

PLANNING BOARD FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, July 9, 2013

7:00 p.m.

in

Citywide Senior Center  
806 Massachusetts Avenue  
Cambridge, Massachusetts

Hugh Russell, Chair

H. Theodore Cohen, Vice Chair

William Tibbs, Member

Pamela Winters, Member

Steven Winter, Member

Tom Sieniewicz, Member

Steven Cohen, Member

Catherine Preston Connolly, Associate Member

Brian Murphy, Assistant City Manager for  
Community Development

**Community Development Staff:**

Liza Paden

Roger Boothe

Stuart Dash

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#### **PUBLIC HEARINGS**

(continued) Michael Phillips, et al Petition to amend Section 17.20 of the Zoning Ordinance of the City of Cambridge as follows to increase the setback requirement abutting Linear Park and to clarify language defining "form and density compatible with the adjacent residential neighborhood" by limiting the number of dwelling units in a single structure. The petition would create a new Section 17.26 - Access to streets, a new Section 17.27 - Transfer of Development Rights, a new Section 17.28 - Transfer of Development Rights to preserve Publicly Accessible Open Space, and amend Section 17.28.2 to include Special District 2 in the Areas of Special Planning Concern.	40
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PB#283, 300 Massachusetts Avenue, Special Permit application to construct an office, research and development building with ground floor retail at 300 Massachusetts Avenue, pursuant to Section 19.20 Project Review in the Cambridgeport Revitalization Development District by the Forest City Commercial Group, Inc. d/b/a Mass. Ave. 300 Block West, LLC.

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

(Sitting Members: Hugh Russell, Pamela Winters, Steven Winter, Tom Sieniewicz, Steve Cohen.)

HUGH RUSSELL: Good evening. This is the meeting of the Cambridge Planning Board. The first item on our business is update by Brian. And I don't see him.

LIZA PADEN: I'm going to do Brian's update for you.

HUGH RUSSELL: Okay.

LIZA PADEN: The next meeting of the Planning Board will be on July 16th. It will be in this building, in this room. It will be a public hearing for 633 Putnam Avenue and it will be a continuation of the Teague Petition.

The next meetings in August, August 6th and August 20th. And the meetings in

September are September 3rd and 17th.

PAMELA WINTERS: That's it.

HUGH RUSSELL: There was some talk about maybe having these updates or maybe once a month giving us a look ahead so that, so that we actually had it written down what was happening. If we can think about the logistics and how you might do that, because that's what the updates now are just telling us what's happening in meetings and we really can't copy it all down, so it's sort of silly.

LIZA PADEN: Okay. I'll just say if you would e-mail me what information you want to have and what the -- you want it like the calendar? You want -- how much detail do you want. If you send that to me, I'll put something together and we'll try it out for the next meeting and I'll have it ready for

next Tuesday. The only thing that makes me hesitate on sending out hard copies of things is that the Planning Board schedule is very fluent and things change, but as long as everybody acknowledges that, we could do something.

STEVEN COHEN: Is the schedule that's on-line, is that updated in real time?

LIZA PADEN: The Planning Board web page is updated in real time and that's updated as far as the public hearings are concerned. What that doesn't include is the information on when deliberations and discussions are going to be held, and it doesn't always have all of the Kendall Square/Central Square Zoning information. But the Planning Board web page has all of the notices after they've been published, when I send them to be published to the

newspaper, they're put on that web page. So your web page is up to date.

HUGH RUSSELL: So I have a suggestion which would be a piece of paper that says what's going to happen at the next meeting. And then what's scheduled, what are the things on the horizon for the future months, because not necessarily with dates, not necessarily everything that's -- but sort of a tabulation of what we know about. And maybe also what's pending, what we've haven't decided yet.

LIZA PADEN: Okay. All right.

PAMELA WINTERS: And, Hugh, I think you also mentioned in one of your e-mails if I remember correctly, that you would like to know what was going on with the City Council.

HUGH RUSSELL: Right.

PAMELA WINTERS: If there was

anything that, you know, that we were discussing that impacted us or any decisions that included the Council.

(H. Theodore Cohen Seated.)

HUGH RUSSELL: Right. I think that could be verbal at the meeting.

PAMELA WINTERS: Okay.

HUGH RUSSELL: If we get staff trying to characterize what's happening at the Council, they get uncomfortable. They don't want to tell us but, you know, it's like, there's a paper trail and, you know, somebody -- it's --

PAMELA WINTERS: Okay.

HUGH RUSSELL: I mean, everything that gets said here will quickly get put on to electrons and paper. It's probably going on as I speak, and it's all public record, but okay.



LIZA PADEN: We'll work on something.

HUGH RUSSELL: Thank you.

So I think the next item is the BZA cases?

LIZA PADEN: So on the BZA cases there is a telecommunication installation proposed for Norfolk Street, and the proponent is here to explain the proposal to you. So I'd like to start off with that.

ATTORNEY SUSAN ROBERTS: Good evening, Mr. Chairman, members of the Planning Board. My name is Susan Roberts. I'm an attorney with Anderson and Krieger and I represent AT&T in connection with its application to the Board of Zoning Appeals for a Special Permit to site a wireless telecommunications facility on the roof of 288 Norfolk Street. We are in a Residence

C-1 District. The rooftop facility will, as proposed by AT&T, will join the existing facilities of Sprint Nextel, T-Mobile, and Verizon Wireless who are already on the rooftop. With me is David Ford with Centerline Communications. He'll be presenting more information about what the facility will be looking like. I'll just tell you briefly that AT&T is proposing to install 11 antennas in three different sectors; four antennas in the alpha, four in the beta, and three in the gamma sector. Basically each sector is on one side of the building. Three of the antennas will be facade-mounted to the elevator shaft at the building, and then in each of the other sectors there will be four antennas that are placed on ballast-mount in a row. And each antenna will be encased in a faux cannister.

And Mr. Ford has just provided you with pictures so we have photographs of the existing building with the existing facilities and then photo simulations that will show what AT&T affiliate will look like once it's solved. In association with the antennas there's associated cabling. There are remote radio head units. There's GPS. There's -- there's surge arresters as well that are detailed in the Zoning drawings that Mr. Ford also just handed out.

In addition to the rooftop and antennas and associated cabling we'll have equipment in the basement. So these antennas will connect up with our equipment that will be maintained in the basement. So there will be some outdoor cabling that will be going along the building and you can see those in the photo sims. You can also see how the cabling

goes from the rooftop to the basement in the drawings themselves.

I'm going to turn it over to Mr. Ford to answer questions that you may have.

DAVID FORD: So just to briefly recap what Susan just said. Nextel/Sprint, T-Mobile, and Verizon are all existing. They all have their equipment space in the basement of the building. We're doing the same thing. We're going to have a 15-by-15 enclosed and locked equipment area. Soundproof and fireproof. It's going to be heated. And since late as -- well as AC in the summertime. And then on the rooftop there's going to be three sectors; two in the sectors, the beta and gamma sector are going to be encased within nine-foot tall, two-foot wide faux cannisters. And it's going to be eight faux cannisters on the rooftop. And

then due to lack of space through the existing carriers, it's going to be the last sector to be facade-mounted on the actual penthouse/slash elevator shaft. And three antennas are going to exist there.

There will be six-foot antennas. Six feet tall, one foot wide. Total of 11 antennas for the entire facility.

And currently Verizon has the same cannisters existing on the rooftop. T-Mobile has existing faux chimneys on the rooftop, and then Sprint Nextel has existing facade mounts on the building itself. So all of our proposed plan is kind of consistent with the existing plans from the other carriers.

(William Tibbs Seated.)

PAMELA WINTERS: You said there was a cable coming down. Could you point that out to me, please?

DAVID FORD: Sure.

So the cabling is going to be on the back side of the building. It's going to follow the existing cabling. It's on the left side of the elevator shaft right here. You can't really see it. But it's going to be running straight down congruent right next to the Sprint Nextel. So if you look at -- see what page here. If you look at Z3 of the Zoning drawings, it will show the proposed cabling tray running up the existing chimney shaft right there, and it's congruent and follows the exact same path as Nextel and Sprint's cable tray. It's going to be painted to match the building.

PAMELA WINTERS: What page is that on?

DAVID FORD: Z3.

HUGH RUSSELL: Right here.

PAMELA WINTERS: Oh, sorry.

DAVID FORD: So it's going to run from the equipment space in the basement out a window. The same opening as Sprint Nextel's straight up along the actual existing chimney and straight to the roof.

HUGH RUSSELL: And this is facing the DPW yard.

DAVID FORD: Say it again?

HUGH RUSSELL: This is facing the Department of Public Works yard?

DAVID FORD: Correct. The back of the building is facing the DPW, yes. But the cable tray is meant to be tucked away on the corner of the actual existing chimney shaft, so it would be less visible.

PAMELA WINTERS: So I guess I have a question. Have you thought of anything else before, to replace those four white stacks

sticking up at the top of the buildings? Has there been anything else that you've come up with that might not be so visual?

DAVID FORD: Instead of the actual faux cannisters, you mean?

HUGH RUSSELL: It's actually eight stacks.

PAMELA WINTERS: Is it eight stacks?

DAVID FORD: In order to originally facade-mount to the building like Sprint Nextel, but the actual landlord, the owner, is against that because they have to have RF barriers on the top floor and tenants can't come too close to the window due to these barriers. So the landlord is directly against that. Sprint Nextel was the first carrier to join this building. They did these facades hanging down. And the other two carriers since then that joined T-Mobile



and Verizon, against any facade mounts which is why we weren't allowed to do the same.

STEVEN COHEN: This is a residential building?

DAVID FORD: No, commercial.

STEVEN COHEN: It is commercial?

DAVID FORD: All offices, yes. ELI, Incorporated is the main owner and they sub out to each individual tenants on each floor.

HUGH RUSSELL: So this is a curious building in that it's a five-story building and it's filling in the gap, between in service coming up Hampshire Street. And there aren't a lot of tall buildings around. This is the one, and it's getting them all.

DAVID FORD: Yeah. Other candidates that we looked at was the church steeple right across the street. The Hampshire Street church I believe is what it's called,

we didn't want to ruin the characteristic of that building. We thought by co-locating at a site that three existing carriers are already at, would be a much more suitable option.

HUGH RUSSELL: Yeah, I would characterize it, well, it's already ruined so why not make it worse.

STEVEN WINTER: Mr. Chair, may I join the conversation?

HUGH RUSSELL: Yes.

STEVEN WINTER: I'm, I would ask does the -- do the faux cannisters replace side mounting?

DAVID FORD: Correct.

STEVEN WINTER: Okay. So it replaces a function. But the side mounted equipment remains there now?

HUGH RUSSELL: It's somebody else.

DAVID FORD: It's Sprint Nextel. We have no say over them. We're a different carrier.

STEVEN WINTER: And I mean I would say it's not a faux cannister but a cannister. So if it was faux something, it would have to have a faux gazelle or a faux chimney or faux something. I'm wondering if you can't go for --

HUGH RUSSELL: It's a biotech (inaudible).

STEVEN WINTER: So I'm wondering if we can't really ask the proponent to make faux something that really might be a little easier to conceal.

PAMELA WINTERS: Right.

DAVID FORD: Just to speak on that, we -- Verizon has the existing cannisters on the roof so we just wanted to propose a

similar design that's already been, you know, installed at the site. Instead of, you know, throwing in a whole new concept.

HUGH RUSSELL: How do you deal with the simulations? It's very hard to see anybody else's cannisters but yours.

DAVID FORD: If you look at the actual view, this shows one of the cannisters, Verizon here, on the back actual view. This is page 7. Photo 3A shows another cannister and also shows a faux chimney.

H. THEODORE COHEN: Yes. Well, I think this is one of the least attractive arrays we've seen in a long time and I really think you need to do something else to improve upon just adding the faux cannisters or the cannisters. It's just making a jumble up there. You know, maybe perhaps a faux

wooden structure penthouse that you could then side mount them on and painted them to match it would be better. When you talked about the church across the street, did you consider having them inside the steeple of the church rather than on the exterior?

DAVID FORD: Right. We determined the only way to fit our array of 12 antennas or 11 antennas would be to facade-mount to the steeple which we wouldn't be able to house all the equipment inside.

H. THEODORE COHEN: Well, I think this is incredibly unattractive and --

PAMELA WINTERS: Ted, I agree.

H. THEODORE COHEN: -- and something's up there already which are not great, but this is just making it exponentially worse.

PAMELA WINTERS: And I agree with

you, Ted. I think a little more work, you know, to be done on it. And looking at the church again, you know, maybe reconsidering that. It's just my thought.

HUGH RUSSELL: I'm wondering what the Historic Commission staff would say about this, you know, the options you're thinking about and they might have an opinion as to what their experiences are in consideration.

STEVEN WINTER: I think that's a great idea.

HUGH RUSSELL: And I'm sure they'd be happy to talk to you. Because this, I'm sure they understand this is not a landmark building but it's an important older building. It's got architectural detail and a little bit of style. I'm sure they like it.

ATTORNEY SUSAN ROBERTS: If I could

ask the Board to give us better guidance in terms of the objection? What is the objection? Is the objection the number of antennas in a row? Is the objection the cannister? Is the objection the color of the cannister? Would you prefer to see, you know, somehow another structure?

HUGH RUSSELL: I would say I have a lot of problems of the facade-mounted antennas.

DAVID FORD: You said you don't have a problem with the facade mount on the elevator shaft?

HUGH RUSSELL: On shown on view 3-B facing the DPW yard, I think those are okay. You know, again, because it's a photograph taken, looking either into the sun because it's the north side of the building, it's harder to see them just from the graphics,

but I think it's -- that part of it is because of its location, because it's below, it doesn't break the horizon line. The problem is the cannisters on the roof and that you can see, you can usually see about five of them -- five or six of them in you're three points of view, and that's just way too many.

ATTORNEY SUSAN ROBERTS: So I'm wondering whether we could take a sector and do something else. But we'd still have some -- it seems like it may be unavoidable to have --

DAVID FORD: Just to speak of that.

ATTORNEY SUSAN ROBERTS: -- all of them.

DAVID FORD: T-Mobile has faux chimneys existing. They have two faux chimneys up there. So our first plan was to



go with the faux chimneys. Which we can go back and revise these cannisters to a faux chimney. We just wanted to specify that so that if we can leave the facade-mounted elevator shaft sector alone, and just work on the two sectors just cannisters. In order to change the cannisters to faux chimneys, it would have to show two faux chimneys in place of these four cannisters and then on the other side as well two faux chimneys. So I just wanted to, you know, if we did go back and revise, that's what the design would be. And that's what we looked at first and maybe thought the slender cannisters would be less visually impactful compared to the actual chimneys. So, you know, just to clarify, these four would be replaced with two faux chimneys side by side. Instead of one fat one, which really wouldn't, you know, look

consistent, it would be two individual, you know, slender, slender chimneys. So if you want us to go back and revise to that design, we can definitely do that. Like I said, basically --

HUGH RUSSELL: No. We want you to come back with some good ideas. That doesn't sound to me like we're going to -- we would like that. We might like it a little better. I think two things rather than four might be better, but I don't think we would like it. So we're not, I think you're default to saying that you have the right to 11 antennas on this building and we've got certain technical constraints that tell us how we can do it, so prove it. And we're saying that it's -- there are already so many antennas on this building that adding 11 is perhaps impossible to do in a way that will be

visually acceptable.

ATTORNEY SUSAN ROBERTS: So, at this point, I mean, David can talk about this as well, but at this point carriers, fortunately or unfortunately, need to have generally 12 antennas for a facility in order to accommodate the coverage that's required to essentially allow people to use their Smartphones, to have the data capability that's necessary to service all of us who use our phones. So we, we rarely do sites these days --

HUGH RUSSELL: Well, I have a dumb phone just for the record.

WILLIAM TIBBS: I have a smart one.

ATTORNEY SUSAN ROBERTS: Oh, okay. We try and site 12. So I think for us to come back, we definitely hear you. We want to work with you on design.

HUGH RUSSELL: So I'm suggesting that you go and talk to the Historic Commission and pick their brain on what they feel, lay out your options, and see what they think. See if they can endorse a scheme. If they came back to us and said we think this is okay, it probably would be okay. I don't think we would not substitute our judgment.

Bill.

WILLIAM TIBBS: I just want to say that I think we're getting to the point where just like mechanical equipment on buildings in general, we're getting to the point where the carriers have to think about different architectural ways of putting structures on the roof and putting their antennas on it. In my mind a faux chimney isn't it. I think what was said earlier, it looks like a shed or an elevator head house or something that

looks kind of logically that something that could be up there and you can mount the stuff on the side, but it's a different kind of faux.

HUGH RUSSELL: Or it could be transparent where you could hide it behind that.

WILLIAM TIBBS: But I think the problem is we are just getting to that point where you're existing aesthetic of what you can do is just not working any more. And the carriers are smart people. They have -- they're creative. You can get architects and designers to begin to solve this problem that doesn't begin to straddle us with keep piling more and more and more of this old stuff that looks terrible on the --

DAVID FORD: Right.

STEVEN COHEN: Mr. Chair, if I could

present just one counterpoint to this. My own view is actually, I don't find the white cannisters all that objectionable, you know, especially if they're put in some kind of consistent pattern up there. I mean, in a city we're dealing with, you know, huge exhaust facilities on top of our biotech labs and so forth. I simply don't find it that objectionable. I find much more objectionable the surface mounted ones. I mean we have some cutting across the (inaudible) at the top of the building. I mean that's obscuring architectural elements of the building. To me that's totally objectionable. I mean, but some of these antennas on the top of the taller building in our high tech era, I just, I'm not as upset about it as the other members seem to be. But, you know, as we talk about design

options, you know, and maybe this would be a good opportunity to call upon our own staff to present some options not just for this building but going forward. I presume that this is a reoccurring matter which will be before us over and over again. We'd love to get some guidelines and some guidance from our own staff I would think.

TOM SIENIEWICZ: It seems there might be another win/win -- go ahead, Stuart.

STUART DASH: Sorry. You know, I know Roger worked with Charlie on the mechanical on Memorial Drive, something perhaps we could use an idea with something that you're suggesting. Steve, we might be able to, you know, come up with something that, you know, that made sense or recommend.

STEVEN COHEN: Yes.

HUGH RUSSELL: Okay.

TOM SIENIEWICZ: It just seems that if we're going to go to some extreme level to work architecturally, that maybe rather than designers, we need lawyers and real estate people to go and talk to the church and say, you know, if we're going to go to extraordinary lengths, there could be some lengths that the community can benefit your own address, you wouldn't be competing with the own antenna. You would have more freedom to engineer it. They're going to the expense of camouflaging it on the roof, I think they could go a long way to helping the church and helping another person in the community just simply site it at a different address. This one's too saturated.

STEVEN WINTER: I just have one comment, and that is to -- I'd like to note to the gentleman that we've really been



working hard on this very issue and we're struggling with it. So our invitation is to join us in that search and for you to learn along with us as we figure out how to make these the most attractive pieces within the confines of the business plans that we know that they're coming from. So this is really a great dialogue and I encourage you to participate with us. Okay?

DAVID FORD: Understood. And just to speak real quick on the, you know, building some sort of enclosure or a fake penthouse. As you guys were saying with a transparent wall and mounting the antennas on the inside. The only problem with that, because as we were saying, this rooftop is saturated with carriers. If we were to build a structure up there, we would be blocking the signals of the three existing carriers.

So that was considered as an option, and unfortunately is not an option at this site. So like I said, it's possible to go back and try to redesign what the faux cannister or a faux chimney design instead of the cannister, but to actually build, you know, a fake penthouse is kind of out of the option right now.

STEVEN COHEN: And it seems to me sometimes when you try to do a faux anything, a fake anything, you end up creating something which is more objectionable than simply recognizing them for what they are and reconciling ourselves to the fact that in some locations your buildings are going to have a bunch of antenna. And I think if you, I mean try to camouflage them by having them surface-mounted, for instance, here but painting them the color of the brick behind

them. I mean, that's a terrible job.

PAMELA WINTERS: Could I just say one more thing? I like Tom's idea of utilizing the church. And there was, I remember years ago, Sue Glazer brought in a picture of a church in Newton that was -- is this on by the way? It's not on. Okay, thank you.

Sue Glazer brought in a church in Newton where they did a fabulous job of camouflaging these antenna on the steeple. So I like also the idea of the church benefitting financially from this. So if you could pursue that a little bit more, too, that I think that would be a good thing.

HUGH RUSSELL: I like Stuart's suggestion. So could, you maybe convene a meeting with the Department, the Petitioner, and the Historical Commission as a working

session?

STEVEN WINTER: I think that's a great idea.

STUART DASH: Sure.

ATTORNEY SUSAN ROBERTS: Could you clarify what exactly we're being asked to do in terms of a next step and with planning staff?

HUGH RUSSELL: The next step is to meet with the City's Historic Commission, who is the head of the urban design for the City to explore options that would be more sympathetic for the design of the building.

ATTORNEY SUSAN ROBERTS: For this particular building? Not in general but for this particular building?

HUGH RUSSELL: I'm sorry, for your installation. And you should be considering what might be on this building and across the

street on the church. So....

ATTORNEY SUSAN ROBERTS: Okay.

Thank you.

HUGH RUSSELL: Thank you.

Are there other Board of Zoning Appeal cases that people are interested in?

LIZA PADEN: Does anybody want to see any of the other cases?

PAMELA WINTERS: I had a question on case No. 10466 at 640 Memorial Drive.

LIZA PADEN: This is the Sanofi sign that the Planning Board looked at on two previous occasions. One was back in October and one was more recent when they came back with the revisions. I will tell you that rumor has it that they will be asking for a postponement and continue the case with more discussion about the sign.

HUGH RUSSELL: And the rest looks

very typical Zoning Board, people modifying their houses.

LIZA PADEN: Yes.

HUGH RUSSELL: Okay. Are there meeting transcripts to be accepted?

LIZA PADEN: I'm sorry, one moment, please.

So there are three transcripts: The March 12th, March 19th, and the April 2nd transcripts came in.

HUGH RUSSELL: Are those certified?

LIZA PADEN: They're all certified, yes.

HUGH RUSSELL: Is there a motion to accept those transcripts?

STEVEN WINTER: So moved.

STEVEN COHEN: Second.

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

(Raising hands.)

HUGH RUSSELL: All members voting in favor. So the three transcripts are accepted.

Before we go to the next item which is the Phillips Petition, which my memory says we opened the hearing and postponed it immediately without hearing any substance; is that correct?

LIZA PADEN: Correct.

HUGH RUSSELL: So this is a full hearing of the petition. So Ted suggested at the last meeting that we try to look at some target timings. So we have two and a half hours and I would think that maybe we should spend maybe about an hour on Phillips.

STEVEN WINTER: Yes, sure.

(Catherine Preston-Connelly Seated.)

HUGH RUSSELL: Okay. So you may

proceed. We're calling the Phillips Petition on Section 17.20 of the Zoning Ordinance.

GARY DMYTRYK: I'm Gary Dmytryk, Dmytryk. I live at 2440 Mass. Ave. I'm here in absence of Mike Phillips to present the Phillips Petition. I want to thank you for giving me the opportunity to speak tonight and I thank everybody who's in the audience. We often have a bigger North Cambridge crowd, but I guess the summer's keeping them away tonight.

The title of the presentation is making a great neighborhood even better. And that's what this is an opportunity to do. The site, the Special District 2 is mostly asphalt parking lots, and semi-vacant buildings and could certainly improve. It's also a very large parcel, and there's really a lot that can be done with it. North Cambridge is



really a great neighborhood. This is an opportunity to extend the neighborhood and to incorporate this space into our neighborhood, and we think that's something that we shouldn't pass up on. So this gives us a chance to replace these old industrial uses.

Mike also thought that the Planning Board -- there's an issue of guidance between the Planning Board and the City. He noted that in the second hearing Ms. Winters opined that she mentioned that this would be a great place for a Lewisville Square type of layout of townhouses, something like that. We kind of agree with that. Some of you, I don't think all of you, some of you have your background and professions in architecture and urban planning. I've tried to get a little bit of background by talking to some folks in those fields, and the projects that

we've seen from the proponents generally have been a large apartment block surrounded by a park-like setting according to the language of their permit application. And from what I understand, this is not really a model of neighborhood urban development that is recommended in the curricula of our schools. That this is sort of a model that kind of isolates people inside their block and doesn't really knit the neighborhood together. This is something that we're really concerned about. So we'd like your feedback on that. And what would be the, what you think would be the appropriate and best kind of built form in this setting that would integrate this new possible construction with the rest of the neighborhood.

So as in summary, there are two main

parts to the petition. The first part, the main part, is the question of building form. What building form is compatible with the neighborhood? And also respecting the Linear Park. The way the Zoning language is currently written, the Linear Park counts as a side yard so you can build up to the 7.5 feet from the park. And then there are other issues; traffic, safety, and access which is a difficult one. The community garden, which is a very important amenity that the neighborhood might lose. The dance studio, another important Cambridge cultural institution that might leave. And also rounding out the corner, that was, I think, David Maher's words for one end of the site.

So, let's first start by looking at the Zoning Ordinance for a Special District 2.

Purpose: It is the intent of this Special

District 2 to encourage the establishment of residential uses in the district in a form and density compatible with the adjacent residential neighborhood.

Now, we don't have any arguments with the current density. That's fixed. We know what that's gonna be. But what is the appropriate form that's compatible with the neighborhood around it? This is a neighborhood mostly single-family, duplex, triple decker homes. They're the Emerson lofts which is a recently renovated old manufacturing building. So what kind of built form's compatible?

And this is what is the district looks like. The pink diagonal line is Mass. Ave. corridor. You can see the Linear Park in green. And in red is Special District 2. The red part below the Linear Park is the

Cambridge Lumber site that's currently being developed into townhouses. And to the left, the sort of brownish shade, is I think it's called Special District 3. That's the WR Grey site. And the purple is the Cornerstone co-housing.

Back around 2011 there were three proposals in that same year to build in this area. The developers of Cambridge Lumber, the developers who purchased the Emerson building, as well as the Fawcett lot. This is when the neighborhood wrote up the Bishop Petition. And what the Bishop Petition did was it rolled back density to and restore the density to what the Planning Board had originally recommended to Special District 2. It was kind of a compromise between the density of Residential B, which is what the surrounding neighborhood is, and what the

Fawcett family had planned for. So it's kind of in the build there.

So, again, this is the history. I should say that Cambridge Lumber, the Cambridge Lumber site is being built. There are 20 units, 17 of them have been sold and none of them are completed yet. And Emerson is approaching completion, too.

So didn't we already fix this with the Bishop Petition? Not really. I mean, the Bishop Petition was about the density of the area. We didn't address the form. Again, going back to the history of proposals for this area, first there was a 104-unit building proposed that the neighbors didn't really see how that was compatible with the adjacent and surrounding residential neighborhood. And then another large building and another large building. So, a

large purpose of this petition is to clarify just what we mean by the build form. You know, how many units per building? How big should the buildings be? And one thing that the neighbors didn't see in the Bishop Petition was the Linear Park setback of only 7.5 feet. It's defined as a side yard. And this is important. Even though the current petition by the Fawcetts is, their buildings are about 25 feet from the line, not everybody who's granted a Building Permit goes through with building it. What happens if they don't build it and they sell the property to somebody else? So we think it's important to fix that piece just in case. And then there are the other issues that I mentioned.

So for those of us citizens who are amateurs about urban planning, we looked at

this city document called Tort of Sustainable Future Cambridge Growth Policy updated 2007, which we've been told is the principal planning policy document for the city. So this is what we read in there. For instance, Policy 1 about land use. (Reading) Existing residential neighborhoods or any portion of a neighborhood having identifiable and consistent built character should be maintained at their prevailing pattern of development in building density and scale.

And Policy 26 about housing says:

(Reading) Maintain and preserve existing residential neighborhoods at their current density, scale, and character.

The text says Policy 26 reiterates the general objective of the City's land use policies to preserve the existing historic neighborhoods at their current densities,



scale, and character.

So, again, what kind of built form for this district would preserve the character and the pattern of development of the neighborhood? One could say that Special District 2 isn't really part of the neighborhood, that it's separate. But it's going to be part of the neighborhood when it gets built and gets connected to the rest of the neighborhood.

So this area is a great neighborhood. I just wanted to say a few words about the neighborhood. It's in Cambridge, North Cambridge, Linear Park, nice amenities, community garden, dance studio. A very nice community. There are a number of multi-generational families. A lot of people stay here for a long time. I found it quite welcoming. And this is what it looks like

for people who don't come out our way. This is the Linear Park.

This is the front of the Deb Mason School of Dance.

This is the Marino Center.

Part of the district is an area that they use for their parking about 30 spaces, something like that. I don't really know what kind of arrangements have been made, but that is a concern that they have about where will their people, their staff and their patients park?

Like I said at the beginning, this is really a great opportunity to develop this parcel. The railroad's gone. Industry's leaving. It gives us a chance to add and to expand and extend our community, to support retail along Mass. Ave., provide safety and accessibility upgrades and less asphalt.

Which we're concerned is being squandered, this idea of large apartment blocks separate and isolated from the neighborhood, you know, residents will not really be part of the neighborhood. It will be hard for them to integrate into the neighborhood. One of the big concerns of some of the people who live on the side streets that provide access to this parcel is traffic, but I kind of -- I'm not sure how much trouble that will be, but I do firmly believe that people who see themselves as part of the neighborhood who know their neighbors will not drive so fast down those streets.

So this is what the Cambridge Lumber project is shaping up to be. This is just south of Linear Park.

And these are the plans that are on the table now.

This is a schematic of the most recent plan. Again, note how it's very large building in the center. It's really kind of divides the neighborhood. It's not really integrated with the rest of the neighborhood at all. There aren't very many places where people will interact with their neighbors. In smaller buildings, you know, each building has a doorway, their yards, their stoops, people hang out on a stoop. Here there are entrances at either end that are on driveways that even take them away from the sidewalks. So it would be very hard for the folks who live here to get to know all their neighbors.

This is an earlier version. This was a mock-up made by somebody in the neighborhood.

So, again, our two big goals are smaller buildings, again, to establish a form and density compatible with adjacent

neighborhood and the setback for the Linear Park. The Linear Park we refer to it as an illusion because it's, you know, so narrow. But as you look down the park, as you walk down the park, you, you see -- you're not looking to your side. You're seeing in front of you. And if you have this depth, it gives us an idea of a much bigger park than what it is. And having an adequate setback, 1 in 7.5 feet would help to preserve that.

And these are the other items. Closing Cottage Park Ave. was kind of done, written into this to try to get the support of the neighbors who lived there, but I don't know that they really want -- I don't know how much they really want that to happen. And I personally think that all our traffic planning should depend on solid objective criteria. We're -- we are very, very

concerned about the community garden and we'd like to encourage that it be saved. And this proposal has some transfer development rights associated with that. So round out the corner and make a new dance studio. But please note that we may lose two very important parts of our neighborhood; the community garden and the dance studio. And the Marino Clinic is also a really important institution and they feel a little bit threatened, too.

Through this whole process, except for tonight, I think you've all seen a lot of folks from the neighborhood come out to speak.

So, I could go further into the details now or we can hold off on that.

HUGH RUSSELL: I would like you to summarize the details since you've been

arguing for something that you've not presented.

UNIDENTIFIED MALE: Okay.

HUGH RUSSELL: If you would tell us what is actually in the proposal, that would be useful.

UNIDENTIFIED MALE: Okay.

So the first part of the proposal suggests that we're not saying that we want to eliminate multi-family housing, but suggest that we have a maximum of three units per building as triple deckers or townhouses that have four units per building. Now, we know that the City Council can change this and revise it upward, they can't revise it downward. Perhaps we should have picked a bigger number like six or eight to begin with, but that's why we're asking for your guidance. You folks are the planning

professionals and you would have a better idea than we do about how to build a neighborhood.

I should say that every piece of the Zoning language came from someplace else in the City's Zoning Ordinances. So I mean we're not experts. We just had to, you know, do the best we could. The Linear Park setback, we proposed to make it 20 feet as a rear setback instead of a side yard as it's defined now. The current Fawcett plans have this. However, if the Fawcetts do not develop the property and decide to sell it, what's the next guy going to do? So we think it would be a good idea to write it into the Zoning.

Traffic and access, this is a mess. I don't know if anything can be done to fix it, but it's a big issue. And it's a contentious



issue with the neighborhood as you would expect. People live on different streets, expect different roads. You know, it's just a mess.

One of the big problems is the potential of a cut-through from Alewife Parkway through Whittemore and that's something that we have to be careful doesn't happen.

Part of the petition includes language for a transfer of development rights to create space to make the street, to make streets through the area.

And four, the community garden. This is something that's really very important to a lot of people who live in the neighborhood. It's a site of a lot of social interaction. And social interaction is the sort of thing that could be built into a plan like. You

know, like if you have houses with front doors and stoops, there's potential for interaction. Same thing with the community garden. We suggest that well, maybe there should be some transfer of development rights type of mechanism that would allow construction on the current garden, but to replace the space somewhere else on the property. And our proposal doesn't say this, what I'm about to say, but we think it would be a great idea if the garden space could be kind of be broken up into smaller bits and used as a transition space between the neighborhood now and the new parts that are getting built up. And garden parks would be assigned to the new folks as well as the older folks, and it would be a good way to tie the old and the new and knit the neighborhood together.

You probably know all of this. The city tried to buy it. They're still interested in buying it, but soil testing showed a high level of arsenic and there had to be some litigation. So this could be still interested, but it's been subdivided and will probably be built on.

These are the subdivision plans.

Again, we think it would be great if they could donate some amount of open space to the city inside of this parcel and give them some sort of transfer of development rights for space this size.

And rounding out the corner means no multi-family use within a hundred feet of Whittemore Ave. which is in the, on that diagram kind of west side there, and it would provide a -- that's what the Fawcetts currently have in that area, provides

something of a transitional space.

And the dance studio, there's language in this about saving the dance studio, giving some kind of incentive to keep it. We had thought that it fell within the category of an arts and crafts studio, but it does not. It falls within a category of educational institutional use. We don't know what to do about this. It's probably going to have to leave. It's just sort of a shame that Cambridge is losing some of its cultural institutions.

And finally, there's something called an area of special concern which means that if there's ever any project around here, then a CDD review is activated.

Okay, well that's it. I could continue or we could stop and discuss.

HUGH RUSSELL: I think we'd probably

like to hear the comments. There are only two people that signed up to speak but maybe others wish to speak who didn't get to the sign-up sheet. So should we --

First person on the list is James Rafferty.

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chairman. For the record, James Rafferty. I represent, as you may recall, the Fawcett family. Robert Fawcett and his wife are present this evening. They have owned this site for generations. And as you all I am sure may recall were recently before the Board were you granted a Special Permit to allow for the construction of the housing development that was depicted earlier in the presentation. As you might imagine, my client vehemently objects to the petition. They own more than 20 percent of the land

affected by the petition. And frankly as laudable as some of the civic objections are contained in the petition, this is a petition that's squarely aimed and targeted at the plan that was submitted and approved by the Planning Board. It is on its face classic reverse spot zoning. It is not a petition of general Zoning principle. It is intended to thwart the rights contained in the Special Permit granted by this Board. The petition itself wasn't filed until after we filed our Special Permit application. And what makes this particularly objectionable is this is coming on the heels of two years of efforts involving rezoning at this parcel. The property owner has worked closely, and many hours of meetings with neighbors, attempting to come up with resolutions and some modifications to the Bishop Petition, but

ultimately the Bishop Petition was adopted by the City Council upon its second filing exactly as it was filed without any changes in the language and the proponents were adamant that the Bishop Petition as written should be adopted. And in fact the City Council did in fact do that.

You would recall what the property owner did at that point was go back to the drawing board and designed a project that complied entirely with the Bishop Petition and the new Zoning, shared it with others, came here and filed a Special Permit, and now at the end of that process being told well, we want to make further changes to the district. The petition itself I respectfully suggest is bad policy and is equally if not even more so bad law. It's, it contains elements of it, of requirements that don't

exist in any of the other areas around the site which really lends itself to reverse spot zoning claim. Chief among them is the prohibition around the number of units contained in a single structure. As you know, a large portion of this area is abutted by Residence B District, the townhouse regulations in the Residence B District allows for multiple units to be contained in townhouses. There's no three or four unit restriction in a townhouse, so if someone were to acquire a series of lots or parcels along any of the streets abutting this, they would not be subject to this four-unit restriction. This three or four-unit restriction. And to be clear that is what guts the Special Permit. When you apply that condition to this location, you -- frankly, you run out of room because of the open space



and setback requirements between buildings you could not achieve what's the permitted density here. And I don't think that's a coincidence. I think that's the credit to the authors of this petition. I think the intention is to effectively reduce the number of dwelling units, although on its face, I admit it doesn't do that.

Secondly, what's taking place here, this restriction in the number of units, it doesn't exist anywhere else in the city with one exception, and the exception of the section was noted in the presentation but that's a small subdistrict of about one block or two in the Copperwaite subdistrict which is behind St. Paul's Church, part of the Kerry Corner rezoning. When Harvard University engaged in a bilateral negotiation with the city in an area where they were

intending to build dormitories where there had been some representations in the past of grad student housing, the dormitories would not be there. So along Athens Street the agreement was made with Harvard University, the structures wouldn't contain more than three or four units. So with the exception of that two-street block this doesn't exist anywhere else in City Zoning. So it's true to say that it's not a completely novel idea but it has no similar application throughout the City. I think on its face alone it really distinguishes it. It's not a subject or a condition that should be adopted in this context. If that is -- if form base Zoning is a direction the city wishes to go in, I would suggest lots of planning and examination of this issue across the city should occur not in the context of a single

plan.

I just note that the -- there are some other provisions here, particularly the ability or the attempt to limit through Zoning access to streets. There are common law rights involved in accessing streets, particularly when one has frontage that abuts those streets. There was a reference made to Special District 3. That's the only other district where there was a restriction on access of streets. That's a restriction to Harvey Street. But it's notable that none of the properties in Special District 3 abut or have frontage on Harvey Street.

What's happening in this petition is significant sections of land owned by the Fawcett family which abut and have frontage on public streets that would not be allowed to have access onto those streets. That is

not a proper tool for Zoning I would suggest. That's, that's steps upon and treads upon common law rights that exist for access.

And finally, the whole notion -- I'll wrap up. The notion of transfer of development rights. We have it in certain other districts, but it's clear that when you have the transfer of development rights, you have a clear area of where added density is seen as acceptable where lesser density isn't, is more desirable. One of the classic examples of when the City or the Planning Board adopted the Alewife Overlay District on Concord Avenue from the Fresh Pond rotary to the Belmont line, the districts closest to the Cambridge Highlands neighborhood as the Belmont line were identified as locations that would benefit from having lower density, and the higher density would go down closer

to the Fresh Pond Circle. But you had characteristics that were driving the policy behind creating transfer development rights. I would suggest that this concept will only serve to further exacerbate this tension that already exists that has streets pitted against one another in this district where my street is a dead end, my street should be a cut-through. Where would you put the added density in this location? Why would you select one end of the site versus the other end of the site? It would require an awful lot of study. And I would suggest that there aren't significantly distinguishing characteristics between this site. If there even were such characteristics, the suggestion would be that -- I mean, it would seem that the places closest to Mass. Ave. It's interesting that the neighborhood is

characterized as one, two, and three-family houses, but the neighborhood, including the residents of the speaker tonight has many multi-family buildings. But we have a 40-unit condo building. I believe the speaker is a resident that abuts this thing on Mass. Ave. And there's a building next to it that has 20 or 30 units. And residents of those buildings access their garage by going down -- regularly going down Cottage Park Ave. through my client's property because it's an easier way to access than coming down Tyler Court. So the context in this neighborhood, and the Board knows this because we've spent hours on this in our presentations. We understood the criticism of the building. You recall we made significant changes to the building. At the end of the day the building is a long

building admittedly. But it is not a tower. It is not a tall building. It doesn't cast shadow. It has setbacks on the park that you see what is perceived here.

We would urge the Planning Board to recommend to the City Council that they not adopt this petition for the reasons set forth.

Thank you very much.

HUGH RUSSELL: Thank you.

Mr. Teague.

CHARLES TEAGUE: I feel like I'm at a funny angle here but we just have to sort of observe the acknowledge the --

HUGH RUSSELL: If you can turn the podium 90 degrees so that would work better.

CHARLES TEAGUE: You must be an architect or something. You're very visual. I just wanted to acknowledge that these

continued hearings just sort of align the planets and it's odd that the proponent here, you know, is family medical issues but it's just so rare that we have more Planning Board members than who are going to speak. So I just want to say that. I'm really surprised at the objection on the transfer of development rights. There's, you know, the only thing is to save one of our three neighborhood institutions and that's to save the community garden. I really don't think we can do anything about the dance studio. And the clinic, the clinic, how can they survive losing 30 employee parking spaces? I think the clinic is gone. So, that's three institutions. Let's, it seems a small thing. I don't understand that objection at all.

The concept that where there is precedent in the existing Zoning Ordinance



and it doesn't count, that's extraordinary. I think closing Cottage Park Ave. gets the unit count back up. We've done the analysis and do townhouses and you can keep the same unit count. You don't lose anything. So I don't think that that's particularly useful. I maintained for many years now the Edmunds and Tyler Court one way. It's going to be a certain -- it's going to keep the traffic speed down. It has a lot of good qualities. We don't need Cottage Park. Cambridge Lumber, you guys did a great job, and especially when you had to redesign on the Harvey Street edge and it's just, it's just a great project. And we just look across the bike path and that's, it's the same district. Why aren't we getting that? That has a 35-foot setback. And, you know, we just, you know, it just doesn't, it just doesn't make

any sense not to recommend at least -- I admit that this is sort of weird being the Chinese menu thing, but we all know that we cannot -- we just -- I don't know who remembers the St. John's School redevelopment. It's finally back getting fixed after all these years. That -- I was involved with the clean-up, you know, three years ago. I mean, you just can't predict the future in development. I think you should actually very seriously recommend at least some of these changes.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak? Yes, Ma'am.

ANN MacDONALD: Hi. My name is Ann MacDonald, 24 Columbus Ave. And so I'm an owner of one of those pieces of yellow. And

I've come to many of these meetings and I feel as Gary has presented, the main thing that people in these neighborhoods and the neighborhood are concerned about is that we don't become multiple neighborhoods, that we don't become the island and I feel very frustrated. Leaving the last meeting that the form was still not being respected in terms of what we thought as D-2 was intended to do. That there's this very large building that seems to have nothing to do with the Res B that's surrounding it. We don't expect compatible equal, but there's a huge disparity and that doesn't seem to make sense to me if that's allowed. I think is we don't want that, and the intention -- this is going to be here for hundreds of years. What we're looking for is a unity and a continuation of the neighborhood. And I have been to most of

these meetings as Mr. Rafferty has, and I don't feel there has been a dialogue in good faith with the community that the building has stayed for whatever the financing is driving that has been the consistent thing so that wasn't listening to the neighbors as far as I could see.

So thank you.

HUGH RUSSELL: Thank you.

Yes, sir.

JOHN WALKER: My name is John Walker. I live at 150 Whittemore Avenue which is the other end of the Whittemore Avenue from the Fawcett property. And I'm here to speak in favor of the Phillips Petition. But in listening to the amount of -- that I've heard and also listening to prior meetings, I can't help but think of how frustrated people have become because of the

process that has followed in the Fawcett applications. And the amount of work that this particular Petitioner has put in to try to rewrite the Zoning with creative waives to save basically all of the problems that he sees being created around him because of this project. And that coupled with the unwillingness of the Fawcett family to really listen to what literally 150 people were telling him to do. And, of course, we have an example across the bike path of the Harvey Lumber Company and a very quiet developer that came in and just said oh, well, that's what they want. Oh, I understand what you -- and they go do it like it was no problem at all. I've never spent enough time on this project to figure out when does it hit its limit. How much can you compromise to, you know, still make it a viable project? But it

seems like just the massing is the problem, and the massing is there because you can't fit that many units on the site without it being that large. And the only way I believe is that you have to reduce the numbers or break up the building in smaller pieces. That's what this petition is trying to do. It's also trying to save the community gardens, save the dance studio, and other factors that were considered by the petitioner. I think as Planning Board members, it's an example of communication problems. This has been going on for two years. It's a long time. I think collectively in our neighborhood people have spent literally thousands and thousands of hours working it out in neighborhood meetings from house to house and it's frustrating for them. And I sympathize with the frustration.

I admire Mike Philips for putting in all the time that he's put into this and I support his efforts.

Thank you. Zoning is difficult.

HUGH RUSSELL: Thank you.

JOHN WALKER: I can say that. Thank you.

RICHARD CLAREY: Richard Clarey, 15 Brookford Street. If you were to take a car and drive to South Boston today, whatever street you drove on in South Boston on the north side of the South Boston peninsula, whether it was a numbered street going east to west or a lettered street going north or south, you would see looming behind every building a giant Carnival Cruise liner. It's the biggest thing I've ever seen, and you can't avoid it. Curiously that is exactly the symbol and metaphor that one of the

proponents of this petition used some months ago to describe what the Fawcett building would look like for the next 50 or 100 years. From almost any street adjacent to the Fawcett building, the Fawcett building will loam and quota like a Carnival Cruise liner behind all of these smaller structures. To me it's very vivid and telling argument for a some sort of a rethinking of this project.

Thank you.

HUGH RUSSELL: Does anyone else wish to speak?

I see a hand, I don't see who --  
Heather.

HEATHER HOFFMAN: I think you missed a sign-up sheet since I signed up. Maybe I signed on something. Anyway, my name is Heather Hoffman. It says a continuation of a hearing and I thought it said Phillips at the



top. So, my name is Heather Hoffman. I live at 213 Hurley Street. This is not my neighborhood, however, I'm familiar with this site. And the part of this petition that's very important to me is protecting Linear Park. Linear Park is an amazing thing. And a lot of times when I come into this neighborhood, I come down Linear Park from Davis Square. So I am, I'm very used to how wonderful that looks and to have something looming really close and changing the look of a park that is truly a treasure, not just to this neighborhood but to the city, that so many, many people use is the reason that I would like at least that part of this petition adopted. I know, because I went to an awful lot of the hearings on the Bishop Petition that I spoke about Linear Park then and many other people did as well. The idea

was that it would be protected, that the vistas that you get, the feeling of being in a much larger space than you're actually in because there's openness next to it, would be protected. And apparently the way that the change is made by the Bishop Petition were interpreted haven't protected it. So I hope that you will fix that because Linear Park does not just belong to a few people, it belongs to thousands and thousands of people who use it while they pass through this neighborhood and while they go to destinations in this neighborhood and while they come from this neighborhood.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

DIANE MARTIN: I'm Diane Martin and I live at 34 Madison Avenue. And I am here

to speak in favor of the Linear Park and the 25-foot mandatory 25-foot setback. I'm concerned about the park. I'm not sure what the legal term side yard means, but I don't think of it as a side yard. I would never just cross my neighbor's side yard to get to someplace else. This is, this is a green space heavily used by the neighborhood and people coming from outside of the neighborhood, and it is one of our -- it is a neighborhood gem actually. And the gentleman that spoke on behalf of the Fawcetts, I'm not sure if I understood correctly when he brought up Harvey Street. Harvey Street is very, very different from Cottage Avenue and do not be swayed to think that the rules that are good for Harvey Street somehow are good for the other side of the Fawcett property. It's a -- they're very different -- it's a

very different street. Harvey is a long street several blocks long, and on the other side of the Fawcett property the streets leading from Mass. Ave. are one, one and a half, two blocks long.

Thank you.

HUGH RUSSELL: Thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay, well we have 10 or 15 minutes for the Board to discuss this if we're going to hit our target time.

I guess I would like to make a few comments. Perhaps the principal one which has not been discussed is why is there -- what is the point of Special District 2? And the point of Special District 2 was to see that the industrial and commercial uses have fronted Linear Park and get converted into

housing. That was the point. And it was established about a dozen years ago, I think. And there have been several projects along the Harvey Street side in that period of time. So -- in that question, which by the way, there's another -- if you go to the growth policy document, when it says existing neighborhood, it's talking about the yellow. It says the portions of the city that are one-, two-, and three-family houses will surely predominant residential pattern through all parts of the city, different forms, densities, but that's a pattern that we want to preserve. And so there is a provision in the policy document that deals with converting industrial districts, and I don't have the language in front of me, but it basically, I believe, says that it's a good idea to take industrial uses and

industrial areas that are abutting residential areas and put them in residential use. So that was a policy that led provided to Special District 2.

And the question is, I guess, what does it take to kill the use that's going to lead (inaudible)? Clearly the original Special District 2 density wasn't necessary because when it got changed by Bishop the Fawcetts still wished to proceed. So that was the change of the economic climate of the city basically where people are having to pay for housing and that made a difference. I tend to think that if you were to -- well, another comment.

The only development I know of three family houses in the city was the one that Jim Rafferty in the last very long, very long period of time is in fact the Harvard project

on Athens Street. And the university 60 or 70 years ago bought up an area, cleaned up the houses, built parking lots, and they were ultimately to essentially restore what the form of what they torn down. It's inhabited by Harvard affiliates, but it -- that's an extraordinary circumstance. I don't think it would surprise anyone that Harvard's economics -- building construction is very different than market economics. They have an extremely long point of view that allows them to be, you know, international leaders in green construction. And they do things, they have internal financing that makes a difference. So they're able to do things that people can't do in the open market. So the notion -- oh, now the Council considered a proposal to rezone this into a Residence B and it chose not to do that. I believe

that's correct. Maybe the staff can correct me if I'm wrong, but that is one of the proposals that came forward.

I guess the other thing is -- another thing is in the residential neighborhoods in the city, the main places there are larger buildings mixed in and so if you go down Harvard Street, for example, there are larger buildings dating from -- some of them even before the imposition of Zoning, some of them in the twenties. The City decided in the sixties that Harvard Street should be -- was a cash cow, people might build apartments there so they upzoned Harvard Street to allow 85-foot buildings and high density, and a few of those got built. Our neighbors on Harvard Street are somehow second class citizens. I mean, I was one of the founders of my neighborhood association. Other founders of



my neighborhood association lived in houses, two-family houses and three-family houses. Some of them lived in row houses. Some of them lived in apartment buildings. It didn't seem to be a barrier to be interested in your neighborhood that, you know, so to think that somehow buildings with more than three or four units in it are somehow not -- can't be part of a neighborhood, I think belies what we see throughout the City. Those are my sort of thoughts about this.

STEVEN COHEN: Mr. Chair?

HUGH RUSSELL: Steve.

STEVEN COHEN: I agree with much that you've said in substance about the Fawcett project. You know, I must preface my comments by saying that I was never thrilled with the Fawcett project aesthetically and I understand the concerns about the form, but I

for myself as you look at this petition although there are elements of the petition that I think might be interesting, might be worthy of discussion and might even be in the abstract appropriate to the site if we were looking at several years ago. For me it's about the integrity of the process. And on that score I'm much influenced and persuaded by Mr. Rafferty's comments. This area was studied intensely for two years. You know, that study culminated in the Bishop Petition. The owner of the land formed a design and an application to conform to the Bishop Petition, proceeded hearings before this Board, and we ultimately approved that design. For somebody to come along after that whole process of study and rezoning and then say well, you know, we engage in this process, we supported the process and the

outcome, but now somebody is actually proposing the something in accordance with those laws and regulations which we proposed and supported and passed. And it turns out that we don't like the way it played out so we'd like to now change the rules of the game. To me it just undermines the integrity of this process. I must say if somehow or other that process had yielded some sort of grossly inappropriate egregious project, okay, then maybe I would say let's not make a fetish of the process. Let's correct this horrific wrong. But even though I personally am not that thrilled with the design that was ultimately approved, to characterize it as a horrific mistake, as something egregiously at odds with the neighborhood is just simply not the case. It would be a gross misstatement. I think the process played out, the

neighborhood and all interested parties had the opportunity to very valid and deep input into that process. And the process ended up in the approval of a project, and I just think it is terribly unfair and inappropriate. And to undermine that process at this point, I think it undermines the integrity of the whole Zoning and planning process in the city and it's not a course of events that we should permit or honor.

STEVEN WINTER: Mr. Chair, may I make a suggestion? We are about one minute to our deadline. So I feel we need to either extend the deadline at your convenience or not or that we need to figure out if we have some consensus on this issue, maybe to go ahead and take a vote on it. I concur with all that has been said.

HUGH RUSSELL: I would personally

like to hear if anyone else would like to speak.

STEVEN WINTER: Sure.

HUGH RUSSELL: Bill.

TOM SIENIEWICZ: I concur with all that's been said.

PAMELA WINTERS: That's easy.

HUGH RUSSELL: So we're doing a back and forth.

CATHERINE PRESTON CONNOLLY: I also agree and don't have any other points to add.

PAMELA WINTERS: Okay. No, I rather agree, too. I have to say, though, that I'm very sympathetic with the petitioners. I would have liked to see the building broken up, just been a little bit more, you know, aesthetically pleasing in terms of form.

Steve, I do agree with you on that issue.

In terms of the dance studio having just relatively recently taking three years of dancing there, it's too bad to lose a dance studio, but not that dance studio because it's in such poor shape and, you know, I think I mentioned this at the last meeting I would get splinters. Some of the dances you have to dance barefoot. You get splinters. There was mold in the rugs. I mean it was really needed to come down I think. Is too bad, though, to lose, you know, I'm a big fan of dance. So it's too bad to lose that. I am, again, you know, very sympathetic with you in terms of the form of the building. I would have liked to see smaller units there, but I think that we've already -- we have to be true to our own process and we voted it on and, I'm sorry, but I have to go along with my

colleagues.

H. THEODORE COHEN: I basically concur with everything that's said. A couple of points I do want to quickly make or reiterate is I agree that the Zone was created to be a Transitional Zone, and it was not the existing neighborhood and that the policy reference is to the yellow and not to this. I think that the argument that people who inhabit this project won't be good neighbors is hellacious. I think people will be good neighbors wherever they live and in whatever type of environment they live. I think that Zoning to protect the dance studio, you know, there are lots of stores and restaurants I would like to protect, but this is a commercial enterprise, and, you know, I don't think we can Zone to save one particular business that might go out of

business the next day. I similarly think the Zoning with regard to the streets is inappropriate, but the streets should be addressed by Traffic and Parking and by the City Council. And, you know, I think it is interesting the issue about the setback from Linear Park and whether it's appropriate as a side yard or not. I think that's something that could be discussed in a different context, although I would like to hear when that is pursued or if that is pursued from the staff as to why it might have been deemed appropriate to be a side yard. Basically I think I agree that the process, you know, has been going on for a long period of time and I think what has been designed might not be my ideal but I think it is a very appropriate use of the transition in this neighborhood in this transitional district.



TOM SIENIEWICZ: Well, I think we are reaching consensus. I'm very mindful of the point that's been made on the record by somebody who was speaking in opposition to this, that this might represent Spot Zoning, and that's something I'm really mindful of. I have some sympathy for a couple of elements. The petition as is referenced so eloquently by my fellow board member here relative to the side yard setback provision, it seems like seven and a half feet from a public park and public open space may not be appropriate, but given the topography here it may be appropriate setback that might warrant a little more discussion.

And then relatively to the community garden, I think that that, that's as a policy should be looked at citywide on a builder community gardens one of which is now

underneath a building, no longer exists, that's fine. They're temporal. But I think they're important aspects to an important elements in our community and they deserve some special planning attention. I don't think you do that within the context of one specific site within one's specific person's property. Again, that speaks to me to Spot Zoning and I think it should be something that should be taken up generally across the city.

So thank you for drawing it to our attention.

HUGH RUSSELL: So I think I would like to have us have a motion to recommend to the Council that they not adopt this petition for reasons that were discussed.

JAMES WILLIAMSON: Can't hear you.

HUGH RUSSELL: I'm asking if someone

would like to make a motion that we not adopt, recommend not adoption of this proposal. I'm having trouble with the English language tonight. So if somebody would like to make a motion and we can vote on it.

WILLIAM TIBBS: I was going to say so moved, but I won't just say -- I would like to make a motion that we recommend to the City Council that we not adopt the petition based on the points that have been made. Staff can summarize those.

HUGH RUSSELL: Is there a second?

STEVEN COHEN: Second.

HUGH RUSSELL: Steve.

Discussion on the motion?

(No Response.)

HUGH RUSSELL: All those in favor of the motion.

(Raising hands.)

HUGH RUSSELL: All members voting in favor of the motion.

Okay, the next item on our agenda is the 300 Mass. Avenue. I'm sure there's going to be some set up. Why don't we reconvene about quarter of nine or so.

(A short recess was taken.)

HUGH RUSSELL: We're all set to start. Okay, so this -- we're going to start again. And the Board is going to be hearing Planning Board case 283, 300 Massachusetts Avenue Special Permit application to construct a building.

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chairman, members of the Board. For the record, James Rafferty. I'm appearing this evening on behalf of applicant, Forest City Enterprises. They are

the joint venture of this project with MIT. With me this evening is Peter Calkins, the Senior Vice President; general counsel Katherine Brown; Jake Kylie; Frank Ouest, O-u-e-s-t. He's not going to speak. But he's a very important person in Forest City. I don't want to minimize his role. So we have rehearsed this so that we are crisp, fast and Ms. Paden will not be looking at us like don't make it so. And so having said that, this is a site and location that I know is very familiar with the Board. The result of perhaps two and a half years of study starting with the Red Ribbon Commission, the C2 study, and not one but three successive Forest City Rezoning Petitions. The third one finally being adopted. And the Forest City Rezoning Petition did essentially three things, and they're depicted right here on

the map.

The first was to extend the boundary of the Cambridgeport Redevelopment District to improve this site. Right now the only portion of the CRDD that was fronting on Mass. Ave. was the 350 Mass. Ave. building and the adjoining green space next to the firehouse. So you may recall that years ago when the CRDD was being contemplated, this site was actually considered for conclusion but the ownership structure didn't come into play. So it's only recently come into a contractual relationship with Forest City and MIT. So the Zoning Petition extended the Zoning District.

The second thing it did is allowed for an additional approximately 100,000 square feet of additional GFA in the district. And the GFA in the CRDD is a little bit

different. It's not based on FAR. It's an overall GFA number. So we added about -- the City Council adopting the amendment and additional hundred thousand square feet. And then there was some new language created regarding ground floor usage. 75 percent of the building frontage along Mass. Avenue has to be devoted to retail uses. And you'll see tonight in our presentation that we significantly exceed that.

It is an exciting opportunity to finally come before the Board tonight not merely with massing models but with real architecture and design and to make the case before you that this design meets and indeed embodies all of the urban design objectives and project review Article 19, as well as the subdistrict guidelines associated with CRDD.

I should point out to the Board that

contained in the Zoning of the newly adopted Zoning is a reference under Section 5100 to a letter of commitment. And the letter of commitment was the subject of much public policy discussion and became an integral part of the final adoption by the City Council. There isn't much of it that pertains to the article review, Article 19 Special Permit, but I should just point out for the Board's understanding that the three components of this letter of commitment are one payments by Forest City to the city of \$1,000,078.

The second component to the letter of commitment involves the extension of the use of the existing affordable units in the Forest City University Park development. They were subject to 30-year restrictions at the time they were adopted. Forest City has committed through the letter of commitment to



extend the life of those through the life of their ground lease which is in total it's a 75 year ground lease. So we are in various points and parcels. I don't think we're beyond 20 or 25 years. So it extends that horizon out. It also brings those units into the purview of 11.200 which is an Ordinance that was adopted after the creation of CRDD and they were managed and run a little bit differently. And the meeting with the affordable housing people at CDD they expressed a desire to see if those units could become more conventional in the manner in which their operators and tenants are selected and that is a condition in the letter of commitment.

And then finally those were keen memories. At one point there was talk of an earlier petition of a residential building on

the green space next to the firehouse, and that residential building would have contained approximately 25 affordable units. And the conclusion was at the legislative end of things that there wasn't adequate support for that building, but what people did like about that building was the 25 affordable units. So Forest City in its letter of commitment agreed that within seven years of the Certificate of Occupancy for this building, they will cause to be created 25 affordable units and there's a variety of ways that can occur. And there's an alternative, if it doesn't occur within 25 -- within seven years, there's a \$5 million alternative payment. The objective and the hope being that the payment doesn't have to come, that the units will actually arrive. I suggest it has some relevant to the Board in

terms of a requirement of the Zoning, that we adhere to that and want to be able to represent this evening that the project of the proponent is in compliance and fully intends to meet with all that.

So at this point I think I want to introduce Mr. Calkins. We have, as I said, we have made several presentations here so we've got it down. We've been to the Cambridgeport Neighborhood Association. We've appeared before the Central Square Advisory Committee. We sent out copies of the application to the some other neighborhood associations. So at this point we are hoping we can hit the highlights and, of course, be available for as many questions as you might have.

Thank you.

PETER CALKINS: Thank you, Jim.

For the record, I'm Peter Calkins with Forest City. In addition to the Forest City team this year, I also want to acknowledge the group from Millennium Pharmaceuticals. Millennium is going to be -- has signed a lease and will be occupying the entirety of the building other than the retail space for an expansion of their programs. Millennium's been a tenant of ours at University Park since the 1990s and we're happy to have Rick Appleton, Ken Doyle, and Kelly Flynn here representing Millennium at this discussion as well.

I'm just going to briefly highlight for you some of the planning objectives that we've tried to accomplish, and then I'm going to turn the podium over to members of our design team to take you through how we tried to accomplish those objectives.

One is, you know, the point that Jim already mentioned, the presence of retail on Mass. Ave. We have devoted essentially, you know, almost the entire -- almost all but 40 feet of the retail frontage on Mass. Avenue to retail of a frontage along Mass. Avenue to retail space. There's about 15,000 feet here. Slightly a little bit more than that. Roughly five on one side, ten on the other. The larger one would be broken up, almost certainly broken up to smaller retailers. But, you know, we've -- for years we've only had this little, you know, the asgard and what's now the fitness here as retail frontage on Mass. Ave. and we're looking forward to be able to bring diversity and vibrancy and, you know, excitement to this piece of Mass. Ave.

Another objective was to really

strengthen the ground plane. And our approach to Blanche Street which is here, is a big piece of that. In conversations with planning staff from both CDD and Traffic and Parking, we were talking about loading docks one day and the subject of the character of Blanche came up and it was clear that, you know, there was, a clear desire on their desire for Blanche Street to become a shared use kind of environment. Much like Palmer and Winthrop is in Harvard Square that is sort of equally open to pedestrians and bicyclists and vehicles. And that's the approach that we're going to take. You know, Blanche is a public street so we'll be making those improvements in a public way. But I think there's strong support within the city staff in the approach that we're looking at there.

We're also at both ends of Blanche pulled the building back both here and back here, effectively shortening the distance of Blanche that is, you know, relatively tightening the building, opening up the both ends in a welcoming kind of gesture. One end will be outdoor seating, which is most likely going to be a restaurant in this area. The other end is a more public plaza kind of environment. Directly across the street from the entrance to Star Market. And so, you know, we're looking to bring some light and air and some activity to the street as well.

Parking, and we've, you know, touched on this before during the Zoning discussions but we're not building a single new parking space for this project. Parking will be handled within the existing parking structures at University Park. Everyone who

does work in this building who does drive will park in this garage here. Some of the people who are currently parking in this garage can be redistributed around to other garages within the park. So because of the strong PDM measures that we've been able to implement with our tenants over the years and because we're still even with this building below the original program commercial square feet that was within the original University Park Zoning, we've got that capacity and so that's an advantage.

And then finally, there's a real focus on architectural expression. You know, we wanted to avoid what we came with originally which was a blocky building, so there was a lot of effort and intention put into diversity of massing more like the character of Mass. Ave. acknowledging that this is a



good size building using both materials and height and massing. And I'm going to -- with that introduce Chris Leary from Kling Stubbins who is going to take through the architectural piece of how we tried to accomplish these objectives. Chris will be followed by Meghan Houdlette from VHB who will present the results the traditional traffic impact or transportation impact study that you're familiar with seeing with these kinds of applications, but also an update on the original University Park transportation management agreement that was in place 25 years ago that now applies to our expanded district and so we've retested the numbers under that as well.

So thank you.

Chris.

CHRIS LEARY: For the record, my

name is Chris Leary. I'm an architect with Kling Stubbins, One Broadway, Cambridge. And I wanted to share two things with the Board tonight.

You know, all buildings are shaped partially by their surroundings and partially by what goes on inside the building. And I'll touch on these two points. The things that shape the urban shape experience around the building, and a little bit of an explanation of the nuts and bolts of what's going on inside the building.

So the image up on the screen right now is a floor plan, obviously ground floor. And to touch on a few things that Peter and Jim mentioned in the introductory, the purple represents the retail spaces up in the front. And as Jim mentioned, not only are they generous in the amount of coverage along

Mass. Ave., but also in their depth, at 60 and 80 feet. Those are generously sized spaces that can support a variety of uses. The building has a very modest entrance along Massachusetts Avenue. The building actually has two entrances. We anticipate that about half the people entering the building will come along Mass. Avenue, whether it's by T or on foot. And the other half will come from the back, perhaps from the other Millennium buildings or parking at the University Park.

The balance of the ground floor is given over to service, whether it's the retail or some of the mechanical functions of the building with a little bit of office space activating the facades along Green Street.

Also talking with the experience around the building, the building will be shaped not

only by the retail spaces but also by some of the open spaces around the building.

Specifically this space on the corner which we anticipate will be activated by the retail space behind. The Blanche Street experience coming back towards Green Street. And then finally the four court on the Green Street side of the building here which will not only offer some outdoor space for folks inside the building but for folks using the hotel and supermarket as well.

The drawing on the screen now is a drawing that we prepared back at the time of the Zoning Petition and it illustrates two important points. One is how the massing of this building has been shaped to fit in with the other buildings along Mass. Avenue. And also how it responds to the various heights that were spelled out in the Zoning Petition.

Some of these numbers may be a little bit easier to read in the handouts on the screen. But what you see here is the main roof of our building at 95 feet is lower than the height of the Necco building that's up the street. And that well over two-thirds of our building is actually at 65 feet along Mass. Ave. with only a small portion just under 50 feet extending up to 95 feet.

This is a rendering of what we anticipate the building will look like coming down Mass. Ave. from Central Square. And just to pause here for a second, we've been thinking about this building now for three years, which is a very long time, and I will say that with the benefit of that time. I think the building has improved greatly. If you remember a several studies that we did was a very large and very long building and

what we've, you know, from the comments from this and other public hearings we've thought long and hard about that and what you see today is a very different approach we've used both the shapes of the building we called the massing as well as the materials to break down the build into a number of component pieces in an attempt to make the building feel not only smaller but more contextual with the patterns of Massachusetts Avenue. Specifically we've articulated part of the building in a terra-cotta material, which is very similar to some of the brick masonry of Random Hall and the Novartis building beyond but and perhaps in a much more modern way. And the taller parts of the building on the corner of Blanche Street we've articulated in glass. That was the first move. Then in the detail level we've thought about the specific

shapes and proportions curving this facade to ease the transition down Blanche Street.

Opening up a reveal between the piece that fronts Mass. Ave. and the piece that turns the corner. And most perhaps significantly, more significantly the penthouse as well.

You know, laboratory buildings it's challenging to integrate the penthouse which can be in some buildings quite large and unwieldily. And what we tried to do is integrate that very functional part of the building in a more artistic way. Using similar materials such as glass, breaking up the shape, and most importantly setting that as far back from the street as possible. But at the same time trying to make it part of the building and not divorced from the building.

This is a complementary view looking in

the other way toward MIT towards Central Square. And again you're seeing the mass of the terra-cotta part of the building adjacent to Random Hall and the larger glass element on the corner announcing that transition back down Blanche Street towards the supermarket and the hotel.

And then finally, this is an image around the Green Street side of the building. This is the four court that I had highlighted in the plan which it is achieving a few things.

One, it's announcing this entrance to the building but, again, it's providing a little bit of -- those are tight streets back there, and in stepping the building back modestly we think we've brought a lot of light and air as well as useful space down to the street in this four corner.



And then a few more images getting in a little closer. This is an image of what the building would feel like, what Blanche Street would feel like from across Mass. Ave.

Looking down you're seeing the shared street which is paved building to building. And the experience, the pedestrian experience there. As well as the outdoor space outside of the retail on the corner.

And then this is a, finally another image on Massachusetts Avenue. I want to highlight here our attitude towards the retail spaces. You know, we don't know what the retail spaces will be ultimately, but our thought was to design a building that could allow the retail spaces to express their own individual character. These are obviously conjectures of what these stores could be. But one of the things that we find

interesting about the retail in Central Square is that over time the individual retail storefront that develop a significant identity that allows them to stand away from the building above, and we've attempted to create an architecture that will allow that to happen here as well.

So the second part of what I want to share here is the little bit of the functionality of the building. We talked about the ground floor earlier. The second, third, and fourth floors are the larger floor plates. These floor plates are designed to be very flexible so that not only can we accommodate a very wide range of office and laboratory uses here, when Millennium was initially but over time. The building then steps back. You know, you can see from the three-dimensional views the articulation of

massing gets a little bit smaller on the fifth floor creating some of the setbacks. And then finally quite a bit smaller on the sixth floor.

Up above the sixth floor of occupied space there's a mechanical penthouse. And just to touch on that briefly our intent with the penthouse from a functional point of view was to try to design the most efficient penthouse that we could to make it as compact as possible. But also to -- in an attempt to mitigate any of the consequences of the surrounding buildings, a majority of the mechanical equipment of the building will be inside the enclosed penthouse and that's very important, not only functionally but acoustically. Some of the things that a laboratory building (inaudible) the boilers, the air conditioning units, that can create

the most noise are in fact inside. The only things that are outside, such as the cooling towers and the exhaust fans that just functionally have to be open to the outside environment.

And then the last thing that I want to touch on was our sustainability commitment. We anticipate this building will be earning a LEED Gold certification. And understanding the LEED green building rating system it's a rather complex system with 110 points of view that. Aggressive storm water management system. Respecting the recent infrastructure on Massachusetts Avenue we're containing a lot of the storm water surge and heavy rains with roof detention, and then we have a series of underground filtration bases that treat some of the phosphates before that storm water goes down to the sewer. We're

spending a lot of time designing the most efficient mechanical systems that we can. These are systems that use technology such as heat recovery to capture some of the heat and cooling of the exhaust and reuse that energy. But also a system that is controllable, that has good technology that allows to understand not only the systems are working optimally, but allows things such as draw the building down when it's not as heavily in use.

There's a lot of thought about how folks will access the building on foot, by bicycles, and of course the parking and the traffic as an issue as well.

I'll hand it over to Meghan.

MEGHAN HOUDLETTE: Hello. My name is Meghan Houdlette, and I'm a transportation engineer at Vanasse, Hangen & Brustlin. Forest City has hired us to conduct the

transportation impact study for the 300 Mass. Ave. project. The two slides that I'm going to present tonight highlight the important results of TIS in addition to the traffic mitigation agreement. The TIS was conducted in accordance with the City of Cambridge TIS guidelines, and it was certified on June 11, 2013. As shown on this slide, you can see that we analyzed 14 study area intersections for the TIS analysis in Central Square. The results of the TIS analysis indicate that out of 239 data entries, there were only six Planning Board criteria exceedances.

The first Planning Board exceedance occurs on traffic on residential streets. To give you some background, we actually looked at 17, two-block residential street segments and only one of these segments was in exceedance. This occurred on Green Street

during the evening peak hour only between Brookline Street and Sidney Street. We anticipate that project trips exiting the site will travel down Green Street due to one way streets and restricted left turns in the neighborhood.

The second set of exceedances occurs under pedestrian and bicycle facilities. This analysis is important, however, I would like to point out that at unsignalized intersections the equation assumes that vehicles must yield to pedestrians. I'm sorry, that pedestrians must yield to vehicles. And in reality for under the state of Massachusetts law, vehicles actually must yield to pedestrians, therefore, this is a conservative analysis. With that said, there are five exceedances at these unsignalized intersections highlighted in the yellow

circles on Green Street. The exceedances occur due to the increase and delay with a build traffic condition.

In 1988 Forest City entered into an agreement with the City of Cambridge called the Traffic Mitigation Agreement. As part of the Article 19 process, Forest City has been asked to update this analysis. We conducted counts, surveys, observations in the beginning of April 2013 in order to estimate the number of project -- the number of trips entering and exiting the University Park site today. The result of this analysis indicates that the existing 300 Mass. Ave. -- sorry, the existing University Park site in addition to the projected 300 Mass. Ave. project will generate approximately 1,148 evening peak hour vehicle trips which is below the threshold of the 1988 agreement of 1,700



evening peak hour vehicle trips.

Thank you. Peter Calkins will have some closing remarks.

PETER CALKINS: Thank you, Meghan. Thank you, Chris.

As Jim indicated, we were going to try to keep this presentation pretty tight. So I'm just going to offer a couple of closing remarks and then turn it over to the Board for, you know, the next stage of the process.

I know you have plenty of information in the Special Permit application materials that were submitted that you all have in front of you. We'd be happy to answer any questions you might have about anything that, you know, perhaps we didn't cover that you'd like to ask about.

You know, we were very pleased to have this opportunity to be back to you tonight to

talk about design as opposed to the many meetings we've had with you before that really focussed on Zoning envelope. We believe this project is highly compliant with the urban desire criteria that is set forth within the Zoning Ordinance. And I also, as those criteria have been refined through the recent Central Square planning study process, as Meghan indicated, the project also has very minimal impact on traffic in the city. We, you know -- we have reviewed the letter that Sue Clippinger and the Traffic and Parking Department had put together about some proposed mitigation measures that they suggest would be implemented and we are prepared to work with that letter and implement those measures.

And, you know, with that, I hope you see fit to grant our requested Special Permit

and turn it back to you and as I said, answer any questions you'd like us to answer.

Thank you.

HUGH RUSSELL: Okay, thank you.

I would like to bring the Board's attention, the design review report to the Planning Board from Roger Boothe which was prepared by Roger I guess in consultation with the staff. The City Department, that's something that we've been encouraging them to put those things down in writing. The last paragraph characterizes the review as a very positive review. That's something if anyone has questions, they could raise those questions.

We also received a report from the Traffic, Parking and Transportation Department. And though I don't have a hard copy of it here, it, again, if I can

characterize that report that -- I guess I don't need to. You characterized it and I agree with that characterization of the project and the project accomplishes what we're trying to accomplish. But there are a few things that -- and some conditions that I suggest we attach which Mr. Calkins said that he was in agreement with accepting those.

Does the Board have questions at this time?

WILLIAM TIBBS: I have one question. Could you explain the difference between how the garage is used, the number of cars that are in it now versus what you're projecting when this project is fully occupied? I understand you're going to use the same garage, but I just want to get a sense of what the delta change from what I'm seeing you experience today from what you

anticipate?

PETER CALKINS: I would be happy to answer that question. There actually won't be a significant difference between what you see now if you go out to the garages and what will happen after this building opens. And the reason for that is that because we have to date only built 1,575,000 square feet of commercial space, where the garages were planned for 1,000,009 as was called for in the original Zoning. You know we have had some excess capacity, and we have allowed that capacity to be used by tenants who have asked for short term month-to-month terminable parking rights to handle, you know, needs that they had. The most significant of those users is Vertex who is a tenant at 88 Sidney Street but uses a lot more cars than 88 Sidney Street might

normally be allocated on a temporary basis. And early next year Vertex will take those several hundred parkers and take them to Boston. So that's the basic transition is that Vertex and its people, its temporary people, believe we will still keep the spaces for 88 Sidney Street for whoever the replacement tenant is there, but those 300 temporary spaces are the spaces we can then give to Millennium on a more long-term basis on this point.

WILLIAM TIBBS: So as you said, basically we won't see that much of a difference between the activity of people going in and out of it now as will be when they're there --

PETER CALKINS: That's correct.

WILLIAM TIBBS: -- because of similar kind of usage?

PETER CALKINS: That's correct.

H. THEODORE COHEN: I have one question. Where will the bicycle parking be provided?

PETER CALKINS: So there's a room located right here within the building which has 49 spaces in it. Accessed, you know, directly off a walk that comes along this service drive right through this door, right into the room. From the room you can get right into the showers if you've had a long, hot ride to work that day. So, we've got 49 spaces that are within the building that are intended for use by Millennium employees. And then there's a series of parking racks outside the building somewhere along Mass. Ave., here, here, here, and here, and some are near the Green Street entrance to the building here that are intended to be even

more transient nature. And these, this parking is compliant with the recently enacted upgraded bicycle regulations for the City of Cambridge.

H. THEODORE COHEN: Fine, thank you.

STEVEN COHEN: Mr. Chair?

HUGH RUSSELL: Yes.

STEVEN COHEN: I had a few questions, and the first one maybe you can help me with. And that is what -- the business of exceeding Planning Board traffic standards, can you explain that to me what that is and what the significance of it is?

HUGH RUSSELL: So, when the design review Chapter 19 was established, there were a series of measures to these studies and there were certain triggers that ended up in the parlance, ended up if you didn't -- if you went beyond the triggers in the, that



were set up by the Traffic and Parking Department, you had an exceedance. So it's been sort of a numbers game. Like, how many exceedances do you have? But it's really more of a question of what is the significance of those exceedances? And so then the discussion from the Traffic and Parking Department, they address that question. It's -- as Meghan said, it's very common for there to be exceedances for pedestrian movement at unsignalized intersections because of the way the system is set up and they're perhaps not actually mirroring the reality of the strong pedestrian asserting his rights of the city.

One of the -- but the other exceedance has to do with traffic and residential streets. And what constitutes a residential street is something that the Traffic and

Parking Department does. And that particular block of Green Street as the Kennedy Biscuit building on the left side, very residential. On the right side it's about as unresidential as you can get, yet it counts a residential street by -- we have to make the rules and you have to apply them with some degree of intelligence. So that's what goes on.

STEVEN COHEN: So, and exceedance doesn't in any way (inaudible) our ability to grant a Special Permits?

HUGH RUSSELL: We're on a broader level. Exceedances are a guide as to whether the impacts of the project are significant or not.

WILLIAM TIBBS: Do you mind?

HUGH RUSSELL: Please.

WILLIAM TIBBS: I take the exceedances as -- I actually do look at them

for that very reason to see if they exceed enough to be a problem. And obviously Traffic and Parking helped us out with that. So that -- so it's in some projects the exceedances are such that they do warrant our attention, and a lot of time the proponents will mitigate those exceedances to -- in order to -- so it brings the level down. So I don't want it to sound like it's kind of routine. I think the reason why they established them when they were brought to our attention so that we can react to them.

CATHERINE PRESTON CONNOLLY:

Mr. Chair.

HUGH RUSSELL: Yes. We have a real expert here.

CATHERINE PRESTON CONNOLLY: I think the exceedances, for exactly the reason Bill was saying, are a helpful guide to the kinds

of mitigation that we propose. So for instance in this case we have a number of bicycle and pedestrian exceedances, and what we see in terms of the recommendations from Traffic and Parking are mitigation measures that are really focussed on improving bicycle and pedestrian access as opposed to a site that might have more vehicular turning movement type exceedances where you might focus more on new signal timing and that kind of change.

HUGH RUSSELL: More that you wanted?

STEVEN COHEN: I just had one question to the applicant about the retail use, and obviously your provision of 15,000 feet of retail use is important to us and certainly something what you make much of appropriately. I'm just wondering if you have any particular plans or policies or

goals for the nature of the retail use. We've talked a lot about the sort of retail use that we'd like to encourage and what kind that we'd like to discourage, and I'm just wondering, and also I guess I would address this to staff and the Chair, are there any standards in the Central Square Overlay District or in the special regulations for the Forest City project which in any way guides or restricts the nature of the retail uses that would be encouraged or permitted?

ATTORNEY JAMES RAFFERTY:

Mr. Chairman, I can briefly address that. I think it's fair to say that thinking in strategies around retail have improved greatly in the last few years. This Zoning District has requirements around merchandising plans and spelling out efforts to utilize this space. This is a district

where there's a minimum required space. In this particular case they're working with Jesse Vericon (phonetic), a local retail broker who's had tremendous success. I think the experiences along this stretch of Mass. Ave., particularly as part of this building, The Flour and Central Bottle and some of the others connected with Kendall Square that Jesse has been directly involved in. That there's an increased understanding that the retail design is at the forefront of the design process, not simply left behind. I think we saw examples perhaps a decade ago where retail was kind of the leftover space and it wasn't -- didn't have a prominent.... so the thinking here and the requirements envision a strategy that in most cases, and I think Mr. Calkins would agree, the retail is probably a lost leader on the rent side. The

balance of the building is carrying the cost of the building, if you will, but the requirement for the retail is, it's got to succeed. So you typically see in buildings like this a significant build out by the landlord. A tenant what might in some cases be a tenant for what is done by the landlord. So -- and we're required every year to the building is fully occupied to report to CDD a merchandising marketing plan. It was first embodied in the Alexandria rezoning in District 4 and it's also a requirement and has been incorporated in this rezoning.

HUGH RUSSELL: Sure, Pam.

PAMELA WINTERS: Roger's memo had two comments that I was actually going to raise and right at the very end, including you will be showing the materials of the building, material mockup on the site, and as

well as the review of more specific landscaping plan. So those two will be done?

PETER CALKINS: Yes, those two will be done. We're not yet at the stage. We're actually doing a tour tomorrow of some existing buildings that use the terra-cotta material. So those -- we aren't ready to do that as part of this Special Permit process, but we absolutely intend to build up a mockup of -- a materials mockup on-site for our own, you know, benefit and we would certainly invite members of CDD and any members of the Planning Board who wanted to come view that, to come see that when the time comes. And also to dig in, you know, get their hands dirty with the landscape plan when it is fully developed.

PAMELA WINTERS: Okay. I was just thinking about it because I was looking at



these pictures, and are these materials that you have on here definitive or are they --

PETER CALKINS: Materials? Are you looking at the building materials or the landscape materials?

PAMELA WINTERS: The building.

PETER CALKINS: Well, our intention is to use a terra-cotta product.

PAMELA WINTERS: Okay.

PETER CALKINS: You know, we haven't exactly settled on the color. We're thinking that it's in the range pictured in the renderings. There are lots of different ways to treat those terra-cotta panels, and we haven't yet made a decision on how we would treat those. But the use of terra-cotta and the use of glass, as you see in the renderings, generally depicts what we're intending.

PAMELA WINTERS: All right. I was, you know, I was looking at the yellow bricks here and it reminds me of those, you know, those antique yellow bricks that they used in some of the older buildings, but I think that this is something different so I was just curious.

Thank you.

PETER CALKINS: We'd be happy to make those materials available as soon as we pick them for public comment.

PAMELA WINTERS: Great. Thank you very much.

STEVEN COHEN: With respect to those unresolved design elements, is there an ongoing process with staff, ongoing discussion beyond the point of the --

HUGH RUSSELL: We always put a condition in the permit that the design

review will continue with the staff, and we usually identify specific areas so these two areas would be on that list. But I think the view is a bit broader range of the specifics of the decision as one of our tremendous assets that we have such capable staff.

Maybe Roger has a little bit of colorblindness because we very rarely are surprised, and I think we all were surprised.

ROGER BOOTHE: Now I know what meant. There are different opinions about that. But mostly not so good.

H. THEODORE COHEN: What was that?

ROGER BOOTHE: Mostly not so good.

HUGH RUSSELL: This is a little more I had just and it's going to get dirty.

Can we proceed on to the public testimony?

The first person on the list is Steve

Kaiser.

And you'll be the timekeeper, Pam?

PAMELA WINTERS: Yes, I am.

HUGH RUSSELL: Thank you.

STEVE KAISER: My name is Steve Kaiser, 91 Hamilton Street. And I hope everybody can hear me tonight. I've heard everybody speaking through this mic. We have a problem in this room. It can be air conditioned nicely in the summer, but the acoustics are simply awful. It's a rumble in the system. There's this fan noise. And the microphones do not help on your table. There is only two of you who I could hear clearly. The others spoke too softly or they mumbled and they did not articulate. We're in a very difficult room. It's a public room and we need to have every member of this Board speak up and speak up clearly. This is a

particular defect for a building that is for seniors, and seniors are very often suffering from a loss of hearing as I am. I'm down 25 decibels. So that's another reason I'm saying we should speak up so everybody can hear.

Now, the height of this building is 95 feet. Very interesting number because Alex Twining has proposed some different heights for building in Central Square; 285 feet. Fascinating numbers because the Twining number is exactly three times the height of this building. It's three times 95 feet. So if you wanted to take a look at any of those side profile views of the development and triple it, you would have an understanding of what Mr. Twining is trying to do. And maybe have an understanding, too, of what 140 feet means, because that's what the Advisory

Committee recommended for this site. And the Advisory Committee also recommended another form of Zoning for this site in this square. So they could go directly into the City Council and bypass the Planning Board and get more height. So where is the end of this process and where is its credibility?

I'm also worried about the future of Random Hall. Because that under the new proposal, we get that 140 feet over 285 or whatever. Would that be demolished and then become another high rise right next to this? What's the context? What's the future? There's been no discussion.

Now, the traffic study, it's like all traffic studies. It comes before this committee and it's basically not useful. It doesn't tell us anything much that we didn't know. It doesn't result in any major

changes. It could. There's no reason why it can't. In Central Square, when the city first looked at Central Square, they said it's only -- the Central Square intersection, Mass. Ave. and Prospect. It was half empty of cars in the peak hour. Half empty. That's not anybody's understanding of what that intersection really is in the peak hour. It's jammed, it's backed up, it's all messed up. (Inaudible). No. 1, they ignored pedestrians.

PAMELA WINTERS: Steve, if you could wrap up your comments.

STEVE KAISER: No. 2, they should have used an alternative method when doing this. And what happened was they decided let's reanalyze this. Instead of getting a level of service A, which is what it is, if it's only half full.

PAMELA WINTERS: Steve, if you could wrap up your comments.

STEVE KAISER: Okay, what I'd like to know is Mr. Rafferty spoke at the previous hearing during the comment period and he spoke for about six minutes and there was no interruption and --

HUGH RUSSELL: So if you intend to debate this point with the Chair, I will simply comment that I decided that because Mr. Rafferty was representing the affected landowner of a down zoning petition, that owner should have the opportunity to fully express his points of view.

STEVE KAISER: Okay.

HUGH RUSSELL: But --

STEVE KAISER: I'm a landowner at Hamilton Street.

HUGH RUSSELL: You spent half your



time admonishing the Board on our speaking in the microphone. That was your choice. But we would like you to wrap up your comments.

STEVE KAISER: Okay. I will do so and I will definitely do so in less than six minutes.

But let me just point out that this hearing is for Section 19.20 of the Zoning Ordinance, but it also must be in compliance with City Hall which is Chapter 40A and that should have been notified in the hearing notice. It also must be in compliance with the City Constitution, and this Constitution which every one of you is sworn to support when you took your oath on this Planning Board. And that state Constitution concludes a Declaration of Rights, it includes an Article 7. As you well know, it includes the requirement that any state action such as its

Special Permit not be allowed if it gives a profit to an individual or a class of men such as the developers. And my solution to that problem, and I'm very serious about this, is that housing is less profitable for developers. So in order to comply with the Constitution, a level of law in this state, this property should have been developed for housing and it is not and I would suggest that's an alternative.

HUGH RUSSELL: Thank you.

STEVE KAISER: My very last comment is on transit. There was no discussion of the Red Line and what might be done for that. I would like to submit a copy of the report that I have done looking at ways of improving the Red Line so that we can make better capacity to handle the development that comes along. I think that would be in our mutual

interest. Nobody seems to be doing much on that at the moment, but I would like to submit one copy for this Board's understanding if I give you all copies that it might be overloading you. But it does have a CD in here, copies can be made. And we should be looking at very seriously with all of the developers, including this developer who I think I can work with to find out ways to making the Red Line work better, this would compensate for the increase in traffic that they are generating.

Thank you.

HUGH RUSSELL: Thank you.

Next speaker is Mr. Williamson.

JAMES WILLIAMSON: Thank you. James Williamson, 1000 Jackson Place. My first comment has to do with what, call it a pedestrian promenade. I think it's a great

idea. However, I would like to ask the Planning Board to consider asking the proponent to have retail or look at having retail here. It seems to me that that would help bring it -- anchor it at the other end for this work as a kind of pedestrian promenade. It would help and for -- and I think if there was a logic to it in its own right to have some retail there, perhaps even if necessary reducing the area of the retail on the Mass. Ave. site. I don't know. But I think it would be great to look at the possibility of having maybe a cafe or something at that lower end of Blanche Street and also working with the city to get the right materials. The ash that's used in Palmer Alley is just awful. It just makes it really unpleasant. So the material that's use for that would be important.

And if I can just ask to go to the first slide, please, for the other couple of comments. Thank you.

PETER CALKINS: The first one you mean?

JAMES WILLIAMSON: The first one, the one with the view -- facade of the building and the -- yeah, that. Thank you.

So, on the transportation, yes, there are in fact about age pages of transit analysis, but it's using, they acknowledge, 2010 data. Everybody knows that the number of riders, the ridership has been growing significantly. And in fact in August 1st the No. 1, they're going to supposedly improve the limited efficiency of it by removing stops on the No. 1. The current stop is right in the lower right-hand corner and there's another one down in front of

Novartis. And I believe that's the one that they're removing. So there's going to be additional pressure anyway. The data is inadequate, and I just think there's some serious problems with the No. 1 bus that have to be considered more carefully.

The next thing is a view corridor of the Necco, the water tank on top of the Necco building is probably the most significant feature of that building that anybody has any interest in. It's on one of the slides. It's not on the model and it's not here. But I think looking at ways to protect, to consider protecting a view corridor that would allow people to see that from this vantage point and further up Mass. Ave. would be worth consideration especially given the fact that Novartis got a huge historic preservation tax credit, and including a

whole project including the relocation of that water tank.

And then finally on the design aspect, people have talked about the proponent talked about breaking up the shape and also in Roger's design analysis he talked about -- he talks about modulating the massing. And I think the most important vista of this is gonna be from this end as we're looking at this, what you see in front of you, and I would like to suggest consideration by design oriented, you know, professionals and others to think about doing the same thing with that curved facade so that it's not just one big facade but maybe vertical elements breaking it up vertically. And I'll just give an example of where I think it might help break it up, break up the massing in ways that it had about alluded to for other features this

design.

PAMELA WINTERS: James, your time's up.

JAMES WILLIAMSON: Just the idea of having some kind of design elements that come up along this way along that curved facade.

PAMELA WINTERS: Thank you.

JAMES WILLIAMSON: Those are essentially my suggestions.

Thanks.

HUGH RUSSELL: Okay. Next Charles Teague.

CHARLES TEAGUE: Charles Teague, 23 Edmunds Streets. Hopefully I won't be long, I will be much briefer. Just going forward, I had the opportunity to speak to members of the expert advisory panel on the city for the climate change committees and they observed two things:



One is that you get LEED Gold for being near the subway.

UNIDENTIFIED FEMALE: Can you speak into the microphone?

CHARLES TEAGUE: Yeah. So you get LEED Gold just for simply being near the subway basically. And I'm sure they're doing some wonderful things.

HUGH RUSSELL: You get one point for that.

CHARLES TEAGUE: I don't know. This is -- this is what the experts say. So the other thing, we really shouldn't -- just because glass is in style doesn't mean that we should be using it. Even on this building there. I really love the glass curve there, but if there was a way of further down reducing the amount of glass, that's supposed to be a big deal. But what I was really

interested in was whether you can apply conditions on the use of the loading docks so that this would really be a pedestrian mall to the Star Market so that people in semitrailers are not interacting with -- if conditions could be the evening hours, I think that would really help out, you know, in addition to Mass. Ave. because in addition -- so now we're going to have two large buildings, and I think there's one bay on -- from the Ascott building and there's two bays. I think we're looking at like tripling the amount of truck traffic. If you can put that as a condition as the Special Permit, you know, that would be great.

Thank you.

HUGH RUSSELL: Thank you.

Christopher Heap.

ATTORNEY CHRISTOPHER HEAP: Thank

you. My name is Christopher Heap. I'm an attorney with the firm Miyares and Harrington in Belmont and I'm here tonight representing Anna Shine as trustee of the Green Street Realty Trust is the owner of 11-15 Green Street, which is a direct abutter to the project. In fact, the building at Green Street, at 11-15 Green Street which is Green Hall, a residential dormitory for the New England School of English is located eight to ten feet away from the proposed building. Ms. Shine, is also as trustee of the Landsdowne Street Realty Trust, owner of 13 Landsdowne Street which directly abuts the Green Hall lot on Landsdowne Street.

WILLIAM TIBBS: Excuse me, can you ask the proponent to pull up the slide to see where you're referring to?

ATTORNEY CHRISTOPHER HEAP: Thank

you.

WILLIAM TIBBS: Maybe the one that shows the neighborhood?

HUGH RUSSELL: The first two buildings in white.

PETER CALKINS: Those buildings right there.

WILLIAM TIBBS: Great. Thank you.

ATTORNEY CHRISTOPHER HEAP: We feel that this proposal is going to have significant impacts on Ms. Shine's properties and we would like to discuss them with the Board, raise our concerns, ask that some revisions be made, and I will go through those right now.

The first concern is with respect to the building height of the proposal. To some extent we feel like the odd building out given that the proposal as it abuts Random

Hall and the Massachusetts Avenue streetscape starts at a lower height and steps up 95 feet as it moves away from Random Hall and Mass. Ave. In contrast to that as the property, as the proposal abuts Green Hall, which is the one right next to it, you start at a height of 95 feet, and almost the highest allowed, and then immediately -- at about removing about eight feet from the building face, moves up to a height of 129 feet when you count the two penthouses. And then on top of the penthouses, it immediately on the lip of the building on our side of the property you have a large fan towers additionally looming over our property.

So we're objecting to the fact that it seems the greatest weight of the height impacts of this proposal has been focussed on our property at Green Hall in a way that has

not been done with respect to other similarly situated properties. In fact, the Random Hall is a dormitory just like Green Hall, but the property's been treated rather differently with respect to the way the height of the building has been allocated.

Now the obvious response that 95 feet is the height allowed under the rezoning but I don't think that answers the question entirely given the steps have been used on other portions of the project but not with respect to the parts closest to this property.

Also, the Zoning Ordinance further requires defined that building scale and wall treatment, including the provision of windows were sensitive to existing residential on existing lots. We would submit to the Board that the building scale on that part of the

project is not sensitive to this existing residential use. And that a finding under that provision of the Ordinance, which is 19.33.8 would not be consistent with the project as proposed.

And in addition with respect to the window treatment on that component of the property I just wanted to note that we have largely floor to ceiling windows on the two faces of the building that look, that will look down on the rear of Green Hall, which is again residential, lots of windows back there, and porches as well used by the residents of that building. They (inaudible) in the project approved as proposed the residents are going to be greeted with a large wall within ten feet of the property line, you know, literally a wall of windows facing them as they are in and outside of

their residences. So that's the building height.

I also wanted to draw the Board's attention to what you have or don't have in your application materials.

PAMELA WINTERS: Sir, your time is up and I'm wondering, you know, perhaps you'd like to put something in writing.

ATTORNEY CHRISTOPHER HEAP: I actually have something in writing that I can hand to the Board.

I guess, Mr. Chair, I would ask that -- I only have a few more minutes in where we are a direct abutter, I guess I'd ask for your indulgence.

HUGH RUSSELL: Yes.

UNIDENTIFIED MALE: We're having a problem hearing you.

ATTORNEY CHRISTOPHER HEAP: Thank



you, Mr. Chair, for the additional time.

Now again with the respect to the height impacts, I just wanted to draw your attention to what I think is a gap in the application of materials that you have in front of you. In your application there's nothing that fairly shows the height impacts of the proposal of the Green Street lot. In particular, you have simulated renderings of the project from Mass. Avenue looking both east and west. You only have a rendering of Green Street looking from west to east. And on that rendering, which you have at page 12 of volume 2 of your application, it's this one here, the Green -- Green Hall can be seen, but just barely off to the corner, down in the corner. I submit that the visual, that visual would be much more dramatic if seen from the opposite direction where you

could see Green Hall, and then the project rising immediately up above it. So I think that that's something that you might want to ask to have added to your application materials so you can fairly assess it before you reach your decision.

Okay, next concern is with respect to the shadow study that was submitted by the applicant. Given the height of this proposed project, we are obviously concerned about the shadow impacts on the immediately abutting Green Hall. In particular I would note that the shadow study purports to show that there's no real cause for alarm, but it only runs from ten a.m. to four p.m. for 12 months, and that includes the summer months. And if you look at the shadow study, four p.m. is just about when the shadow impacts are about to be shown on the Green Hall lot.

And I would further submit that shadow study ought to extend for as long as there's daylight in the spring, summer, and fall months. I think that's something that ought to be shown to the Board again prior to making the decision. And the shadow study, one additional point, doesn't indicate whether it was conducted using the 95-foot height allowed under Zoning or the 129-foot height that will actually exist. And as I look at it, it looks to me as though it was used at 95 feet. I would ask the Planning Board to ask the applicant to confirm that it was conducted using the actual height of the building and if there's -- that it wasn't, asked another shadow study be prepared.

HUGH RUSSELL: They're nodding. Apparently they did use the included mechanical.

ATTORNEY CHRISTOPHER HEAP: Thank you.

And the next concern is -- well, I guess that doesn't address the concern about the timing of the study, but that is a separate, that's a separate point.

Next concern is with respect to the service alley that's going to be used to service the retail component of the project. And just if I could step over and show you which I'm talking about. It's the service alley that runs along that black line right there and then over out to Landsdowne Street. And I think perhaps the best depiction of that I saw on the application was on page 15 of volume 2.

That service alley is made up of two exceptionally narrow old pathways. The one that runs between the proposed project and

Green Hall is eight feet wide. And the one that runs out to Landsdowne Street parallel to Green Street is ten feet wide. And I submit that those pathways are not adequate to service the proposed use, the retail -- proposed retail use for the needs of the project and here's why:

In some of the application materials that don't show lot lines, it looks like there's actually some space back there in which to maneuver around. And I assure you there's not. The lot line for the Green Street lot runs all the way back to the 10-foot pathway. So what you really have back there is an eight-foot pathway running off of Green. And then at a 90-degree angle connecting to it a 10-foot pathway running up to Landsdowne Street. So it's a 90-degree turn, and there's no obvious way, to me at

least, for a truck to make that turn. It seems to me all one could do is either travel from Green down the pathway or from Landsdowne down the pathway and then reverse back out.

And those, on both of those pathways my client and others who have rights along the property along there have the right to pass and repass for all purposes along those two eight and ten foot wide pathways. So even if it were permitted to work in the way it's proposed, we would have significant concerns that they would -- once this use is up and running, become regularly blocked and impassible as trucks were moving down there, stopping the load and unload, and then having to back in and out, though, that would be inconsistent with the existing rights of the people, my client included, rights along

those pathways to have those remain open for passage and access.

So, I think the proposed use of that service alleyway is a significant concern that the Planning Board should take note of, and I would ask that the Planning Board recognize that that feature of the project, that specific feature of the project simply isn't going to work and ask Forest City to revise the project so it features a retail service bay that has safe and adequate access and is adequate to service the project and doesn't infringe upon the passage rights of others along that area.

Those are the major concerns in broad strokes with this proposed project. I do have a letter to the Planning Board with those concerns expressed in somewhat more detail and with references back to the

application materials. So, Mr. Chairman, with your lead I would like to submit that to the Board and that's all I have for now.

HUGH RUSSELL: Okay. I have a question for you and then a recommendation.

The question is are there windows on the western side of the structure that you've been talking about that face the eight-foot wide service alley?

ATTORNEY CHRISTOPHER HEAP: There are no windows along that wall, but there are windows all along the rear of the building.

HUGH RUSSELL: Yes, okay.

And my recommendation is that you engage in direct discussions with the proponent to see if you can fully flesh out the questions, issues. Have you done that?

ATTORNEY CHRISTOPHER HEAP: In fact, we met earlier today to what I hope is the



beginning of some discussions about how this project might relate to our existing use of Green Hall.

HUGH RUSSELL: Great. The Board that meets once a month or so on a particular case is not terribly effective to --

JAMES WILLIAMSON: Can't hear you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak? Please come forward.

ANNA SHINE: Come forward?

HUGH RUSSELL: Yes, please come forward.

ANNA SHINE: My name's Anna Shine. I'm actually the owner behind this presentation. I'm the person who owns those two buildings. And all I'd like is just to make a point that there was offers to buy this property from me and I can't sell it

because I need it to run my business, the English school that I have in Harvard Square. It's housing for my students. Without housing for my students I will use lose my business in Harvard Square. I'm not opposing the building, the project, but I just would like same consideration that you guys showed to the dormitory that MIT owns that you guys are partners with. And that's all I would like that. If I can't park behind my building because you guys trucks are blocking it, I have a very big problem. If my young Latin women, you know, keep by all these scientists I have a problem. So all I'm asking is consideration of our concerns. And I know we're coming late to this and I apologize that I wasn't aware. I'm too overloaded to be completely aware of what was going on. And that's my fault, but if you

can just give some consideration, I'm not trying to be difficult. I'm just asking for some consideration and that's all. So I'm shaking.

Thank you.

HUGH RUSSELL: Okay, thank you.

Does anyone else wish to speak?

(No Response.)

HUGH RUSSELL: Okay, so we will now go into Board's discussion. Given the hour I guess we should be putting issues out on the table that merit further discussion.

I will kick it off because I have two issues and they're fairly small. If you could, Peter, find the rendering that looks from Necco building up the Avenue. That one. I'm asking if you would consider the top penthouse parapet which is a very long line and is actually quite visible when you're on

the other side of the street, if there's some way to articulate --

PETER CALKINS: This line? Which line?

HUGH RUSSELL: The one on the right. Encases Mass. Avenue. If there's a way to articulate that to some way to create a break or something. I notice there is the materials change partway down way on one end. So that's one consideration.

The second question is the last time I visited the Star Market on my bicycle, I found it very difficult to find any parking. I think there were two stanchions for the Star Market. And I would just feel that -- and maybe there are parking spaces in the garage that I should have known about, I don't know. But if you could -- maybe it's a signage issue or something. Just address

that question because I was --you know, the other thing I would be parking at the Millennium bike's parking spaces across the street.

PETER CALKINS: I can address that question now if you'd like.

HUGH RUSSELL: No, just put it on the table as one of the things.

Tom.

TOM SIENIEWICZ: So, I -- actually my concern goes, concerns go to details which will be worked out in my hope with the city staff on Blanche Street. The ambitions for the design problem are really steep. I mean, we've got truck loading, pedestrian traffic, vehicular traffic, bicycles, the cafe. There's an awful lot going on along that street, and the renderings promise something that could be very magnificent and very

urban. But in detail those renderings are showing potted trees and so I just want to be very clear about the details that are being cemented in terms of the Special Permit because I think they're important to the success or failure of the project as a whole.

I think I'm interpreting the elevations correctly, that the loading docks have garage doors on them. That's the kind of attention to detail that I think's going to be really, really important to the sense of that place, the lighting. So, I think as a whole, the project is -- architecture is dealing with its inherent size, and I think in a very, very successful way. And to me it comes down to these details, especially on that street. (Inaudible). And I just plea to the staff and to the proponent to articulate clearly what they're going to do there in any detail.

And I also applaud the gold standard for LEED and especially the efforts to foster the runoff which is a critical and primary (inaudible) in the Charles River. If we can get rid of that, there are will be trout fishing out there for all.

So thanks.

HUGH RUSSELL: Pam.

PAMELA WINTERS: I just have one comment. I just would like conversation to continue with Ms. Shine and her issues and see if you can kind of negotiate her concerns -- kind of negotiate her, you know, with her concerns and see if you can work, work them out between the two of you. Okay?

Thank you.

WILLIAM TIBBS: I guess my comments are somewhat complex because I've got to make some comments, but I'm well enough to know

that there's not much I can do about it. And that is that my first reaction when I saw the package was that this building -- and I -- first let me say that I think you've done a great job with the massing and the breaking up and stuff like that. But the overall impression of the building is that it's a building that belongs to University Park more than it belongs to Central Square. And your first, very first slide that you have there shows that that's how you viewed it because you see it as an extension of University Park. And I don't have a -- I don't have a specific comment about that other than the fact that I think the views that you show us are so contained and focus around this site that I just don't get a sense of the context. One of the concerns I had with, you know, letting the Zoning go



forward and stuff is that we, we might lose that opportunity to really integrate or get a better understanding of -- at this level, I guess, at this detail level, because I think we talked about it on a broader massing and scale level, but -- and so that's a concern. This view in particular bothers me and, again, there's nothing I can do about it because it's all about the height of mechanical buildings, the mechanical stuff on the roof, which quite frankly makes height a joke in our Zoning. It really does. I mean the whole purpose of having height in studies is that we limits built structures have at certain heights. And when you can put two and three and four stories of mechanical stuff on top of a line, I mean your diagram shows it perfectly. You showed the lines of the Zoning height, and then you see that

little white area and even that is -- but, again, I can't do anything about it because that's what the Zoning is. So anything you can do to just mitigate the feel of those penthouses would be very helpful. It makes me rethink, again, the -- retrospectively makes me rethink of this use as an appropriate use to be so close to Mass. Ave., because of the added height of the mechanical pieces and it's a struggle. It's a problem we have in the city, and I think that something as a Board we have to really begin to think about particularly as we think of other things in Central Square. I don't mind the tall, tall building in Central Square. In some places it can be, you know, 120, but this is a large building and it bothers me somewhat about that. So I think the -- I would like to get a better sense of a

discussion of how these materials and stuff kind of relate to the things on Mass. Ave. in Central Square and how it kind of ties it together. And I would love for this not to look like it's an intrusion of University Park onto the Avenue as opposed to something that's really making it. I actually find your terra-cotta approach to the building is good in that direction for me even though I think other people might -- can you go to the slide that shows the curved glass wall?

That one.

That curved glass, to me, doesn't do that, but obviously some people like the curved glass and it doesn't -- I'm giving you my -- it would be nice if that -- I wouldn't necessarily say the same that James Williamson said, but the fact that the curved glass comes around and then goes around, it

just gives it a much more biotech kind of commercial feel. And whereas, if you look at the way you've really begun to break down the lower parts of the facade, it would be nice if that curved glass -- and I think it's the height of the curved glass that probably does it. So I'm not sure, but that to me, and when you combine that with Tom was talking about relative to what you really are feeling and as you're going down Blanche Street, that's the thing I react to the most; one, the treatment of the penthouse and treating that -- I like the idea of the curve. Just treating the curve in a way that really helps do something for the street and maybe a little bit less. So as I said, it's a, it's an odd series of comments because I'm very aware of the Zoning that we passed and what we're doing. We are now talking about the

details.

My other reaction was that the back side of that building, I didn't get a good sense of. That one view that you do have, right there is extremely misleading because it's very hard to see that view and that kind of grandeur. I walk down that every day. I won't say every day, but at least every week many times going to the Star Market. And that's just a -- and I think what you're doing back there is great, opening up Blanche Street, opening up the little area back there. And I think seeing that is helpful, and I think it may bring up some of the issues that we just brought up about the other building beside it. I think just really making sure we have architectural focus on what's happening around the building. I think on the back side of it,

that really looks like something that I'm interested in. Making sure that like Tom the details are correct there as we go there.

STEVEN COHEN: I finally hit on a few items which I'd like to just hear from you on the next time around.

First of all, picking up on Tom's good points about the mixed uses on Blanche Street. Just curious if you would -- if you're contemplating some sort of restrictions on hours for loading.

Second item, one of the members of the public mentioned the possibility of retail in the rear on Green Street where you have that sort of plaza across from the market. It strikes me as an interesting use of that space. I've heard the word activate frequently during the proceedings, and that would certainly activate that space. And I'd

like to get your thoughts about that next time around.

And then just one other detail, I was wondering if were contemplating or if you would be applying for any signage on this building down the road. And that's it.

HUGH RUSSELL: Steve.

STEVEN WINTER: Thank you,  
Mr. Chair.

A reminder to the proponent that we're talking about things we want to see again. A lot of these are concerns, there's a lot that's good about this project, and I want to lead off by saying that the extension for the affordable use horizon, is a really innovative and a really dynamic piece of work and I think it's something that we should hold up high so that people across the country can see it and can see that you've

done that.

The -- I would like to see some, some design details on the Blanche Street piece which I think is a good -- terrific idea and a wonderful start. It's possibly some design ideals like we see on Palmer Street in Harvard Square, where they're lighting in the cobblestones or there's a built-in light or a booth with light. I'm not saying that it should be light oriented. What I'm saying is if we're going to make it a pedestrian and vehicle and delivery pathway, and I think that's possible and appropriate, let's throw some interesting design stuff in there as well for people to look at as they use it.

And I would also like, I applaud your bringing in a retail development professional specifically to design your retail use and your strategy. And I would like something



that does not take a lot of time. Simply a brief statement from this person on what is the retail vision for the Mass. Ave. site. What would we like to see that look like in five years, even if it's our goal not where we are certain we're going to end up. And I would also like to know just a little bit more about the trucks exiting the delivery stations down Blanche. And I know that they go certain direction on Green Street, but I'm not sure where they end up. But if it's simply a consultation with Traffic and Parking that indicates that they know that this is going to work out, I just wasn't sure where that ended up, where those trucks were going to end up.

And those are my comments, Mr. Chair.

H. THEODORE COHEN: Thank you.

Mr. Chair, I have one comment which is really

helpful if we have dead on views of all the facades rather than everything is always on an angle.

PETER CALKINS: They're in the package.

H. THEODORE COHEN: They're in the packet? Well, I'll go back to looking at that.

CATHERINE PRESTON CONNOLLY:

Mr. Chair, I think we have appropriately focussed a lot of the comments of the plan on the design, and my only comments then as a traffic nerd is to say that I don't think Forest City is given themselves enough credit in saying their traffic capacity is due to only the change in the balance of development from commercial to residential. And they've also, over the years, done an excellent job of implementing a TDM plan and maintaining a

(inaudible) that's even lower cut in terms of single occupancy vehicles than they originally frankly thought they could meet. So while I'm extremely pleased to see that continued commitment in the commitment through the mitigation that's been recommended by Traffic and Parking, I don't want that to go unrecognized that they've developed a track record along with great tenants like Millennium for really making this work despite the admitted challenges of Red Line and the No. 1 bus being at capacity. It's a really a testament to how this partnership has worked.

STEVEN COHEN: Mr. Chair, just if I could add one last comment. You mentioned you work with Ms. Shine, the abutter, I implicitly I would expect next time around that you simply report to us on, you know,

what the status is of those issues with your abutter. But in connection there with -- can you also explain to us exactly how this service alley works? What its function is? What the traffic flow is and so forth?

HUGH RUSSELL: I guess something I would like you to follow up on, and it's really -- you look at the renderings of the terra-cotta facade. It's -- it's completely uniform except for one end on Blanche Street where there wasn't quite enough room to fit in the uniform window. And there's no change in color. There's no change in profile. There's no change in texture. The windows clearly are a mixture of Spandau glass and clear glass because I don't think you'd have a lab that would have physical grading going down to the floor line. So I think it might be helpful to see some studies of how you

might be looking at elaborating that.

If you go back to the Mass. Ave. view that shows the MIT dorm. That view. Look at the, you know, the color, the texture, the material, the bays, all of that happening in a much smaller structure. And then 150 feet of uniformity. I think there's room there for elaboration. I'm not asking you to change the concept, but I'm asking you to enrich it.

STEVE KAISER: Speak up, please.

H. THEODORE COHEN: Well, Hugh, could I just follow up? We're now looking at the straight-on facade of the Mass. Ave. view. I'm just curious what your comments and what Tom's comments might be.

STEVEN WINTER: Ted, I'm not sure you can be heard.

H. THEODORE COHEN: Okay. I'm just

curious as to your comments and Tom's comments looking at the head on rendering of the Mass. Ave. facade where it just appears to be an enormous amount of glass. I mean, it appears one way when you're looking at it coming down Mass. Ave., but if you're just facing it, the terra-cotta is just a small portion and a very large preponderance of glass. And I was just curious of what you both thought about that.

TOM SIENIEWICZ: Well, I think we'll probably get some wall sections, some greater detail next time we hear from the proponent, but in looking at the elevation, yes, indeed diagrammatically it does look like a lot of glass, but you compare that to the rendering that shows some of those glass plates stepping back. So that will help lessen the amount of -- the perception of the amount of

glass volume on Mass. Ave. And the other thing I notice in the elevation is that the glass is treated in different ways in different planes. There's a vertical -- so it's suggesting in one section vertical volumes, and in other section it seems like at the entry to be a very clear crystalline kind of treatment, and there's a straight elevation so that a kind of a third treatment and a curved wall was detailed in another way. There's a way in which the elevations to my eye are suggesting that there's a lot of playfulness and a lot of variation in the ways that the glass curtain wall promises to be detailed. And I guess with Hugh's comments about, you know, okay, show us what that's gonna look like. Is it fretted? Is it spandrel? How is it going to be detailed? And therefore offer a quality of elevation

that sort of return the architectural criticism to the urban and the public realm because that's rightfully where we should be arguing so that Mass. Ave. entrance elevation and our principal Main Street in our city demands an architecture that has that kind of texture and delight and thoughtfulness. And I would say as I sit before the renderings, suggest that this is a proponent that's also interested in that and understands that this is the primary and principal elevation of this building which is created for a pretty prestigious tenant.

Let's get the details approved absolutely.

HUGH RUSSELL: My response to your question, Ted, is that two of the floors of glass are in penthouses, and they're -- that's a deliberate strategy to try to



enhance those floors. It's not the only strategy. And some of the kinds of techniques that Tom's just mentioned would be taking place there. I mean, they're handled differently so that the glass isn't one thing, it's many possible things. And now there's so many things you can do, and I feel confident that the firm of the experience and scope it's doing and knows those techniques. They're not showing up except as suggestions in the renderings so far because of the state of the plans.

Okay, are we complete?

STEVEN WINTER: We are.

HUGH RUSSELL: Okay, then we are adjourned.

LIZA PADEN: Excuse me, Hugh.

ATTORNEY JAMES RAFFERTY: What's the status of -- the public the record remain

open for the written comments?

HUGH RUSSELL: The current policy of the Board is reflected in our new rules that we adopted in April is that we only close the public hearing when we go into a deliberation mode in which we received all of the information on the subject. So it's within the Board's discretion how and when to take additional testimony, but it's sort of a function that we're feeling our way in to how to do this, but in the past we've -- when we do take additional testimony, we ask that people talk about changes rather than go back to ground zero.

ATTORNEY JAMES RAFFERTY: Thank you.

LIZA PADEN: And, if it's agreeable to the applicant, I'd like to put them on the August 6th agenda. That will work? And I'll send out new notices, and if anybody wants to

get a notice, please see me before you leave today.

Thank you.

HUGH RUSSELL: Okay. Now we're adjourned.

(Whereupon, at 10:20 p.m., the Planning Board Adjourned.)

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