this
8 is better or very specifically say I think
9 this is -- and you've kind of said that as
10 you're going along, but I think much more
11 specifically just to very similar to the way
12 you've outlined criteria in the beginning,
13 just really hit those points, that the pros
14 and cons of doing it together and then as one
15 structure and doing it as a separate and why
16 there are benefits. And but I think that --
17 and that's my, that's my reaction. I --
18 quite frankly when we talked about this in
19 the first place, many years ago, and staff
20 might have to remind me when it was.

21 THOMAS ANNINGER: It's not that long

1 ago for 49. It's 2010. Only two years.

2 WILLIAM TIBBS: Yes, but I mean when
3 we actually changed the Ordinance to allow
4 this to happen. I was like you, I was very
5 reserved about allowing a lot of this stuff,
6 but we did decide that and we set this
7 criteria for --

8 PAMELA WINTERS: Yes.

9 WILLIAM TIBBS: And so I can, even
10 though I -- as the third one in a row right
11 beside it, I think it looks a little onerous.
12 In my mind at least to restrict this one --

13 PAMELA WINTERS: I understand.

14 WILLIAM TIBBS: -- we have to look
15 at the criteria and does this meet it or not
16 unfortunately. That's where I am.

17 THOMAS ANNINGER: All right. I
18 think, Bill, you've expressed a lot of how I
19 feel about this, but I'd like to check with
20 my colleagues and see -- we did go through
21 this previously and have found for 49 on

1 exactly this issue. And it's a little hard I
2 think to have somebody come in two years ago
3 and do a project that I have to say is very
4 successful. It's very nice, and I don't find
5 it overly dense at all with a very nice back
6 yard and parking that works very well. I
7 think it's a vast improvement from what they
8 had before. Even though it is what some
9 people call an in-fill. I don't see this
10 quite as in-fill. I think it's very
11 successful. I see nothing wrong with this
12 kind of density when it's done with such
13 taste. And I think this project here would
14 fit quite well into that, and I think it's a
15 little bit unfair to have people sort of come
16 in two years ago, benefit from this
17 provision, and then say well, that's it, I'm
18 putting up the walls and I don't want
19 anything more to come right after me even
20 though I just got the benefit of it. So I
21 think there's a fairness issue.

1 How do you feel ?

2 H. THEODORE COHEN: I definitely
3 agree with you. That's a chronic issue I
4 think in a lot of -- both in Zoning and in a
5 lot of conservation issues that people have
6 gotten their, you know, waterfront property
7 and then object to anybody else coming in and
8 interfering with their views. I think in
9 this neighborhood there are a lot of houses
10 that are densely packed together. I don't
11 think this is out of context with other
12 things. I think when you do look at it, you
13 know, 53 and 53R exist and 49 and 49R exist,
14 and they were built at some time, and so
15 putting a third one in there does look like a
16 lot of stuff in one area, although I don't
17 really think it's out of context with the
18 neighborhood. But then, you know, the first
19 two projects, you know, were far enough apart
20 so maybe there weren't shadow issues. If
21 there had been, this project was already in

1 existence, then those would have to have
2 dealt with the shadow issues. So I'm just
3 not certain that I'm convinced yet that they
4 have met all the criteria of the Ordinance to
5 fully justify the Special Permit, but I'm not
6 sure that it can't be justified, and I'm not
7 convinced that, you know -- well, there might
8 be an alternative, you know, that would be
9 better. But, you know, we've briefly heard
10 testimony. They considered it. But for
11 reasons not to do it, I'm just not a hundred
12 percent convinced yet that this isn't the
13 better project.

14 THOMAS ANNINGER: Ahmed? Who would
15 like to go first?

16 AHMED NUR: You can go first.

17 THOMAS ANNINGER: Go ahead, Steve.

18 STEVEN WINTER: I am emphatically in
19 favor of this proponent's proposal and I
20 think it's good to go. And I think we should
21 let it go ahead and let them build. I agree

1 with the points, I won't repeat the points
2 that have been made, but I will say let's not
3 lose track of the fact that the two dwellings
4 that are being proposed by this architect are
5 both, I think, very charming and
6 architecturally significant buildings.
7 They're very charming buildings, both of
8 them. And I think they're going to add to
9 the neighborhood significantly. They have a
10 lot of character, a lot of charm. And the
11 piece on the left, the existing building,
12 well, let's just think about a silk purse.
13 You know, so I think there's an improvement
14 there. I also believe very strongly that we
15 cannot forbid proponent's development
16 activity that we have permitted in the past.
17 There's got to be other ways we can deal with
18 it if we feel like it needs to be dealt with.
19 But I feel like I could hang my hat on the
20 Special Permit from the Planning Board from
21 the development of two or more structures on

1 lot may not significantly increase and may
2 reduce the impact of new construction should
3 it occur in one long single structure. I'm
4 completely, I feel like I'm on solid ground
5 that that is correct. And I go back to then
6 to 2-B3 the extent to which two or more
7 structures provide an enhanced living
8 environment for the residents. Those family
9 units I think are going to be much more
10 liveable than one long structure without the
11 windows and the air involved. And then the
12 opportunities presented to reduce the visual
13 impact of parking. I think we're meeting
14 that one. And the increased opportunities to
15 reduce the height and bulk as new
16 construction. So I feel like I'm on firm
17 ground.

18 Ahmed.

19 PAMELA WINTERS: Okay.

20 THOMAS ANNINGER: Ahmed.

21 AHMED NUR: Yes, I think I kind of

1 fall in between my colleagues. I do think
2 that there's not much to do to make the
3 neighbors happy. Obviously shadows is the
4 only concern that they have now, and the new
5 building in the back seems to be somewhat
6 almost -- is it 30, 32, 31 and seven inches,
7 and I'd like to see a little bit of a change
8 happen to that in just an improvement on the
9 shadow if possible. I think that the height
10 is a little bit up there and that could help
11 the abutters. Other than that I think it is
12 architecturally it looks great and it's
13 better and it's actually a lot better for the
14 neighbors to put a three unit and separate
15 than what they have at the moment. That's
16 all I have to say.

17 THOMAS ANNINGER: Thank you.

18 Let me go back to the shadow thing for
19 a second and refer to the Ordinance and what
20 was talked about focusing on that would
21 minimize the impact of the shadows. As I

1 understand the word minimize, it means to try
2 to reduce to the greatest extent possible.
3 It does not mean to eliminate the shadow
4 impact completely. That's how I understand
5 the word minimize. And pushing the building
6 back three feet, while it may not seem like a
7 lot, if you take a look at the backyard,
8 there is this magnificent maple tree there
9 and I think the idea of trying to preserve as
10 much of that open space as possible for the
11 root structure and for that maple tree to
12 thrive is significant so that those three
13 feet were probably about as far as you ought
14 to be willing to go not to ruin what is
15 there. And the Ordinance speaks very much to
16 the issue of preserving as much of the open
17 space as possible. And I think you've tried
18 to balance some difficult issues between
19 shadows, open space, not giving too much to
20 the parking. I think it's unfortunate to
21 provide too much parking space because you're

1 providing space that doesn't get used
2 profitably, or you're ending up with four
3 spaces which in a way is not a plus. So I
4 think we can go through the Ordinance and
5 just see whether the criteria have been
6 satisfied. They're difficult things to read,
7 but let's try to do that and see if we get
8 there. This is a funny statute where we have
9 A or B, and Steve has suggested that A works
10 and that we don't even have to reach B. I'm
11 not entirely convinced that this single
12 structure concept really works.

13 WILLIAM TIBBS: Can I just, in light
14 of our agenda for tonight, I was just
15 wondering could we maybe just pull that
16 together at another meeting because we really
17 have a pretty long -- even though I think we
18 can do this in a relatively short amount of
19 time, I'm just thinking of just not being
20 here till midnight at least.

21 THOMAS ANNINGER: I agree with you.

1 I would very much like to move this along,
2 but I think we have to give it its do. I was
3 thinking of just running through what is the
4 5.53 permit criteria in the application given
5 to us which I think does a good job in
6 speaking to the issues.

7 WILLIAM TIBBS: Sure.

8 THOMAS ANNINGER: If we do get to B
9 instead of A, let's see if we can run through
10 them quickly.

11 One is the one that speaks to
12 preserving the rear yard setback and
13 dedicating that to green area. I think
14 they've done that.

15 WILLIAM TIBBS: Yes.

16 THOMAS ANNINGER: We just talked
17 about that.

18 Locating the building in the parking
19 facilities in the front half of the lot. Is
20 it all in the front half?

21 ATTORNEY SEAN HOPE: Yeah, if you

1 consider that the rear setback line is 35
2 feet, and the front yard setback -- so the
3 middle lot would really be where the building
4 and the parking would be. And I would say
5 it's probably not exactly middle, but --

6 RICHARD BRAWN: It's existing.

7 THOMAS ANNINGER: I mean I think
8 that was one of the balancing you tried and I
9 guess I would say that certainly the effort
10 was there to try to do that.

11 STEVEN WINTER: The proponent has
12 placed the cars so that the homeowners really
13 are feeling the impact of those cars and I
14 think not the neighborhood. So I think
15 that's exactly where the cars ought to be.

16 THOMAS ANNINGER: Does it provide an
17 enhanced living environment for residents on
18 the lot? I think that is undoubtedly the
19 case in terms of landscaping and parking and
20 so on. The only argument that I wasn't very
21 moved by when you said this would enable you

1 to rebuild the building in front. I think
2 you could do that whether or not you put a
3 building in back. So I'm not sure that's a
4 very convincing argument. But I do think it
5 is an improvement in a number of ways, and in
6 terms of landscaping, and you are improving
7 the front lot as well.

8 The parking area will be screened so
9 the visual impacts of parking have been taken
10 care of from the public and from adjacent
11 lots. We've gone through that. And the
12 increased opportunities presented to produce
13 visual impact of parking from the public
14 street has also been dealt with because it
15 really is between the two sites and there's
16 not much you can see from the front of the --
17 from the street. So I think there are a
18 number of other criteria that need -- that
19 have been addressed in this application and
20 I'm tempted not to go through them all based
21 on what Bill said. I think we're all anxious

1 to get on with this. I guess the question is
2 whether we need another two weeks or whatever
3 to think about this or whether we should
4 proceed to a motion here.

5 PAMELA WINTERS: Could I ask a
6 question?

7 THOMAS ANNINGER: Yes.

8 PAMELA WINTERS: So would it be
9 possible for, in terms of the shadows, would
10 it be possible for us to consider them -- it
11 sounds like everybody is in agreement in
12 putting the house in the backyard, but would
13 it be possible for them to consider lowering
14 the house in the backyard and thus mitigating
15 the shadows on the abutters or is that not
16 something that my colleagues want to
17 consider?

18 STEVEN WINTER: Mr. Chair, I'd like
19 to say that I felt that the shadow study
20 showed me that the shadows are being
21 minimized. I mean, nobody's out of shadow

1 ever for all time, but I you know, we live in
2 an urban environment, but that the shadow
3 study that I saw, assuming that it's correct,
4 didn't present me with an undo burden.

5 THOMAS ANNINGER: What is the height
6 of the building?

7 AHMED NUR: 31.7?

8 PETER QUINN: 32.

9 THOMAS ANNINGER: 32.

10 PETER QUINN: 32 to the bridge.

11 THOMAS ANNINGER: And can you tell
12 quickly from that whether the height of the
13 building is really what's causing the shadow?

14 PETER QUINN: It depends on the sun
15 angle. At this time of year this part of the
16 roof is in shadow so therefore the ridge is
17 producing some of the shadow, not all of it,
18 but some of it, yeah. So that extra height,
19 I mean if you can imagine this is a flat
20 roof, stylistic issues aside of how you make
21 that attractive like a cottage in the back

1 which is the motif we were trying to use,
2 would probably produce a little less shadow.
3 But I haven't actually studied that.

4 THOMAS ANNINGER: What is the height
5 of the buildings at 49?

6 PETER QUINN: They're about the
7 same.

8 THOMAS ANNINGER: About the same?

9 PETER QUINN: Within a foot or so of
10 that.

11 THOMAS ANNINGER: My understanding
12 is that 32 feet, 35 feet being what the
13 requirement?

14 PETER QUINN: Yeah. If this
15 building had a flat roof as it does at the
16 front, this is about the length of shadow
17 that it would cast at December 21st. So
18 this, the ridge is giving you that little bit
19 of extra there.

20 THOMAS ANNINGER: Right.

21 PETER QUINN: Just in round numbers

1 I try to explain that anecdotally.

2 AHMED NUR: That would be an
3 improvement in my opinion.

4 WILLIAM TIBBS: I kind of -- my
5 sense is that once we -- I guess my sense is
6 that once we determine that the setbacks and
7 the actual heights are in conforming with the
8 Zoning, then that just implies a shadow
9 because it's an urban environment and that's
10 just there. We can't avoid that now. If it
11 was -- if they were trying to be within
12 closer to the setback or trying to do
13 something more than we -- then that's where
14 that criteria jumps in. But, you know, when
15 you look at the typical setback of any
16 property that are typical setback
17 requirements there, is that are definitely
18 shadow, unless you're in, you know, Res A.
19 You know, you're definitely in, there are
20 shadow impacts. So these shadows are not
21 onerous to me, you know, based on the

1 cri teri a.

2 THOMAS ANNINGER: I think it would
3 be a major imposition to require a flat roof.
4 That seems like a strange architectural point
5 that I'm not prepared to impose.

6 STEVEN WINTER: Nor me.

7 WILLIAM TIBBS: I think the
8 architect has gone through a lot of effort to
9 try to make a roof design that blends in with
10 what's around it.

11 THOMAS ANNINGER: Exactly.

12 Let me put it to you this way, the way
13 I'm reading the Board we have five members
14 who are prepared either tonight or at some
15 other meeting to consider this positively.
16 How do you want to proceed? Shall we go for
17 a -- shall I seek a motion tonight or shall
18 we postpone this? And is there any point in
19 postponing this is my question?

20 AHMED NUR: You know, my take is
21 that it's -- the fact that this house is

1 being built in the back at such a massive and
2 also projecting shadow on someone else's yard
3 I'm not, I'm not prepared to pass it tonight.
4 I'd like to think about it and at least have
5 the chance to see if there's any other
6 improvements. I looked at it, I went there,
7 and I just am not prepared to pass it as it's
8 proposed to me at the moment.

9 STEVEN WINTER: Mr. Chair, I'm
10 prepared to approve it but, you know, Bill,
11 you've always been a good voice for us moving
12 ahead as one unit. But I'm certainly
13 prepared to approve it. I feel like the
14 shadow issue is not an issue.

15 H. THEODORE COHEN: Well, I don't
16 think the shadow is an issue and I applaud my
17 colleagues who have I think done a better job
18 at going through the criteria than actually
19 the proponent has, but I think -- and so I'd
20 be prepared to go forward today, but I think
21 we generally held to a policy that if one or

1 more of us wanted some additional time to
2 consider it and perhaps to have the proponent
3 or the opposition, since we haven't closed
4 the hearing, to make a little further
5 presentation, it would be fine with me to
6 continue it.

7 THOMAS ANNINGER: I guess it's --
8 I'm with Ted on that. I'm prepared to go
9 forward, but I don't want to force Ahmed's
10 hand who would like to think about it some
11 more. I think you have told us how you feel.

12 PAMELA WINTERS: How I feel.

13 THOMAS ANNINGER: I'm not sure
14 that's going to change but it might.

15 PAMELA WINTERS: It might.

16 THOMAS ANNINGER: So I think given
17 what we've just discussed, I think it's time
18 to adjourn this part of our meeting tonight
19 and move on to the next item and we will look
20 forward to seeing you again soon.

21 Thank you.

1 It's clear that the public hearing has
2 not been closed and so we're prepared to take
3 testimony again. Typically we do that if
4 there are changes, but even if there are no
5 changes, we'll probably take a little bit
6 more public testimony.

7 Thank you.

8 (A short recess was taken.)

9 HUGH RUSSELL: Being after nine p.m.
10 the Planning Board will take up case No. 179
11 the Major Amendment to devise a master plan
12 for North Point, and we also have a design
13 review for Building N and I'm not quite sure
14 how you're going to integrate this all or do
15 them one two.

16 TOM O'BRIEN: So let me try to do an
17 intro. We'll obviously do whatever you
18 prefer, but here's our thinking on this. So,
19 again, my name Tom O'Brien. Thank you very
20 much for allowing us to appear in front of
21 you again. We're a little bit earlier on our

1 start. I know last time you guys wanted us
2 to come a little bit earlier and we're here
3 ready to go now.

4 Here's our basic agenda just to launch
5 right into it given the lateness of the hour.
6 Here's our basic agenda. We need to finish
7 up the presentation on the master plan. I
8 think we did a full presentation to you last
9 time. But as you noted, both just prior to
10 last presentation and in the days since
11 there's been a few comments that we have
12 addressed and we want to kind of give you the
13 results of those. So the first step will be
14 to take up the master plan. I think honestly
15 that might not take much more than 15, 20
16 minutes or so. I mean I hate to -- I don't
17 want to pre -- you know, presuppose anything,
18 but the -- but I think it could get, you
19 know, done fairly quickly. And then our
20 thinking is, and I think it's important from
21 a -- as a procedural matter, hopefully with

1 Roger and Brian's okay, as a procedural
2 matter I think we need to finish the master
3 plan and then take up parcel N. Because
4 parcel N's, part of parcel N's design review
5 and approval process is part dependant on the
6 completed plan.

7 ROGER BOOTHE: And, Tom, part of
8 that would be for the board to take a vote.
9 I think it would be tidier to take a vote.

10 HUGH RUSSELL: I agree with that.
11 And also because it is a public hearing there
12 will be part of the master plan and an
13 opportunity for the public to speak.

14 TOM O'BRIEN: My colleague and
15 partner Doug Manz is going to do most of the
16 leading for that. And then we'll go right
17 into the parcel N design review, and for that
18 we have a really interesting -- we're very
19 excited about this project. I will tell you
20 just in 10 seconds or less, we've got David
21 Unger here who is going to lead us to the

1 building, but I think our combination of that
2 and plus our work with Landworks on the
3 public realm pieces of it, I think you're
4 going to be very pleased with it. We're very
5 excited about the building. So, let me
6 immediately yield it to Doug who is going to
7 do that.

8 Thanks.

9 DOUG MANZ: Good evening and thank
10 you. And my name is Doug Manz, M-a-n-z with
11 the HYM Investment Group.

12 As Tom stated, I'm probably going to
13 take you through 12 or 14 items which are
14 really more responses to comments that we
15 have received, and so we'll try to be
16 succinct about it. We're gonna run through.
17 By all means, you can stop me if there's a
18 question.

19 Okay, why don't we go to the next
20 slide.

21 So, we had actually met with the

1 Bi cycle and Pedestrian Commi ttee probabl y
2 about, a little bit under two weeks ago.
3 They had actual ly submit ted through Kara
4 Seiderman a list of comments and questi ons
5 whi ch we actual ly -- it was probabl y about
6 three pages of it, and we actual ly formal ly
7 responded to the commi ttee wi th an ei ght-page
8 response letter. So real ly we went i tem
9 through an by i tem to them to try to real ly
10 expl ai n.

11 HUGH RUSSELL: And we have recei ved
12 that.

13 DOUN MANZ: Okay, excel lent. I'm
14 gl ad you guys recei ved it. What I'd like to
15 do, kind of do, is kind of go through a few
16 of just kind of the highl ights of that
17 response that woul d be hel pful .

18 The fi rst was there was a
19 recommendati on by that commi ttee and by other
20 staff members to actual ly provi de a new
21 hubway stati on at the proposed new Green Li ne

1 station. We have committed to that. It will
2 be a 19-slot hubway station, which is a
3 pretty big hubway station to match the four
4 or five slot. So we're just showing that as
5 an image there. Also we've committed to
6 continue to provide space at the existing
7 Lechmere Station. So there is already a
8 hubway station at the existing Lechmere
9 Station on parcel B. And when we redevelop
10 it, we'll make sure that we integrate it into
11 the design of a plaza space and the landscape
12 there. So this area will actually have two
13 hubway stations; an existing one, integrated,
14 and then a brand new one. That will be when
15 the Green Line station gets relocated on to
16 our site.

17 There was a lot of comments and
18 feedback about kind of the vertical
19 connection from the site up to the Gilmore
20 Bridge. And we spent a lot of time on this,
21 but there was a few key recommendations from

1 the City of Cambridge earlier on which was
2 the incorporation of Reynolds and the
3 stairwells, and this is just kind of a
4 precedent image. CBT and Landworks go
5 through this in more detail about how we can
6 get bikes up and down this actual vertical
7 connection. But also further conditions of
8 the City of Cambridge staff, we have an ADA
9 elevator that actually exists as well. It
10 actually fits a hospital gurney, which also
11 makes it pretty easy for bikes to fit in as
12 well, too. So that's part of this vertical
13 connection.

14 A third item which came up which we're
15 really excited about, honestly, is actually
16 really a development of a bicycle signage
17 system. Because there's a number of bike
18 paths now coming to the site; you've got the
19 vertical connection. There's not a sign
20 system today. And so what we committed to do
21 was to work with the City of Cambridge staff

1 and the bicycle and pedestrian committee to
2 really come up with a new system of science
3 that's really geared to bicycles as well as
4 pedestrians. Again, it's more of a longer
5 term rollout, but that was a comment so we
6 talked about it.

7 And then last, which again David
8 Nagaheiro from CBT will go through in more
9 detail is the current regulations -- this is
10 kind of just a quick image of the first floor
11 plan of parcel and apartment tower, requires
12 0.5 bicycle parking spaces per unit. We do
13 know from the staff that there is an
14 Ordinance that's moving its way through
15 that's going to require one to one, one space
16 per unit. So we've actually agreed and
17 committed to providing one space per unit,
18 and so that was one. And the other was there
19 was not at the time an entrance from the
20 front of the building into the bike parking
21 room. We've actually added that, and again

1 that was a direct comment, which we felt was
2 a great comment from the Bicycle and
3 Pedestrian Committee.

4 So there are some other comments and
5 things that we addressed in the letter.
6 These are kind of a quick highlight. So we
7 just wanted to at least relay those to you.

8 The next item was actually a
9 combination of not just of the bicycle and
10 pedestrian committee, but also the friends of
11 the community path. We had met with them
12 probably about a week and a half ago, which
13 really had to deal with the connection of our
14 on-site community path, which against our
15 tier goes through the site and connects over
16 to the North Bank Bridge, but how that
17 actually connects over to the future
18 community path extension in Somerville and/or
19 potentially the grand junction trail. And I
20 think there is some confusion about it. We
21 have submitted additional language for the

1 approval to Roger Boothe that just reaffirms
2 our commitment. We are happy to have the
3 Grand Junction Trail and the Community Path
4 Trail both get on to the side. We'll provide
5 the appropriate easements when they hit our
6 sites in the landing spots. And then once
7 they get to our site we'll provide the at
8 grade connection from wherever they land back
9 to the current community path which kind of
10 ends in a small cul-de-sac currently here at
11 the end of West Boulevard. But the main
12 point was to show our commitment to make sure
13 that when they get to the site, they'll get
14 connected so that people can go straight
15 through to the North Bank Bridge.

16 That also would include -- there's also
17 potential of the other ring as well. So
18 there could be one, two, or three potential
19 connections in. And our perspective is that
20 we're committed to making sure that they come
21 together.

1 I'm going to move to another comment.
2 This was actually a combination from the
3 Cambridge Traffic Department, Sue Clippinger
4 as well the Bicycle/Pedestrian Committee,
5 really how to do deal with the layout of
6 Child Street. And, again, so quickly this is
7 North Point Common which is currently
8 constructed. This is the Gilmore Bridge.
9 And it dealt with the connection from North
10 Street and Dawes Street. We originally had
11 shown one way here and one way out, which put
12 a lot of vehicles right at the base of our
13 vertical connection and pedestrian bridge.
14 And so the recommendation from the Cambridge
15 Traffic Department was to make the left side
16 of the park two way, which we agree with.
17 It's a great way to do it. And it really
18 allows the vehicular circulation to stay on
19 the left side of the new finger park that
20 we're going to build. And you'll see some
21 better designs of this later from Landworks

1 and CBT. This really allows this to become a
2 court street or a shared street. Really not
3 a road at all, but really kind of more of an
4 open shared area. And so, again, that was a
5 great comment from the City of Cambridge
6 staff, and we're excited about it. And
7 that's in the current 40 scale plans that
8 we've resubmitted to the city. But, again,
9 that was an upgrade there.

10 So now I'm going to go through a series
11 of transportation related items. Most of
12 these items I'm going to say are actually in
13 a letter from Sue Clippinger to the Board
14 today. So this is really just to affirm that
15 we're in agreement with her comments on it.

16 First is the 40 scale plan. So we had
17 submitted an original set of 40 scale plans.
18 We've resubmitted another set with the child
19 street updated. And I believe we're in
20 agreement in concept on these plans. But I
21 believe we're in agreement in concept on

1 these plans. But there's still probably a
2 number of tweaks and other comments that we
3 have to really address with Sue Clippinger
4 and staff. So I guess our comment here is
5 that we've committed to coming back with a
6 final submission prior to the design review
7 of the fourth building. And to put that into
8 context Sierra and Tango were the first two
9 buildings. So there's buildings 1 and 2.
10 Parcel N is the third building. So what it
11 really means is that before we come back with
12 the next building, we have to make sure that
13 we're all squared away with the City of
14 Cambridge staff on the 40 scale points, which
15 we believe we will be and we're committed to
16 it.

17 The other was there's been a lot of
18 discussion with staff --

19 HUGH RUSSELL: So just to interrupt
20 you.

21 DOUG MANZ: Oh, I'm sorry, go ahead.

1 HUGH RUSSELL: What's -- the problem
2 is not the streets or what they are, but it's
3 the inches and the feet and the language and
4 the radii and stuff like that. Which is
5 highly technically means a lot of people to
6 buy in. So conceptually there's an agreement
7 as to what the pattern is, it's just exactly
8 getting the details resolved perfectly.

9 Okay.

10 DOUG MANZ: Right.

11 In addition we've been having
12 preliminary conversations with Sue Clippinger
13 in the Traffic Department as well as other
14 Cambridge staff members around shared
15 parking, retail, parking ratios. And one of
16 the items that's in the letter from the
17 Cambridge Traffic Department is the concept
18 that we have committed to meet with the City
19 of Cambridge Traffic Department staff and to
20 continue to work on these items and report
21 back to the Planning Board on these concepts

1 before the design review of the fourth
2 building.

3 Third item, and this was an original
4 condition of the first Special Permit,
5 there's an important connection at which is
6 North Point Boulevard between Water Street
7 and East Street. And we're in agreement that
8 a hundred percent design plans for this
9 segment needs to be submitted and approved by
10 staff and the Planning Board prior to
11 submission of the Building Permit for the
12 fourth building. And the reason why this
13 connection is important because this will
14 allow people from Monsignor O'Brien Highway
15 to come into the site without having to go
16 through, you know, the Land
17 Boulevard/Monsignor O'Brien intersection or
18 from Museum Way. So this really completes
19 the internal connection. Today you have to
20 come in East Street or Water Street but
21 there's no cross connection. So it's more of

1 a timing sequence and I think we're in
2 agreement with staff as to when that should
3 happen.

4 This is more kind of just a technical
5 item. But, you know, we do have an existing
6 TIS back from 2003. We worked with the
7 Cambridge Traffic Department about that TIS
8 still being valid or applicable for this
9 process. Again, we haven't made substantial
10 changes to the project that would cause
11 traffic impacts, and so I think we're still
12 working off of that. So I think this is a
13 comment more of the Board as part of their
14 approval it needs to find a finding but
15 there's no substantial impact to the traffic
16 because of these changes.

17 This is just the larger plan. We can
18 just jump passed that.

19 Moving on just quickly, open space.
20 Now, this is a plan that we've already showed
21 you two weeks ago, and this shows the going

1 from nine acres to eleven acres of open
2 space, and there's also a number of new
3 finger parks which before did not exist on
4 this plan. One of the things that we wanted
5 to do -- we can jump to the next slide -- we
6 just wanted to give a little bit more flavor
7 for the Board about our intent of character
8 of these parks as we go forward. You're
9 going to see the finger park in front of
10 parcel N which is going to be described by
11 you CBT and Landworks which will show that
12 concept. But the main point as we build each
13 of these additional finger parks, which we
14 have six more to come, they're meant to be
15 different in theme for each of them. They
16 will not replicate the NorthPoint Common
17 which is a beautiful structural park, but the
18 idea is they'll each take on their own theme.
19 And it will really depend on the building
20 they're next to. I'll give you some
21 examples.

1 We do envision one of being a really
2 nice dog park. We do envision one as you get
3 close to the retail square it might become
4 more formal in nature. It might start to
5 have, you know, the kind of the built in
6 chess tables or more sitting areas. Because,
7 again, it's more active near retail square
8 area.

9 And as we get farther away, even though
10 North Point Park has some beautiful
11 playgrounds for children today, at some point
12 by the time you get to the tail end of the
13 site by parcel A you're pretty far from that.
14 So we envision that some of those parks that
15 get farther away might actually to start
16 getting back to incorporating playgrounds.

17 And so -- but it's just meant to give
18 you that -- it's not meant to be a single
19 theme throughout, it will be different. And
20 as we come back with different buildings,
21 you'll see design review of these parks as

1 well. So we'll be back before this board to
2 go through each of these.

3 All right, four other items, additional
4 master plan items, more just again, you know,
5 as some of you mentioned two weeks ago, as
6 part of this we have requested an extension
7 of Special Permit duration for another eight
8 years to 2030. Originally this was approved
9 with 20 years in mind. We still have 18
10 parcels to go. So we're asking for an
11 extension today for another eight years, so
12 that it would run through the end of 2030.
13 More of a nuance, but the original master
14 plan showed the hotel here on parcel V, the
15 current Lechmere train station, we've
16 actually moved that into kind of anchoring
17 the retail square and it's shown here. So,
18 again, technically the Planning Board as part
19 of it's approval is approving a hotel and use
20 on parcel I. I just wanted to point that
21 out.

1 And just for some clarity here, as you
2 guys may recall, we did get a Zoning
3 Amendment that allows above grade parking,
4 and this Zone against the commuter rail
5 tracks in Boston and against the Gilmore
6 Bridge here to be excluded from FAR.

7 However, the exclusion requests will happen
8 within the design review of each building.

9 So you'll hear about it today for parcel N
10 which is against the Gilmore Bridge. But any
11 of these buildings that are built, which if
12 they have an above grade garage, which most
13 likely they will, they'll be described at
14 that. So it's just more of a timing thing.

15 So I wanted you guys to be aware of so you'll
16 see each of those buildings.

17 Also we did submit two weeks ago a
18 detailed retail plan that kind of showed
19 locations of retail on the site. But they
20 generally just showed general perspective of
21 what street they're on, not exactly size.

1 But as you'll see today, the final retail
2 location on a parcel and the amount of square
3 footage, will be detailed within design
4 review. So you guys will be able to see
5 exactly where the retail is in the final
6 design review of the design of the building.

7 A lot of items, one more.

8 This is one of the plans that we
9 submitted last week. And what this is
10 identifying is which parcels will have
11 buildings up to 220 feet. And, again, this
12 was an important plan. As you know for
13 Zoning Amendments, we extended the 150 to 220
14 zone. And also increasing the number of
15 buildings that can go to 220. It was a very
16 purposeful trade, because that allows us then
17 to open up these areas to before these finger
18 parks all had buildings on them before. And
19 so we kind of took the mass and kind of stuck
20 it on a 150 foot building that was already
21 there previously. And this is just showing,

1 you know, kind of the idea was to vary the
2 locations of these 220-foot parcels
3 purposely. And that also makes sure that we
4 have the amount of building square footage
5 laid out so the parks can exist. So it was
6 kind of a way of saying this is where we
7 think they should be. Again, the specific
8 design of any of these buildings would still
9 come to you, but we're just basically saying
10 these are the ones that would be 220 feet in
11 height. And just for this is where our North
12 Point is which is already a 220-foot building
13 today.

14 Going to the next slide.

15 So I think I'm going to stop. So that
16 -- those are really the updates. We wanted
17 to at least give you a sense that we continue
18 to meet with the staff and as well as other
19 stakeholders. We've been responding directly
20 to them in further detail. And at that point
21 I don't think we have any other updates on

1 the master plan. So we'll probably pause and
2 see if you guys have additional questions or
3 we'll turn it over to staff.

4 HUGH RUSSELL: Okay.

5 Ahmed.

6 AHMED NUR: I just had one quick
7 question. The new location for the hotel I,
8 this traffic I guess just wanted to
9 understand why you were saying, you know, in
10 that letter you were saying analyzed the
11 impact of the hotel would have at that
12 location. I presume it would be a lot easier
13 where it was as opposed to where it was in
14 traffic going in and out. Is that included?

15 DOUG MANZ: More from a general
16 location perspective, a hotel at this
17 intersection probably is a lot more difficult
18 than a hotel that's more deeper into our site
19 just because Monsignor O'Brien Highway. So
20 -- but, yeah, I mean, we've purposely looked
21 at it, you know, in our site. And, again,

1 when the cross connection is made, it does
2 allow patrons of the hotel to come in Water
3 Street or Museum Way or hopefully a lot more
4 coming through the Green Line Station.

5 AHMED NUR: Okay.

6 HUGH RUSSELL: Are there other
7 questions?

8 (No Response.)

9 HUGH RUSSELL: Does -- I guess I
10 would ask Roger if there are any comments or
11 recommendations from the staff?

12 ROGER BOOTHE: We've spent a lot of
13 time going through these revisions and I
14 think the Board has seen them a few times by
15 now and we continue to be very pleased at the
16 direction that we're moving with this, and we
17 don't have any concerns beyond what was
18 stated. And obviously a lot of these details
19 will be worked out and into the decision and
20 so I think we're in good shape.

21 HUGH RUSSELL: So you would

1 recommend that we proceed tonight to vote for
2 thi s?

3 ROGER BOOTHE: We woul d.

4 HUGH RUSSELL: Okay.

5 Any more questi ons or shoul d we go to
6 publ ic testi mony?

7 WILLIAM TIBBS: Take publ ic
8 testi mony.

9 THOMAS ANNINGER: I thi nk we shoul d
10 go to publ ic testi mony.

11 HUGH RUSSELL: Okay.

12 LIZA PADEN: Steve Kai ser.

13 HUGH RUSSELL: Steve, woul d you l i ke
14 to speak?

15 Do you have copi es of Sue Cl i ppi nger' s
16 memo? I don' t have a hard copy.

17 Pl ease proceed, Steve.

18 STEVE KAI SER: Agai n, my name for
19 the record i s Steve Kai ser. I l i ve at 191
20 Hami l ton Street. And I wi l l read j ust
21 certai n secti ons of the l etter whi ch I j ust

1 distributed. Some of the concerns here are
2 familiar, which are a decade long problem
3 with founding the boundary out here. And
4 such as the map on the wall which shows
5 parcel E entirely in Somerville. They need
6 to define the boundary and show the areas
7 that are within the City of Cambridge. It's
8 very important for lot sizes and proposed
9 building areas to be defined accurately, and
10 we don't have a surveyed line under any
11 representation for what that boundary should
12 be. That was a problem in 2003 when the
13 original Special Permit went through, and it
14 is still there today. We need to resolve
15 that one.

16 The Zoning Ordinance says there must be
17 a legal description of the total development
18 parcel proposed for development, including
19 the exact location and a statement of present
20 and proposed ownership. As I pointed out at
21 the last hearing two weeks ago, we don't have

1 a good statement of the ownership. We have a
2 list of book and page numbers in the Registry
3 of Deeds. And I would equate that to a
4 request from this Board please provide us
5 with information and maps as to what the
6 ownership is and somebody gives you a jigsaw
7 puzzle and says put the pieces together
8 yourself. That is an unfair burden on this
9 Board. It's an unfair burden on the public.
10 I did this nine years ago and found out that
11 the listed parcels that were on that sheet
12 covered only 15 acres out of the 45. So even
13 by their own reckoning, the developer cannot
14 show that they own all of the properties
15 within this site.

16 I also pointed out that the -- in
17 Middlesex Superior Court in 2005 they found
18 13 acres of Commonwealth tidelands on this
19 site. No evidence that the railroad or
20 anybody else ever purchased it from the
21 straight. You have to go through the

1 legislature. These are all old arguments
2 that have been around for ten years, and I
3 think it's really time that we make the
4 effort to get both sides of the proponents --
5 this is not HYM's making. They bought into
6 this deal -- of the difficulty with the
7 boundary and the difficulty with the land
8 ownership. And they need to talk about it,
9 they need to show reference and documentation
10 on the boundary. And on their plans they
11 also show approximate boundary between
12 Cambridge and Somerville. Approximate. So
13 they know it. There's no question.

14 On an item I've mentioned before which
15 is the intersection designed -- the one I'm
16 most worried about is the crossing of O'Brien
17 Highway. And this is where all of those
18 streams of pedestrians that today cross from
19 the -- cross Cambridge Street from the
20 Lechmere station and stop the traffic. It's
21 a tremendous flood of pedestrians, that those

1 would now have to cross O'Brien Highway. And
2 the signal design is such that there's, most
3 of the training movements are concentrated in
4 the same location to the very unwise
5 intersection. And I'd also propose that back
6 in 1999 the B&M Railroad had a different
7 circulation pattern which was better, and I
8 think we should really take that into
9 account. Ask the developer again to make an
10 explicit comparison of those two and how that
11 would help or hinder the pedestrian
12 circulation across the O'Brien Highway. I
13 notice in Sue Clippinger's comments that she
14 refers to the Green Line possibilities and
15 the Green Line relocation in the future. It
16 really looks -- the tea leaves do not look
17 good on this. The T does not have the money.
18 The Green Line project is up to \$1.3 billion.
19 It seems to go up an every month or two.
20 It's an extraordinary capital expense. The
21 MBTA's budget is 30 percent debt service

1 right now. They can't afford it. I think
2 there's going to be tremendous delays in
3 getting that and it's going to affect the
4 quality and how the whole North Point project
5 goes together.

6 So I really think the appropriate
7 thing to do is turn back to the developer and
8 ask them to give that information on the
9 design alternatives for the intersection.
10 Where they think the boundary really is,
11 because some of their plans are not even
12 consistent internally, let alone with what
13 was proposed eight years ago.

14 We need to get that right. We need to
15 learn from the difficult experience that the
16 Cambridge redevelopment is going through
17 where they have gotten themselves in a
18 situation where they have violated the law
19 extensively. The Executive Director has
20 after 30 years has resigned, and there's a
21 continuing controversy about that and I don't

1 want to see that kind of legal controversy
2 entangled with the Planning Board again.
3 Very important issue, and I hope that this
4 Board will explicitly deal with that. And
5 I've concentrated on that so much I can't
6 even talk about the design of this building
7 because my time is up. So I simply urge you,
8 please, think about the law, think about the
9 obligations and what you have to do to make
10 sure that the law is complied with and that
11 this developer also complies with the law.

12 I will say in honesty we've had some
13 good discussions with Tom O'Brien on the
14 traffic. Every time I try to talk about the
15 boundary and land ownership, the conversation
16 stops. So I hope that this Board will be
17 able to start that conversation in a
18 productive way.

19 Thank you.

20 HUGH RUSSELL: Okay, thank you.

21 LIZA PADEN: The other person

1 actually change her mind.

2 HUGH RUSSELL: Okay, does anyone

3 else wish to speak?

4 Heather.

5 HEATHER HOFFMAN: Hello, my name is

6 Heather Hoffman and I live at 213 Hurlley

7 Street fairly close to this property although

8 it is below the edge of what's shown here.

9 I would like to reemphasize a couple of

10 things that Steve said. The crossing of

11 O'Brien Highway. What he didn't say is that

12 current plans call for widening it. We're

13 going to extend the Green Line and we're

14 going to widen the highway just as we're

15 going to send millions of people across it.

16 It's -- I suggest that that's a really bad

17 idea. And just in passing I would mention

18 that I think the bus circulation, I

19 understand that isn't specifically the

20 developer's problem, but the developer's

21 streets should provide for good bus

1 circulation. I think that the current plans
2 are all backwards. They create turns by the
3 T where they have to turn tightly instead of
4 places that they can turn wide. So that's
5 something that should at least be considered
6 in looking at this. And the 13 acres of
7 Commonwealth tidelands, I'm a title examiner,
8 I'm a lawyer. I've actually testified as an
9 expert in the Land Court on real estate title
10 matters. Commonwealth tidelands are owned by
11 the Commonwealth. They're not owned by
12 private people. And near as I can tell, I
13 don't get to build on your land without your
14 permission, and I don't think that anybody
15 gets to build on the Commonwealth's land
16 without the Commonwealth's permission. The
17 Commonwealth tidelands are very much bound up
18 with the boundary between Somerville and
19 Cambridge because that is the Miller's River,
20 and the Miller's River is what was filled in
21 and that's what was tidal. So knowing that

1 is an important part for your jurisdiction
2 since you don't get to say what happens in
3 Somerville, and for knowing what land doesn't
4 belong to the developer. And as I have
5 mentioned before, the one other thing that
6 I'm very concerned about and I'm happy to see
7 that the hotel has moved off the current
8 Lechmere Station site is that that site be
9 something that is really special, and I hope
10 has an important civic component. The
11 Lechmere Square Association put forth a plan
12 that included significant open civic space
13 there for community gatherings and things
14 like that because we're losing, we're losing
15 our direct access to the subway. They're
16 taking the busses away from us. And so I
17 think it's really important for the existing
18 neighborhood to be remembered in this. And
19 the fact is that civic site will probably get
20 a lot more use on the existing neighborhood
21 side of the O'Brien Highway than it would on

1 the other side because there are so many more
2 peopl e.

3 So thank you.

4 HUGH RUSSELL: Thank you.

5 Does anyone el se wi sh to speak?

6 (No Response.)

7 HUGH RUSSELL: I see no one.

8 So, i t' s my understanding that the
9 detai led questi ons of desi gn of i ntersecti ons
10 whi ch woul d i ncl ude the O' Bri en Hi ghway and
11 the crossi ngs and thi ngs l i ke that are sti ll
12 under di scussi on and have to be concl uded
13 before the fourth bui ldi ng. So I don' t thi nk
14 we need to di g i nto that because the ci ty
15 departments are di ggi ng i nto i t.

16 I guess I woul d l i ke to hear a response
17 from the proponent to the questi on of l and
18 ownershi p and ti del ands.

19 ATTORNEY RI CHARD RUDMAN: Happy to
20 do that. Mr. Chai rman, members of the Board,
21 my name i s Ri chard Rudman. I' m an attorney

1 with the firm of DLA Piper and we are project
2 counsel for the North Point project.

3 Let me address both the boundary
4 question and the tidelands question.

5 Under state law the boundaries between
6 municipalities is determined -- where it was
7 determined by work that the Boston Harbor
8 Commissioners did in the 1880s I believe.

9 The definitive plan is a plan of 1880. That
10 plan, while it's not drawn to modern day
11 standards, shows the boundary as it's shown
12 on the plans which have been submitted by
13 HYM. They may be marked approximate -- yes,
14 they're the wavy lines. They may be marked
15 approximate because using the information
16 from the 1880 plans, a current surveyor who
17 can pinpoint points on land to the nearest
18 inch, we can't do that.

19 The wavy line is also shown in the tax
20 parcels for the City of Cambridge and for the
21 City of Somerville. Could there be an

1 overlap of inches or a foot here or there?
2 There might be. We have to work that out
3 between the municipalities. But there is
4 fundamental agreement based on a plan that is
5 130 years old that defines the boundary, and
6 neither Cambridge nor Somerville has put that
7 boundary in dispute.

8 With respect to tidelands and
9 Commonwealth tidelands, Commonwealth
10 tidelands does not mean that the state owns
11 the land. It is a regulatory category for
12 land that either is or was owned by the state
13 or that was below the high water mark and is
14 entitled to special protection in certain
15 circumstances under Chapter 91. For North
16 Point there was a determination made about
17 the status of the tidelands that was
18 ultimately approved by the state legislature
19 and legislation that dealt with cleaning up
20 some of the problems that Mr. Kaiser and his
21 group raised and got an initial court

1 decisi on on a number of years ago. The fact
2 is that thi s project has gone through an
3 extraordi nary level of review by the state as
4 well as by the ci ty, and through a full MEPA
5 process, and conti nues to be subject to
6 juri sdi cti on by MEPA. The state has never,
7 ever sai d that they have ownershi p of a pi ece
8 of l and wi thi n the North Poi nt si te. I know
9 that Mr. Kai ser feel s strongl y about these
10 and has di fferent l egal concl usi ons, but
11 those are what we bel i eve the facts to be.

12 HUGH RUSSELL: So one fol low-up
13 questi on, so when you come to us and to
14 Somervi lle say for a project at si te F whi ch
15 shows a li ne going through i t, you' ll have
16 surveys, you' ll have speci fi c -- you' ll have
17 resol ved that i ssue for that parcel as to
18 exactl y where the bounda ry i s and; i s that
19 correct?

20 ATTORNEY RI CHARD RUDMAN: We wi ll
21 ei ther have exactl y drawn the li ne or there

1 will be an agreement because there need to be
2 agreements about things like public services.
3 Where will the children, if that's a -- we're
4 a residential building, where would the
5 children go to school? Which fire
6 department, which police department is going
7 to answer calls there? And how are the taxes
8 going to be shared between the municipalities
9 based on that arrangement. So there very
10 definitely needs to be an agreement covering
11 some very real subjects between the two
12 municipalities, and we're sure that getting
13 an agreement on the line is actually going to
14 be one of the simpler subjects in that
15 discussion.

16 THOMAS ANNINGER: Is there an easy
17 explanation for the wavy line?

18 ATTORNEY RICHARD RUDMAN: It is
19 where the Board of Harbor Commissioners
20 thought the Miller's River was in 1880.

21 HUGH RUSSELL: I guess like most

1 tidal bodies, there's like a little deeper
2 spot in the middle and there's a lot of mud,
3 and then there's some grass at the edge.

4 ATTORNEY RICHARD RUDMAN: This was
5 all marsh land between dry land on either
6 site. And so deciding exactly where the
7 Miller River was an art, not a science.

8 HUGH RUSSELL: It was done, there
9 was an agreement made, and that's resulted in
10 the dotted grid line on your plans.

11 ATTORNEY RICHARD RUDMAN: That's
12 correct.

13 HUGH RUSSELL: Ted.

14 H. THEODORE COHEN: Do you need to
15 or did you obtain a Chapter 91 license?

16 ATTORNEY RICHARD RUDMAN: We did not
17 obtain a Chapter 91 license under the
18 decision that was made by DEP and the special
19 legislation which was adopted by the state
20 legislature, and ultimately affirmed by the
21 SJC in a second decision. There isn't --

1 this property is treated as land lock
2 tidelands because it's on the other side of
3 -- the land side of the Gilmore Bridge.

4 H. THEODORE COHEN: So that a
5 Chapter 91 license was not required?

6 ATTORNEY RICHARD RUDMAN: Correct.

7 AHMED NUR: Can you explain Chapter
8 91, please?

9 ATTORNEY RICHARD RUDMAN: Do you
10 have a couple of hours? Very simply.

11 AHMED NUR: Two words.

12 ATTORNEY RICHARD RUDMAN: Very
13 simply, there are special state rights that
14 exist in land that is or historically was
15 subject to tidal flows. So if land was once
16 tidal and is now filled, which is parts of
17 the North Point site, then the state has
18 rights to regulate under Chapter 91 what goes
19 there. Because this property is on the land
20 side of the Gilmore Bridge, a Chapter 91
21 license wasn't required. The E. F. Project

1 which I've also been in front of this Board
2 on is on the water side of the Gilmore Bridge
3 and did need a Chapter 91 license because of
4 its proximity. It by the way is also built
5 on Commonwealth tidelands.

6 HUGH RUSSELL: And what often
7 happens is that there's a discussion about
8 public benefits in the Chapter 91 process and
9 under the legislation, you know, the state
10 has muscle to get public benefits. It would
11 be hard to argue that there are not public
12 benefits north of the Gilmore Bridge being
13 shown to us tonight. They're very
14 substantial public benefits being shown to
15 us, but it's not under that process.

16 AHMED NUR: Thank you.

17 HUGH RUSSELL: Bill.

18 WILLIAM TIBBS: I have a question
19 for Sue and could you comment on the
20 intersection design and/or the proponent can
21 do that, too. But I was just interested if

1 you have a concern about the intersection
2 design at the O'Brien Highway?

3 AHMED NUR: While Sue's coming, are
4 we closed to public?

5 HUGH RUSSELL: Well, no one has --
6 everyone who wishes to speak has spoken. But
7 the way we're now operating we don't close
8 our hearings to public testimony.

9 AHMED NUR: Okay.

10 SUSAN CLIPPINGER: You're asking
11 about O'Brien and First?

12 WILLIAM TIBBS: Yes.

13 SUSAN CLIPPINGER: So, obviously --

14 HUGH RUSSELL: You want a pen?

15 WILLIAM TIBBS: And basically the
16 concerns expressed by Mr. Kaiser in terms of
17 the fact that there's a lot of traffic.

18 SUSAN CLIPPINGER: I have to go back
19 to the ten year old drawing of the previous
20 design.

21 The O'Brien Highway design has been

1 talked about, looked at, and is under ongoing
2 review. Obviously the pedestrian connection
3 there is an important one although it's not
4 the only important pedestrian connection
5 between the site across O'Brien and
6 particularly from the Green Line station
7 because there's also access to and from the
8 Green Line station from the Water Street end
9 of the building. And so the pedestrian
10 connection here is also a very important one
11 for access from the community to the new
12 station. So, this project, by extending
13 First Street through between the current
14 First Street and the project today, if you
15 can recall what happens today is there's --
16 this connection here doesn't exist. And you
17 come around into East Street through an
18 intersection which is actually a relatively
19 complicated signal operation there. And this
20 design here is doing a number of things. The
21 First Street punch through as we call it, is

1 not only benefitting the project in terms of
2 creating a central intersection and a main
3 connection into the heart of the project
4 itself and a connection to the Green Line
5 station, but it's also an important component
6 in terms of the connection it's making down
7 toward Kendall Square. And this is a
8 longstanding goal of the city to allow people
9 who are on O'Brien Highway to make a right
10 turn on to First Street and go directly into
11 Kendall Square. And trying as part of
12 ongoing efforts, we've been on for quite
13 sometime to try to protect the East Cambridge
14 neighborhood from Kendall Square commuter
15 traffic cutting through their neighborhood.
16 So making this O'Brien to First Street
17 connection, which has nothing to do with
18 North Point per se in terms of its design,
19 it's also important for its connection to the
20 south.

21 That's an intersection in which there's

1 a lot of turn and access being provided at
2 that location, and so it is a complicated
3 intersection. And the design is focused on
4 trying to make sure that it's as small as can
5 be, it's as safe as can be, and the
6 pedestrians have the best possible crossing
7 environment. But it still is O'Brien
8 Highway. And even the grounded out O'Brien
9 Highway or future O'Brien Highway that may be
10 different is going to reduce speeds. It may
11 reduce volume, but you're going to still have
12 a significant intersection here because
13 you're making moves between North Point and
14 the rest of East Cambridge. You're making
15 moves across O'Brien, and you're making turn
16 movements in and out of all of those segments
17 in order to make the whole railway system
18 here work. I believe that we will be able to
19 have a design that is a decent design that
20 works well for pedestrians and isn't
21 overbuilt. And a hundred percent of the

1 people in the city probably won't agree with
2 that.

3 PAMELA WINTERS: Sue, can I ask you
4 a question while you're up there? Have you
5 thought about doing a raised overpass like
6 they do in Storrow Drive by any chance to go
7 over the highway?

8 SUSAN CLIPPINGER: This is an issue
9 that comes up. It comes up a lot on the
10 roadway like this. It's very difficult to do
11 that in a way that's effective because you're
12 asking people to get up and get down on each
13 side. You're having to make it accessible
14 which either means you've got an elevator,
15 public elevator or stand alone public
16 elevator or you've got a substantial ramping
17 system.

18 PAMELA WINTERS: Right.

19 SUSAN CLIPPINGER: And one of the
20 things that is very worrisome is if you do
21 that you're essentially saying if you choose

1 to cross at the grade level, you're really in
2 trouble.

3 PAMELA WINTERS: Right.

4 SUSAN CLIPPINGER: And so I think
5 our preference is to make the shorter at
6 grade crossing with the signal timing that
7 tries to give the pedestrian the best
8 possible environment as the way that meets
9 the most needs, and we're not in danger of
10 creating something that sounds good, but
11 might be actually really quite ugly. And
12 you've got the Green Line station above
13 there, you know, and you've got -- some
14 people have to get under or over it to be on
15 the platform for the outbound direction. So
16 there's a fair amount of complication that I
17 think is probably not the most desirable way
18 to try to handle that.

19 PAMELA WINTERS: Thanks for
20 explaining it to me.

21 HUGH RUSSELL: So are we ready to

1 move towards making findings we need to make
2 and making a decision?

3 STEVEN WINTER: I think so, yes.

4 THOMAS ANNINGER: I just have one --
5 I've made this comment before. The one
6 problem I have with the master plan are the
7 very large floor plate buildings that are in
8 what turquoise? Buildings, I can't read --
9 the E.

10 HUGH RUSSELL: E, F, G and H.

11 THOMAS ANNINGER: G and H. I
12 understand the reasoning for it. I
13 understand the location, and there has to be
14 commercial buildings there and maybe they
15 have to be of that size. My only comment
16 would be that it's going to take a very good
17 architect to make those buildings not look
18 like the beam of that site seems to call for.
19 It's a very big site. It's roughly
20 equivalent to what we're going to see on
21 Binney Street for Alexandria. I'm equally

1 unhappy about that one. I don't think the
2 architecture is up to, up to the standard
3 that it's going to take for a building of
4 that size.

5 WILLIAM TIBBS: I agree.

6 THOMAS ANNINGER: And I look forward
7 to your meeting that challenge because it
8 will be one when it comes.

9 HUGH RUSSELL: Okay, any other
10 comments?

11 (No Response.)

12 HUGH RUSSELL: So Jeff gave us a
13 little quick summary of the specific things
14 we should address.

15 So the first question is the approving
16 the hotel as allowed use on parcel 1. We're
17 all agreed on that?

18 Then the second is approving the
19 building heights that were shown to us at a
20 blocks in which buildings go up to 220 feet,
21 and that's in accordance with the recently

1 passed rezoning for this parcel.

2 Are we in agreement with that?

3 The exemption for above ground
4 structured parking that extends now to cover
5 the parcels abutting the Gilmore Bridge.

6 Okay.

7 And then we should find, as Jeff says
8 in order to grant the permit, that traffic
9 impacts criteria remain unchanged from the
10 prior Special Permit because there's been no
11 substantial change to traffic generation
12 which means there have been no substantial
13 changes to the use mix. And I think that
14 that's true and therefore we can make that
15 finding.

16 Then those are the specific findings
17 that Jeff suggests. I think we have a
18 certain general -- I mean, the decision I'm
19 sure will be lengthy and detailed. We've
20 been discussing this. We received detailed
21 information in terms of plans and notebooks,

1 and we are not taking exception to what has
2 been presented to us.

3 That we're relying upon the material
4 that examiner has supplied, we've read it.
5 We know that the city has looked carefully at
6 it.

7 And that we would find, we can
8 incorporate the relevant things into the
9 decision as findings as necessary.

10 STEVEN WINTER: Mr. Chair, is the
11 extension to 2030 part of this discussion
12 also?

13 HUGH RUSSELL: So I put that down as
14 the second category of what the decision
15 says.

16 So the decision would be to we accept
17 all the proposed amendments of the master
18 plan; the conceptual retail plan, the open
19 space plan, the phasing plan.

20 That we extend the permit to a 2030,
21 and that we adopt the proposed procedure for

1 the final approval of the street layout plan
2 which was presented to us this evening and
3 which is also I believe in the memorandum.

4 And then, Jeff, you said in the process
5 for approval of any future design
6 modifications that may occur as a result of
7 the involving building design.

8 We know that that's going to happen.
9 And is there something other than the
10 ordinary sort of minor amendment process that
11 might be required or the design review
12 process for the buildings?

13 JEFF ROBERTS: Hi. Jeff Roberts,
14 CDD. I'm sorry I was scribbling while you
15 were speaking. Could you say that again?

16 HUGH RUSSELL: So you say that we
17 should address the process for approval of
18 any future design modifications that might
19 occur as a result of involving building
20 design.

21 JEFF ROBERTS: Right I think that's

1 also outlined in Sue's memo. I think the
2 issue was to make sure that as there may be
3 changes that occur, that affect the roadway
4 design, that are part of any of the building
5 site design, that those be also reviewed by
6 the city in light of the fact that ultimately
7 the expectations that these would become city
8 streets and that they are, they're like with
9 the 40, the overall 40 scale plan, there
10 would be detailed design considerations that
11 would need to be considered by multiple city
12 departments. So I think it's laid out in the
13 memo.

14 HUGH RUSSELL: Okay. And it's also
15 my understanding that the proponent said that
16 they would bring the specific street
17 information for each parcel to us and that
18 would be the time if there was some minor
19 change that had to happen to the 40 scale,
20 that would be addressed. And I would -- so
21 that's going to be a -- I don't feel ready to

1 pronounce as to whether that's a minor
2 amendment, a general approval, or whatever,
3 and I would believe that the department and
4 the proponent can come up with language in
5 the decision that would protect each person's
6 rights.

7 I'd ask Mr. Rudman if there's any other
8 matter you feel that the Board should put
9 into the record at this time before we take a
10 vote?

11 ATTORNEY RICHARD RUDMAN: No,
12 Mr. Chairman, I don't.

13 HUGH RUSSELL: Okay.

14 JEFF ROBERTS: Mr. Chair, I actually
15 have one thing that I remembered, too, and we
16 have discussed this with the proponent in the
17 past, but I don't think it came through my
18 e-mail.

19 Since the original -- since the
20 original Special Permit, the city has adopted
21 the Article 22 green building requirements

1 which would apply to projects of this size,
2 and it's been -- it's been our determination
3 that when projects undergo -- PUD projects
4 undergo a major amendment that those, that
5 those regulations would be effective. In
6 this case because it is a master plan that's
7 being approved, as we discussed with -- and
8 this actually may be in your submission, but
9 I just wanted to make sure that it was
10 reflected in the decision, that the green
11 building requirements, which are the LEED
12 standards, would be applied at the design
13 review phase for each of the sites. Because
14 at the master plan phase it wouldn't be
15 really feasible to apply them at that time.
16 So, the decision would reflect that that,
17 that those requirements would be, would be
18 reviewed at the design review phase.

19 HUGH RUSSELL: Okay. Any objection
20 to that? I mean you're actually -- you have
21 that in your building submission.

1 DOUG MANZ: Correct.

2 HUGH RUSSELL: Okay. So I think we
3 now need a motion.

4 H. THEODORE COHEN: Before we do
5 that I have one question for staff. Could
6 you comment on the propriety of extending the
7 permit to 2030?

8 STEVEN WINTER: Who is the question
9 for?

10 H. THEODORE COHEN: Staff.

11 STEVEN WINTER: Thank you.

12 STUART DASH: Stuart Dash, Community
13 Development. I don't think we see a problem
14 with it, and I think we see it as appropriate
15 given the unusual circumstances for the delay
16 that's gone on the last number of years, so I
17 don't think we see it as a problem and
18 entirely appropriate giving their building
19 schedule that they're putting forward.

20 HUGH RUSSELL: So the University
21 Park build out was a 20-year build out for a

1 project that might be about half the size of
2 this. So they're going to have to move
3 faster.

4 All right, would someone like to make a
5 motion then to adopt the revised master plan
6 as discussed in over the last ten minutes and
7 all the specifics?

8 H. THEODORE COHEN: So moved.

9 PAMELA WINTERS: So moved.

10 AHMED NUR: Nice.

11 HUGH RUSSELL: So he was first and
12 so you're second.

13 PAMELA WINTERS: Okay, I second it.

14 HUGH RUSSELL: Okay, is there any
15 discussion on this motion?

16 (No Response.)

17 HUGH RUSSELL: All those in favor?

18 (Raising hands).

19 HUGH RUSSELL: And we have all
20 members voting in favor.

21 Okay, now we can go on to the fun part.

1 TOM O'BRIEN: I'm just going to move
2 quickly given the lateness of the hour. We
3 have a really exciting building.

4 So I think, Doug, you want to just give
5 the parameters of the building, first the
6 basic outline of the program and then we'll
7 go right into David and to Landmark if that's
8 all right.

9 DOUG MANZ: So --

10 TOM O'BRIEN: By the way, thank you
11 very much.

12 DOUG MANZ: So this is our first or
13 our third building, our first project with
14 the HYM group in place. This is parcel N as
15 you guys know. It will be a luxury rental
16 apartment building, 220 feet, approximately
17 355 units. It will have a mixture of
18 everything from studios to one bedrooms, two
19 bedrooms, and three bedrooms. So there will
20 be three bedrooms in this. It will be
21 compliant with the inclusionary housing

1 N-a-g-a-h-e-i -r-o.

2 Just as an introduction and
3 orientation, one of the things that we were
4 looking at with this site was sort of the
5 level of connectivity, the level of
6 connectivity to the site. And you can see
7 the Gilmore Bridge and the adjacency to the
8 rail as well as the North Point Park.

9 One of the things that we were looking
10 at early on was less about the building
11 itself and more about those important
12 connections. What's so unique about the site
13 is the transportation connections as well
14 with the adjacency to the Orange Line as well
15 as the Green Line, and eventually the Green
16 Line coming to the other side. So really
17 giving great access to transportation.

18 As far as some of the challenges I
19 guess to this particular site to the Gilmore
20 Bridge and making that connection, and one of
21 the things that we were looking at was the

1 continuation of the Gilmore more that you see
2 here, to the parcel N site here adjacent to
3 the common. The idea that the multiuse trail
4 comes through the site as well just as a
5 point of orientation. A lot has happened in
6 North Point Park so that connection with the
7 multiuse trail was really important as one of
8 the edges, and we'll talk a little bit more
9 about that connection from the Green Line
10 down to the park and then into the North Park
11 area.

12 Some of the adjacencies just looking at
13 the some of the pictures, you can see that
14 the Gilmore has quite an impact on that
15 adjacency. When you're actually on the
16 bridge itself, it's quite narrow and one of
17 the -- some of the questions that Hugh was
18 asking, you know, what does that look like as
19 you start traversing the park and what are
20 the adjacencies to the actual building and
21 what does that look like. A lot of good

1 things have happened with the central park
2 itself, and the finger parks. And we'll talk
3 a little bit more about those connections.

4 This is sort of a diagram from a
5 greater scale looking at the connections
6 between the two, the Green and the Orange
7 Line, but the idea that the people traverse
8 the Gilmore Bridge and were really looking at
9 making that connection adjacent to the
10 building itself and then down into the finger
11 parks and into the North Point Common.

12 Looking a little bit more closely, and
13 I'll turn to over to Michael from Landmarks
14 next. But the adjacency of the building
15 itself, one of the things that we're looking
16 at the overall massing was, you know, just as
17 Tom was suggesting, you know, the impact of
18 the buildings in the future and thinking
19 about what those uses might be within the
20 residential and the commercial uses adjacent.
21 One of the concerns that we had made last

1 time actually was the shifting around of some
2 of the program and the nesting of how it's
3 been mixed up a little bit more. And one of
4 the comments to that is when you're in the
5 park and on some of the other roads, I think
6 you now get a glimpse of actually both
7 between the residential and the commercial.
8 So it's an interesting mix now. I think it
9 might be maybe a little bit nicer mix than it
10 was before. Instead of concentrating all
11 commercial in this location, now it's a real
12 mix between the different programs.

13 So looking at the connection from the
14 Green Line the Gilmore Bridge that's raised
15 in this location, they've now got down here
16 into this finger park which becomes really
17 the front door. We'll talk a little bit more
18 about the ground plane where we have the
19 retail, and really the active uses along
20 those two public edges. The more utilitarian
21 spaces that we'll talk about a little bit

1 more in the plan, but I think we'll start
2 with talking about landscape and landscape
3 adjustments.

4 DOUG MANZ: For clarity, of Orange
5 Line. Orange Line connection. You said
6 Green Line a couple times.

7 HUGH RUSSELL: You said Green Line a
8 couple times.

9 DAVID NAGAHEIRO: Sorry. Orange
10 Line connection.

11 HUGH RUSSELL: It's late.

12 DAVID NAGAHEIRO: I'll turn it over
13 to Mike.

14 MICHAEL BLIER: My name is Michael
15 Blier, B-l-i-e-r. I'm a landscape architect,
16 a principal of Landworks Studio in Boston.

17 So David is here to describe the design
18 of a building, but what he was really
19 describing is a kind of a nexus, a kind of
20 public, urban nexus which is defined by
21 connections. And that has led to a design

1 process which has really got us thinking
2 about the kind of connections that are being
3 made urbanistically and also kind of socially
4 throughout this whole project. And so we
5 began to think about the three primary areas
6 where that kind of public interface comes
7 into play. And the first is here to the
8 north, which is a pedestrian connection that
9 David alluded to from the Gilmore down to
10 finish grade.

11 The second is what's been known as a
12 finger park. We've been trying to figure out
13 what it really is. And we kind of think
14 maybe it's a pocket park or some other sort
15 of way to give it a kind of a human kind of
16 scale.

17 And then the third is this area in the
18 back which is, you know, still significant in
19 that we're trying to make clear connections
20 to the park systems which are now in play.

21 So I'll speak first -- how do I advance

1 this? Okay. I'll go back one. I want to go
2 back to the plan.

3 So I'll begin by speaking about this
4 pocket park. The idea is that the
5 integration of program extends out onto the
6 kind of a public way. Doug began to describe
7 -- he described actually quite thoroughly the
8 circulation moving through whereby this court
9 street becomes more or less a kind of a drop
10 off lane. But really part of a bigger, a
11 kind of bigger experience of a kind of a
12 gathering spot. Not only for the building
13 residences -- residents, but for people
14 moving through the space as well. So on this
15 side, of course, before this gets
16 constructed, the two lane road is built and
17 constructed on this side.

18 In the middle we're proposing very
19 large gathering spaces, great big green
20 spaces. The largest green space, for
21 example, is a little over four times the size

1 of this room from the window pane. The
2 smallest one is about two and a half times
3 the size of this room. Collectively they add
4 up to actually a significant green space.
5 Under which actually we also have been
6 coordinating the drainage system to actually
7 collect water. So there's -- all along is
8 this imperative HYM Imperative to integrate,
9 design on a level. So the central piece
10 becomes something that's living and active
11 defined by big green spaces, benches, shaded
12 understory trees, a drive language. I didn't
13 mention, but it's at grade with the adjacent
14 public realm so that the idea is that the
15 pedestrian experience is privileged over that
16 of the car moving through this zone, but that
17 standard connections and crossings are
18 maintained.

19 In section it looks something like
20 this. We're looking now at the back face of
21 the building. We see the low grassed mounds

1 whi ch provi de vi ews through and across but
2 al so easy access up on to them. They mi ght
3 ki nd of slope up to about 18 inches i n hei ght
4 at thei r hi ghest, but that they create a ki nd
5 of scul pted grounds. You can see the
6 understory trees move back and forth. I' ll
7 talk more about the plant materi als i n a
8 moment. And then you begi n to see a li ttle
9 bi t of that connecti on goi ng up. And the
10 i mportance of what I' ll get to i n a moment,
11 thi s sort of meanderi ng wal kway, ki nd of
12 park-li ke wal kway up to the top of the
13 bri dge.

14 Good. So now we' re l ooki ng ki nd of
15 north, northeast. We see the bui ldi ng here,
16 the ground floor, ki nd of storefront area,
17 the mounds ki nd of l ayeri ng up so i t mi ght
18 even appear from certai n di stances, i t' s a
19 conti nued green space. But that there' s
20 si gni fi cant pedestri an movement al lowed
21 through and across the si te.

1 The understory trees will provide
2 shade. The benches will move through. And
3 we see this as a very highly active and
4 social kind of space. And Doug also mentioned
5 the kind of range of character that they're
6 looking for in these smaller park spaces.
7 This one is really meant to be more active, a
8 little bit more social, and some are more
9 quiet and subdued.

10 So, again, the ground plane, just this
11 is the same plan sort of blown up, but the
12 trees now are when removed so we can see the
13 ground plane. And the idea is that we would
14 have a very clear idea about the realm of the
15 building through the placement of concrete
16 paving bands that begin to define the ground
17 plane. The big green mound that you can see.
18 The idea that the tables spill out from a
19 restaurant space here on to the sidewalk. A
20 layer of potted plants will create a kind of
21 interface between more public and more

1 service oriented spaces along this edge. The
2 elevated court street happens here. The
3 grade changes all absorbed in the zone here.
4 So by the time you're at the sidewalk level,
5 you're completely at grade moving in this
6 direction. So you're not going down to come
7 back up, for example. It's all at grade.

8 You get a sense of a little bit of the
9 -- whoops, I'm sorry, I'm hitting the forward
10 button.

11 So we're looking at the, we're studying
12 trees right now. We really think the tulip
13 poplar would be a wonderful tree to reinforce
14 the street edge, but we're also -- we're also
15 looking at understory trees in the park area.
16 The cercis canadensis, the Redbud. It's a
17 wonderful tree because it gives us great
18 spring color as you know, and a pretty good
19 shade in the summertime. And the Amelanchier
20 arborea, service barrier, shadbush. I don't
21 know how you might want to refer to it, but

1 also multi-stemmed and, you know, kind of
2 wonderful native material. So we're also
3 thinking maybe there's an opportunity for
4 Stewartia --

5 PAMELA WINTERS: Yes.

6 MICHAEL BLIER: -- which is another
7 beautiful tree I think.

8 PAMELA WINTERS: Yes, they're great.

9 MICHAEL BLIER: Yeah, it's one of my
10 favorite trees. Yeah.

11 PAMELA WINTERS: Yes, me too.

12 MICHAEL BLIER: And so the idea here
13 is that we have a tree that flowers later in
14 the year, and these, so we have it nice July,
15 that nice July color.

16 And the second area I'd like to talk
17 about just briefly is the idea of the
18 connection. We all know what it's like to
19 walk in this direction. It's not nice. And
20 so the idea that we can pull people down,
21 it's not -- it wasn't my idea. It's a good

1 idea about making this connection, and we
2 thought wouldn't it be great to immediately
3 as you're coming down to come on to a green
4 space that felt like you're in a park system,
5 a parkway. And to use contouring, to use a
6 meandering path to allow for movement that's
7 not like a sidewalk. So we lose the sidewalk
8 reference quickly, and we embedded pathways
9 in lush plantings. And these lush plantings
10 define the corridor, you raise -- remember
11 we're above, we're above program space here.
12 The bike storage is here, this whole thing.
13 So in order to achieve the planting that we
14 want to achieve, we are going to -- we are
15 contouring the ground a little bit to get the
16 (inaudible) space for the material that we
17 need. So that led to a kind of idea about
18 what the kind of wavy ground coming through.
19 So between here and here there's about a
20 three, two and a half percent slope. So it's
21 very shallow. And we're playing with that a

1 little bit, too, so that other areas is a
2 little bit less and sometimes it's a little
3 bit more. But we're well within limits of
4 ADA and also just what's comfortable walking.
5 We wouldn't consider it a ramp. It's pretty
6 flat between here and here.

7 So then the story changes, however,
8 between here and here. Between here and
9 here. Where we have a set of stairs coming
10 down and a set of stairs coming down. In
11 this case, we began to think about how the
12 stair can unfold. We talked a little bit
13 earlier on about the bike rentals. So the
14 bike rentals would happen along each stair.
15 The people could have a choice, up here or up
16 here.

17 WILLIAM TIBBS: Can you explain a
18 bike rental?

19 MICHAEL BLIER: Yes. Actually we
20 might have an image coming up. And we can
21 always come back. Yes.

1 HUGH RUSSELL: It's a guard beside
2 the stair that you can put a bike next to it.

3 MICHAEL BLIER: Yes, there are many
4 different types, but it's essentially -- if
5 you have the stair stepping, it's a diagonal
6 piece that sits on the top of the stairs flat
7 on top or have a channel and you can put your
8 bike on the channel and slide up. It's
9 really pretty sweet and very, you know,
10 cost-effective. It's a nice detail.

11 So this is a little bit hard to see.
12 We're talking about light and we're under a
13 little bit too much light to actually see
14 this. But we're talking about in the middle
15 of the site actually extending a cabling
16 system to suspend lights above the walkway so
17 that when you turn the corner and you look
18 down, down the corridor, it's not a
19 foreboding environment. It's actually an
20 inviting one, and one that, one that provides
21 a kind of a halo effect in the middle of the

1 site. So the lighting system is kind of a
2 layered one. We have this canopy light idea.
3 We have path lights along the edges. And
4 then along the side of the building, in these
5 zones, we have some vertical lighting being
6 proposed. It's in development, but the idea
7 is that it's a layered system reinforcing the
8 flow of movement and echoing the rhythm of
9 the architecture adjacent to it.

10 Yeah, here we go. It's section. So we
11 can see, you can see the, you know, that the
12 extent of ground that we've been given to
13 kind of play with, and so hence the need to
14 kinds of lift off and cut down to create this
15 undulated feel. The -- on the wall we
16 haven't talked about it yet, but we're
17 proposing growing systems that allow plants
18 to move up and fill in and kind of respond to
19 the massing of the architecture where there's
20 very little fenestration. So the idea is to
21 get this corridor really to feel like a

1 verdant green space much bigger than it
2 actually is.

3 And the ground plant plantings will
4 move from a kind of an understory ground
5 cover and gradient down to a lawn area where
6 it then takes on a kind of a stronger
7 relationship to the green lawn down below and
8 people can come out and sit in the grass
9 areas down here and be seen from over here
10 and so on.

11 Oh, yeah. So here as the, here's
12 looking back up. Now this is a slightly
13 earlier, earlier drawing as, Mr. Tibbs,
14 there's not a runnel shown on this drawing.
15 But the runnel will actually, the runnel
16 would actually pass through the handrail and
17 up on this side and the same on that side.
18 So bikes could be wheeled up the slope quite
19 easily, but the idea is that you really get
20 the sense, and I think at one of our last
21 meetings this was called -- this drawing was

1 referred to as a stairway to heaven, but we
2 like to think of it just going to the
3 Gilmore.

4 And so these are some of our studies of
5 plants materials for the walls and so on.
6 But we're really looking for native materials
7 for the most part. Materials which take on
8 the ethos of the building is already looking
9 at. That is it what kind of plants can we
10 use that are resource light and that can help
11 with air quality and this and that having to
12 do with the local environment project.

13 And oh, here we go. Here we go.
14 Thanks. Here as the tunnel here. So you can
15 see it's actually really kind of a simple
16 move, and there are all sorts of different
17 types. But we're studying one that is really
18 more integrated with the edge rail condition
19 for ADA reasons really more than anything.

20 And, yes, so moving along the adjacent,
21 the facade adjacent to the bridge, there is a

1 garage here, the parking garage, which is
2 below. So we want to take, we really want to
3 presence the landscape on the bridge so that
4 as you're coming in either direction by foot,
5 by car, and bike, you see a kind of a marquis
6 of green and a marquis of green would be
7 warranus (phonetic) Manhattan which would
8 grow from an insulated pot mounted to the
9 side of the building and growing up a screen
10 to provide a kind of a fairly significant
11 length of relief along the bridge, but also
12 obviously a screen cars and so on and parking
13 behind. And this turns the corner and heads
14 down the hill integrated into the whole
15 process. That's it.

16 DAVID NAGAHEIRO: One of the things
17 that Michael also had mentioned was that
18 remember that there will be eventually
19 another building on the other side. And the
20 impact of really creating a landscape on both
21 sides wrapping up the buildings and the

1 opportunity also to spill out on that side as
2 well. The other thing that was sort of
3 described in the way the landscape was set up
4 was the opportunity of not only having it
5 because it is on the northern side, that a
6 lot of it will be evergreen, so it will stay
7 green. But he also was introducing the
8 opportunity to having perennials where it
9 will change over time. And so being able to
10 walk through it through the seasons will
11 really bring up a different experience and
12 different --

13 MICHAEL BLIER: And that is the
14 challenge because the environment there right
15 now is relatively environmentally hostile
16 coming across that bridge, and we're really
17 juxtaposing this very green idea about a new
18 kind of caption, and so the planting pallet
19 is limited but we're trying it get as much
20 variation as possible.

21 Thank you.

1 DAVID NAGAHEIRO: So starting with
2 the building I think one of the things that
3 we were looking at the overall strategy for
4 the building itself when we had gone through
5 a number of different configurations, one of
6 them was certainly looking at the strategy.
7 One of the comments that Hugh had made was
8 the patterning on the building, and just to
9 let you know of how we end up designing the
10 floor plate, it's really designed from the
11 inside out. And I think the sense is that,
12 you know, people don't live on the outside of
13 the building, they really live on the inside.
14 So what you'll see on the outside of the
15 building will be a reflection of the way the
16 window system works as a direct reflection as
17 the way the plans lay out on the insides.

18 The overall massing strategy was really
19 looking at the adjacencies of the buildings
20 of the future as well. Also taking into
21 consideration the adjacencies to the pocket

1 park as well as the public realm move going
2 up to the Gilmore Bridge. The idea of the
3 base of sort of middle and top and having
4 those different scales of a city scale from a
5 distance by having a larger move and then
6 having a sort of a medium scaled move as you
7 move closer into the building, and then the
8 more intimate more pedestrian scale moves of
9 the adjacent building.

10 Also looking at the hierarchy of the
11 materials of themselves at the base of the
12 building really looking at really glassy
13 retail opportunity and trying to create as
14 much of the active areas along the public
15 realm as well as the entry to the building.

16 The upper floors, the second and third
17 floors, really being residential and having
18 that scale at the fourth floor is the amenity
19 floor and it is sort of rises into the
20 residential tower at that point.

21 Some of the strategies of the hierarchy

1 of moves is the primary taller move, the
2 corner moves where we have more glass
3 affording those views out of the corner, and
4 then the more intimate moves as you look
5 closer to the skin itself.

6 Looking at the model, you can see it a
7 little bit more clearly where you have the
8 entry at the base of the tall move and we
9 wanted some of those moves to actually come
10 down to the ground. At the same time really
11 wanting to make sure that there was a scaling
12 element on the building itself so that there
13 was a real transition from the tower down to
14 the base.

15 Looking at the base of the building,
16 this is the looking from the elliptical park
17 at the entrance, two-story entry, the retail
18 at the base of the building. Two floors of
19 residential which are more of the loft-style
20 units. And then on the fourth floor itself
21 would be amenities and the building rises

1 from that point.

2 As you turn towards the North Point
3 park looking back, you see the Gilmore Bridge
4 in the foreground, again taking the other
5 buildings into consideration and how the
6 building is actually massed in its
7 orientation. Some of the larger moves that
8 continue down, the building actually steps
9 back at this point by giving a little bit
10 more of a transition between the residence
11 that are really adjacent to the bridge
12 itself.

13 One of the things that we're really
14 looking at is the ability to have triple
15 glazing there because of the acoustics
16 because of the adjacency to the bridge
17 itself.

18 One of the comments that Hugh had made
19 as well is the idea that a lot of people will
20 actually be seeing the building from this
21 particular corner and wanted to make sure

1 that it's not sort of relegated to the back
2 of the building, and that's something we
3 really take to heart and we will continue to
4 evolve the fenestration of the building
5 itself.

6 Looking at the base of the building and
7 the materiality of really having sort of a
8 precast base, a creating more details in some
9 locations, there's a relationship between
10 this particular piece and the tower that
11 rises here, but it's the idea of really
12 trying to create as much sort of transparency
13 of the ground claim as the retail sort of
14 spills out on to the sidewalks, having those
15 sort of lost units at the base really having
16 a great adjacency of the lower piece plan as
17 well.

18 And then from the fourth floor where
19 all amenities sort of spell out. And then
20 again where the residents rise from that
21 point.

1 We' re Looking at thi s edge, what
2 Mi chael was poi nting out was the opportuni ty
3 of taki ng the garage i tsel f and usi ng a green
4 screen to mask the parki ng garage at thi s
5 locati on. We' re sti ll Looki ng at thi s pi ece,
6 and thi s i s a pi ece that Hugh had poi nted out
7 i n some of the questi ons of the si zes of the
8 wi ndows. These two parti cular actual ly face
9 out towards the park at thi s locati on.
10 There' s a si de here, and then there' s another
11 bedroom and a ki tchen i n that locati on. So
12 we' re really Looki ng at how to treat thi s
13 facade and how to make sure i t represents
14 i tsel f wel l to the si dewalk al ong the Gi lmore
15 Bri dge. We' re al so Looki ng at some pl anti ng
16 al ong thi s phase and some bi ke -- smal l er
17 bi ke racks at thi s locati on. One of the
18 poi nts was that as your conti nui ng al ong and
19 walki ng thi s trail i nto the si te, thi s i s
20 sort of the fi rst corner that you see, so i t
21 does have a very i mportant presence i n the

1 sequence of how you enter into the site.

2 So looking at the plans itself, and I'm
3 going take this off real quickly, and just do
4 a quick build for you. You see the ground
5 floor plan and the way the adjacencies of how
6 the plan actually builds. And what you see
7 in pink is where we have the retail. So
8 along the two public sides of the building we
9 have the retail.

10 The main entry into the building is
11 located here along the park. With the
12 leasing area.

13 And then the parking that you see will
14 be nested along the bridge itself and the
15 adjacency to the park. So the parking is
16 really nested in this location. The idea
17 that one of the points was really trying to
18 create the bike storage which would be
19 located underneath the parking in this
20 location. We do have multiple ways of
21 getting into the bike storage. One of the

1 ones that we introduced now is the one coming
2 off the front of the building and going
3 directly into the building. You have the
4 opportunity of coming up a ramp and then
5 directly into the building from that location
6 as well. The more utilitarian sort of space
7 here coming off the back of the bridge here
8 entering into the parking garage here, and
9 then up into the parking here along the small
10 finger park is that bike entry into the bike
11 storage located in this location here.

12 HUGH RUSSELL: Is that a flight of
13 stairs between the corridor and the bike
14 storage?

15 DAVID NAGAHEIRO: Here?

16 HUGH RUSSELL: Yes.

17 DAVID NAGAHEIRO: Yes. And you'll
18 have a tunnel system on it as well. And this
19 is where the elevator is located as you
20 continue.

21 Looking at the next level up, and this

1 is a mezzanine level, and we talked about
2 having a line share bike parking on that
3 lower level. We also are providing
4 additional bike storage so that we have that
5 sort of one to one that we're looking for the
6 overall bicycle count.

7 As you continue up into the building on
8 the second floor, what you see in blue is the
9 residential. There's a two-story lobby in
10 this location. So the residential really
11 wraps around the two really public sides of
12 the building, again, nesting the parking
13 garage and the inner quality between the park
14 itself and the Gilmore Bridge.

15 As you continue up again, there's sort
16 of --

17 H. THEODORE COHEN: Excuse me. So
18 is there an entry into that lobby area from
19 the walkway?

20 DAVID NAGAHEIRO: No, there isn't.

21 H. THEODORE COHEN: So handicapped

1 people who are coming down the lower, the
2 upper area, when they get to that level, how
3 do they then get into the building or down to
4 the ground?

5 DAVID NAGAHEIRO: They would come
6 down the elevator and then into the building
7 like this.

8 And then on the third floor, again,
9 wrapping the residential around the face
10 along these two edges, and they're more
11 loft-style type units, adjacent to the park.
12 This is the floor where we have the
13 basketball court on the lower level. And
14 then going up to the amenity floor where you
15 see the wrapping of the amenities along this
16 edge which is along these two faces, and the
17 terraces that look out towards the two parks.
18 This is where the residential starts in this
19 location, a central elevator, and then going
20 up into the first tower floor, this is the
21 configuration of the tower with a small

1 courtyard and then the green roof.

2 One of the questions was the treatment
3 of this particular roof. And we're looking
4 at creating a green roof at the fifth floor
5 level.

6 As you continue up the building, it's
7 very typical, essential a core with two
8 wings. We have the three-bedroom unit at the
9 corner that stacks all the way up.

10 The two bedrooms are at the corners and
11 the one bedrooms filling in. We have two
12 sort of microunits on the inside corners.

13 As you continue up to the penthouse
14 level, the building steps down again and
15 there's another opportunity for a green roof
16 on the uppermost level. Also, providing an
17 area for the tenants to get down as a rooftop
18 terrace.

19 One of the questions also was the
20 mechanical penthouse, and the cooling towers
21 will be at the top and will be acoustically

1 treating the two cooling towers and four
2 pumps on the rooftop.

3 Looking at the elevations, the
4 elevations of the building, this is the entry
5 along the west side. And, again, with the
6 retail at the base of the building, one of
7 the things that we were looking at is the
8 opportunity to really animate the base of the
9 building and create a little bit more
10 transparency with the -- all the glass at the
11 retail. We're still looking at a, you know,
12 awning system or a retail signage at the base
13 of the building which we'll have really
14 activated as well. This is the residential.

15 ROGER BOOTHE: David, could you go
16 back to the microphone, please.

17 DAVID NAGAHEIRO: This is the
18 residential entry in this location, and the
19 tower itself that comes down. I think one of
20 the things that we're looking at is creating
21 a sort of a layering of the base of the

1 building and parts of the building actually
2 come down, continue down. You see the
3 amenity floor at this level.

4 Looking to the south side again, the
5 retail along the edge here, this is where we
6 were looking at that green wall and that sort
7 of transition between this sort of treatment
8 here and then the tower itself as it sort of
9 lands the amenities at the level and the
10 tower sort of rising at that point. We're
11 looking at a little bit more glassy at the
12 corners, a sort of scaling element. So that
13 midlevel scale. And then one of the comments
14 was the idea of the sort of the shifting of
15 pattern of the building itself. So the
16 overall strategy for the building was to
17 really create the sort of primary which was
18 this sort of vertical move through the
19 building creating this sort of opportunities
20 for more glassy corners that were sort of
21 strategic with the adjacency of the other

1 buildings that will be next-door. And then
2 creating this other pattern on the building
3 itself that combines some of the -- combine
4 the windows into two and three rows long. As
5 you can see that the living rooms will be
6 all, are all lined up. The idea that each of
7 the living rooms are ten and a half feet and
8 width. And the glass in the bedrooms will be
9 seven and a half feet or six and a half feet.
10 It's a direct reflection of what's happening
11 on the inside of the building.

12 One of the things that we're looking at
13 is creating a pattern that was a little bit
14 more dynamic than just a static building. So
15 we looked at the combination of shifting
16 these openings.

17 The other thing that you'll see on the
18 mass itself, on this facade is underneath the
19 windows themselves we have some details that
20 go back and forth that add sort of another
21 layer of texture to the building that you'll

1 see in some of the detailing.

2 Looking on the east side, this is the
3 side facing the North Point park, and we see
4 the landscape at the base of the building,
5 covering the parking. This is the elevation
6 that we're still really working on, and
7 looking at the window system along this edge.

8 As you continue to the north, this is
9 where it sort of interfaces with the park
10 that Michael was describing, and the
11 relationship between the landscape and the
12 landscape on the building. The building sort
13 of rises at this point so that the
14 delineation of the three-story curtain wall
15 at the top responds to what would be the
16 building next-door sort of a demarcation of
17 that line as well.

18 Looking at some of the precedent
19 images, the idea that creating sort of an
20 iconic top to the building, some primary
21 curtain wall corner or location and then

1 creating that sort of shuttle shifting of the
2 pattern on the facade itself, creating sort
3 of that elegant sort of skin wrapped around
4 the build itself.

5 Some of the materials that we can take
6 a look at in just a second is a metal panel
7 system and a corrugated metal pattern system
8 gives a delineation of the metal panel
9 detail.

10 This is that sort of recessed darker
11 panel below that sort of shifts back and
12 forth in the facade again creating that
13 mid level scale.

14 Looking at the base of the building as
15 a more of a precast materiality circle of
16 limestone finish. Looking at creating a sort
17 of a module within the facade itself, and a
18 color shift as well creating a scaling
19 element for the second and third floors very
20 similar to what you see here.

21 And then the base of the building

1 i tsel f when you see the fenestrati on and sort
2 of the i ns and outs of the retail , a second
3 and thi rd floor resi dential wi th the ameni ty
4 space on the uppermost floor.

5 So that' s the presentati on. I can show
6 you some of the materi als, too, if you like.

7 HUGH RUSSELL: Ahmed.

8 AHMED NUR: The rooftop uni t that
9 I' m seei ng on the model here, i s that
10 anywhere seen from a di stance on the actual
11 bui ldi ng from thi s el evati on?

12 DAVI D NAGAHEI RO: Say that agai n?

13 AHMED NUR: The rooftop uni t that' s
14 on that to the ri ght, whi te box on top of
15 the --

16 DAVI D NAGAHEI RO: That' s the stai r.

17 AHMED NUR: Yes. Stai r tower.

18 Okay.

19 Is that seen by pedestri ans by any
20 chance at any el evati on?

21 DAVI D NAGAHEI RO: I woul d say

1 probably will be from the North Point park,
2 the stair tower. And I think one of the
3 things that we're looking at is not only the
4 mechanical, part of the mechanical system,
5 but two means of egress off of the rooftop.

6 AHMED NUR: And what are the pointy
7 things that are all over the roof on the
8 right?

9 DAVID NAGAHEIRO: They're people.

10 AHMED NUR: Those are people?

11 They're so small. I say that because
12 every day we deal with antennas, and to the
13 point I'm saying could you put that in your
14 design because they will ask to put antennas
15 on your roof.

16 Thanks.

17 HUGH RUSSELL: So it would be nice
18 if they were electronically transparent
19 portions of your superstructure that antennas
20 could be placed without affecting the
21 appearance of the building in case someone

1 wants to -- I mean, the building may be too
2 tall or it may not be useful.

3 Any other comments?

4 THOMAS ANNINGER: Well, just a
5 question, a detail. At the top of the green
6 stairs where you connect to the sidewalk that
7 goes along the Gilmore, can you explain to me
8 just how that last step between the green
9 step and the sidewalk, what happens there?
10 Is there a gate? What is it?

11 WILLIAM TIBBS: Yes.

12 DAVID NAGAHEIRO: No, there's --

13 WILLIAM TIBBS: How wide is it, too?

14 DOUG MANZ: We could probably go
15 back and forth, I think. So we are meeting
16 with MassDOT next week. We've already been
17 meeting with them. But the short answer, the
18 first goal is that -- the goal is to
19 basically remove the entire length of the
20 current outside parapet wall of the bridge.
21 So that's a safety rail technically, right,

1 today? That goes away. So that it's open.
2 The entire 50-foot wide elevated park is open
3 to the bridge. It doesn't mean that there's
4 a continuous easy sidewalk transition because
5 the bridge is still travelling slightly down.
6 But the idea is meant to be to put the open
7 between the sidewalk and the elevated finger
8 park as part of a first step.

9 Second is, I should show -- that's kind
10 of this Gilmore Bridge parapet wall that goes
11 here. There's a second wall that exists
12 between the sidewalk and the first vehicular
13 travel lane of the Gilmore Bridge. So you're
14 kind of like in a -- David --

15 TOM O'BRIEN: What about that
16 section you just passed?

17 DOUG MANZ: All right.

18 So you just kind of -- there's this
19 outside parapet wall on the bridge, and
20 there's this kind of interior parapet wall on
21 the bridge. So you can actually see here.

1 David has it pretty good here. It's entirely
2 removed from this entire stretch. This will
3 not be continuous. The second parapet wall
4 will also have breaks in it because there
5 will be bicyclists that will be travelling on
6 the Gilmore Bridge. And they need to be able
7 to get out off the travel lane to here.
8 Although this won't be wide open because we
9 don't want cars making a mistake. But this
10 is meant to be completely open.

11 THOMAS ANNINGER: How wide is that?

12 DOUG MANZ: This is 50 feet.

13 THOMAS ANNINGER: 50 feet?

14 DOUG MANZ: This is, this is not a
15 sidewalk. This is an elevated park. You
16 know, again, if anyone's been to the high
17 line in New York, it's a -- this is a park.
18 So we want to be clear about that. But when
19 I say that, we still have to work with the
20 transition because this bridge is still
21 sloping from here to here.

1 DAVID NAGAHEIRO: That's right.

2 DOUG MANZ: So there's still some
3 details we're working out. We wanted to be
4 able to make sure that there's equal
5 fenestrations that people can really just
6 saunter right off the bridge and it's open.

7 H. THEODORE COHEN: Can I?

8 HUGH RUSSELL: Ted.

9 H. THEODORE COHEN: Earlier on you
10 said that what went on inside was what, you
11 know, led to the fenestration and the
12 exterior. Is there anything different in the
13 corner areas where it turns to glass that
14 requires that? I mean, maybe it's my
15 peculiarity. I really like the fenestration
16 on the walls. I'm not wild about the corner
17 glass.

18 DAVID NAGAHEIRO: The corners are
19 the living rooms typically.

20 H. THEODORE COHEN: But only I mean
21 the top 10 stories.

1 DAVID NAGAHEIRO: No, here you're
2 correct. The living rooms do continue all
3 the way down. I think it's a scaling
4 element, one of the things we were looking at
5 before we actually had the glass continue
6 down on both sides. And we thought they
7 might be a little more interesting as a
8 transition especially at this particular
9 corner to create actually instead of having
10 that glass coming all the way down, that it
11 has a little bit of a different scale, a
12 scale break in the building itself. I think
13 one of the things that we were trying to do
14 is create that sort of secondary scale where
15 a lot of buildings were missing. They tend
16 to go from top to bottom and we try to sort
17 of create a little bit more of a composition.
18 This particular one on the north side really
19 is a reflection of where the buildings will
20 be in the future, and the idea of sort of
21 identifying those upper floors that will have

1 that view out in that location.

2 HUGH RUSSELL: So it's sort of
3 curious with the light on inside, you see the
4 actual structure of the openings and solids
5 and voids which I find it to be very handsome
6 and very classical and which I prefer to your
7 actually the daytime view.

8 DAVID NAGAHEIRO: That's right.
9 It's funny because when you do turn it off,
10 it changes the facade. You start to pick up
11 the other piece. But when the lights go on
12 and you start to see where the spandrels are
13 actually going to happen, you start to see
14 that very rigor, rigorous facade.

15 HUGH RUSSELL: So I would hope that
16 as you develop this and, you know, this
17 building we're not putting a stamp and saying
18 this is the final thing. You're not saying
19 it's final. We're not saying it's final.
20 You're working some more things. Some more
21 that you will consider whether that applied

1 texture should be quite so bold, when it
2 might be more subtle, and let the basic
3 structure of the building be a little
4 stronger. I would be happier if it came out
5 that way. And I think it actually helps in
6 kind of the, the strong massing of the
7 building, the strong moves with the corners,
8 with the, you know, the vertical element, all
9 of that I think is better if what happens in
10 between is actually less chaotic. And to me
11 that looks chaotic. And if it's more regular
12 and more order. Now as I mentioned in my
13 memo, I studied, you know, in school at the
14 time of the modernist and this is not --
15 well, this might incorporate in terms of
16 thinking in clarity and massing, the things
17 that a modernist would love, you know, this
18 final level expression is probably beyond
19 what Mr. Sirt (phonetic) would have liked
20 very much.

21 DAVID NAGAHEIRO: Well, I think one

1 of the things about the pattern and I know,
2 and we were thinking actually very hard this
3 week about what this answer would be for you,
4 and I think, you know, the thing that you
5 also don't see in these -- and this is just
6 a, you know, a depiction of what it would be
7 like, but I think, you know, once you get
8 into the color of the sky and the reflective
9 data glass it will take on a very different
10 sort of appearance.

11 The other thing that will be very
12 telling that you don't see in these as well
13 which makes, you know, residential buildings
14 more interesting as the shading system behind
15 it, which will take on a tremendous amount of
16 impact on the facade itself and it will
17 completely change the facade I think in a
18 better way because I think you start to now
19 sort of paint a little bit more of a texture
20 of light behind the windows themselves
21 instead of an office building. So I think

1 there's a -- the way we end up using blinds
2 behind the glass will have a big impact as
3 well.

4 HUGH RUSSELL: We did a couple of
5 historic buildings in Lowell and we were told
6 there was only one blind color that was
7 permitted in Lowell because the windows
8 didn't have blinds originally, and when they
9 were textile factories, and that was charcoal
10 grey. So you couldn't tell whether the
11 blinds were up, down, open or closed. It
12 posed a, you know, it did create that, I
13 didn't much like them in the apartments,
14 but....

15 TOM O'BRIEN: Can I just add? The
16 concept is similar at night as well.
17 Obviously not every light throughout the
18 building will be on. So the building itself
19 will take on a different consideration at
20 night.

21 WILLIAM TIBBS: I guess my only, my

1 only concern is that because I think I like
2 conceptually what you're doing, my only
3 concern is just the details of how all this
4 puts together, because I just find
5 particularly now that we've been on the Board
6 a long time sometimes these facade treatments
7 can be pleasing and sometimes we're surprised
8 when you actually see them in real life with
9 suns and reflections and all the natural. I
10 do find it fascinating that with the light on
11 you see those verticals, which you totally
12 mask with the pattern when they're off. So
13 that it's -- I find that interesting,
14 actually, but so... And I do like the break
15 up of the pattern part with the glass part
16 myself. But I think in order for this to
17 work it just really needs to, it's some
18 subtleties there that obviously you'll have
19 more time to work on but, you know, and quite
20 frankly, I'd like to see at some point as
21 we're looking at this a little bit more is

1 just to see some live examples of similar
2 kinds of materials in a real way system just
3 to make sure that what you're striving to do
4 comes across. Because that's always -- I
5 think we can sometimes be very surprised at
6 what we get.

7 PAMELA WINTERS: That's true.

8 WILLIAM TIBBS: And sometimes it
9 works out very well.

10 There's one building in particular that
11 I won't mention that happens to be on Mount
12 Auburn Street in Cambridge that always shocks
13 me as to how it looks versus how I thought it
14 was going to look at the base of Mount Auburn
15 Street and Mass. Ave.

16 THOMAS ANNINGER: Can I ask a
17 question, Hugh?

18 HUGH RUSSELL: Go ahead.

19 THOMAS ANNINGER: I'm very impressed
20 and taken by the building. I think it's
21 beautiful. What I find less convincing is

1 the connection to the Gilmore. I'm still
2 trying to figure out -- I guess I have a
3 series of questions. And my first one is was
4 it always obvious to you that the connection
5 ought to be on the north side? Did you ever
6 look at another connection from the south
7 side?

8 DAVID NAGAHEIRO: We had. And I
9 think in the original master plan it was from
10 the south side. And I think the thing that
11 this particular one does -- that's, that it
12 doesn't really explain is what happens in the
13 full build out. Because I think at the end
14 of Dawes Street I think in the original
15 master plan it just went on underneath the
16 bridge itself. And now I think at the end of
17 the axes is a real sort of that idea that
18 that landscape sort of rises up to the
19 Gilmore. So -- right.

20 HUGH RUSSELL: And if you can get
21 people off Gilmore one block sooner, you will

1 accomplish something.

2 DAVID NAGAHEIRO: Yeah.

3 THOMAS ANNINGER: Well, coming from
4 there but what I'm thinking -- well, a couple
5 of things: One, the north side is the north
6 side. I think that makes for a shadowy, dark
7 green staircase. And I think that's somewhat
8 less inviting.

9 And No. 2, a lot of people are going to
10 be coming from looking at the building from
11 here. What is that, the south? In that
12 direction going north, do they have to walk
13 all the way around the building to go get to
14 the -- to climb? Wouldn't it be nice to be
15 able to get to it from here?

16 WILLIAM TIBBS: Particularly if
17 you're --

18 HUGH RUSSELL: It's crazy to --
19 excuse me -- to walk on the Gilmore Bridge
20 when they could walk passed the Archstone
21 building and, you know, through the interior

1 to North Point.

2 THOMAS ANNINGER: Well, people are
3 going to cross the park, central park, and
4 they're going to want to go up that corner
5 there. They're not going to want to walk all
6 the way around.

7 TOM O'BRIEN: Are you saying coming
8 that, from say the --

9 THOMAS ANNINGER: That's right.

10 TOM O'BRIEN: From say the relocated
11 Green Line?

12 THOMAS ANNINGER: Yes.

13 TOM O'BRIEN: We thought carefully
14 about this, and we actually thought that the
15 desire line would be to walk across that
16 park. It's a beautiful park today.

17 THOMAS ANNINGER: Exactly.

18 TOM O'BRIEN: Particularly if we
19 made those parks the elliptical parks at the
20 base of the building work very well. We
21 actually thought about that corner as being

1 something very special at the base of Dawes
2 Street. As the park connecting to the
3 Gilmore Bridge came down to the base, that
4 that corner really created an anchor. That
5 makes a terrific connection to the Gilmore
6 Bridge. We also really felt that especially
7 given the fact that now as patterns of
8 walking are evolving and the North Point
9 Park's down to the just off this picture to
10 the right, as those have become stronger, I
11 think people are rediscovering how they're
12 walking around at the base, but that piece as
13 the Chairman suggested, that piece of where
14 the park is being close to the Orange Line
15 was a key connection. I mean making it
16 closer to the Orange Line was an important
17 difference really we think for the overall
18 site.

19 THOMAS ANNINGER: Would it be beyond
20 reasonable to say there might be two
21 entrances, one on the south of the building

1 at the corner, maybe not a green staircase,
2 but a more traditional vertical staircase
3 with an elevator as well? I think to me I
4 see the designer line differently. I know
5 you're going to make it very inviting to go
6 the way you just did, the diagonal and going
7 around the corner. And I think it's going to
8 be a bit of a stretch. I think there are
9 going to be plenty of people wanting to go
10 straight to your corner. You've created an
11 inviting facade here. I don't know, is it
12 going to be retail on that side there?

13 TOM O'BRIEN: Yes. So see the
14 retail on North Street.

15 THOMAS ANNINGER: I'm not talking
16 about that -- I'm talking about this side.
17 What is that the south side? What is that?

18 TOM O'BRIEN: Yeah. On North
19 Street?

20 THOMAS ANNINGER: Somehow I'm
21 tempted to see something right there. That's

1 where I see a logical entrance to the
2 Gilmore. Together perhaps with that. I
3 mean, to me the only explanation that I see
4 for doing it here, or one major explanation,
5 is that you're preparing for this. That it's
6 the other parcels that you're preparing for.
7 But it's going to be a long time before that
8 happens, and in the meantime I think a lot of
9 people are going to want to go here.

10 TOM O'BRIEN: Can I make a
11 suggestion? To me when I stand at the bottom
12 of North Point Boulevard even today, before
13 this building exists, I think having a nice
14 clean connection down that sidewalk to the
15 North Point parks is really important.
16 Really important. So that, that sidewalk
17 where the retail there is, to confuse that
18 with the landing of a staircase from above,
19 to me, I just don't think that would be
20 correct. I think that at grade, that length
21 of street that when you come to the base of

1 North Street, is a really important clean
2 pedestrian connection all the way through to
3 the parks. To me that's going to be the key
4 thing. To confuse that with a staircase to
5 above, I think would make it sort of
6 industrial looking. It would mean that we
7 probably would have difficulty creating that
8 retail in that spot, which I think is going
9 to be an important retail spot. To me I
10 think once you think about G and H being
11 built, and you're right, physically we did
12 think about connecting the garages, making
13 all those -- and so for us from a phased
14 perspective --

15 THOMAS ANNINGER: Now I understand.

16 TOM O'BRIEN: -- absolutely the
17 stairs work very well.

18 But we also, the more we thought about
19 it, said the overall master plan energizing,
20 as David said, the base of Dawes Street,
21 making that corner work really well. That

1 retail right there, David, I'm sorry, that to
2 me that's sort of a Liberty Wharf opportunity
3 impact spot, you know, to get a great
4 restaurant there and hopefully, you know,
5 when this building delivers, make that the
6 kind of place where people say we need to get
7 there. That to me makes that corner really
8 special. And having a clean at grade
9 pedestrian stretch from North Street all the
10 way down to the North Point parks is to me is
11 really important even today as you stand
12 there.

13 HUGH RUSSELL: I think we may, when
14 you come forward with parcel U, have the same
15 conversation because it could be that such a
16 connective element might get incorporated
17 into parcel I. It might be maybe even an
18 internal connection, and that would be part
19 of the way the building works. U is intended
20 to be a commercial building, right?

21 STEVEN WINTER: Let's keep that

1 view. That's the view I want.

2 TOM O'BRIEN: Actually, you know,
3 one quick thing, just if you hold this slide,
4 look at all the population you're going to
5 have up and down Dawes Street. I mean, that
6 walk down Dawes Street, I mean just, you
7 know, after 20 years, that's a huge walk up
8 and down Dawes Street. Dawes Street becomes,
9 you can just envision it --

10 THOMAS ANNINGER: Well, fair enough.
11 I think Hugh's point is a good one, that
12 there still will be time for another
13 connection.

14 TOM O'BRIEN: At U.

15 THOMAS ANNINGER: And maybe it's at
16 U.

17 STEVEN WINTER: I'd like to point
18 out also that keeping the pedestrian access
19 where it is now, that turns towards and gives
20 a nod to the Orange Line which is very, very
21 important. I think it's a, it's a welcoming

1 thing. And it says the Orange Line that's
2 right there, come on over. Get -- come this
3 way.

4 HUGH RUSSELL: And Mr. Kaiser's
5 reading of the Commonwealth's ability to do
6 the Green Line becomes even more important.

7 WILLIAM TIBBS: You know, I think it
8 also gives people an opportunity to get off
9 the bridge quicker particularly if they're
10 coming from the Orange Line to get into the
11 neighborhood. They have a much more pleasant
12 way of coming diagonally crossing the site to
13 get into East Cambridge, too, so you don't
14 have to go all the way down to the O'Brien
15 Highway intersection to kind of go up into
16 the neighborhood. So I -- because the
17 Gilmore Bridge is just, I mean we --

18 TOM O'BRIEN: It's amazing how many
19 people walk it everyday.

20 WILLIAM TIBBS: Oh, I know, but it's
21 not a pleasant thing at all. And I've been

1 stuck on it in the car and in traffic a lot
2 so I'm -- when you do get to the point where
3 you notice every little detail of all the
4 buildings around it, and it's interested in
5 particularly these green walls and stuff that
6 you're doing to try to make it more pleasant
7 when you're stuck there.

8 HUGH RUSSELL: So, Tom has pointed
9 out that it's six minutes before we turn into
10 pumpkins.

11 STEVEN WINTER: That's already
12 happened.

13 HUGH RUSSELL: And so are we in a
14 position now where we could say that we've
15 reviewed the design, we've made our comments,
16 we believe that the basic design of the
17 building and the basic structure that's been
18 shown to us and down to a considerable level
19 of detail is suitable for this property?

20 STEVEN WINTER: I would concur.

21 PAMELA WINTERS: Yes.

1 WILLIAM TIBBS: Yes.

2 HUGH RUSSELL: And although there
3 might be other less and more suitable
4 details, other things that need to be thought
5 out, it's time to go forward?

6 PAMELA WINTERS: Yes.

7 WILLIAM TIBBS: Yes.

8 THOMAS ANNINGER: I think you could
9 use a better word than suitable. I think
10 it's better than that, but if that's what
11 will get us through out of here tonight, I'm
12 happy with that.

13 HUGH RUSSELL: Well, you've got five
14 minutes to come up with a better word.

15 THOMAS ANNINGER: I think it's
16 terrific.

17 WILLIAM TIBBS: I think it's good,
18 too.

19 HUGH RUSSELL: Terrific it is.

20 So is there a motion to -- I guess I'm
21 always confused. What do we do now

1 procedural ly?

2 STUART DASH: Vote terri fi c.

3 ROGER BOOTHE: You vote terri fi c.

4 STUART DASH: You vote for the
5 desi gn revi ew.

6 HUGH RUSSELL: So we vote that we
7 have approved the desi gn that's presented to
8 us.

9 So i s somebody making that moti on?

10 STEVEN WINTER: So moved.

11 WILLIAM TIBBS: Second.

12 HUGH RUSSELL: Steve was fi rst and
13 Tom was second.

14 WILLIAM TIBBS: I'm thi rd.

15 HUGH RUSSELL: All those in favor?
16 (Rai si ng hands).

17 HUGH RUSSELL: All members voti ng in
18 favor.

19 Okay, thank you. Exci ti ng prospect.

20 (Whereupon, at 11:55 p. m. , the

21 Pl anni ng Board Adj ourned.)

1 ERRATA SHEET AND SIGNATURE I NSTRUCTI ONS

2
3 The original of the Errata Sheet has
4 been delivered to Community Development
5 Department.

6 When the Errata Sheet has been
7 completed and signed, a copy thereof should
8 be delivered to each party of record and the
9 ORIGINAL delivered to the Community
10 Development Department, to whom the original
11 transcript was delivered.

12
13 I NSTRUCTI ONS

14 After reading this volume of the
15 transcript, indicate any corrections or
16 changes and the reasons therefor on the
17 Errata Sheet supplied to you and sign it. DO
18 NOT make marks or notations on the transcript
19 volume itself.

20 REPLACE THIS PAGE OF THE TRANSCRIPT WITH THE
21 COMPLETED AND SIGNED ERRATA SHEET WHEN
RECEIVED.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

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
best of my knowledge, skill and ability.

IN WITNESS WHEREOF, I have hereunto set
my hand this 9th day of November 2012.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 23, 2015

THE FOREGOING CERTIFICATION OF THIS
TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION
OF THE SAME BY ANY MEANS UNLESS UNDER THE
DIRECT CONTROL AND/OR DIRECTION OF THE
CERTIFYING REPORTER.