

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, March 4, 2014

7:00 p.m.

in

City Hall Annex

344 Broadway

Cambridge, Massachusetts

Hugh Russell, Chair

H. Theodore Cohen, Vice Chair

Pamela Winters, Member

Steven Winter, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Ahmed Nur, Associate Member

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

Liza Paden

Jeff Roberts

Stuart Dash

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PUBLIC HEARINGS (Continued)

8:00 p.m. PB#286, 75 New Street, Special Permit to construct 93 residential units, pursuant to the Project Review Special Permit (Section 19.23); Special Permit for Multifamily housing in the Industry A-1 District (Section 4.26.3), Reduction of the Side and Rear Yard Setbacks (Section 5.34.2(b)), Setback Reduction of On-Grade Parking and for On-Grade Parking within 10 feet of the building (Sections 6.44.1(a), (b) and (g) and 10.45) and Waiver of Parking Screening Requirements (Section 6.47.8). Abodez Acorn 75 New Street LLC, applicant 92

8:30 p.m. PB#288, 40 Thorndike Street (continued), Special Permit to convert the existing nonconforming Courthouse structure at 40 Thorndike Street to a mixed use office building containing ground floor retail uses, 24 dwelling units, and below grade parking. Special permits are being sought pursuant to Section 19.20 Project Review, Section 8.22.2.a. Alteration of a nonconforming Structure, Section 5.28.2 (et seq.), Conversion of a Non-Residential Structure to Residential Use, and Section 10.40 General Special Permit Requirements. LMP GP Holdings, c/o Leggat McCall Properties, LLC, applicant 199

Keyword Index

P R O C E E D I N G S

HUGH RUSSELL: Good evening. This is a meeting of the Cambridge Planning Board. The first item on our agenda is an update by Brian who seems to have stepped out of the room.

PAMELA WINTERS: He got a phone call.

HUGH RUSSELL: Pam says he got a phone call.

LIZA PADEN: Do you want to do the updates?

JEFF ROBERTS: Sure. I hope I have the most up to date schedule. Liza can correct me.

Mr. Chair, tonight's meeting the agenda you have, just for looking at future meetings, the March 18th meeting we have scheduled a public hearing on the Lutz Zoning

Petition which deals with a section along Richdale Ave. along the railroad tracks that the Planning Board has heard before. It's been re-filed. Also a Petition on the Special District 2 around Linear Park has also been re-filed. Both of those hearings are scheduled for March 18th.

Currently on General Business we have the 40 Norris Street case returning, some BZA cases, and possibly a discussion of following up on the Kendall Square study about the portions of that study that relate to Cambridge Redevelopment Authority property.

And looking ahead to April 1st we have a public hearing scheduled on the project that's proposed, Planning Board case No. 284 on Richdale Avenue which they have altered their plans and will be presenting their new plans.

And future meetings will be April 8th and April 22nd and May 6th and May 20th TBD.

HUGH RUSSELL: Okay, thank you.

Next item is BZA cases.

LIZA PADEN: So, I didn't see anything on the Board of Zoning Appeal cases, and I didn't hear from anybody that there was anything that you wanted to see more of.

HUGH RUSSELL: Just the two cases, right?

LIZA PADEN: There's just the two cases.

HUGH RUSSELL: Okay.

Any new meeting transcripts?

LIZA PADEN: There's been no transcripts since the last meeting.

HUGH RUSSELL: Okay.

PUD procedural change in Zoning Petition.

JEFF ROBERTS: Thank you, Mr. Chair.

Jeff Roberts from Community Development Department picking up where we left off the last time. And I'm just -- so you received a memo explaining some proposed changes to the PUD Procedural Zoning text as well as the proposed text changes themselves, and I'm going to take a few minutes to walk through them and address your questions from the last time, and then I'll take some questions and discussion from the Board.

So just to start off with, this actually follows nicely from Roger Boothe's retrospective from last week. If you recall, he talked about the importance of the PUD Special Permit in implementing some of the plans that Cambridge has undertaken for its redevelopment areas. He mentioned that this is Special Permit 1, that was the first PUD

right here on the right. This is a PUD over here that was permitted much later than that, and it continues to be under development, and you can see how they've combined and also there's MIT's land over here which will, which will complete that.

So over a number of years PUDs have been used as sort of the nuts and bolts, the Zoning mechanics to implement very complex plans that include a variety of different land uses, different buildings at different scales, combined with open space. And it's a tool that allows the Planning Board to do superior site planning, to really focus on not just the buildings themselves, but how the buildings are oriented to one another in creating a master plan for an area.

One of the things the PUD Zoning does is creates a streamline process and that can,

that can be beneficial to developers who have a large -- or property owners who have large areas of land. And it also provides benefits to the public because it allows the opportunities to look at tradeoffs, including open space, other amenities, other public contributions which in many cases are written into the Zoning that are provided in exchange for the greater flexibility in the Zoning.

So some issues that have come up that we're addressing in this, it really stems from the fact that PUDs really do last a very long time. They could take up 20 years to develop. And even after they're developed, the Special Permit that has been issued for that PUD really does take the -- almost takes the place for Zoning in perpetuity as long as that development exists that was originally permitted. And we noted that there has been

real value in the amendment process, which is because they last for so long and there's, you know, change in economic conditions, change in city priorities, over time there is the capability to accommodate change. And there have been -- I've counted them, over 100 amendments to PUDs since they were first instituted in the late seventies.

So a few things that have come up that we've addressed through this. First, the amendment review and approval process. There are various issues that tend to come up regularly whenever a project comes up for an amendment. So we're going to talk about that.

No. 2 is that there -- and many of you were not on the Board, but some of you were on the Board, remembering there was a time when because PUD Special Permit that's

written in the Zoning only take -- have to be acted upon within one year as opposed to two years. We have had cases where projects have not met that one year and failed to get the extension and had to be reheard completely, and that's been trying for the Board and for us and the public.

And so then No. 3 is issues that have come up more recently where PUDs with multiple buildings are sold off to different owners, and then both administratively and as a Planning Board when dealing with amendments, knowing how to deal with those situations is important.

So just quickly the amendment process just to show you the way PUDs are approved, there's a pre-application and then there's a development proposal which kind of functions as a Special Permit. The Planning Board issues

a preliminary determination, has a public hearing, and then a final development plan, which is a second public hearing and then the final decision.

When we get into the amendments process, it's currently -- it can be a little bit of a tricky process where you have to choose between either making a -- and I'm sorry, it's kind of cut off, making a determination without a public hearing that it's an insignificant change or not substantial change to the plan or that it's a substantial enough change that it has to go through another two public hearing process. And what's proposed here is something that's a system that more sort of charts the approval process itself, where there's sort of an analog to each step in the process. Where you can start off by coming to the

Planning Board and asking for a determination, whether it's a major or a minor amendment or requires a new development proposal, which means that it would have to -- if the Planning Board found that it was outside the scope of the first development, the original development proposal, they would go back to that two step process. If the Board found that it was consistent with the development proposal but different from what was in the final development plan, then it would be a one public hearing process with a Special Permit. So it would function just like any other Special Permit with the public hearing and then the 90-day period to act and then issue a decision. And then the minor amendment would remain pretty much as it is.

So the last time there was a question about what are the different -- what are the

differences in the language? And so I put this slide together to just show what some of the different words were and how they line up. So, the -- and of course we inherited some of the language from the existing Zoning in trying to sort of make best use of that without rewriting the whole thing. But we can certainly talk about the words that are used and there may be some better alternatives.

But a Minor Amendment is really a non -- it's a change that's not substantive, and they call it an alteration, to really any part of a final development plan. It could be just the, you know, the actual massing of a building or the, you know, or a building could move five feet over somewhere. And then those kind of things require just a determination of the Planning Board.

A Major Amendment we've now defined as a substantive change to elements of a final development plan. So it could be one of the buildings changes in some significant way, but overall the master plan remains conceptually intact.

And then a new development proposal is -- and you'd verb it slightly different word, as you notice, a substantial deviation from the PUD concept as a whole. And I think that's the key language there, is that it's the, it's the change is significant enough that the entire PUD that was originally conceived is now something that is, that is really fundamentally different than what the Planning Board originally approved, and that goes back through the Special Permit process from the beginning.

I think the Special Permit expiration

is fairly straight forward. It's a longer project. The fact that it has a shorter expiration period has been complicated. Extending it to two years, really doesn't -- doesn't change all that much. It gives a little bit more breathing room to get the project off the ground, but it's really no different from any other Special Permit. And the two year period, I think, is a suitable time to not encourage owners to get a PUD Special Permit and then just wait on it, which I think was the concern in the first place, that they might just take it and then try to sell it or use it to increase the value of the property.

And then the question about separation of ownership is something that we thought about a lot, and the approach here is really not to, not to make any real changes in

procedure, but to make some clarifying points in the Zoning text. And there are two main points to make:

One is that, is to emphasize, and as it is the case now, that when a PUD Special Permit is approved, it is everything within that development parcel is governed by that Special Permit. So selling to different ownership entities doesn't mean that one owner of just a portion of it is absolved of any obligations to fulfill what's happening to other parts. So if there's an open space requirement and somebody buys a building, you know, out here, you know, this open space requirement is still tied to that parcel even if that parcel is then sold to a different owner. So that's sort of the fundamental piece of it. And then the second piece explains that within the Special Permit there

can be a delineation or a description of what development rights are -- belong to different parcels within that, and which individual owners could act to, you know, get a building permit, to seek a Minor Amendment or a Major Amendment affecting only that site. And if it's written that way in the Special Permit, then an owner of that separate piece of the PUD could come to the Planning Board without needing to get sign on from every other owner in order to make that change.

So that's the end of the briefing and I'm happy to answer questions or hear the Board's discussion.

HUGH RUSSELL: The piece I would like to see in the Minor Amendment -- or I'm sorry, the Major Amendment category one that would just require a public hearing, wouldn't require the full thing, is the ability for

say a new use to be introduced that is not incompatible with the rest of the uses. So that say there was a, you know, some commercial space and somebody wanted to open a coffee shop, they wouldn't have to run a new hearing because they hadn't talked about having, you know, that -- so, and it's a -- largely a matter of how much and the impacts of how much of when we look at to say whether it's major or whether it's a change of concept.

Similarly if there was a change of let's say the shifting of a floor area of more uses by 10 percent say, it seems to me that's something that could easily pass the standard and not really affecting the concept of the PUD, but I think under the present rules it wouldn't be, it wouldn't even be a Major Amendment -- it wouldn't be, it

wouldn't be a Minor Amendment and it would require the two hearing process.

JEFF ROBERTS: That's right. And I think that was -- those are the kinds of cases that sort of prompted this fresh look. The cases where it didn't -- it was a substantial enough change that it should require a public hearing and a Special Permit but not substantial enough that it fundamentally altered the entire PUD. Another thing that I skipped over in the presentation, but is in the text, and this is something that the Board has done in practice, but it's not specifically in the Zoning text, is to allow that Major and Minor Amendments can be pre-defined in the PUD Special Permit. So the Planning Board in granting a Special Permit can say, you know, here's a ground floor use. It's a coffee

shop, but we're okay with it being any of these category of uses, and that either requires either a Minor Amendment or no determination. So, and similarly the Board can say if this changes in this way, then we think it should be a Major Amendment. And that's been done in practice. And the proposal is to put that in the Zoning so that people reading the Zoning are aware that that's part of the process.

HUGH RUSSELL: So the proposal as written satisfies the desire to have those be not two hearing process?

JEFF ROBERTS: Right. And as is the case now, the Planning Board has the power to make the determination as to whether it's Major or Minor. A proponent could apply simply for a Major Amendment by submitting a Special Permit application or has the right

to send a letter to the Planning Board and to appear at a Planning Board meeting as a matter of general business to request the Planning Board to make that determination.

HUGH RUSSELL: Other comments?

STEVEN COHEN: Yeah, Jeff, just as a drafting matter, are you intending to be a difference in meaning between the words substantive and substantial?

JEFF ROBERTS: Just to, here I'll go back to that. So the -- we can use -- we could use different lang -- we could use the same language. I think it was maybe just a choice of using a slightly different word in a slightly different -- in a different paragraph of the text. But the key really is that in a Major Amendment the change to the elements of a final development plan where something that's more than a Major Amendment

would be a change to the PUD concept as a whole.

If you prefer that we use the same -- use substantive consistently, we could do that.

STEVEN COHEN: Yeah. As we draft these things one of our great goals should be to, you know, reduce ambiguity and to make decisions easier down the record. And using different words implies different meanings. So if that's not your intent, I would use the same word.

One other question, I get more and more substantive --

HUGH RUSSELL: Hopefully not substantial.

STEVEN COHEN: But not substantial.

In the last scenario that you were talking about where in a PUD, parcels are

parcelled out to different owners, did you ever consider the concept that in the initial approval of the PUD that there be some sort of common entity as if it were a condominium, you know, one condominium trust or association or even like a homeowners' association so that there's a single entity that somehow represents all of the owners and is responsible for assuring compliance with the PUD amongst all the other owners within the PUD?

JEFF ROBERTS: I don't know if the Planning Board -- I don't know if it's possible or necessarily appropriate for the Zoning or the Special Permit to constrain the ownership structure, either who could own or how the ownership structure of a land under a PUD has to work. I think what the Zoning can do is emphasize that whatever the ownership

is within the PUD, all of the owners, and this is actually written in the PUD -- what happens, right, so when there's different owners within the PUD, it remains the case that all of the -- all successors in interest to the original owners of the PUD remain bound by the restrictions in the PUD. It could be that because of that, that the -- that if a property owner of, a large property owner of multiple buildings decides to then sell off the buildings, they might decide that from a real estate, both a real estate and a legal standpoint it makes more sense to retain some common ownership within sort of a condominium structure. I know that that, I believe that some large development areas have used that approach. But in other cases that's not, you know -- that's not what they want to do. They want to own -- the

different owners want to own different tracks of land. And when that happens, the Zoning can't stop them from selling it in that way, but the Zoning can make it clear that they, that all of the owners are -- continue to be bound by all the requirements and conditions within the Special Permit. And then if one, if one part of the Special Permit is not -- one part of the PUD is not meeting the Special Permit requirements, that affects all of the owners.

STEVEN COHEN: But, you know, there's just no question that the PUD requirements are still binding upon all of the separate owners. But, gosh, my humble opinion legally is that you would have the right as a condition to the PUD to have some sort of umbrella entity which doesn't in any way limit the rights of people to own their

own tracks, but there would still be some umbrella entity. I mean you see in some subdivision control frequently where there's a requirement for a homeowners' association to perhaps have some responsibility for the roads or the sewer system or some such thing. And I don't know, my sense is that it would make sense in a PUD context to have some sort of umbrella homeowner or property owner entity that has some sort of overriding responsibility within the PUD to assure compliance with the PUD requirements. Just my thought and suggestion that you look at that as a possibility. I think it would be a useful mechanism rather than relying on a desperate bunch of property owners to somehow figure out how to impose on each other compliance. Just a thought.

HUGH RUSSELL: Other comments?

Pam?

PAMELA WINTERS: I just have, just to be clear here. So in other words, if a building were going from office to say residential, that would constitute a Major Amendment; is that correct?

HUGH RUSSELL: If it hadn't been contemplated in the original permit, yes.

PAMELA WINTERS: Right, right. Okay. Thank you.

HUGH RUSSELL: Ahmed?

AHMED NUR: Yeah, so if I recall it right, last time I guess the Bull and Finch Company was here, I recall the opening sentence was Minor Amendment and we asked Jeff, we approached Jeff to figure out what the difference between Minor and Major. And I have to say that in listening to this -- is this thing on?

HUGH RUSSELL: Yes.

AHMED NUR: Am I being heard?

Yeah, so if we're to determine the amendments, I guess is there -- I guess I'm confused as to how, how do we do that? Is there a percentage of change? Is there a floor change? Is there a dollar amount tied to this? Are we still to approach you on this? I'm just not -- still it's not very clear yet to me if the Planning Board actually determines the fine line between all these different amendments.

JEFF ROBERTS: Well, there's two possible answers.

One is that as previously stated, that this still leaves the ability for the Planning Board when issuing a Special Permit to define within more precisely within that Special Permit what would constitute a Major

Amendment and what would constitute a Minor Amendment. So I don't think we would necessarily want to prescribe something in the Zoning, because all cases might be very different. But in a particular case if there were three buildings, the Planning Board might say, you know, this one must be office, this one must be residential, and this one if -- it could go office or residential and they only require -- it's permitted as office, but only requires a Minor Amendment to be residential. So I think it all depends on the context of the project and, you know, the discussion that the Planning Board has when applying the criteria for approving the PUD. So that's one way to look at it.

Another way is that, you know, it is a, it is largely a subjective, you know, as it is now in the Zoning, it is a subjective

judgment. But the attempt with the proposed Zoning text is to provide a little bit more guidance and some more options for the Planning Board to choose from when making that determination.

HUGH RUSSELL: Tom, did you want to speak?

TOM SIENIEWICZ: It's less of a question but more of a comment to thank Jeff for taking what were some fine abstract ideas and I think presenting them very, very clearly tonight. And I think that has the same affect on this section of our regulations making the PUDs clearer. I don't think it's a blunt instrument. As much as we would like to precisely understand the way these things slice and dice, there is some judgment and it's a fairly blunt description of the physical environment. But I really

appreciate this, I think, making this section of our Ordinance much clearer and I appreciate how quickly and clearly you explained it.

Thank you.

HUGH RUSSELL: Steve?

STEVEN WINTER: Yes, thank you, Mr. Chair.

I want to comment, Steve, that I just couldn't disagree any more that we need additional legally bound organizational tools in this kind of land use. And this is the first time, you know, I've thought about it, so certainly there's much more discussion that I would be willing to have. But my initial feeling is that that's, that's a layer that we don't need.

And I also want to comment that it is a blunt tool and sometimes it's hard to

actually say this is that particle of criteria, but this Board has a transparent process and we have -- everything we say is in front of the public and everything we say is on record and so I have faith in that transparency.

HUGH RUSSELL: So, Steve, I guess I didn't understand. Are you speaking in support of these changes or in opposition to them?

STEVEN WINTER: Well, first of all, I'd like to say I'm proud to be so enigmatic. Thank you very much.

HUGH RUSSELL: Well, I've got a cold and my hearing's down.

STEVEN WINTER: But no, I feel these are good changes.

H. THEODORE COHEN: Just very briefly. I mean, I hear both sides, but I

think it might be an interesting idea to have something like the possibility of a homeowners' association build into a PUD so we don't have situations where a parcel has been sold off and maybe it is so far removed from some other obligation of the remaining ownership that it would be, if not unreasonable just, you know, difficult to enforce something on them. And where a homeowners' type of association might make sense in that type of situation. So I think it's something to think about. I mean, think there are pros and cons and something we should think about.

And the other thing is that I -- a part of me endorse getting rid of the second public hearing for a lot of these amendments at which, you know, seems to be in most situations useless because we pretty much

have decided at the end of the first hearing. I think the way our procedure works if we have questions, we'll just continue the hearing until those questions are resolved and we don't need to go through the process of having a second public hearing.

HUGH RUSSELL: So if there are no more comments, I interpret this as a -- the instruction is to the staff to finish this up and submit it.

JEFF ROBERTS: Submit it -- sorry, Mr. Chair, submit it to the City Council on behalf of the Planning Board?

HUGH RUSSELL: Yes.

JEFF ROBERTS: So I will make the -- I will be consistent with the term substantive that we're using. And when it, after it's submitted to the City Council, we'll come back for public hearing and at

that time I'll try to get some investigation as to the question of ownership interest and how that might play into the conversation.

H. THEODORE COHEN: Could I just ask a question on that one point, though, does that present any problems for you and for the City Council and us if that's a new concept that's going to go into the proposal after it's already gone to the City Council and come back for us to review?

JEFF ROBERTS: It's very possible that it would be, but unless that is so inextricably tied to the proposal that you've already looked at, that it would make it difficult to pass what's in front of you now. It could be introduced as a separate component or it could be re-filed. If the Planning Board made that recommendation, it could be re-filed as a new petition with a

new component to it.

H. THEODORE COHEN: I just ask that you and staff think about it and do whatever is easiest for you and for City Council and for us so we don't have to go through a large process for a very small point.

HUGH RUSSELL: Okay. The next item on our agenda is Planning Board case 289 (sic), 57 J.F.K. Street.

LIZA PADEN: Actually, I think it's the 7:20 hearing for the Chun.

HUGH RUSSELL: Oh, sorry, I skipped over the Chun hearing. Let's go back to the Chun hearing.

Thank you.

So next item on our agenda is I guess a re-filed hearing on the Chun Petition which affects the Cambridge Highlands neighborhood. We held a hearing on this

subject in November. I understand that it was put up for discussion on one of the blizzard nights that we canceled the meeting. The hearing -- the matter expired and was re-filed. So I think, so officially we're starting from scratch and then we've not -- we've received a report from the staff, which we never discussed. Are we going to -- sort of how are we going to do this, Jeff? First we should give the substance of the petition. Is there someone here appearing for the petitioner?

(No Response.)

HUGH RUSSELL: Apparently not.

UNIDENTIFIED AUDIENCE MEMBER: I could appear on his behalf. I was here at the last meeting if that's possible.

JEFF ROBERTS: If anybody was a signatory to the Petition and would like to

present it, I think that would be appropriate, Mr. Chair.

UNIDENTIFIED AUDIENCE MEMBER: I'm not sure if I was a signatory for it. I don't know that (inaudible).

HUGH RUSSELL: What's your name, sir?

AHMED NUR: I'm sorry, could you come to the lectern and state your name and address? I'm not sure who you are.

PATRICK RILEY: Patrick Riley, 75 Griswold Street.

HUGH RUSSELL: You need to turn that on. There is a button.

PATRICK RILEY: Patrick Riley, 75 Griswold Street.

HUGH RUSSELL: You're not on the list on the Petition. How does that affection -- Jeff, what do you want to do?

PATRICK RILEY: We don't have anybody representing --

JEFF ROBERTS: It's up to you.

UNIDENTIFIED AUDIENCE MEMBER: There are people here who oppose this. If we have no one putting this forth, there's an issue here procedurally, but you all know better than I do. And I apologize for interrupting.

HUGH RUSSELL: Yes.

Okay, Mr. Riley was here at the last hearing.

JEFF ROBERTS: Since this is actually a city -- it's been re-filed by the City Council, although it's a re-filed version of the Chun Petition, it is a City Council Petition. I would be happy to describe the Petition.

HUGH RUSSELL: So then, Mr. Riley, we'll ask for your opinion later on.

PATRICK RILEY: Okay. So the original meeting that we had is basically been set aside and we're starting this entirely over again?

HUGH RUSSELL: We are.

PATRICK RILEY: So testimonials in that meeting, everything else discussed is no longer on the record?

HUGH RUSSELL: Because it's a new matter. Of course some of us made notes. Some of us remember.

PATRICK RILEY: Okay. Thank you, sir.

JEFF ROBERTS: So, Mr. Chair, me again, Jeff Roberts with Community Development.

So this is a re-filed version of the Chun Petition, and the Petition is simply to rezone the portion of the Cambridge Highlands

neighborhood which is currently Zoned Residence B, which is a district that allows single-family, two-family, and townhouse development under certain, you know, dimensional requirements to rezone that to a designation of Residence A-2 which is a Zoning designation that allows single-family residences, again, with a different set of dimensional requirements. And at the previous hearing we discussed the difference between the dimensional requirements. There were a number of questions from the Planning Board regarding existing neighborhood character, planning rationales might be for looking at this differently from other Residence B Districts in the city, and looking at particular, particular lots and options for how some of the concerns of the neighbors could be mitigated. And the

concerns that were raised had to do with neighborhood character, particularly with regard to townhouse development, and how that fit in with the existing neighborhood character and also traffic and transportation impacts.

HUGH RUSSELL: Okay. I think it might be a good idea for you to put up the other board that shows the same area but has a color code for what's two-family. Single-family's blue, two-family is purple, townhouse developments are yellow, multi-family's orange, there's one orange parcel.

STEVEN WINTER: And the red lines, Jeff?

JEFF ROBERTS: So I can proceed and just walk through the analysis that we did since the last hearing which is much of which

is shown on this map.

This map addresses the first part of the question, what does the neighborhood look like now? And as you can see, it is predominantly single-family and two-family residences with a, with a slight preponderance of single-family but also many two-family residences. There is a small number of lots that have townhouse development, relatively small number. The townhouse developments are in -- shown in yellow. So there's one, two, three, four, five lots. And the parcels that are circled in red are those parcels that under current Residence B Zoning would allow at least three dwelling units. So what -- essentially what that means is a single-family and a two-family home is a particular kind of use under the Zoning Ordinance. And the

townhouse development, which is a style of development that could accommodate three or more dwelling units is a different type of use. So any lot that has, that has three or more units would have to be a townhouse-style development.

As you see from the map, several or a couple of the lots that meet that size, minimum size requirement already have been developed into townhouses, and there are two lots that currently have single-family homes; one down at the corner with Concord Ave. and then one on Loomis Street where the lot currently has a single-family home but the Zoning would allow a three-unit townhouse development. And then of course I think one of the particular issues that was raised by the neighbors in terms of this Petition was the lots that are at the end of Loomis Street

which are split between the -- currently split between the Residence B District and the Industry B-2 District. So they -- anything within the Residence B District has to abide by the Residence B rules. But the density that's allowed in Industry B-2 District is somewhat higher than the Residence B.

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

HUGH RUSSELL: Yes.

STEVEN WINTER: Jeff, the lots that have the red lines around them, parcels of 9,000 square feet or larger, are those lots maxed out with five units for instance? Has Griswold Street maxed out with three, maxed out with four? Do we know that?

JEFF ROBERTS: I actually would have to look again on the five-unit development,

but I would -- on the rest of them I'm fairly certain that they are, and I would guess that the five-unit development is also --

STEVEN WINTER: Okay.

JEFF ROBERTS: -- is also maxed out under -- in terms of units at least. I'm not sure if floor area or other dimensional requirements are at the maximum.

STEVEN COHEN: Mr. Chair.

Jeff, if we could get a procedural question so I understand how it got here. You said that this has been re-filed by the City Council?

JEFF ROBERTS: So, this was originally filed back in the fall and the Planning Board heard the case and the Ordinance Committee heard the case. It, I believe the 90-day time period for the City Council to act on this petition expired last

month, sometime in February. And the -- I can't remember the exact date, but prior to the expiration, the City Council at one of its meetings acted to file the petition, to re-file the petition and that started the process of requiring new public hearings at the Planning Board and at the Ordinance Committee.

STEVEN COHEN: When you say we filed the petition, is that to say that the City Council is now proposing this Zoning change?

JEFF ROBERTS: Well, the city, the Zoning Petitions, they always initiate at the City Council in one form or another, either because a Petitioner has filed something with the City Clerk, has filed a petition with the City Clerk and then the City Council has taken that up at a meeting of their -- at a regular City Council meeting and referred it

to public hearings. So that's, that's often how a Zoning Petition starts. But if a Zoning Petition is under consideration by the City Council and the expiration is approaching and they would like to continue to consider and discuss that same issue, they can re-file it.

STEVEN COHEN: So this shouldn't be understood as a proposal by the City Council. It's really more or less functioning as an extension of the time for consideration --

JEFF ROBERTS: That's a good way to put it.

STEVEN COHEN: -- of the original petition?

JEFF ROBERTS: Yes.

HUGH RUSSELL: They must have felt that there was sufficient merit to warrant the discussion to continue. That's, I think

that's all you can infer from that. But they do this as kind of a courtesy to the original petitioner so that they don't have to go through the process of gathering more signatures and things like that.

STEVEN COHEN: I see.

JEFF ROBERTS: So, I can continue just to walk through what's in the memo.

So that map is on the back part of it.

Page 2 explores the next part of the question, which is what are some options that the Planning Board had. If the Board felt that it, that the development, townhouse style development as it's allowed in Residence B, that there was a rationale for treating that differently in this particular Residence B District rather than other districts, and it is a district where there is less townhouse development and much more

single-family development, there are different options that the Planning Board could take and that's shown in the chart on page 2.

The first, the first is to apply the, to rezone it as it's proposed. And I looked at in this memo the -- what the impact of that would be on the existing lots and what the impact would be on future development. So rezoning for Residence A-2 would create many non-conformities both in terms of the uses, in terms of the dimensions, and also -- but also in terms of lot sizes, because Residence A-2 increases the minimum lot size. So create many non-conformities. And in the future only single-family homes would be permitted.

In another option the Base Zoning could be retained but some, but a special Zoning

could be applied in this case, either a base rezoning or an Overlay Zoning to prohibit townhouses as a use. And what that would do is, existing townhouse developments would be non-conforming. But then in terms of future development, instead of townhouse -- if for any lot that allows three or more units instead of a townhouse development, the development could be in the style of detached single-family or two-family dwellings on a lot. So then the Planning Board has seen many cases where a narrow lot has had -- or, you know, a rectangular shaped lot has had a front building and then a rear building built in order to build, to fill out the Zoning allowance for that lot.

Another option would be to alter the lot area per dwelling unit. And what that would do more specifically -- so it would

create some non-conformities, but it would be -- but the non-conformities wouldn't be used non-conformities. They would be dimensional non-conformities. And if the Planning Board wants to talk about that, we can talk about what some of the implications of that would be.

And then in the future it would mean that instead of needing only a 9,000 square foot lot, to build three units, you would need a 10,000 square foot lot to build three units. So some of those lots that are between 9,000 and 10,000 square feet, it would retain those lots as single-family or two-family dwellings.

And then another option would be to apply, in many parts of the city there are townhouse Special Permit requirements that kick in at a certain number of units. In the

Residence B District, it's six units or more requires a Special Permit. In this particular area the Planning Board could look at Special Permit -- could look at townhouse developments of less than that number, even any townhouse development, and require a Special Permit. And the advantage of that is it would be to allow a more direct way to review the neighborhood character, uses of neighborhood character and design to ensure that it appropriately fits in with the existing development in the neighborhood. It also allows the Planning Board the opportunity to look if there were cases such as the large lot at the end of Loomis Street, it would allow the Planning Board to look more carefully at the issues of access and egress and how traffic is flowing between the -- between the residential part of the

district and the industrial part of the district which has been an ongoing concern.

So those are some options. The Planning Board could take some or all of those. And, again, it could be achieved through either a base rezoning or an overlay rezoning.

HUGH RUSSELL: Okay, thank you.

Are there any questions?

H. THEODORE COHEN: I just have one question. It's my understanding that the concern about the connection of Loomis Street to the industrial district is that the city is not advocating any such connection and indeed has been trying to discourage people in the industrial district from using Loomis Street or any other connection out through it?

JEFF ROBERTS: So to help answer

that question, and it's discussed a little bit on page 3 of the memo, we looked at the Concord-Alewife planning study that was completed in 2006, and one of the -- there were many, many planning goals established in that. But one of the main principles was to retain the buffer in terms of traffic flow between the Cambridge Highlands neighborhood and what's called the Quadrangle, which is mostly the commercial area that's to the east of that neighborhood. So while that plan encourages open space and pedestrian and bicycle connections, it discourages traffic, vehicular connections.

And currently -- and it also as verified in the memo that Loomis Street, there is no public right of way through those lots. The public way ends at the end of Loomis Street.

STEVEN COHEN: Jeff, there's one thing I'm not confused about, if an owner of a lot chooses to erect a townhouse development on the lot, is there some sort -- any sort of Zoning bonus associated with that? If one does townhouses, can one build more gross floor area or is the, you know, lot area per unit reduced for a townhouse development?

JEFF ROBERTS: There are some, there are some advantages in the Zone. So the townhouse provisions in the Zoning are explained in Article 11 and they're complex. They're, in some cases, are advantages in terms of allowing some additional height, with -- set with appropriate sloped roofs and setbacks from the corner line. Floor area in units, there are no, there are no bonuses for floor area units. There is also a provision

in townhouse development that allows some relief from setbacks when townhouse development is built and then individual lots are sold. So for a townhouse to be sold, individual townhouse lots, you would have the property line crossing through the party line of the building. So that's a piece of relief that's provided for in the Townhouse Ordinance.

STEVEN COHEN: So if you look at one of these lots that has been developed as townhouses in the past, I understand, and correct me, you can't build any more gross floor area than otherwise has been built there, but you can divide that gross floor area among three or more units rather than a maximum of two units under current Zoning; is that right?

JEFF ROBERTS: That's correct. The

floor area is still governed by the FAR limitations on the lot.

STEVEN COHEN: Thank you.

HUGH RUSSELL: More questions or should we go to public testimony?

STEVEN WINTER: Public testimony.

HUGH RUSSELL: So.

UNIDENTIFIED AUDIENCE MEMBER: John Chun is here now.

JOHN CHUN: You called my name before?

HUGH RUSSELL: We asked if you were here before, but you weren't here. Jeff explained the petition. So would you like to start off with your remarks?

JOHN CHUN: Sure.

HUGH RUSSELL: I should remind people that we have the three minute time limit and we have a timekeeper. And you

should start off by leaving your name and spelling it and giving your address.

JOHN CHUN: Good evening. My name is John Chun, C-h-u-n. I'm from 48 Loomis Street, Cambridge, Mass. I'm the Petitioner of this particular petition.

And the reason for the petition is to preserve the character of the neighborhood in the Cambridge Highlands as well as to limit development. And what we have witnessed in recent years has been that there's been buildup of some townhouses especially on Loomis Street. And the way that Loomis Street connects to Griswold is that it only allows single traffic flow, meaning that any buildup of townhouses, bringing in more people and cars to the neighborhood, would result in adverse conditions for people, somebody has to yield for the oncoming

traffic and it's gotten worse so with a lot of snow pile up on the street now a days.

And also another concern is that -- as we've just heard, there is a connection between end of Loomis Street and the industrial area. And that has been a point of contention between the neighbors, residential residents, the residents as well against the commercial developers. And at the moment there's nothing that's really preventing traffic flow coming in and out of that street. And there's been some jersey barriers, temporary jersey barriers, put into place and sometimes it's opened and sometimes it's closed. We don't know when it's going to be open. So, again, there's nothing to prevent any of the commercial traffic coming through that area.

So at this point what we're trying to

ask is for the Board to consider our petition in that we do not want very restrictive Zoning, but the only thing that we're asking for is limiting any of the development in the area to say two-unit townhouses and nothing beyond that. So that is really only overlay that we're asking for at this point.

Thank you.

HUGH RUSSELL: Okay, thank you.

On my list next speaker is Ann George.

ANN GEORGE: Hi, I'm Ann George. I live at One Normandy Avenue in Cambridge. I represent Carmella Schipani who is in the front row in the red shirt, grey scarf. She's a little tired. She went to water aerobics today. I dragged her out tonight. She's going to bear with me. I'm going to try to be quick.

THE STENOGRAPHER: Excuse me, can

you spell her name for me, please?

ANN GEORGE: Sure. It's
S-c-h-i-p-a-n-i. First name is Carmella.
Got that? Okay, great. And I'm Ann, A-n-n,
G-e-o-r-g-e, George. Okay? Thank you.

All right. So, Mrs. Schipani was not informed of the original meeting you had in November. And although I understand it and any subsequent meetings and testimony are now moot because this issue has been re-filed, I'm going to ask that you indulge me because I've spent a lot of time analyzing previous facts in this case.

Two things struck me as I began my analysis: The CDD report on November 15, 2013, clearly stated that 31 plus percent of the homes in this neighborhood would be non-conforming after the change in Zoning. To me that seemed as if it would be a lot.

31 percent is a huge change in my opinion. It's one third. Um, I reviewed the CDD report from January 14th of 2014, and in that report the CDD states that there are -- the change in Zoning would result in non-conformities which would present difficulties in making alterations to an existing home and could have financial considerations. Well, that's a nice throw away line. We're gonna change the Zoning, we're gonna have non-conformities, we're gonna result -- financial considerations are going to be a result of that change. And I couldn't understand why anyone would want to be making this change. Pardon me. Would want to make the change. Don't want to dangle participles.

So I went back and I carefully reviewed the previous testimony that was given

January -- oh, I'm sorry, in November by John Chun, the original petitioner, before this was re-filed. In his testimony of November 22, 2013, he talked about increased traffic, a fear for children's safety in the neighborhood, which is reasonable in any neighborhood where there's a car, and it seemed to me that he was raising traffic and not safety -- and not Zoning concerns. So I reviewed Ann Tennis's (phonetic) testimony, apparently she was a co-proposer of this change in Zoning, and she was opposed to townhouses. And the example she gave, and I heard this orally through the videotapes on the city's website, she was most emphatic that someone who had a townhouse in the neighborhood had a one condo with two parents, three children, five cars, and they did not use their own parking space.

PAMELA WINTERS: Excuse me.

ANN GEORGE: Yes.

PAMELA WINTERS: Unfortunately your time is up. Could you wrap up your comments?

ANN GEORGE: Sure.

PAMELA WINTERS: Sorry.

ANN GEORGE: No, no problem.

She raised a parking, not a Zoning concern. So all the arguments I'm hearing, including Mr. Chun's arguments of two seconds ago, were about traffic flow, about oncoming traffic, about snow pile up. Those are all traffic concerns. This is not a Zoning concern. It would result in a 31 percent non-conformity. And we're opposing this and we're going to ask you please not to vote in favor of this proposal.

Thank you so much.

HUGH RUSSELL: Thank you.

Ann Sobolewski.

ATTORNEY ANN SOBOLLEWSKI: Good evening. My name is Ann Sobolewski, I represent Robert Bray the owner of the brown parcel at the end of the Loomis Street.

We are --

THE STENOGRAPHER: Excuse me, would you spell your name for me, please?

ATTORNEY ANN SOBOLLEWSKI: I'm sorry.
S-o-b-o-l-e-w-s-k-i.

We are opposed to the proposed rezoning. I'm not going to reiterate the reasons that were previously presented as to how it would create additional non-conformities in the neighborhood as a hole. I would like to speak to some of the different alternatives that have been presented in terms of overlays. It is apparent that there is a desire to prevent

townhouse construction by certain people in the neighborhood. Mr. Bray's parcel is large enough to support townhouse construction. It is a divided lot. It is not located entirely in this Zoning District. And to the extent that there is an overlay proposed that would just limit townhouse development or prohibit it altogether only on Loomis Street, I think you run the risk of creating a portion of a neighborhood that is disproportionately single-family, two-family, when you could combine lots in any of the other portions of the neighborhood in the future and create multi-family uses there. I think that there are ways that multi-family development can be done that are respectful of the neighborhood in accommodating people's concerns, and I don't think that that's something that most developers shy away from. They're interested

in responding to the community's needs.

Lastly I would say that it's not surprising to me that Mr. Chun has presented this proposal since his home is the home that is surrounded by the four parcels on the end of the Loomis Street that are capable of multi-family development. But I don't think that means that we should prohibit it in this neighborhood entirely. I don't think that means that it should be an overlay that only applies to those lots that are currently large enough to support it. I don't think that that would be appropriate. And in general we request that you consider this very seriously, look at its impacts on the neighborhood as a whole as opposed to just the end of the Loomis Street.

Finally, with respect to the traffic flow, jersey barriers have been placed there.

There is no authorization for any commercial person to drive down that portion of the private way. Efforts have constantly been made to prevent people from doing that. If people are moving them, they're moving them without authorization. And that is not something that my client condones or permits.

Thank you.

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

Are you legal counsel for the proponent?

ATTORNEY ANN SOBOLEWSKI: Yes, I am.

HUGH RUSSELL: Thank you.

Mr. Riley, you're not on our list but did you want to speak?

PATRICK RILEY: Yes, sir.

So, there are a few questions I'd like to raise in regards to your original map

there. Would it be possible to see that again?

H. THEODORE COHEN: State your name and address, please.

PATRICK RILEY: Oh, I'm sorry.
Patrick Riley, 75 Griswold Street.

So just a couple of comments on the map as shown. First of all, I'd raise people's attention to the fact that at least, at least the multi-family townhouses on Loomis Street, to my knowledge, were all constructed within approximately the last five years. So that shows the evolution of the neighborhood as it's already occurring.

Second of all, the parcels that are circled in red, I would like some clarification as to whether or not other parcels that might later be combined would then, would then satisfy the requirements for

townhouses and therefore --

HUGH RUSSELL: Yes, yes, that would be true.

PATRICK RILEY: Right. So I mean one of the concerns I think of people in the neighborhood is a scenario where, you know, with high property values and rental rates, you know, foreseeably it wouldn't be difficult for people with development in mind and also, you know, a fair portion of the neighborhood that is of advancing age, it would not be surprising if some of these parcels might be bought individually, used as rentals, I mean, and with a patient developer, eventually combined into larger parcels, turned into townhouse developments further down the road.

As far as the concern about, you know, about traffic and parking and how that

relates to Zoning, I mean I would submit that what we're really talking about is an increase in population density as a result of, you know, responsible Zoning that's something that could be, that could be positively effective for the neighborhood. I know there was a question raised by one of the members of the Board as far as whether or not this increases, you know, the actual, the actual square footage of a property, and I would submit that even if it doesn't increase the square footage, if it allows it to be more subdivided and, therefore, more densely populated, we're still approaching the issue that we have with townhouses. Again, I would also suggest that if you have a scenario where you combine two lots, you no longer, I don't know if setback's the appropriate word, but you no longer have the requirement for

space between the buildings. So you can take two lots conceivably fit essentially another home in between them.

All of that said as a final point, I think it was discussed and observed by the Chairman at the last meeting in November that in many respects it does seem that a focal point of the neighborhood concerns is this increase in -- is this increase in population density and not a desire to create a situation where lots are non-conforming, you know, to a large degree. I don't think that's the objective of this petition. But I think population density is.

Thank you for your consideration.

HUGH RUSSELL: Thank you.

Okay, so now, I will ask other people who want to be heard. Can I see a show of hands of how many people want to speak?

(Show of hands.)

HUGH RUSSELL: Okay. So why don't -- you had your hand up first. Come forward and there's somebody right behind you. We'll have that person be next.

HARRIET MORGAN: I'm Harriet Morgan, M-o-r-g-a-n. I live at 46 South Normandy and I did read the transcript from the first meeting that I was unable to get to, and I wanted to say that I appreciated how thoughtful this Board was and I like the idea of some kind of overlay intended to create -- intended to restrain the development of density in the neighborhood as opposed to making more houses more non-conforming. I was somewhat confused by what the lawyer said about having the overlay only be on Loomis. Everything I read gave me the impression that you were thinking of the whole neighborhood.

I live in one of the small houses that is probably not particularly conforming now and it did concern me when I read that this might make it harder for resale or anything of that sort. I also have two small children, and I'd like to put into the discussion that the foot -- where that Y meets, Sunset comes to Griswold is the bus stop and there are a number of small children there. And of course that Y leads to the long dead end that goes to Loomis. So I get a chance twice a day to watch the cars come in and out. I can absolutely vouch for that number of cars going up and for some of them going fast. I don't know where else in Cambridge you have two dead end signs at one intersection, but apparently one wasn't enough to stop people who thought they found a quick way around the Concord Avenue traffic

from going down there. And inevitably they come down much faster than they went in because they're frustrated because they've met a dead end at the other end. It's silly but it's also unsafe. And because of that, you know, and that really has happened since the arrival of the townhouses and getting rented down there, having extra cars at that end of the street just plain creates a concern. And while I love the new bike path on Concord, the recent snowy weather doesn't make that the best way out of the neighborhood. So I -- I'm afraid that extra buildings down there and extra buildings all over the neighborhood, are going to make it a lot less safe for children. I'd love for you to do that by something other than making all the houses harder to resell and worth a little less.

Thank you.

HUGH RUSSELL: Okay, thank you.

There was a woman or somebody right behind you. Yes.

AMY FLAX: Amy Flax. I live at 86 Normandy Avenue. And I do support John Chun's proposal, the City Council proposal however it's couched. At the corner of Normandy Ave. -- I'm just going to point it out on the map if that's okay.

HUGH RUSSELL: Sure.

AMY FLAX: I live on this side, and over here at this corner a single-family, a small single-family house was there a few years ago, and a townhouse was built, a two-family townhouse, which I believe would not -- would have been able to be built even with this proposal. But the point I want to make is that this was a small house on a cute

little lot with a huge tree in the back, trees in the front, they were all destroyed in the construction. And it is a population density issue and a neighborhood issue in terms of I think this proposal, because it is a bunch of dead end streets. That street dead ends at Normandy Terrace. And it's more and more cars because of that townhouse. There are garages, but people also park on the street. And I think just by changing that lot really changed the street that I live on. And I, I think that this density issue that Mr. Riley talked about is really the main concern. It's not just about Loomis Ave., it's about the neighborhood, and retaining the character of the neighborhood. So that is what I would like to speak to in support of the proposal.

Thank you.

HUGH RUSSELL: Thank you.

CHARLES TEAGUE: Charles Teague, 23 Edmunds Street which is a dead end with a nasty little turn on it. And as many of you will remember, I presented my neighborhood -- and I'm just so struck by the similarities here where it's -- there's very few ways in and out and that the streets are narrow and have turns and have dead ends which means they have to be two ways. And then in fact in my dead end it's just only this past month that the city trucks are actually going in and out rather than cutting through the industrial property. So, I have to say I think -- I support this especially if people learn to understand how dense Residence B can be with the -- because the townhouses are basically decreasing the setbacks so you can just put more -- a lot more units in. And

just in my personal testimony of discussions with the Building Commissioner, 31 percent non-conformity would be very, very low for Cambridge. His personal estimates are for the whole of Cambridge are much, much higher. And the second is that resulting in a Variance, I went through a year's worth of Variances and I found that 96 percent of them were granted. So I don't think that you should really weight on that against the safety and the character and the fact that people like living with the open space in their backyards.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

STEVE KAISER: Thank you. My name is Steve Kaiser, K-a-i-s-e-r. I live at 191 Hamilton Street in Cambridge. And as a

traffic engineer just for myself, I'd like to speak to the issue which was raised is whether traffic is a legitimate Zoning issue. I believe it is, and we talk about it quite a bit. So I think it's fair for anyone in the neighborhood to be concerned about traffic. On the overall issue here is on the petition if the Board votes to approve it or not to approve it on Zoning, that is fully within your rights. But I would just add that there's another law that applies as well, and I think the Board is aware of my concern about this, which is Article 7 of the Declaration of Rights of the State Constitution. And every one of you talk an oath to support the State Constitution before you took your position here on the Board. And that declares that any action of government must be for the common good and

not for the profit of any special interest. Now what's interesting in this case is the petition is proposing a down zoning which does not appear to necessarily create a profitable situation. So down zoning does appear to be consistent with Article 7. If you take no action at all, you're also consistent with Article 7. Only when you do an up zoning does this become a problem. And I know that some people don't agree with me entirely. And Mr. Rafferty is sitting behind me and I'm sure he has a different opinion. But at the moment on this petition you're not in an issue of Article 7. You can deal it strictly on that Zoning issues and traffic as you will.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay, thank you.

Given tonight's agenda, I would think our -- perhaps we shouldn't take the time to discuss this petition given that we have a hearing at eight o'clock scheduled. But is there more information that we would want the Department to generate so that we can make a decision?

STEVEN WINTER: May I be clear that you'd like to have discussion at our next meeting and hold that discussion?

HUGH RUSSELL: Yes.

But if there's more information we need -- I mean, I don't feel this is an obvious case where there's a right answer. I think we're going to have to deliberate a while to figure it out.

STEVEN WINTER: I feel okay with

that.

STEVEN COHEN: Just in terms of more information, if the Department could tell us, if one of the options down the road, I guess, is simply to do an overlay or some other device to limit townhouses here, I just wonder on these undeveloped lots -- lots what the total difference in the potential for a unit development would be if they were developed as townhouses versus some being developed as two-unit homes? And I assume that some of these larger lots could possibly be subdivided and two units could be put in each of the subdivided lots. So I'd just like to know if that's one of the options that we're looking at. What is the ultimate impact on the number of units that could be developed in the neighborhood?

JEFF ROBERTS: Just to try to

address that question quickly, that not allowing townhouses would not change under Zoning the number of units that are permitted on a lot. It would simply change the form that that development could take. So if a lot is permitted to have three units but not townhouse units, it would have to be for instance a two-family home on the lot next to a single-family home. The lot wouldn't necessarily have to be subdivided to do that, but there would be requirements for setbacks and distances between buildings. It would be a more, a more complex exercise to look individually at each lot to try to make an assessment of whether it would be feasible to meet all the setback requirements in order to have two structures on the lot. But in general whether the townhouse style of development is allowed or not doesn't have a

bearing on the number of units permitted.

STEVEN COHEN: Well, thank you.

PAMELA WINTERS: May I ask a question? Okay.

So I just -- quickly at the end of Loomis Street a dead end, if there were townhouses built in that brown area, where would the traffic -- I'm really bad at reading maps, but where would the traffic enter and exit from that brown area if there were townhouses built there?

H. THEODORE COHEN: Loomis Street.

JEFF ROBERTS: Yes, that lot has access from Loomis Street.

STEVEN COHEN: These are private.

PAMELA WINTERS: Oh, okay.

STEVEN COHEN: From Loomis.

PAMELA WINTERS: And then that black line that goes down the middle, does that

separate Res B from one of the other --

JEFF ROBERTS: Industry A-2 -- B-2,
yes.

PAMELA WINTERS: Okay, I see. All
right. Thank you.

HUGH RUSSELL: Okay, if there are no
more matters, then we will take this under
advisement and go on to our next agenda item.

I wanted to also make an announcement,
the -- there's a Planning Board hearing case
288, 40 Thorndike Street that is scheduled
for 8:30 p.m. We do not have a quorum to
hear that case, so that when we get to it,
all we can do with that case is to postpone
it to another date. We cannot have a
substantive discussion of that case tonight.
I regret that's the case, but the way the law
works is everybody who's sitting on the case
has to be at all the meetings and so that's

what we're going to have to do. We will formally take that step whenever we're through with the next two items of business which is not apt to be any time soon.

Do we have JFK Street, a vote to --

LIZA PADEN: So briefly the applicant for 57 JFK Street is requesting a Planning Board Special Permit. Currently that proposal is being reviewed by the Cambridge Historical Commission. And the Cambridge Historical Commission is not done with their review. So the applicants have asked for a postponement -- I'm sorry, a continuance of the public hearing. To open it this evening and continue it to a later date which we'll send out notices for after he's done with the Historical Commission.

HUGH RUSSELL: Okay, so now we are taking up that request?

LIZA PADEN: Please.

HUGH RUSSELL: And so we open the hearing for Planning Board 289 as a request to postpone.

LIZA PADEN: Continue it, please.

HUGH RUSSELL: Continue.

And we do not have a new date?

LIZA PADEN: No, I'll send out -- it will be re-advertised.

H. THEODORE COHEN: Excuse me, is 289 the correct number?

LIZA PADEN: The case number is -- can you look it up, Jeff?

H. THEODORE COHEN: Because we also have New Street listed as 289 on the agenda.

LIZA PADEN: So the correct case number is 289. It's -- the address is 57 JFK Street.

STEVEN COHEN: So what's New Street?

H. THEODORE COHEN: Is New Street
also 289?

LIZA PADEN: New Street is case No.
286, 75 New Street.

PAMELA WINTERS: There's a typo.

LIZA PADEN: Yes, there is.

HUGH RUSSELL: Very good. Okay.

So have a request. Is there a motion
to grant the continuance?

STEVEN WINTER: So moved.

HUGH RUSSELL: And is there a
second?

H. THEODORE COHEN: Second.

HUGH RUSSELL: Discussion?

(No Response.)

HUGH RUSSELL: On the motion, all
those in favor of a continuance?

(Show of hands.)

HUGH RUSSELL: All members voting in

favor.

We'll now go on to Planning Board case 286, 75 New Street. This is the case that did not have (inaudible). It's been postponed twice because of weather and which we --

TOM SIENIEWICZ: Hugh, can we postpone it one more second? It's rather dreary in here. Somebody flipped off the lights. Is there some way we can get the lights put back on?

HUGH RUSSELL: There's one set of lights.... two and a half more.

ATTORNEY JAMES RAFFERTY: I couldn't help but notice that as I got up to speak Mr. Sieniewicz was getting dreary.

Good evening, Mr. Chairman, members of the Board. For the record, my name is James Rafferty. I'm an attorney with the law

offices at 675 Massachusetts Avenue in Cambridge. We're appearing this evening on behalf of Abodez Acorn 75 New Street, LLC. They are the applicant and developer of this project.

This is a multi-family residential building that's proposed for a lot on New Street. It abuts an existing multi-family project that was developed by an entity with some related principle, but not identical to the current identity. In many respects as reflected in the application document this has a feel of a phase project. This representing Phase II.

The existing residential project, which is just to the right of the rendering, is 87 New Street and that has 54 units. This location is 75 New Street and it's proposed to have 93 units.

I'm sure the Board is familiar with New Street, and people who have differing lengths of history will recall how New Street has evolved over the years. Many years ago New Street was not much more than a back way into the Fresh Pond Shopping Center. It was dominated largely by industrial or auto repair or auto body uses. The introduction of housing at 87 New Street really represented an extension of some of the work that took place along Garden Street behind the Sozio Appliance store. But it's fair to say that the intentions of the Concord/Alewife plan to introduce housing into this area have started to take fruition in the past few years. This property and this location, as you know, is directly across the street from a significant entry into Danehy Park. There's a large parking

lot and a principal point of parking into Danehy Park in that location.

Currently this site is nearly fully occupied by an industrial building, a warehouse building owned and operated as J&C Adams. And they are in the window business. And they were window retailers, window wholesalers, and suppliers. And they were part of the industrial aesthetic, if you will, of New Street. Across the street for many years was the warehouse of the Waltham Fruit Company operated by the Pizzuto family. That has since left. It is now a health club. Another one of those health clubs that keep popping up. And so that, that along with next-door there's actually been a restaurant use introduced on that street. So now New Street in that stretch of New Street now has starting to take on a very different

character that's got actual sidewalks. And I can tell you it's come a long way from the days when it was the back way into the city dump, and that was an active dump. My dad was a fireman for 40 years, and when he spent the night at the dump and he came home, we all knew there was a fire at the dump that day, that night. As you know the success story is Danehy Park. The in-fill or the out-fill from the excavation of the Red Line extension led to the creation of Danehy Park. So this really I think is consistent with that vision.

New Street continues to serve as an active street for entry into the shopping center. It's probably the most dominant use in the close end neighborhood. A number of very popular retail uses, including the Whole Foods, the movie theatre, and a range of

other retailers and restaurants. So when you start to think of the neighborhood, you realize that actually -- despite it's somewhat suburban locale, it has many of the amenities that people find attractive in urban life. It's got reasonable access to the Alewife T station, it's got walking distance to movie theatres, restaurants, grocery stores. And frankly at 87 New Street the 54 units there have done well and the developer is now eager to extend that. The relief tonight is related to some of the -- well, there's an overall -- two Special Permits are related to the size of the development. Because of the size of the development there's an Article 19 project review Special Permit. As you know, that Special Permit involves the application of the city's urban design principles and the

architect of the project will walk you through that.

Second component, of course, is Article 19, is the impact upon city traffic. David Black from VHB has completed the traffic study and will present his findings.

In short, none of the exceedances set forth in the criteria established by the Traffic Department have been exceeded with this project. As I said, Mr. Black can walk you through that.

The project also, because of its location and number of units is seeking a multi-family Special Permit which is necessary for housing, this number of housing units in this industrial district. In addition to those two Special Permits, there are some setback relief being requested associated with landscaping and the surface

parking lot. Mr. Philip Terzis who the Board may recognize has been an active member of Abodez for a number of years, will walk the Board through the site plan and the specific areas where the relief is being sought on the setback. But for the most part it's related to the parking setback.

The property is abutted, you'll see from Mr. Terzis's explanation from a former rail, it was a freight rail line, but it had very infrequent use. I think the last thing it was servicing, believe it or not, was a bread crumb factory up in Watertown that used to go once a week that would cross Concord Ave. I remember when the water treatment plant was being redeveloped, there was some effort to see if that could, if that needed to happen, but whether it's a reflection of the restaurant industry or not, I'm told that

the bread crumb factory is no longer operational. So the need for the freight train to bring bread crumbs to Watertown has terminated. So there is a plan to turn that into a bicycle or multimodal trail and people will have to go elsewhere apparently for the bread crumbs.

But I think -- we think that this represents an exciting opportunity to introduce housing and into an area that's beginning to experience a great deal of housing.

I would note that I have, at the benefit of seeing some commentary, that suggests that this represents a lack of planning. I would say the absolute opposite is the truth. That the Concord/Alewife study that was done about six or eight years ago, identified this as a district where

additional housing could be supported and warranted. The change from a heavy industrial district to a light industrial district and the allowance of residential uses into the industrial district, this street and this particular stretch of the street, was identified as the place where housing could be highly compatible. So with the retail behind it and the park across the street from it, I think this represents an exciting opportunity to take an industrial warehouse and turn it into 94 units of housing. 93 units of housing. So Mr. Terzis will walk you through the site and the project architect Mr. Payette will walk you through the building.

PHIL TERZIS: I'm Phil Terzis and thank you for taking the time to listen to us tonight. My last name is spelled

T-e-r-z-i-s. I represent Abodez Development and Acorn Holdings, the developers of this site.

Before I go into the slides, I was glad to see this here, this exhibit. If I can borrow it. This shows our site right here. This site here where we have 87 New Street and 75 New Street in the context of the overall Alewife Overlay Districts. And I think it's kind of interesting to note that sort of the highest density district, one of the highest density districts right here is right next to our site. And our site is actually industrially zoned. So, it has an industrial use on it now and we're hoping to transform that into a housing unit.

This is the aerial on the site. I'm sure most of you know where we are. But this is the Fresh Pond rotary, and this goes out

to Route 2 here.

Alewife Station is just off the page.

This is Danehy Park, the former dump.

This is the industrial zone land here.

And I believe this is industrial as well.

And then the shopping center here.

Shopping center for us represents kind of an asset, but also a little bit of a curse because the backside of the shopping center, that's the truck loading docks for the Whole Foods and other stores which backs up to our property.

And then this is the former railroad line which runs through here which hopefully, we hope some day will become a bike path. And we actually had a lot of negotiations with the railroad to see if there was any way we could purchase that and help turn it into a bike path. And we, we worked hard at that

for about a year and it never really came to fruition. But we're still open to suggestions.

So this is our parcel here. And as Jim said, this is 87 New Street which was developed by Abodez Development about three years ago. 54 units, and it's been very successful. It's a range of one, two, and three-bedroom units. And it's, it was the first edge of the park, the first residential edge of the park. And we feel that with the new development, that will sort of be the tipping point where this will start to feel like a neighborhood with the park completely edged by housing on one side. I think that will help make the neighborhood feel a little less barren, a little more lively, and more eyes on the street for safety along New Street.

The other thing I think some of you are probably aware of is New Street is a cut-through to get to the shopping center, and people go through here and they cut through here and, you know, there's little ways that people sort of sneak around the neighborhood to try to avoid these rotaries and these busy streets. That's something that we think probably needs to be addressed at the city level in some way. It's not something we can necessarily fix with our development.

There's also been concerns -- I've heard that our development will have an adverse impact on traffic. David Black will be able to address some of those concerns, but it's interesting to note that the existing facility here, the JC Adams Window Company generates nearly as much traffic now

as -- sorry, as would be generated by our project. So the impact of our project traffic wise would probably be very -- almost negligible.

This is the -- oh, one more thing. This here is an existing auto body facility, and they actually own a parcel of land behind our parcel which is a parking lot, and that's where we're looking for some setback -- parking and setback relief between our parking lot and theirs.

Here's some views around the site. This is the view along New Street. That's the existing building where we propose to tear down that building, and this is our other party on 87 New Street. Note that this building is right up to the sidewalk and it's completely blank wall along the street. And there -- I don't think there's really any

building lighting on this building except for around the entryway.

This is further down the street. This is the parking lot that's sort of between our building and the JC Adams Company.

This little bit of green, which you see there, and this is really the only landscaped area on this whole site. The site is completely covered with buildings and pavement.

Down here we have a view from the parking lot behind the shopping center towards the JC Adams building, and this is the railroad land between the two parcels. This is the view from our parcel back towards the shopping center showing the loading areas and the shopping center.

And this is a view from the shopping center towards our existing building at 87

New Street. So that the railroad land right now is kind of overgrown and full of, you know, trash and shopping carts and things like that. So we're hoping that some day if made into a bike path, it would be an asset for us and the community.

This is a little Zoning diagram showing the layers of Zoning for the site. This is our property at 75 New Street, our existing building at 87 New Street, and this is New Street. And Danehy Park is an open space district. The industrial district starts in the middle of the road and then goes to the back side of our parcel.

Then the railroad land has become part of the parkway Overlay District for future bike path. And then the shopping center is in the Alewife Overlay District 5 and it's also Business A under the Overlay District.

And then, again, here is the little spur of the parcel next-door where they have a parking lot. And this is the area where we're looking for parking setback relief so that we can have our parking come within five feet of the existing parking lot.

And actually one more thing. The setbacks here, this is the showing -- that dashed line is the proposed ten-foot setback line which is allowed as a Special Permit by Zoning, and that's running along the two sides of the property. The by-right setback for a 45-foot high building would be here. So it would render the lot pretty much unbuildable for any kind of density. So we're asking for setback relief to basically to have this property line, this setback at the property line about ten feet from our balconies, which would be at its closest

about 15 feet from the building.

There's no requirement for a setback in the front of the building, but as you'll see in our site plan in future slides, we are proposing at least a six-foot setback, landscape setback, here and then there will be an auto drop off here that will show off in later slides.

We're combining the two parcels together, and together they represent with Special Permits, the maximum build allowed for both parcels. And originally this was built with 54 units. It could have been built with 55. So we're transferring the extra unit from that project into this project for a total of 93 units in this project.

This is the ground floor of the building. There's a high water table here so

we're dealing with that in the design of the building. The garage, there will be an underground garage under most of this which I'll show in a later slide.

So the first floor of this building will be raised about two feet, nine inches above the average grade of the site. So it's on a bit of a print above the street.

This is the sidewalk that -- we propose putting a new sidewalk along New Street. And this is the main entry to our building. All of our common spaces are going to be grouped in the middle of the building with units down the end on a double loaded corridor.

Originally we had thought that these common spaces would be better in the back where it's quieter, and then we decided well, it's better to put them in the front of the building to create some transparency and

activate the street. And then having this large terrace out front would be a nice amenity for the residents and also to kind of to enliven the streetscape.

There will be balconies and terraces in the front of the building that will show up in later plans, but they're sprinkled one per unit along the ground floor.

The main entrance to the parking will be through here and there's a parking area that wraps around the building, and then the entrance to the parking garage is right here under the lounge. We're reusing an existing curb cut here and here. This is an existing curb cut. And then we're connecting to an existing curb cut that currently serves 87 New Street's parking garage. And so we're not proposing any new curb cuts. And in fact, this curb cut is actually much wider.

It's a bit on the loading dock. So we're reducing the curb cuts on the street and creating smaller and safer, I think, pedestrian crossings and we're reducing the truck traffic because the existing JC Adams facility gets numerous truck deliveries every day.

This is the basement plan which shows the parking garage. This is sort of a sloped driveway that ramps down somewhat steeply into the garage. There are 69 parking spaces in here with a mix of standard and compact with a 50/50 mix per Zoning. There's some outdoor parking around the perimeter of the parking lot here. We are looking for relief to have one parking space potentially within ten feet of the building, although the site plan is not currently showing that anymore. But we, we think that may be necessary if we

plan this end of the building.

The transformer would be located at grade here in the parking area and screened, and a dumpster would be located here as well and also screened.

There's bike parking in the garage meeting the new Cambridge standards at 1.05 spaces per dwelling unit, and then there would be convenient guest parking outside here on the -- off of the sidewalk. There's a central elevator core that goes from the parking garage all the way up to the building.

And then this is a typical floor which shows a mix of one and two-bedroom units. One of the -- one of the concerns brought up by one of the neighbors who wrote in to Community Development was that we have too many one- and two-bedroom units and maybe

it's not family-friendly or affordable. And we actually have had some feedback from our marketing folks saying that there probably is more of a market for three bedrooms and studios in Cambridge than previously, then there used to be maybe because there's so many ones and twos being built in Cambridge. So we are looking at the potential for adding some studio units and some three-bedroom units, still keeping to the same 93 units but changing the mix a little bit. The footprint of the building would stay the same and the height of the building and all of this sort of Zoning envelope components of the building would remain the same. And we would like in this hearing to request that we get the flexibility to make these adjustments in the unit mix as we move forward provided that it doesn't change the character or the design of

the exterior of the building too radically.

And this here is the roof plan. It shows -- we plan to have the elevators go all the way up to the roof and have a roof deck on the top of the building. There would be parapet walls around that would extend a little bit above the roof to hide the HVAC units which are shown here. We have expanses of roof that will remain open for future installation for photovoltaics if we find that that's economically feasible for the project, but we're still working on determining that.

The height of the building is 45 feet which is meeting Zoning requirements. 45 feet being measured from the actual mean grade.

Here are a couple sample units. These are not necessarily exactly what we've used

in this project, but they are units we're building in another project nearby. There's a two-bedroom end unit and a one-bedroom unit. We plan to have about a third of the units having balconies or terraces. The -- one of the things we feel strongly about is lots of light in our units. We generally have, you know, lots of windows and walls of glass in the units to make them more marketable.

Here's a view of the exterior of the building, and I'm going to let the architect describe this in a little more detail because you can do that better than I can. I'm going to introduce Jim Payette.

JIM PAYETTE: I'm Jim Payette. My company is Payette Associates and we're working, too, with Abodez as the architect on this project and others.

Just a quick -- basically we have a big building as the city reviews, about 300-some feet long, 45 feet tall. We wanted to do a couple of things related to the park somewhat sympathetically and relate to our neighbor that's already been built without aping it and just repeating that architecture all the way down the street. So to do that obviously we have the height relationship and also we're using similar palatable materials that I'll talk about in a second. We're arranging them on the building a little bit differently.

We basically wanted to soften it and break down the scale a little bit, and our method of doing that was to create a hole made of what seems to be a lot of smaller parts. Based on the work with the client that they've done with their planning, the

building already is creating a large setback in the middle of the building with a smaller massing bit for the entry lobby. So we're getting large setbacks. In addition where the colors change on the building from the green to the white from the green to the white again, there are approximately two feet of projection or push back, depending on how you want to describe it. In addition we're stepping down the building in different ways and changing the material to the top of the building to create a period skylight -- skyline with the parapets at different heights stepping in and out and up and down.

Let's see, items of interest that we find on the building beyond the massing are to create a strong expression of the way people gather on the outside of the building clearly showed what units are like on the

inside. But we want to have a strong expression -- a strong expression for, again, for the various elements that -- the park is a place where people experience outdoors. We wanted this building to carry through on that in some way. So in addition to having many of the units have outdoor balconies, we also have these collection of wood trellises that we've done on previous projects with red cedar. And the idea is to have those start at the ground level creating this entry terrace outside what is the common area or basically living room for all the residents in the building adjacent to the lobby, and then that trellis element continues up and creates features as you can see through the center of the building which will be an accessible roof deck available for tenants.

We've developed a building -- the same

kind of entrance featured. We have one --
Phil, I want to go there and then come back.

On the back of the building facing what we hope will be the bike path, we also like to bring the building out on that side as well even though it's facing loading docks on the Whole Foods and other buildings on that side. We still want to develop the building as a pleasant place to be and hope that the bike path will take hold and be redeveloped.

The materials on the building are fiber cement lapped siding, normally called clapboard. And we divide it with a custom metal vertical trim strip that sets out and creates sort of a site vertical shadow line. In between every time one of those lines changes, we change the exposure on the shingles -- on the clapboards rather. So sometimes it's an eight or ten-inch exposure,

sometimes it's a four or six-inch exposure. So there's always variety going around the building in some subtle textural variation. And then, again, the color will be painted differently, the white or the green to again break up the overall massing.

Can we go back to just the overall?

And there's been a some of the early comments from Roger Boothe at the Community Development office that we might think about of a variety -- a couple of points that stuck out to us.

One was to develop a little bit more transparency if we can around the lobby area, a bit more sense of the building expressing itself. And we'll certainly look at that. And also is there a way that we can modify the materials a little bit so there's a little bit more variety. He suggested

smaller scale fiber cement panels as opposed to the clapboard. That's definitely something that we'll be looking at and as we have on other projects as we further develop other projects and construction documents and details, we will be working in a collaborative spirit with the Community Development Department.

We provide -- as Phil mentioned, the building is up two-feet, nine. It's designed to be accessible in front of the trellis in the middle of the building a ramp for wheelchair access, or anybody who wants to use it since it comes straight up from the auto drop off. And then we've created a large -- are you going to be talking about the landscaping?

PHIL TERZIS: Yes.

JIM PAYETTE: I think I've said my

piece for the moment and we'll get back to questions.

PHIL TERZIS: Jim hadn't seen this slide before today. But this is an interesting slide showing the proposed building on the street and the existing JC Adams building on the street. Which I think it shows the transformation possible by having lots of windows and landscaping and trees and things that really could help humanize the street. So with that, these are the ends of the building treated similar to the other ends of the building. That's the rear.

And then I'd like to talk a little bit about the landscape. The idea behind the landscaping is to try and pull the theme of the park across the street to our side of the street. And to do that our landscape

architect has chosen trees and shrubs that are not necessarily what she would call suburban trees and shrubs, but trying to do almost like an urban wild landscape of ornamental grasses and things that have a lot of movement and architectural shape. The only real grass in front of the building is a small area here and then there will be some grass in the back of the building. We're trying to get away from the suburban landscape look.

The auto drop off here will be paved with stamped concrete. And the sidewalk along here would be pavers, and then the terrace here would be a similar paver. Just again, to try and as you walk down New Street to sort of feel this transition and to a more kind of less -- a more human and a more sort of finer scale of paving and landscape. The

bike parking, as I said, is here and then there are terraces across the front. And this is the rear entrance which we hope to be once the bike path is in place, to really play this up as a major entrance and actually a place where people can bring their bikes in and out of the building and into the elevators or whatever, so that it becomes more connected to the bike path.

And this is the landscape plan which you can barely see. But this is an example of some of the trees and shrubs that we're proposing. There were literally hundreds of trees and shrubs being added to the site. And also there's a lot more permeable landscape here. The site is completely paved and covered with buildings right now except with maybe 50 square feet of space. So this will be a big change for the neighborhood.

And again more.

The other thing we're trying to do is to plant things that will be drought tolerant and will never need water -- well, almost never need water. We won't have an irrigation system on this building. We'll just rely on rainwater.

So that opens it up if you have any questions.

Oh, David. Sorry. This is David Black from VHB our traffic engineer and he can speak to the traffic questions and concerns.

DAVID BLACK: I will be very brief. We prepared a TIS. David Black, B-l-a-c-k. I'm with VHB, Inc. I'll be very brief.

As I said, we prepared a TIS. It has been certified by the Transportation, Parking and -- Traffic, Transportation -- Parking and Transportation Department. We do not have

any Planning Board exceedances on this project. It is a relatively low traffic generating project. However, we did take a fairly conservative look at potential traffic impacts because we did the analysis based on trip generation derived from the adjacent 87 park projects so that we would reflect something that was, you know, specific to this area. We did not, however, take a credit for the existing traffic to the warehouse site. And I think my feeling about the existing use is that there will be some balancing trips, but I think it's more to do with getting commercial vehicles to that site off the street as opposed to just the numbers of vehicles. So I think that the net change in traffic in the area as a result of the project in reality will be relatively low, but the analysis that we've prepared for the

TIS is a much more conservative analysis than that.

I'm happy to answer any questions.

We do -- we have committed to some of the TDM programs that we like to see in these projects. The proponent will be providing an MBTA pass for up to two adults in each unit for every new occupancy of the units to try and gender use of a transit from the start.

The bike parking is in line with the -- with the guidelines. I sincerely hope there will be a bike path at the back of the property one of these days. I think that's a shared interest with the city. We will as usual have a coordinator designated within the project to look after and coordinate with the city on transportation related issues and provide information on transportation. And we are looking -- the proponent is looking at

providing a ZipCar or a car shared space on the site.

HUGH RUSSELL: I have a question. I'm not sure which is a transportation question, I'm not sure who to address it to. Which is is there a possibility of a public connection through the property between New Street and the future linear path?

PHIL TERZIS: There could be. You mean from New Street back to the railroad property?

HUGH RUSSELL: Yes.

PHIL TERZIS: There could be. If that were to happen, it would very likely happen here or here. The only issue with it here is probably because this whole parcel, this man's parcel extends behind here. So there's actually a somewhat of a grade change here between the parking and the railroad

here. So likely that kind of connection would want to be through here.

HUGH RUSSELL: So you could design it so that could be implemented in the future?

PHIL TERZIS: Yes, it could.

HUGH RUSSELL: Okay. Does that conclude your presentation?

PHIL TERZIS: I think so. I think we're done.

HUGH RUSSELL: Are there questions by members of the Board before we go to public testimony?

STEVEN WINTER: I'd like to hear the public.

PAMELA WINTERS: I have separate questions but I'd like to hear from the public first.

HUGH RUSSELL: Okay, I think there's

probably a sign-up sheet that's over on the windowsill.

LIZA PADEN: Yes.

HUGH RUSSELL: Okay, thank you.

I'll remind people of our general procedure for public testimony. There's a three minute time limit so that everybody has a chance to speak. We have a timekeeper here who will indicate when three minutes have elapsed.

When you come up, please use the microphone, give your name and address and spell your name so that it gets transcribed correctly.

First person on my list is Jan Devereux.

JAN DEVEREUX: Hello, everyone. My name is Jan Devereux and that's D-e-v-e-r-e-u-x. I live on Lakeview Avenue.

Thank you for your presentation. It's very thoughtful.

I guess what I'd like to start off by saying is that I've lived in Huron Village since 1993. Huron Village as many of you know, is the neighborhood that is sort of on the buffer zone of all of this immense growth going on, and I think it hadn't occurred to me before I heard the earlier Chun presentation the irony of what's happening on either side of the sort of whatever you want to call the quadrangle, the shopping center district, because one approach to the west, to the Belmont side is to try to restrict townhouses. Huron Village has had townhouses for many years, but what we're getting is 93 units of very high density development on top of the other 54 that are already on the street. So it's, it seems very different.

I'm here tonight representing a newly formed group, which we're calling the Fresh Pond Residence Alliance. I suppose that the delays of the two prior meetings have given us a little time to organize, but we really only formed two weeks ago. We've got over 50 members and we have an on-line petition opposing this project without significant infrastructure improvements and some rethinking about the density of the project. The petition, when I left home, had 180 signatures. Over 180. And I have taken some of the comments and pasted them into a document to submit here.

I think our group is united and are concerned of the impacts of this and the density development around Fresh Pond. And we're worried about the massive growth that I we think is bound to backfire in the absence

of a master plan with very specific guidelines and consideration for the impact on all the stakeholders in the community that would be residents of all parts of Cambridge, and this is not an instance of nimbyism.

Every resident of Cambridge enjoys Danehy Park and Fresh Pond and we want to keep it accessible. Large and small property owners, local businesses, and most importantly the environment, this is our treasure, our city's treasure in the Fresh Pond area. And when we looked at that aerial map I was struck by how close all of this development on New Street is to the edge of Fresh Pond.

I think the project at 75 New Street, not to single it out, is somewhat of a lightning rod for our group. In part, as people mentioned, New Street was never envisioned as a residential street. And

despite the promises of new sidewalks, you know, along this stretch, it is impossible to walk the length of New Street without stepping out into the road. That's partly a sidewalk issue. That's partly an enforcement issue. We have cars parked on the sidewalk and across the sidewalk. The, you know, the desire to call this a transit-friendly development is nice and idealistic but to get to Alewife you have to walk basically through the back of the shopping center parking lot. The Concord/Alewife planning study talked about an actual road connection, and I suppose some sidewalks, but that has not been built, so that would be a long, dark, and unsafe walk for most commuters.

PAMELA WINTERS: If you could wind up your thoughts, please, thank you.

JAN DEVEREUX: Sorry. I guess I'd

just like to say that I think that this New Street is the tip of the iceberg. We have about 18 other new units in the pipeline for this area, and all of the piecemeal planning and the traffic studies that say that the impact will be negligible, I just can't believe that. We're stuck in traffic all the time. So, I guess what -- in closing I'd like to say that we residents and we're a substantial number, would like a seat at the table and a chance to work collaboratively and productively with city officials and developers to balance everyone's interest, to preserve everyone's quality of life, and to protect everyone's open space resources. And I don't think that's asking too much.

Thank you.

HUGH RUSSELL: Okay, thank you.

Please no applause.

Peggy Barnes Leonart.

PEGGY BARNES LEONART: Hi, I'm Margaret or Peggy Barnes Leonart, B-a-r-n-e-s L-e-o-n-a-r-t and I live at 151 Fayerweather Street. It's at the corner of Vassal and Fayerweather. And I do use this road almost daily so I have a lot of familiarity with it. And I appreciate the comments by the developers about wishing to add more green to property, and certainly that would be a big improvement. I think that the renderings are not what I know of the street. There is not really a sidewalk on the other side of the development. And the view of bikers, I'm not sure where they would be if there are cars. So we have been speaking to the need for an integrated plan for this area that really approximates more of the vision that was presented by the study plans for the area.

There's been a lot of work over the years, a lot of good minds have been brought to what to do with this last -- well, some of the last open spaces left in Cambridge, how to develop it thoughtfully, how to create a liveable integrated, truly integrated commercial/residential area. And I'm speaking as a very long term resident from my heart that raised a family here. I do have a lot of concerns about the pushing of the density and the Special Permitting that is allowing for the maximum amount of density, and I think it's to the jeopardy to the quality of life, the health, the safety of the environment. As the developers have pointed out, Danehy Park is one of the citywide important resources to the city and the main entrance is off the street. I have had children play soccer there, probably a

lot of people have here, too, and understand how school buses and this and that go down the street are impeded. I am having difficulty understanding how adding 93 more units, I think it would bring the residents to the street over 200. I'm not doing the math right. And with 140 parking spaces, that won't cause problem. It's a short street. And I really invite everyone here on the City Council to come if you haven't, preferably on a weekday and during commuter hours and come up and visit this area and look at the street and what, what kind of density makes sense.

Also I appreciated the developers were speaking to some photovoltaic possibly. Again, back to the need for an integrated plan, there are so many details about, that the bike path and entrance to Danehy Park,

preservation of Fresh Pond Reservoir, etcetera, that this could be an exciting development here, but I think going at it without an overlay of a view integration with traffic --

PAMELA WINTERS: Your time is up.

PEGGY BARNES LEONART: My time is up. That I just would encourage that the city to delve back on the density and this is a concern all over the city.

So thank you for your time.

HUGH RUSSELL: Okay, thank you.

Next speaker is Jonathan King.

JONATHAN KING: Good evening, members of the Planning Board and staff. My name is Jonathan King, 40 Essex Street, Cambridge. I'm the Co-Chair of the Cambridge Residence Alliance. In coming here this evening, I'm trying to represent hundreds,

many families in Cambridge with school-aged children. New Street is the major entrance to Danehy Park. Danehy Park is the city's major soccer field complex. It serves thousands of families throughout all of Cambridge. It's also important to track, lacrosse, kite flying, many other outdoor activities. During spring, summer, and fall many hundreds of young people need to get dropped off and picked up every day in the late afternoon right around rush hour. The great majority use the New Street entrance. As I hope you know, the New Street intersection with the Fresh Pond/Sozio roundabout is one of the worst and most dangerous in the sections in Cambridge. I still vividly remember my daily anxiety every afternoon when I had to get up there to New Street to pick up my kids and their teammates

from soccer practice at Danehy. Even worse was trying to describe to other parents coming in from Route 2 or Route 16 how to get into New Street without putting themselves at lethal risk. Worse than that was the anxiety of the teenagers insisting on biking to Danehy using Rindge Avenue, Fresh Pond Parkway, or Concord Avenue to get into the street. The drawings show no -- they show no 12, 13, 14, 15-year-olds biking along there or skateboarding or their parents driving now.

Now even for those, you might think well, why do the kids have to be driven? The Alewife T stop is up there. Why can't they get there that way? So even for those families and kids who have Red Line access, most of the young athletes are driven because of the dangers inherent in walking across the

movie, across the parking lot, scrambling up the embankment to get to Fresh Pond Parkway, crossing over the overpass, and then having to cross the entrance to Route 2 across from Alewife Brook. And of course when you're 14-years-old, you can't resist the possibility to just jump the fence and cross the tracks and cut some distance off.

So if there ever was a section of Cambridge, and I'm talking about someone from Central Square who has intense feelings, but if there was ever a section of Cambridge that needed an infrastructure plan, it's this area given the intense usage by children and families.

Now, I, you know, most of the citizens in Cambridge have been led to understand that it is the Planning Board that at least is the spiritual, maybe not the organizational

leader for such planning, and that we really need you to call upon CDD or Traffic and Parking to come up with infrastructure plan that makes that area safer. You know, I really appreciated the efforts of the architects to treat that property as respectfully as possible. But, you know, the traffic effects are completely non-linear when it comes to four, five, and six o'clock in that intersection. You get six or seven more cars there, right? And it's a disaster. And the traffic analysis averages over an eight hour day.

PAMELA WINTERS: Sir, your time is up.

JONATHAN KING: Thank you.

So we would ask you, you know, every Special Permit or other okay to add vehicular traffic to New Street increases the danger of

young people and their families whether driving, parking, or walking. Hold off on these Special Permits until the city can come up with an infrastructure plan and you can implement it and then there will be time to look at adding density there.

Thank you very much.

HUGH RUSSELL: Okay, thank you.

The next speaker lives at 140 Spring Street but I can't read their name. Is there somebody who lives at 140 Spring Street who has signed up?

ELIN LEVY: 148. Dan Levy?

HUGH RUSSELL: Could be.

ELIN LEVY: Last name L-e-v-y? First name E-l-i-n. I live at 146 Spring Street, Cambridge. I'm also a member of the newly formed neighborhood association in East Cambridge. I'm here to speak in support

of the Fresh Pond Residence Alliance. The formerly industrial site of JC Adams Windows is not well suited for residential use. And the proposed development is too dense in the absence of a significant improvement of the street to the street and sidewalk infrastructure in and out of Sozio rotary to Concord Ave. and through the shopping center to connect Alewife Parkway and the MBTA Red Line station. I go there on a regular basis on Sunday to walk my dog, the traffic is horrendous on the Sunday so I cannot imagine what it is at peak hours during the week. And I think as has been well said by Jonathan King, the traffic impact is going to be exponential and therefore detrimental to the area. And so we also request that you hold on to the permit until the infrastructure has been adapted to support such a development.

Thank you.

HUGH RUSSELL: Okay, thank you.

Next speaker is Steve Kaiser.

STEVE KAISER: Again, for the record, my name is Steve Kaiser. I live at 191 Hamilton Street.

The Fresh Pond Residence Alliance also has a website where they show a very interesting montage of photographs of what they consider is going wrong at Alewife. Evidence of bad design, bad planning, this sort of thing. I think it's very revealing. It reflects a lot of their concerns, and it has a few omissions. A couple omissions that I think that are important, and I will mention some of those.

But their general concern is the quality of planning has been bad. And I'm inclined to agree. The last really good plan

that I know of that was ever done for Alewife, was done by John Freeman in 1904. We haven't gotten any better than that.

Now, there is an effort going on in the city which is very good, which is a vulnerability study, and they're looking at the possibilities of hurricanes and the damage that major events like this and global warming could have. And they're using Army Corpse studies to show what happens to Alewife if Boston area gets hit by a category 1 hurricane. And if the Mystic River backs up, it floods severely and so you have a flooded area from Spy Pond in Arlington all the way down to Fresh Pond, all water. It's what I call Lake Alewife during a hurricane. This means New Street is underwater. So I know that the Board has interests and concerns in Zoning. What about flooding? So

I really think you should be looking at this area and its vulnerability as the rest of the city is doing, city government is doing.

It's going to take a change and FEMA has to wake up because their maps are not accurate. They don't reflect hurricanes.

So let us try and see what we can do to make this understanding of flooding better.

Now there's another flooding thing that happens almost everyday, and that's the flood of traffic. The sea of cars, all right, and it's up and down the parkway, it's up and down the side streets, and it is clearly at capacity simply because things are just not moving. It is getting worse. And the development close to key intersections is getting so intense it's screwing up the key bottlenecks, so we have less capacity and more cars. It's the only area in the city I

know where there's congestion and backups peak hour at noontime. So now we've got three peak hours at Alewife, and the traffic is stalled on the parkway in both directions. The 19 -- the plan that was done in, let's see, almost a decade now, 2005, this is the original plan, and this is the rezoning petition. The rezoning petition is dated April 2005. The plan is dated later, November 2005. The Zoning comes before the plan. It's exactly backwards. And CDD officials tell me, oh, we know it's backwards, but we've always done it that way. And they admit even the plan is 80 percent Zoning. So you have a package here which is 90 percent Zoning and only 10 percent plan.

PAMELA WINTERS: Could you wind up your thoughts, Steve?

STEVE KAISER: Yes, I will.

PAMELA WINTERS: Thanks.

STEVE KAISER: So what we really need to do here, we need improved planning. I think we need a five-year moratorium on all development at Alewife because it's been badly handled, and the traffic is an obvious mess. It's a disgrace. The 2005 plan did not include for infrastructure. It was in favor of development. But for this specific project, by the way, I think the architectural treatment is excellent. It could be somewhere else, but not here. Let us enforce the Zoning as a minimum. There should be no reductions in the Zoning, no grants of special treatment to anybody, and no Variances at Alewife until we solve the planning and the traffic problem.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

JAY YESSELMAN: Sure.

HUGH RUSSELL: Yes.

JAY YESSELMAN: My name is Jay Yesselman, Y-e-s-s-e-l-m-a-n. And I live on Vassal Lane. I've been there a proud resident of Vassal Lane for 30 years. I lived actually for 40 years on Vassal Lane. And I think everybody here can acknowledge, at least I hope, that there is a huge traffic mess out Alewife onto Route 2. It boggles the mind to think this won't add to it. But more than that, I would like just to reinforce what everybody has said about infrastructure and planning. If you take a look at New Street, I know there is a preference and we want to add residential area down there, but I think that it's just hard to believe that we can't do better, that

we're just going to plop these things up there. If you take a look at the 87 Park which they didn't show there, you would see that that thing is put up just so carelessly with no concern for what the park area looks like. This is an improvement and does show a little sensitivity, but if that thing at 87 Park is gonna be there for how long? 50 years? 100 years? We're gonna be stuck with it. I would just urge that this committee take heed to what people are saying about planning and thought. I mean, what's getting built there we have to live with for years to come. Our kids have to live with for years to come. So please take care with the city we must all really love because we're here for the purpose of making wise decisions and expressing opinions, and it's up to you wise gentlemen.

Thank you.

HUGH RUSSELL: Thank you.

SETH TELLER: Good evening, ladies and gentlemen of the Board, my name is Seth Teller, T-e-l-l-e-r, and I reside at 281 Hurley Street in East Cambridge here in solidarity with my neighbors to the west. Really with a general plea and a couple of specific pleas. And they are about infrastructure.

I'm actually -- I love thinking about infrastructure. And one of the things I noticed about infrastructure is that it's really appreciated most when it goes away and that's often through disasters, you have a flood that washes a bridge or something away and everybody gets terribly upset. But another way that the need for infrastructure can become acute is unplanned growth which

what was annoyance to just a few people previously, suddenly becomes an annoyance to a lot of people. And that I think is what's unfolding here in slow motion. And I want to make two just concrete observations about how it's unfolding.

If I may, may I back up on the slides.

PHIL TERZIS: Help yourself.

SETH YESSELMAN: Thank you very much. Just for the picture that you have of the planned view showing the market and the parking lot. It's got to be on here somewhere.

PHIL TERZIS: Keep going. You're going the right way.

SETH YESSELMAN: Did I pass it?

PHIL TERZIS: Yes.

SETH YESSELMAN: Here?

PHIL TERZIS: Is that what you're

talking about?

SETH YESSELMAN: Sure. I think I can do this here. Next time I'll bring my own. Thank you so much.

I just wanted to speak of the points someone made earlier about walking over to the T. Because if you start out here and you have a sense of direction, you think well, I just want to do that. But what do you actually have to do? Well, if it's during the daytime, you can actually -- there's a little cross thing here you can -- I mean, first of all, you're over here on New Street. So you have to go all the way around to get over here somewhere. And you can either sneak through here or you can go under and walk around this thing and come up on this sidewalk and go that way. Or you can climb up the bank and go down this side. I'm sure

14-year-olds do, but I don't do it. Or you can come around here, walk on this side and cross over. The point is, you know, you can't get there from here. And that's something that bothers a lot of people who try to use the T and be mindful of it. It's annoying frankly to walk an extra 10 minutes when the thing you want to get to is right over there. That's one.

And the second concrete plea is about driving along the street which I do also occasionally. I do use Danehy a lot. And whatever happened when this thing was built to the streetscape was not thought through because all -- it used to be that there wasn't parking along there. And then all of a sudden there was. And now to drive in this direction, you're forced -- the street just isn't wide enough. I don't know who did

that, but you're all of a sudden forced into oncoming traffic.

CHARLES TEAGUE: Go to the next slide.

JAY YESSELMAN: Next slide. Thank you very much.

CHARLES TEAGUE: Too long. The slides with the photographs. Go the other way.

JAY YESSELMAN: The other way. Thanks.

CHARLES TEAGUE: Right there off the left. Back one. Upper left. That car is parked.

JAY YESSELMAN: Okay, this one yeah. Okay, yeah, you can see it here. You're driving along, and there's a bike lane's worth of space right there and you've got to get your whole car into and someone's coming

the other way and you're taking your life into your hands.

UNIDENTIFIED AUDIENCE MEMBER: Think of snow.

JAY YESSELMAN: Yeah. So the plea here is just echoing what others and Ms. Devereux said after -- just stuffing this thing into this place that's not prepared for it will exacerbate these issues and just you'll get a lot of really upset people, hundreds of calls to the Traffic and Parking Department and, you know, people complaining about -- thank you so much.

PAMELA WINTERS: Your time is up, sir.

JAY YESSELMAN: A plea to think that through beforehand, and actually I think it would save everybody a whole lot of time and aggravation to get it right beforehand rather

than and fits and starts for decades after.

Thank you.

PAMELA WINTERS: Thank you.

LISA CAMACHO: My name is Lisa Camacho. I live at 24 Corporal Burns Road in the house that my husband was born in and there have been a lot of changes, many of them good over the years. I wanted to thank Acorn and Abodez for their presentation and also to the Planning Board for the opportunity to speak. And I'm not so specifically going to speak about the project, it's more the area that the project is in because, again, you've heard it before, I'm talking about infrastructure in the area. It currently doesn't exist to support the project. And to give you just a little bit of an idea, at the J&C Adams building, for example, on New Street which is where you can

see this car here, when the car is parked six inches from the curb which is legal and reasonable, you have seven and a half feet from the outer edge of the tire of that car to the yellow line in the middle of the street. Seven and a half feet. That's not even eight feet for a car that is going down, and then you also have cars coming. You also have bicycles. You also have people with strollers. So the street itself is not wide enough right now to handle the traffic. That -- there's something that needs to be done about that.

And the J&C Adams building, the building currently comes to the edge of the sidewalk as you can see on this photo, and the sidewalk is six feet, nine inches wide. At the poles it's five feet wide. And then the sidewalk that's on the park side is five

feet, three inches wide. So between the width of the street and the width of the two sidewalks right there, you don't have enough room to put what the Abodez people are hoping to capitalize on which is going to be pedestrian and bike traffic. There's no room for a bike lane. There's no room for strollers. There's no room for somebody disabled. Right now it's extremely dangerous.

So the streets and the walks that make the driving dangerous, that's what I just tried to point out. It needs addressing now before there is something permanently built there where you have no ability for a give and take for widening the sidewalks, widening the street, putting in your -- putting in your bike lane to be able to link up with the Linear Path.

There are also my concerns about this project going in here now that feed directly into the larger picture of Cambridge development. Visionary planning years ago turned a dump into a premiere park in the city, and it's used as people have already said, by many school and community groups. The 2005/2006 Concord/Alewife study listed many recommendations in the West and North Cambridge area that have benefitted everyone such as connecting of some of the bike paths over behind the Alewife T Station. That is wonderful. You can get to Linear Park, all different kinds of places. However, the vision and as a liberal Cambridge -- as a liveable Cambridge is starting to get sidetracked. Of all of the areas, for example, of all of the areas that were addressed in the Concord/Alewife study, New

Street and the shopping center mall area are the only ones where none of the recommendations for infrastructure were implemented. And so putting a large project in this -- I'm sure you all have this. But this is a map here of -- from page 35 of the study. And this is where the shopping center was. And this is the infrastructure that was supposed to be built in the shopping center to make this area tie in to be more pedestrian-friendly and bike-friendly.

PAMELA WINTERS: Ma'am, your time is up. If you would finish up your comments, please.

LISA CAMACHO: Okay, I certainly will.

Besides the lack of improvements, there is an opportunity to link up bike paths that benefit everyone, and it's real tight behind

there. Some places there's no more than five feet between the chain link fence and the rails. So come the time that we hope to get a bike path there, if there's already a large project there that has taken up all of the space, there's going to be no way for any -- to have any kind of a leeway to link up the bike path along with all of these other bike paths that have already been developed in Cambridge. So please --

HUGH RUSSELL: Okay, thank you.

LISA CAMACHO: -- very carefully about what goes in there now. It would be wonderful to have something in there, just not so that it hamstring the Planning Board so that we can't do those things later.

Thank you very much.

KATHY HOFFMAN: Hi. Kathy Hoffman, 67 Pleasant Street in Cambridgeport. Really

just here to lend my support to the people of Fresh Pond and to make an observation which perhaps is obvious in under three minutes. And that is that the people who have put a great deal of time and energy and their self-interest to build this building had a very significant and unlimited time in which to present it and that makes sense. They've put a lot of time and energy into it and so they're going to present it in the best light they possibly can. That's what they're there to do. The people who are reacting to it have three minutes to react to it, and I guess one of the recommendations I have is several:

One is it would be wonderful for the people who have developed the website and Fresh Pond to have 20 minutes or 25 or 30 minutes in which to present the information

that they have accumulated and for people to benefit from it. I'm sitting here with enormous gratitude to Ms. Camacho, to Mr. King, to others who have spoken, Steve Kaiser, all adding little tiny bits of information, which as volunteers, they have gone and scoured and put together. Some of it is a little bit our own experience. Try driving down New Street, seeing what it's like. Going to Danehy Park trying going that little back way into the thing. But these are sort of individual experiences and then people with enormous amounts of information. But to have it sort of restricted in little sound bytes and not allow you all the benefit of a much fuller analysis, I think is problematic. And so I don't know how the Planning Board can think about addressing it.

For me, one of the resources that I

hope you may put at our disposal in postponing a decision on this, because I think you've heard enough to realize that the infrastructure isn't sufficient. And if we go ahead and say yes to this building, then we're really going to be in trouble. Is whether some of the Community Development Department resources could be put to doing some of the traffic analysis, doing some of the infrastructure analysis, and being able to have the opportunity at one of these meetings to take the same amount of time to make a real presentation of what are the struggles that need to be addressed here. Because I'm sure that the developers are interested in creating buildings which in fact will be an asset to the neighborhood and not become a significant obstacle. So that's just my observation and thank you for

listening. And I hope you will create opportunities both the gentleman and the gentlewomen on the Planning Board to pursue this further.

HUGH RUSSELL: Okay.

Does anyone else wish to speak? Yes, sir.

RON PEDEN: Good evening. My name is Ron Peden, P-e-d-e-n. I have live at 25 Aberdeen which is I believe just a short distance from Huron Village.

I agree with one of the speakers that conceptually the project is probably sound, and I wouldn't have a problem with it under different circumstances, although I do think that the concerns of a lot of the community groups and residents are legitimate. There's not really anything that I can add to that, but the one concern that I have about it is

probably best labelled as a policy argument, and that is the effect that it will have on the social fabric of the community, specifically the growing wealth and income gap not only in this community but basically in this country. It's a huge problem in my opinion. I think that this project and the developers are basically the epitome of that. And I know this panel probably feels it has no responsibility for those kind of social issues. But unfortunately I have to disagree with that, because I think as the arbiters or the guardians of where the profits flow in this city from projects such as this, I think this particular panel doesn't take any responsibility for addressing those issues and I think we have no chance of addressing it at all.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

CHARLES TEAGUE: Thank you, Charles Teague, 23 Edmunds Street. And speaking as Vice President of the Association Cambridge Neighborhoods. I would say that what you're hearing is not about criticisms, is not really about this project. It's just that this is, let's say approximately going from 2400 units to 2500 units in, you know, over the past several years. What's been permitted, what's coming to Alewife, what's been built recently, and that's really what it's all about. And it's really about planning.

And so I was just going to remark upon the difference between what is on the city website as a master plan and what Mass. General Law Chapter 41, Section 81(d) requiring a master plan with nine elements.

And so the first one we have which is goals and policies, but that's seven years old.

Land use and the relation of density and intensity and capacity and services. I think that's what you've been listening to.

Housing strategies and policies for all local citizens -- local housing for all citizens. No one's mentioned the affordable housing here.

Economic development, natural and cultural resource protection, open space protection. Actually we've heard a little bit about that.

Services and facilities forecast and it's the seventh element.

And a really important one, which you've all been hearing about, the inventory of existing and proposed circulation of

transportation systems. Everybody is saying well, it's really bad now, what's the plan? And there is no plan.

And then finally implementation. And to quote directly: Scheduled expansion of (inaudible) public facilities for circulation in conformance of anticipated cost and revenue associated with (inaudible). As such activities shall be detailed in this element. And we certainly don't have that.

And finally to quote directly from the text, such a plan shall be a statement from text, maps, illustrations, and other forms of communication that is designed to provide a basis for decision making regarding the long-term physical development of the municipality.

And so it is not my ambition to sound like Steve Kaiser, but since we don't have a

master plan, there is no basis for granting permits, and this has to get fixed. You know, if this is -- it's not about this project. I actually, I actually think that this -- this particular project only butts up against going to the growth policy document which we do have. It butts up against policy 15 and 23 which both cite safe pedestrian and bicycle environments, which this does not do from the testimony. But right here, right now, I don't expect you to stop all development. Though I think -- though I think in this area, I think that's appropriate. But just to close, is they've combined the lots, they've combined the lots and building rights with the existing building and commentary upon the lack of landscaping of the existing building that is within your purview, and you can insist upon

the improving that landscape plan.

Thank you.

PAMELA WINTERS: Thank you, sir.

HUGH RUSSELL: Councillor.

COUNCILLOR DENNIS CARLONE: Hi.

Dennis Carlone, C-a-r-l-o-n-e, Nine
Washington Avenue.

People have spoken very wisely tonight and I won't repeat many of their great comments, at least not try to, but there seems to be some commonalities that are worth talking about. Making a neighborhood takes a great effort. Whether or not the city is involved in this, it's making a neighborhood -- the beginning of a neighborhood street. And the public domain is key. Now that's not what's being discussed tonight, but your recommendation to the city, including to the Council, that this

needs to be looked at as an example of what needs to be done in other neighborhoods goes a long way. It's like Essex Street, the previous discussion. Just you're saying that it would make sense to widen the sidewalk beyond five foot, six inches in Central Square sends a message. So I'm asking you for that.

Infrastructure. I happen to be the Chairman of the Infrastructure Committee. This will be brought up as you would want us to bring it up. But, again, your recommendation helps.

Master plan. There's no doubt we're going to discuss this on the Council. There are seven neighborhoods that have contacted us, this being one, that have asked for this, and they're citing these kinds of issues.

Now, I know the city is looking at New

Street. I know Brian and his staff has met with the Mayor to discuss this. So the process is going. What I suggest that you at least talk about in reference to this project is that the street, it be considered that the street is widened, the public way is widened away from this project. Yes, it involves the park. I know that's a big issue, but it doesn't include taking down any trees. There are parking lots primarily on the other side of New Street, and it can incorporate a bike path, better pedestrian ways, better tree planting opportunities. The four-story buildings need major trees to make it feel residential.

I think Mr. Payette has done a very nice design with very limited materials. Once again we're dealing with concrete materials like on Essex Street. And to paint

it the same colors, even though it's broken up for 450 feet, seems un-urban to me and I know you generally don't get into colors, but I mean just look at your colors. It's -- there's a range that feels like a combination of people. 450 feet I believe is a mini destroyer.

So in the end, the industrial zone I don't understand why that's not being looked at and maybe that comes out of a master plan study that the neighbors have asked for. I do think that the design is a vast improvement over the previous building which looks more like a temporary dormitory. And -- but the landscape does seem weak, and it's because the building is so tight. And in the industrial zone, as the developer mentioned, there's no setback requirement. That right there tells you something.

Thank you for your time.

So anything the Planning Board says helps the Council move forward. It's not always the other way around where you have to think how are we going to work with what the Council has said? It's you help us.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak? Yes.

CLAUDIA MAJETICH: My name is Claudia Majetich. The last name is spelled M-a-j-e-t-i-c-h. I live at 329 Concord Ave.

And I was very -- I use New Street all the time because it's right down the block from me, to get to the shopping district which was mentioned in the presentation. And people talked a lot about infrastructure, and when I think about infrastructure, I think about the streetscape that everybody is

talking about. But nobody has talked about commercial infrastructure. And I'm a big fan of density. I grew up in New York City. I learned to drive when I was 30. I spent my entire life on subways and literally got into cars once or twice a year. What's interesting about this development is that there's no commercial development -- there's no commerce. And to me a cityscape has got more going on than 450 feet of walls with some windows on it, because I'll tell you I haven't seen one person go in and out of that other building on New Street. And I go down that street all the time. I thought it was empty for the longest period of time. And I think the other thing that's interesting, just for my own personal experience, is I live between Fayerweather and Walden, and that's what, a third of a mile over to Fresh

Pond? I drive every single, solitary time. Why? Because to Jonathan King's point, it is dangerous. And the only thing that produces that, in my opinion, the only thing that makes that density work is if you really have a place where it's interesting for people to walk, it's safe for people to walk. And this doesn't address any of it. And also when people are making the plea for infrastructure, my point is that it's not just better roads or better access. It's what you put on the roads. And it's not just the 450-foot building. If you walk around Manhattan, you'll see that all of those very exciting neighborhoods may have 40 stories up, but they've got retail at the ground floor. That's true in Brooklyn, it's true in Queens, it's true in Manhattan. That's what makes a city walkable. And so if you are

thinking about infrastructure, I think you need to think about it more broadly not just for transportation, but what makes a place really work.

Thank you.

HUGH RUSSELL: All right, thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay, I see no one.

What's the pleasure of the Board?

STEVEN WINTER: Well, it's ten till ten, I don't think it's a good time to deliberate.

HUGH RUSSELL: I don't think it's a good time for a break.

STEVEN WINTER: No.

HUGH RUSSELL: So I would think then if we're not deliberating, we're not breaking, that we're going to deliberate at a

later meeting. And my typical question at this time is what additional information would we like the Community Development Department to bring forward so that our deliberation can be fruitful? And I have some ideas, but I'll wait to see what other people have.

STEVEN WINTER: Well, I can start with a couple things.

If the convergence of the bicycle paths and the pedestrian paths on all sides of this target area, so to speak, if we can understand where those paths are and what it would take to connect them. And I'd also like some information on how real is the public ownership of the railroad right of way, is that something that we can aspire to or is that really just off the table?

And I would also like some information

on, you know, and maybe this is really something that we can do ourselves, but I think we need some, a clear idea of how accessible the Red Line is to folks living in this part of the --

UNIDENTIFIED AUDIENCE MEMBER: It's not.

STEVEN WINTER: And I think -- well, that's -- there's other comments, but that's what I have for now.

HUGH RUSSELL: Tom.

TOM SIENIEWICZ: Sure, I have a few notes.

Some questions on the development of the landscape that I'd like some clarity on. I did notice that one of the views that's presented to the public way is that the transformer and the dumpster I thought maybe there was another way to reconfigure that

site so that it can be tucked in behind the building so that isn't what we see.

The question about no irrigation in the landscape, going to rely on rainwater. That might be fine, but maybe there's some way to collect that rainwater and pump it to the plants so that they survive in the event of a drought. I think that limits the type of plant material that might be in the site.

I would like some further understanding of the dimension of the street. I really appreciated that the testimony of somebody who has obviously taken a yardstick or a tape measure out there and measured all of the dimensions which clearly prove that the street probably isn't working the way we need it to work. I guess I want to understand that especially in light of Councillor Carlone's suggestion that there's been some

talk about changing the dimensions on that street. So I'd like for Community Development to catch us up on what the latest thinking is there.

I think that -- those are my thoughts initially.

Thanks.

HUGH RUSSELL: Yes, the tables are straight tonight so I can't see you.

AHMED NUR: Right.

Okay, so I'll start with the -- I'll start with the low water table in that area and considering the basement garage. I'd like to see a little more detail as to how they decide how they're going to actually stay dry considering where it is and how it is and wetlands and so on and so forth.

I'd like to see an elevation view off the rooftop. I used to teach or coach soccer

to U10s and 12s and there's a lot of people doing all kinds of stuff across New Street such as meditation and so whatever it is. And so I just wonder about the rooftop units. It's really close up there.

And you wanted relief on the parking space, ten feet closer to the building and what is that parking space for? That you wanted the relief?

PHIL TERZIS: Actually --

AHMED NUR: You don't have to answer this right now. I'm just putting questions out there.

And aside from that, you know, I'm all for residential. I think that this building is somewhat massive in that particular small street as well as I've imagined that this is one of the last urban wild between Fresh Pond and Danehy and also Discovery Park. It seems

to be massive buildings are getting closer and closer and closer to suffocate this wilder -- you know, urban wild that we have. And so I respect property rights. I respect developers. There's nothing I can do. And I'd much rather have a residential building than what's there now, but if it was any possible to put more trees and cut off the massing of the building possibilities, I would like to see that.

Thank you.

H. THEODORE COHEN: All set?

Well, I'd like to follow up on information about the street widening with also information about the possibility of widening the sidewalks. I'm sorry. And the developer finally said the magic words, three-bedroom units. And so I would like a lot more information about that. What is the

possibility of three-bedroom units? I think a mix of just one and two bedrooms is not appropriate. We've been trying to get more families and housing for more families, and I think that's a very significant issue that I'd like to get information about.

I think that's really the issues I have.

Oh, I'm sorry, the one other issue. There was a reference to the traffic being generated from this not being much more than the traffic that's being generated by JC Adams, and I would like more information about what JC Adams' traffic is right now.

UNIDENTIFIED AUDIENCE MEMBER: It's closed.

H. THEODORE COHEN: They're closed now, yes, I understand that. But I would like some information on what the historical

traffic was from that site.

STEVEN WINTER: Hugh, could I add three more pieces?

HUGH RUSSELL: Sure.

STEVEN WINTER: I'd like to know a little bit more about the numbers of new units that are forthcoming or permitted but not yet built in that area that we're focusing on, the quadrangle and Alewife T. And also I would like, and I think the proponent can be helpful with this as well, the space behind your property that's used by the auto body, is used to store junk cars, it's not a parking lot. So I think some clarification about how that auto body shop is using that space would be good for all of us to know in the city. And I also think that -- and the proponent can really lend a hand here as well in bringing together a

design or suggestions for better connections to the park, to the theatres, to the shopping centers.

And I got a wake-up call for all of us in here about the traffic. This is a regional issue. It doesn't have to do with Burlington or Woburn or Cambridge or Boston. We passed it, this region passed a tipping point about a year or so ago. Every single driver in this region is in trouble when we're in our vehicles. We're all in traffic jams. It's a regional problem. We can't solve it in Cambridge. It has to be a larger solution. And just to really scare everybody, if you -- I want you to think about who's our leaders on this issue on Beacon Hill? Who's coming forward to really bring all of us together and acknowledge the problem and to help us to solve this problem?

If you want to hear the crickets, go stand up anywhere in the State House and ask who's providing leadership on this issue?

HUGH RUSSELL: Pam.

PAMELA WINTERS: I have a couple of things. I'd like to see some of the close-up of the building materials and also what colors they are. I think in the display, the pictures there, they were a little faded out. I'm not sure they were accurate. So I'd like to see that.

I have questions about the chain link fence, who it belongs to? If that thing comes down, then would the people living in that, in that residence be able to just walk across to Whole Foods? There's a chain link fence that goes down there. I'm getting a questioning look from you.

ATTORNEY JAMES RAFFERTY: Maybe, I'm

not sure where that fence is, but maybe Phil knows. I just want to be able to reply.

PHIL TERZIS: It is the fence along the railroad?

PAMELA WINTERS: Yes.

PHIL TERZIS: I believe that's owned by the railroad.

PAMELA WINTERS: Oh, okay.

So let's see -- also, I'd like to get a traffic analysis from Sue Clippinger.

And in terms of the watering system for the plants, if you plant plants or trees or whatever there and you get three weeks in the summer where we don't have any rain, I can attest to this, they're going to die. So you need to -- my feeling is that you need to come up with some sort of a watering system for the plants for this particular development.

I'd like to see some more trees in there also. And I have other things to say, too, but I'm going to let it go there.

STEVEN COHEN: A couple comments. From other board members' request for new address, issues with the street. One thing I'd also like to hear about, though, is what are the parking rules currently on the street? And what is the actual usage? And maybe this is something you could talk to at CDD or the city about, because you know, one of the concerns that we've seen and heard is that a virtue of the parking practices there, that there are constraints on the use of the road. And when I say what is the actual practice, who is actually parking there? Is it users of the park or is it the residents of the instructors there?

UNIDENTIFIED AUDIENCE MEMBER:

Evolved.

STEVEN COHEN: That was a rhetorical question first of all.

One other thing I'd like to -- picked up on Councillor Carlone's comments about the landscaping. My sense like his, is that the landscaping for this building is actually critical in this location. And I agree that trees here, as in most places, are absolutely essential to the character, and especially with a four-story building like this. You know, I love the photos of the plants that you have, but I agree it looks kind of thin on there and it's tight and I guess I would just like to hear what the ramifications would be to your proposal. If you increased the setback somewhat or at least in that portion of the building, which is close to the street, to give a little bit more room

for the trees and opportunity for somewhat of a greater density of landscaping upfront. I think the landscaping makes or breaks this. The renderings are wonderful, but we all know that renderings are always wonderful. I'm trying to imagine what the reality will be.

Thank you.

PAMELA WINTERS: And just one more question that I have, I'd like to see a better pedestrian view from the sidewalk of the drawings. Something that's a little bit more pedestrian, you know, what the pedestrian will be actually looking at.

Thanks.

HUGH RUSSELL: Okay. The only thing I would add to this very long list is something that has been asserted there's been no planning out here. I don't believe that's correct. So if you could just read us a list

of the various planning efforts that have been taking place. I mean, is it true that there's been no neighborhood planning in this area or in the areas that are next to it? I mean, I know the effort that was done and presented by that map. And also with that, an evaluation of where you think more planning is needed, it needs to be looked at. You've obviously identified some areas.

If there is nothing else, then we --

AHMED NUR: One more thing. I'm sorry. Just one of the photos showed a power line, a pole right in the middle of the sidewalk. So what your plans are as you redo the sidewalk if you are going to reroute the electricity going from the power or the location of that pole I'd like to see anyway.

HUGH RUSSELL: Okay.

All right, so we will discuss this at a

later date. Liza will schedule that date and let us all know.

If you've signed up on this list, she will contact you directly. If you want to be directly contacted, add your name to this list.

We have one more piece of business to do so we'll do that.

(A short recess was taken.)

HUGH RUSSELL: All right. Okay, now being after 8:30 p.m., the Planning Board will take up Planning Board case 288, 40 Thorndike Street. As I announced an hour and a half ago, because we do not have a sufficient quorum of members who have heard the case the previous time that it came before us, we cannot hear this business tonight. And I believe there is a formal request --

LIZA PADEN: Yes.

HUGH RUSSELL: -- which I saw, but I don't know where it is.

So what's that request, Mr. Rafferty.

ATTORNEY JAMES RAFFERTY: You have a copy of it.

LIZA PADEN: I have it.

So the request from the applicant was to postpone the continued public hearing that was scheduled for this evening to a later date, which we will schedule and we will send out new notices.

HUGH RUSSELL: Okay. So a number of questions have circulated. I think we've gotten more correspondence from more people at greater detail on this case than I can ever remember. So there are a lot of comments out there, and I assume that those comments have made their way to the

proponents. And so there's a lot to talk about.

STEVEN WINTER: Yes, there is.

HUGH RUSSELL: We can't do it tonight, which is perhaps just as well, because it's late.

PAMELA WINTERS: It's ten o'clock, right.

HUGH RUSSELL: So, is there a motion to approve?

H. THEODORE COHEN: I move to grant the extension to a date to be determined and noticed.

LIZA PADEN: You're going to postpone the public hearing.

H. THEODORE COHEN: Postpone the continuation of the public hearing.

LIZA PADEN: Because there's a second part to this.

H. THEODORE COHEN: Okay.

HUGH RUSSELL: Okay.

So is that the purpose to vote on this?

LIZA PADEN: Yes.

HUGH RUSSELL: Is there any discussion?

TOM SIENIEWICZ: Yes. Go ahead.

AHMED NUR: I'm sorry, I can't vote on this so I have to recuse myself from this.

TOM SIENIEWICZ: Just further discussion, Hugh. In light of some questions that were circulating amongst the Board relative to maybe Law Department input, do we want to vote that after we continue this or is that -- or potentially entertain a motion about seeking some legal advice?

HUGH RUSSELL: Well, it's -- we get into this problem then we don't have a quorum to discuss substance.

TOM SIENIEWICZ: Right.

HUGH RUSSELL: Nevertheless, we would like to have these questions addressed. Brian says he can -- he's aware of the questions and can speak to the Law Department in advance of that.

TOM SIENIEWICZ: All right.

HUGH RUSSELL: And it does not require a formal request by us.

TOM SIENIEWICZ: Thank you.

PAMELA WINTERS: That's good.

HUGH RUSSELL: So on the motion to grant the extension, all those in favor?

(Show of hands.)

HUGH RUSSELL: Okay, all members voting in favor.

I'm not sure, Pam, whether --

PAMELA WINTERS: Can I vote?

LIZA PADEN: Yes.

Well, you could vote for the continuation for postponement. That's a procedural issue. That's not the case itself.

The second item is the proponent has sent a letter requesting an extension for the 90 days for filing the decision to May 1st. So that pushes it out and gives us more flexibility on scheduling. And so I'd like to find out if the Board would be interested in accepting the extension?

STEVEN WINTER: Is that an action that you recommend?

LIZA PADEN: Yes, I do.

ATTORNEY JAMES RAFFERTY: Could I just be -- it's not so much a request to extend, it's a waiver of our right to receive a decision within that period of time recognizing that the hearing got extended. I

don't mean to sound simplistic --

LIZA PADEN: Right.

ATTORNEY JAMES RAFFERTY: It's a case of semantics, but it's the proponent's right to receive a decision by that date and we have said, as is happens often, we will give whatever time that is needed in the judgment of the Planning Board to reach a decision. So we propose the current date I believe expires April 1st. We proposed May 1st in my correspondence and more beyond that if needed than I suspect.

BRIAN MURPHY: The staff would not recommend a constructive grant in this case.

HUGH RUSSELL: Right. No doubt that this will happen again if -- we once we get into the case.

So is there more discussion on that motion?

STEVEN COHEN: No.

HUGH RUSSELL: Okay. So all those voting to grant --

UNIDENTIFIED AUDIENCE MEMBER:

Pardon me, Mr. Chairman, may I address the Board?

HUGH RUSSELL: No, you may not.

UNIDENTIFIED AUDIENCE MEMBER: Thank you, sir.

HUGH RUSSELL: On the motion to extend, all those in favor?

(Show of hands.)

HUGH RUSSELL: Okay, thank you.

(Unanimous Vote.)

LIZA PADEN: Thank you.

HUGH RUSSELL: And that's all we can do tonight on this.

UNIDENTIFIED AUDIENCE MEMBER: May we address the Board on the matter of process

that does not require a quorum?

HUGH RUSSELL: No, you may not.

(Whereupon, at 10:15 p.m., the
Planning Board Adjourned.)

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