

PLANNING BOARD  
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, July 28, 2015

7:00 p.m.

in

Second Floor Meeting Room  
344 Broadway  
Cambridge, Massachusetts

H. Theodore Cohen, Chair  
Catherine Preston Connolly, Vice Chair  
Hugh Russell, Member  
Steven Cohen, Member  
Louis J. Bacci, Jr., Member  
Mary Flynn, Member  
Thacher Tiffany, Associate Member

Iram Farooq, Acting Assistant City Manager

**Community Development Staff:**

Liza Paden  
Jeff Roberts  
Stuart Dash  
Suzannah Bigolin

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#### **PUBLIC HEARING**

7:00 p.m. PB#299 Special Permit to modify the requirements of the North Massachusetts to construct five new residential unites with ground floor retail at 2551 Massachusetts Avenue. The applicant requests relief pursuant to Section 20.110.22 Modifications to Standards as follows, (1) to allow modification of the minimum depth for the ground floor non-residential use, (2) to reduce the minimum linear frontage for non-residential use facing Massachusetts Avenue, and (3) to reduce the minimum ground floor height for non-residential use. 2551 Mass Ave, LLC, c/o Scott Zink is the applicant.	9
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H. THEODORE COHEN: All right, good evening, everybody. Welcome to the July 28th meeting of the Planning Board. We have -- we will start -- is there an update from the Acting Assistant City Manager?

IRAM FAROOQ: Thank you so much, Mr. Chair. In terms of update, things coming up at the Planning Board. Well, tonight's meeting is -- we have one hearing on 2551 Mass. Ave. under the North Mass. Ave. Overlay District. And then we have a Minor Amendment for North Point. It's mostly related to the phasing. It gets -- there are a lot of positive moves here moving forward. Some of the development pieces, but also most importantly as the Green Line starts to seem a little more real, moving up the retail

components which, you know, we've really heard from those who are there already in North Point that both the residents as well as folks like EF, that how important it is to have some of the amenities that right now they have to move out to either East Cambridge or the Galleria area, and so to have some of those amenities start to sprout right in North Point, will be a big positive.

Next week's meeting I think will be in an exciting one for the Planning Board because it's all planning. And we're going to have first the Affordable Housing Trust and Chris Cotter, the director of Affordable Housing will facilitate that piece of the discussion. The trust will be here so you can talk about some of the issues that you have been discussing, some of the priority items that they've been thinking about, and

the elements that interface between the two groups.

And then the second item will be an update on the Net Zero. We're getting to Net Zero work, so that task force concluded its work just a couple of months ago, and Tom was part of the task force as the Planning Board representative, but it's an exciting plan that really puts us on track to get to zero greenhouse gas emissions. It's like a 35-year master plan with benchmarks along the way. So I think that will be an interesting project. The microphone's telling me that's probably enough.

But on the City Council side there is -- the City Council summer meeting is August 10th and they will have an Ordinance Committee hearing on the Stearns Petition on August 20th. Those are the upcoming things

in -- wait a minute, yes.

And then a few non-council, non-Planning Board agenda items: Firstly, last night we had a really exciting evening in Sullivan Chamber with presentations from the three finalists for the citywide planning process. So that was teams led by Perkins & Will, Sasaki, and Utile. And it was really an engaging evening where they were charged with running the public process, you know, sort of during the presentations. And so we got, we got a really good insight into each of those teams.

And then we're following up with more formal interviews to look at the technical qualifications and the subs this week.

The second, and for those who missed it and who missed it on TV, it's all been filmed and is archived on-line so you can watch

again and again and really, really get the full experience.

The other two pieces I wanted to mention is the Connect Kendall Square plan, that piece is now complete with -- it's been, it's been consolidated by Burck at the end, you know, they were the winners of the competition and they were charged with spending sometime to look at the work of the other teams and consolidate that work and draw out the principles from their work as well as the other winners, I mean, the other finalists into a final report which is now out. And we can send you the link to that.

And finally you heard the Volpe Zoning Petition, and one of the things that we said we would do, which the Council and the Planning Board both urged us to do, was to have some follow up, outreach with the

community. And so we are starting that this week. I think Suzannah has some flyers which we may have mailed out to you, but she will hand those out in hard copy as well and we'll have some copies for the community members as well and we hope everybody will join us.

So we actually will be out -- we'll have a series of meetings out in parks and public spaces and then we'll also have a public meeting where everybody can come together and really work in more detail on topics of interest.

So that's tonight's update. Thank you so much.

H. THEODORE COHEN: Thank you.

Are there -- Liza, are there any transcripts?

LIZA PADEN: Yes, we have the July 14th transcript and it's been submitted and



certified.

H. THEODORE COHEN: Thank you.

Is there a motion to accept that?

STEVEN COHEN: So moved.

H. THEODORE COHEN: Second?

CATHERINE PRESTON CONNOLLY: I'll

second.

H. THEODORE COHEN: All in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

So now we are proceeding to a hearing on Planning Board No. 299 which is a request for Special Permit to modify the requirements of the North Massachusetts Avenue subdistrict for a project to construct five new residential units with ground floor retail at 2551 Mass. Avenue.

The applicant seeks relief to allow modification of the minimum depth for the

ground floor non-residential use to reduce the minimum linear frontage for non-residential use facing Mass. Ave, and to reduce the minimum ground floor height for non-residential use.

For those of you who aren't familiar with our process here, we will hear from the proponent, hopefully for a presentation of no more than 20 minutes. After that, the members of the Planning Board may have some questions or have a request for clarifications. After that we will take public comment and then we will see where we end up after that. It's conceivably we would then close the hearing and take a vote or just as likely that we will have questions that need further information and review and that the hearing will be continued to a later date.

So who is speaking on behalf of the proponent?

ATTORNEY SEAN HOPE: Good evening, Mr. Chairman, members of the Board. For the record, attorney Sean Hope, Hope Legal Offices in Cambridge. I'm here tonight on behalf of the owner. We have Scott Zink, he's the managing member of 2551 Mass. Avenue, LLC. We also have Milton Hu from Peter Quinn Architects. Peter Quinn is the project architect but he could not be in attendance tonight so Mr. Hu is going to be doing the presentation of the plans and as well as the presentation.

This is a request to modify the requirements of the North Mass. Overlay District to construct a four-story, five-unit residential development, over a thousand square foot of ground floor retail. There's

also five compliant parking spaces that are shielded from the public view as well as compliant bicycle parking.

The north --

H. THEODORE COHEN: Mr. Hope, just excuse me. Could you turn so that you're at least facing the audience to the side so that you're not just speaking directly to us.

ATTORNEY SEAN HOPE: Sure. I'll try to address both.

The North Mass. Ave. Overlay District is the subdistrict of the larger Mass. Overlay District. We will explain in greater detail the differences, but there are specific use and dimensional requirements that impact the development on this site. This is a small site. It's less than 5,000 square feet. The existing conditions contain a one-story brick building. It's an

under-utilized dry cleaning business. This is on the corner lot. It's on the corner of Mass. Ave. It has frontage, and it also has frontage on Richard Ave. You can see right here on the site plan during the presentation, but both frontages are encompassed by very large curb cuts. These are pre-existing curb cuts. And adjacent to the site to the south is Jack's Gas. And presently the two curb cuts are often used by vehicle traffic trying to either cut through Jack's Gas to avoid the stop sign to go on to Mass. Ave. And this is creating a dangerous pedestrian environment. And so one of the benefits of the development is that we are going to be closing up those two curb cuts. Actually modifying the one on Mass. Ave., but moving the curb cut further away from the corner, creating a safer pedestrian

environment and then eliminating the curb cut along Richard Ave.

We're also, as part of this development, will be able to return parking spaces to the street. Right now they are curb cuts. We are willing to work with Traffic and Parking and the city to determine how best to utilize those spaces, but those will be additional benefits to the proposal.

As the Board is aware, the North Mass. Ave.

UNIDENTIFIED AUDIENCE MEMBER:

Excuse me, can I mention something? I lived in that neighborhood --

H. THEODORE COHEN: Sorry, sir, this is a presentation, you'll have an opportunity to speak later.

UNIDENTIFIED AUDIENCE MEMBER: Okay, thank you.

ATTORNEY SEAN HOPE: As the Board, as the Board is aware the North Mass. Ave. Overlay District was adopted by the City Council in 2012. This was a result of the planning study in 2008. This planning study comprised of residents as well as commercial retailers and owners ending up with the Overlay District and the design requirements that are in their Ordinance.

So there are three elements of modifications that we are seeking:

One is the ground floor depth. There's a requirement that the retail frontage has to have a depth of 40 feet.

Secondly, there is a requirement in the Overlay District that the retail frontage be 75 percent along Mass. Ave.

And thirdly, that the heights of the ground floor retail be 15 feet.

One of the elements to the Overlay District is that they provided a mechanism for specific dimensional requirements to be modified and/or waived by the Planning Board. Those modifications are guided by criteria the Planning Board should consider. Just very briefly that the proposed modifications do not substantially derogate from the intent of the requirements to provide continuous active ground floor retail on the public street.

Secondly, that the overall FAR of the ground floor retail has not been substantially reduced.

And finally, that the modifications of the minimum necessary to reasonably accommodate new construction on the lot. I think because of the size and shape of this lot that third criteria is the most important



because it is a challenging site. Just briefly to go into -- so the depth of 40 feet, as I said, we're applying for a modification, currently in the plans the depth of our ground floor retail is about 39 feet. So we're about a foot short of the required depth. Under the base zoning district, which is the BA-2 there's a required 10-foot minimum side yard setback. So if we were, if we complied with the 40 feet in depth, we would be required to obtain a Variance. That's part of the reason that we requested the modification.

Second of all, is the 75 percent of the linear frontage. This seems integral to the idea of the intent of the Overlay District which is to provide -- encourage continuous retail frontage along North Mass. Ave. and incentivize mixed use development with active

retail. So although as proposed along Mass. Ave. we only have 50 percent of the front facade is ground floor retail, you'll actually notice because this is on a corner lot, we actually have the opportunity to create a street frontage for the ground floor retail around -- along Richard Avenue. So if you take the frontage on Mass. Ave. and Richard Ave. together, we actually do achieve that 75 percent. And I think that the frontage of the ground floor retail with the glass actually creates a very strong ground floor retail presence. And I think if you look at the intent and purpose of this Overlay District in terms of activating the streetscape, I would argue that the frontage on Richard and Mass. Ave. actually is closer to the intent and purposes than if all the frontage was on Mass. Ave.

And Mr. Hu will go through this during the presentation. Part of the -- an additional reason why we don't comply with the 75 percent retail frontage is because there are certain building code and design requirements. One is the access and egress stairs to the minutes (sic). There's a doorway there that's adjacent to what we're proposing as the ground floor retail. And also there's limitations into where an access point for vehicles could enter onto Mass. Ave. or Richard Ave. And Mr. Hu will go into more detail, but we did look at both options very closely. And because of the design of the building, the Mass. Ave. front, the Mass. Ave. side was really the only feasible place to put vehicle access.

So we have the overlay design requirements, but then we have a larger

Ordinance requirements. So in terms of the parking, not only are there certain dimensional requirements for parking spaces, but there's also requirements for certain clearances to backup, to be able to turn. And so all of those things together position the access and egress for the vehicle parking in this location. And as I mentioned, we had the option of siting the ground floor retail further away from the corner or putting it where we did and I think it's very logical why we selected a location closest to the corner of Richard and Mass. Ave.

I'd just like to point out a couple of notes to the Board before I turn it over to Mr. Hu.

So these Special Permits, unlike other cases, we're not -- they're not serviced to maximize the FAR. We're below the allowed

FAR. The FAR on this site is 1.75. We're at 1.62. Also the height is allowed to be 50 feet. There is a setback requirement from the adjacent residential Res B. And as you know, that there's a step away from the Res B. And so even though this is a commercial use, the two-and-a-half story building you can see on the left-hand side. That is Res B, that has an office and commercial use, but we're still required to step back. And it has to be 35 feet for the first 50 feet, and that's why you have a step --the building steps up towards Richard Ave., which is a slightly unusual but it's part of the constraints of the site.

Additionally going back to the ground floor retail height, there is a requirement that the ground floor retail, and this is a third element of the modification, has to be

15 feet floor to ceiling. We're proposing close to ten feet, a little under ten feet. One reason is, and Mr. Hu will go over this, there are, again, Building Code requirements that if we raised this first floor, we have difficult, if not impossible time, building compliant accessing egress stairs. We've also lowered the building, so the building is not the maximum height it could be.

One of the criteria for lowering the height of the ground floor retail for the 15 feet is that there's a commensurate reduction in the overall building height. We were able to do that.

Also, as I mentioned previously, the retail is a thousand square feet, and we believe -- we talked to commercial brokers and retailers who are familiar with North Mass. Ave., the 15 feet floor to ceiling

would be appropriate for larger retailers. If this was a larger floor plate, either a restaurant or a large supermarket, we're talking about 1,000 square feet. We think that's an appropriate size, one, given the site, but two, there were concerns expressed about the impact of any ground floor retail would have on the neighbors in terms of the traffic and congestion. So this retail is focussed on neighborhood retail. It's at a size and scope that would not require excessive deliveries or any of those negative impacts that often come with ground floor retail. Again, this is a building that's on Mass. Ave. We're clearly within the intent of what the Overlay District had tried to create. And I, you know, we feel that the design itself lends to the adjacent buildings that are there.

Lastly just talking about permitting, so we, we've been at this probably close to a year. We first started out with meeting with Community Development, making sure that what we were proposing was within line with the intent and purpose of the Overlay District. We were encouraged by our conversations with the economic development personnel for the city, and they, they liked the idea of the open glass and citing the program to put the ground floor retail at the corner.

We met with Traffic and Parking several times in discussions about how to and what's best to orient the access to the street. As I said, there were certain restrictions of the site and the building that led us to that.

In terms of the public outreach portion, we met with the North Cambridge



Stabilization Committee starting in October of 2014, so it's been about eight months. We've had three large public meetings that they were invited to and we presented on this project. Mr. Hu will talk about first we started off with a clapboard, all clapboard look. We were told and there was never a consensus on the design, but we were -- made comments that brick would be more traditional. So there was a series of changes and modifications to the window patterns, all of which were in response to neighborhood feedback. We actually adjusted that -- the cornice, set the corner there to make it more prominent. But I frankly say there still wasn't consensus on exactly what design would be preferable, but this has gone through several versions of that.

We've also met privately with some of

the stakeholders on Richard Ave. as well as in the neighborhood, and I would say at the last meeting of the larger North Cambridge Stabilization meeting, from our perspective, the views were mixed. There were people who came up and applauded us for what we did and thought this was a drastic improvement to the site, and there were still others that wanted additional design and modifications to the proposal. So that's a summary, some legal requirements.

MILTON HU: Good evening, members of the Board, interested parties. My name is Milton Hu, Peter Quinn Architects in Davis Square. So I will try to lead us through how we got the building form that we came up with and also some context and also lead you through the decisions that we made for this building.

So as we discussed these, the site is at the northeast corner of Massachusetts Avenue and Richard Avenue. And this is the -- our site right here, where Lapel's is now. And this is that continuous curb cut that attorney Sean Hope was referring to.

This is the service station directly across the street across Richard Avenue. You can't really tell, but this is a two-and-a-half story office building directly west of Mass. Ave.

In the subsequent slides I'll try to show some of the buildings up and down Mass. Ave., show a little context of where we're at.

So this is towards more West Mass. Ave. towards Alewife Brook Parkway and just give a sense of the types of materials and also the scale of the buildings that were in our

neighborhood. A lot of these are three stories, three-and-a-half, four stories.

And this is working on the opposite side of Mass. Ave. directly opposite of these buildings here.

There's also some two-and-a-half story buildings that I believe were actually starting off as residential buildings and later on commercial components came into it.

So this is our, this is our lot, 2551 Mass. Ave. I mean, it's important to bring up the plot plan because the -- later on I'll show how the plot plan actually -- the proportion of it actually serves as a major generator of the constraints that we call for, the Special Permit relief that are requested.

It's not a big lot. It's -- it's under 5,000 square feet.

And width, about 90 square feet and depth about 55 square feet and it's also not rectangular. I mean, it's close to a rectangle, but it's actually -- it's almost like a book being opened where it has a bend in the middle as you can see here. So later on you'll be able -- I'll be able to show you on the ground floor plan that even though we might have theoretically the amount of distance front to back to provide for compliance 40 feet depth in the required non-residential use, the bend actually prohibits that.

So for our proposal as stated, we have four stories, five units, and under 1,000 square feet ground floor commercial on an 8,200 or so square feet with on-grade parking which is screened in this portion here. And it's a corner lot, so we also have the

extension of the aluminum storefront glazing all here and also picked up where the cars are, too. So it has that continuous commercial display to the street.

Here's our front elevation. So part of what the main elevation is presenting to Mass. Ave. is dealing with the Zoning requirements specific to this district. We have the abutting residential district here. So within 50 feet of that we have to stay under 35 feet in height so that causes the jog in the building here. And after that we'll have a maximum of 50 feet, which we are not actually reaching then or maximizing on that.

As far as the design is concerned for composing the facade, there were efforts made, and also in conjunction with meetings with the city and also input from interested

parties that there were concerns about, you know, a building that's too one material or unbroken or doesn't have the -- an interrupted length of wall. So a lot of work has been gone into breaking up the mass. For example, here you have the main base, the main base here, and then you have a body and then a cap to the building. Very traditional method for composing building. And also this strong base here serves as the -- a delineation of the commercial space and also separates it from the residential above. And then there's an interest in speaking to, you know, emphasizing the corner, which is an important part of this corner lot, and also serves as a way to break up the massing. There's a height and also suggested trellis items that serve as more residential type scale items as we transition to the

residential district and then rises up more towards the traditional Overlay District.

So right here is -- here's where the stair core is for the building. Since you cannot build to the full height of the building within 50 feet, the stair core actually has to be located here. So then what happens is the ground floor commercial is here, the parking is here, but to make it -- to make it cohesive, we actually had similar facade treatment so we can take elements here and mimic them here. Not necessarily one to one where it's translucent glass, but frosted in such a way that you won't be able to see the cars behind.

Later on -- well, actually the previous image will probably show that we were responding to comments also that for a -- for a facade like this we want to be able to have



more undulation with, you know, with what's coming forward and what's going back. So effort has been done to this building to push some back. This corner element is six inches back and then here is also pushed back. The entry has been sunken in. The cornice lines have been introduced to produce more, you know, play for undulation.

So this is Richard Ave. elevation. So the -- to continue the idea about the store frontage wrapping around -- so that same motif and treatment of the ground floor continues pretty much a hundred percent of the Richard Ave. elevation. And the corner element serves to transition from one street to the next.

The cafe is just sort of a placeholder for, you know, an idea of what could go in, but it hasn't been, it hasn't been determined

that it would actually be a cafe.

Some thought has been going into the landscaping as well. We hired Blair Hines Designs and they've traditionally have done excellent work and I think in this project no different. Even though there's not a lot of open space or green space, it's very thoughtful and it serves as a way of treating how the building greets the street. And also there have been thoughts on how to make the retail more successful with plantings around, possibly having street seating coming out from the retail area on to the street. We're actually set back from the property line so we can have some outdoor seating.

And these are, these were a few suggestions to have -- to plant some street canopy trees to try to entice the users for that commercial space.

So I'll just briefly go through the plans here. That was the basement.

So this is a good slide to show that the forces that are acting on this building are, you know, in part due to the Zoning, and also we afforded the city design objectives.

This is the 50 feet back from the property line separating from the residential lot.

That is where we have to put the stairway that goes all the way up. We have the -- that also maximizes the size of the commercial space. And also the location is pretty much greeting the corner of the streets.

The depth as mentioned before, actually can't reach 40 feet because of the bend in the property line, so it's close to 39.5 I think.

So the parking has also been thought about going into what will be the ideal place for the parking. So, there have been -- there's been studies showing the parking coming off Richard Avenue. There's been studies where the parking comes in along the building and then the cars park on the opposite side. None of these were, none of these were comparable to this, this scheme because we have, first of all, the -- we have the correct number of required parking spaces. This location actually shows the driveway, the farthest from the corner. And also with this configuration we have the maximum commercial space.

The height of the building and part of the reason why we're requesting for the relief for the 15 feet height for required non-residential ground floor use is

because -- it's because it's linked back to the lot size again. You have the requirements for the two means of egress stairs. So you really -- this is -- and then the elevator, too. This is really as far as you can push these stairs away from each other. And the rise of the stairs actually turns out that if you want to pick up the height of the second floor, you'd have to introduce another run. So instead of having the switch backs there, you'd end up having this, you know, square stair and that would further eat into the space of the commercial space.

This shows the heights of the building. We're at nine point -- what was I saying? 9.7 for the ground floor height. And subsequently actually lowers the overall height of the whole building.

ATTORNEY SEAN HOPE: What's the height.

MILTON HU: We're at, we're proposing 45.4 feet. The maximum is 50 feet on this side, the taller side.

So I don't know if you want to go through the units, but -- the internal units, but all in all I want to remind that this is -- the force that are acting on the project mostly from Zoning, citywide design objectives and comments from interested parties that shaped the massing and the design of the building, and with some modest relief which are specific to the Overlay District, we should be able to manage the design that pulls it all together and it is thoughtful and speaks to all of the requirements that are specific to this project, especially the smaller lot and the

transition from the residential to the Overlay District. And if you want to open up to some questions, we're happy to answer them.

H. THEODORE COHEN: Do members of the Board have any questions now?

Catherine.

CATHERINE PRESTON CONNOLLY: Can someone speak to why the parking is not being provided below grade?

MILTON HU: Sure.

So let's take a look at the plot plan again. We actually did consider putting the parking below grade. Okay.

So it's -- I guess the simple answer is the site is too small to ramp down and then you would eat up the, almost the entirety of the site to ramp down far enough to get to the parking and then that would reduce how

much room you'd have left over.

LOUIS J. BACCI, JR.: What's the length of the lot?

MILTON HU: About 90 feet.

LOUIS J. BACCI, JR.: On the long side?

MILTON HU: Yeah.

LOUIS J. BACCI, JR.: And you don't think you can ramp that down to -- and I notice your basement is only half the footprint.

MILTON HU: Right, because --

LOUIS J. BACCI, JR.: That's going to generate another question. Are there existing tanks in the ground there on this site?

MILTON HU: Existing sites.

SCOTT ZINK: There were 21 tanks that were removed in 1986.



UNIDENTIFIED AUDIENCE MEMBER: Can you speak up, please?

SCOTT ZINK: There were 21 tanks that were removed in 1986.

LOUIS J. BACCI, JR.: Were they in the location that's now being excavated?

SCOTT ZINK: I think they were spread out towards the middle of the lots.

HUGH RUSSELL: I have a question about the -- have you reviewed the egress plan with the Building Department?

MILTON HU: Did you have a specific question about the egress?

HUGH RUSSELL: Yes.

You have a single means of egress for the units on the second and third floor and two means of egress for the fourth floor unit. There's a condition in the Building Code that says three-story buildings with --

can have two means of egress. I'm curious if the Building Department agrees that you can have a four-story building in which the first three floors have a single egress and the fourth floor has two. I think if they say no, then the question is do they have any problem with you putting in another door into the back stair off the bedroom or will they accept that egress? The reason I bring this up is if the Building Department doesn't allow you to -- doesn't accept the egress plan and doesn't allow you to add the doors off the bedrooms, then your project's going to have to change quite a bit. Now the reason I ask this question is because I've actually built a building in accordance with this unusual piece of the Code that just came in the Code about five years ago and it has -- it's a -- the wording is unfamiliar

and a little tricky. The other piece of that paragraph is that first floor shall have two means of egress. And I don't know how the Building Department will interpret that. The way I interpreted it was that when you came down the stair, a single stair from up above, there had to be a choice of two doors you could get to in case one door wasn't available. If that -- again, if that's the case, that changes your plans. So that's why I would like you to review this part of your project with the Building Department so that we all know that at what you show you can actually accomplish.

MILTON HU: We will reconfirm that. But our, our research said that the first three floors could have the single means of egress provided you have a sprinkler and provided the farthest distance to the unit

was under a certain number of feet.

HUGH RUSSELL: Yes, that's right. That's not exactly what -- the way I read that same paragraph, but I think it's not so much the way that you read it or I read it, it's the way Ranjit reads it.

LOUIS J. BACCI, JR.: Exactly.

MILTON HU: We will confirm it on that.

MARY FLYNN: I have a question.

H. THEODORE COHEN: Sure.

MARY FLYNN: Could you spend a little time, please, just talking about the rear elevation of the building and how the bicycle parking is going to work?

MILTON HU: Sure.

MARY FLYNN: And what methods, if any, you're taking to screen the vehicle parking?

MILTON HU: Sure.

This is, this is where all the cars are. It's actually under the building. And so this back portion and the left portion is open air. The front, as we've been looking at, is screened from the street. You know, we continue the motif of the commercial space over to where the cars are.

The bicycle parking is at the rear here. That's the required number of parking. There's also provisions saying that you need to have shelter for it. This is a sheltered and secured bike shelter.

MARY FLYNN: So the base floor is open, right, for the parking?

MILTON HU: For the cars, yeah.

MARY FLYNN: Yes.

And so what happens along the property line in terms of fencing or -- I know you saw

some plantings --

MILTON HU: This one?

MARY FLYNN: Yes. There's no elevation that shows that would -- at least not that I can see.

MILTON HU: We do have fencing. It shows up in the landscape plan as well.

HUGH RUSSELL: How tall is that?

MILTON HU: It's, along this side is proposed four feet. And I believe on this side is higher, six feet. Right? It could be higher.

MARY FLYNN: And how is the trash accessed? Is it going to be obviously through the main --

JOHN HAWKINSON: Is your mic on?

MARY FLYNN: It was on.

LOUIS J. BACCI, JR.: It was on.

MARY FLYNN: Oh, it was on. I'm not

talking loud enough. I apologize.

I'm assuming like trash collection will go through obviously the main driveway. How is the trash area going to be screened and how does the restaurant get access to that or cafe?

MILTON HU: I don't think we actually have a spec for the trash container yet.

ATTORNEY SEAN HOPE: I would just add the trash is going to be professionally picked up so we're not going to have residents toting wheel barrels out to the corner. We will have a service come and collect the trash from the receptacles. But they would have to access through the driveway, but it's going to be part of our pick up service.

MARY FLYNN: And is that going to

apply to the commercial space as well, the pick up service? How does that work?

ATTORNEY SEAN HOPE: I believe that the commercial space would likely have a different type of trash depending on the use. So it likely would be part of any lease that they would have to have their own, especially if it's a restaurant use that has any type of waste that just can't be out with the regular trash. I think it's practice to have a commercial space to have its own pick up/delivery and the residents have a separate one.

MARY FLYNN: Thank you.

H. THEODORE COHEN: Lou, do you have another question right now?

LOUIS J. BACCI, JR.: I've got a couple.

And provisions for storage for that



trash? All of it? From the residential and the commercial side?

ATTORNEY SEAN HOPE: So you want to --

MILTON HU: Which provision?

LOUIS J. BACCI, JR.: You're showing a storage area for refuge.

MILTON HU: Right.

LOUIS J. BACCI, JR.: Is that combined residential and commercial?

MILTON HU: Well, I think what he's trying to say is depending on the use that ends up going in here will have a separate one for the controlled space.

LOUIS J. BACCI, JR.: In the same location but larger?

MILTON HU: It could be in the basement. It could be -- we could carve out a space here. We could make this bigger,

yeah.

LOUIS J. BACCI, JR.: I have another question.

The one car parking spot that seems to exceed the building line?

MILTON HU: Right. So that's not entirely covered by the building, but in terms of the setbacks, in terms of the Zoning, that's -- we're supposed to have five feet from the property line. We have that. We're supposed to have the back out. We have the proper distance for back out.

LOUIS J. BACCI, JR.: But it is in your setback, correct?

MILTON HU: No.

LOUIS J. BACCI, JR.: No?

MILTON HU: Parking has a separate setback from the building.

ATTORNEY SEAN HOPE: The building

has a ten-foot set back, the parking has a five-foot set back.

LOUIS J. BACCI, JR.: And, but it still exceeds the building --

MILTON HU: It exceeds the building, yeah.

H. THEODORE COHEN: Okay, we have -- why don't we go to the public comment now. So I will call two names at a time so the second person can be ready to come forward and speak. Please come forward to speak at the microphone here and please give your full name and address. And if your name is anything other than Jane Doe, please spell it for the stenographer.

You will have three minutes to speak. And so the first people who have signed up are John Walker and I'm sorry, I can't make out the first name, but I believe -- E.

Thomas Flynn.

So Mr. Walker?

JOHN WALKER: Yes, I would like to defer to Dick Clarey who I believe is No. 3 and Carolyn Meed who is No. 4.

H. THEODORE COHEN: Mr. Flynn?

THOMAS FLYNN: I'll go after.

JOHN WALKER: He stays where he is.

H. THEODORE COHEN: So Mr. Clarey.

RICHARD CLAREY: I'm always anxious to hear from Mr. Walker a distinguished architect from our neighborhood who always has something transient to say and something -- will be glad to accommodate him.

My name is Richard Clarey, C-l-a-r-e-y, 15 Brookford Street in Cambridge. I am with the North Cambridge Stabilization Committee and I certainly will corroborate Mr. Hope's description of the many meetings that have

been held between the neighborhood and the developer. The results have been extremely disappointing to the people and you'll hear -- you'll hear how disappointing they have been. I am disappointed with myself in that I did not prepare as well as I should have. I spent sometime looking for a photograph of what this place looked like a long time ago, and the best I could come up with at six o'clock, and didn't have a chance to reproduce it from my pile of North Cambridge magazines, is a photograph of the existing area as it looked in -- which is obviously around 1948 from the cars, and it looks exactly in 1948 as it does today. There's the little house on the left. There is the what's now Lapel's in the center, a single story, very friendly gas station which was a Gulf station in those days. And on the

right is the three-story building that's still there today. And for -- in the lives of all of the people concerned with this matter that is the relatively friendly view they've enjoyed. And they are now quite dismayed and shocked to find that that's, that may go away and be replaced by this dreary production. Most of them, I'm sure when they bought properties, if they did buy their properties in recent years, thought that the march of the condos had been halted somewhat to the east of this area. It has been halted at the corner of Cottage Park Avenue, two blocks to the east on the south side of Mass. Ave. but anonymously (sic) the business district has extended on the north side two blocks to the west, to the property owned by the Hayes family. And I'm sure that most of the people who are upset about this

project never heard of Mary Hayes but they certainly know about her now.

CATHERINE PRESTON CONNOLLY:

Mr. Clarey, can you wrap up, please?

RICHARD CLAREY: Yes.

I'd like to note an objection to the failure to comply with the posting requirement. I understand that's already been called to the Board's attention. And I certainly hope that the Planning Board and/or the Council or someone will come to the aid of the neighborhood and spare them from a century of looking at this thing for a long period of time.

Thank you.

H. THEODORE COHEN: Thank you.

Now is Ms. Mieth going to speak now?

CAROLYN MIETH: Good evening members of the board. There's only one that I

recognize from time that I served on this very board. I'm going to pass this around. It's a flyer that was distributed to the people --

H. THEODORE COHEN: Ms. Mieth, could you please state your name and address for the record?

CAROLYN MIETH: Carolyn Mieth. Wife of Richard Clarey, same address, 15 Brookford Street.

Everyday you drive -- Brookford Street is only three houses in or actually two. The third is out on Mass. Avenue, looking at this egregiousness.

I'm passing around a flyer that one of our neighbors did on behalf of the neighborhood. I really don't look forward to looking at that every time I exit my street. However, the neighborhood has put forth a



downzoning which they didn't make the deadline unfortunately for this meeting, but is much more in line with what the neighbors on the street want. Two-and-a-half story buildings with proper parking and it will be coming to you. So if you can hold off your decision until you compare what's proposed now to what the neighborhood has I believe unanimously signed on to, I would appreciate it.

I don't understand the parking situation on this development. Five, five units, five cars, that's all? Usually two adults per unit, at least on our street, have two cars. There's not enough parking and there's not enough parking to accommodate the retail customers as far as I can see. And that means it will come to the surrounding streets, including my street, and I object.

I don't know what your time frame is for making a decision, but it would be well if you could view the neighborhood's rezoning of this lot.

My husband had, in the North Cambridge News, what the lot looked like 15, 20 years ago. We look at the dry cleaner which is a one-story lot which occupies a fourth of the lot and there's plenty of parking and it doesn't spill over on to neighborhood streets. I wish you would take these things into consideration, I appreciate it.

H. THEODORE COHEN: Thank you.

And now, Mr. Walker, are you going to speak?

JOHN WALKER: Yes.

H. THEODORE COHEN: If I could just comment, this is not a hearing on the Zoning petition. This is a hearing on this

particular application for a Special Permit. The Zoning petition will be taken up at another time, so please don't argue your points in favor or in opposition to the Zoning petition. Please, you know, direct your comments to this particular application.

Thank you.

JOHN WALKER: Are you saying that you want it not directed to the three items that they're asking relief from?

H. THEODORE COHEN: No, please talk about this application and any comments you may have in favor or opposed to the requested relief.

JOHN WALKER: I just received this a few days ago in my mailbox and I knew that this project was underway for sometime and I knew who was designing it and I had a lot of confidence that the, you know, they would

probably do the best that they could. But when I saw this, I changed. And I think the -- I studied this --

H. THEODORE COHEN: I'm sorry, your name and address for the record.

JOHN WALKER: I'm sorry, John Walker, 150 Whittemore Avenue, North Cambridge.

So I understand the point for the reduction of the first floor because of the overall height of the building, the difficulty of getting the stairway in there. Probably they could do that, but I don't know whether that results in exceeding the total height or not.

The six inches that they're short because of the kink in the front setback line and that's relatively trivial.

And what was the third item? The --

whatever it was, it's not really of a concern. My overall concern is the fragmentation of the building itself, the facade. And there's an awful lot of buildings going up in Cambridge that are just tossed together. I suppose people have spent time on, but it doesn't look like they did. I think it's -- it's a relatively small lot as was described. It's under 5,000 feet. And it seems to be broken up into a half a dozen or six or seven different buildings. There's buildings that I look at all over the city, and some of them strike me as well thought out, cohesive, and an integrated design. Others, it looks like there's no time at all looking at them. And what bothers me most about this, I like the setback on that side where, you know, steps down to residential zoning. And the front,

the scale of the building doesn't bother me. I know that they have the right to build that high. I would -- glad I don't own the three decker that's behind them because they'll never see the light of day again. But there's some way that you could alter what they've worked on so far and make it look like a coherent building. And I think it's the same architect that designed the building that's on the corner of Properzi Way and Beacon Street. And it's sort of a, it's a brick building with fairly nice, a fairly nice facade all around. And the way they deal with the upper floor is with mansard roofs. There's also a building done on Trolley Square, not the main building that faces Mass. Avenue but the building that faces the bike path. And that's a three-story building with a fourth floor

that's set back and it has a mansard facade that's integrated with the rest of the building. Both of them are very nice looking buildings. This one is really the fracture of that -- the green thing at the top of the building, I don't know if it's strips of metal or what it is. It looks like what they did on the top of Trolley Square on Mass. Avenue and it looks like facility spaces or fan rooms or something like that. It's a residential unit, there's no reason to do it like that.

And the tail end of it where they're stepping back, it kind of, you know, it should be part of the building. It should be integrated with it. And, you know, as far as the facade along the street, the facade along Richard Street, that's fine. The tower on the corner, that's fine. By the way, the

building on Properzi Way has a couple of towers similar to that.

CATHERINE PRESTON CONNOLLY: Sir, can you wrap up, please?

JOHN WALKER: Yep, that's it. It's -- it doesn't fit in with the neighborhood at all. It could. There's no reason for it to look like that.

Thank you.

H. THEODORE COHEN: Mr. Flynn.

E. THOMAS FLYNN: My name is E. Thomas Flynn, 25 Madison Avenue, Cambridge, Mass. I have lived in the neighborhood since I was an infant and I've seen it change. First of all, I'd like to say I'm totally against any of the modifications that they want to do on the bidding.

And second of all, I feel it's a poor design. And like John said, I feel sorry for



the person owning the three-family behind them, because they'll never see any more sun. I mean, they don't think about this either in the community development when they come up to change a zone, raise the height, what's behind them? Poor people in residential that are never gonna see that southern sun all day long. You're puttin' this wall up. And as far as when he was trying to explain about trash and everything, why did they put the trash on the neighbor's -- the abutting neighbor's property line? Stick it way over in the corner. Get it away from us. This happens in every one of the buildings.

And as far as finding people for the commercial space, the newest tenants on Mass. Avenue have been a dog washing parlor, a caterer, and a psychic. So you're gonna have that high rent district for that? Do away

with it. Bring the building down and make it similar to the Mark Boyes-Watson building on the other side of Jack's Gas. Perfectly blends with the neighborhood. I don't know when they're gonna get this point that you try to match what's around you. This is horrible.

Thank you.

H. THEODORE COHEN: Thank you.

Dave Rogers and then Elizabeth Stern.

DAVE ROGERS: Good evening. I'm Dave Rogers. I live on Richard Avenue where this plan is proposed and I have a whole series of concerns about the project. To be fair to the development team, they did meet with us. We had a series of meetings, but the fundamental design of the building never changed. Some brick was added, other relatively minor changes, but this is

essentially what we've been looking at from the get-go. And we've had a series of objections to it. And as I sat listening, you know, I jotted down my thoughts, and I said, you know, the overarching point underpinning the line of argumentation that you're hearing from the development team has -- that their hand has been forced by the size of the site, the nature of the site. But the problem for the neighborhood and the problem for the City and what we hope you will help us with is that this site, the size of it, coupled with the developer's plans and the peculiar Zoning in this particular part of the City has created a deeply flawed design and proposal. It's got step downs to the residential to the next of it. So you have how many different levels do your eyes look at? One, two, three, four, five, six.

So there's six different levels. I mean, I'm not an expert architect, but the design is completely out of character. And I disagree, I saw the -- just for the first time tonight, the memo from the Planning Board from Jeff Roberts and Suzannah about the plan, and they say "The scale and massing of the project is generally consistent with the character of surrounding residential development." That is a completely erroneous assertion. It is completely out of character. And I'd encourage you to come to Richard Avenue. They're all homes built from like 1890 to 1924 that are two-and-a-half stories. The classic architecture for that period. And plopped down next to it is this. Totally out of character.

I have deep concerns about retail and we think the Zoning that allowed this that

just went into effect a few years ago was flawed. And I know that we're not going to be arguing our petition tonight, but we have deep concerns. There's very little foot traffic. I've lived there for almost a decade. That's why right now the Lapel's dry cleaner that's there is failing. You go in there, it's totally empty. You go in a dry clean, normally you see clothing, there's none. And so if you're gonna do retail, and we are generally opposed to retail here, you should build it to design the folks fought for it to put here because then we think it has a bigger chance of success. And instead they want three deviations from the retail requirements, 75 percent frontage. They want a deviation from that. The height, 15 down to nine, basically, nine and a quarter. They want a deviation there. And then I didn't

even realize this, in all our discussions, this is the first time I've heard the depth. They want a deviation there.

This Zoning just went in a few years ago and they want three deviations from it. And basically that's to allow them to get their return on investment I assume and design and get enough units.

So for a whole variety of reasons the whole neighborhood is -- final point as my time is up, is that you heard that -- they sort of heard mixed results. There may have been a couple people who encouraged this. But I can tell you, I live there, the vast majority of residents are opposed to this.

Thank you.

H. THEODORE COHEN: Thank you.

ELIZABETH STERN: Hi. I'm Elizabeth Stern. And I live at 20 Cambridge Terrace

but I own Seven Richard Avenue which we try to maintain in a very good way and we have good tenants. And I must say that although there may have been meetings going on, the first that I heard about the fact that -- and I'm the abutter or one of the abutters. The first that I heard about any development was from my next-door neighbor. Who's not here tonight unfortunately -- oh, she is here. Yay. A sort of SOS message sometime in January or February this year. So perhaps they let some people know, but they didn't let one of the abutters know about it at all.

That said, I oppose this Special Permit. This Special Permit only compounds the problems created for the neighborhood by the imposition of the Overlay District so far down on Mass. Avenue and on this very small site. It's -- this Special Permit squeezes

the retail space and ignores the inappropriateness of a 45-foot plus high story building at the corner of an almost exclusively two-and-a-half story quiet neighborhood. At the same time I welcome small retail. I think it solidifies a residential neighborhood, but let's do it right. At the same time that we respect the built character of the existing neighborhood, this four-story building seriously overshadows us. Please help us find a solution that works for everyone.

Thank you.

H. THEODORE COHEN: Thank you.

Arie Yaacobi and then Dirk Dejong.

ARIE YAACOBI: I just wait. They already said what I think. I just moved, I moved to this area --

H. THEODORE COHEN: Sorry, sir,



please come forward and give us your name and address.

ARIE YAACOBI: Arie Yaacobi, A-r-i-e Y-a-a-c-o-b-i. I'm from 12 Richard Avenue. I moved to this area about eight years ago because it's a quiet residential area, and this is not what I was expecting to get, honestly, noise from a, you know, if there's a cafe there, there would be trucks and food trucks. If you look at Richard Ave., you see there's glass. It's alien, totally, totally not in line with what you see in the street. This -- if it would be on the Mass. Ave. side, I could barely agree with this, but not -- (Inaudible) definitely look at the glasses, look at the tower. We need to get some shadow. This is really towering. It's a quiet area. My kids love it. I moved, I paid a lot of money to move there from

Medford and I just support what you've heard before. I'm not going to repeat. The whole neighborhood is against it because it is changing our quality of life. Please, please, please I understand the eagerness of the money makers here to go forward with this, but the residents in that neighborhood streets are really against it. It's changing our quality of life, and I hope that you would vote against this.

Thank you so much.

H. THEODORE COHEN: Mr. Dejong.

DIRK DEJONG: My name is Dirk Dejong  
First name is D-i-r-k. Last name is  
D-e-j-o-n-g.

I'm not going to take too much time.

H. THEODORE COHEN: Your address,  
sir.

DIRK DEJONG: 18 Clarendon Avenue.

So I'm a few blocks east of that spot just off Mass. Ave.

I think I'm kind of presenting a slightly different perspective. You'll notice on the sign-up sheet I didn't really check oppose or approve or whichever the options were because I wasn't actually entirely sure what it was I would be arguing against or for. Since the presentation I really have a little bit of a better idea. But it seems like a lot of people are coming up and not really addressing, you know, whether this particular case deserves a Variance or not but more like of the aesthetics of that building design. And I'm actually not going to talk about that at all. But one thing -- I was involved with a group of people, some of you may remember seeing me before. A few years ago a group called Main

Street North Cambridge, there was people from -- from the North Cambridge neighborhood who actually supported the change of the Zoning because we kind of believed that retail, first floor retail requirement in the long term is gonna sort of invigorate and sort of create a more lively neighborhood. And that there's a lot of incentives at the time to basically not include anything like that. So we felt like Zoning was going to be basically what would make it work, because it's true that it's sort of a flimsy arrangement of retail in North Mass. Ave. right now, but I would argue that that's largely because you kind of haven't reached a critical mass of having enough there to generate the kind of foot traffic that -- and you have to say to yourself, is it really that different, you know, than Capital Square

in Arlington or other places more toward Porter Square down Mass. Ave. And, you know, I know there's been a lot of talk about, you know, preserving the way it was in the past, and I think the point of our group was actually to evolve it and not kind of keep it the way it is. I would, you know, I have an NTB on my corner. And in a way I would gladly trade that for the NTB that's one story high. But the -- so I'm actually not -- I guess like most people here dealing with their three minutes, I'm not making a specific recommendation or argument about that, but I want to say in general that there are people who actually support the idea of first floor retail on Mass. Ave. And it seems like these guys are making a reasonable effort to sort of make it work.

H. THEODORE COHEN: Thank you.

Eric Grunebaum and no one else has indicated they wish to speak.

Are there other people who wish to speak? So please raise your hand. All right, Michael you'll be next.

ERIC GRUNEBAUM: Hi, Eric Grunebaum. E-r-i-c G-r-u-n-e-b-a-u-m. I live at 98 Montgomery Street in North Cambridge.

As Dirk referred to prior to me, there was a large outpouring of interest in North Cambridge starting about three years ago -- it might have been four, it's hard to remember exactly -- to preserve and expand the amount of retail in North Cambridge. If we want a walkable, bikeable city with nice little spots or offices, then we need to have the Zoning require that because -- or incentivize it because the prior Zoning disincentivizes -- disincentived it in favor

of residential. And so what we were getting is lots of condos and no ground floor retail, which many of us and, you know, there are petitions around the neighborhood. There was really a strong outpouring of support for requiring ground floor retail. So similar to the prior speaker, I just want to put a plug in for the work that that group Main Street North Cambridge did over a course of about two years ending with a unanimous City Council vote in favor of requiring mixed use. I think that I'm not against making some provisions for particular site requirements. I'm not gonna speak to these in particular, but the important thing to me is the volume of retail effectively should be, should not be compromised. If the height is a little bit lower, I don't think that's a major concern for me, but it is really important to

me and to all of those folks who worked on that effort for so long to have ground floor retail and I'm happy to see that this, in effect is the result to some extent of that. I have little doubt that had that Zoning not been in place, that this proposal would be residential on the first floor. And I think we should also remember that it is the Zoning now. It is required. And that Mass. Ave. is in a sense the main commercial thoroughfare of the city and we shouldn't be afraid of having commercial things on the main commercial thoroughfare of the city.

So that's really it. Thank you very much for listening.

H. THEODORE COHEN: Thank you.

MICHAEL BRANDON: Anybody else wants to go before me?

UNIDENTIFIED AUDIENCE MEMBER:



Before you?

MICHAEL BRANDON: Sure. Just because I tend to repeat things.

H. THEODORE COHEN: Michael, why don't you go?

MICHAEL BRANDON: All right.

H. THEODORE COHEN: You're standing up now.

MICHAEL BRANDON: All right.

H. THEODORE COHEN: And you were the only one who raised their hand at that time.

MICHAEL BRANDON: Sure. Thank you. My name is Michael Brandon, B-r-a-n-d-o-n. I'm the clerk of the North Cambridge Stabilization Committee, and I see faces that I haven't seen on the Board. It's been a while since I've been here, so I greet you and thank you for the opportunity to share my thoughts.

You've heard a lot tonight and I think I will reserve a lot of what I would respond to until you have a subsequent hearing which I suspect you will decide to do given the controversy and the many points that were raised in the staff's memo that they thought more information was necessary. And I do agree with the proponents that closing the curb cuts and screening the parking lot that's at this site now, it will definitely be improvements and it will improve the pedestrian streetscape, but other than that it just seems like a completely terrible plan with a horrible design and that I question whether it conforms with the Zoning. It clearly, in my opinion, doesn't meet the criteria for the relief that they're seeking tonight. You would need to find that the proposed modified dimensions do not

substantiation equally derogate from the intent of the requirement to provide for a reasonably continuous active ground floor frontage along the public street. Well, the public street they're talking about is Mass. Ave., not Richard Ave., and I would say reducing from 75 percent to 50 percent just does not comply with that intent. It derogates from it.

The overall floor area -- this is the other criterion. At one of the other -- overall floor area of required non-active residential ground floor uses, is not substantially reduced. Well, it is because when you cut that back, the interior square footage comes down to less than that's there on the site now. The intent of the Mass. Ave. subdistrict that was created was to preserve and encourage ground floor

non-residential uses if a building was rebuilt, and that's not what's happening here. So that criterion is not met.

On the third provision is that you find that the modifications or the minimum necessary to reasonably accommodate the new construction on the lot. I would argue that a different design could result in a more substantial commercial or retail space.

By the way, this idea that it's going to be a restaurant is a little farfetched, in my opinion, or even a coffee shop. That was reason for the 15-foot height partly was to allow for infrastructure; exhaust fans, fire suppression, and so forth over a grill.

Neighbors have said, yeah, we'd like to see a nice breakfast place there. I don't see you getting it, and I certainly don't see something like this immediately across the

street from Jack's Gas and a garage which has high volumes of cars coming right up there.

CATHERINE PRESTON CONNOLLY: Can you wrap up, please, Mr. Brandon.

MICHAEL BRANDON: Yikes, okay.

The staff raised concerns that I agree with, that not sufficient description of materials.

The parking area should be fully enclosed.

The facade articulation is not there.

There are no balconies or bays.

I would ask that you ask for a Zoning analysis or maybe a relook by Jeff Roberts in conjunction with ISD. As far as I can tell from the -- because I understand the Zoning, ground floor structured parking at the front of the building is not allowed in the Overlay District at all. I don't have the site, but

I'd be happy to discuss it with Jeff or others. Also, this whole idea of trying to make it appear like you have ground floor retail in a lively streetscape is misleading because A --

CATHERINE PRESTON CONNOLLY:

Mr. Brandon.

MICHAEL BRANDON: Okay.

They have a trellis, but I believe the opaque glass is also illegal.

I'll cut off and try to write you. But just my final thought was because this is never going to happen, this project, in my opinion, given that there's a Zoning petition and questions about the legality of the notice and so forth, I would suggest that you perhaps think about it, discuss it, drive a stake in this proposal now and then, you know, we continue to try to work with the

developer to come up with something that works better for the neighborhood.

Thanks very much. Sorry for going over.

H. THEODORE COHEN: Thank you.

So is there anyone else who wishes to speak? Ma'am.

PAT DESROCHES: Yes, thank you for the opportunity. I'm Pat Desroches, and I live at No. 9 Richard Ave., two doors down from this facade which looks being unfinished in my mind. I oppose it. But I have two issues that I have spoke about at other meetings and I wish you all to listen.

The 40 years that I lived there it's a very busy (inaudible). You have Jack's Gas. And more importantly you have the school bus which I'm very concerned about.

And then you have cars whizzing in and

out of there.

And you have parking for five units, correct? Well, what if they have two cars a piece? Then what do you do? Are they parking on Richard Ave.? That's another issue.

And that's about it.

H. THEODORE COHEN: All right.

Ma'am, would you spell your name for the --

PAT DESROCHES: Yes,

D-e-s-r-o-c-h-e-s.

H. THEODORE COHEN: Thank you.

PAT DESROCHES: You're welcome.

H. THEODORE COHEN: Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: Fine, then we'll start our discussion and decide what further information we need and what our comments and



questions are for the staff and for the proponent.

Hugh, why don't you start?

HUGH RUSSELL: Okay. I'd like to start with a question. That rendering shows there's a column at the corner. The floor plan doesn't show a column at that location. It shows that if you had a column at that location, it would block the door into the retail and would -- so that it was not accessible. So which is it?

MILTON HU: I apologize about that. That column is not -- it was from a previous rendition. It should not be there.

HUGH RUSSELL: Okay.

So in that case I would say that huge corner element's going to look unsupported. It's going to look pretty strange.

I would agree with the people that have

spoken saying that this design is really not acceptable and it's certainly not up to the standard of other work that we've reviewed from the architect.

The first problem is the parking under the building is not really shielded. You could walk down Mass. Avenue, you'll like over the four-foot fence, you'll look into the ceiling of a garage mainly because the cars are back there, but you'll have lighting there at night. It's going to be unsightly and it's going to be unsightly for anybody in the abutting lots who is looking into that parking area. Maybe you could put a very tall fence there and prevent the light from spilling out. Put up a six-foot fence, you can't see in it. It's just a nasty condition.

The -- on the brick facade it's curious

that the right end of the brick facade isn't supported. Usually when you have masonry, you have something at the corner that supports it. Now I mean you could do it, you can put beams in to do that, but that's part of the visual problem with that facade. The windows are too small for the amount of brick, so the proportions look really awkward and funny.

The cornice is too high. It's about two or three feet above floor level and it's very, very plain.

Same kind of thing happens around the corner on Richard Avenue. I was starting to like the sort of the aggregate quality of it, but I think if you had that centerpiece has to be the strongest piece, the best design, and the other pieces that are tacked onto it have to be not, you know, they can be

subsidiary.

I don't like the top floor treatment. It's, it's pretending that it's some kind of mansard or some kind of roof, but it really isn't. It's just four stories straight up with some material that isn't -- doesn't yell at me that it's a high quality material. I don't know what it is, but it just looks like some probably it's Hardie siding with a trim.

The -- so I think about this, and I wonder well, so now what happens if this was articulated -- we just got rid of the top floor and you articulated this more like a two-and-a-half story building, it still would have three floors in it and make it -- and I guess I'm on the side of the people who say this is not going to be a very successful retail location. So in my mind, I don't have the authority to do this, I'd say move the

apartment off the top floor down to where the retail is, put some kind of a pitched roof on it, get some articulation, make it more coherent. It's still going to be kind of big and blocky, but it will have a lot more to do with the buildings that are around it. If you can manage to take off the fourth floor and cut the cornice in the back a little bit, than you can get some more light into the three decker who is behind it and pretty close. So I, you know, I think this is just not good enough.

H. THEODORE COHEN: Okay. Thacher? Mary?

MARY FLYNN: I guess my biggest concerns are that the two sides of the building that are up against the abutters. I feel like in some respects you've given a lot of thought to the street sides, but the back

sides are just kind of not as specialty if we even want to consider this to be special. But certainly the parking I think needs to be screened somehow. It's, as Hugh said, you're going to be able to see it coming up Mass. Ave. Certainly the abutters are going to look at it. I'm not wild about where the trash location is. I think putting it next to an abutter's fence is always a bad idea. I know it bugs me at my house when it happens.

I do like the idea of ground floor retail, but I'm concerned about the amount that's there. I'm not a retail expert by any means, so I don't know how firm that 15-foot height really is. I know you said you had talked to some relators and things like that. I'd like to know -- see more information on that. You know, either comments from

relators or examples where people have been successful at leasing spaces that are, you know, smaller and have lower ceilings.

And then there's the parking issue, too. I mean you do have, you know, one space per unit which means the residential requirement, but, again, there's nothing for the retail. I know you talked about the additional four spaces that would be created, but, you know, I don't really have a good sense of, you know, how many trips are going to be generated by that retail space and how many would be people on foot versus people who would be looking for parking. So I think some additional information about, you know, trips generated by retail would be helpful to me.

Thank you.

H. THEODORE COHEN: Thacher?

THACHER TIFFANY: I would simply reiterate Hugh's points on the design. I think he really articulated well. I might hold back on his, you know, sort of ultimate solution of moving the top floor unit to the ground floor because I don't honestly know well enough the implications on the current Zoning and how firm the retail requirement is, but, you know, everything up until that point what Hugh said about, I can definitely sign on with. You know, I think, you know, his point about the size of the windows on the brick facade and, you know, the height of the cornice lines, the screening of the parking, you know, I think these all are issues that need to be addressed.

H. THEODORE COHEN: Catherine.

CATHERINE PRESTON CONNOLLY: Sure.

So I think the biggest problem we have or I



have with this site is that you're trying to do too much. You can do some combination of the number of residential units you have, the number of parking spaces you have, and the retail you want, but you can't do them all. And I feel like the need to have at the ground floor level both the retail and five parking spaces is driving what I would concur with my colleagues is a really unsuccessful design, and I'm not sure which of those uses should take priority. Should we have five units or should we go down to four, eliminating both some of the height and one of the parking spaces that's needed in an allowing for better screening? Should we eliminate the retail? I'm not sure which of those solutions works best with the configuration of the lot you have, but I do know trying to cram them all onto there --

you know, and I accept what you said earlier about the ramping, making it impossible to put the parking below grade on a tight lot, that makes sense. But then you are, you are trying to do too much. And something has to give here because none of these things is working really well for me. In particular I don't like the hazing and glass facades of the retail along Richard Ave. As much as I generally support retail along North Mass. Ave. and the idea that that would become the pedestrian- and retail-friendly corridor that has been envisioned by the Zoning, I don't think wrapping it around onto a quiet side street is what's going to achieve that, especially going back as far as it does. I mean, obviously there might be some wraparound, but going back that far, I think is not what the Zoning was intending. And,

again, I think that having, you know, part of your glazing on the first floor be hiding parking is totally contrary to the idea of having active ground floor uses in this corridor.

I'll also reiterate, because it's one of the few design points I really feel strongly about, I think the windows are ridiculous. I mean, it really doesn't even read as a residential building because there is so much blank wall there right now and I would, you know, really want to see those reassigned.

H. THEODORE COHEN: I'll go next.

Well as someone who lives in North Cambridge 50 yards from Mass. Ave., I really support the concept of retail on Mass. Ave. I think it really needs to invigorate it and I think we have the problem with the

condominiums that were built where retail was de incentivized is not a great solution.

Having said that, and I do appreciate the retail, the garage door on Mass. Ave. bugs me more than anything else. I have driven the entire length of Mass. Ave. now from end to end and with the exception of a couple of garages and car repair shops, there are perhaps three or four garage doors on Mass. Ave. I think this is totally the wrong thing to have there. And I think the glazing hiding the parking is the wrong thing to have there. I think it's going to have retail, it needs to be, the entire length or almost the entire length of the building. And I agree that, you know, having it wrap around Richards is moving it into the residential district probably too much.

That's my main objection to this,

although and I'm going to quote Hugh badly, who says that there's something like some number when you have a number of elements, you have one or more too many, it seemed to me there are just too many different design elements going on here, too many different materials; the grey, the green, the brick, the windows, the glazing. And, you know, the brick has been bugging me and I think it's probably the windows more than anything. And especially that one window that I guess is in the stairwell that just seems to be the center point of everything and it, you know, it's a tiny little window.

So, you know, I think there are a lot of issues that have to be, you know, rethought.

I thought the comments about the 15 feet of retail was to allow for utilities to

be in the ceiling so that you could have a cafe or a restaurant. And so if we do go smaller than that, than, you know, is there definitely a limitation on the type of retail that's going to go in there?

I also, when this comes back, I really would like to see similar elevations for the west side and for the rear. Yes, we have some, you know, black and white drawings of them, but I agree with what Mary said that a lot of thought was put into the public side but not into the side that's facing the abutters.

Other than that, you know, I concur with the other comments and I concur with that there's probably trying to put too much on this one site. It is a small site. I personally think that having some building of some sort will be better than the dry

cleaners and the large parking lot and all the curb cuts, but I think there are better designs.

You know, yes, I concur with the other comments and with the comments that staff made because they want to see continuing review.

Steve.

STEVEN COHEN: Well, I agree with a number of comments about the design and the aesthetics and most especially the fenestration and the front elevation especially between the windows and the bricks. I don't need to rehash all of the design items, but I think that, I think that I need to present at least a bit of a counterpoint, and that is there's three items of relief which is being sought and those items are relatively de minimus and largely

generated by the smallness of the site both in overall square footage and the relatively modest dimensions. And while opinions may differ on the aesthetics and the design, you know, we're presented with a set of Zoning rules and they're only relatively immodest infringements of those Zoning rules which we are being asked to rule on, you know. We've heard a number of objections to the retail use in the building, but we're dealing with a Zoning Code that encouraged the retail use here. I am very sensitive to community input and I think it's important that the development reflect the desires and values of the community, but the way that the community should have that input and should shape development in the neighborhood is through the Zoning provisions that are enacted. And not many years ago, you know, the community



spearheaded a change in the Zoning which specifically encouraged retail use here and which largely permitted a building of this size and nature. We've heard that the building is fragmented. And I agree with the number of the points that it may be, you know, a step too far, a ridge too far. But on the other hand, we frequently look for ways to break down the massing of buildings. And sure, we can work on this and make it more coherent, but generally speaking this Board seeks to break down the mass.

We've heard objections to the parking, that owners of units, you know, will typically want two parking spaces per unit and we're only doing one, and yet, you know, Cambridge and this Board and staff on most occasions are going in the other direction and saying that you don't even need one per

unit any longer. In any event, again, the Zoning doesn't require more than one. Those are the rules that the owner is asked to comply with.

We've heard that the Lapel building, there is preferable -- well, gosh, I guess that's a subjective statement that some of us may differ on of, but again the Zoning doesn't go in that direction. The Zoning says that something bigger and more than that small one-story building is not only permitted but is encouraged. And, again, you know, when we say and when some of my colleagues say this is too much on the site, well, I think there are design elements here which could be addressed and make it more coherent perhaps. But, again, we're not seeking out a Special -- or a Variance on FAR. This is what Zoning permits. So, you

know, while on the one hand, you know, I really do believe, you know, that we can do better on the design in a number of respects, and I, you know, note Hugh's comments that, you know, if you took off the top story, then you wouldn't need the parking spaces and then those blank windows could perhaps be incorporated into a nine-foot section of a retail space. We could do some stuff like that. I'm not sure that the neighbors, however, would find that result especially more palatable or acceptable. Well, anyway, my counterpoint is simply yes. You know, we can work on the design. Staff should work on the design. Many of these points can and should be addressed, but ultimately Zoning permits a proposal much like what we're seeing and that's primarily our job to assure that the projects comply with the Zoning and

with the values and goals that are incorporated into the Zoning. So there's work to be done, but I, I don't think that an improved project is going to be radically different than what we've seen, not unless we change the Zoning which I guess is being sought. But a couple years ago folks were pushing in another direction. So I'm not quite sure what the politics are within the neighborhood, but I suspect that there's another perspective on Zoning in North Cambridge that we haven't heard articulated forcefully tonight.

H. THEODORE COHEN: Actually before we go on, I do concur with a lot of what you said about we are constrained by Zoning and the fact that Zoning was changed to allow things and it does allow a building of this size and it does allow, you know, the parking

that's provided and the bicycle parking that's been provided. However, I disagree that the reduction of the frontage on Mass. Ave. is a de minimus issue and I think that that is a large issue that has driven the entire design and that if, you know, we can grant a waiver from it, but I think that were we not to grant a waiver from it and they had to comply with it, we would get a very different design. And, you know, I think that's what a lot of the comments have been addressing that when you say there's too much, it's because they want this waiver from what I see is a very substantial aspect of the new Zoning.

HUGH RUSSELL: I'd just like to follow up on that comment.

If the requirement is 75 percent, 40-foot deep retail, then there's no room for

a ramp to get down into the basement. So I think the -- if you go with that kind of -- that amount of waiver, you can't do the project. It's not that they'll come back with a different design.

The other point -- I just want to go 10.2, if the ground floor height is raised, then the third floor goes over the 35-foot height limit. So that -- the stair problem is relatively easily solved. That problem is not easily solved. They lose that whole unit on that side. I think, unless you -- I mean, they've got pretty high ceilings in there, but if you put in low ceilings, if you really squeeze it -- the things they're asking for are -- turn out to be very important in terms of actually being able to do a project there.

STEVEN COHEN: Can I just make one quick comment and that is, you know, the

15-foot ceilings, I think somebody pointed out, that's more typically associated with larger spaces. I mean, this is a 900-foot retail space. The nine-somewhat foot height that are being proposed it's a little bit on the short side. But, you know, this isn't big box in my mind. This is, you know, small neighborhood retail. So it's -- from that perspective that I felt that that's not an unreasonable request. I understand that if you did provide 15, the impact would reverberate throughout the entire building.

LOUIS J. BACCI, JR.: So I guess some parking is a problem because of displacing some of the retail. So it doesn't seem impossible, and I get your point about not being able to get to the back of the building.

H. THEODORE COHEN: Could you use

the mic?

LOUIS J. BACCI, JR.: With the retail also if there's a ramp into the basement. But it would only be a certain section of that building, albeit pretty long -- I don't know exactly the slope that's required for that ramp, but it seems like in the 100 feet you could get it done.

MARK NIELSEN: Mark Nielsen, and I'm from Peter Quinn architects, also. And just to explain that the dimensional requirements of the ramp so that we can get that one -- you did get about 80 feet of ramp to get down a full story, to get fully under retail.

LOUIS J. BACCI, JR.: Eight to one?

MARK NIELSEN: 80 feet of ramp which involves the first ten feet of -- as eight percent slope. The middle portion, the majority of it at a 16 percent slope, and the



final exit of the ramp at eight percent so that you don't bottom out cars. There's 80 feet. And then you've got ten feet to get around the corner of the ramp. So even if we figure out a way to make the pitches -- cheat the pitches even more steeply so that we have 18 to 20 feet at the bottom of the ramp to make the turn, you still don't have enough width in the site to get a parking space and a drive out aisle.

LOUIS J. BACCI, JR.: Unless you were parking along the Mass. Ave.?

MARK NIELSEN: You would have to go under Mass. Ave. You have to go underneath the property line.

LOUIS J. BACCI, JR.: I guess how much height are we going to make up here? What depth?

MARK NIELSEN: We're working ten

feet. Floor to floor.

LOUIS J. BACCI, JR.: Okay.

So two, three to one is not going to do it?

MARK NIELSEN: Three to one what?

LOUIS J. BACCI, JR.: Pitch. Three, two to one is not going to make it happen for you?

MARK NIELSEN: We go eight percent, 16 percent. Eight percent is the steepest we do our car ramps.

LOUIS J. BACCI, JR.: Eight percent?

MARK NIELSEN: Eight percent at the top. 16 percent slope at the middle. And then eight percent coming out on the bottom so the cars don't bottom out on the transitions.

LOUIS J. BACCI, JR.: Eight percent is really flat, but I'll leave it up to you.

So I guess you're stuck with ground floor parking that no one wants.

MARK NIELSEN: Well, even if we could get down to the bottom of the parking space, we don't have the depth in the site to park the cars.

LOUIS J. BACCI, JR.: Not in front of -- not beside the ramp. But making a turn and parking along Mass. Ave. seems like the way to --

ATTORNEY SEAN HOPE: The elevator you couldn't park on Mass. Ave. without going over the property line. We would have to be in the sidewalk.

LOUIS J. BACCI, JR.: You're not going to exceed the property line anyway because of your foundation wall.

It just seemed a better way for you to get out of it. I'm really curious why this

wasn't thought of in the original design. Because to us it seems like there was no -- the issue is the parking and the retail and one doesn't allow for the other, so that's where we're stuck.

H. THEODORE COHEN: So anyone have any other comments?

STEVEN COHEN: I had one. I guess it's a question for the applicant. I'm not intimately familiar with this applicable sections of the Zoning Code and so I apologize if I'm speaking from ignorance, but given your druthers, you know, could you do this in -- without the retail and just have a residential unit?

ATTORNEY SEAN HOPE: One clarification. I said several times that --

JOHN HAWKINSON: Could you speak up, please?

ATTORNEY SEAN HOPE: I said several times that the intent of the Zoning was to incentivize retail. I want to make it clear that retail is required.

STEVEN COHEN: That's what I thought.

ATTORNEY SEAN HOPE: This is not an option. We'd have to seek a use variance from the Zoning Board. Use variances are one of the more challenging for us to get especially when you have a fresh Overlay District. And I apologize if there wasn't any clarity. There is not an option for us without going to the Zoning Board to be able to replace the ground floor retail.

STEVEN COHEN: Well, let me rephrase my question then: Were you to get a Variance or if a Variance were available to you, would this work for you without the retail on the

first floor and get, as Hugh suggested, get that residential unit on the first floor?

ATTORNEY SEAN HOPE: I think Scott can speak to his pro forma. But I think you see examples all along up and down the avenue where developers would much rather put a residential unit that has doors and windows and no active streetscapes than try to make retail work.

SCOTT ZINK: Yes, I would say if we had assurances, strong assurances that we could make that trade, I think that would be a simple decision and a pretty good compromise. But I've just, you know, not being an expert and speaking with my attorney and other people around the city, it seems that would be --

UNIDENTIFIED AUDIENCE MEMBER: There would be serious objection to that I could

tell you that.

ATTORNEY SEAN HOPE: Well, and I think the Chair said there is another contingent that is not so interested in this project because it doesn't abut maybe their street. That really think that ground floor retail is important. That is not willing to give up on it and I think that, you know, there's design elements that need to happen. But I do think the ground floor retail is something that can work and needs to work and we haven't got the critical mass.

The only other point that I'd like to make is, you know, we are sympathetic to the Richard Ave. neighbors. We hear several times we walk down Richard Ave., you see a tree lined street, two-and-a-half story houses. We're sympathetic. I agree with that. This is not -- the neighborhood

doesn't just start from Richard Ave. It also faces Mass. Ave. And I think the idea that we should try to replicate what is built in the 1880s that's going to be appropriate from 2015 and beyond, I think is a mistake. I think we have to blend the two. There's design work to do, but I think we've heard several times about our neighborhood.

There's a larger neighborhood besides Richard Ave. We heard support that hasn't been from these neighbors. This is Mass. Ave. and this is not just Richard Avenue.

And the last point I want to make is that the Business A-2 district extends passed the second property. So when we wrap around the retail, we're actually not wrapping it towards another residential district.

Actually, the two properties are both in the Business A. So we may need to cut that back.



I think that's a great suggestion. But it's not where the Res B starts right after our property line that's both Business A.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: Is the parking allowed on the front of the building on the Mass. Ave. side in the Zone.

UNIDENTIFIED AUDIENCE MEMBER: There is one parking spot available.

LOUIS J. BACCI, JR.: No, but on the building, the Zoning usually calls for this to be into the rear of the building and shielded.

ATTORNEY SEAN HOPE: I think we're talking there's no parking within the front yard setback.

LOUIS J. BACCI, JR.: Not front yard setback, the front of the building at all.

ATTORNEY SEAN HOPE: There is not a

prohibition against the parking that we have there. There is design guidelines of shielding parking disincentiving that. If it -- there's not a Variance required for our parking where it's located. It may contradict design guidelines, but it's not prohibited.

UNIDENTIFIED AUDIENCE MEMBER: Yes, it is. This Mass. Overlay District --

H. THEODORE COHEN: Please, please.

UNIDENTIFIED AUDIENCE MEMBER: Well, if you --

MICHAEL BRANDON: You're giving --

H. THEODORE COHEN: No.

UNIDENTIFIED AUDIENCE MEMBER: Fine.

H. THEODORE COHEN: Lou, Lou, I'm not quite sure I understood your question.

LOUIS J. BACCI, JR.: Right.

The parking spots along Mass. Ave., the

parking spots at the very front of the building.

H. THEODORE COHEN: Within the building or in the street?

LOUIS J. BACCI, JR.: Right, within the building.

H. THEODORE COHEN: Okay.

LOUIS J. BACCI, JR.: On the street. I have a question if those are actually allowed at all?

UNIDENTIFIED AUDIENCE MEMBER: I'm the clerk there at Lapels so that actual parking lot is --

H. THEODORE COHEN: Okay, please, please.

HUGH RUSSELL: Okay. I'd like to read from the Ordinance.

H. THEODORE COHEN: I was going to ask Jeff, but fine.

HUGH RUSSELL: It's 20.106 Use Restrictions. (Reading) Ground floor of that portion of the building facing a public street or a public park, shall consist of gross floor area devoted in the combination of following uses.

And the residential, office, retail business, institutional that's specifically excluded gross floor area and structured parking counted as gross floor area.

MICHAEL BRANDON: Bingo.

HUGH RUSSELL: And then there are some conditions there that don't immediately seem to apply. It's complicated language but that --

H. THEODORE COHEN: Jeff, do you know the answer to Lou's question?

JEFF ROBERTS: Mr. Chair, I'm just reading the language along with Hugh because

I opened it up when that question came up. So the provision relates to gross floor area in structured parking. So the question in this case for the applicant is whether they're counting that as part of their gross floor area. They may not be counting it as gross floor area. The other point to note is that if they were counting as gross floor area, that is a provision that can be waived by the Planning Board. They have not sought that waiver. But if there were a solution that resulted in parking as gross floor area provided within that area, it is something that the Planning Board could grant relief for.

ATTORNEY SEAN HOPE: Could I just have --

H. THEODORE COHEN: Lou, does that answer your question?

HUGH RUSSELL: I think they have to count it as first floor area.

ATTORNEY SEAN HOPE: There is an exemption for open parking that's covered, and it allows for certain 15 spaces not to count toward GFA. There is an exemption for open parking that's covered and it allows, that's in Article 6. And so that when we did discuss some of this. We may have to get a fresh perspective. It wasn't missed from our perspective.

H. THEODORE COHEN: Okay.

LOUIS J. BACCI, JR.: So I guess is the answer yes, it is with provisions?

HUGH RUSSELL: No.

LOUIS J. BACCI, JR.: Or is it no, without?

ATTORNEY SEAN HOPE: We'll get clarity on that.

LOUIS J. BACCI, JR.: Well....

STEVEN COHEN: But I think it is permitted there and it's just a question of whether that square footage is to be included in the gross floor area.

LOUIS J. BACCI, JR.: That's one of scenarios.

JEFF ROBERTS: So the provisions to try to explain it again, and we will provide a clearer response on this, but the provision is that if the parking has been designed in such a way that it does not count as gross floor area, then technically it does not fall under this prohibition and, therefore, it can be allowed. So, again, it's something that if, if it had to be redesigned in such a way that it did count as gross floor area, then it would have to be waived by the -- it could be waived by the Planning Board if they

sought that Special Permit.

H. THEODORE COHEN: Okay, thank you.

HUGH RUSSELL: Doesn't all parking above grade count as floor area?

JEFF ROBERTS: Not necessarily in the case where it's surface parking. So I think what Mr. Hope was referring to is exemption from gross floor area from residential parking that is on the surface of the lot and is partially or mostly covered by the building, but it still is technically open to the air.

LOUIS J. BACCI, JR.: I want to trade it for the one in the back?

H. THEODORE COHEN: All right, do we have any other comments?

(No Response.)

H. THEODORE COHEN: Iram, did you?

IRAM FAROOQ: No.



H. THEODORE COHEN: No, no?

All right. So thank you. Obviously this matter will be continued to a later date. I don't know when that will be. It will be up to the petitioner to be discussing things with staff to see how they wish to proceed and when they're prepared to go forward. And people who requested -- well, I guess like in that case there will be another public notice and people who have requested to be notified will be so notified.

We will take a five-minute break now and then we are going to be having a discussion about North Point that will not -- you're all welcome to stay. That will not be a public hearing, however, it will be a discussion between the proponent and the Board.

Thank you.

MICHAEL BRANDON: Will the continued hearings be re-advertised, Mr. Chair, and noticed posted?

H. THEODORE COHEN: I assume, yes.

MICHAEL BRANDON: It will be re-advertised? Thank you.

(A short recess was taken.)

H. THEODORE COHEN: All right, fine, so we are resuming and now we have a request for a Minor Amendment to change the phasing at North Point.

Sir.

THOMAS O'BRIEN: So my name is Tom O'Brien. I'm with the HYM Investment Group. We're back before you to talk about North Point tonight. We want to propose a Minor Amendment to the existing master plan. If I could just to kind of begin, as you may know, for the last five years or so we've been

working with Canyon Johnson who has been our investor and partner. They've been a terrific group. They're a wonderful with us. We've been going through a process. We're now beginning to get closer to start to work with a new group which would be Divco West. Keith Wallace is here with me. Divco is a company similar in some respects to Canyon in that -- in the way that they raise capital. But one huge advantage for us is that Divco and Keith are here in Cambridge. They own One Kendall. They've had a lot of success with other projects in Cambridge in the greater Boston area. Keith is a local guy and a good friend and so we're really excited. We at HYM are excited to be working with the next group. In the very beginning of this, Hugh, you looked at me and said, please stay with us and please keep this

beginning going. We intend to do that. We want to see this site move into the next phase. And that's really the primary purpose of us being here tonight. I'm going to go over just a little bit of an update on some of the things that we've been doing recently. But also we're going to talk to you tonight about how we go into the next phase and how we really start to accelerate the development of the site. So that's our primary purpose of being here tonight. So I'll just begin.

So the first is Twenty/20 which is the residential building. I'm going to stand here if that's okay, with my back to some but hopefully the least amount of people as possible. So you may remember that we began in the fall of 2013 with your approval. I'm sorry, fall of 2012 if you can believe it, a residential building at North Point. This

was on parcel N but we've named it Twenty/20 a play on that -- on the views that we think are available and the fact that 20 Child Street that's on the site. It's 355-unit building. There are 41 on-site affordable units. A mix of studios, one beds, two beds, and three bedrooms. We've got 8600 square feet of retail that we're now actively leasing. The building opened in June of this year. Our first tenants began to occupy right away in June of 2015. Leasing has gone very well. It's been very active. We feel very good about the building itself. So, you know, all of the floors basically at this point in July are completed.

It's a LEED Silver building. We're going to talk about our space, 355-space bicycle parking facility and the green roof and pieces there.

Here's our green roof which we think has really added particularly to the upper floors obviously of the building. The bike facility, bike storage facility is on the right. And you can see we added -- we sort of embraced the idea that there would 355 spots for bikes. And we added a repair facility as well. So we really consider this to be an amenity to the building, and it is something that people are finding very attractive so far.

We also, you recall, that as part of the building we completed two big pieces of infrastructure. This is a staircase that connects the site up to the Gilmore Bridge. You recall that the Gilmore Bridge is about 30 feet above grade and so for people who are walking from the Orange Line Station at Bunker Hill coming across the Gilmore Bridge,

this will give them a chance to immediately come down at the grade at site. And we're really pleased with how this has come out. You may recall that we named these stairs in the honor of Brian P. Murphy, a friend and former co-worker. And we're really pleased with how these have come out as well. This is going to offer be a brand new entrance. We didn't want these to just be an ordinary set of stairs. We wanted these to be a grand new entrance to North Point that would stand the test of time, you know, for this to be a great entrance over the coming years. And so we're really excited with how they started to play out.

There is an ADA elevator on the left. I'm sorry this doesn't work well on that screen. Maybe this isn't working. I'll back up.

There's an ADA elevator on the left.  
We've got a rental in there for bikes.  
Handrail lighting. I think we actually put  
lighting a picture in here.

Here's what it looks like from the top.  
These are catenary lights on the top of it.  
You'll recall that there will be a building  
to the right of this. But for now those  
catenary lights light up. We really wanted  
it to be sort of an outdoor room. And here's  
what it starts to look like, you know, from  
the ADA elevator. Maybe it's a something  
with the screen. And, you know, looking down  
toward North Point Commons, the parks, and  
how the stairs are constructed now.

Here's what they look like at grade.  
Looking back towards on the left-hand side  
towards the entrance to the building. And  
the parks you'll recall we thought of them as



elliptical park. We wanted people to not just walk through the park, but also to kind of walk around it and to find their own path. So the ellipse idea was something that we sort of embraced and we like the way that's coming out as well.

So these ellipse parks have really come out well as well. So we're really pleased with how that's played out.

So the next stage of North Point is really what we're here tonight to talk about. And our effort is to try to and advance an office building. So I would say just as kind of the -- as an offhand remark, I think that North Point at this point and that whole section has been proven as a place where people will live, which is great. And with EF, I think it's starting to be a place where people recognize that it's a spot where

people will work. But really the next big effort has to be to secure it. And this is where Divco's going to be so great. Divco has a terrific national program for, with commercial office tenants. And so being able to get a commercial office tenant is kind of the next big effort and the thing that will start to push the site forward in a major way. We also want to continue the residential along North Point Common. So you recall for those of you who I mean you guys see a lot on the board, so I might use this slide as a quick review here. This is North Point Common. So this park is completed as of today. These two buildings, Sierra and Tango, are completed. These are the condo buildings that were completed before we came on the scene. This is parcel N, which is the Twenty/20 building which I just showed you.

These are the stairs and the park right there.

And what we're going to talk about tonight is moving forward with parcel U which is a commercial building site and working toward trying to get parcels L and M, which are two residential building sites going as well.

This is the retail square which you'll recall we worked so closely with you on way back when getting the site re-permitted and re-started. The MBTA is going to build the Lechmere station here. This will be completed in 2017. And so for us with the retail square, you know, since it takes 24 months or so to build a building, now is the time to start to think about the retail square if you want to start to deliver that retail square around the time that the T

delivers the station. So we want to talk about the retail scare, the office buildings, and the potential of those two residential buildings as well. The rest of the site, if you can just -- I'll say that the yellow pieces are also residential and the blue is commercial as well. Okay.

Any questions? I should just pause for a second.

H. THEODORE COHEN: I just have -- the two white buildings in front of S and T.

THOMAS O'BRIEN: These are planned buildings. We do not own this part of the site. These are Avalon.

H. THEODORE COHEN: They're Avalon.

THOMAS O'BRIEN: Yeah. So these were original Archstone and now are owned by Avalon. So these are buildings that I'm told that Avalon would like to move.

H. THEODORE COHEN: Those are the ones we approved?

THOMAS O'BRIEN: Yes.

HUGH RUSSELL: Yes.

THACHER TIFFANY: They looked a little different than those blocks right there, a little. They've evolved.

THOMAS O'BRIEN: Yeah, so please don't -- hopefully we haven't cast any dispersions on whatever --

H. THEODORE COHEN: No, no, no. I just want to be clear on the whole complex, yours and others.

THOMAS O'BRIEN: And then there's one other parcel, too, remember the site of the current Lechmere station just the corner unfortunately our box here takes up the space. This site of the Lechmere station is also part of our North Point site as well.

So Lechmere station moves over to here, this site goes to the development team for development that's a projected to be residential as well.

STEVEN COHEN: Tell me, as Twenty/20 is leasing up can you generalize or characterize who your new tenants are?

THOMAS O'BRIEN: I'd say it's a mix. We definitely have a substantial number of people who live and work in Cambridge. So there are, you know, young people who work in East Cambridge who are coming by. And we also have some empty nesters as well. We have people who are moving there from either from Cambridge or from other communities just outside of Cambridge who are moving in and want to be back in town. So we've got a mix of people so far. It's -- the leasing has gone well. We're really pleased.

STEVEN COHEN: And just out of curiosity can you tell us what the rent structure is like?

THOMAS O'BRIEN: So we have a mix of studios, ones, twos, and threes. And honestly I'd be remiss to -- I don't want to misstate what the rents are. I would say the -- actually, could I answer that -- could I come back to you later on on that? Because I don't want to --

STEVEN COHEN: Okay, sure.

THOMAS O'BRIEN: We got a bunch of other things on our mind, or on my mind at least so I don't want to misstate the rates. If you could -- I could send that to you in an e-mail if that's all right.

STEVEN COHEN: That's all right.

THOMAS O'BRIEN: Okay.

So any other questions on the site

because I know a lot of this might be a review? But, no? Okay.

So the other piece, so this is parcel U, okay? So this is the commercial office building that we've -- we like to move forward here. The commercial office building site here on this corner. And the beauty of this site is, this is -- really lines up well as a nice commercial office building. It's about 350,000 square feet. It's designed or designated as commercial, so we're not changing any of the designation of this one. It completes this part the North Point. So you can see the parcel N here completed, plus S and T and the park and the roads here. It really gets this part of North Point done and out of the way which is a good way to start off the next phase.

In addition to that we'd like to move



forward with parcels L and M. So these are two residential buildings here that are located just up the park from parcel N. And the beauty of that obviously is that we keep the development on this side of the park. For a long time the question was what could happen on the far side of the park, on the railroad side of the park? And now we're in a position where we can start to continue development along the park which means that the continuation of the roadway and the continuation of that retail ground floor retail off the park as well. So we're pleased that that might be able to move forward. There are -- there would be about approximately 485,000 square feet between the two buildings of residential that would be added.

One quick note I would just add, you

may remember part of what was originally thought about at the site is there was a little bit of anxiety that the developer would move forward quickly with the commercial and kind of give short trip to the residential. And now given where the market is, the good news is really what we're saying to you is we want to move forward with more of the residential. We also want to do more of the residential and really continue the process of making this a place that people live and, you know, really going home.

In addition to that we, as we said, we want to move forward with try to move up with the pace of the retail. So this is parcel I which is located here. So parcel I is -- would be in the heart of the retail square. And we want to move up the timing of the development of that so that we could get,

again, new retail plaza, great street retail, you know, kind of a good anchor in that whole Lechmere plaza and make sure that as Lechmere gets -- the new Lechmere station gets delivered, that we really get something that draws people to the site in terms of the retail there.

And also, too, by the way, there will be a further connection of the Somerville community path that will come through the site by developing the parcel I spot.

So these are, while we want to move forward with these and while we think are all good things, I will just pause, too, by the way we spent time before this meeting with the East Cambridge Planning Team and they have supported this in a letter to all of you have received. And so really what we're hoping to do today is to align the permit and

the phasing of the permit with what we're hoping to do here. And the current permit does not fully align with what we're talking about today. And I'm going to walk you through the changes that we want to make in order to make that alignment.

What I'm going to talk about in these pieces, there's no change at all to the overall square footage of the individual parcel square footage across the space. There's no changes to that. There are no changes to the approved uses or commercial or residential split. We're not changing any of that. There's no change in the approved building heights. No change to the configuration of the parcels themselves. No change to the size or location of any of the open space pieces. And no material changes to track against spaces to the required --

required mitigation across the phasing as well.

So our goals really are to allow the next group of buildings constructed concurrently. To allow flexibility between phases 1A and 1B in the building. To allow the development of the retail square earlier in the project. We want to keep trip generation by phase consistent with the previous approvals. We want to allow for the flexibility as needed due to the coordination with MBTA and MassDOT.

So here's the current phasing, okay, and this slide's a little bit hard to see so I'm just going to point it out. The purple slots are Phase I-A. So you'll note that we've completed N. We've completed S and T. And these buildings are all -- these building sites are all in Phase I-A. So U and G in

addition to N, S, and T are all in Phase I-A.  
Okay?

And then Phase I-B are the green sites.  
So L and M would be in Phase I-B. H would be  
in Phase I-B. J. And K would be in Phase  
I-B. And then E and F would be in Phase I-B.  
And the rest, the yellow phases are in Phase  
II. Okay?

And our hope -- and this is for the  
2012 approved master plan.

What we're hoping to do in front of you  
tonight is to change that slightly so that if  
you look, this is kind of the current  
approved phasing plan, 2012 approved, and  
here's our 2015 proposed. And what we'd like  
to do is take parcels L and M and move them  
into Phase I-A. So they move out of Phase  
I-B and move into Phase I-A. We offset them  
by moving phase -- parcel G into Phase I-B.

So parcel G you can see here is in Phase I-A, we would move it to Phase I-B.

We move parcel I, the retail parcel, into Phase I-B so we can move that up as a retail spot, and we'd offset that by moving H into Phase II. H is burdened by a number of pieces of infrastructure from the rail yard that's going to take us a little longer to prepare H. In any event, it's a classic and it will be a very strong commercial site. But for now we're comfortable that could be in Phase II.

So again, it's between moving L and M into the Phase I-A. Offset that by moving G back into Phase I-B. Moving parcel I into Phase I-B. And offset that by moving parcel H back into Phase II.

So that's really what it is, you know, what we're planning to do tonight. Again, we

spent time with the staff to try and to make sure that we've aligned the phasing appropriately.

I don't know, Jeff, if it makes sense for us to talk about some of the adjustments that you've suggested that we make in terms of the stage.

JEFF ROBERTS: Do you want me to do it?

THOMAS O'BRIEN: Yeah, you can do it if you like.

STUART DASH: Those are all turned off now, Jeff.

JEFF ROBERTS: Yes, they are.

It's my last week before vacation. The -- so the staff did review the proposal. Some of the things that were -- there were some pieces that were not mentioned in the presentation so why I wasn't necessarily sure



why I wanted to jump over it, but there were, along with the modifications, the phasing. There are some modifications to the phasing of transportation related mitigation requirements. Those are explained in the request. One is the introduction of some Hubway station which was seen as a positive. And the second was some -- there was some mention that the -- there were plan improvements to the Gilmore Bridge that were meant to take place as part of the phase transportation improvements. Due to the fact that those require state approval, they will not be feasible along the time frame that was originally set forth so the permits you see here proposed that those -- the requirements for the improvements be moved back in the phasing, but that there be a required study of potential improvements. I think just from

the staff perspective we thought both of those suggestions were so good that we would like to see them sooner than they were originally suggested or, you know, reasonably when they could be completed. So we suggested that they be completed -- that the Hubway station be installed prior to the Building Permit for the first building regardless of what phase it's included in. And then similarly the study of the Gilmore Bridge be completed by occupancy of whatever that next building is and the proponents were amenable to that. So that can be incorporated into the Board's action on the Minor Amendment.

THOMAS O'BRIEN: Yes, we've agreed to those.

And just to add, too, also the -- that traffic planners also provided a letter in

support of the proposal as well.

H. THEODORE COHEN: Is that your presentation?

THOMAS O'BRIEN: Yes, it is.

H. THEODORE COHEN: Great.

Jeff, Iram, do you have anything further to add? We've received your staff memo.

IRAM FAROOQ: Yes, I mean like I mentioned at the start, I think this is all positive. These are the kinds of moves that we've been looking for. The priority elements like residential is moving forward and the retail cluster especially really help to anchor the neighborhood and really provide the amenities within the district. So it's a -- I just wanted to mention that that's -- I mean, from our perspective it's a very positive move.

H. THEODORE COHEN: Yes, it seems really time appropriate to move forward with the retail so that the people who are now moving in in greater numbers will have retail facilities there. It just seems like a perfectly appropriate change.

Do other people have any other comments?

THACHER TIFFANY: I have one and I won't bother reaching for that. You know, I think the phasing changes don't seem problematic to me. I am curious to learn more, having not been involved with the earlier permitting of this project, to learn more about the improvements anticipated on the Gilmore Bridge. That seems like an important connection. I assume this will be over -- connecting over to the Orange Line better? But maybe you could sort of speak to

what those are and what the challenges are. I want to make sure we don't, you know, that we hold your feet to the fire in getting those done. It is an unpleasant bridge.

THOMAS O'BRIEN: We agree. And it's, so I would just -- I'd start by telling kind of how we made the improvements that we did so far to make that connection to the bridge. This was really a -- to create the staircase was really a two-and-a-half year Odyssey with MassDOT. And the staircase itself doesn't actually physically connect to the bridge. All we needed was from MassDOT was the okay to essentially take out the barrier that exists on the, you know, on the right-hand side of the sidewalk so that we could do it. And then we essentially created a rubber, you know, rubber piece at the end that came to the end of the bridge but didn't

actually touch the bridge. We weren't allowed to touch the bridge. So I tell you that just to give you a sense of what MassDOT's approach is when you approach them at all with any improvements or changes to that bridge. Obviously they're very -- the care and upkeep for the bridge is not great. You can tell we, you know, just walk underneath it you can tell. So the MassDOT people are obviously nervous about anybody touching the bridge. What that means then for their obligation to make repairs to it. But I think as Jeff pointed out, there is envision in the permit an effort on our part to plan for and to try to create some opportunities to improve the pedestrian and bicycle access across that bridge where possible. But the bridge itself has a finite width today and obviously carries a lot of

traffic. So there's a rock and a hard place in terms of trying to move that planning forward or that process forward. But what we've agreed to do at an earlier stage to begin that process and to try and do whatever is necessary to kind of advocate with MassDOT for improvements on the bridge where we can.

H. THEODORE COHEN: Lou, you can't arrange for the bridge to be done right away?

LOUIS J. BACCI, JR.: Yeah, no.  
Yeah, no.

H. THEODORE COHEN: Hugh.

THOMAS O'BRIEN: It's on a list of bridges to be replaced.

LOUIS J. BACCI, JR.: I'm at the Longfellow.

THOMAS O'BRIEN: This one is a long way down the list.

LOUIS J. BACCI, JR.: Yes.

HUGH RUSSELL: So the phasing plan covers parcels that are in Cambridge and Somerville and Boston. Obviously we can only -- we only have jurisdiction over Cambridge. Are there phasing requirements in Boston? Basically Somerville doesn't see a change.

THOMAS O'BRIEN: Yes.

HUGH RUSSELL: But are the phasing requirements in Boston that you have to deal with?

THOMAS O'BRIEN: There are not, no.

HUGH RUSSELL: That's good.

THOMAS O'BRIEN: Yeah.

It's really just the pieces of the two parcels that are in Boston. So I mean --

HUGH RUSSELL: Yes.

THOMAS O'BRIEN: -- I spoke to the director, the area director just to identify,



you never want to be out of step. I told him what we were doing. And he -- his response -- you won't like this. But his response was is that in Boston? Are you sure that's in Boston? We're not really on his screen as of right now.

HUGH RUSSELL: Okay.

THOMAS O'BRIEN: Yeah.

H. THEODORE COHEN: No other comments?

Jeff, what do you need from us?

JEFF ROBERTS: So a Minor Amendment is a determination. So the Board just needs to vote to make a determination of approval as a Minor Amendment. And this particular Special Permit is handy because they already thought out what -- how phasing amendments should be treated. It says -- and this is on the first page of the memo, that the phases

may be modified as a Minor Amendment for the Planning Board. The permittee shall submit the following information. And it has the information that the permittee has submitted. And it says in approving the revised phasing plan, the Planning Board shall find that the ultimate range of uses in gross floor area continues to provide for a viable and coherent residential and commercial community at each stage of the master plan's development, continues to bring adequate parking and other infrastructure on-line at appropriate times, including necessary traffic mitigation measures, and to otherwise will continue to advance the intent and objectives of this decision and improve in the original phasing plan. So that's the, the determination that the Board needs to make.

H. THEODORE COHEN: Well, I think, you know, I have no problem in saying that the alternate arrangement of uses and gross floor area provides for a viable and coherent residential and commercial community at each stage of the master plan, and is actually promoting it at this point.

The large park is done.

And the infrastructure of what can be done has been done, and what needs to be done will be done as approvals are granted.

And we've received a letter from Traffic and Parking that they're on board with these changes and we don't need any further traffic mitigation measures. And I think, you know, it does continue to advance objectives of the decision.

So if there are no further comments, someone want to make a motion to approve this

as a Minor Amend --

LOUIS J. BACCI, JR.: Just one question. Time frame?

THOMAS O'BRIEN: So I think, you know, our hope is to move forward as quickly as we can with the design probably with you first and come back before, you know, before too long with you before -- as quickly as we can.

STEVEN COHEN: So, Mr. Chair, I would move that we approve the Minor Amendment based upon the requisite findings in which you have just recited and as recited by Jeff.

H. THEODORE COHEN: Is there a second?

MARY FLYNN: Second.

H. THEODORE COHEN: Second?

All those in favor?

(Raising hands.)

H. THEODORE COHEN: It's unanimous.

Thank you very much. Very nice.

THOMAS O'BRIEN: Thank you. And please feel free to come and visit. If we can do a tour or whatever, we'd love to do that with you.

(Whereupon, at 9:55 p.m., the  
Planning Board Adjourned.)

\* \* \* \* \*

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BRISTOL, SS.**

I, Catherine Lawson Zelinski, a  
Certified Shorthand Reporter, the undersigned  
Notary Public, certify:

That the hearing herein before set  
forth is a true and accurate record of the  
proceedings.

**IN WITNESS WHEREOF**, I have hereunto set  
my hand this 28th day of August, 2015.

---

Catherine L. Zelinski  
Notary Public  
Certified Shorthand Reporter  
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My Commission Expires:  
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