

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, July 22, 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

Steven Cohen, Member

Ahmed Nur, Associate Member

Catherine Preston Connolly, Associate Member

Brian Murphy, Assistant City Manager for
Community Development

Community Development Staff:

Liza Paden

Jeff Roberts

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7:15 p.m. (continued) PB#286, 75 New Street, Special Permit application by to construct 93 residential units at 75 New Street, 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 5.24.29(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). The applicant is Abodez Acorn 75 New Street, LLC	14
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(Sitting Members: Hugh Russell, H. Theodore Cohen, Pamela Winters, Steven Winter, Steven Cohen.

HUGH RUSSELL: Good evening. This is a meeting of the Cambridge Planning Board. And the first item on our agenda is an update from Brian Murphy.

BRIAN MURPHY: Thank you, Hugh.

So for tonight's hearing we've got a BZA antenna case for 35 Cameron Avenue. A continuation of Planning Board No. 286, 75 New Street. If you remember, there was a hearing on that a while back and this is an opportunity for the Board tonight to have a discussion, deliberation, ask some questions, and just sort of focus on that issue some more. We also have Planning Board No. 175, which is 1-5 East Street a Minor Amendment to

reduce the size of the building.

Our next meeting is next week and that will be on the road. That will be at the Kennedy Longfellow School at 158 Spring Street. And the topic for that will be Planning Board No. 288, 40 Thorndike Street, also known as the Sullivan Courthouse.

August 5th there's a public hearing on the Carlone Zoning Petition. In addition, the City Council has an Ordinance Committee hearing on that petition July 30th, but the Planning Board hearing for that will be August 5th.

Also, there is the Planning Board No. 189, 303 Third Street, Major Amendment for parking. And under General Business we've got Town Gown preparation as well.

August 12th we will have a walking tour of the CambridgePark Drive area, sort of

following up on some of the discussions, that will be helpful to have a discussion and a walk on site, talking a little about some of the Concord Alewife Zoning and people can get a sense of what's been happening with that.

And then August 19th we have a public hearing Planning Board No. 292, continuation of 180R CambridgePark Drive. As well as Planning Board No. 179 which is a Major Amendment for North Point parking. On that one my expectation is that there will be a Board discussion on the Major Amendment on the North Point parking. Ultimately that will require a change in Zoning so that will need to go back to the City Council and then have them come back and submit it to the Board.

So that's sort of the light summer schedule. And after that we'll, you know, we

go back September 2nd, 16th, October 7th, 14th, with those topics are still to be determined.

HUGH RUSSELL: Okay, thank you.

And next on the agenda adoption of meeting transcripts.

LIZA PADEN: So at the last Planning Board meeting a misspoke when I said there weren't any transcripts. Cathy must have been in shock. We actually have May 6th, May 20th, June 3rd, June 17th, and July 8th all of which have been submitted.

HUGH RUSSELL: And they've been certified?

LIZA PADEN: Yes, they have.

HUGH RUSSELL: Is there a motion to adopt those?

STEVEN WINTER: So moved.

HUGH RUSSELL: Second?

H. THEODORE COHEN: Second.

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

(Raising hands.)

HUGH RUSSELL: Okay, five people voting in favor.

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

HUGH RUSSELL: And BZA cases, telecom.

LIZA PADEN: Yes. This one is for the elderly housing on Clarendon Avenue, and Mr. Ford is here to give a brief description of the proposal.

ATTORNEY BRIAN GROSSMAN: Thank you. Good evening, Mr. Chairman, Members of the Board. Brian Grossman, attorney with Anderson and Kreiger on behalf of the applicant AT&T. With me is David Ford from

the Centerline Communications the consultant for AT&T. AT&T is continuing its network build out to bring improved and enhanced service to the surrounding area. AT&T has responded to requests for proposal from the Cambridge Housing Authority, 35-55 Clarendon Street. The Daniel Burns Apartments and is moving forward with stealth installation design that I'll have David explain.

DAVID FORD: You could follow along in your photo simulations in front of you. Again, we're proposing AT&T's installation of 12 antennas.

So if you look at phot 1A, there's an existing penthouse on the rooftop. I'll wait for you to get there. So photo 1A. It's an existing penthouse on the rooftop. And I have a GoogleEarth shot to show you. It's in the shape of an L. So there's an existing

platform on that penthouse available. What we're doing is proposing eight antennas, they're going to be ballast mounted on top of this penthouse. And then the penthouse is going to be screened in as shown on photo 1B. So it's really not going to look any different than what's existing. So if you guys comparing photo 1A, 1B, and 1C gives you a zoomed-in view of what it will look like. So eight of the twelve antennas will be going inside of this proposed screening.

STEVEN WINTER: And the other three?

DAVID FORD: I'll get to that.

Any questions regarding those eight?

STEVEN WINTER: No.

DAVID FORD: All right.

So the final four will be facade-mounted on the back of that same penthouse, and that is shown in photo 2A, 2B,

and then again you have the zoomed-up version in 2C. So the same penthouse that we're screening in. The back side of that proposing to facade mount four antennas painted to match. And then all associating equipment will be going in the basement.

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

David, I'm looking at photo 2C.

DAVID FORD: Yes.

STEVEN WINTER: Are the four lines on the penthouse --

DAVID FORD: Correct.

STEVEN WINTER: -- the equipment that --

DAVID FORD: The four lines would be the facade-mounted antennas.

STEVEN WINTER: Again, I want to make sure because it looks really good. I

just want to make sure I'm getting the concept.

ATTORNEY BRIAN GROSSMAN: One, two, three, four.

STEVEN WINTER: I have to say you've done a really nice job of putting them up and making them unobtrusive.

DAVID FORD: Thank you.

So those will be the only four antennas that are visible. The other eight will be completely concealed.

ATTORNEY BRIAN GROSSMAN: And those will be mounted with the low profile mounting.

DAVID FORD: And just to restate, all associated equipment will be going into the basement.

HUGH RUSSELL: Any other comments or questions?

STEVEN COHEN: No.

H. THEODORE COHEN: I just have a question. In photo 3C --

DAVID FORD: Yes.

H. THEODORE COHEN: -- so is that the edge of one of the antennas that are mounted on the --

DAVID FORD: On the back, correct, yes.

H. THEODORE COHEN: I'm just -- so I mean from in photo 2C it looks like it's substantially set back from the side of the penthouse. So I'm surprised you're actually seeing it.

DAVID FORD: Yeah, I believe it's because the photo was taken diagonally from Churchill, that's why you're seeing the back side there.

HUGH RUSSELL: So we might try to

comment that it's possible to slide them in.

H. THEODORE COHEN: Is it possible to slide them further in, but I agree that if it ends up looking like what's shown in 2C, that would be great.

HUGH RUSSELL: That's really raises the bar.

STEVEN WINTER: In our response, Mr. Chair, I'd like to say that we need to compliment the proponents when they bring forward thoughtful proposals when you say raise the bar and they keep doing that. It's been terrific.

HUGH RUSSELL: Okay. And so then we would want to give a favorable recommendation with the comment that Ted made. Is that correct?

H. THEODORE COHEN: Yes.

PAMELA WINTERS: Yes.

DAVID FORD: Thank you very much.

ATTORNEY BRIAN GROSSMAN: Thank you.

PAMELA WINTERS: Would you like your papers back?

ATTORNEY BRIAN GROSSMAN: Thank you.

HUGH RUSSELL: Okay.

The next item on our agenda is Planning Board case 286, 75 New Street, permit to construct 93 residential units.

And I -- as Brian said, at the previous hearing, we had a long presentation from the proponents. We had a lot of public testimony and we ran out of time, so the Board did not have a chance to comment which is our preferred thing to put our questions out there.

So first I'd ask my colleagues, is there any -- there's an electronic version of the plans and things available, so if at any

point you want something projected, it could be put up on the screen.

Does anyone need a refresher?

(No Response.)

HUGH RUSSELL: Okay.

So shall we just go down the row?

H. THEODORE COHEN: Is Tom coming?

HUGH RUSSELL: Tom is out of town and Catherine didn't sit on the case.

LIZA PADEN: Catherine didn't sit on the case. As far as I know Ahmed is on his way.

HUGH RUSSELL: Okay.

STEVEN COHEN: Can we start on my end?

HUGH RUSSELL: Sure.

STEVEN COHEN: I like batting ninth. I guess I'll just quickly go through what I consider to be some of the key issues

here.

First of all, just putting the residential use here, this was an industrial district. It was zoned industrial. If we don't put residential here, it will be industrial. I think all of our policies applicable to this sort of lot, you know encourages housing. So I think, you know, that's a given and is desirable and we want to have housing here.

So what's the design of the housing? Well, you know, as I went through the policy guidelines, other than the general encouragement, that encourages a diversity of housing types and designs and styles and especially in an industrial district, it seems to encourage styles of housing that might not be otherwise appropriate in an established neighborhood. So while this

building is, you know, certainly different in many respects than what we would see in a well established Cambridge neighborhood, I think that's what was encouraged and sought in many respects. One of our criteria is it consistent with existing patterns of residential development or style? And there is no existing pattern of residential development in this location.

So, then just in even looking at the general design itself, you know, you look at it and you wonder well, is it too long? You know, do we wish it was broken down into a smaller masses? It certainly crosses my mind, but I can't say that that would be an improvement and it's not a matter of being consistent with the existing patterns. Ultimately I have no objection to it.

I mean, the design itself is a -- I

mean, it's -- judging from the renderings and in the details we've seen, I mean it seems to be a riot of materials and colors and textures, and I think that's a good thing. You know, if and when ever we actually see it built, we'll know that was a good thing. And I think, again, we're encouraging diversity and where we don't have some sort of existing context where we don't have to be fitting into, I think that's a good thing. I mean, it looks interesting and colorful and lively. And, you know, that's what we're looking for, a lively streetscape. It's a location -- frequently we look for retail sort of to generate that liveliness, and I think we can agree that this really isn't a great location for retail. You know, I think the design will contribute a lot of vibrance to the location.

(Nur Seated.)

STEVEN COHEN: I think the setback were greater from the street and there could be more landscaping in the front, but you know, you have to deal with the hand you're dealt, and it is a very shallow lot.

I want to make sure I understand the landscaping really well to make sure that we're using that, you know, what's that we do have the best advantage of landscaping.

I think there was a reference at some point to the city agreeing to do some additional landscaping, planting trees across the street or something. I want to confirm that that's happening and part of the whole, you know, baked cake here.

Then there's the street itself. Well, yeah that is problematic, the street, in a lot of respects. But, again, this was a

street in an industrial district. You know, this was zoned to permit residential. I do wish the city and the appropriate agencies of the city had taken greater initiative in designing and approving the street to be more appropriately accommodating to the very residential uses that were encouraged here. And I guess that's still something of an open subject. I saw the Traffic and Parking is going to recommend either elimination of on-street parking or somehow limiting to certain hours. And I, again, given the hand that we're dealt, I think that that's necessary because the street simply isn't wide enough to accommodate two-way traffic plus on-street parking. So I do think it's necessary. And then the question is is it adequate?

You know, I think the city should be

doing improvements on the sidewalks and so forth, but those are city issues and not the applicant's. I think the applicant, and correct me if I'm wrong, the applicant has agreed to extend the sidewalk at least in front of this property, consistent with the sidewalk that's next-door. And, you know, my sense is that's all that can be asked of the applicant here. I mean, I think there could be further conversations with the city about how to deal with the street, but I don't see holding the applicant hostage to those conversations with the city.

So then we'll ultimately get to -- yeah, the usually prime concern in and all other new projects in Cambridge and that's traffic. Then there's no question that the neighbors are right, that there are traffic issues around here on Fresh Pond Parkway and

the access roads to Fresh Pond Parkway. But I think A, that is primarily a regional problem. Most of the traffic is generated by regional demand outside of Cambridge. It's a bigger issue than can be dealt and addressed with here. I don't think that this project is going to generate enough traffic to have a material impact on the existing traffic. I do agree that when you break the neighborhood up into pieces, and you look at each project, each project individually doesn't have an impact. But, you know, there may be a bunch of projects collectively that do have an impact, and maybe that's a question worth investigating. But, again, I don't think that this applicant should be held hostage to it to a longer term look at that more global issue.

So, you know, I guess I'm speaking

mostly in broad strokes rather than in details at this point, but certainly on the basis of the broad strokes, you know, I think it's an interesting project and an appropriate project, a good project, and you know, I would favor, again, subject to details which we can get into further.

HUGH RUSSELL: Okay.

PAMELA WINTERS: Okay? Are you all through?

STEVEN COHEN: You want me to talk more?

PAMELA WINTERS: You can.

Okay, well I just have a couple in terms of details. I notice that some of the residents have talked about there being rooftop decks on some of the, some of the buildings, roof terraces, maybe green roofs. I thought that that would be a really good

idea.

They were concerned about visitor parking and trucks in loading and so forth. And I think that somebody requested that another parking -- that the parking report to be updated. I don't know if that's been done or not.

And the tree wells in the street, again, you know, reiterating what you had said, Steve, I do -- I would like to see, you know, that done across the street and also along on the side of the street of the development also.

I think you had mentioned that anyway in terms of landscaping.

And one more thing just in terms of details, the sidewalk, and this is the city's issue I think. It's difficult for people with disabilities. Somebody had mentioned

the sidewalk requirements for American's with Disabilities and pedestrians on the sidewalk. So I think that that needs to have a closer look. And, again, I think that might be a city issue.

So those are just a couple of -- other than what you had said, those are just a couple of the details that I would say.

HUGH RUSSELL: Okay, thank you.

Ted?

H. THEODORE COHEN: Thank you.

Well, I think Steve actually summarized many of my comments about the project. I actually think having residential on New Street makes a lot of sense. I think its current status as somewhere abound. When you say some old commercial properties and some new ones, but that, you know, are attracting just a small population. It's an undeveloped

area, and I think that having residential in this place makes a lot of sense. It faces Danehy Park, so while there isn't setbacks as Steve's commented, very great setbacks from the street, it is facing the park. It's, you know, right next to the shopping center.

I think it is indeed a transit-oriented development. Even in a worst case if people don't want to cut through the Fresh Pond Shopping Center, walking down New Street and then around and up to the Alewife subway, I think it's still a lot shorter walk than many people in the city walk to get to a subway stop.

You know, I have -- I've gone very carefully through a lot of the opponents' comments and also the Department's April comments, and it seems to me that this project really is in keeping with the various

plans that were developed in the '80s, '90s, and '00s in keeping with the growth policy and the Citywide Rezoning. I mean, it is interesting, you know, we're in the 20-year span that TDC was looking at -- CDD was looking at, we're ten years into it, we're halfway there, and we're about half -- exactly half of the gross square footage that people envisioned for this neighborhood.

Now, it is so far pretty much all residential rather than any commercial, and I think that may simply be how times have changed and that the commercial perhaps is not all that viable within the city and that the property is worth more as residential. But I think, you know, in terms of gross square footage, we're probably right where we thought we'd be.

You know, I have -- obviously traffic

is a concern, but I think the reports, the traffic reports from the consultant from the city's department indicate, I think, really a pretty minimal impact. Yes, I understand the cumulation of all the minimal impacts, but this is one that is right beside a shopping center where you go from, you know, not a huge number of cars midday, midweek, to a weekend, you know, all day when the parking lot is just jammed and cars are going around Fresh Pond in and out all the time. So I think that the number of units and the number of cars that will be generated, and the motor vehicle trips, from my point of view, is acceptable in an area that I grant is already very bad. There's no question about that.

I'd like to see pedestrian and bicycle connections come to fruition. And sometime if, you know, the Department had time to just

put on a little slide show for us, I'd really be curious about the proposed road that was once upon a time considered a four lane highway for New Street and also the connector from the dead end of New Street through the tunnel to the T station, I'd really be curious as to what those were intended to look like. And perhaps the dead end one still is something that might occur. Hopefully not the four lane overpass.

You know, it is a long, narrow building. It's certainly nicer than the existing smaller building. And I think there have been attempts to break it up. But it is backing behind a shopping center, a strip mall shopping center and by the train line. And I think if, as the plan showed, it will be an attractive one, what hopes is going to be the pedestrian and bike path and that will

be an improvement over what is there now facing a beautiful park. I think that actually visually it will be an improvement, a vast improvement over what's there. You know, I would like to make sure that they comply with, you know, Traffic and Parking's request and requirements of -- that all of the cars for occupants and visitors be maintained on the lot. Or if not, what the possibility is for using either the Danehy parking lot or the shopping center's parking lot which was discussed.

So those are really my comments about the project.

PAMELA WINTERS: Hugh, could I just ask a quick question?

HUGH RUSSELL: Sure.

PAMELA WINTERS: Were we supposed to get an updated parking report, parking and

traffic report from the city or not? I don't remember.

HUGH RUSSELL: Well, we -- this is our first discussion of the project.

PAMELA WINTERS: Okay.

HUGH RUSSELL: So we could ask for it to be updated.

PAMELA WINTERS: Okay. I didn't know whether it had come and I just didn't get it or --

HUGH RUSSELL: No.

PAMELA WINTERS: Okay, thank you. Thanks.

HUGH RUSSELL: You just have to pretend we're six weeks ago and it's eleven o'clock or midnight.

PAMELA WINTERS: Okay, which is bad.

HUGH RUSSELL: Steve.

STEVEN WINTER: Thank you. Thank

you, Mr. Chair.

I want to indicate that in -- as Steve commented and also other colleagues indicated, what we've got planned for there fits even way back with the Alewife Revitalization Planning and Zoning, the first industrial zone district for housing as a conditional use. And then when we get into the Cambridge Growth Policy, we're talking about assumptions and goals which include decent and affordable housing, vibrant economy.

The Concord/Alewife plan looked for a balance of mixed uses, perhaps less commercial development and more residential development, and a very interesting phrase in the Concord/Alewife plan is: A primary reason for this approach was to provide more opportunities to both live and work in

Cambridge which reduces reliance on single occupancy auto travel over the long term.

It calls for improving the pedestrian links to Danehy Park and Alewife. And then we get into the pathway overlay which takes, which is looking after the bicycle path which I think is an important part of this.

And then the other citywide planning initiative is the inclusionary zoning.

There's -- all these parts are there, but there's, there's a glue that somehow keeping -- it's somehow keeping the integration of New Street with the bicycle path, with the shopping center, with Alewife, and I don't think it's a complete streets issue, which is the new talk about walkable, liveable streets, although it may be, but it just, it seems like all of the stuff is there but it's not yet -- the dots are not

connected on it. And it may be in some parts we can't. It's going to be impossible to do that. But I think we need to think very, very hard about how the owner of the shopping center can be helpful and can be a good citizen. And I'm not sure that we've asked very much there, and it could be that we need to get in there and start asking some questions about providing pedestrian right of way and helping us move pedestrians in a safe way and a safe way from this housing over to the bridge that goes to Alewife. It could be that there's just -- we need to move some pieces into place that aren't yet into place. And one of the ways that this happens --

Jeff, I wanted to mention this to you, I know that throughout the city there are -- planners are attached to certain neighborhoods and they bring those

neighborhoods together on an occasional basis. And I saw this happened in some of the neighborhoods that I've lived in. It seems like that's a good place for residents to begin to knit together those issues and to use the staff expertise at Community Development Department to begin to identify how do we now make that an urban area with essentially complete streets? Okay.

And the last piece that I wanted to review was to go over the design review report from staff, and I want to just have people remember that the first phase did not require a Special Permit and thus was not subject to review by the Board. The staff goes on to report that the parking is better screened than other projects with higher water tables.

The roof line has some variation that

uses roof decks and trellises to break it up. It's creating a landscape front setback is recommended.

How do you prevent the monotonous bland or homogenous feeling, color and different materials, balconies in light in the facades?

And also careful placement of exhaust fans or mechanical features that will show on the facade.

So, I feel like this proponent has come in exactly -- doing exactly what the city has asked within all of our planning, and I think this project is good to go with the caveat that I do urge the residents in the area to begin to engage Community Development at these very local meetings. And I've seen them, Jeff, they're wonderful meetings. It's as close to the glass root as you can get, and people are able to, in a facilitated

environment, talk about what they would like to have happen in the long run and I think that's a great place for activists to be.

Thank you.

HUGH RUSSELL: Ahmed.

AHMED NUR: Yes, and I concur all the points that have been made by my colleagues. And I do also second on Steve that this is -- this project is good to go, absolutely. Look what's there now. So, I mean, this is why we need residential very close to Danehy. And that's all I have to say about the project.

However, New Street still has some more spaces for other projects to come in, so I would -- instead of looking at from project to project, I would like to see if we could look ahead and where do we draw the line as opposed to, you know, one by one saying this

proponent is good to go, that proponent is good to go, and so on and so forth. I think the city should look over all what land is vacant and what do we want to do with it before it comes to us. In addition to that, I have a couple of questions I guess that need to be answered.

I'm a little confused as to who owns that parking lot. Because New Street is a dead end street. You've got railroads going. They have rights. I don't know if the city has a right to drive through there. Could we rip those rails off and make this a road? And who owns that parking lot where the cinema is?

I drove through there on that flooding day a few days ago just to cut traffic obviously, through the power lines and back, and under that bridge was probably two feet

of water. Everyone was pretty much stopped, kind of waiting until it goes down on the other side. And I had a truck so I drove through it. And everybody else, everyone else literally said should I take a chance or should I not? Point being, it's a mess. Just something, you know, I know we have it coming up, maybe we should include that area. Maybe it's too late. That's all I have to say.

HUGH RUSSELL: Okay.

I kind of agree with the general evaluation that this is a project that makes sense in this location, but I have a number of detailed questions that I think we need to have either a strategy to answer or we need the answers before we can act on this.

So, I'll just -- on the site design there's a screening planting planted by

the -- on the west side of the lot or the north side, northwest side screening the parking from the future pedestrian path. I don't believe there's room there. There's -- some of the planting beds are a foot wide between your retaining wall and the property line. I'd like you to look more carefully at that. You know, maybe you need to move that wall in order to create enough space to plant.

The -- I think you need to designate where connections can be made from this site on to the path without using stairs. That was part of the Traffic and Transportation Department. Yes, I know there's a problem with the auto body shop having a little piece of land behind yours. You know, maybe you say well, if we can get -- if the city can get that parcel for a connection, we can then

extend it on our property. But I think it's -- it's important to make those connections.

Then there isn't much parking on New Street. There's going to be less after traffic and parking recommendations are adopted. And what parking there is, should be devoted entirely to the parking lot in my opinion. So I think you need to look at how many of the parking spaces that you have should be designated for visitors. And the opinion of Traffic and Parking is the total number is adequate for the project, but I think it should be clearer which ones are going to be marked as visitor places, and I think we want to make sure we have enough visitor places marked. There also might be time of day. You know, it might be visitors up to nine o'clock at night and then after

that could -- some of them could be turned over for residents. Some plan is -- needs to be made.

Also visitor bike parking. You have ten spaces. I'd like you to designate an area where you could put in additional visitor bike parking spaces if the ten are insufficient, and so you know, so I just need that.

And then on the design of the building, the -- one of the most interesting comments at the hearing was the woman who talked to the people around the loading dock at Whole Foods and their -- she related that they essentially have a pretty much 24-hour operation there. And so I think you need to have an acoustic study made to indicate what kind of noise emanates from that property and if it is such noise that would be

unacceptable to your residents, then you need to take measures such as acoustic windows, so as to -- to avoid future conflicts. I don't want to see Whole Foods go away. I don't think one apartment building is going to make them go away. But I'd like to have them be good neighbors. And one of our criteria is the consistency with other existing uses.

The renderings that you've shown us are very evocative, but they don't tell us in great detail exactly how the building's put together. And so we need to have a review process put in place to review the final elevations and also the final site plans.

Brian tells me that the new urban design staff person will be on board in a couple of weeks and -- but these are very soft presentation and I think we need harder stuff to review. I think it should be

reviewed at the staff level, and then if the staff has any questions, it might get brought to the Board by the staff. You know, some -- and I'd like to make sure that you've, you've shown all of your mechanical equipment, all of your penthouses, all of that other stuff and should be clearly delineated so we know what to expect.

I said my colleagues that there was a revised unit mix presented at the hearing by the proponent, which as I recollect, added some three-bedroom units.

PAMELA WINTERS: 15.

HUGH RUSSELL: Right. A significant number.

And I'm assuming that we think that's a good idea.

PAMELA WINTERS: Yes.

AHMED NUR: Very good idea.

H. THEODORE COHEN: Good idea.

HUGH RUSSELL: Yes, okay.

New Street, I think I want to see some cross sections that prove to me that you can plant the street trees on your side of the street that you're planning to plant. That there's room to do it. It seems like my colleagues are saying we shouldn't withhold approval of this project until New Street is rebuilt and perfect. What the staff is recommending is that essentially as properties get redeveloped, the sidewalks and pedestrian and facilities get upgraded parcel by parcel, just as you were upgrading your parcel and did upgrade the previous parcel you built, but I think there needs to be interim actions down on the South End of the street to enhance pedestrian and bike safety. And those might be paint, you know, clearly

delineating, you know, there is a -- on the opposite side of the street, you can see that there's kind of a pedestrian path there. It goes up and down and it kind of disappears in a couple of the properties, but it's -- there aren't curved, it's not well delineated. If it were better delineated, it might be better. Now, I'm not the traffic expert. I'm looking now at the two particular traffic experts in the room -- three I guess, counting David, and I'd like you to put your heads together and come up with some plan that will, in the time frame of this project, what needs to be done. And then we can figure out who does it, you know. But I think if it's, you know, a few thousand dollars worth of painting, you know, maybe you paint it the first time and the city maintains it after that. I don't think it's

a -- I think there are things that could be done that would have some impact now. I think the planning for the wider street with the bike lanes is really an important thing, and so I'd like to have a progress report from the city on where that stands before we vote on this.

I also like to have some idea of what happens to New Street when the shopping center's redeveloped. Now, based on what they're doing with the facade of the office building, it appears they're not about to tear that building down, but some years ago, I don't know if it was five or ten years ago, there was some interesting master plans. I think maybe at the time we were studying Zoning, they did some Planning, and I don't think they've proceeded on those plans. But I'm wondering what happens to New Street

should they proceed with the plan of that sort. How does it hook into a network more formally?

There were questions on the transportation study just confirming that the traffic study that David did included all of the development that was in the pipeline in the Alewife area that -- and if there are -- so I'd just like to know that. I believe that's the way things are intended to be done, but, you know, was the 180R New Street part of that or not -- 180R CambridgePark Drive project part of that?

And someone suggested that the minor changes in the unit would alter the conclusions on the traffic study. I don't think that's true, but having a formal response on that question would be helpful.

So those are the things that I think

should come back to us.

And are there other items that other people would like to see?

Ahmed.

AHMED NUR: Thank you, Mr. Chairman. There's one point that I forgot. At the time was a little intense in here so I couldn't -- didn't really think about it, but I did agree, and I think some of the abutters for Fresh Pond Alliance made a good point of enlarging or taking a land from the park, Danehy Park to widen up the sidewalk as opposed to the proponents. And I would like to see what the outcome of that was, if it was worth the investment. Have they given up the fight for whatever it was as opposed to coming across the street from the public park.

UNIDENTIFIED AUDIENCE MEMBER: Don't

you do that. Don't take the land from the public park.

HUGH RUSSELL: Excuse me. We'd ask that you listen to us and not make comments.

So I think that's part of the report on the street.

Any others?

Pam?

PAMELA WINTERS: Yes, I was just wondering how my colleagues felt about the green roof idea? I notice that one of the buildings, it looks like it has some greenery on the top of it, the taller one on the front page. But I was wondering on this, so many rooftops there, I was wondering, you know, if that would be nice to have like a little, you know, more green up there and maybe a little place for people to sit or -- I don't know. I didn't know how other people on the Board

felt about that in terms of detail,
detailing.

HUGH RUSSELL: So I'm looking at drawing E4 that shows the -- that roof deck area, it's a relatively small area, and I don't see an indication of other green roof features. You might then respond to that question in as part of the questions that we're presenting to you.

STEVEN COHEN: Also, the elevations, actually -- there's two elevations, you know, one with roof deck and one without roof deck, and then so I'm not clear what's being proposed.

HUGH RUSSELL: Okay.

ATTORNEY JAMES RAFFERTY: Just a quick response to that. You may recall that there's a question whether we'll need a Variance to get the access from the height

restriction. So that's why we showed it both ways on the roof. We're still working with ISD to the elevator and the head house would exceed the height limit. So in order to have the roof deck, it needs to be accessible. So we're in the midst of trying to figure out what ISD's interpretation is these days on these head houses.

HUGH RUSSELL: It's fair to say that it's something you'd like to do?

ATTORNEY JAMES RAFFERTY: Yes.

PAMELA WINTERS: Oh, good.

STEVEN COHEN: So it may be that if and when we pass a resolution on this matter, that we can make a recommendation to the BZA as to the roof decks?

HUGH RUSSELL: Yes.

PAMELA WINTERS: Okay, yes, thank you.

HUGH RUSSELL: Okay. Do we have an idea of when this would next come before the Board?

BRIAN MURPHY: I would guess we would probably would meet September 16th or October 7th.

Liza?

LIZA PADEN: September 16th.

BRIAN MURPHY: September 16th.

HUGH RUSSELL: Okay.

Is that enough time for you to respond to these questions?

ATTORNEY JAMES RAFFERTY: Yes.

BRIAN MURPHY: We will need a formal extension.

HUGH RUSSELL: Okay.

So we'd like to have that extension request right now. Is that possible?

LIZA PADEN: Yes, please.

HUGH RUSSELL: And also, you will -- I understand that you have -- you're willing to be heard by a six member Board because Tom, who was at the original hearing, is -- wasn't able to be here tonight. So the record will show that he is nodding in the affirmative.

ATTORNEY JAMES RAFFERTY: Yes.

Do you want me to get up and say that?

HUGH RUSSELL: Sure.

ATTORNEY JAMES RAFFERTY: Okay.

Mr. Chairman, James Rafferty on behalf of the applicant. And we would request an extension be allowed for the issuance of -- the time for the issuance of a decision.

And similarly we would state that the applicant is waiving its right to have the matter decided by seven members and would proceed with the six members that are

participating this evening.

HUGH RUSSELL: Okay, thank you.

Liza, what date would you like that extension to be? Assuming we acted on the 16th.

LIZA PADEN: September 30th.

HUGH RUSSELL: September 30th.

ATTORNEY JAMES RAFFERTY: Okay.

STEVEN COHEN: So moved.

HUGH RUSSELL: There's a motion to --

H. THEODORE COHEN: Hugh, can I just --

HUGH RUSSELL: Yes.

H. THEODORE COHEN: I wanted to remind the proponent that if you can get any new materials to Liza as early as possible so that we and all the abutters and the people who have been at the hearings can get to see

them well in advance of the September 16th date so that everyone will have time to review them and comment.

HUGH RUSSELL: Right. I think we would expect that you be working directly with the people who have been coming here and express their interest in the project and be able to show them your responses, you know, early in September so they have a chance to evaluate them, comment on them by the 16th.

UNIDENTIFIED PROPONENT: Yes, we'll do that.

HUGH RUSSELL: There was a motion that got interrupted by that.

Is there a second to that motion which is the extension of the date to September 30th?

AHMED NUR: So moved.

HUGH RUSSELL: Actually, you'll be

the second.

STEVEN COHEN: I'll second.

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

(Raising hands.)

HUGH RUSSELL: Okay, all members voting in favor.

Okay, that's going to conclude our discussion of this matter tonight and we'll be moving on to the next item on the agenda.

UNIDENTIFIED AUDIENCE MEMBER:

Mr. Chair, could I ask will you allow any additional public comment on this project as time goes on tonight or at future meetings?

HUGH RUSSELL: Yes.

UNIDENTIFIED AUDIENCE MEMBER: Or do we have to respond by writing to you?

HUGH RUSSELL: Well, we -- as new information comes forward as we've requested,

then the public will have an opportunity to comment on that, on the 16th.

UNIDENTIFIED AUDIENCE MEMBER: On the 16th? Okay.

HUGH RUSSELL: And of course you can always write us, e-mail us. We prefer you do it before the 16th because --

UNIDENTIFIED AUDIENCE MEMBER: I understand.

HUGH RUSSELL: -- if we receive it on the 16th, not everybody has a chance to review.

Okay? Thank you very much for coming.

ATTORNEY JAMES RAFFERTY: Thank you.

HUGH RUSSELL: We'll go on to the next item on our agenda.

(A short recess was taken.)

HUGH RUSSELL: We're going to take about a five minute break.

(A short recess was taken.)

(Preston Connolly Seated.)

HUGH RUSSELL: Okay, so the next item on our agenda is a Planning Board case 175, 1-5 East Street and who is going to start off?

Rich, welcome.

RICHARD McKINNON: So good to be back, Mr. Chair. Members of the Board.

My name is Rich McKinnon. I live at One Leighton Street which happens to be the first of three buildings that are a part of the project that's before you tonight. The second one was the restoration and renovation of the Maple Leaf Sausage Building into lofts, and Steve just tells me they'll be pulling the Certificate of Occupancy on that in the next 30 days. So that's exciting. They've been working very hard with the

people from GLX, the renovation and movement of the Lechmere Station over to North Point. And so we're ready to go finally with this final piece of it.

It's an important piece. I think, as you know, it's part of the front door to this whole quadrant of North Point that's been a pretty shabby front door under my jurisdiction, but we have new owners and they're stepping up and doing things I think in a very, very positive way.

We have a very short presentation just to go through a handful of slides. Brian O'Connor from Cube 3 is going to do that, the project architect, just to explain the changes. It's a reduction in the size of the building.

But before that, if I could, Avalon Bay is the new owner of Archstone at North Point.

They're very well known company, Boston, Quincy and, you know, around the country and the suburbs. This is their first project in Cambridge. So if I could take just one minute, I'd like to just introduce Steve Gorning who is the development manager of the project and say hello.

Thanks.

STEVEN GORNING: Hi, good evening. And thank you for having us tonight. I'm Steve Gorning.

HUGH RUSSELL: Could you spell your name, please?

STEVEN GORNING: Steve with a V. Gorning, G-o-r-n-i-n-g. Just like morning but with a G. I'm a development manager with Avalon Bay Communities as Rich mentioned.

Along with Rich and I tonight, is Michael Roberts, Senior Vice President of

Development for Avalon Bay.

Vickie Lee with Avalon Bay as well.

Darren Baird from Ghoulston and Storrs, and our design team from Cube 3 Studio Brian O'Connor and Brian Gossip.

I just want to give you a brief introduction of Avalon Bay and how we acquired the North Point project. Rich will give you some of the history of it, but I wanted to give you a little more background.

First of all, Avalon Bay is a national apartment owner, operator, developer. We've got about 80,000 homes around the country with, you know, within 300 different communities.

We've developed over 40,000 homes throughout our history in about 150 communities. And in Metro Boston we're also very active. We've developed about 7,000

apartment homes over the past 20 years.

We currently own and manage over 10,000 homes in 42 different communities.

In the early 2013, as you guys may know, Avalon Bay acquired about 40 percent of the old Archstone portfolio. Along with that we got the Three North Point projects. The existing high rise what we now call Avalon North Points makes it so that we call it The Avalon North Point Lofts. And the North Point II land parcel which we're here to discuss tonight.

Immediately following that acquisition we began work on the renovation of the Maple Leaf building. As it was fully designed, we had a Building Permit in hand. We expect residents to be moving in the next 30 days as Rich mentioned.

With the North Point II land parcel, we

elected to take a step back and to kind of evaluate the high rise design that was in place, along with its relation with the other two buildings that we own and overall North Point District. In the process we brought on Cube 3 as the lead architect who has significant experience designing these type of buildings and in the City of Cambridge.

As a result, we're hoping to modify the previous design of the building as we have proposed.

So with that, I'm going to hand it off to Brian who will go over the design details.

BRIAN O'CONNOR: Mr. Chairman, members of the board, Brian O'Connor from cube 3. I'm actually just going to just be relatively quick. You guys know the site so I'm not going to spend a lot of time talking about the location. But we've just sort of

highlighted it here, zoomed in. And just to remind everybody, we're sort of the talking about this triangular shape piece of land on Monsignor and Glassworks.

We always like to just really think about the site a little bit and take a step back. The good news is there was a lot of hard work that was done here already and there were a lot of great decisions that were previously made.

So what we've wanted to do was really -- the building footprint is effectively the same as it was in the last round of approvals. And what we wanted to do is as we went through and rethought sections of the building, we wanted to make sure we were maintaining a lot of the key approval pieces that were really smart and felt strong. So, you know, one of the most important is this

building archway that comes through here and connects, you know, through this parcel back to the green space here and touches back to Monsignor O'Brien Highway. That's a key piece.

For us we also wanted to look at the facade design here as well and maybe pump up the articulation a little bit, look at pedestrian elements, reinforcing the retail use at the corner here, coordinating with the proposed Green Line head house. Maintaining the idea of this as a public park, and hopefully, you know, doing a really strong job of connecting it to the building, connecting it to the public space, and really making it feel like a great place.

Maintaining the multiuse pathway along the front end of the site, and then really looking at Glassworks Ave. and all the hard

work that's been done there to really make this a residential street with walk-up stoops and a strong relationship to the buildings behind and really make sure we're maintaining all of those key pieces.

The most significant change is really highlighted here. The top elevation is the Laten Street elevation itself. And we're proposing to go from eleven floors in total height down to six, from 143 feet down to about 70 feet. And then the Glassworks Ave. elevation, as you came from east towards One Leighton, the building jumped up into a high rise at that end and that was also 143 feet high. So we're really looking at sort of rethinking this building with a lower height, less mass, less density, while maintaining what we think are all the really strong features of the site and all of the strong

pedestrian connections.

Even though the architecture at this point is very conceptual and very early, we wanted to just take a minute to sort of walk you through some of the thoughts that we've had so far. Really creating and maintaining these sort of very prominent public ends to the building where it does touch Monsignor O'Brien Highway over near One Leighton and over near East Street, reinforce and really strengthen wherever we can these sort of active public edges at that retail, around the corner down here, along Glassworks Ave., and at the building passthrough, we want to see what we can do to really reinforce that connection both from a distance and as you get closer to the building.

The next shot rotates a little bit further to the east so you can start to see

the building and the green space opening up a little bit more here.

And then in the next shot we're rotating further. And here what we wanted to do was focus a little bit on taking some of the building elements that were there and creating some additional relief in the facade. The breaks that were in the building before have been increased in-depth, we've added some bays. What we're trying to do is generate some very subtle what we think meaningful articulation in the building that wasn't quite as strong before. We also are looking to create what we think is a fairly strong pedestrian base to this building to really help ground it. The public park space itself is really significant and we want the building to be thoughtful about how it touches the ground, not only on Glassworks

but on that whole park edge. So really thinking about pedestrian scale and how we get the retail pieces to sort of connect through that park area. And then just looking at, you know, window size, placement and material selection to really work on reducing the apparent scale and mass of this building.

This last view is over towards the Leighton Street intersection. And, again, here the goal is just to make sure that we're creating a very clear pass through connection that's visible from close, it's visible from far away, and it has a strong connection and a visible connection to the park and back to Monsignor. And, again, just really sort of thinking about these edges, maintaining all the great work that's been done, and just trying to pump it up a little bit to the next

level so that it works hopefully even better than it did originally.

So just again a very conceptual but a little bit of a closer shot of that gateway pass through. And the idea here is it needs to work from a distance, it needs to work from up close. We want to communicate this as a very, very public thing and an extension of the park pulling you through; color, material, height, depth, all of these things are really, you know, we're exploring as we go.

And that's it. I think we really just wanted to talk about height, density, and show you some of the things that we're thinking about at the early stages here.

HUGH RUSSELL: All right.

Do you have the subway viaduct, is that designed? I believe that's being rebuilt; is

that correct?

STEVEN GORNING: They are, I think, probably -- they said probably close to submitting a 90 percent set I think was the last discussion we had with them. We've been coordinating with them obviously with the head house coming down on our property. That's been a hot topic of discussion.

HUGH RUSSELL: And the tracks are roughly at the third floor level of your building?

STEVEN GORNING: Yeah, I think they're between the second and third.

HUGH RUSSELL: So I think when you come back here for a formal design review, we want those same views with and without the viaduct, because the viaduct is going to be there.

STEVEN GORNING: Yeah.

HUGH RUSSELL: But it makes it less clear what's going on.

STEVEN GORNING: Yeah. I think that makes a lot of sense, and I think from the old Archstone perspectives we saw that as well. But it also -- we had a different track design at that point. We can certainly try and trace down the cad so we can put in the specific track design into the drawings.

HUGH RUSSELL: Now, what's the nature of the structure of that? Is it steel, concrete?

STEVEN GORNING: Ours?

HUGH RUSSELL: Theirs.

STEVEN GORNING: Oh, theirs?

HUGH RUSSELL: Yes.

STEVEN GORNING: Theirs is concrete.

HUGH RUSSELL: Is it columns or peers?

STEVEN GORNING: Yeah, they're eight-foot diameter. They're pretty big. More of the current track configuration as opposed to the steel columns that they have up there right now.

HUGH RUSSELL: So it's more transparent than the current structure then probably?

STEVEN GORNING: It's going to be a different structure altogether. I mean, you know, we've seen some conceptual images from them. We haven't, you know, reviewed their full set of drawings. It's just going to be a different track structure than what's existing there.

H. THEODORE COHEN: Could you show us where the viaduct is going to be?

HUGH RUSSELL: It runs parallel to the street right at the street line.

STEVEN GORNING: Yeah. You can see right there it's the yellow line that's running through. Right now you can almost see the split off of the current track kind of faded into the background there. This is where they run right now and then the yellow highlights the future configuration.

H. THEODORE COHEN: How high is that going to be?

STEVEN GORNING: I don't know the exact height of the tracks. But it's --

HUGH RUSSELL: Because of the street going under it, it's going to be probably 20 feet in the air or so.

STEVEN GORNING: Yeah, I think the top of the tracks are going to be relatively at the top of the elevation, because the abutment down on Land Boulevard stays, but the massing of the track is gonna change a

little bit and then the columns that support it will change a bit.

H. THEODORE COHEN: So if you were on O'Brien driving down, you're not going to see the lower two, three floors of your building?

STEVEN GORNING: I think you'll see the ground level, but, yeah, it's definitely going to, you know, block a bit of the building. You know, similar to the existing North Point tower and probably to a greater extent. But, you know, like I said, we've gotten some kind of conceptual images from the GLX team but we haven't gotten design drawings per se.

STEVEN WINTER: Mr. Chair, I just want to confirm that I know that MassDOT can be a real pleasure to work with, and I wanted to know are there any drawings or things on

the GLX websites or any of the MassDOT websites? So rather than holding you hostage for the information, can we -- do you know if it's posted on there?

STEVEN GORNING: Yes, there are. I don't know to what -- you know, we've met with them probably every other month. You know, and things change, so I don't know what their latest set is. But I think, you know, most of that stuff has to be public information.

RICHARD MCKINNON: Yes. If that's the most recent ones are on the website now. And it would come a long way, Steve. As you know, they're going to keep the existing track from the historic viaduct. So to have a replacement is, it's a big jump.

HUGH RUSSELL: So where are we in the approval process of this building? What

had we done and what are we asked to do tonight and when are we going to review the project in further detail?

JEFF ROBERTS: Mr. Chair, Jeff Roberts, Community Development. Just as an update, and I have to say I don't have the dates on the top of my head, this project had been through -- because it is a three building project, had been through a series of amendments:

There has been a Special Permit to reduce the parking ratio, which would continue to apply to the project as it was most recently approved.

This site in particular had already gone through the design review phase by the Planning Board. And now because they're sort of stepping back and changing the overall program of the site, they're now requesting

an amendment to the Special Permit to alter the, basically alter the dimensional characteristics of the project. And then at the Planning Board's discretion, as they do with any PUD project, they can make it subject to continuing design review.

So, I think the action being requested is to make a determination as to whether this change would qualify as a Minor Amendment. And then if so, to grant the Minor Amendment by just a simple determination made by the Board and then the Board could place any conditions on that including continuing design review.

STEVEN COHEN: Mr. Chair, could I -- I can't address the procedure. Can I address the substance?

HUGH RUSSELL: Sure.

STEVEN COHEN: Is that a yes?

First, I apologize, I wasn't on the Board at the time of the original hearing so I'm not --

HUGH RUSSELL: You're here now.

STEVEN COHEN: Here I am. But really I'm not intimately familiar with the plan or the process or the reasoning or anything. Looking at the sort of schematics that we have, you know, my first reaction, I've been saying this a lot lately, I have, it's that it's a really long building, kind of relentless, but at least in the first go around, the mass was broken up by the additional height. And I don't know to what extent, you know, that that was one of the points that was discussed or whether it was, you know, relevant or critical to the approval, but, you know, it did break up the mass somewhat. Removing the additional

height, I assume that had something to do with code requirements and construction cost and so forth, but whatever the, you know, get into high rise requirements over 70 or something?

STEVEN GORNING: Yeah, over 70 feet.

STEVEN COHEN: There are other ways to break up masses and to reduce the relentless quality other than height. All I know is, you know, if I'm just comparing what I'm looking at with the height and without the height, I think it's a much more appealing with the height. It simply breaks up this long relentless mass of building. So, gosh, I hate to make any -- personally I mean I hate to make any final answer or decree on the matter until I saw the alternatives because I'd like to see something that would somehow, you know, break

up the mass somewhat. And, you know, either variations of height or breaking it into separate buildings or really serious, you know, articulation. Something.

STEVEN GORNING: Yeah, Mr. Chairman if I may?

HUGH RUSSELL: Why don't you wait until you hear all of our comments and respond.

STEVEN GORNING: Okay.

PAMELA WINTERS: Hugh?

HUGH RUSSELL: Yes.

PAMELA WINTERS: So I kind of like -- I think that they said that they put indentations into the building; is that correct? You have -- so I think that breaks it up a little bit. And I actually like it lower. To me, it has a more domestic feeling to it. I don't know. It's, you know, I

think the -- does that not do it for you, Steve, the indentations that they put in it terms of --

HUGH RUSSELL: Well, in some extent you need street level perspectives to see if what techniques --

PAMELA WINTERS: Okay.

HUGH RUSSELL: -- they're doing are effective or are not.

STEVEN COHEN: Exactly. We don't know yet.

PAMELA WINTERS: So we need more drawings and things?

HUGH RUSSELL: I think, it depends on how we treat this. You know, if we're saying okay, you're good to go, I think then we would need more.

If we say okay, we think that this is a viable option but it needs more development,

you know, then you can see more. That's what we're trying to determine in our discussion.

PAMELA WINTERS: Okay.

HUGH RUSSELL: Ted.

H. THEODORE COHEN: Well, this was also before my time, but I've seen variations of the plans before and I agree with Steve, that I think that this is a very different look and feel to that point, to that part of North Point and to the experience you're going to have when O'Brien Highway. I personally find it hard to think this is a Minor Amendment. It seems to me that there have been so many hearings about North Point and so many people coming in from East Cambridge and there's been, I think, some sort of understanding of what it was going to look like in broad details. And I think this is really changing dramatically one very

significant portion of the plan. I mean, Pam and I can disagree about height, but I think that there was a concept of what it was going to look like. I mean, the Leighton Street building is fabulous because it's big and it's tall and it's a presence. And this, you know, I realize these are just early schematics, but it looks to me like you've got a 1960's college dormitory that's just, you know, an enormous low thing with the viaduct going to cover a huge part of it and you're going to see a couple of stories above it and there's going to be very little articulation and very little change in the height. So I, you know, I really think that this is something that, you know, the public ought to have a chance to comment upon because I think it's a dramatic -- and from my point of view it's going to be a dramatic

change of what the skyline's going to be there.

STEVEN COHEN: Hugh or Jeff, could you procedurally, what's the difference between a Minor and a Major modification? I've actually forgotten the detail.

HUGH RUSSELL: Minor we can do tonight. Major requires public hearing.

STEVEN COHEN: Is that what it is?

JEFF ROBERTS: Well, in addition to that, just to try a brief -- a Major Amendment is a whole new PUD Special Permit process which means there's an initial public hearing where the Planning Board reviews the conceptual proposal to determine whether it is in substantial keeping with the intent of the Zoning and that it has public benefits that balance the development impacts. So the -- so that there would be a two hearing

process where that initial hearing would have to be to go back through the first step of saying is this whole plan, you know, okay to go forward. And then a second hearing in order to actually grant the Special Permit.

And then a Minor Amendment is granted with a just a determination, a written determination by the Planning Board. It doesn't require a public hearing.

STEVEN COHEN: Hugh, could I just at one point in response to Ted's concern.

HUGH RUSSELL: Yes.

STEVEN COHEN: My sense of it is that actually it isn't a substantial change of the project with respect to its impact upon the public and, you know, any of the infrastructure issues and so forth. It is simply a substantial change in design which, you know, is a concern to me anyway and maybe

a concern to the Board. I mean, I think from the -- a procedural perspective that it could be deemed a Minor, but nevertheless Minor doesn't mean it's not something that we don't have some serious interest in reviewing from sort of a design review perspective.

HUGH RUSSELL: Yes, I think if you think about this as a what, 500-unit project with three buildings and there's a change in I think of 30 units in the total number of units. And, you know, very small change in the parking, small change in the open space, probably very small change, you could talk yourself into saying well, you know, yeah it's just a little nub that they're taking off. And it's -- I have the 2002 plans which were even more, you know, there was a lot even more on Leighton Street which got scaled back in the interim approval, for some reason

I do not have plans for.

Anyway, so I think we need -- I think it would -- it's hard for me so say, you know, it makes sense to have two public hearings and start all over again. But at the same time, I think we need a process in which that the design of the -- the architectural design on the site plan design are reviewed, issues that we've already identified and are probably some others, because several people have yet to weigh in, get fully discussed and there's an opportunity for people to weigh in on that. So, I'm -- Mr. McKinnon --

STEVEN WINTER: I'd like to let the Board complete comments if we could.

HUGH RUSSELL: Sure.

STEVEN WINTER: I've been waiting.

Let's see, I'm seeing the Minor

Amendment, and I think that the renderings are doing our decision making process a disservice because when we zeroed in, slide 11 had much more articulation on the buildings. And for me it's, yes, it's about the design, but it's also about what is the pedestrian feel on the ground? What is the urban fabric that's surrounding that pedestrian feel like? And frankly I, you know, I don't see the difference between the 70-foot and the 140-foot being something that is going to have harmful impact that we need to be very careful of. I don't see that. I see a proponent here with significant content depth on their team, and a proponent that we know also as well. So I, you know, it looks -- if you look at it like that, it looks like a 1950's military barrack, and that doesn't look good. But that's not what

it is. That's a rough rendering of what could be, and I think that that rendering is not letting us move ahead and seeing what's really here.

What I would like to see is, you know, buildings articulated along that. If I saw some articulation that looked like a building, a building, a building, and maybe even one that is a little higher, maybe a little jagged thing going on. I mean, it doesn't have to be 70 foot like a crewcut all along. So I --

HUGH RUSSELL: Unfortunately it does.

STEVEN WINTER: Well --

STEVEN COHEN: Exactly, yes.

STEVEN WINTER: So that's where I am, Mr. Chair. I think, I think we could work with this proponent. I -- I'm all for

being careful and being -- and, Steve, I know what you're doing, which is I wanted to make sure. I know that you're being careful that we don't blunder into something that we didn't envision could be there, so I get it. And I get being careful, but for my money, I, I don't see this as being something that's gonna come back and bite us in the rear.

HUGH RUSSELL: Ahmed.

AHMED NUR: Hugh, I also see the Minor in this. As we look at the mass, you know, I appreciate any reduction, whether it's horizontally or vertical due to the traffic and everything else that's going to be there. But I do agree that -- could I see elevation view where the tower core on the left side showing the 143 versus the 65 or whatever it was.

No, the whole -- zoom out. Keep going.

RICHARD McKINNON: Keep going.

AHMED NUR: Keep going. There you go, there.

Yes, so it does look like, you know, an ocean liner. Or one side of it is just controlling the other and the other side long. And so I agree with the concerns of some of the Planning Board members that maybe we need some variations on that, maybe divide that up.

Also it shows 143 elevation on the rooftops of the units themselves, but it looks like a rooftop penthouse that has other elevations on it that I can't really see what it is. Did that by any chance -- had that -- did that change from the original? I wasn't part of that Board either, but are you proposing above the 143 anything that you have not in the past?

STEVEN GORNING: Mr. Chairman?

HUGH RUSSELL: Catherine, did you want to make any comments?

CATHERINE PRESTON CONNOLLY: Yes. I'm looking at the language in the code as to what constitutes Minor Amendment and Major, and I'm really struck by the language that says Minor Amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of the elements to the development. I'm not sure how to get around that frankly.

This is an major change to height. And if Minor Amendments are not allowed to alter the concept in terms of height, this to me does not seem to be a Minor Amendment.

That said, with design review, I can

appreciate how, you know, a lot of the concerns -- I have no -- I mean, the whole reason we went through a proposed Zoning Amendment that as far as I know is still pending before the Council, Jeff?

BRIAN MURPHY: Correct.

JEFF ROBERTS: Yes, the update on that is it didn't move from the Ordinance Committee, so there's a chance that that is going to expire before the Council will have a chance to act.

CATHERINE PRESTON CONNOLLY: I mean, this is exactly why we proposed that Zoning Amendment because I agree putting this through two public hearings seems excessive. And this is exactly that kind of in between case that it would be nice to have the one public hearing option for. But with the language we have now, this to me can't

qualify as Minor Amendment.

STEVEN COHEN: You know, Catherine, if you want to be a Constitution scholar, you could look at the original intent. And I would imagine that the original intent, when they talked about changes in height, was about increasing --

CATHERINE PRESTON CONNOLLY: It doesn't say that, though.

STEVEN COHEN: I understand. But, you know, I'm trying to understand the intent -- I mean it helps us interpret the meaning of the word --

CATHERINE PRESTON CONNOLLY: I appreciate reducing --

STEVEN COHEN: -- you're a minimalist.

CATHERINE PRESTON CONNOLLY: Well, I'm, you know, I see advantages as well as

disadvantages. Losing this many units means fewer affordable housing units. That's an impact. Not a lot fewer, but it is, you know, going down has impacts as well as going up.

UNIDENTIFIED AUDIENCE MEMBER: Call it substantial.

HUGH RUSSELL: So I think -- yes.

STUART DASH: Just in terms of the options for the Board, and we are looking for that to sort of determine Major or Minor here. The Board may choose Minor and choose to request that the Community Development invite the public, in a similar fashion, to a normal invitation to a hearing for review -- for full design review of the project. That's one of the options you do going forward.

STEVEN COHEN: And that's -- I could

say my concern and then, Steve, it's not so much really wanting to be overly cautious so much as I'm just not clear actually on what our authority and scope of review is within this PUD. I don't want to lose the right and ability to do a really substantial and substantive, you know, top down design review.

I mean, for instance, you know, if the Board reached a consensus at some point that these masses should be broken up into, you know, separate buildings or, you know, other things to somehow or another deal with, you know, what may be perceived as excessive length or something, do we have that right? Is that within our authority and scope of review? And until I know that, I'm kind of reluctant to approve the reduction in height. It's not that I want to retain the height by

the way. I mean, I understand there are practical issues here and, you know, the project still has to be economically feasible and so forth. But, you know, while I understand that and I respect that, I don't want to let that compel us to approve something which is kind of problematic or objectionable to us, you know, from other design perspectives.

STEVEN WINTER: Do you want to do a straw poll?

HUGH RUSSELL: First I think we have to let these guys talk to us.

STEVEN WINTER: Okay.

HUGH RUSSELL: And maybe we need to talk a little bit more among ourselves.

STEVEN COHEN: But just from the scope of review, do we have the authority in the design review here to really make that

kind of substantive review?

HUGH RUSSELL: I think we do. I think it's --

STEVEN COHEN: Rich says we don't.

HUGH RUSSELL: And that's it -- that is part of why I answered so certainly, because it's a dialogue between several parties; us, our new urban design person, other staff people, various people, the owner, their architects. We all get involved in a conversation about how to get the best result that can be gotten. And ultimately we have to vote to approve the design if we condition this action on that.

STEVEN COHEN: So even within a PUD we still have full --

HUGH RUSSELL: Right. Normally in the PUD you approve the concept and you approve the buildings one by one. But it's

a -- it's not a Special Permit. At that point it's a vote to approve. You know, if we were to get into a hardball situation, first it would be unique and I think unexpected. You know, it's -- if you work together, you understand what the problem is, you come to a common understanding, and there will be a solution.

This is a big project. You know, if the answer is you have to knock out, you know, kind of knock the cornus back in six places enough to make it appear significantly different on both sides and that, you know, changes and you lose a couple units as a result of that, I don't think that's --

STEVEN COHEN: So it goes.

HUGH RUSSELL: Yes. That's something that's not going to make or break this project from a development point of

view. So I feel we can do that.

The -- I think a literal reading of what Catherine gave to us is pretty clear. But when it says height, what does it really mean, you know, in that context? Because you say well, you know, they changed -- they changed the parapet by a foot. You say well, that's trivial. And this is a project that has taken as a whole, a lower building that was stepping up to a taller building that has several steps. And then another one behind. So, you know, if we get back far enough, you can't see this in the sense, you know, that it's still a project with multiple heights and, you know, along this side and it's just what's happening at that knuckle that's changing. And I think we will probably come down differently on that.

So, sir.

H. THEODORE COHEN: Well, I agree with Catherine and I think it's height and I think it's also the physical relationship of the elements of the development, because I think that it had a different end is something that will have been seen from O'Brien and from across O'Brien. And that I mean I like height, yes, but I'm not saying that it has to be. But I think it's changing a major concept of this building which I think is a major gateway to the whole North Point. And, you know, I just think from my point of view it is a Major Amendment, and I think the public should have some right to give some input into it. And, you know, maybe it's unfortunate there's got to be two hearings. And maybe at the end we're going to be convinced that from a design perspective it's fine. But I just think it's

premature to say that this is a Minor Amendment and, you know, just go ahead and do it and wait for the further input.

STEVEN COHEN: Well, Ted, if we still retain a right for a full-throated design review here -- I agree, it's a major design change in the design.

H. THEODORE COHEN: So we go to a full-throated design review and people will say, hey, what happened to the other ten stories, what happened to the other 30 units?

STEVEN COHEN: Do you think anybody in the public is going to complain at the reduced height?

H. THEODORE COHEN: I might have.

CATHERINE PRESTON CONNOLLY: Are we now guessing what the public is going to say? That seems like a dangerous business. And we can't do a full-throated design review if the

design we're talking about is the stepping down. This is saying it's not going to be higher than 70, and that is what the amendment says. So, you can't have it stepped towards the height of the other buildings if we give this as it is. That's -- you have limited the scope of your design review to heights under 70.

HUGH RUSSELL: Okay. Rich, do you want to speak?

RICHARD MCKINNON: Yes, for one minute.

At One Leighton Street, the most significant, and you often mentioned it, Ted, the element of the building that the lit dome on the top is not even part of the height of the building. It's an architectural element beyond the height. And something like that is possible at the Leighton Street end as

part of a design review. You know? It's above the occupied floors, but there still is still enough for an opportunity for an architectural element there. Because, again, I mean the most significant one in my building is not part of the height.

HUGH RUSSELL: Plus we have an architect to loves to do that.

RICHARD McKINNON: Right.

But, anyway, we obviously would submit to the final decision of design review by the Planning Board.

AHMED NUR: And my question of the height change above that 143 on the penthouse, what you proposed 2002 or whatever it is versus what you're proposing here.

STEVEN GORNING: May I, Mr. Chair?

HUGH RUSSELL: Please.

STEVEN GORNING: AS far as the

detail mechanicals and detail design, we just haven't got to that point yet. I do suspect there would be penthouses and mechanicals that would breach that 70 feet. Brian would know better than I, you know, what that is going to entail. I think when we looked at this as a whole, we saw a lot of opportunity along that long facade of the already six-story piece to really articulate, create different facades, interesting facades, and that's kinds of the road we wanted to go down. It probably doesn't portray itself very well in the renderings that we have right now because it's very preliminary. As you guys probably already know, it's almost like sketching on paper. We really need to build the building from the inside out and we certainly want to have that dialogue with you guys. We want you guys to be happy. We want

the community to be happy with what we put there, you know, just a practical matter before we go down the road of, you know, redesigning a building like that we need to, you know, know what our parameters are and what we're allowed to build.

STEVEN COHEN: Well, can I just play this out in my mind a little bit? If we called it a Major Amendment now, yeah, I guess, you know, we could request that amendment now and we have to go through two public hearings just on that one point; can you reduce the height, without actually seeing or dealing with, you know, your actual proposal. Or we could wait until you have an actual proposal and, you know, be sort of, you know, looking at those issues, you know, jointly it seems to me. You know, here's our proposal, it's at this height and it entails

in addition a Major Amendment. And in that scenario there wouldn't be more public hearings than you'd be having anyway.

HUGH RUSSELL: So, I think --

STEVEN COHEN: Is that right?

STEVEN WINTER: Mr. Chair?

STEVEN COHEN: Or am I missing something?

HUGH RUSSELL: I mean, it's the -- clearly it's if you're a developer, you'd like it to be a Minor Amendment. You don't, you know, you don't have things, you don't have permits being issued --

STEVEN COHEN: Clearly.

HUGH RUSSELL: -- subject to challenge, all that sort of stuff. I think Catherine actually put her finger on the crucial question. What they're asking us tonight is can we proceed to design the best

70-foot tall building that we could do or does it look like that there's a significant sentiment on the Board that that's -- that we're not going to say yes to that until we see more? And my view that differs quite a bit from my colleague here in that I'm I think going to all 70 feet improves the character of both the streets and that I feel confident that we'll be able to create -- make those streets so that they're interesting to scale and have enough variety. There's a number of techniques that are already suggested or shown on the renderings, and when a -- when you see -- you actually stand in real places and start looking at this building, they will prove to be more effective than you might think then if you were standing 500 or 1,000 feet away looking through six or seven buildings and a tressel.

And so I think they can do it and I think it would be fine. That's -- so I am -- I'm in the side that says, yes, go ahead and show us what a 70-foot building can be and I'll be probably there. And I think not everybody's there on that question.

STEVEN WINTER: I'm there.

AHMED NUR: I'm there.

PAMELA WINTERS: I'm there.

CATHERINE PRESTON CONNOLLY:

Mr. Chair, I frankly am agnostic as to whether or not it's 70 feet or 140 or, you know -- and I haven't yet frankly formed an opinion as to whether or not it's a better building at 70 across the board versus 140 at one end. That whether or not it's better to me is irrelevant to whether or not it's a Minor amendment.

To me the fact that it says it can't be

a Minor Amendment if it changes the concept of the height that was approved. To me that, you know, it says that it has to be a Major Amendment.

And the fact that I might be totally comfortable with the design review process for producing the best 70-foot building it could be, and the fact that it might be perfectly fine, doesn't change the fact that it says that to me.

HUGH RUSSELL: So maybe I have skipped ahead a step or two because, because again, I'm thinking of what the Board's process is. We could take a vote as to whether it's a Major Amendment or a Minor Amendment and it -- we don't quite know, based on what people have said, but we do know that there are several people who are lawyers who are advising us that in their

opinion it has to be -- we have another lawyer who is also in the development business who is saying I'd like to -- you know, and we all kind of wish the Council would have adopted this and we could have the middle road.

So I've been assuming that we do what we usually do on this Board, that if there's strong sentiment about this kind of an issue, we defer to the Members of the Board who feel that this is the right way to go because it -- well, it may inconvenience the, you know, the proponent. You know, they've been waiting since 2002 on this building and a couple months. (Inaudible) not -- but I think they need to -- it would be helpful if we could say whether they should put some effort in to the 70-foot building, some more effort so when they come back for the Major

Amendment, we can make that determination.

CATHERINE PRESTON CONNOLLY: I would -- thank you for clarifying that, Mr. Chair. That's very helpful. And I do think additional details would make it easier for both the public and the Board to support that kind of Major Amendment. That I, you know, understanding all of the details about how it looks from a particular place and how it interacts with the buildings around it, the public right of way, the walkway, I think would greatly enhance the case that a wonderful building at 70 feet only could be, you know, preferable situation to the 143 that was approved.

PAMELA WINTERS: Did we decide it's going to be a Major Amendment?

HUGH RUSSELL: No, we're still deliberating.

PAMELA WINTERS: Okay, all right.

H. THEODORE COHEN: I mean, you know, I totally agree with Catherine that it is a Major Amendment. I mean, especially we were told a couple weeks ago whether a couple parking spots for a short period of time was a Major or Minor Amendment. I think this is definitely a Major Amendment.

You know, I have my own opinions on what I like and what I don't like, but I'm prepared, you know, to see what they wanted to present to us and what they want to come up with, but I do think it is a Major Amendment and it's changing, it's changing the height and it's changing the physical relationship of elements of this building to the rest of the building and elements of this building to the rest of the proposal. And maybe, you know, you are correct and it will

be a better building for it, but I -- so I'm -- would be fine in seeing, you know, what could be done at 70 feet. And I think the public would be interested in seeing that, too. But I still maintain it's a Major Amendment.

STEVEN COHEN: Well, look, I obviously, you know, a literal reading of the provision leads you in that direction so it can't readily be said that that's the wrong interpretation. My position is simply looking at, you know, what was likely the intent of the drafters here, and bearing in mind that some, you know, interest in quasi-judicial efficiency here, I think it doesn't -- that it would be within our prerogative, within our discretion to interpret these words in the light of what was the likely intent.

H. THEODORE COHEN: Becoming an originalist?

STEVEN COHEN: Literalist. You guys are the literalists. I'm sort of the originalist at this point anyway. I'll change at a different issue. I mean if --

HUGH RUSSELL: If we were taking a straw poll, I would like to do what you're suggesting but I would not like to disregard the advice of my two colleagues.

STEVEN COHEN: That's a safer course. You know, I think that my suggestion is sound and I do think that we do have that discretion. But, you know, the safer course is just to stick to the words. I just don't think it's necessary.

STEVEN WINTER: It is in fact part of the tradition of this Board is to take notice when one or more members have very,

very strong feelings about something, for us to take pause. And I think that's a good -- that's one of the reasons that we work very well together, is that there's an element of trust there.

Mr. Chair, I'm happy to have you figure out how to do this. And if in fact we're respecting the voices that we're hearing, yes, we've done that all along and we've always been there.

BRIAN MURPHY: Mr. Chair, just in terms of schedule. If the Board does decide to go with a Major Amendment, what you could do with expediting the schedule is to have the first hearing September 2nd and the second September 16th.

HUGH RUSSELL: If they can. September 2nd is six weeks from now? I think they've got time to address the questions

that we've want to see addressed.

STEVEN COHEN: Well, it does seem if we're going through that whole process, that it would make sense, you know, to be able to present more to us in greater detail about what you're proposing. And I know for one, you know, would be looking for something kind of substantial to somehow break up these masses. As I say, you know, I alluded to where you have the little archway. I don't know, maybe there's a building break there or maybe there's a Boston Harbor Hotel arch. Or, I don't know. Something to really break up the relentlessness. And not the usual dime a dozen, you know, in and out articulation. I think it's so long that you really got to do something substantial.

HUGH RUSSELL: Okay. And I'm going to -- I'm going to ask you to do some

homework and read a paper in psychology from the early 1960s which is called "The Magic Number Seven Plus Or Minus Two." And I think it was written by -- Miller is the author, and I can't remember his first name. It was a professor at Harvard.

JOHN HAWKINSON: George A.

HUGH RUSSELL: George Miller. Thank you. And he's already Googled it and found it.

RICHARD MCKINNON: You knew it.

HUGH RUSSELL: It relates to this discussion in that the human brain, when there are between five and nine things in front of it, sees them as sort of a whole thing with a hierarchy or objects. When you get more than five things or seven things, and it's different. And the essay is quite interesting because it's how you perceive

different things. But for architecture it means that if you have a building that has one, two, three, four, five, six, seven, eight, nine, ten, eleven different sections, it is not perceived as one thing or two things. It's perceived as kind of a whole bunch of things next to each other that are kind of blurred and uniform. So that I think in fact -- in some ways there's too much articulation in this building because you can't perceive an overall structure of things. And so if you reduce the number of different things and make them more strongly different, I think the result will be that you will actually see more variegated.

Now, clearly if you take a block of Back Bay, this is not how it works. But Back Bay was at one point individual houses and there were many houses.

PAMELA WINTERS: Right.

HUGH RUSSELL: And it was seen as like one mass that there was some individuality for each piece.

I use this concept in my own architectural practice to greater or lesser success. And if you count the number of things that are going on in Avalon Natick, you will find that this principle is achieved in building that -- I designed a project that Avalon bought before it was built, and so I worked with them over the course of several years to get it built. But, again, it was a very large building. It had -- it needed structure, but it didn't need -- it needed a way of thinking about it, the way that the brain could understand it. So, think -- read that essay. I guess the architects are (inaudible). It's easy to read. It's a

fun essay. And think about that as you are re -- figuring out how to achieve what we're trying to achieve. Because I think what you're trying to achieve and what we want is actually very much the same thing.

STEVEN WINTER: Yes.

HUGH RUSSELL: And so....

STEVEN COHEN: Can you send us a link to that essay?

HUGH RUSSELL: I guess probably John could probably do it.

JOHN HAWKINSON: Just Google it.

STEVEN COHEN: John, I'm waiting.

PAMELA WINTERS: Hugh, have we --

HUGH RUSSELL: So now I think we have to have a formal determination and I think we should also afford the proponent the opportunity to ask us any further questions that they might have going down this road

given that we've given you some of our impressions and our thoughts.

Is that sufficient?

And, you know, in two weeks there will be an urban design person. You should know that Roger is going to be available to -- in the break-in process for the new person. And so -- you know, there's time to go through the process some more.

PAMELA WINTERS: So, Hugh, have we decided that it's going to be a Major or Minor --

HUGH RUSSELL: We have to vote.

PAMELA WINTERS: We have to vote?

HUGH RUSSELL: We have to vote whether it's a Major or Minor Amendment.

PAMELA WINTERS: Okay.

HUGH RUSSELL: So I would like Ted or Catherine to make a motion.

H. THEODORE COHEN: I move that this be considered a Major Amendment under the Ordinance.

HUGH RUSSELL: And is there a second?

CATHERINE PRESTON CONNOLLY: Second.

HUGH RUSSELL: Okay.

And on that motion, those voting in favor raise their hand.

(Raising hands.)

HUGH RUSSELL: Okay, so there are five votes.

(Russell, H.T. Cohen, Winter, Nur, Connolly.)

HUGH RUSSELL: And those opposed?

(Raising hands.)

HUGH RUSSELL: Two opposed.

(Winters, S. Cohen.)

PAMELA WINTERS: So it's like --

HUGH RUSSELL: It's a matter that's carried by a simple majority.

PAMELA WINTERS: Like a plus or minus two?

STEVEN COHEN: I think reinforces, it reinforces our credibility the fact that we don't always vote unanimously.

HUGH RUSSELL: Right.

Is there anything that we said to you that you would like to clarify?

STEVEN GORNING: No. I think it would be just procedural submission requirements for the Major Amendment, which I think that we could talk to Jeff or Liza offline about.

RICHARD McKINNON: Right.

HUGH RUSSELL: I don't know how that works, but if they're not proposing changes to the elements do those get resubmitted.

JEFF ROBERTS: I think it's a Special Permit application. The hearing process is slightly different because it's a PUD Special Permit, but the application is more or less the same.

HUGH RUSSELL: I mean like do they have to do a traffic study?

JEFF ROBERTS: I don't believe so.

RICHARD McKINNON: No, not necessarily anyway.

STEVEN WINTER: Is there a fee with this as well --

HUGH RUSSELL: Oh, yes.

STEVEN WINTER: -- for the proponent?

HUGH RUSSELL: Sure.

JEFF ROBERTS: It's an application for a Major Amendment, so it may not be because it was originally approved as a --

as -- or it already has a Special Permit. This is amending the Special Permit, so I don't know that they're subject to an additional fee.

STEVEN GORNING: Mr. Chairman, if I may?

HUGH RUSSELL: Sure.

STEVEN GORNING: We want to just ensure that we're providing that level of detail to the submission, right? Some of the comments I heard is you'd like to see more, more sophisticated and we just need to make sure that, you know, we spend the time on it.

UNIDENTIFIED AUDIENCE MEMBER: And the views, the railroad tracks in front of it.

STEVEN GORNING: Yes. To include things like that. So I think those are the scope of what the submission is and the level

of detail in the drawings is what we just want to confirm. So, but I think we can, as I said, take that offline.

STEVEN COHEN: Especially in view of the railroad tracks it might be interesting to do -- John is yelling -- it might be interesting to look at the -- at views that correspond to the views that real people in real places would see or, you know, one from O'Brien Highway, you know, what you actually see from there in which case, you know, depending where those railroad tracks are, you may not seeing anything above ground level. And then from further back, you know, where presumably you would be seeing over the railroad tracks and there you would see the height issues. So, you know, sorry to make -- well, I guess once you create the model, it's no big deal creating the more views.

But I think those different perspectives would be instructive.

STEVEN GORNING: Okay.

HUGH RUSSELL: And I think what Leighton Street looks like and what Glassworks looks like to me are of equal or greater importance because -- but I think a pedestrian is walking along next to the viaduct, looking under the viaduct, there was a lot of study of that 12 years ago, and we were all worried that that was going to be a horrible experience underneath. And there were landscape solutions and a lot of thought went into it. It sounds like with the new viaduct it will be easier probably --

RICHARD McKINNON: Yes.

HUGH RUSSELL: -- to make that.

But, again, if you have these big columns, it will affect where certain elements go. I

don't think we, you know, want a captive and incomplete articulated rendered design, development design because that's not feasible really to do in that time frame.

If there are some examples from Cube 3's work of how some of these articulations actually look, that would be a different way of sort of translating from this sort of blocky thing to the -- to show that there's more articulation.

Okay? Are we complete?

STEVEN COHEN: We're good.

STEVEN GORNING: Thank you very much for your time.

HUGH RUSSELL: Sure.

And I believe we have no other business.

BRIAN MURPHY: That's it.

HUGH RUSSELL: So we are adjourned.

AHMED NUR: I'm sorry, could I just ask just a little clarification going forward with regarding to one more time, Major and Minor?

So my understanding, and I was really on the borderline on this one, is that if there's a reduction on height, and my experience with the public hearings is always they've voted for reduction of height, whether residential or not, I could be wrong, but and I don't want to be guessing, as Catherine said, what the public wanted to say in the future. And I'm all fine for what I voted for, but in general reduction on height is welcome. And, therefore, there's no change of use. And so this was a very close case in my case that that was borderline between Major and Minor. So going forward, I don't know if we're going to keep having

this -- I thought that the discretion of the Board is to -- we were representing the public, so it's a Minor based on there's no harm, less traffic. Yes, we're going to be losing some --

HUGH RUSSELL: It would be nice if the definition of Major and Minor had that concept in it, but it doesn't.

CATHERINE PRESTON CONNOLLY: Right.

H. THEODORE COHEN: Well, maybe we can suggest that staff work up something.

HUGH RUSSELL: Right. I mean, I think the present proposal is probably dead in the water at the Council because we're a lightning rod to them for a source of -- we're adjourned.

(Whereupon, at 9:15 p.m., the
Planning Board Adjourned.)

ERRATA SHEET AND SIGNATURE INSTRUCTIONS

The original of the Errata Sheet has been delivered to Community Development Department.

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