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PLANNING BOARD FOR THE CITY OF CAMBRIDGE  
GENERAL MEETING

Tuesday, March 5, 2013

7:10 p.m.  
in

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

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

Brian Murphy, Assistant City Manager for  
Community Development

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

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

1  
2 HUGH RUSSELL: Good evening. This  
3 is the meeting of the Cambridge Planning  
4 Board. And the first item on our agenda is  
5 the review of the Zoning Board cases.

6 LIZA PADEN: So on this agenda one  
7 of the cases is for the Mount Auburn Hospital  
8 which you looked at, I believe it was last  
9 week, and you had some comments and suggested  
10 changes. So Mr. Sousa is here again with  
11 some revisions to the application to show  
12 you.

13 ATTORNEY RICARDO SOUSA: Thanks,  
14 Liza.

15 Good evening, Mr. Chairman, Members of  
16 the Board, Ricardo Sousa on behalf of the  
17 applicant T-Mobile. As you recall last time,  
18 the nature of our application originally was  
19 to expand this existing site from three panel  
20 antennas to six panel antennas. And you gave  
21 us some suggestions on essentially going back

1 to the landlord and trying to redesign it so  
2 we try to get off of the parapet wall. Well  
3 in the meantime, during this two-week sort of  
4 hiatus that we had, T-Mobile went back and  
5 there are some performance issues associated  
6 with this site that they've discovered and I  
7 think it's going to entail probably a bigger  
8 redesign at some point depending on what the  
9 landlord's going to be allowing us to do or  
10 not to do. Primarily what's happened is that  
11 in between the time that we built this  
12 installation and today a new building was  
13 built, essentially towards the back part of  
14 our installation, and that's affecting our  
15 signal a fair amount. And so what T-Mobile  
16 would like to do at this point -- exactly,  
17 that glass building right there -- is to not  
18 expand the site in its current existing  
19 location, but to essentially just maintain it  
20 as just three panel antennas as it currently  
21 stands and just substitute the old antennas

1 for the new ones, not expand to six, but try  
2 to clean it up by essentially painting the  
3 antennas, the three antennas. And also we've  
4 received permission from the hospital to  
5 paint the stanchions for the lights as well.  
6 Those lights are in use according to the  
7 hospital. We did ask that, and they are in  
8 use. So we can't take them out, which is  
9 something that we entertained, but we can  
10 paint them so that they better blend into  
11 that parapet wall.

12 And so our experience with the hospital  
13 for a number of reasons, because it's a large  
14 institution, because there are -- it's  
15 probably not the highest priority list on  
16 their list. It takes a while to negotiate a  
17 relocation with them, so at this point we're  
18 just not going to expand the site. We're  
19 just going to keep it at three antennas,  
20 paint them to match, and paint the stanchions  
21 a darker color as well.

1                   THOMAS ANNINGER: Do you need to go  
2 the Zoning Board?

3                   ATTORNEY RICARDO SOUSA: We think we  
4 do believe it or not.

5                   THOMAS ANNINGER: To paint them?

6                   ATTORNEY RICARDO SOUSA: No. To  
7 replace the old antennas with the new ones,  
8 yes. Even though they're the same size.  
9 They're both 48 inches in height. Ranjit has  
10 taken the position that we need to go back to  
11 him. So we made the argument under the -- as  
12 I've said before, under Section 64.09 of the  
13 Tax Relief Act to simply swap out antennas,  
14 and he felt it still needed to go through the  
15 Zoning process.

16                   HUGH RUSSELL: Well, that's his job.

17                   ATTORNEY RICARDO SOUSA: That's his  
18 job, exactly. I respect that absolutely.

19                   HUGH RUSSELL: The simulations are  
20 interesting because they show just the change  
21 in color and that it's actually, you know,

1           it's going to make --

2                   THOMAS ANNINGER: Are you looking at  
3           a different one?

4                   HUGH RUSSELL: I'm looking at a  
5           larger one.

6                   ATTORNEY RICARDO SOUSA: The  
7           Chairman always gets the much larger  
8           simulations.

9                   THOMAS ANNINGER: Of course, I mean  
10          why would it be otherwise?

11                   ATTORNEY RICARDO SOUSA: Liza  
12          actually printed those out I believe for the  
13          Chairman or for the Board. They're the same  
14          photos, though. But they do -- I do think  
15          it's an improvement by painting the antennas.  
16          They blend in better with that parapet wall.

17                   AHMED NUR: What color are we  
18          painting them?

19                   HUGH RUSSELL: It's a stone beigy  
20          color.

21                   ATTORNEY RICARDO SOUSA: Well, we

1           were thinking a darker, a darker brown to  
2           match better with the dark bricks to match  
3           the antennas.

4                   HUGH RUSSELL: I think the color you  
5           selected that's shown on the rendering looks  
6           good to me.

7                   ATTORNEY RICARDO SOUSA: Right.  
8           We're not going to do grout lines or anything  
9           like that. In the past our experience it's  
10          better just one flat color.

11                  H. THEODORE COHEN: I know we've  
12          been talking about black last time, has that  
13          been considered, too?

14                  ATTORNEY RICARDO SOUSA: I think if  
15          we were going to come into the roof and do  
16          some faux smokestacks, then black would be  
17          appropriate. I think here just a darker  
18          brown color would be better with the older  
19          bricks, the older style bricks.

20                  HUGH RUSSELL: Okay, so do we give  
21          this our acquiescence?



1                   THOMAS ANNINGER: Is the lesson that  
2 we have to ask you to rethink it and then you  
3 come back and you tell us that you don't have  
4 to do it after all?

5                   ATTORNEY RICARDO SOUSA: We'd like  
6 to do it, Mr. Anninger, we really would. In  
7 this case we would gain an improvement by  
8 expanding this site. Because we're going to  
9 lose some capacity by staying to three  
10 antennas. But to do it right, because we  
11 know we're going to have to move away from  
12 that location at some point, we think it's  
13 better to do it better all at once. Because  
14 it's going to be pretty expensive to expand  
15 and then move all the way to a different  
16 location. But that's always the lesson.

17                  HUGH RUSSELL: So I guess we're  
18 saying that we have no objection to  
19 proceeding this way, that it seems logical  
20 and it's a modest improvement.

21                  STEVEN WINTER: Yes. I would like

1 to add that we appreciate Mr. Sousa's efforts  
2 with the photo sims and his thoroughness.

3 ATTORNEY RICARDO SOUSA: Thank you.

4 HUGH RUSSELL: Now, is there another  
5 installation or is that somebody else?

6 ATTORNEY RICARDO SOUSA: That's  
7 somebody else.

8 HUGH RUSSELL: Okay, thank you.

9 ATTORNEY RICARDO SOUSA: Thank you,  
10 Mr. Chairman.

11 LIZA PADEN: The second antenna  
12 installation is a case that you, the comment  
13 that you sent to the Board of Zoning Appeal  
14 is for the case that the corner of Brookline  
15 Street and Putnam Avenue. And on that  
16 particular installation the Planning Board  
17 recommended that the applicant provide better  
18 photo sims that would illustrate how the  
19 proposed antennas would look from a distance  
20 further away from right on Brookline Street  
21 or right on Putnam Avenue.

1                   ATTORNEY SUSAN ROBERTS: Good  
2 evening, Mr. Chairman, Members of the Board.  
3 My name is Susan Roberts. I'm from the law  
4 firm of Anderson and Krieger in Cambridge.  
5 With me is David Ford from Center Line on  
6 behalf of AT&T.

7                   So I don't want to repeat information  
8 that you may have already looked at, but we  
9 did file an application with the BZA on  
10 January 31st. It included all of our various  
11 site plans and photo sims and various reports  
12 and licenses and so forth. My understanding  
13 is that at some point the matter was referred  
14 to you to take a look at our submittals and  
15 that you made a comment that you wanted to  
16 see additional photo sims, photo simulations  
17 from points along Brookline and Putnam  
18 Streets. And photo sims showing how the  
19 facility will look amongst the surrounding  
20 two- and three-family homes and businesses.  
21 So, we have done that, and I wanted to

1 explain a little bit more about the photo  
2 sims and what you're looking at since that is  
3 the focus. We understand that that was your  
4 only issue with our submittal, and that was  
5 what you reported to the BZA.

6 We originally had a BZA hearing  
7 scheduled for last Thursday. However,  
8 because when we submitted additional  
9 materials to you on -- to the BZA rather, on  
10 Monday, February 25th, that didn't allow for  
11 enough time for your consideration. So here  
12 we are. The BZA hearing has been postponed  
13 to March 28th so that's when we're going to  
14 be before them.

15 In terms of the photo sims, just to  
16 give you an idea of how these work, we asked  
17 the engineer to go out and photograph the  
18 facility and report back where the facility  
19 is seen from. They do take a number of  
20 photos, but what you typically see is our  
21 photographs taken from where the facility can

1 be seen as opposed to where it can't be seen.  
2 So when you asked for more, we spoke to the  
3 A&E firm, Drew Barry, and said this is it.  
4 This is, you know -- these are the only  
5 locations that we could tell that the  
6 facility could be seen from. And so what we  
7 did is we went around to the various  
8 locations that you had suggested to take more  
9 pictures. And in fact, facility's not  
10 visible from those locations. But you have a  
11 better sense of -- you have a better sense  
12 of, you know, the -- it's a more  
13 comprehensive set of photos, so you get an  
14 idea of where the facility can be seen from  
15 and where it can't be.

16 So if you're looking at the set which  
17 David has very nicely put up here. We  
18 welcome you, like the Chairman said, to come  
19 up and look. We've basically got eight photo  
20 sims for you, and the first four show the  
21 facility as being visible. The first one

1 from the rear of the building which shows the  
2 facility -- two of the antennas, on the  
3 penthouse. There's a penthouse on the back  
4 of the building. So we've got two antennas  
5 on the penthouse that will be painted to  
6 match the penthouse.

7 AHMED NUR: Can you show us that on  
8 that?

9 DAVID FORD: Yes, it's right here.  
10 The proposed view. This is the actual view  
11 versus the proposed view. And it is intended  
12 to be facade-mounted to the penthouse and  
13 paint to match as well.

14 ATTORNEY SUSAN ROBERTS: So the next  
15 photo sim which is taken from Peters and  
16 Putnam Streets, No. 2, shows that the -- one  
17 of the chimneys is barely visible. You can  
18 barely see it from photo 2.

19 DAVID FORD: Just coming up over  
20 that parapet wall right there. This is  
21 actual, and this is proposed.

1           ATTORNEY SUSAN ROBERTS: And on the  
2 map, so here, here is where the building is  
3 right on that corner. So photo 2 was taken  
4 from here. So just around the corner.

5           Photo 3, so along Brookline Street,  
6 about a half a block down from the building,  
7 and both chimneys are visible from that  
8 location in photo 3.

9           Photo 4 is along Putnam Street behind  
10 Putnam Street near Acorn, and the chimneys  
11 are visible, the faux chimneys. So what  
12 we've got if -- I guess I did not explain  
13 what we have. We have two antennas in each  
14 of three locations. So we've got two  
15 antennas on the penthouse, which we showed  
16 you from the back, then we've got these two  
17 faux chimneys. In other words, they're going  
18 to look like brick chimneys. On the inside  
19 they're going to be the two each, four-foot  
20 antennas. The chimneys are 10 feet high.  
21 They need to be 10 feet high because they

1 need to project and receive over the parapet,  
2 the roof. The roof, if you notice, has this  
3 parapet around it. So it needs to be above  
4 that in order to receive and send the signal.

5 DAVID FORD: The parapet extends  
6 roughly three feet above the roof, the top of  
7 the roof. So in order for us to clear that  
8 three-foot parapet wall and not get  
9 shadowing, that's why we proposed 10 foot  
10 faux chimneys.

11 PAMELA WINTERS: So the faux  
12 chimneys are not there now?

13 DAVID FORD: No.

14 HUGH RUSSELL: Can you bring them a  
15 little closer?

16 H. THEODORE COHEN: While she's  
17 looking at that, how large are the actual  
18 antennas?

19 ATTORNEY SUSAN ROBERTS: So the  
20 chimneys are four feet in length. The  
21 antennas are four feet in length.



1                   DAVID FORD: This is actual versus  
2 proposed.

3                   H. THEODORE COHEN: All right, and  
4 the chimneys are ten feet?

5                   ATTORNEY SUSAN ROBERTS: Correct.

6                   H. THEODORE COHEN: And if we didn't  
7 have chimneys and just had the antennas, it  
8 would only be four feet in height?

9                   ATTORNEY SUSAN ROBERTS: Well, they  
10 would have to be mounted. So what's  
11 happening is that they're going to be mounted  
12 on the ballast. So the -- sorry, the bottom  
13 of the chimney still needs to be above the  
14 parapet. So you would see the antennas but  
15 they would be mounted on like a ballast  
16 structure if you didn't have them hidden  
17 inside the chimney, which is a possibility.

18                   H. THEODORE COHEN: Right, if we  
19 didn't have them hidden inside the chimney,  
20 you'd see the parapet. Would you then see  
21 the base of the chim -- the ballast that it

1 was sitting on?

2 ATTORNEY SUSAN ROBERTS: Yes, right.  
3 You would see the ballast. They wouldn't be  
4 as high as 10 feet but they would be, you  
5 know, seven feet or eight feet. Something  
6 like that.

7 DAVID FORD: Yeah, they would be  
8 eight and a half feet if there was no faux  
9 chimney involved. They would still be  
10 roughly the same height. So the proposed  
11 faux chimneys is only adding roughly a foot  
12 to the actual install --

13 H. THEODORE COHEN: And there would  
14 be four antennas there?

15 ATTORNEY SUSAN ROBERTS: Right.

16 DAVID FORD: Two per sector.

17 ATTORNEY SUSAN ROBERTS: Yes.

18 STEVEN WINTER: What material is the  
19 faux chimney made out of?

20 DAVID FORD: It's fiberglass.

21 STEVEN WINTER: Okay.

1                   DAVID FORD: Yes.

2                   THOMAS ANNINGER: Can you paint a  
3 picture for us for of what an antenna looks  
4 like without a chimney?

5                   DAVID FORD: We do have photo  
6 simulations that were done just showing the  
7 antennas mounted to our original design which  
8 was to mount them directly to the penthouse.  
9 This, these designs throughout the photo  
10 simulations came out and we decided we ruled  
11 it out, basically it was too visibly impacted  
12 to the surrounding community which is why we  
13 dumped that design, started over the  
14 proposed. The original antennas had four  
15 antennas per sector so we kind of revamped  
16 that design, did two per sector instead, and  
17 then proposed the faux chimney as well after  
18 we saw how the old simulations came out and  
19 we didn't like the looks.

20                   ATTORNEY SUSAN ROBERTS: So in our  
21 packet of materials we have a picture of the

1 antennas themselves. They're not mounted. I  
2 don't know if you want to look at it, but we  
3 did provide this for you.

4 H. THEODORE COHEN: Can I see that?

5 ATTORNEY SUSAN ROBERTS: So here's a  
6 picture of what they look like and a drawing.

7 H. THEODORE COHEN: And if they were  
8 just without the chimney, without the faux  
9 chimney, you would just see some base and the  
10 antenna just sticking up there?

11 DAVID FORD: Well, they would have  
12 to be mounted to the penthouse in order to  
13 get the height we need. So the original  
14 design, like I said before, was four antennas  
15 per sector mounted directly to this penthouse  
16 as you can see. But due to the height that  
17 we need to get to clear the three-foot  
18 parapet walls, the antennas would have been  
19 sticking up and over the penthouse and we  
20 thought that faux chimneys were much better  
21 low impact way on the site.

1 H. THEODORE COHEN: Okay. So then  
2 to be sure that I understand, so they cannot  
3 be freestanding in the location where the  
4 faux chimneys are just on a pole on a  
5 ballast.

6 DAVID FORD: They could be. If they  
7 were to be, they would have to be ten feet at  
8 all. So they're not going down at all more  
9 or less.

10 H. THEODORE COHEN: So the pole  
11 would be smaller?

12 DAVID FORD: Roughly one foot, yes.

13 ATTORNEY SUSAN ROBERTS: It would  
14 obviously be less dense. You would see the  
15 antennas --

16 H. THEODORE COHEN: Right, you would  
17 see the antennas.

18 ATTORNEY SUSAN ROBERTS: You would  
19 see piping which would be the mount.

20 THOMAS ANNINGER: I think what Ted  
21 is saying, and he hasn't said this so I'm

1           speculating, is that the chimneys, the faux  
2           chimneys that you've come up with are a  
3           little on the obese side. Overweight.

4                   H. THEODORE COHEN: Bulky.

5                   THOMAS ANNINGER: Yes, bulky. And  
6           the two of them is kind of a double, a double  
7           problem. So that I think that's what Ted is  
8           trying to say, but I trust your judgment that  
9           the chimneys are still better than the  
10          antennas, then the raw antenna.

11                  DAVID FORD: Right.

12                  THOMAS ANNINGER: Which is I think  
13          what you're saying.

14                  DAVID FORD: Well, we're trying to  
15          match the surrounding character of the  
16          neighborhood. And as you can see from some  
17          of the other photos, there are as many  
18          rooftop chimneys in the area as here as well.  
19          There are rounds. So we just thought that  
20          would be the best case scenario and try to  
21          match in the character of the neighborhood

1 and just go with what's consistent and that's  
2 why we picked those as faux chimneys.

3 HUGH RUSSELL: Seems to me that  
4 particularly from the streets that are in  
5 Brookline Street and from Putnam, this is a  
6 pretty moderate or inconspicuous application.  
7 As a pedestrian gets close, they disappear  
8 behind the roof overhang and parapet. I'm  
9 not sure what other options there are in this  
10 part of the city for providing service  
11 because there aren't already big, ugly  
12 buildings sitting there that you can mount  
13 antennas on.

14 H. THEODORE COHEN: I concur that in  
15 most all the views you hardly see anything.  
16 In this one particular view, you see the two  
17 chimneys right next to each other and it's a  
18 very large, bulky structure. And generally  
19 we applaud putting things in faux chimneys  
20 because it looks much better. If it were  
21 just one, it would seem to be it would be

1 fine. If two were spaced out some distance,  
2 but I'm assuming you can't do that, that you  
3 need them all.

4 DAVID FORD: We originally thought  
5 we would just make one large antenna and have  
6 two separate ones, but that was going to look  
7 more out of place than having two skinnier,  
8 slender faux chimneys.

9 ATTORNEY SUSAN ROBERTS: So if you  
10 look at --

11 HUGH RUSSELL: Faux artist  
12 penthouse.

13 ATTORNEY SUSAN ROBERTS: I mean,  
14 we've tried to locate them on the rooftop in  
15 inconspicuous places. One, as we said, the  
16 penthouse is on the back. And two, the  
17 antennas are there. And then the other, it's  
18 an L-shaped building so the other two  
19 chimneys are next to each other again on the  
20 side as opposed to in front of Brookline  
21 street.



1                   HUGH RUSSELL: Okay. Are we more or  
2 less satisfied that they made a real effort  
3 to try to minimize as far as we can tell and  
4 they've succeeded?

5                   STEVEN WINTER: Yes.

6                   DAVID FORD: Thank you very much.

7                   HUGH RUSSELL: We can send that  
8 opinion to the Board.

9                   LIZA PADEN: Yes, I will.

10                  ATTORNEY SUSAN ROBERTS: Thank you  
11 very much.

12                  THOMAS ANNINGER: Thank you.

13                  HUGH RUSSELL: Have we looked at the  
14 Lesley wall sign? I've forgotten.

15                  LIZA PADEN: No, you haven't seen  
16 this one. So Lesley University, which is  
17 located on the Mass. Avenue, the new  
18 dormitory building, it has the High Rise  
19 Bakery on the ground floor. It's proposing  
20 to put in a wall sign. And the reason why  
21 they're going to the Board of Zoning Appeal

1 is that the location of the wall sign is  
2 going to be above the second floor sill line  
3 and it says Lesley University in individual  
4 letters mounted to the wall at the second  
5 floor window line.

6 STEVEN WINTER: Would you point to  
7 it again?

8 HUGH RUSSELL: You can see the  
9 rendering. Probably be a little more visible  
10 in reality because of the color will be  
11 different.

12 Where is the entrance to the dormitory?

13 LIZA PADEN: The entrance to the  
14 dormitory I believe is --

15 H. THEODORE COHEN: It's over here.

16 LIZA PADEN: Right, around the  
17 corner. So the ground floor on Mass. Avenue  
18 is all the retail establishments, but when  
19 you go into the dormitory itself, it's -- I'm  
20 trying to see if it's in this picture or not.

21 STUART DASH: There's a small little

1 courtyard and window.

2 LIZA PADEN: Here, you might be able  
3 to see it around the corner here. It's back  
4 here.

5 H. THEODORE COHEN: The sign would  
6 be --

7 LIZA PADEN: The sign would be on  
8 Mass. Avenue.

9 HUGH RUSSELL: That's sort of a  
10 curious sign. It's not -- it's telling you  
11 Lesley University owns this building. It's  
12 not useful for way finding really because if  
13 you were to try to find your way into the  
14 building and you were near the sign, you  
15 would not succeed.

16 STEVEN WINTER: There's no address.  
17 No Mass. Ave. address.

18 H. THEODORE COHEN: I would assume  
19 they were looking for a banner to put on the  
20 side of the building.

21 LIZA PADEN: This is the second

1 application that they've had. The banner,  
2 they withdrew that application.

3 PAMELA WINTERS: Why, Liza? Did  
4 they not like -- why?

5 LIZA PADEN: Why they withdrew it, I  
6 can't tell you, I don't know.

7 H. THEODORE COHEN: Because they  
8 even built in the posts for the banner.

9 LIZA PADEN: Right.

10 HUGH RUSSELL: Probably the way they  
11 designed the building for the banner.

12 PAMELA WINTERS: And so there's no  
13 address on the building itself?

14 HUGH RUSSELL: Well, presuming the  
15 storefronts have addresses.

16 STEVEN WINTER: Yes, High Rise and  
17 there's a bank.

18 LIZA PADEN: Right. There's an ATM.

19 STEVEN WINTER: Right.

20 HUGH RUSSELL: And Wendell Street.

21 LIZA PADEN: So this is the Wendell

1 Street elevation.

2 STEVEN WINTER: There's no more  
3 commercial around the corner?

4 LIZA PADEN: No.

5 STEVEN WINTER: No.

6 HUGH RUSSELL: So the front door is  
7 actually way back in the courtyard.

8 LIZA PADEN: Right.

9 H. THEODORE COHEN: And there's  
10 another dormitory building --

11 LIZA PADEN: In the back --

12 H. THEODORE COHEN: -- next to it?

13 LIZA PADEN: -- yes, on Wendell  
14 Street behind it.

15 STEVEN WINTER: I guess,  
16 Mr. Russell, the question I would have is  
17 what function does Lesley University wish the  
18 sign to serve? Is it way finding? Is it  
19 identification of a building for pedestrian  
20 students? They do have the three campuses  
21 now.

1                   HUGH RUSSELL: Right. I mean, I  
2                   think that's the problem with it is that it,  
3                   it's not clear what the purpose is and it's  
4                   hard to imagine if you don't know what the  
5                   purpose is, how do you establish a hardship?

6                   STEVEN WINTER: Correct.

7                   PAMELA WINTERS: Right.

8                   STEVEN WINTER: And in fact I think  
9                   that the banner would look much better there.  
10                  I'm not sure --

11                  PAMELA WINTERS: I agree.

12                  STEVEN WINTER: -- if it was cloth  
13                  and attractive and change with some  
14                  frequency, I think that's a much more  
15                  attractive front.

16                  PAMELA WINTERS: I agree with you,  
17                  Steve.

18                  THOMAS ANNINGER: But, you know, it  
19                  -- if they want to identify this building as  
20                  belonging to Lesley University and if they  
21                  want to do it in their own design, graphic

1 design, I can't think of a lot of reasons why  
2 we wouldn't let them do it. I mean, there  
3 may be judgments that banners are colorful  
4 and exciting and so on, but banners, banners  
5 suggest to me something temporary. They  
6 wanted something more permanent, and I don't  
7 understand why we would not go along with  
8 that.

9 HUGH RUSSELL: Banners also suggest  
10 a public access, that's the place that the  
11 institution had received approval for  
12 banners. It's a place where the public is  
13 being -- the banner sort of stands for this  
14 is a place that the public might be looking  
15 for. I, you know, it just doesn't make sense  
16 to me.

17 H. THEODORE COHEN: Well, if it were  
18 not the university and it was just an  
19 apartment building that and came in and said  
20 that they wanted to be --

21 STEVEN WINTER: Could the owner put

1 Walter's Realty on the apartment building if  
2 they wanted it. And they said well, Lesley  
3 University put it on their building, it's not  
4 way finding, it's not an address marker,  
5 could we then do the same thing to our  
6 building?

7 HUGH RUSSELL: Well, we had a case  
8 like that a little while ago for the Putnam  
9 Square Building where -- and the Zoning Board  
10 denied that application on our advice.

11 STEVEN WINTER: The Glass Building.

12 HUGH RUSSELL: The Glass Building.  
13 The numbers -- you don't do that for  
14 apartment buildings. This is fundamentally  
15 an apartment building. If they wanted to be  
16 put a non-conforming, you know, freestanding  
17 sign at the entryway or a conforming one,  
18 but, you know, if they wanted to direct  
19 people to that, then I have no problem with  
20 it. I think stray signs floating around  
21 buildings is not really what we want around



1 the city.

2 STEVEN WINTER: Mr. Chair, to me  
3 the, this Board and this staff of CDD has  
4 always put emphasis on the devil's in the  
5 detail, and it's these little kind of details  
6 that really do matter. If that signage does  
7 not serve a purpose, then it's static on the  
8 urban landscape.

9 HUGH RUSSELL: Yes.

10 THOMAS ANNINGER: Well, I don't  
11 think we know that it doesn't serve a  
12 purpose. It's just that it hasn't been  
13 articulated to us. I can understand why they  
14 want to identify that building as belonging  
15 to Lesley University. I wouldn't know that  
16 otherwise. And why can't --

17 STEVEN WINTER: Sure, it's a Lesley  
18 dorm.

19 THOMAS ANNINGER: But if it doesn't  
20 say that how do I know that?

21 H. THEODORE COHEN: Well, then do we

1 want every Harvard building, every Harvard  
2 dorm to have a Harvard University sign?

3 HUGH RUSSELL: They all do and  
4 they're about this big.

5 H. THEODORE COHEN: Right, at street  
6 level.

7 HUGH RUSSELL: At street level.  
8 Which they're free to do that.

9 AHMED NUR: Well, in Tom's defense,  
10 I actually agree with him a hundred percent.  
11 Lesley, in my opinion, is caught in between  
12 all these institutions and they're trying to  
13 do the best they can to attract, you know,  
14 especially local students, to apply. And  
15 what does Lesley have for example? You know,  
16 in our Town Gown, they talking about fixing  
17 plumbing here and there and facing this and  
18 that, and Harvard and MIT are out there  
19 roaring with their new buildings and  
20 sustainability and so on and so forth. And I  
21 think this is the biggest thing that they

1           have, and I think they're entitled. And  
2           Lesley, I mean to say this is Lesley going  
3           forward. It seems to actually blend in  
4           artistically where it's located and I'm fine  
5           with it and I support Tom's comments.

6                       THOMAS ANNINGER: Do you have a  
7           better picture than what we have?

8                       LIZA PADEN: No, it's the same  
9           picture.

10                      HUGH RUSSELL: This is a colored  
11           picture without the sign.

12                      STEVEN WINTER: Actually, Liza, who  
13           makes this decision about whether or not to  
14           give a hardship to the university to put the  
15           sign up? Is this a --

16                      LIZA PADEN: That's the Board of  
17           Zoning Appeal. They're at the Board of  
18           Zoning Appeal for a Variance for the sign.

19                      STEVEN WINTER: And they have to  
20           show hardship?

21                      LIZA PADEN: Yes.

1                   STEVEN WINTER: Is that one of the  
2 criteria?

3                   LIZA PADEN: Yes, for a Variance.

4                   HUGH RUSSELL: I would suggest that  
5 the standard comment we used to make was show  
6 us the conforming sign and explain to us why  
7 it doesn't work.

8                   STEVEN WINTER: Well, that works for  
9 me without taking a stand on whether or not  
10 we find that particular sign -- what are the  
11 options?

12                  LIZA PADEN: Okay.

13                  HUGH RUSSELL: And I don't think, I  
14 don't think that we should be making this  
15 judgments primarily on aesthetics. I think  
16 it's more than aesthetics. I don't disagree  
17 that this is quite an innocuous sign. As you  
18 say, it's just static on the urban landscape.  
19 But if that static then it becomes shroud,  
20 and then everybody who has an apartment  
21 building starts putting signs at the second

1 level.

2 THOMAS ANNINGER: I would urge them  
3 in light of this discussion to do exactly  
4 what happened with the antennas and to come  
5 and talk to this Board and answer the  
6 questions rather than to let us dash an idea  
7 that might be a perfectly good one if it just  
8 were explained a little bit better.

9 LIZA PADEN: Okay.

10 HUGH RUSSELL: So in terms of a  
11 report, can we write a report that says that  
12 we don't have an explanation on what the  
13 function of the sign is --

14 LIZA PADEN: Right.

15 HUGH RUSSELL: -- and so it's  
16 difficult to evaluate.

17 STEVEN WINTER: We have insufficient  
18 information.

19 HUGH RUSSELL: Yes.

20 LIZA PADEN: Okay.

21 PAMELA WINTERS: Steve, one more

1 comment. In terms of your comment about the  
2 banners, one permanent banner that I find  
3 very attractive is the one on the Carriage  
4 House going up North Mass. Avenue, the large  
5 brick building.

6 STEVEN WINTER: Yes.

7 PAMELA WINTERS: And they have, you  
8 know, this little triangular permanent banner  
9 there and it's sort of metal or something.  
10 And, you know, that is -- I find that to be  
11 very attractive on that building. But that  
12 gives the address. So I don't, I don't know.  
13 I just wanted to make that comment is all as  
14 an option if they decide to in fact put in a  
15 banner or whatever. Anyway, thank you.

16 HUGH RUSSELL: Okay.

17 LIZA PADEN: The other BZA case I  
18 wanted to draw your attention to is the first  
19 one which is at 40 Granite Street, which is  
20 the Morse School. This is in a Residence C  
21 district and they are applying to expend the

1 farmer's market which currently runs from  
2 nine to four on Saturdays, and it's the --  
3 it's the request that has to come in  
4 periodically to get the Use Variance because  
5 the farmer's market is not accessory to the  
6 school and they're using the parking lot. So  
7 I don't know if anybody has any comments on  
8 that, but it's been very successful.

9 HUGH RUSSELL: We supported this in  
10 the past.

11 STEVEN WINTER: And we continue to  
12 support these kinds of urban amenities.

13 PAMELA WINTERS: Definitely.

14 LIZA PADEN: Okay.

15 And there are no transcripts.

16 HUGH RUSSELL: Okay, thank you.

17 When we take a break I might want to  
18 look at some of the plans for some of the  
19 other cases but I don't see any that fall  
20 under our jurisdiction. I'm curious.

21 AHMED NUR: I would be glad to step

1 out.

2 HUGH RUSSELL: Brian, would you like  
3 to give us an update?

4 BRIAN MURPHY: Sure.

5 March 12th there will be a public  
6 hearing for 19-21 Wendell Street as well as I  
7 believe the plan to have a discussion and  
8 presumably adoption of rules and regulations  
9 for the Planning Board. In addition, there's  
10 an extension of the Special Permit at AIB  
11 Lesley. They're not certain that they  
12 actually need the extension but just to cover  
13 themselves given the amount of litigation  
14 that they've had, they felt that it was the  
15 prudent course, as well as a K2-C2 update.

16 March 19th there will be the Bike  
17 Parking Zoning Petition which is, again, just  
18 because of the way the procedures work, the  
19 Planning Board's Bike's Parking Zoning comes  
20 back to you for a hearing which I would  
21 assume you would look upon favorably, but



1 maybe you've changed your mind.

2 As well as, again, more K2-C2. And on  
3 April 2nd, we will have a public hearing on  
4 Cottage Park Avenue, which had initially been  
5 scheduled for tonight.

6 We'll also have meetings April 9th  
7 presumably on K2-C2. April 16th there will  
8 be a hearing that will be actually at the  
9 Central Square Senior Center, and it likely  
10 will include the Martin Luther King School's  
11 Building Special Permit. And then again  
12 three meetings in May.

13 STEVEN WINTER: Can I ask,  
14 Mr. Chair, can I ask for a clarification?

15 The meeting on the 16th is a regular  
16 Planning Board meeting but we'll be at  
17 Central Square?

18 BRIAN MURPHY: Correct.

19 STEVEN WINTER: Okay. And I know I  
20 had a -- could you tell me exactly the status  
21 of the AIB? Are they in Land Court, out of

1 Land Court?

2 BRIAN MURPHY: With AIB they are now  
3 finally done with litigation. The decision  
4 had been appealed. The appeal was ruled in  
5 favor of Lesley. The time for additional  
6 appeal has expired so they are now fully  
7 prepared to go forward. Actually spent part  
8 of the day today with the University  
9 Relations Committee at Lesley, and they are  
10 looking to move ahead fairly quickly. I  
11 think there will be opening bids in the next  
12 few weeks. And although I don't think  
13 they're going to have a traditional  
14 groundbreaking they expect to have a  
15 celebration for a church moving.

16 HUGH RUSSELL: Okay.

17 So now do we have to take an action on  
18 the 33 Cottage Park Avenue?

19 LIZA PADEN: I had expected Jim  
20 Rafferty to be here. He must have gotten  
21 hung up. He did send me an e-mail and has

1 requested that the public hearing be  
2 continued to April 2nd at 7:20 and we'll  
3 re-advertise it. I'll send new notices,  
4 they'll put new placards on the site, and  
5 we'll put the notice in the newspaper.

6 HUGH RUSSELL: Okay.

7 Is there a motion to continue the -- I  
8 will say that I formally opened the  
9 consideration of the case. And now is there  
10 a motion to continue until April 2nd?

11 STEVEN WINTER: I move to continue  
12 based on Liza's report that the City can meet  
13 all of the legal guidelines to postpone and  
14 reconvene the meeting.

15 LIZA PADEN: Yes.

16 HUGH RUSSELL: Okay.

17 On that motion, all those in favor?

18 (Show of hands).

19 THOMAS ANNINGER: You really need to  
20 open it?

21 HUGH RUSSELL: Yes, I think so.



1 about what you're going to do when it is on  
2 the agenda.

3 THOMAS ANNINGER: The what?

4 BRIAN MURPHY: Rules and  
5 regulations.

6 H. THEODORE COHEN: The only  
7 objection I have to doing that is I know Bill  
8 Tibbs has a number of questions about them.

9 PAMELA WINTERS: Right.

10 LIZA PADEN: Okay.

11 H. THEODORE COHEN: I think we would  
12 just be spinning our wheels and repeating it  
13 another time.

14 LIZA PADEN: It's going to be on the  
15 agenda for next week. I have given you a  
16 copy of the highlighted version that was  
17 submitted to me, so that's in your package  
18 for next week as well.

19 JEFF ROBERTS: If I'm not mistaken  
20 Bill Tibbs won't be here next week either.

21 LIZA PADEN: Oh, that's right. So

1           that's a decision -- you're right, thank you  
2           for reminding me.

3                     Bill Tibbs is scheduled to be out of  
4           town next week, so a decision has to be made  
5           on that.

6                     THOMAS ANNINGER: You can answer his  
7           questions personally.

8                     H. THEODORE COHEN: Well, I have.

9                     HUGH RUSSELL: But you're  
10          recommending that we wait until we can all  
11          discuss it together. And Tom will not be  
12          with us after next week, so since he and Ted  
13          were the movers in this, Tom could defend his  
14          actions.

15                    PAMELA WINTERS: I think we should  
16          make Tom stay.

17                    H. THEODORE COHEN: Well, perhaps if  
18          we did it next week, but let Bill know that  
19          it's on the agenda and if he wants to send in  
20          any questions, we can address them at the  
21          meeting.

1 LIZA PADEN: Okay.

2 HUGH RUSSELL: Right. If it plays  
3 out that we need to go back and think about  
4 it some more, then we'll do it.

5 LIZA PADEN: Okay.

6 ROGER BOOTHE: I mean Wendell Street  
7 case is also --

8 LIZA PADEN: But the rules and  
9 regulations are general business. If the BZA  
10 cases are finished today there won't be any  
11 for next Tuesday.

12 HUGH RUSSELL: We basically can't do  
13 any Special Permit hearings until we have  
14 more members.

15 BRIAN MURPHY: I think the hang up  
16 at this point is primarily from organized  
17 (inaudible) and I expect it will be from this  
18 week.

19 THOMAS ANNINGER: What is it?

20 PAMELA WINTERS: Appointing new  
21 members?

1 HUGH RUSSELL: Yes.

2 H. THEODORE COHEN: Bill is not here  
3 and Tom leaves.

4 LIZA PADEN: Then there's only five  
5 board members for that hearing.

6 HUGH RUSSELL: Right. And we are  
7 supposed to have seven.

8 LIZA PADEN: I'll have to call them  
9 up.

10 We've had meetings before the training  
11 before.

12 ROGER BOOTHE: Have we?

13 LIZA PADEN: Yes.

14 HUGH RUSSELL: We have members and  
15 no business but we just have the training  
16 here.

17 What is the case on Wendell Street?

18 LIZA PADEN: Oh, the case on Wendell  
19 Street is a basement apartment. So this was  
20 -- the petition by Chestnut Hill Realty to  
21 take their basement and make it into a unit.



1                   HUGH RUSSELL: That's why I'm  
2                   rolling my eyes. So, it's been enacted by  
3                   the Council.

4                   LIZA PADEN: Yes.

5                   HUGH RUSSELL: And we have rules and  
6                   standards.

7                   BRIAN MURPHY: They've gone through  
8                   the process with the City Engineer.

9                   HUGH RUSSELL: Okay.

10                  I don't know if people have looked  
11                  through the material at their desk but in the  
12                  decision that Jeff sent out, Tom and I  
13                  suggested some additional language. Jeff has  
14                  proposed and it's shown in grey if you  
15                  haven't seen that. This would be a time to  
16                  look at that. It's really more of expanding  
17                  on the process.

18                  STEVEN WINTER: Mr. Chair, is the  
19                  only new language then that came in today on  
20                  page 1 and 2?

21                  HUGH RUSSELL: Yes, that's correct.

1                   THOMAS ANNINGER: Can you declare a  
2 break, Hugh?

3                   HUGH RUSSELL: Yes, why don't we be  
4 in recess until 8:25.

5                   (A short recess was taken.)

6                   HUGH RUSSELL: All right, we will  
7 start discussing the draft recommendation for  
8 the MIT PUD-5 Zoning Petition. We've  
9 received a draft and at my request there was  
10 some language, introductory language added in  
11 to that draft. Jeff, in his wisdom, chose to  
12 edit what I put in to make it flow better,  
13 and it seemed to work better. I'm not sure  
14 whether Tom is fully satisfied, if anything's  
15 gotten lost or not in that process.

16                   The point of the added language  
17 actually is because the question was raised  
18 at the City Council as to why wasn't this a  
19 completely unified proposal for all of the  
20 districts? And so he thought it was  
21 important to explain to the Council why we

1           were -- why the Board felt we should proceed  
2           the way we were proceeding.

3                       Tom?

4                       THOMAS ANNINGER: Yes, I was  
5           actually we were hoping to warm up and get to  
6           this issue later in the discussion, but this  
7           is fine. The point that we were trying to  
8           make is that there were good reasons why the  
9           Board chose the path it did which is to focus  
10          on the, on one sector and not the other  
11          three. And we could understand why the  
12          Council and others might ask why did you do  
13          that since this is Kendall Square and the  
14          report had been requested of Goody Clancy and  
15          others focussed on the whole area, and I  
16          don't want to go back over the history of it,  
17          but it's a very big area with sectors that  
18          have different characteristics, different  
19          goals. And we felt that the reports that we  
20          received weren't entirely consistent with  
21          each other and that it was a bit overwhelming

1 to try to put our arms around the entire  
2 area. And it turned out as we thought more  
3 about it, that there was one area in  
4 particular where the recommendations and the  
5 objectives and the goals could come together  
6 in a way that might serve as an excellent  
7 starting point for the rest of Kendall Square  
8 and it gave us a chance to focus in on the  
9 details. And it is all about details in the  
10 end. That we honed in on one sector in  
11 particular. It was not to favor anybody or  
12 to -- there were no deals in that process.  
13 And the paragraph that Hugh and I wrote as a  
14 supplement to this report tried to capture  
15 the reasons for that. I do think that in the  
16 integration of that paragraph in with the  
17 rest of the report that was done with very  
18 short time. What is today, Tuesday?  
19 Yesterday. Lost some of the strength of the  
20 argument as to why we did it that way, and I  
21 would like to urge Jeff and others to take a

1 second look at what we had given you to see  
2 if you could capture the spirit and reasoning  
3 of how we got to where we did. That's a  
4 little obscure to -- most of you won't know  
5 what we're talking about because you haven't  
6 read one report or the other, but I'm  
7 reluctant to give you a dramatic reading of  
8 one than the other and have you figure out  
9 what's missing. That would be even worse.

10 HUGH RUSSELL: Yes. I think the  
11 concept that I, I mean you and I see the kind  
12 of the logic behind this different --  
13 somewhat differently. And I think both  
14 things are alluded to here. To me it's more  
15 important that we try to achieve a real  
16 consensus in each sector and I don't see that  
17 the redevelopment authority is, you know,  
18 just in the process of reconstituting  
19 themselves, is in a position to be a full  
20 partner in that discussion, and so that was  
21 -- and I think once, once we got them on

1 board as a full partner in the discussion, we  
2 can try to figure out what the appropriate  
3 strategy is with the Department of  
4 Transportation site which is in fact the  
5 most, the largest amount of undeveloped land  
6 which -- because I mean, I don't think we can  
7 expect that the Department of Transportation  
8 is going to say well, here we are, we're a  
9 development partner. That's not, that's not  
10 what they're going to do. We're probably  
11 going to have to figure it out for them and  
12 then engage in a battle running over years to  
13 come up with the result that we can all be  
14 happy with. So, each sector has a different  
15 rule. But having the Redevelopment Board,  
16 you know, on our side working with us on the  
17 DOT is kind of I think produce a much better  
18 result than came out of the committee. The  
19 committee was a great first draft, but I  
20 think we, I think we've got to go beyond  
21 first drafts. And I think in the case of

1           this rezoning, K2 is actually the second  
2           draft. The first draft was the initial MIT  
3           petition. We have a second draft. We had a  
4           third draft a few months ago. And we've got  
5           a final draft before us for recommendation  
6           tonight. And while I would have hoped we  
7           didn't have to take so long, but I have to  
8           look at the result and say it's a good  
9           result. And I think the argument that Jeff  
10          has laid out in the -- and I'd say Jeff  
11          because I think he's the one who's  
12          responsible for coordinating and pulling it  
13          together, but I believe many of the other  
14          staff people were very much involved in all  
15          of this. So maybe I should say the staff,  
16          the Department, laid it all out in a logical  
17          fashion, you know, so it's easy to find  
18          whatever subject you're interested in. And,  
19          you know, so I think that part is done as  
20          well as it can be done. It's not -- maybe  
21          it's bedtime reading. But anyway. I'm sort

1 of rambling on.

2 Does anyone else have a substantive  
3 remark to make?

4 H. THEODORE COHEN: I actually have  
5 a couple of questions and I, you know, I  
6 think staff did a great job with this and  
7 I'm, you know, really very pleased with it.  
8 I just still do have a couple of questions,  
9 and also with the proposed additions I guess  
10 you and Tom worked on and staff revised, I'm  
11 quite comfortable with, you know, both  
12 versions and I think it's good. But I think  
13 one thing that could be added to it is the  
14 fact that MIT -- it is MIT's petition and  
15 they started the process for themselves. So  
16 we took up that sector because that's what  
17 came before us. And so, you know, rather  
18 than preventing them, if we could to try to  
19 go forward, I think it was what was before us  
20 and what we had to act upon, and I think it's  
21 a great end result and will help guide the



1 other things.

2 I do have a couple of small questions.  
3 On what had been page, probably is still page  
4 2, where it was talking about new  
5 development, I'm just unclear in the  
6 sentence, I guess the next to the last  
7 sentence where it says (Reading) Smaller  
8 scale ground floor retail uses would be  
9 exempt from these limitations. I'm just not  
10 quite sure what that's referring to and what  
11 they are being exempt from.

12 BRIAN MURPHY: It's essentially that  
13 would not count against the gross -- the  
14 square footage, the FAR.

15 STEVEN WINTER: It's an incentive.

16 H. THEODORE COHEN: Okay. So that  
17 gets to the 5,000 square feet and the 10,000?

18 BRIAN MURPHY: Right.

19 H. THEODORE COHEN: Okay. Maybe  
20 that could just be clarified a little bit.

21 HUGH RUSSELL: The floor area

1 limitations?

2 AHMED NUR: Right.

3 H. THEODORE COHEN: Yes. Okay.

4 And in the next paragraph down about  
5 building height and massing it's not clear  
6 here, although it does seem to be clear in  
7 the actual text where it says: (Reading) The  
8 Board would apply the Kendall Square design  
9 guidelines developed as part of the K2-C2  
10 planning study. That the Board, you know,  
11 whatever Board is in existence at the time,  
12 will be following the guidelines that may  
13 exist at that point in time and that we're  
14 not freezing it at the gate, the guidelines  
15 that are being designed for it now. I think  
16 the text makes that clear, but, you know,  
17 maybe something we want to make clearer  
18 upfront.

19 THOMAS ANNINGER: Say that again.

20 HUGH RUSSELL: The reference to

21 the --

1                   H. THEODORE COHEN: That the Board  
2                   will be in reviewing in following the K2-C2  
3                   -- the design guidelines. Here it says that  
4                   would apply the Kendall Square guidelines as  
5                   developed as part of the K2-C2 planning  
6                   study. And my understanding is that it would  
7                   be whatever guidelines that happen to be in  
8                   existence at that point in time. That  
9                   they're not freezing the guidelines right  
10                  now, is that January 2013. And I think  
11                  that's what the text says.

12                  With regard -- this is on page 9 of 25  
13                  where we're talking about this is Subsection  
14                  C of 13.83.2. I don't really understand, I'm  
15                  not clear on the meaning of the "but only"  
16                  clause. You know, we're exempting the gross  
17                  floor area of any residential institution,  
18                  dormitory use constructed in certain  
19                  subdistricts after January 1, 2013. And then  
20                  I get lost in the remaining clause, but only  
21                  to the extent that such gross floor area when

1 taken together with the gross floor area --  
2 so forth. It goes back to the January 1,  
3 2013, date and I'm just not sure what that's  
4 saying.

5 JEFF ROBERTS: Should I do this now?

6 HUGH RUSSELL: Sure.

7 JEFF ROBERTS: Jeff Roberts, CDD.

8 That was language -- it was -- the topic was  
9 discussed at the last meeting briefly, and I  
10 had consulted with the MIT representatives on  
11 this issue of would exempting future  
12 residential use have any unintended  
13 consequences if existing buildings were torn  
14 down and then replaced with particular --  
15 with residential uses and how would that be  
16 treated? And this is really just a way of  
17 saying that in order to get that exemption  
18 from floor area limitations from future  
19 residential, it has to be above and beyond  
20 what's there now. You couldn't start, you  
21 couldn't start getting benefits by tearing

1 things down and replacing the same amount.  
2 And it's an issue that, you know, could  
3 conceivably come up at some point in the  
4 future if MIT were sort of weighing options  
5 in terms of what buildings could be taken  
6 down and what they could be replaced with.  
7 And this is just to sort of neutralize any  
8 sense that there could be any unintended  
9 consequences of doing that.

10 H. THEODORE COHEN: Well, I clearly  
11 didn't get that from reading it. So maybe if  
12 you could just take a look at that again and  
13 see if you can maybe clarify that a little  
14 bit.

15 HUGH RUSSELL: I'm afraid I still  
16 don't understand it.

17 JEFF ROBERTS: What it means is that  
18 the --

19 HUGH RUSSELL: Michael, do you want  
20 to try?

21 MICHAEL OWU: Sure.

1 Michael Owu, O-w-u. I think -- MIT.

2 I think what the intent there is if you  
3 took -- if an existing building were  
4 demolished, existing residential building  
5 were demolished, say it's 100,000 square foot  
6 building, if we demolished that building and  
7 rebuilt an existing building the same size,  
8 and we would not be able to take advantage of  
9 the exemption. If we took down 100,000  
10 square feet and built a 200,000 square feet  
11 residential, then the incremental amount, the  
12 extra 100,000, we would be able to take  
13 exemption but not the initial amount to  
14 replace the existing. I don't know if that's  
15 any clearer.

16 HUGH RUSSELL: I guess what I don't  
17 understand is why it makes any difference?

18 MICHAEL OWU: That's Jeff.

19 JEFF ROBERTS: We're going really  
20 deep into Zoning in this one. So this is a,  
21 you know, a hypothetical scenario which

1 probably wouldn't really happen, but imagine  
2 that if you had, you looked in -- you look at  
3 your overall capacity, overall capacity for  
4 development is governed by the FAR in the  
5 entire district. And the way this has been  
6 written is to allow a certain amount of  
7 commercial development, a certain amount of  
8 residential development, and a certain amount  
9 of residual academic development with the  
10 understanding that there are academic and  
11 residential and commercial uses that  
12 currently exist in that area. So if you  
13 looked at a future scenario where you might  
14 say well, any future residential is exempt,  
15 let's think about tearing down 100 Memorial  
16 Drive, rebuilding it to the same amount of  
17 floor area, taking that exemption, and by  
18 doing that, we've increased the amount of  
19 academic capacity that we have because the  
20 existing building was built under the old  
21 Zoning regime. The new building was built

1 under -- I mean, under the regime where it's  
2 exempt from floor area limitations, so we've  
3 done a little, you know, done a little motion  
4 and increased the amount of academic that we  
5 can build by that same amount of building --  
6 of residential development that we tore down.  
7 It's --

8 HUGH RUSSELL: Right, I mean you  
9 know another (inaudible) could come along and  
10 say I want to build a palace for graduate  
11 students that's not in these districts that's  
12 just over somewhere, and then the institute  
13 would say well, then maybe I want to reuse  
14 some of my housing in this district for  
15 academic purposes. I mean, that's a scenario  
16 that could happen.

17 JEFF ROBERTS: Right.

18 HUGH RUSSELL: And the institute  
19 would be delighted if someone would come  
20 along and give them hundreds of millions of  
21 dollars for graduate housing. They would



1 attempt to take that money and use it. This  
2 is sort of an accounting paragraph.

3 JEFF ROBERTS: Exactly. It's -- and  
4 the example I mentioned isn't something that  
5 we would necessarily anticipate happening,  
6 but it's the kind of accounting issue that  
7 could become problematic, you know, 10 years  
8 from now when if a certain point, if the  
9 institute were looking at some of those  
10 existing property and altering them in some  
11 way.

12 HUGH RUSSELL: Yes, I mean I have to  
13 think that the -- I mean, in some way I've  
14 been in the city for 50 years, and in some  
15 ways it's surprising the things that haven't  
16 changed, but some things have changed a lot.  
17 I'm inclined to think that somebody's going  
18 to have to keep looking at Kendall Square  
19 every 10 or 15 years and see what the needs  
20 are and see what society is like and what  
21 transportation is like and respond to that.

1           So, anyway. Okay.

2                   H. THEODORE COHEN: All right.

3                   HUGH RUSSELL: Next point.

4                   H. THEODORE COHEN: Now I understand  
5           some of it.

6                   HUGH RUSSELL: Is that it?

7                   H. THEODORE COHEN: No, no.

8                   HUGH RUSSELL: Oh, this is so fancy.  
9           Yellow buttons on your screen.

10                   H. THEODORE COHEN: Yes.

11                   Page 12, Section 13.85.2 about  
12           pedestrian bridges has been eliminated. Now  
13           I know we've discussed that probably at the  
14           last meeting.

15                   HUGH RUSSELL: It's been replaced I  
16           guess. Or is that a different --

17                   H. THEODORE COHEN: No, it doesn't  
18           really -- the next paragraph doesn't relate  
19           to pedestrian bridges.

20                   HUGH RUSSELL: Okay.

21                   H. THEODORE COHEN: So my question

1 is I didn't see anywhere else that we were  
2 talking about pedestrian bridges. Does that  
3 come into the guidelines or was the decision  
4 made to just eliminate the topic completely?

5 JEFF ROBERTS: Yes, it is a  
6 component of the guidelines. And the other  
7 point is that it's related to the previous  
8 page where the discussion of floor plate  
9 limitations has been removed, the  
10 requirements for floor plate limitations.  
11 Without requirements for floor plate  
12 limitations, the language about pedestrian  
13 bridges is sort of irrelevant because it  
14 wouldn't, you know, we've seen projects that  
15 have done pedestrian bridges, they're  
16 allowed, they're counted as gross floor area.  
17 It's -- they only become a problem when you  
18 start to constrain the outer shape, the floor  
19 plate size of the building.

20 H. THEODORE COHEN: Okay. Why don't  
21 you stay there.

1                   The next paragraph --

2                   HUGH RUSSELL: Maybe you'd like to  
3 pull up a chair.

4                   H. THEODORE COHEN: -- about the  
5 new -- the setbacks of these buildings. I  
6 got lost in that provision. Are we just  
7 talking about, you know, setbacks of certain  
8 buildings?

9                   HUGH RUSSELL: We're talking about  
10 the Red Cross building.

11                  H. THEODORE COHEN: Is that what  
12 this relates to?

13                  HUGH RUSSELL: Yes.

14                  JEFF ROBERTS: Can you remind me  
15 what section you're looking at?

16                  H. THEODORE COHEN: 13.85.2.

17                  JEFF ROBERTS: Yes. So that section  
18 where in the Third Street transition  
19 subdistrict along the limited setback  
20 boundary which is the first 120 feet of the  
21 boundary between that -- so the boundary

1 that's being referred to is the boundary  
2 between the MIT owned property and the Red  
3 Cross building.

4 H. THEODORE COHEN: Okay, so that's  
5 the Red Cross building?

6 JEFF ROBERTS: Yes.

7 H. THEODORE COHEN: Fine.

8 And the next page -- I'm sorry, I  
9 didn't go back to look at it. We were  
10 talking about height limitations in  
11 13.86.1.1, the deleted -- the sentence  
12 (reading) the residential units situated  
13 above 250 feet shall not be subject to the  
14 provisions of Section 11.203 or 11.204.

15 What does that relate to?

16 JEFF ROBERTS: Section 11.203.2 and  
17 the corresponding 204 is the inclusionary  
18 Zoning requirements. So there was some  
19 discussion about how the -- with applying the  
20 new middle income unit standard how  
21 inclusionary, how it would be treated. It

1 was the recommendation in K2 that that not  
2 have any bearing on the inclusionary housing  
3 requirements so they would still apply it  
4 throughout the building.

5 H. THEODORE COHEN: Okay, great.

6 Okay, the --

7 HUGH RUSSELL: Now the way it's set  
8 up is inclusionary rules go up to 250 feet  
9 and the middle income rules apply above 250;  
10 right?

11 JEFF ROBERTS: That's what is,  
12 that's what's suggested in the original text,  
13 and this revised version amends that so that  
14 any residential development --

15 HUGH RUSSELL: Okay.

16 JEFF ROBERTS: -- would be subject  
17 to -- in its entirety would be subject to the  
18 inclusionary housing.

19 HUGH RUSSELL: I see. The  
20 paragraph, we're taking out the not?

21 JEFF ROBERTS: Yes.

1                   STEVEN WINTER: Jeff, this is the  
2                   part where the middle income housing has a  
3                   percentage of units for anything that's above  
4                   250 feet, but those units are to be spread  
5                   throughout the building.

6                   JEFF ROBERTS: That's correct. So  
7                   the -- it's -- the requirement is for the  
8                   amount of square footage, the floor area for  
9                   those middle income units is equivalent to 25  
10                  percent of the floor area above 250 feet, but  
11                  those units would be located throughout.

12                  STEVEN WINTER: Okay.

13                  H. THEODORE COHEN: The next section  
14                  13.86.1.2 has been deleted. Has that been  
15                  moved into the guidelines, too?

16                  JEFF ROBERTS: Yes.

17                  HUGH RUSSELL: I think MIT didn't  
18                  actually believe we could get the guidelines  
19                  done in time.

20                  H. THEODORE COHEN: That's it.

21                  Those were my questions, thank you.

1 HUGH RUSSELL: Ahmed.

2 AHMED NUR: Yes, okay. You took  
3 most of it so I only have two left.

4 I think last time we spoke about the --  
5 I brought up the point on page 9 of 25,  
6 Article 13.83.2 where the FAR exemptions for  
7 retail below grade. I think we do have an  
8 existing Zoning. And, Jeff, you can correct  
9 me if I'm wrong, for mechanical. And my  
10 worry is that we give them a total exemption  
11 on below grade, and I would like a little bit  
12 more language of what below grade is. Is it  
13 one step, is it nine inches, is it 50 inches?  
14 How far down first off? Right, it makes a  
15 big difference how many steps you go down to  
16 grade. And, therefore, by giving exemption  
17 that we have an existing exemption for  
18 mechanical, I thought that maybe the  
19 mechanical equipment in the basement now no  
20 longer needs to be in the basement because  
21 we've already given them the exemption and



1 they would be in backyards and rooftops and  
2 other things. So that hasn't been addressed  
3 yet. If you want to answer that one, I got  
4 one more to go.

5 JEFF ROBERTS: Sure. Let me try to  
6 clarify what you're asking.

7 So you're asking that the -- what the  
8 relationship is between the exemption from 4A  
9 limitations of retail uses that are below  
10 grade -- oh, and first to answer the specific  
11 question, no more than one floor below grade  
12 means could be partially below grade or could  
13 be entirely below grade as long as the floor  
14 above it isn't also below grade. So you  
15 can't go too -- if you take any, anything  
16 that's at grade and you go to the next story  
17 down, that's what counts. You can't go then  
18 further, further below that.

19 HUGH RUSSELL: Okay. You'd use the  
20 Building Code definition of story above  
21 grade?

1           JEFF ROBERTS: Essentially, yes.

2           AHMED NUR: What is that?

3           HUGH RUSSELL: It's rather difficult  
4 to explain but it's written down -- yeah.

5           AHMED NUR: Okay. It's written down  
6 somewhere?

7           HUGH RUSSELL: Yes.

8           AHMED NUR: Don't worry.

9           JEFF ROBERTS: Definitions are --

10          AHMED NUR: The definition is  
11 partially below grade.

12          JEFF ROBERTS: Right.

13                 There are definitions of what grading  
14 is.

15          AHMED NUR: Okay.

16          HUGH RUSSELL: There is a matter now  
17 with ADA, you can't put things a few feet  
18 below grade because it's really hard to get  
19 to them if they're retail. So, the old  
20 split, the split system of up and down things  
21 simply is very, very difficult to accomplish

1 and it's -- I think the intention here is  
2 that there would be a retail use at grade,  
3 they might have retail uses in the basement  
4 like the recently opened Burger Palace in  
5 Harvard Square.

6 JEFF ROBERTS: Might have an  
7 extended space or might have support storage  
8 or other types of space that makes it, might  
9 make it easier to operate that retail space  
10 as intended. And I think the rationale and  
11 maybe the point that you were getting at is  
12 that many of the types of uses that you find  
13 below grade in a new building, which would  
14 include mechanical space, parking, those  
15 types of uses are already exempt. So I think  
16 the logic was if you were doing something  
17 within that below grade area that would help  
18 to support the retail uses that are happening  
19 above it, and then we wouldn't have any  
20 problem also treating that as exempt. Rather  
21 than having the ground level retail exempt

1 and all the parking and mechanicals on the  
2 below grade exempt but then somehow having to  
3 count any, you know --

4 AHMED NUR: Right. I just wanted a  
5 language that monitors existing mechanical  
6 and other exemptions in there now that  
7 doesn't mean that we now can take those out  
8 of there because we've given them full, you  
9 know, retail is going in there and it's  
10 exempt as it is not to count towards the FAR.  
11 So, you know.

12 JEFF ROBERTS: I see. I think I see  
13 your point.

14 Is it a concern that having, that  
15 allowing retail use to be on the below grade  
16 would result in mechanical space being  
17 located above grade?

18 AHMED NUR: Above grade, yeah. They  
19 can try to find the exemptions for those  
20 areas.

21 JEFF ROBERTS: It's certainly been

1 and the Planning Board has looked at in  
2 design review has looked at buildings with an  
3 eye towards what mechanical uses are located  
4 where and what impact they have on abutters  
5 as part of that review. So I mean -- while a  
6 lot of mechanical space is in the basement,  
7 you know, there's mechanical systems that are  
8 above grade and they're on the rooftop and  
9 other places because -- out of necessity.

10 AHMED NUR: Okay, thank you.

11 The second question that I have is page  
12 5 of 25, Article 13.89.4 specifically  
13 requirements of sustainability revised. And  
14 here we're suggesting that future academic  
15 buildings, basically because of its  
16 specialized nature, which I'm not sure what  
17 that means, may not particularly lead to LEED  
18 Gold standards. (Inaudible) and the  
19 petitioner and city staff will help clarify  
20 additional measures that would apply to  
21 improve the energy, so on and so forth. So I

1 just want to --

2 HUGH RUSSELL: Let me give you an  
3 example. The last building we did for  
4 Harvard was under the Harvard regime of old  
5 buildings and (inaudible) buildings. We were  
6 building a refrigerated storage building in  
7 Southboro to contain 2 million books. And  
8 you better believe me, believe me when I say  
9 the university was extremely interested in  
10 energy efficiency. That's always been an  
11 issue with these repositories. But when you  
12 start taking the rules, there aren't any LEED  
13 rules, you measure it against a standard for  
14 that building type, there's no standard for a  
15 book storage warehouse, and there's nothing  
16 -- it's a huge box with a mechanical room and  
17 a couple of additions to the retail space, no  
18 place to do anything. So, there was a case  
19 where the university decided themselves that  
20 they would be as efficient as they possibly  
21 could be, and that's kind of the standard

1           that's written in here, but they wouldn't  
2           bother to try to do the paperwork because it  
3           wasn't going to work. You can think of -- I  
4           mean it's -- I don't know whether the Harvard  
5           nanotechnology building met the Gold LEED  
6           standard. That's the building that's built  
7           under the courtyard behind the Science Center  
8           as -- it's a three-story underground  
9           building, two floors of mechanical  
10          sandwiching the nano tech labs. I mean, I  
11          have no idea what the energy issues are  
12          there. Clearly they're very good in terms of  
13          throwing away energy in the sunlight, but  
14          what's needed to keep the nanotechnology  
15          equipment functioning is a tremendous amount  
16          of mechanical equipment. Again, does that  
17          fall within the purview? This is stuff like  
18          that that we're trying to write that in. And  
19          while MIT is not up to the Harvard LEED  
20          standards, maybe some day they will catch up.  
21          Or sorry your Vice President isn't here

1           tonight.

2                   STEVE MARSH: We'll take that back  
3           to him.

4                   HUGH RUSSELL: It's not really  
5           extraordinary that Harvard which is, you  
6           know, is now apparently the greenest major  
7           university in the world and how did it happen  
8           here? It probably happened because one  
9           extraordinary individual who came to lead  
10          that effort now, a very wise Vice President  
11          who hired her when he first met her and said  
12          make this happen here. It doesn't happen  
13          very often.

14                   STEVEN WINTER: Mr. Chair, I want to  
15          remind you that I sent you an e-mail that  
16          talked about, in the Harvard sustainability  
17          newsletter, the sustainability has pointed  
18          out that Harvard recycled more cans than  
19          Yale. And in fact, it's about that kind of  
20          behavior change that that's where Harvard  
21          really hit the home run, is changing



1 behaviors by burrowing in like that and  
2 finding the really important issue beating  
3 Yale.

4 HUGH RUSSELL: And was that on a per  
5 capita basis? Because I could imagine the  
6 Yale consumption of cans might have exceeded  
7 Harvard?

8 PAMELA WINTERS: I also wanted to  
9 point out, too, that the whole green  
10 initiative was initiated by President Summers  
11 which not too many people know.

12 HUGH RUSSELL: Okay. So let's go  
13 back to work.

14 Sorry for that diversion.

15 STEVEN WINTER: Mr. Chair.

16 HUGH RUSSELL: Yes.

17 STEVEN WINTER: Just two small  
18 points. The first is I -- I'm very impressed  
19 with the text that you and Members of the  
20 Board and the staff added. I think it's  
21 terrific. I think that that's -- that was

1           needed. And I also think that that text  
2           brings forward the vision that you had  
3           earlier, which is let's make this something  
4           that comes from a lot of different people.  
5           Let's not make this something that MIT said  
6           here's what we want, boom, lay this on the  
7           table. This vision comes from a lot of  
8           different sources, and I think we've  
9           effectively said that. We've documented  
10          that, we've bookmarked that.

11                 The other thing I wanted to say is that  
12           on the overview of recommended modifications,  
13           page 4 of 25 and 5 of 25, I went through each  
14           one of those, and each one of those sets up a  
15           defensible position so this, the language was  
16           correct, I want to congratulate, Brian, your  
17           staff for the language that they used. This  
18           is really tight language. This really looks  
19           good. So I simply wanted to add those two  
20           points.

21                         PAMELA WINTERS: So I guess I had

1 one quick question. And so, Tom, and, Tom, I  
2 apologize but while you were making your  
3 comments, I was reading those paragraphs on  
4 page 1 and 2, and I just wanted you to repeat  
5 just a sentence or two. Did you say that you  
6 wanted more historical information in those  
7 paragraphs or you were not pleased? It  
8 sounded like you weren't pleased with  
9 something. And I just wanted you to  
10 reiterate that. And I apologize for not  
11 listening more carefully to your comments.

12 THOMAS ANNINGER: Well, it wasn't  
13 easy to understand. I was quite a little bit  
14 short.

15 As I've been thinking about it since --  
16 while others were talking, I now think the  
17 better way to handle this section, which --  
18 let me explain what this section does. This  
19 section tries to put in a broader context the  
20 path we went down and working only on the MIT  
21 sector even though Kendall Square is so much

1 larger.

2 PAMELA WINTERS: Right.

3 THOMAS ANNINGER: And why we did  
4 that. And I don't want to go back over the  
5 reasons. There are a number of them, but I  
6 think they're good, strong ones. I now think  
7 it would be better to take these paragraphs  
8 out and put them in a cover letter from Hugh.

9 PAMELA WINTERS: Okay.

10 THOMAS ANNINGER: I think that would  
11 work better and give us a chance, give us a  
12 chance to be freer in the way we word it.  
13 Because it is an awkward fit. And I think  
14 that was, that's the heart of the problem.  
15 The tone of what we were trying to say did  
16 not match the tone of this which is more  
17 business-like and that's where I'd like to  
18 end up. And I'm hoping that Hugh would agree  
19 with me.

20 It's rare that we don't agree, right,  
21 Hugh?

1                   HUGH RUSSELL: And I've been sort of  
2                   trained over 25 years to restrain the editing  
3                   by committee in Board meetings function, so  
4                   I've sort of turned that off. I think your  
5                   -- does it work better as a cover letter or  
6                   in here? I'm not sure. I think I'd like to  
7                   see a little -- I'd like to see some of the  
8                   -- I think there are a couple of minor  
9                   missing emphasis and comments that ought to  
10                  be there. I think ultimately if the comments  
11                  are there, the form is less important. So  
12                  I'm not coming down on either side because I  
13                  don't like to do that. I think, you know --  
14                  well....

15                  PAMELA WINTERS: Could both things  
16                  be done? Could this happen and also a cover  
17                  letter explaining the Board's decision to  
18                  add, you know, and be a little bit more --  
19                  give it a little bit more depth? I don't  
20                  know.

21                  HUGH RUSSELL: I don't know, to me

1           this first part looks like a cover letter.

2                     ROGER BOOTHE: Well, yes, it was  
3 really meant to be that.

4                     PAMELA WINTERS: Oh, okay.

5                     HUGH RUSSELL: So I mean it could  
6 just be that you start on a new piece of  
7 paper when you get to overview of the  
8 proposal on that, helps to clarify the  
9 organization and then kind of -- if you had  
10 the time to think about all this Jeff?

11                    JEFF ROBERTS: Well, I'll say that  
12 as Roger just commented, you know, the  
13 introduction to the Planning Board  
14 recommendation is really meant to encompass  
15 that, the larger context of how the Board --  
16 what the Board heard and how it arrived at  
17 its decision. Having a separate cover letter  
18 not officially as the Planning Board  
19 recommendation would be somewhat  
20 unconventional. So I don't know. I don't  
21 really know what the procedure would be for

1           doing that. I will say that, you know, I'm  
2           happy to either take any specific suggestions  
3           and to work those comments back into the  
4           draft. If you wanted to -- I don't have a  
5           copy with me, but I could circulate the  
6           original language for Board Members to look  
7           at and decide whether that should be included  
8           as a section.

9                        BRIAN MURPHY: The one other thing I  
10           would say, though, is that I think if it's at  
11           all possible, there is an ordinance hearing  
12           tomorrow -- no, sorry. Thursday rather,  
13           Thursday afternoon. So I think the Council's  
14           goal would be to have a formal communication  
15           from the Planning Board for that Thursday  
16           meeting if that's possible. If it's not, I  
17           understand but I think that would be the  
18           Council's goal.

19                       STEVEN WINTER: Mr. Chair. Might I  
20           suggest that the Board ask the Chair to work  
21           with staff to the extent that you feel it's

1           necessary on the text, on the formatting  
2           issues, and your decisions are fine with me,  
3           I can tell you that.

4                   HUGH RUSSELL: I'm just trying to  
5           see if I can wiggle out from under that  
6           because I'm -- I mean, I think, you know,  
7           Tom's training is as a lawyer with words and  
8           I'm an architect and I use words but I also  
9           -- my training's in pictures. So I would  
10          prefer actually to say, Tom and Jeff, put  
11          your heads together and if there's a little,  
12          if there's fine tuning that's needed, to do  
13          it. I'm thinking Jeff's argument about the  
14          format question is a good one, that it needs  
15          to be a single document, you know, whether  
16          there's a page break between one part or  
17          another, that's, you know, we're a green  
18          city, we shouldn't be putting in blank paper.

19                   STEVEN WINTER: Mr. Chair, you've  
20          done a fine job of wiggling and I appreciate  
21          that. I'm happy to have at your direction,



1 to have Tom work with staff. That's fine. I  
2 don't want to do did by committee.

3 HUGH RUSSELL: Do you want to do  
4 that?

5 H. THEODORE COHEN: I'm fine with  
6 that. I mean, as I read this, I thought the  
7 first page was the introduction to the  
8 general recommendation and I can see feeling  
9 that this told three-quarters, four-fifths of  
10 the story, but there was a little piece that  
11 wasn't covered and that was added. I'm fine  
12 with that, and I'm, I mean, it seems we're so  
13 there --

14 HUGH RUSSELL: Yes.

15 H. THEODORE COHEN: -- that to not  
16 get something to the Ordinance Committee for  
17 Thursday would be a disservice to them. And  
18 if, I'm quite comfortable with Tom or Hugh  
19 working with Jeff and just finalizing it.

20 HUGH RUSSELL: Right. And it might  
21 be possible to adjourn the meeting and ask

1           them to sit down for ten minutes and do it.

2           PAMELA WINTERS: Are you willing?

3           THOMAS ANNINGER: Yes, I'll do it.

4           PAMELA WINTERS: Okay.

5           HUGH RUSSELL: And I can refer it.

6           So would someone like to make a motion  
7           to send this recommendation to the City  
8           Council?

9           H. THEODORE COHEN: Well, I'll move  
10          to recommend the MIT Zoning Petition subject  
11          to the changes that have been recommended by  
12          the Planning Board and its staff as  
13          encompassed in the draft we've reviewed this  
14          evening, subject to final fine tuning by  
15          staff and members of the Planning Board and  
16          its signature by the Chair.

17          JOHN HAWKINSON: Mr. Chair, did the  
18          public meeting take place?

19          HUGH RUSSELL: No. Does any member  
20          of the public want to be heard on this  
21          subject?

1 (No Response.)

2 JOHN HAWKINSON: Just checking.

3 HUGH RUSSELL: We haven't formally  
4 adopted those rules yet, but maybe. We've  
5 got to keep that in mind. Okay.

6 So we have a motion on the table. Is  
7 there a second?

8 AHMED NUR: Are we going to close  
9 the public hearing now? Do we need to close  
10 the public hearing?

11 HUGH RUSSELL: The proposing rules  
12 say if we take a vote and then it  
13 automatically closes the hearing. We don't  
14 need a separate motion.

15 Is there a second?

16 AHMED NUR: Second.

17 STEVEN WINTER: I have a comment. I  
18 simply want to make sure that when we forward  
19 this, we forward it with our great  
20 enthusiasm. I think we need to say that this  
21 is a very, very powerful document and that we

1 believe strongly in it.

2 HUGH RUSSELL: I think that's a good  
3 a suggestion as another, another editorial  
4 change that should be made.

5 All right, on the motion, all those in  
6 favor?

7 (Raising hands).

8 HUGH RUSSELL: All members voting in  
9 favor.

10 Thank you very much.

11 Is there nothing before us?

12 We are adjourned.

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

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