

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE
GENERAL HEARING
Tuesday, October 18, 2016
7:10 p.m.
in
Second Floor Meeting Room
344 Broadway
Cambridge, Massachusetts

H. Theodore Cohen, Chair
Hugh Russell, Member
Tom Sieniewicz, Member
Mary Flynn, Member
Steven Cohen, Member
Louis J. Bacci, Jr. Member
Ahmed Nur, Associate Member
Thacher Tiffany, Associate Member

Community Development Staff:

Liza Paden
Suzannah Bigolin
Swaathi Joseph

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8:00 p.m. 55 Regent Street, the applicant Robert
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H. THEODORE COHEN: All right, good evening everyone. Welcome to the October 18th meeting of the Planning Board. Before we start, I just want to say that if anyone is here just to listen to the discussion of North Point design guidelines, you can go home because we're not going to take that up until next week. Everyone else, you and everyone else, of course, are welcome to stay for the entire meeting.

We'll start with our updates from the community development department.

Liza.

LIZA PADEN: The next meeting is October 25th which will be next Tuesday, where we'll have the Riverside Rezoning Petition. This is the same petition that was heard earlier this year

and it was re-filed.

And then we'll also have the Planning Board Special Permit for 605 Concord Avenue, which is Phase II of the development at the corner of Wheeler Street and Concord Avenue. There will also be three Board of Zoning Appeal cases as well as the North Point design guidelines.

On October 25th the Ordinance Committee will be having a public hearing on the outdoor lighting.

On November 1st the public hearings are the Medical Marijuana, which is a City Council petition to substantially amend the existing Medical Marijuana Overlay Districts. And the second hearing on that evening would be the zoning petition for the Lighting Ordinance revisions.

And on November 9th, the Ordinance Committee will be having the Medical Marijuana Petition heard.

November 14th is going to be a roundtable at City Council which will cover Envision. And if you don't want to go there, you can come to your meeting on November 15th and have your own Envision update. We're actually putting that first on the agenda at seven o'clock, so we're hoping that some materials can be sent to you the week before that.

And then the two hearings on that evening, one is Mass. and Main on Central Square and 47 Bishop Allen Drive.

Are there any questions?

The only thing I want to check is I want to make sure -- I'll e-mail you directly, but the November 29th meeting we're looking at as a

potential MXD in-fill continuation of that public hearing, and I need to have a particular five member board here that evening. So I'll e-mail you directly.

Okay, thank you.

H. THEODORE COHEN: So the roundtable on the 14th, is that Planning Board and City Council?

LIZA PADEN: No, it's the City Council's roundtable.

H. THEODORE COHEN: So it's just them meeting with whomever?

LIZA PADEN: With the staff that's been working on the Envision. You're welcome to go to it.

H. THEODORE COHEN: But it's not been requested as a City Council, Planning Board meeting?

LIZA PADEN: Not that I'm aware of, no.

H. THEODORE COHEN: Okay, thank you.

Are there any transcripts to report?

LIZA PADEN: We have three transcripts:

One for August 23rd, one is for September 6th,
and one is for September 20th. They've all been
certified as complete and an accurate record.

H. THEODORE COHEN: Can I have a motion
to accept those transcripts?

STEVEN COHEN: So moved.

H. THEODORE COHEN: Second?

MARY FLYNN: Second.

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

All right, we now have a public hearing
with regard to 300 Putnam Avenue, 357-363 Allston
street for a Special Permit pursuant to Section

4.31(g) multi-family, 10.40 Special Permit, and 10.47.4 criteria for multi-family dwelling, and an Article 2 definition of gross floor area for exemption of basements and cellars for a proposal to construct two multi-family structures with a total of 16 dwelling units and 16 off-street parking spaces.

Mr. Rafferty.

ATTORNEY JAMES RAFFERTY: Good evening, Mr. Chair, Members of the Board. For the record, my name is James Rafferty. I'm an attorney with offices at 675 Massachusetts Avenue in Cambridge. I'm appearing this evening on behalf of the applicant. And seated in the front row are the principals. The applicant, as you can see in the application, is an LLC entitled Biotech Realty Investors. But don't be confused, this is not a biotech project. But Ally Ladha and his

colleague Juan Carlos Serpa, S-E-R-P-A, Mr. Serpa and Mr. Ladha are the principal owners of the development company. They have acquired this property right at the juncture of Putnam Avenue and Allston Street in Cambridgeport.

As noted in the application, this is an application that seeks to allow for the construction -- we were going to do --

MARK BOYES-WATSON: Yes, Steve will get it.

ATTORNEY JAMES RAFFERTY: So I'm sure if as you've seen from the application materials, this really represents a two structure development, eight and eight units of housing. It requires a multi-family Special Permit because it exceeds the permitted number as-of-right units. The as-of-right number of units in this district is 12. More than 12 requires a

multi-family Special Permit. This criteria is set forth in Article 10 that addresses the Board's attention beyond the generic requirements of the Special Permit, the impacts and the site layout and we've set them forth in the application.

There's one thing we want to bring your attention at the outset and that is the site plan has undergone a slight modification in the passed two days and that's based upon a very productive meeting that was held yesterday by the Traffic Department. Existing conditions at the site is where the current -- is where the proposed driveway is. That's an existing curb cut and that driveway is there.

MARK BOYES-WATSON: It's still there in that picture, too.

ATTORNEY JAMES RAFFERTY: I recognize

that, but I want to point out to the Board that what they're going to be seeing is a variation on that, because the one thing about the existing conditions that was pointed out to us by the Traffic Department, is that currently -- there is currently a crosswalk that comes across Allston Street and goes right into the mouth of that existing driveway, the existing driveway. And it was pointed out to us by the Traffic Department that that's a condition that would benefit from improvement and this would be the time for improvement.

There's a memo that to the Board that makes a slight reference to that, but the specifics aren't contained in the memo, but we reached, we think a very productive outcome yesterday with a design modification that I believe Mr. Boyes-Watson will show you a version

of it, which will simply move the existing curb cut to the left more fully onto Putnam Avenue and result in a bit of a curb flair and a raised crosswalk on Allston Street. That's all pending review by the Traffic Department and DPW. But our hope would be that the Board would recognize that as a condition that could be worked out in detail with the Traffic Department. But it would appear that the site will benefit from a relocated driveway that would result in an improved crosswalk along Allston Street. And I'm sure at some point in the final design plan that is what, that is what will occur.

So some of the more curious members of the Board might wonder why we have a multipurpose Special Permit in what appears to be a townhouse because the housing is built in the townhouse style, but under the Zoning Ordinance there are

certain elements or characteristics that are necessary for a unit to be considered a townhouse, and this falls short on two of them: It has to do with the location of the parking underneath other units, and it also has to do with separate entries to each unit without any shared entry. And you'll see in building 1 there's actually one area that has a shared entry.

So the criteria are, frankly, almost identical between the multi-family Special Permit and the townhouse Special Permit, but this is a building built in the townhouse style that technically is a multi-family. And I'm sure if you look like I, I was studying these plans for the longest time and I thought to myself this reminds me of something. And sure enough it took me a while, but it finally dawned on me, and it

reminds me of John Nash's work along Regent's Park in London. And I have to confess that it didn't come to me right away, but

Mr. Boyes-Watson, you see architects are a lot like attorneys, if I had done a dissertation on a famous lawyer, I would be dropping that all the time at the hearing. But he tells me, well, when he studied at Cambridge University, he actually wrote a dissertation on John Nash. And that this design and arrangement is inspired by Mr. Nash's work at Regent's Park. And I thought only in Cambridge could the inspiration of John Nash be sighted across from a Rite Aid Drugstore with a drive-through window. That's the beauty of our city. One goes from corner to corner and encounters that type of diversity and form and style.

So I must say that the arrangement here I

think the Board would find is actually very amendable. The zoning seemed to have gotten it right for the change in the residential district. A portion of this site is in the business district, the balance is in the residential. So there's been a lot of attention to how these units lay out to give them many characteristics of a single-family home. They will have rear yards. They will have front entries and stoops, and in some cases front yards. And they really represent a vast improvement of the streetscape. And I know Mr. Boyes-Watson is eager to share those details with you, but I think in our view we hope the Board will be able to reach a determination that this arrangement of buildings and the two forms that he's created, taking advantage of a central drive really does meet the characteristics and the requirements of the

multi-family Special Permit.

There's one other Special Permit attached to the application. My thinking might be one of the first ones you've seen, the recent amendment to the Zoning Ordinance with regard to basement heights. There is a mechanism for a Special Permit that allows for these basements effectively to be greater in height than six feet, nine inches. They would be six feet, nine inches prior to the adoption of that amendment because anything above six feet, nine inches -- six feet, eleven inches, excuse me. As you know, seven feet was the threshold for when basement area gets treated as GFA. It always comes as a surprise when I speak to clients and tell them it has no reference to -- with the exception of the mechanical area, it's strictly a volumetric method. People say to me "Oh, we only use it for

storage," or "It's very damp and musty, we never go down there, so we don't want to count it for GFA." But the truth be told because of its heights of seven feet, it's included in GFA. So we see a lot of structures in the City, of course, that their GFA in some cases are a third of the GFA in the basement.

The so-called Barrett Amendment got adopted by the City Council. So this application will allow for these townhouses to have really functional basements.

Prior to that they probably have the characteristics of a living space, and in some cases they might be able to be used as living spaces, although they couldn't be bedrooms as I understand it. But in this case, with the Special Permit that's being sought here, the ceiling heights in the basement will exceed seven

feet. It doesn't move the GFA metric on this thing. It's still at about 23,000 and that's because the basement isn't calculated in the GFA.

If the Special Permit were not to be granted, the effect would be -- the buildings -- the basements would simply be built at 6.11 as opposed to 7.8?

MARK BOYES-WATSON: 7.6.

ATTORNEY JAMES RAFFERTY: 7.6.

As I said, it has a significant benefit to the lifestyle and the use of the unit. It has a modest and negligible unit of the bulk and mass of the building. It would only vary, particularly in new construction, as to how deep you create that basement. So the Special Permit here would allow for that basement to be in a 7.6 depth and allow that space to really function effectively and not fall into this grey area of

basement space that, you know, is it your weight room, is it your TV room, is it your storage room? But this would come out of the shadows. It could be actual living space and meet all the Building Code requirements associated with it.

So those are the two components of the Special Permit.

The proponents have extensive engagement with their neighbors and abutters. We've submitted the report, but there was a, there was a series of meetings. I participated in one along with others in the home of one of our abutters to really have an understanding of the impact -- there were six of us up on a bedroom on the second floor of one of these properties on River Street which is somewhat close, and they wanted us to understand the proximity and the impacts on actually that one in the corner here.

The gentleman -- those two buildings that are perpendicular to each other, those are part of the River Street complex in front there. So, we made some modifications -- several modifications were made with regard to plantings, fencing, siting of building. A portion of the building was pulled back such that the building from the face of that building to the face of the closest building there on River Street is about 50 feet as I understand it.

MARK BOYES-WATSON: Depending on where you count.

ATTORNEY JAMES RAFFERTY: I'll leave it to the expert on that.

So those are the -- and they are -- I just wanted to bring to the Chair's attention, I'm sure they're contained in the record, there have been several letters of support filed in the

case acknowledging both the effectiveness of the design as well as the outreach efforts of the proponent. So we want to make note of that in our application.

So Mr. Boyes-Watson is going to take you through this 16-unit project.

MARK BOYES-WATSON: So, we are -- so this is actually four streets that this project's on, because -- this is River Street here. This is Putnam. This is Allston that cuts up into Cambridgeport. And then this is Fairmont Avenue leading down from, actually it's a two-way street from Fairmont Street. It's up here.

HUGH RUSSELL: So we don't see it.

LOUIS J. BACCI, JR.: Your pointer is not showing.

MARK BOYES-WATSON: I was taking such care. It was working up there.

H. THEODORE COHEN: Can you get it up there?

MARK BOYES-WATSON: Because it is actually used. I can verbalize.

STEVEN COHEN: You got it.

MARK BOYES-WATSON: Okay, I can do that.

So anyway, I just wanted to tell you that one of the things as Jim was pointing out about John Nash, the interesting thing about this site is it's both on very little streets as Fairmont Avenue is actually smaller than Fairmont Street. It's a narrow street. This site bridges from this very broad landscape that you have, as you come into town, and this is our welcome to Cambridge slides.

So you come in passed the gas station at 808, which is lacking a facade, and then you get here and you've got on your left, you know,

you're beginning to get into the neighborhood and it's looking better, but on the right, you have the Rite Aid. And then you get into the intersection and the buildings that we're going to replace are these two, single-story buildings.

And what's interesting about this project is that, that actually it's pretty nice once you get beyond this point. But here you go looking down Putnam you, you know, the neighborhood's just a little bit further down. And so in here we have -- looking down Allston Street, goodness knows where we're looking now. Down Allston Street the other way. That's Fairmont Avenue just intersecting with Allston Street. Lost again.

Allston and Fairmont. You get the sense -- see the scale is completely shifted. And why I'm saying this is obviously what the

architecture responses to the different bits of the city.

So here you're on Fairmont Avenue. And just so that we see that, then. And so what I -- it's pretty obvious, I took you on a little tour there across River, down Putnam, down Allston, and then that is Fairmont Ave.

And what's interesting in the neighborhood is this is a set of brick townhouses right here that are all fully attached. And obviously you got a rightly attached three families here.

But actually also on Fairmont you've got really nice sort of more individuated structures. So we are trying -- the project is blessed with some -- with a lot of frontage. So it's a true -- every house pretty much is facing the street. I'll talk to the one that's a little

more tricky. There's a lot of frontage on this project so it gets to make a lot of suite space, which is very exciting.

This is one of the busiest intersections in Cambridge and the view here is kind of -- could be that.

So these are just some pictures of before and after that are in your package.

This is the site.

Well, actually I just want to point out -- so, so this is -- on the illustration that was up, the curb cut has always been right here. So actually we designed the project just reusing the existing curb cut. And Traffic and Parking pointing out it's not optimal. I'll show you a bit later in the presentation about how we can improve that.

So, the site right now is -- I just want

to point out a couple of features. One is that there is a little bit of planting down the side of the Allston -- what we call the Allston building, building 1 here. But otherwise this is 100 percent paved. This is all paved. And these are the single-story structures.

So we, as part of this project, actually introduce, you know, 30 percent of the lot as open space which is a huge improvement. And you can see the difference in this slide.

So, what you -- this slide, I'm not gonna talk a long time on this slide. So just some key things. So here you're seeing a slightly varied roof scape, and we'll see how that shows up in three-dimensional form.

And here is -- and we call this building 1 or the Allston building and this one is we call the Putnam building, building 2. I'll try to use

those names.

The interesting thing about the site is that -- so what we're basically doing is in both the BA-3 and -- BA-3 and C-1 has almost identical zoning. It is identical because BA-2 is down zoned from B-1. So we have ten-foot setbacks all the way along here. So the whole way around the site, we have a ten-foot setback and we get to make front yards and we elaborated those front yards in different places with retaining and different things going on because we want to -- we want to domesticate these buildings. The bus actually stops here, the school bus. We're trying to get this to behave, we want you to arrive in the neighborhood when you're at this intersection instead of having to suspend your disbelief.

So what's interesting about this, so the

driveway, then, you could just -- the reason you're seeing the driveway, not cars, you're seeing a pair of cars here, but all the other cars are tucked under these buildings and that's what you see in this next slide. And here this is the existing curb cut configuration.

Here's the parking that's basically tucked under the buildings between the two, and it leaves us -- what we're trying to do is actually, it's really nice around here and not lost on the neighbors. You see the size of this, the space back here, it's fabulous. And we're trying to make sure that we continue that tradition of those, of the backs of -- the gardens in the backs. So the buildings in both design in the back, the gardens in the backs, front and backs, so that it's as kind as it can be to the neighborhood in which it lands.

I think that -- so that's -- I can't remember whether that slide is in there or whether that's in there. So what Jim was saying how you couldn't really tell the true nature, but here you can start to see, I think this is maybe the first floor plan, you can start to see that it really is a townhouse style project even though it's classified as a multi-family project. So you've got, one, two -- one, two, three, four, five, six and this two here, seven, eight above the parking, and then again one here and then another eight very singly strung out here. And what we did and partly Jim referenced it, if you see that between these two, and I'm sorry, it's showing you what's on the floor below, but the building is biggest on the first floor and then it steeply reduces in mass, pulling it further away. I'm just going to do that again. Pulling

it further away from the neighbors as it goes on up. And we actually adjusted the No. 2, the Putnam building to really try to maximize the sense of sky in the back there during the process. So here we go up our building and the roof plan you can see how that's working.

They're all three-bedroom units. They're very -- they're even in square footage. Those units are just hovering over the 2,000 square feet if you count everything marked.

The one thing I did say I would talk about and I missed it was that this unit -- we actually designed a house here and you get to it down this driveway. You actually get to this unit down, there's a question that we were asked down this path and its front door is on the corner here. It also has a shared entrance which Jim referred to under -- in the parking here so

that's two means in. So that's some exceptional unit. Everything else you basically could sort of seal the stoops you're entering right off the streets on all of these all the way along.

So, just going to the -- so here we are, just to be clear, we are now get a look of the elevations on this building and then follow it on the other building and we'll talk about why they're a little bit different.

So this building though it's attached and you'll see in the prospectus in the way that some of the pieces go forward and some go back. In terms of what I was talking about with that individuation that you see on Fairmont Avenue, you can't really see it in elevations so I'm going to click off this and talk about this other building and then I'm going to show you a couple other views that I think are a better way to

understand what's happening.

This is the Regent's Park facades. So basically we're really cognizant this building here and this facade in particular, the mouse is not working, but at the top, really is seen across a broad swath of stuff as you come over. And you have one way street, you're coming into it. So we tried to design this. We don't know what's gonna happen in the long term with Rite Aid, etcetera, etcetera. But this building was A, strong enough to hold the corner of River and Putnam, but also that sort of having with 35-foot height limit we don't go above that, but we have enough oomph to hold that view, and we actually start to move to the brick to start to deal with the busyness of that intersection and kind of have a little bit, if you like gravitas on that. But we kind of keep these buildings simple.

As you go further up Putnam, of course, you have loft-style brick buildings that were production manufacturing. And so you know Cambridgeport is a mixture of brick and clapboard and so we're just referencing some of that in the way it's designed using bigger elements in this part of the project. And if you walk around, we're now just quickly gonna take you the before and afters, the before's are the small pictures, the big ones are the after's. So here we're just coming down River Street from the river. We are -- I'm sort of repeating that walk through we had before. But I'm now, I flipped myself all the way over because the slide's in a silly order. So now we're looking down Fairmont Avenue towards the river. And I think this is where I just want to point out this is where we're trying -- although they're attached, the way that

you see these, these gable ends because if you saw that little second unit was tucked in behind, you start to feel the voids between and it's sort of helps peel it into the streetscape of Fairmont Avenue.

Here we're looking, looking east down Putnam. And here we are looking down Allston. So this is the, the intersection of Allston and Fairmont Avenue. And tell me if I'm going too fast.

And then just some overviews. I mean, obviously you don't get to see this unless you're in a drone. But -- I mean these are stripped down. So we got planting going. This is a raised planter. We're trying to hold people, you know, without being unkind, we're trying to hold them a little bit away and buffer our building. So actually if you look in the drawings, there's

gonna be some kind of a hedge material along this wall that allows us from these windows to look over the top of that and not be confronted with everything that's on the intersection. So they're not shown. So I just wanted to point out that they're not shown. We're trying to not put a fence there. We're trying to use this combination of -- and there will be dense planting and we'll see the building emerging behind it. So the other end, the balancing you can see retaining walls down in front of this brick structure, this will be fencing down here, low fencing. So and here we're just trying to balance the building up.

You can see partly that the number of stories varies and there are some interesting -- we're using some architectural slight of hand to deal with the things that we're dealing with. We

have some of our rooms, like our bedrooms, we're trying not to face, you know, on to the noisy intersection. So we're trying to deal with some of the fenestration where we have some glass windows actually facing that view which I can make sure the building is built and still presenting a bold face to the view. So I think that's nearly it.

That's looking between the two buildings and it's definitely in shadows so you can't see the cars at all. But in there that's where the cars will go. And I just wanted to then -- oh, where's our two. Oh, maybe that's what I missed. There you go. So the driveway, because these are hot off the presses.

STEVE HISERODT: A016.

MARK BOYES-WATSON: Where did it go in the presentation?

STEVE HISERODT: Back.

MARK BOYES-WATSON: Back is back. Back, back, back. Ah. So, and the other one's right there, yeah, right? So that's it today. So that's what we had in the beginning. This is the crosswalk which isn't indicated on here, right, on the Assessor's Map. The crosswalk is right here, and this is the existing curb cut right there. So what we had talked about yesterday was that -- and then so Allston is one way, this way. And right now a lot of people use Allston. Allston's a great street, right? But the traffic and parking really was concerned by that crosswalk. So -- but this is actually much better -- the geometry's much cleaner, the left and right turns is much cleaner. So we can do this without any change to the way the building's designed. And I think they felt really good. We

also liked this tree here as being a further buffering of any views in. So we thought that would be sidewalk. That was a really great outcome we had at that meeting, a little creative meeting.

That's all I have actually. Unless there's something more to talk about.

AHMED NUR: Is there a transformer poles in there? Did you show --

MARK BOYES-WATSON: Yeah, we are planning -- it's right in here, which is always subject to Eversource signing off, but that's what we're gunning for.

We have made a couple of -- we've been talking to the neighbors as we've been saying, and actually, this is -- inconsistent with your package is the configuration of trees down in the courtyard here where we've been working with our

abutters to both get it to be green but not have it cause more shadow, so that's another one of the changes that I failed to point out.

H. THEODORE COHEN: I have a couple of questions.

So you show us very nice renderings with a beautiful flat roof on the Putnam Avenue building. Are there going to be mechanicals and things that we're going to see?

MARK BOYES-WATSON: No. We're going to put it all down at grade. So we will be using all -- we're committed to using all Mitsubishi systems here. So it will be both quiet and low. They will not be on the roofs.

H. THEODORE COHEN: Okay. And great.

And my second question is are there going to be garage doors on the --

MARK BOYES-WATSON: No. Open. We don't

have room to do that. So it's open parking.

H. THEODORE COHEN: So do you have any renderings that show what it will look like if you're walking or driving down Putnam Street?

MARK BOYES-WATSON: The best one is -- the way that it's -- let's just go -- which one do we have, Steve? We had one that we tried.

That actually gives you an inkling. I mean, I know you're sky high. The way that it's configured and the geometry is cut back -- well, actually, if we go to the next one. Let's say you were walking down, so the moment we can be seen in that regard, is when we're coming down Putnam, right there is -- that's parking right there. But this building, because of the geometry, kind of pushes out and you're kind of by it before you see it.

And on the other one, see this here,

this, the parking is actually behind this element of the building, okay? So the first parking space is behind there, and I think did we do one from a bit further? I thought we did one from a bit further down. So we're trying to conceal that as best, I thought we had one that was a little bit down. Maybe, you can't see that.

STEVE HISERODT: That's all we got.

MARK BOYES-WATSON: Yeah. And it's -- if you look at the plan on that side it's quite far back from the street.

H. THEODORE COHEN: So what would one see if you were walking, would they be lally columns or they're bricked piers?

MARK BOYES-WATSON: As you walk down Putnam, you will see framed by the bricked piers, you'll see a pair of cars and a pair of cars, and then a distance. Going the other way I don't see

you'll see the cars. It was the brick end.

H. THEODORE COHEN: So there will be brick piers between the --

MARK BOYES-WATSON: Yes, right, right. So it's sitting on a brick base. I think that was actually --

H. THEODORE COHEN: Okay.

MARK BOYES-WATSON: I can show you that in an elevation.

H. THEODORE COHEN: Is that everything you have?

Do Board Members have any questions right now or should we go to the public?

AHMED NUR: I just had one question. So you called it the raised planters along the front?

MARK BOYES-WATSON: Yep.

AHMED NUR: So what, is there a cap on

that seating area? Or --

MARK BOYES-WATSON: It's actually going to be about this high. And it's capped, it will be in bluestone, but it's not designed as a sittable wall. Because I think what's gonna happen, we have ten feet there and I think that as our planting, you know, moves out, it will be a brick, you'll see a brick with a planting on top of it. It's not designed if it was designed like in Kendall. It's designed to be more defensive.

H. THEODORE COHEN: The one last question. On the Putnam building, what is the material of the facade between the two brick?

MARK BOYES-WATSON: Yes, that -- we've called that out. It's obviously subject to -- what we're calling out is a brow product, which is basically just like lap siding but we're

trying to get a little slight different scale on it, so it's probably about seven inches tall and it has an inch and a quarter reveal and so it actually lays up flat not lapped. It's fundamentally the same as siding, but it's just a slightly different configuration that's what we're calling out. Basically instead of being like a four-and-a-half inch exposure, it's more like a seven-inch exposure which we think will look better than a building scale. It will be painted just like clapboards.

H. THEODORE COHEN: Okay.

ATTORNEY JAMES RAFFERTY: Mr. Chair, if I might add.

H. THEODORE COHEN: Go ahead.

ATTORNEY JAMES RAFFERTY: When one checks their notes and realizes the one thing I was supposed to say at the conclusion was to direct

the Board's attention to the last page of our application where we have laid out responses to the Special Permit criteria. I made reference to the fact that the Special Permit criteria for multi-family and townhouses are identical, and we, and we had -- and the findings of the Board obviously are related to the criteria, and we have on the last page of our application our responses to that criteria. And I appreciate the opportunity --

H. THEODORE COHEN: I have seen that.

ATTORNEY JAMES RAFFERTY: I know that. I didn't mean to suggest it hadn't been seen, but I know it's in your packet.

H. THEODORE COHEN: Okay, thank you.

All right, we'll go to the public now. When I call your name, please come forward and state your name and spell it if it's anything

other than John Doe, and state your address. And we ask that you speak only for three minutes. If our system is working, you will get a green light and then at some point near the end of your three minutes it will start flashing yellow and then it will turn red.

I have a list of four names here but anyone, if you haven't signed up, you're welcome to speak. We'll hear from everybody.

So the first name is Christian Grippo.

CHRISTIAN GRIPPO: Good evening. My name is Christian Grippo (phonetic). I'm a Cambridge resident since 2001 and since then I have seen the city become more beautiful and more secure and I would like it to continue to be so.

Therefore, I believe this development would be a very important addition to the neighborhood.

Currently the concrete building is a real eyesore

in my opinion and has nothing positive to add to the neighborhood. Both the architect and the developer have a proven track record of making beautiful buildings and make them more inviting to families and also to provide like a lovely neighborhood feeling to all residents.

And lastly, and this was my experience, it provides a much needed family housing for all current Cambridge residents.

I used to live in a condo in Cambridge and as I got married and had children, it was extremely hard for me to find a place and stay in Cambridge which is the city I love and I would like my family to grow. It was very hard. So I strongly believe that this addition of this 16 units will make possible to other families to have that chance to all the residents to have that chance to stay here in Cambridge.

Thank you very much.

H. THEODORE COHEN: Thank you,
Mr. Grippo, what is your address?

CHRISTIAN GRIPPO: Lopez Street, 31
L-O-P-E-Z Street, Cambridge.

H. THEODORE COHEN: Thank you.

D. Solomon.

DAVID SOLOMON: Yes, sir. Hi. David
Solomon. I live at 254 Brookline Street. I
wrote a letter to you folks.

H. THEODORE COHEN: Could you please
speak into the microphone?

DAVID SOLOMON: Okay. David Solomon. I
live at 254 Brookline Street. I've lived in
Cambridge since the late sixties, and I just look
forward to seeing these buildings and this corner
change. It's really an eyesore and it would be
nice to have residential properties that will be

designed to be more in keeping with the area.

Also I would like to tell you that I work for Mr. Serna who is one of the developers here and so it certainly is, you know, I have a vested interest in this, but I think it will greatly improve the neighborhood to have these buildings taken down and to have what they're proposing put up.

Thanks.

H. THEODORE COHEN: Thank you.

Saul Wilson.

SAUL WILSON: Hello. Saul Wilson, S-A-U-L W-I-L-S-O-N. I live at 812 Memorial Drive, apartment 1405, so that's just next-door to this across from the Rite Aid. So I wanted to make two points today:

Both of them are generally favorably inclined towards this project. One is with

regard to sort of the as a student who is a renter in Cambridge, I generally observe a shortage of housing in town and overpriced I find. So I appreciate having additional housing, but at the same time I think that this is very modest increase in the location that could definitely handle the additional density. But in saying that I acknowledge that I'm probably tilting a windmill.

Another point that I wanted to make, though, is that the design of this and the design that the architect presented is very much focussed on Putnam Avenue and on Allston Street, whereas a lot of pedestrian traffic and definitely my life is oriented much more towards River Street. And this building sort of continues a habit of buildings that face on River Street to be quite unfriendly towards pedestrians

there to try and sort of hide any population on River Street from being seen or from interacting with the pedestrian life there. And so it would be sort of nice if there could be some effort to sort of make buildings on River Street appeal more to the pedestrians there and build a stronger street front along the street.

Thank you.

H. THEODORE COHEN: Thank you.

Francesco Piatti.

FRANCESCO PIATTI: Very good job pronouncing the name. P-I-A-T-T-I.

So I'm, I live next-door to Juan Carlos and I'm an architect and I have a couple of questions for Mark.

What is the siding on Fairmont Avenue? It looks like vertical siding but I can't tell because of the renderings.

MARK BOYES-WATSON: I could answer whatever you prefer.

H. THEODORE COHEN: Well, are all your questions for the architect?

FRANCESCO PIATTI: Yeah.

H. THEODORE COHEN: Well, why don't you ask us all the questions --

FRANCESCO PIATTI: All right.

H. THEODORE COHEN: -- and then we'll have --

FRANCESCO PIATTI: The two important ones are what is the siding on Fairmont Avenue?

And you went very quickly saying oh, yes, here's the shared entrance and I didn't, I'm taking notes and I didn't -- so if you could be more clear on which two units are -- have as a common entrance.

And I understand the no mechanical doors.

Where will the Mitsubishi units be?

MARK BOYES-WATSON: They're in
generally --

FRANCESCO PIATTI: Where would the
Mitsubishi -- I understand they're not on the
roof and that's great because the units on the
roof now are awful.

So those are my questions.

H. THEODORE COHEN: Okay. And
Mr. Piatti, what is your address?

FRANCESCO PIATTI: 23 Fairmont Avenue.

H. THEODORE COHEN: Okay. We'll hold off
on your answers to see if anyone else has
questions.

Is there anyone else who wishes to speak?
Ma'am, please.

TAMAR SCHAPIRO: Hi, my name is Tamar
Schapiro, T-A-M-A-R S-C-H-A-P-I-R-O. I live at

35 Fairmont Avenue. My -- our lot directly abuts the project. We're right in back of building 1 there. I'm not tall enough to point, but right where, where courtyard of building 1 just opposite that. Okay. So we're very directly affected by this. We are absolutely thrilled. We love the design. Actually, Ally and Juan Carlos, they're neighbors, they care about Cambridge, and they integrated us into the process from Day 1 and invited us over. We've been talking about this. We've been to three or four meetings so far, and we're completely satisfied with the plan.

H. THEODORE COHEN: Thank you.

AHMED NUR: Thank you.

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

ANDREAS THOMAS: Good evening my name is

Andreas Thomas. My address is Four Lawson Terrace in Somerville. I'm here because I'm an employee who currently works at that location. So I represent the biotech company that's currently the tenant of the existing structures. I want to point out that we provide an essential service for at least 15 other biotech companies who are close by on Memorial Drive, on Blackstone Street, on Sidney Street, who use our location to do pre-clinical studies and depend on this location. It is very attractive to them because they can walk, they do not need to drive. The offering come once a day. So I just want to point out it might be an eyesore, but there's a company in there that employs 12 people full time and I don't, I do not think that the company can simply relocate to another location. So basically, you know, if this project moves

forward, you're destroying this company. So that's all I wanted to say.

H. THEODORE COHEN: Would you spell your name for the stenographer, please.

ANDREAS THOMAS: A-N-D-R-E-A-S Thomas.

H. THEODORE COHEN: Sir, your last name again?

ANDREAS THOMAS: Thomas.

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

WINNIE TAM: So my name is Winnie Tam. W-I-N-N-I-E. Last name Tam. My address is 9 Faulkner Road, Acton. So I live far away but the connection with me to this building is also I just -- I'm employee in the company that currently located in this building. So as mentioned by Andreas, I want to speak in the perspective of a scientist. So I am a scientist.

I've been in the drug industry for more than ten years, and I understand how difficult, how much money the drug development process need to go through, and this building actually currently like helping 15 startup company is like a low income, like biotech space for this company to foster their, the idea and also eventually they may produce something that is useful to the society. And right now this is an eyesore, but like what you -- what this building is benefitted for and benefit maybe 16 tenants over there to enjoy their life. But what behind, right now what we are doing is a number of potential good idea that might be eventually develop into a drug to help every one of you here and we are working with different areas, some with rare disease, and if we don't -- if those people don't have the low income like, low rents or the resources, they

basically cannot form the company or cannot even have a chance to develop this idea. And we -- when we're housing 15, the building before this one called River Source, actually we have incubate over a hundred clients, some actually have developed their product to Phase II and Phase III and market and move out to here to Kendall Square to Cambridge without this buildings before, without anyone working here. And basically this company will not have a chance to able to develop their product. And thing about everyone complaining about the high price drugs, why do we need high price drugs? Because the development cost is so high. So right now we are looking for a place to move. Basically the -- basically the price is much higher than here. And also like the developer told us that true, that we need more housing in Cambridge but

actually we also we need more housing for biotech. Only few percent of the space is available for the biotech, and also once it's come up every available biotech potential space there are five potential customer. So basically what I'm saying is, like, do we really need another condo? Especially for those people who work in the drug industry could work in the medicine could work in the science field.

Thank you.

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

TONY CHIN: Hi, my name is Tony Chin, C-H-I-N. I live at 288 River Street which is one of the corner units that abuts this development. I wasn't gonna speak tonight because I've actually been meeting with the developers over the course of the last couple of months. You

know, it's honestly a negative for me because of the development is -- right now my backyard I have privacy, I've got sunlight. I grow a garden from May through November and with these buildings being 40 feet high, I lose that sunlight. So, but we've agreed on some things that help me a bit, but after listening to the last two folks, I've been in the biotech space for close to 15 years and I've been on Sidney Street. I'm in Kendall currently, and just didn't realize and didn't know the folks that worked there -- just hope that you take some considerations that they have because, you know, losing a job is not the best thing right now and, you know, and for smaller companies, you know, they can't actually find space in Cambridge because the rents are so high and are moving out to outside of the city. So, just that's my two

cents.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not, Board Members -- well, first Mr. Boyes-Watson, there were a couple of questions for you.

MARK BOYES-WATSON: So I'll just take in order.

The siding on the Fairmont Avenue is all just lap siding, standard lap siding. It will be -- actually be city clapboard or Hardi cement board siding. Regular siding all the way up. I don't know where that graphic is. It's confusing, but it's just lap siding and clapboards and corner boards and typical ring boards.

The shared entry is -- the shared entry

is actually not an entrance, it's a secondary. It's the secondary means of egress because you have two means of entrance and egress to every unit here in general, but right there tucked between those parking spaces is that general entrance. So it doesn't really affect the way that the stoops work around the site.

And I didn't point out one which is actually relative to, I'm sensitive to the River Street, I mentioned there is a stoop right there. See that? I don't know why that -- oh, I guess the path goes rather behind this. We thought about that and we actually do have an entrance on River Street.

Where will the AC units be? We have the, we have small bits of -- Mitsubishi, I can't make this work. But they're basically located right adjacent to these. The way you get out the

stoops in the back of these, they, they are units that sit like this and they're vertical, 12 inches wide. They're not the big circular ones and they sit right adjacent to the building. They're actually often mounted to the building.

STEVEN COHEN: On the ground?

MARK BOYES-WATSON: No, they're off the ground. You put them off the ground because they get snow and they don't work very well because it's heat pump. So they are usually about 18 inches off the ground and they stand about this high. Very quiet. They actually have a balancing system so they use multiple very small fans, very different than the energy efficient massive things that you would buy from a carrier. We found that in the urban context to be a very, very useful tool for managing both space and noise without having to put them on the roof.

On the roof that's opposed to a lot of wind chill and that's actually not very good for them.

H. THEODORE COHEN: The three questions, but now that you're there, I have a question.

So are there stairs going into the units?

MARK BOYES-WATSON: In the back?

H. THEODORE COHEN: In the back.

MARK BOYES-WATSON: Oh, I'm sorry, in the front and back, yes. Because the first floor is about four feet off, four and a half feet off the ground.

H. THEODORE COHEN: Okay. So I'm confused and either you or Hugh or Tom want to answer this? I mean, at other times when we've talked about stoops we're told that it violates the architectural barrier boards and handicapped access.

LOUIS J. BACCI, JR.: Right.

H. THEODORE COHEN: So can somebody explain when you can have them and when you can't have them?

HUGH RUSSELL: Sure. It's very simple. In the Fair Housing Act of 1988 Congress debated the question with a lot of input from the home building industry as to when the accessibility requirements that are and at least this installation would apply. So there is a blanket exemption for townhouses.

H. THEODORE COHEN: So if under our zoning, while they look like townhouses, they're called multi-family, is that exemption going to apply to them?

HUGH RUSSELL: It's because, it's a, the townhouse in the fair housing rules is a vertically, vertical type of unit with two

stories. And I think if you do a large rental multi-family project, Massachusetts requires you to have ten percent of the units be accessible which means they have to be flat and they have to be on the ground. Massachusetts does not require that for condominium buildings. I think the logic there was that if you're buying a condominium and you need to get like a lift to get up to your unit, that's quite feasible to accomplish. But in the Congressional intent of 1988 was to add features that would be relatively easy to add so that all housing would be accessible and that people who go -- many people go in and out of being able. I've had times when I couldn't walk very well because, you know, back problems and some people have accidents, and so the idea is to have the entire housing stock of the country eventually be adaptable for people.

Then the home building industry got involved and said well, certain things aren't practical.

There's another blanket exemption, which is the building was built before the Act took effect, it's also exempt. So we had conversions of buildings and those are buildings also exempt. We try to do as many of the features as we can. Sometimes they're, I mean like there's -- I'm doing a project where we thought we could get a regular door in between a column and a wall, but when they actually laid it out, the door ended up two feet wide which is not accessible. So that kind of stuff. So anyway.

H. THEODORE COHEN: So, this is exempt?

HUGH RUSSELL: Right.

H. THEODORE COHEN: Are these intended to be condominiums?

ATTORNEY JAMES RAFFERTY: Yes.

H. THEODORE COHEN: And you're saying if these were rental units, they would not be exempt?

HUGH RUSSELL: There would have to be one accessible unit.

H. THEODORE COHEN: Okay.

Before we go to the rest of the Board, Suzannah, do you have anything you want to add to what's in the CDD memo?

SUZANNAH BIGOLIN: Thank you.

So we've provided a brief memo and also identified a couple of areas where we think some continuing review would be required and we're wanting to continue to look at the central driveway and the parking area, but we know that the new alignment seems to be quite positive from an open design perspective with the additional tree to sort of camouflage the parking.

The rooftop mechanicals have been addressed that we mentioned. And then we also have our standard comments about exterior materials and landscape details.

We would also suggest continuing to look at the brick planter along the corner just at the height and also maybe if we don't need so much of it, perhaps to sort of soften the River Street edge.

And that kind of summarizes our comments. Overall we feel it's an innovative site plan and a good response to the opportunities and constraints of the site.

H. THEODORE COHEN: Do you know, is there anyone here from Traffic and Parking?

SUZANNAH BIGOLIN: No.

LIZA PADEN: No.

H. THEODORE COHEN: No.

SUZANNAH BIGOLIN: So they haven't seen that alignment yet, have they?

LIZA PADEN: Yes.

ATTORNEY JAMES RAFFERTY: That's the byproduct of yesterday's meeting. It was sketched out as we met.

H. THEODORE COHEN: But they haven't spoken to you or presumably anyone else at CDD?

SUZANNAH BIGOLIN: They sounded positive in an e-mail to us about the change.

H. THEODORE COHEN: Okay.

ATTORNEY JAMES RAFFERTY: And, Mr. Chair, their memo to the Board says, the final line, TP&T will work with the applicant on their curb cut location for the site as well as other aspects. And we took it upon ourselves to try to do that work ahead of tonight's meeting so we were able to schedule --

H. THEODORE COHEN: So is that the memo from --

ATTORNEY JAMES RAFFERTY: Yeah, that's last week's memo.

H. THEODORE COHEN: Last week's memo.

ATTORNEY JAMES RAFFERTY: They haven't generated one since.

H. THEODORE COHEN: Right.

ATTORNEY JAMES RAFFERTY: I don't know, Steve, if you had an opportunity to put that up. Can you put that new curb cut up?

STEVE HISERODT: Yes.

ATTORNEY JAMES RAFFERTY: The one reason this isn't definitive with what we learned is that Traffic and Parking was, how they wish to -- they were going to be consulting with DPW about what characteristic the crosswalk across Allston Street would have. There was a discussion of a

raised crosswalk at that point. There's also concern about the radius and the turning and whether the curb flare was quite right. But the clear consensus from the meeting was the relocated curb cut is the answer, and then the decision to be made in the public way by DPW and Traffic is what is the right configuration of the curb extension and the characteristics of the crosswalk. So those are issues that will be occurring in the public way, not on our site. So our site is going to have a -- proposed to have a curb cut in that location, and then Traffic will work with us and ultimately decide how they want to treat the public, the public way.

H. THEODORE COHEN: Okay.

I guess one question for this Board when we're having our discussion is the prior communication we've received from Traffic and

Parking was that they had a lot of questions about the prior curb cut, the use of the prior curb cut and, you know, it wasn't to doubt anything that Mr. Rafferty or Mr. Boyes-Watson or anyone else has to say about it, but would we be prepared to go forward without actually having received some further communication from Traffic and Parking?

ATTORNEY JAMES RAFFERTY: Excuse me, Mr. Chair, are you referring -- there's no language like that in this memo about questions about the -- I think you said they had many questions about the curb cut? There's just a reference to the curb cut. I don't -- the characterization --

H. THEODORE COHEN: It was my understanding that they were not particularly happy with the existing curb cut.

ATTORNEY JAMES RAFFERTY: Well, we participated in a meeting yesterday, as I said, with Mr. Barr.

H. THEODORE COHEN: No, no, I understand you're saying that and I'm not disputing what you're saying. I'm just asking the Board --

ATTORNEY JAMES RAFFERTY: No, I understand.

H. THEODORE COHEN: -- whether they're prepared to go forward without getting some further communication from Traffic and Parking. I know you've suggested that we could just make it a condition, and I'm just inquiring whether that would be satisfactory or not.

STEVEN COHEN: Mr. Chair, speaking for myself at least on that issue, I'm satisfied with the applicant's response to the issue. I don't think there are too many options and

possibilities here, and I think this response is a perfectly reasonable one to address Traffic and Parking's concern.

HUGH RUSSELL: I mean, I think the, you know, the details that get down to things that are, you know, a few feet long and can get worked out without changing the concept, and we can approve it in concept and trust that Suzannah and the Traffic and Parking Department and the petitioner will work it out so that it meets everybody's standards and design.

H. THEODORE COHEN: Okay. Are other Board Members comfortable with that?

MARY FLYNN: Yes.

AHMED NUR: I'm comfortable with that and I would add that possibly Cambridge Fire Department and access to fire hydrants and looks like two streets are coming together -- and I

looked around I couldn't find anything. There was one further up on Putnam. But is that driveway going to be used for fire access turnaround? If they talked about that. But if they could just include that in the conversation, that would be great.

ATTORNEY JAMES RAFFERTY: Mr. Chair, I just want to share with -- I think the point I was trying to make, is I think the tone and the intent of the memo, and the Board sees many of these, doesn't suggest that approval should be withheld pending that. I mean, the suggestion is contained in the memo that they'll work with us and they made it very clear to us in yesterday's meeting. It was not -- they were perfectly confident that it was something they could work on. There are other members, as you well know, that the Board knows that suggest the Board take

any action doesn't have that characteristic to it.

H. THEODORE COHEN: I don't want to debate it with you. But I take their statement "We have safety concerns about the curb cut within the intersection," as something that requires, you know, more of a signoff from them. But I'm -- you know, I don't question your saying that you met with them and they seemed pretty much content with this redesign. And the other board members seem to feel that this is something that can be dealt with as a condition. So I think we can move on from that point.

Members, questions or comments?

HUGH RUSSELL: I would like to look at the model to try to understand one piece.

AHMED NUR: While he's waiting if I make some comment?

H. THEODORE COHEN: Please.

AHMED NUR: Do you mind?

So it looks like there's at least two or three people that had brought up a very interesting point, which is a lab that's very useful to the community, in walking distance, and so on and so forth. And I, you know, for the longest time I've been on the Board I have not heard of tenants who are expressing, you know, lack of other places to go and so on and so forth. So I wondered if someone from staff can -- as far as I'm concerned, this Board has no jurisdiction to go between the landlord or the owner and the developer to look at the building and see if it, you know, proposed meets the items in the requirements that the language of the zoning, but we really don't have the jurisdiction to say based on your needs as, you know, a fabric

to the neighborhood or a lab that we can consider that. But having said that, I like someone else to address that if you would. Because that's the only thing that was brought to me.

TOM SIENIEWICZ: Well, I guess this is the way I see it. I was also struck by that testimony tonight. However, this is something that the city needs to address, right? Other communities that are centered around innovation; Brooklyn, New York or San Francisco, California, places like that, are choking by the values of real estate that are driving out the very innovators that are at the very heart of the industries there. But this requires, in my opinion, citywide master planning, City Council kind of attention fairly immediately.

AHMED NUR: Right.

TOM SIENIEWICZ: I think it would be

unfair to the property owner to hold up this particular proposal over this issue at this one address, but I think certainly the City Council is aware of this particular issue, but it's increasingly becoming a problem and something that needs broad planning and political consideration rather than having a particular -- a Special Permit rather than the power of this Board to give it with one particular Special Permit.

ATTORNEY JAMES RAFFERTY: Mr. Chair, it might be worth noting that the existing uses are non-conforming. So the City has dealt with the way that they've zoned the property.

H. THEODORE COHEN: Right. That's what I was going to respond is that, the property -- the owner of the property can use it however he or she wishes as long as it's in accordance with the

zoning, and the zoning is for residential use.

Well, an allowed use is residential use. They're here for a Special Permit to get certain, you know, permits. But the underlying zoning would allow them to build housing. And while I understand and can empathize with the people who are working in there, I think that is indeed an issue for the City Council to address if they wish to encourage incubator space to remain in the City or develop new space. And certainly in Kendall Square and MIT, we've been talking about building a lot of incubator space. And, you know, there are competing issues that demand for housing. And one person spoke, you know, I think of greater density at this particular corner.

But I don't think it's within our purview with this particular project to say, no, you can't have it because the city might prefer something

else there when it is an allowed use.

AHMED NUR: Thank you. My questions were answered.

H. THEODORE COHEN: Hugh.

HUGH RUSSELL: I'm struggling to find something about this project that I don't like. But I think I found something. I might have found one thing, and if you could switch the view to A202.

So at the lower right-hand corner is -- on the right side in the lower edge in River Street. And so the brick form turns around the corner maybe six feet and then it turns into siding, and there's this rather strange first-story treatment. And this is really quite exposed if you're walking down River Street. If you're not driving, if you're driving, of course, you'll never see it. But if you're walking -- so

I would encourage them to look at that first 15 or 20 feet of that facade and see if you could be a little bit -- looks like you'd run out of money. And I just -- there are many buildings in the city that do that, they decide that perhaps a little bit around the corner, but I think maybe this could be -- so my general comment is this is one of those inventive and responsive projects I've ever seen as a member of this Board. And I really think it will make a wonderful addition to this part of the city and have great places for people to live.

My third comment is I would share the view that the pedestrian experience as you walk around the corner from Putnam Avenue and River Street could be maybe slightly nicer. I would encourage them to focus on the corner, that planter corner. And, you know, if I were

studying that, one thing I want to look at is instead of having square corner you've got a nice view of that.

MARK BOYES-WATSON: So it's that corner.

HUGH RUSSELL: The perspective view that shows it. That one. Well, it's not so nice because the trees aren't there.

But so looking at that the corner might be a key to making it seem, making something of the corner. For example, maybe you curve the wall at that corner. I don't think you want to put a little pocket park there because then you'll just be a mess and a trouble for the owners. You could change the way the mural works at the corner. It can go up or go down or there could be a back wall and a lower front wall. There are things you could do that would make it a little bit nicer at the corner and that might

be just enough to make it work. And that's already on Suzannah's list.

H. THEODORE COHEN: This is the brick retaining wall you're talking about?

HUGH RUSSELL: Yeah.

MARK BOYES-WATSON: And it's true, there's a lot of stuff, the traffic light and stuff. Definitely look at that.

TOM SIENIEWICZ: There is a brick wall at the next block up, right, on Fairmont and River Street around the brick townhouses right on the corner there if I recall correctly. But it -- different scale. I would be inspired, frankly, by the program, the school buses that stop there. Right? Is there a way in which that becomes something that supports that, you know, really lively activity that happens every morning? Obviously you don't want to make an attractive

nuisance, but there's got to be some balance there a design exercise to make that, make that more interesting.

I too am struggling for something I don't like. I -- the way in which the building responds to each of its specific context I think was really extraordinary. I came in here loaded for bear on the curb cut, but got that taken away from me right away. So, anyway, I'm very much in favor of what I'm seeing in front of me.

MARY FLYNN: I would --

H. THEODORE COHEN: Mary?

MARY FLYNN: -- agree with the comments made by my colleagues. I think it's a terrific looking project, and I would also commend you on the community process that you've undertaken. It's -- it was very, very thoughtful and obviously you've gone out of your way to pay

attention to the concerns of the neighbors.

Like Ahmed, I too hear and understand the comments made by the tenants of the building, and I agree that it is a citywide issue and we can't address it in the context of this particular permit, but it is, it is an issue that is an important one and that as we've noted, will be coming, coming up more and more. So hopefully we will have the opportunity to have the City Council address it sooner rather than later.

The one question I do have is not anything that's wrong with it now, but the potential for something that could go wrong in the future which is the transformer siting. Where are you exactly in that process and when will you know whether that's possible? And if it's not possible, do you yet know where the alternate location might be?

MARK BOYES-WATSON: Yeah, the tricky -- I mean, I know you don't -- we deal with it with historic all the time, is that it's impossible to get into a process without having discussion with Eversource. You can't have a discussion with them until filing a work order. You can't do that often after your permitted. And so in fact they will behave erratically right up to your Certificate of Occupancy. So it is one of the hardest things to predict in a project that I wish, you know, the City Manager, the new City Manager could deal with that. It's incredibly hard going through these approvals. We take immense amount of care of what we're building and they're just a rogue element in that. And so I can't predict that and we're not able to get into a discussion with them. So you actually don't even know you need a transformer because they can

do a huge amount of pole transformers, etcetera, etcetera. So you literally go in blind and you don't know until you get there.

But we have had success with the volts and they are lovely. Because they want to get access. You can't pluck the things. You can't hide it too much. Very difficult but we're hoping we can get them to do the volting.

H. THEODORE COHEN: I guess the question is do you have any alternative location?

MARK BOYES-WATSON: You said I didn't answer the question. No, we actually don't, but I think it would be right behind the -- the --

ATTORNEY JAMES RAFFERTY: You want to go to the site plan?

MARK BOYES-WATSON: Not really. Because I don't know how big it is. I don't know. I don't want it in the front yard. It probably

will be tucked -- it has to be reached from a boom truck from the driveway is the -- of the parking. So we would probably put it back there. We would try to avoid putting it in the front yard. Although it is possible that it could go in one of the front yards, especially -- I mean since Jim wants me to speculate, I will.

So I just in all honesty, the two places -- so see in front of, in front of, I don't want to do this. I don't want to show it, but on Jim's insistence.

ATTORNEY JAMES RAFFERTY: No, no, no.

MARK BOYES-WATSON: You see that spot there. It's not supposed to be in front of anybody's window. I mean it's a really hard thing to look at, that's why the volt is -- here. It's in the driveway now or back here. We're really hoping that doesn't happen. That would be

my answer.

H. THEODORE COHEN: Ahmed.

AHMED NUR: One comment and one quick question. So the roof projection seems to be somewhat really big. What's the -- just the picture that the -- the slight just before that that you took up. This kind of noise, this is Cambridge, Massachusetts --

MARK BOYES-WATSON: Yeah, you were looking at the perspective? This one?

AHMED NUR: No, there was one before that that you just had.

MARK BOYES-WATSON: These are pretty normal. And then this is flat roof so we will -- we'll take the in board on that one.

AHMED NUR: Okay, it's not there. But is it over 18 inches, do you remember? Yeah, that one. Okay. Yeah, see that bottom picture there?

That just looks like a --

MARK BOYES-WATSON: Yeah, we're going to take the water back in board on that one. So it won't, it will drain away from that cornice so that we don't have to have a gutter.

AHMED NUR: Okay. And to defense, I remember this is pertaining the brick retaining wall, every time -- well, the jobs I've been to, whenever you make them round and the retaining is just holding, it turns to crack and opens up, whereas, if you had the corner at 90s and you're overlapping halfway, tend to hold better but that's not an architectural perspective.

ATTORNEY JAMES RAFFERTY: Fresh Pond Parkway. And right.

HUGH RUSSELL: Great target.

ATTORNEY JAMES RAFFERTY: They call it a serpentine.

H. THEODORE COHEN: Thacher, do you have anything you want to add?

THACHER TIFFANY: No, I agree.

H. THEODORE COHEN: Steve?

STEVEN COHEN: Just a couple of comments.

First of all, regarding the existing folks who are being displaced. Boy, Cambridge really used to be a place for startups; tech, biotech, what have you, and, you know, you frequently sort of in an old outmoded buildings in kind of random corners of the city, and more and more of them are being displaced as the city gentrifies and improves. And there's all sorts of great space available for big outfits and those that can afford high rents, and it really is a loss. I think there are fewer opportunities for startups and lower rent sort of uses. But, you know, it's not the end of the world if they move next-door

to Somerville or Watertown. Be that as it may, it's certainly a fact that it -- whatever the merits of this issue might be, it's not within the purview of this Board. It's simply worth noting as a matter of public policy that it's an issue that should be thought about and addressed by the City.

So, with regard to what is within our purview, I don't know, this is really a challenging site it seems to me. And as I look at it, suddenly I'm mindful of where of the analogy to a dancer who takes some really demanding physical moves and somehow makes them look effortless and graceful. So, Mark, kudos to you for making this look effortless and graceful. I do think it's a great solution and a kind of challenging corner and certainly supportive of the application.

You know, I'm looking at it big picture and I'm not sure either because of the progress of the plans or maybe my inadequate intention to them. I'm not clear about all of the details, the architectural details, and I trust that Suzannah and staff in the final go around will look more closely at the details and the materials and how it all fits together to make sure that everything is great although I have pretty good confidence in Mark to make sure that everything is great even without such close supervision.

So, in general again, my compliments and certainly my support for the project.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: I really like what you're doing. I do have a few questions.

How quiet are we talking about with these

mechanical units on the patios?

STEVE HISERODT: Just below 55 decibels.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

Well, actually the -- (inaudible).

THE STENOGRAPHER: I'm sorry, I can't hear you.

MARK BOYES-WATSON: They're well under the Cambridge Noise Ordinance. And actually we've, we -- the house -- we actually designed the house next-door and it has one so the neighbors are pretty familiar with how good they are. And I just recommend them to anybody who's trying to do this, because it's a little challenge, this is the best way short of geothermal which we can't afford to do.

LOUIS J. BACCI, JR.: Well, I expect you found something quiet if you're going to be sitting next to it, that's why.

MARK BOYES-WATSON: Right. You try to make sure that impact is not on you and not on everybody else. This is a great one.

HUGH RUSSELL: Just to throw in, I think we have this kind of a unit in our house and I will walk passed it in the summer because I'm walking around the house, and I'll feel the heat blowing on me and I don't hear it.

LOUIS J. BACCI, JR.: You can't hear it. I was curious.

HUGH RUSSELL: Low speed.

LOUIS J. BACCI, JR.: It's scary to put it on the patio.

HUGH RUSSELL: It's silent.

LOUIS J. BACCI, JR.: Paving. The patios and your driveway and so forth --

MARK BOYES-WATSON: Patios would likely be bluestone. The driveway will likely be pavers

because we prefer them. So it's pavers and bluestone unless we can't afford it. So, I don't know. That's a question for the developer. We haven't defined that.

LOUIS J. BACCI, JR.: I know there was a comment on the concern with the amount of non-permeable pavement.

MARK BOYES-WATSON: Oh, I didn't see that comment. In fact, if we went in the driveway, there would be nothing that's non-permeable. If the driveway is the only possible non-permeable -- and they're not -- all of the other sidewalks are certainly pavers. There's no concrete sidewalks or anything like that. All the concrete pavers except for the city sidewalk.

LOUIS J. BACCI, JR.: Is there a gateway in this project? Some of the drawings seem to show a header across the opening?

MARK BOYES-WATSON: Yes, we played with that and it's supposed to have been eradicated from the drawings. It's out of some and not all. So I don't think it's a good move. So, it's a bad one not far away on Blackstone Street.

LOUIS J. BACCI, JR.: So no gate?

MARK BOYES-WATSON: Nothing, right.

LOUIS J. BACCI, JR.: Oh, the bicycle enclosures, what do they look like? And there is only one shown.

MARK BOYES-WATSON: We've actually -- there should be one in the each garden, but we are still trying to find the best solution to that.

STEVE HISERODT: There's two shown on the site. One got deleted somehow.

MARK BOYES-WATSON: Oh, did it? So they're not shown.

Right there. So that's another thing that if you hit the wrong button, the Revit they disappear. So those are eight lockers each.

LOUIS J. BACCI, JR.: What do they look like?

MARK BOYES-WATSON: So, I don't know yet.

LOUIS J. BACCI, JR.: Great.

I guess -- oh, another question, trash pick up.

MARK BOYES-WATSON: Yeah, we have a trash room in the plan which actually is shown there. Actually in the mechanical and trash there? You go through that. And we will -- we don't, we don't know if that's private pick up or city pick up and it may depend on volume and stuff. So but that's where it is. So it's completely concealed so it just -- I was pointing, but it's actually right there.

LOUIS J. BACCI, JR.: Well, I saw your trash rooms, I'm wondering about --

MARK BOYES-WATSON: So we're right on the threshold. If there are any buildings this size that have city trash, we talked to the neighbors about that, and if it turns out to be a nuisance on the sidewalk, you know, maybe we would go private, but we didn't categorically say either way.

LOUIS J. BACCI, JR.: That's what I was concerned with. The new designed intersections with trash trucks and busses and so forth.

MARK BOYES-WATSON: I know. Our preference, I think that we would, out of the community process came pretty familiar with the site. So I think that if we could find a way of stacking them right at our curb cut here, but the city really wants them on the street. So if the

school kids are here, so that's really -- what we've internally said is that we will see which way that goes, but we understand what the concerns are. And the concerns would soon become our concerns if there's trash cans get knocked over, etcetera, etcetera.

LOUIS J. BACCI, JR.: So we don't have a definitive answer on this?

MARK BOYES-WATSON: No, we don't know because -- and if it's private, I think that they may pull into our driveway, flip them all and go.

LOUIS J. BACCI, JR.: More concerned with the intersection.

MARK BOYES-WATSON: Well, we're now a bit away from the intersection should that happen. Twice a week with the new curb cut.

LOUIS J. BACCI, JR.: Quite a ways from the intersection?

MARK BOYES-WATSON: Well, 25 feet. Here. What we did is, let's just go back to -- where did it go? I keep losing it. That one.

What I was saying is that maybe, depending on what's going on, that they may be lined up here, the barrels because we got a pretty wide throat here. They could be plucked either by private -- the city won't allow that to you do that. They force you to place them on the sidewalk. If that doesn't work, it could be city pick up here on whatever that is Friday morning, then we'll do private pick up.

LOUIS J. BACCI, JR.: Which means a truck stops in the road?

MARK BOYES-WATSON: Either on the curb cut or the backs, yep. Depending on where we end up. They all have slightly different trash trucks, those companies, what they want to use to

get it out of the site.

I think -- our operating assumption is that we will, we will try putting the barrels out here. And if it's too much, we will go to private pick up. And I think, you know, likely they'll just come and boost the barrels on the street. This intersection that is horrendous at four o'clock in the evening is not, you know, all day, every day.

LOUIS J. BACCI, JR.: Seven o'clock in the morning it's pretty busy also.

MARK BOYES-WATSON: Not so bad going that way. You would say it's not the best intersection in Cambridge for sure.

LOUIS J. BACCI, JR.: And that's also a concern for Traffic and Parking and that was in their memo that they were concerned about maneuverability in that intersection about trash

pick up.

MARK BOYES-WATSON: Yeah.

LOUIS J. BACCI, JR.: That's all I have.

H. THEODORE COHEN: Okay.

So, are we prepared to go forward and make findings at this point?

AHMED NUR: Yes.

H. THEODORE COHEN: Okay.

So, criteria under 4.26.1 for approval on -- which refers to 10.47.4, the criteria for approval of townhouse and multi-family dwellings we have to consider and address the following site plan criteria:

One, key features of the natural landscape should be preserved to the maximum amount feasible. Tree removal should be minimized and other natural features of the site such as slopes should be maintained.

I don't think there are any natural features.

HUGH RUSSELL: (Inaudible).

H. THEODORE COHEN: Right, and actually more trees are being added.

HUGH RUSSELL: Right.

H. THEODORE COHEN: New buildings should be related sensitively to the existing building environment. The location, orientation, and massing of structures of the development should avoid overwhelmingly existing buildings in the vicinity of the development. Visual and functional disruption should be avoided.

And I think several people have commented about how fixed this design is and we've heard from many of the abutters that they prefer this to what's there now.

HUGH RUSSELL: And the rear yard

setbacks?

H. THEODORE COHEN: I'm sorry?

HUGH RUSSELL: I think the decision should note that the rear yard setbacks are an important part of that.

H. THEODORE COHEN: Right. There are gardens and the landscaping in both the front and the rear.

HUGH RUSSELL: Right.

H. THEODORE COHEN: Location, arrangement, and landscaping of open space should provide some visual benefit to abutters and passerbys as well as functional benefits to occupants of the development. I think that's done. And we're going to rely upon further discussion with staff about the intersection I guess of Putnam and River and how that works with passerbys.

Parking areas, internal roadways and access, egress points should be safe and convenient.

So we have heard initially from Traffic and Parking that they had questions about the original plan and now there has been a revised plan which has been represented to us is meeting most, if not all, of Traffic and Parking's egress and ingress concerns. And that it will be a condition of the Special Permit that Traffic and Parking is totally comfortable with the access and egress.

Parking area landscaping should minimize the intrusion of one site parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.

The parking is under the buildings and,

you know, it is presumably the only intrusion would be I guess people walking by on Putnam Ave. may see some things.

Service facilities such as trash collection, apparatus, and utility boxes should be located so they're convenient for residence and unobtrusive.

We've heard about trash collection, and as of the moment, the utility boxes are somewhat up in the air. Mostly --

LOUIS J. BACCI, JR.: And concerning.

H. THEODORE COHEN: And concerning, but --

LOUIS J. BACCI, JR.: Location and Putnam Ave.

H. THEODORE COHEN: You know, if -- as represented, there's no way of knowing what's going to happen until well down the design. I

don't know what more we can say about that. If anyone else has any suggestions? I think, you know, we have to rely on CDD that we would not be happy with it being on the street and that any -- probably almost any other alternative would be preferable.

So those are the criteria of 10.47.4. Everybody comfortable with making those findings?

(All agreed.)

H. THEODORE COHEN: Now, the general criteria under 10.43 I think we're all pretty familiar with which also fits into the urban design guidelines of citywide urban design objectives. Rather than go through all of them, does anyone have any questions or negative issues with regard to making the general findings under 10.43 and 19.30 the urban design guidelines?

LOUIS J. BACCI, JR.: I guess I have one

more question.

H. THEODORE COHEN: Yeah.

LOUIS J. BACCI, JR.: Is not having room for garage doors. Can explain that a little?

MARK BOYES-WATSON: Just that the way the garage is usually sized differently than if you have aggregated parking. So, you know, with your eight-foot, six spacing, if you want to get those nice brick piers, etcetera, etcetera, we don't, we don't have room to throttle that down any further. And I really -- I guess I misspoke. It's weird to have the garage -- you could have the garage doors and no garage. The garage has a wider amount of space so that's why, you know, via that method, that thinking, that's how we come to be where we are.

LOUIS J. BACCI, JR.: So you need wider openings?

MARK BOYES-WATSON: They actually, you could put a seven foot, you know, on a seven-foot, six space you could have a seven-foot, six door. But you have to mount it to something. So that's really what it comes to and the string won't work in this condition. That's why.

H. THEODORE COHEN: I mean, I personally would prefer doors but our architects have not called that out as an issue that they are concerned about.

HUGH RUSSELL: Well, I would be happy to see doors on the two or three openings that are visible from Putnam Avenue, but if you don't have the space to do it then you don't have the space to do it.

H. THEODORE COHEN: Well, could we suggest to Suzannah that that's a matter that she

continue to discuss with the developer?

HUGH RUSSELL: I think it's screening. So it might be, there might be some other response that a conventional garage door.

LOUIS J. BACCI, JR.: It would nice to have an elevation of those sides that's readable. Because I can't -- but....

STEVEN COHEN: Mark, looking at that plan it's difficult for me to tell certainly from here what structure is or not. I can understand on those two spaces that are closest to Putnam I can understand that it would be challenging to have two separate doors there because you need structure between the two. But could you do a door, a two space wide door there? It looks like from here that there might be structure on the top of that second space.

LOUIS J. BACCI, JR.: And it's bugging

me.

STEVEN COHEN: If you follow what I'm saying.

HUGH RUSSELL: Look at 201, that's a pretty good view of that.

MARK BOYES-WATSON: I mean I just, I would reiterate on that that I think that the dimensional way, that the whole thing fits together, is a bit of a jigsaw puzzle. When you start to drop that car door down, you know, you can't maneuver passed the back of the door. You can't get things out of your trunk. You kind of get into that thing. If you were sizing a garage, you size it, you know, substantially bigger to allow for that circulation. It's kind of a whole series of size issues that lead us to not put them on in this particular occasion.

STEVEN COHEN: Again, we're just talking

about those two spaces closest to --

LOUIS J. BACCI, JR.: Putnam Ave.

STEVEN COHEN: -- Putnam. You feel
strongly enough --

MARK BOYES-WATSON: Yeah, it's a
dimensional strain and I think in terms of the
depth of the space and we have to get, we have to
get people out from above so we have three foot
egress from behind. There isn't room to do it,
you know.

STEVE HISERODT: We may have some
additional flexibility to look at with the new
driveway configuration.

MARK BOYES-WATSON: It's true we didn't
study our building with the new driveway is what
Steve is saying. I'm saying it's very difficult.

HUGH RUSSELL: A beaded curtain for cars.

STEVEN COHEN: Bead.

ATTORNEY JAMES RAFFERTY: From the 60s.

A Volkswagen bus.

H. THEODORE COHEN: And just in going through the findings, you know, we did receive a memo from the Department of Public Works who raised some concerns about flooding in the basements, and I assume you will be working with them to resolve any issues that they have.

MARK BOYES-WATSON: (Nodding affirmatively).

H. THEODORE COHEN: So if there are no questions about the general conditions of the Special Permit or the urban design guidelines, and the other issue is granting the Special Permit for the -- would we be willing to grant a Special Permit from exempting the ground floor area of the basement areas. And, again, criteria: Under Section 2.000, any basement or

gross floor area shall not include any basement or cellar living space in any other type of structure with the issuance of a Special Permit. Granting such a Special Permit, the permit granting authority, us, may approve the exemption of the any portion of GFA located in the basement or cellar from the calculation of GFA provided from the granting authority finds the use is occupying such exempted GFA to support the character of the neighborhood or district in which the applicable lot is located.

STEVEN COHEN: It's an easy one.

H. THEODORE COHEN: Board Members have any -- and your response is?

HUGH RUSSELL: I would say that probably most of the houses in the neighborhood have basements.

H. THEODORE COHEN: Have a basement?

HUGH RUSSELL: That are used and not as primary living quarters. And I for one love my basement even though my ceiling height is slightly under six feet and because of water conditions when they built the house. But even a six-foot high basement is, you know, could be a place where you could have a workshop or store bicycles or stuff like that. I don't -- you know, what they're really saying is they want to have a seven extra spaces in the basement, and it seems to me that's sort of unimportant to the bigger picture. The units are designed to be generous. It would appear that, you know, the kinds of uses that would be left over for the basement are the kinds of things that are probably Tom's basement or my basement. And, you know, it's why shouldn't these people have basements that have reasonable amount of headroom

in them?

H. THEODORE COHEN: Right. And these will be three-bedroom units and presumably they will be for families with children.

LOUIS J. BACCI, JR.: But they could have a seven-foot height.

HUGH RUSSELL: Right, I mean....

STEVEN COHEN: But what do we accomplish by that?

LOUIS J. BACCI, JR.: Right.

STEVEN COHEN: What is the required requirement, simply that it supports the primary use?

ATTORNEY JAMES RAFFERTY: Consistent with the character of the neighborhood.

STEVEN COHEN: Consistent with --

H. THEODORE COHEN: Support the character of the neighborhood or district to which the

applicable lot is located.

STEVEN COHEN: That's all we have to find?

H. THEODORE COHEN: That's all we have to find.

STEVEN COHEN: And I would certainly support --

AHMED NUR: And get a window that's egress accessible if there's a bedroom next to it.

H. THEODORE COHEN: Okay.

So, then why don't we take two votes. The one first --

LIZA PADEN: Excuse me, can you appoint one of the associates to sit for Catherine?

H. THEODORE COHEN: Certainly.

LIZA PADEN: We've lost track of who's what and the other case can be the other person.

H. THEODORE COHEN: Okay. Thacher, why don't you sit on this one?

THACHER TIFFANY: I accept.

LIZA PADEN: Thank you.

STEVEN COHEN: Mr. Chair, just, I might have missed a bit on the transformer. You know, this is a constant bone of contention, not just for applicants but for all of us in dealing with the utility company and certainly we don't want to, you know, penalize the applicant in any way further dysfunction of the utility company. But can we get, you know, some sort of specific mechanism whereby perhaps Suzannah has to explicitly approve the final location, and if she's unsure or does not want to approve it, it comes back to us and at least we might have the opportunity to send a nasty letter to the utility company or some other such meaningful effort?

It's just that even though it's a frustrating thing to totally advocate and say well, whatever terms have to be the case, it doesn't necessarily seem to be the most productive approach.

H. THEODORE COHEN: Yeah, we can do that certainly. I think it probably falls into the general language in the Special Permit that it's subject to continuing review by CDD, and that if there are any issues that they are unsure of, they can bring it back to the Board.

STEVEN COHEN: Well, like I said --

H. THEODORE COHEN: If you want to be specific, that's about --

STEVEN COHEN: No, yeah, I think so long as Suzannah knows that this is important to us, and if you're not happy with the outcome, you know, please bring it back and we'll try kicking the shins of the utility company.

ATTORNEY JAMES RAFFERTY: Could we just speak to that, Mr. Chair? I know from firsthand experience this occurs at the most critical time in the process. As you're completing the units, as you're starting to sell them --

STEVEN COHEN: It's crazy.

ATTORNEY JAMES RAFFERTY: -- it happens. So if we found ourselves needing to return to the Board and decisions need to be made, in the field, we certainly would work with CDD, but I hate to say that it's just the -- in our experience and, you know, I've worked with clients repeatedly on this, I mean, the first -- you try to engage as early as possible, propose a location, and it's almost subjective who you get reviewing your plans at the utility company. And there are guys actually who are very popular because they are more complacent, and there seem

to be other individuals who enjoy the authority they enjoy over a project and they arrive and this is where it's going because this is the way we can get to it and if you don't like it, you can go to the back of the line because I've got six more projects ahead of you waiting to get juice. We have no -- limited leverage.

MARK BOYES-WATSON: Eversource, Eversource, I've been down to the Eversource office several times. I've met in their briefings about what they are doing, interestingly enough the Eversource, their new buildings, their headquarters buildings was delayed in the beginning absence a transformer.

ATTORNEY JAMES RAFFERTY: In Somerville.

LOUIS J. BACCI, JR.: The Summit.

MARK BOYES-WATSON: It's true. I agree with Jim. I just did a project, I know, a simple

little project, few houses, and they completely reversed themselves in our favor in the last two weeks. I mean, it actually was two months later or something but that was just Eversource, but they completely reversed -- it's really, really, really hard to control. They decided they didn't need a transformer in that case.

STEVEN COHEN: But, Mark, if I could --

MARK BOYES-WATSON: Having gone to the Pole Commission, having done six months of process, they abandoned the whole thing and just spent --

LOUIS J. BACCI, JR.: You also have an electric yard about 100 yards away from --

ATTORNEY JAMES RAFFERTY: Right on Putnam.

MARK BOYES-WATSON: Exactly.

LOUIS J. BACCI, JR.: And we also get

these, we also get someone who comes here that's excavating to find out if they could fit a transformer below grade before it's gotten to any building or permitting, and so there's a little lapse in here and it. And I agree it is subjective to who you get on the phone and who you meet with.

STEVEN COHEN: So, Mark, and Jim, I guess what I'd like to --

HUGH RUSSELL: I'd like to table this discussion.

STEVEN COHEN: Sorry, can I just finish one thought?

HUGH RUSSELL: Yea.

STEVEN COHEN: I'm not suggesting anything to compromise your position. I'm actually suggesting something that might enhance your position. And in my experience, which is

uneven and inconsistent, but to be able to actually talk to the individual who ultimately makes the decision, it isn't the company, it's an individual who makes the decision. And the City of Cambridge feels really strongly about this. The Planning Board is strongly -- you are jeopardizing the entire project if you make me do this rather than this.

ATTORNEY JAMES RAFFERTY: Okay.

MARK BOYES-WATSON: They don't care. They don't care. All your money is on the line and they said you're going under they don't care.

HUGH RUSSELL: So I would like to --

MARK BOYES-WATSON: Please, I would like --

HUGH RUSSELL: I would like to respond to this issue because, you know, my current projects we had discussions, we had general agreements,

you know. We finally get to a point where it gets the work order and engineering and they say well, you can't do that. You can't overhang our transformer with your building no matter what construction you use, because there's a paragraph in the National Grid, you know, in the, you know, U.S. or worldwide standards that says you can't do that. So we ended up having to shove a portion of the building back to do it. We found out about this, you know, after we had planning approval and after we had a building permit. And it's, you know, you tell the owner go out and find somebody that we can talk to. We can't do it. So -- and I think it's foolish to think that we or Suzannah can have influence on Eversource in this decision. I think what we have to recognize is that our rules of the transformer location and the proponent's goals are completely

aligned.

STEVEN COHEN: Yeah.

HUGH RUSSELL: And, you know, they're going to try to make the best possible deal they can make and we may or may not like it, but I think we aren't going to be able to do anything about it. And that's -- it's -- you know, it's too bad but that is the way it works these days. You know, we should, the city -- I'll give you one other example. We're doing a project in Braintree. The local electric utility is the Braintree Electric and Light Company. A joy to deal with, with the Braintree Electric Light Company. You can go and you can talk to the guy and you can explain your issues, and we had some, it was a complicated site and complicated issues, but you could just work them out. And their engineers and our engineers talked to them and

you do it. And so maybe what we should do is recommend to the Council that we nationalize the electric service in the City of Cambridge so we get control of these kinds of issues.

H. THEODORE COHEN: Didn't that used to exist? Wasn't it the Cambridge --

MARK BOYES-WATSON: SELCO?

HUGH RUSSELL: Well, it was an independent company that was, you know, only served Cambridge and then it served Cambridge and Somerville.

H. THEODORE COHEN: Cambridge Electric, right.

ATTORNEY JAMES RAFFERTY: Well, we could petition the Department of Public Utilities, seriously to be a little more engaging with municipalities. Because you're right, God bless Suzannah, you know, we go to meetings and say if

you don't do this, we're going to call up Cambridge CDD, I mean, they're just going to say okay. Now, if we mentioned the Planning Board, they probably would rollover.

H. THEODORE COHEN: They'd roll over, right.

ATTORNEY JAMES RAFFERTY: I had one recently not far from 1105 Mass. Ave. where that new hotel where they insisted on the transformer in the front yard and we're in the historic district, and we were not able to open the hotel, because that was the only place. We designed it, you designed it. Put it in the garage. And they claimed they couldn't get the truck down in the garage. It was all design approved to be in the garage. And we went back to the Historical Commission for a Certificate of Hardship to say that's the only place they'll allow us to put it.

And I mean it held up the opening of that hotel for months.

MARK BOYES-WATSON: Turned out they were servicing other buildings from that transformer.

LOUIS J. BACCI, JR.: Oh, yeah, that's common.

MARK BOYES-WATSON: It's not even our -- it wasn't even for our building. So it doubled in size and they put it on our land where we, where nobody wanted it to serve other buildings.

LOUIS J. BACCI, JR.: So now you have the concern with having it on the corner of Putnam and --

MARK BOYES-WATSON: Oh, I know. I'm with you. I'm so with you.

ATTORNEY JAMES RAFFERTY: You think you can sell that front unit too nicely --

LOUIS J. BACCI, JR.: Well, what if they

put a switch there with a transformer, all of a sudden --

ATTORNEY JAMES RAFFERTY: You're going to turn that front unit --

H. THEODORE COHEN: Well, Board Members, could I just mention that we have another hearing? And this is -- and, you know, the transformer issue I think will be what it will be. I'll point out that the Porter Square Hotel --

LOUIS J. BACCI, JR.: Right.

H. THEODORE COHEN: -- when the transformer ended up outside rather than in the garage, we then had review of the landscaping and the gating of the transformer. So in the worst case, presumably it will come back to us which none of us want to happen, but I'd like to move on.

TOM SIENIEWICZ: Thank you.

HUGH RUSSELL: I would be prepared to make a motion in the form that you've laid out for us.

H. THEODORE COHEN: Well, I think first when we have a motion under Section 2.000 and Section Sub 16 to exempt the basement area from the calculation of GFA.

HUGH RUSSELL: So moved.

STEVEN COHEN: Second.

H. THEODORE COHEN: Is there a second?

All those in favor?

(Show of hands.)

H. THEODORE COHEN: Thank you.

And now we need a motion under Section 4.26.1 that is approved in accordance with Section 10.47.4 and 0.43 and with conditions as set forth, conditions that the ingress and egress

is satisfactory to Traffic and Parking Transportation, and that the other issues with regard to the location of the bicycle parking -- and I don't remember if they talked about the trash collections, all be subject to the satisfaction of Traffic and Parking.

And that the condition that the issues raised by the Department of Public Works in its most recent memo be resolved to the satisfaction of the DPW.

That the ongoing review with CDD is set forth in their memo of October 12th which primarily relate to landscaping details, reduction of paving, with regard to the siting of the transformer.

That we review of all exterior materials, colors, and details and review of parking, bicycle parking access and egress with the TPT,

and review of storm water management through DPW.

And any other matters that we placed in CDD's capable hands this evening?

Could I have a motion to that effect?

HUGH RUSSELL: So moved.

STEVEN COHEN: Second.

H. THEODORE COHEN: All those in favor?

(Show hands.)

H. THEODORE COHEN: It's unanimous.

Thank you very much. Good luck.

MARK BOYES-WATSON: Thank you.

H. THEODORE COHEN: And tell them you want the transformer....

We will take a five minute break and then we have another hearing.

(A short recess was taken.)

H. THEODORE COHEN: Okay, we're back.

And now we have a hearing Planning Board No. 318

relating to 55 Regent Street, Special Permit pursuant to Section 5.28.2 conversion of non-residential structure to residential use. And Article 2, definition of ground floor area exemption of basements and cellars. Proposal to convert a non-residential structure to four dwelling units with four off-street parking spaces.

This proposal will also require Board of Zoning Appeal dimensional relief for an addition resulting in non-conformance with the floor area ratio and gross floor area and alteration of an existing non-conforming structure.

Those matters are not before this Board but will be before the Board of Zoning Appeals and they will be another public hearing on those matters before that Board.

Who will be making the presentation?

Mr. Mark Boyes-Watson.

MARK BOYES-WATSON: Yes, sorry about that. And actually I of course as you all know, long since, I play into the fraud that I'm the designer of all these buildings because I've ably assisted and I have Steve Hiserodt here with me, the client Bob Purdy from Purdy Construction as many of you know. I will provide an overview and Steve will probably jump in with some technical details if we need it. And so -- yeah, this is an existing building. So it's a 5.28 Special Permit to convert it to residential. The zoning allows you to use that different methodology of calculating the units and would allow up to eight units in this building. There are four proposed.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

Sorry, could you repeat what you just said?

MARK BOYES-WATSON: The 5.28 is a form of

zoning that is especially for existing buildings and it allows you to go into the building and to repurpose it officially. It allows you to take the size of the building and divide it by a number and that yields the number of units you may build. In this case it would be eight.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

In a B zoning area?

H. THEODORE COHEN: Members of the public, please do not speak now. You'll have your opportunity to speak and to ask questions. Right now it's -- the proponent's making his proposal.

MARK BOYES-WATSON: So four proposed and I'll just take you through how that is going to be. But basically the four exterior walls of this building -- and I just give you a little context shots here on Regent Street just to give

you some visual context, and we are, we are this -- whoops, I lost it. Here we go. I'm back on. Here we go.

See the one with the brown roof there? That is the building. So that's a little bit in from the railroad tracks. Obviously a lot of history in this neighborhood, and -- but slowly all the buildings are being converted to residential, not quite all, but it's definitely -- because it was right on the railroad is a kind of edge condition, and so it's different aerial views when you see Mass. Ave. on the right and the railroad tracks on the left. Just a bit more context. And there's the site.

So basically there are no changes to the setbacks. The setbacks is 5.28 allows are the existing setbacks and so the development plan in this case revolves around, revolves around making

some -- trying to use the existing openings and making holes in the building that allow light into these loft-style units. So this is gonna be fundamentally a loft-style project. And what happens is that you will come in through that front facade and the -- slope down slightly to a garage that creates the basement. And there's two Special Permits here. One is a basement Special Permit and the other one is the 5.28. So the garage is seven-foot, six high and four cars, one for each dwelling unit. There are, you can see peripheral to those spaces some basement space that is associated with that. And I think it's windows.

ROBERT PURDY: Yes, it's windows.

MARK BOYES-WATSON: Here it gives you a better sense of -- we are -- I'm going to see if I can get this to work.

So, the street is on our right -- which I still can't get it to work. There we go.

So the street's here. So we're going to create an opening in the building and have this little four court here which gives entry to the four units; one, two, three, four. And then to that -- so that's one courtyard that's cut into the building. And the other courtyard cut into the building are these two little areas in the back which actually unlike the shed courtyard at the front here, these are private each to the units in the back. And Bob Purdy and Steve have been in discussion with neighbors. And the openings on the back here are actually going to be glass blocked in just to maintain privacy to the abutters to the rear. But so these are very much loft-style inward facing sort of type of living and that's what's on our front. But it

speaks to what comes next is you go upstairs, there are bedrooms. You know, they are townhouse style again, albeit with this communal basement garage. And then that basically is the envelope of the building. This slide here is a -- proposed as a penthouse of similar area to the area of the building that's excavated in order to create those courtyards. It is not an as-of-right element. It would require the Board of Zoning Appeal to approve it. So everything up to the ceiling of the second floor is sort of Special Permit in front of this Board. In order to build this top piece, we would be at the Board of Zoning Appeal. So obviously for our residents there is amenity in getting beyond the floor and having a little bit more air and light up there and more of an opportunity for the outside space.

So, as I got -- we're just going to walk

around the elevations and there you can see again everything above that cornice line is what we were just looking at. Typically all of these windows are just existing.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

No.

MARK BOYES-WATSON: No?

AHMED NUR: It's okay. Keep going.

MARK BOYES-WATSON: It's okay, keep going?

So here I've got front and back elevation. The front elevation is on the left and you can see the addition of the garage door. On the back those, there is the enlargement of those openings. I was just discussing these ones here that are dark. These ones. That actually will be, if I got that right, they will all be glass block now. These other ones are windows,

right?

STEVE HISERODT: Those are windows now,
yes.

MARK BOYES-WATSON: Yeah. And then I
think I have one more elevation. No, section.
Did we do all three elevations? Is there one
missing?

STEVE HISERODT: There is one missing
it's identical to.

AHMED NUR: I'm sorry, sir, you cannot
talk to him unless you state your name and use
the microphone on the record.

MARK BOYES-WATSON: So sorry. So the
elevation I'm not showing you is the same, looks
the same as this one. It's on the other side.

So then this section you can see, you can
see the garage coming down, the way the parking
works, and then you can see the way that the

courtyards work a little bit in that slide and I think the next one shows you more. That, this one is showing you how that entrance courtyard works. I'm having trouble with this cursor, otherwise I would be -- there you go. That's this opening and you can see that that's bringing light into the middle of the plan as opposed to these courtyards in the back of the plan.

So these are just some renderings that illustrate what's going on. And do you want to talk about these the shadow studies?

STEVE HISERODT: We can come back if there's concern.

MARK BOYES-WATSON: So really, so really it's as typical 5.28, we're working inside the building. We are with the exception of those new openings of the glass blocks that are opening at the rear of the building, we're working with

existing openings with the addition of the garage door and the front door reconfiguration. It's a fairly simple proposal. That's it.

H. THEODORE COHEN: Okay. That's the entire presentation?

MARK BOYES-WATSON: Yes.

H. THEODORE COHEN: Board Members, do we have any questions right now?

HUGH RUSSELL: The basement is currently in existence?

MARK BOYES-WATSON: Well, partially, right?

STEVE HISERODT: There is a crawl space now. The foundation goes to approximately six feet below grade so we will have to remove fill that was added in the crawl space.

H. THEODORE COHEN: Mark, could you give him the microphone?

STEVE HISERODT: So there is a continuous foundation around the building that is about six feet below grade. After construction of the foundation the crawl space is then in-filled with fill. We'll have to remove that fill in order to create the basement. But we are planning on not having to do any additional excavation other than the removal of the fill to the bottom of the existing footings.

HUGH RUSSELL: Okay.

H. THEODORE COHEN: I have a question. Could you explain what's happening, I guess it's the bike shed on the front? I don't -- the bike part. I don't understand that at all from the renderings.

STEVE HISERODT: The front elevation's the clearest picture. So originally I just had a canopy over this area that would support the bike

parking, just bike racks in discussions with Adam at Traffic and Parking.

HUGH RUSSELL: Can you use the microphone?

H. THEODORE COHEN: Yes, can you use the microphone, please?

STEVE HISERODT: Sorry.

He preferred that we keep them entirely enclosed. In order to do so we have to keep it below six feet because it's in the front yard setback.

H. THEODORE COHEN: So those are, what, doors?

STEVE HISERODT: Those will be, you know, sort of a shed door kind of apparatus. We haven't really decided exactly what it's going to look like. And then there will be four bike lockers inside there.

H. THEODORE COHEN: Was there any discussion about putting the bikes in the garage?

STEVE HISERODT: You're required to have a five-foot wide path and an eight percent slope, so it would be illegal according to the current standards to put it down in the garage.

H. THEODORE COHEN: And I'm sorry, could you repeat -- speak into the microphone and repeat that?

STEVE HISERODT: The slope requirements in route to parking are eight percent, 8.3 percent. So one in twelve similar to a handicap ramp. We cannot do that on our ramp. And you cannot go up or down stairs to get to your bike parking. More than likely people who live here will have places in their basements to store it and they will use that, but we are not allowed to do that per the bike parking ordinance

requirements.

HUGH RUSSELL: And you're also required to cover it; is that correct?

STEVE HISERODT: Yeah.

H. THEODORE COHEN: Okay. Other --
Ahmed.

AHMED NUR: Yeah, just need a clarification. On the basement level where you have vehicles stored I also saw units 1, 2, and 3. What are those?

STEVE HISERODT: We don't have a specific purpose. They could be laundry storage, but we don't have access to outside windows so it's not going to be liveable space.

AHMED NUR: Okay. And the reason I ask is obviously you can't have living along with the vehicles.

STEVE HISERODT: Well, there would be --

it would be a door between them.

AHMED NUR: Right, but then there's a bunch of other stuff, gas and steps. You've got to elevate. If you're going to put units there, we're going to need a detailed elevation of steps and so on and so forth to separate the gas leakage and whatnot and all that.

STEVE HISERODT: Yeah, there would be a six-inch step from the garage to the --

AHMED NUR: You can't see that.

STEVE HISERODT: It's understood.

H. THEODORE COHEN: Are we ready to go to the public? Okay.

THACHER TIFFANY: Can I do one more clarifying question to get the facts straight?

H. THEODORE COHEN: Sure.

THACHER TIFFANY: Can you explain again the back courtyard areas and the glass block? Do

you mean to say those are actually enclosed by glass block?

STEVE HISERODT: Yes.

THACHER TIFFANY: And they're not outside?

MARK BOYES-WATSON: The roof is open to the sky.

THACHER TIFFANY: Right.

MARK BOYES-WATSON: But the, we originally proposed them as open at the back but privacy concerns etcetera, etcetera. I've done exactly this detail in other buildings like 100 Erie. So when it forms it's almost like, it's a little private courtyard so it's a walled outdoor space open to the sky, but in this case there will be a block wall, light will be coming in through the wall and sound will be contained. You won't be able to see out.

THACHER TIFFANY: On the first floor will it be open to the sky?

MARK BOYES-WATSON: Yes.

THACHER TIFFANY: I thought I saw a patio --

MARK BOYES-WATSON: It's a two-story courtyard.

THACHER TIFFANY: So you're looking down? I got it.

MARK BOYES-WATSON: That's right. That's the rivet thing it appears on every floor even if you -- it's not there.

THACHER TIFFANY: I got it, okay.

H. THEODORE COHEN: Anything else?

Okay, so we will go to public comment. When I call your name, please come up and state your name and spell it for the stenographer and state your address. And then we ask that you

speak for only three minutes. You'll start with a green light, it will then turn to yellow as you're nearing the end of your three minutes and then it will turn to red. I'll call people who have indicated on the list who which to speak, but anyone else whether they've signed this or not, changed their mind, whether you want to speak, you'll have an opportunity. So everyone will get an opportunity to speak.

Daniel Smith.

DANIEL A. SMITH: Hello. D-A-N-I-E-L A. S-M-I-T-H. Hi, I'm a resident on Regent Street, and like other developers who have worked in our neighborhood, these developers came to us to solicit our opinions. Unlike other developers their plan was pretty much complete when they started the conversation and they haven't made substantial changes in their -- and there are a

variety of concerns amongst various neighbors, but I'll just speak to mine which are the density. I feel is very high. And I think the parking is insufficient. And I realize that it fulfills the parking requirement, but with other developers that have done work on our street, there was a give and take in terms of, you know, what they wanted and what we wanted and what we needed, and what we needed was additional parking because parking has gotten to be very critical. So there are multiple other properties that are actually, the adjacent building and the one across the street where they put in two parking spaces per unit, even though that was more than what was required, but it's made the street liveable.

So to my point of view, I feel that having four units in that building with one

parking space each is insufficient and that's my objection.

Thank you.

H. THEODORE COHEN: Thank you.

Elaine Soohoo.

ELAINE SOOHOO: I have a handout for everybody. Elaine, E-L-A-I-N-E S-O-O-H-O-O. Hi. I'm a resident of Regent Street, 45 Regent Street and I've been there for 30 years.

I've done a little research and this is all information from the property database in Cambridge. So we witnessed -- this is showing the trends and recent trends and the developments over the past year where we've seen industrial buildings become multi-family units, and given that we're in Zone B, my understanding is that there's a 2500 square foot requirement lot, minimum square foot requirement per dwelling.

And I think this development is very non-compliant in that case and that's my objection.

So with four units, that's 1,250. And if you look down this list of the four buildings that were developed, the sponge factory, the plumbing company, the scale company, and the auto body shop, I think the first three they were over 2,000 square foot per unit and they differ in the number of parking. The earlier developments only had one parking space per unit, but I think the neighbors realized that that wasn't enough and when we came to the hearing, we requested two parking space per unit.

So, on the second page is just a small map showing where all the buildings are located and where the square footage allotment per dwelling -- you know, so they were able to meet,

you know, they weren't overdense. So I think our -- that's the character of our street. And two recent buildings have -- were two families converted into single-family and they were on 5,000 square foot lots.

So I think other neighbors will speak to other issues that are my concerns as well the parking, lot line windows for privacy, and, you know, other issues but I'll let them speak. So my main objection is to the density that is non-conforming. I think, you know, too, what is zoned for our area.

Thank you.

H. THEODORE COHEN: Thank you.

Isabelle Petipas.

ISABELLE PETIPAS: Hi. My name is Isabelle Petipas, P-E-T-I-T-P-A-S.

Hello, my name is Isabelle Petipas and I

lived on the street for going on 80 years now.

We bought the house in 1947 and we've been there.

We have four generations of family living there right now. We had a great problem, our house was leaning and it was leaning very badly. In fact, my daughter was very upset about it. She thought the house was gonna be condemned, and we did have someone from the city come out, the city engineer, and he said no, it wouldn't, but it had to be fixed. So we got engineers. We got -- and we had someone go down in the sewer with a camera to see if there was any leaks, you know, causing the earth -- I don't speak very well, the earth going away from the house making it lean. So we had to have work done. It's cost us over \$100,000 to have this work done.

My concern is they're gonna be doing construction and they're gonna -- that great big

loading platform in the front, from what we heard is absolutely all concrete. So that has to be removed and we're just worried that all of this....

AHMED NUR: Pressure.

ROBERT PURDY: Demolition.

ISABELLE PETIPAS: Demolition is going to affect all the work we've done. And not only my house but the house right next to it is having a lot of problems. We don't know what's causing the houses to sink. I mean, we've had all these people checking on it and everything else. But like I say, it cost us over \$100,000 right now to have it repaired. They've put pile, is it piles? Is that what they call it? All around the cellar and to make it, you know -- I had pictures but I forgot them at home. So -- but that's our biggest concern. Of course, the parking and all

of that, too, that goes with it.

Thank you.

H. THEODORE COHEN: Thank you.

Judy Hikes.

JUDY HIKES: Hi, Judy J-U-D-Y Hikes

H-I-K-E-S. My name is Judy Hikes. I'm a -- I live on Creighton Street. My backyard is next to the abutter on Creighton Street's backyard. I have two concerns:

One of them is that I think it's, it's zoned for two, not four, and that it should be two.

And the second is that the excavation because of houses are sinking on Regent Street, I would be worried about that affecting our house as well.

H. THEODORE COHEN: Thank you.

Ann Collette.

ANN COLLETTE: A-N-N C-O-L-L-E-T-T-E.

Good evening. One thing I'm not sure you understand, and please excuse me if I've underestimated your understanding of this, this building's built up to the property lines, right up to the property lines. My name is Ann Collette. I live at 50 Creighton Street. There were no pictures whatsoever shown to you of the backyard and the back of the building. And the proposed structures will decrease the value of my property for sure. When they put in -- I realize from what I heard earlier, I can't talk about roof decks here. I can only talk about the courtyards that are going to be put behind glass block right on my property line. I mean right on the property line. You can put a piece of dental floss there that's how tight it is, right? And so right now all that light will be coming into

my first floor tenants and my -- it comes right into the my bedroom right now. And the pictures that they have of the windows and the ones that they have that's showing of the cutouts, they're not 100 percent accurate. And I really don't know when you came into the backyard to get those pictures. Another neighbor has pictures tonight to show you. So since I can't talk about the penthouse, all I can talk about is this proposed courtyard which will radically affect my property and the value of my property. Also my backyard. I use it for -- my tenants park there and I use it for pleasure, and now something is going to be right in my face. I support my neighbors on Regent Street in terms of density. I'm all for that.

Another thing I don't know if anyone had mentioned, the Porter Square area where we live

right now, there are four major projects going on; the one on Upland Road, the one on Beech Street, the one we call the Lechmere car wash, and who have I forgotten? I think I wrote them down. But density is definitely --

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

Bob Slade.

ANN COLLETTE: Bob Slade. So by the time that's finished, it's going to be very dense and parking is already an issue. It's going to be more of an issue. My issues are very particular into the terms that I feel it's going to affect my property.

Thank you.

H. THEODORE COHEN: Ma'am, if you wish to speak about the penthouse, feel free to. The issue is that that -- whether the permit for that would be granted or not will come from the Zoning

Board of Appeals, but if you want to make some comments about that, please feel free to.

ANN COLLETTE: Oh, thank you. I would love to.

They -- the model that I looked at. Well, this model right here, it's not put on the property line. So no matter whether they -- however they structure it, it's going to be quite close to my property. There's no way anyone can guarantee me that people aren't going to be out there at two o'clock in the morning literally yards from my bedroom. We have roof decks along the roof -- the railroad tracks. And noise does travel from those roof decks up to my -- where my house is anyways. And roof decks, nobody can guarantee A, that the boundaries will be respected. That somebody might not one night decide to come over the fence or something like

that. And the minute anyone comes over to the edge of the property, and even if they just put one finger over it, they're on my property.

The -- I want to state that I knew this building would always be developed one day when the whole area got developed, and I'm fine with that, I'm open to that. I just don't think that I should have to -- I understand I can't have the peace and quiet I did have, but I don't understand why I should now have to possibly put up with a lot of noise and light on roof decks that not only will they block out any view I have in the back of my house, but they could cause a lot of -- they could cause a lot of problems. I mean, anybody that gets drunk and falls off the roof, they're falling in my yard. I mean, I know it sounds like an exaggeration but I can't stress it enough. It's right on the property line and

it -- and if they want to do roof decks, a precedent has been set, two of them towards the front of the Regent Street, I think a lot of us can live with that. But I will fight those ones in my backyard. And I will also fight any overly dramatic creation done to appeal to people who don't know any history of the area and are being asked to spend an awful lot of money on a unit.

H. THEODORE COHEN: All right, if you could wrap up your comments?

ANN COLLETTE: I am, thank you.

H. THEODORE COHEN: All right, fine.
Thank you.

Mary Bodwell.

MARY BODWELL: Mary Bodwell,
B-O-D-W-E-L-L. So I live at 51-53 Regent which is directly next to this property and I have a written statement.

Cambridge, my Cambridge, I used to believe you had my back, that you were concerned with my welfare, that you made decisions aligned with the interests of the city's residents and enforced the laws. It's been a bitter lesson but I no longer am naive. I've seen the development of the parking lot called Concord Ave., and in Porter Square you're permitting of the transformation of the historic Long Funeral Home on the corner of Mass. Ave. and Beech into a monstrosity built by someone with a reputation for failed developments across Cambridge that's stood empty, mostly empty, and moldering for the better part of a decade. However, when the condos across the street from my house went in a dozen years ago, I did not suspect that it would cause my house and others on the street to sink. I trusted the City to do its job of protecting

me, of ensuring that the building met code, was legal. It is zoned for six condos, eight went in. How did that happen?

For the underground parking, they dug down 20 feet deeper than the actual garage and then pumped water and pumped water and pumped water long after the construction was done and people had moved in. There was a hose gushing yellow water into the street for months. There's a crew of pumping trucks that came in after every rainstorm.

Oh, that we all were engineers, that we might realize that this was not seriously okay, that this was a problem. But I'm not an engineer. I'm a linguist and I'm a poet, so I called the city engineer to come and inspect the cracks in my house after watching the water gush into the street for months. The city engineer

inspected the huge cracks in my walls and said:
Oh, well, that's normal subsidence. Underground parking has no effect on the water table. Even laughed at my suggestion. I asked why a house that's been stable for 100 years on that street is suddenly sinking? He shrugged his shoulders, shrugged his shoulders and left. I've since learned that permits granted by the City inquire specifically about de-watering and how long the builder anticipates the need to de-water. The line on the permit for the condos at 32-40 Regent Street is we've been told blank. No anticipated end to de-watering. On a street where the water table is, according to recent borings, nine feet down. Where's all that water going? The gallons and gallons of water we saw flood the street months after construction ended -- stopped suddenly --

H. THEODORE COHEN: Ma'am, could you wrap up your remarks please?

MARY BODWELL: I want to know is it being routed into the city sewer? Is it legal? Could this de-watering explain why the houses on Regent Street are sinking eight inches down? We put in a new foundation eight years ago. The contractor went extra deep, put in extra rerod, extra reinforcement, guaranteed the job for 100 years, he said, unless parking, underground parking goes in next-door at 55 Regent Street. Okay? And then he said all bets are off. Well, we're already sinking. We're already sinking.

H. THEODORE COHEN: Ma'am, if you would wrap up. If you've got something in writing, you can leave it for us and we will read it.

MARY BODWELL: Okay. I still would like to know about de-watering. I asked two months

ago and have not gotten an answer.

H. THEODORE COHEN: Well, that is not within the purview of this Board right now. You can communicate with the Department of Public Works or with the building department.

MARY BODWELL: But this construction is within your purview and there's a real problem on our street and I feel totally let down by the city.

H. THEODORE COHEN: Okay, thank you.

MARY BODWELL: Thank you.

H. THEODORE COHEN: Stephen Bodwell.

STEPHEN BODWELL: Stephen, S-T-E-P-H-E-N Bodwell, B-O-D-W-E-L-L. Yeah, I'm Stephen Bodwell. I live at 51-53 Regent Street. We're the most abutter of the abutters. You just heard my wife talk about our issues with subsidence of our foundation. I can elaborate a little bit

more on what I believe is going on, but the area -- the Regent Street area was wet low area before it was developed. Some of the houses are built mostly on peat. The large condo development across from us I believe lowered the water table and the only thing that holds peat together is water. And when you pump water continuously and you have dry years like we've had in the last three or four years, you get sinking. So our immediate neighbor Isabelle Petipas who already spoke, she told you -- I mean I think I would like to explain a little bit more about what happened at her house.

They put in, they had to essentially pour a new foundation around half the foundation and put in Helical piers. That cost, as she said, over \$100,000. So we had our -- eight years ago, we had our foundation completely rebuilt. We

didn't have a complete understanding of what was going on at the time, but the front of our house where the contractor encountered peat is sinking again and it looks like we'll probably have to do Helical piers also. So we're not at all confident, and I understand that, you know, if they put this underground garage in, they've told us that they can take pictures of our foundation and if anything happens, they'll help fix it. But the problem is how can we prove since it's already having all sorts of problems, how can we prove anything is being affected by the water content next-door? So that's our major concern.

And then I also have a concern with the brick or the glass bricks they want to put in on the wall next to us. There are existing, you can see where there were openings at one time but they're bricked up so they're not existing

openings now. And they look like they're bricked up a long time ago. And there are arches where there were windows sometime ago, but it could be 60 or 70 years ago. And we also have concerns about the roof decks and also just that there's four units where there should be two units.

And also issues involving the cars entering the garage very close to our house. I mean, you know, not that I think it's gonna hurt the house but just noise. And where do the AC units in the basement and the exhaust from the cars, where does that get vented to? Does it go through the roof or out the sides?

So those are my issues. Thank you.

H. THEODORE COHEN: Thank you.

Kamal Sanjakdar. I apologize.

STEPHEN BODWELL: Well, I'm just going to read this for him. So let me spell his name for

you. Kamaḷ, K-A-M-A-L Sanjakdar

S-A-N-J-A-K-D-A-R. He lives at 57 Regent Street.

So he's the abutter on the other side and he had these -- he isn't able to be here but I'll read his letter.

(Reading) Dear Planning Board, I am writing with regards to the application PB#318 at 55 Regent Street. I'm a direct abutter owning and residing at 57 Regent Street. As I will be traveling on business on October 18th, thus missing the public hearing, I am hereby reaching out by e-mail to voice my concerns about the project. I have two major concerns:

The current design suggests that an underground parking garage will be dug beneath the building. The street has a history of sinking houses as recently as the spring of this year 2016. The house at 47-49 Regent Street

sank. The owners brought in a contractor who launched a digging operation and consolidated the foundations to stop the sinking of the house. The operation lasted for a few weeks, and I was told the cost over -- around U.S. \$100,000. The house at 51-53 Regent Street also sank in the passed. The owners got a contractor who I was told charged U.S. \$30,000 to stop the sinking of the house. My house is only two feet from 55 Regent Street. Actually I went out and measured this morning, it's 18 inches.

This extreme proximity to the property will definitely result in serious adverse effects on the foundation and integrity of my house during the digging operations and afterwards. The digging of an underground parking garage at 32 Regent Street caused a lot of problems. Many of my neighbors recalled that the digging of an

underground parking garage caused a lot of structural problems for their houses, issues of migration during the digging, dealing with the water table and pumping rainwater in winter resulted in ongoing problems for residents in that building and abutters alike.

The current design suggests that the property will be converted to four dwelling units instead of the two that it is zoned for. I would very much like the building to be developed, but adding four units in such a confined space, again, the building's only two feet from my house, seems unreasonable.

It will cause an amount of traffic, noise, dense air conditioning, etcetera, light and parking issues to a quiet dead end street that's negatively affecting the livelihood of current residents. The large building size, its

direct proximity to other buildings, and the lack of open spaces on its lot are all oddities on our street probably due to historic reasons. I find it unfair to perpetuate such an oddity by adding four dwelling units instead of two.

Finally, I would like to commend the developer and architect for their efforts to reach out to the community by organizing meetings and setting up a website to share design plans and answer questions. This has helped to address minor issues related mainly to the privacy of roof decks that the architect and developer were nice to accommodate.

I hope the Planning Board takes into consideration my two major concerns as I truly believe these could have an adverse impact on my livelihood as a direct abutter and the livelihood in the neighborhood. Best regards, Kamal

Sanjakdar, 57 Regent Street, Cambridge, Mass.

AHMED NUR: Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

If you wish.

ANN JENKINS: I have a question. Can I ask a question?

H. THEODORE COHEN: Please come forward and ask your question.

ANN JENKINS: All right.

My name is Ann Jenkins and I'm at 56 Regent Street. My question is just to the Board if you could perhaps explain to us the code at 5.28, whether exactly, you know, how many units one can have and how special is the permit that one needs in order to have four to two? I think that density is an issue on Regent Street and it's only one block long. And the fact that that

hotel is going in and Bob Slade's is right there.

There are these two major projects that Regent Street and Porter Road are the two places that are gonna point. And so that is why parking is an issue. And I have, you know, I had sympathy for the developer. My husband's the one who developed the two buildings 50-60 Regent and 51-55 on the other side and, you know, I know what it's like to develop buildings down there. I think, you know, Bob has been working in good faith, but I think the neighbors -- none of that water problem occurred until that building, the developer that's -- it was a scumbag developer. He truly is a scumbag developer. There was never water table problems until that building went in there. So that's all I wanted to say. So if you could address 5.28, I would be really happy.

H. THEODORE COHEN: Okay, fine. Thank

you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: If not. Well,
Swaathi, can you speak to some of the
requirements of 5.28?

SWAATHI JOSEPH: Sure. Good evening,
Board.

So the conversion of the existing
structure on the use to another use actually
allows the additional density which is more than
what is the dimensional requirements as if it was
a new project. Is that the clarification that
you're trying to --

H. THEODORE COHEN: So, as I said there
were two questions:

One is that the zoning for this area
would generally require -- would have just two

dwelling units.

SWAATHI JOSEPH: Yes.

H. THEODORE COHEN: We're asked to grant a Special Permit for four. And similarly I think it's 2500 square feet per dwelling unit and the proposed is 2500.

SWAATHI JOSEPH: Yes.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

No, 1200.

SWAATHI JOSEPH: 1200.

H. THEODORE COHEN: 1200.

So the questions are is it within the purview of this Board under Section 5.28 to grant a Special Permit that would vary both of those requirements to allow the four units and also to reduce the square footage per unit?

SWAATHI JOSEPH: Yes. Because that is under the provisions of, you know, of converting

an existing structure. Because the requirements for lot area per dwelling unit is much reduced because of the -- it's basically trying to provide an incentive to reuse an existing building.

H. THEODORE COHEN: And that would be that -- that design, as I understand, falls under the subsection A to allow the economic reuse of buildings that may be substantially out of compliance with the dimensional requirements of the zoning district within which they're located, especially if they're converted to residential use?

SWAATHI JOSEPH: Yes.

H. THEODORE COHEN: Okay.

SWAATHI JOSEPH: So with that it actually allows up to eight units as per that criteria. But the proposal is only proposing -- the

applicant is proposing only four units.

H. THEODORE COHEN: And what would be the determination that would allow eight units?

HUGH RUSSELL: You have to have eight parking spaces.

H. THEODORE COHEN: So that would be the issue, just the number of parking spaces?

HUGH RUSSELL: Yes.

H. THEODORE COHEN: But is there a minimum per unit size that would apply?

HUGH RUSSELL: Yes. That's the calculation.

SWAATHI JOSEPH: It's 1100 square feet.

H. THEODORE COHEN: That would be the absolute minimum?

UNIDENTIFIED MEMBER FROM THE AUDIENCE:
How could you get eight units?

STEVE HISERODT: Based on the existing

square footage of the building.

JOHN HAWKINSON: Could you stand or use the microphone?

MARK BOYES-WATSON: Maybe I could help. So the way that 5.28 works is essentially recognizing the non-conformity of the building. It actually is the only part of the code that does this. But instead of using the lot area as the criteria to determine the unit count. It actually takes the existing building's square footage, so not related to -- this one covers a lot of it. It's lot. Instead of taking the lot area per se and dividing it in this case the Res B, 2500 for the first 5,000 square feet, it actually changes that rubric to acknowledge the existing square footage of the building and then it sets 1100 square feet as the divider. So that you take the existing building, you measure it in

square footage, you divide it by 1100 and that establishes the maximum unit count that this Board could grant the Special Permit. So in this case if you do that math, it comes to eight. And recognizing many things that have been said this evening, the developer's only proposing four.

AHMED NUR: But isn't the 1100 minimum? Why isn't there a maximum?

MARK BOYES-WATSON: So, the 1100 establishes the maximum unit count that this Board could grant with the Special Permit.

H. THEODORE COHEN: Okay.

HUGH RUSSELL: Ted, it makes sense also to briefly review what the criteria that we have to address?

H. THEODORE COHEN: Yes, we can do that. Are there any other questions right now?

(No Response.)

H. THEODORE COHEN: Fine.

Well, the criteria, then, just to be clear for everyone here, the intent is to allow the economic reuse of buildings that may be substantially out of compliance, to encourage the preservation of buildings of historical, cultural significance, by providing opportunities for reuse of the structures. And to establish a framework of development standards and criteria with which existing non-residential buildings that are out of scale and character with the surrounding residential uses, can be converted to housing of an appropriate style and density while limiting potential impacts on neighbors.

And so the criteria applicable to all projects are provision of parking. Where it's proposed to have dwelling units above the limits established in the base zoning regulations, the

Board shall evaluate the impact of increased numbers of dwelling units above that normally permitted in the district on the demand for on-street parking by residents and visitors to the proposed buildings, particularly in neighborhoods where off-street parking is limited. In reaching a determination, the Board may require the applicant provide elements of a parking analysis as set forth.

And section -- where a project -- we're to take into account privacy considerations. Where significant variations from the normally required dimensional standards for the district are proposed, the Board shall evaluate the impact on residential neighbors of the new housing use and any other proposed use as it may affect privacy. The location and size of windows, screening elements, decks, entries, security, and

other lighting and other aspects of the design, including the distribution of functions within the building shall be reviewed in order to assure the maintenance of reasonable levels privacy for abutters.

In reviewing a proposed development plan, the Board shall consider among other factors the potential negative impacts of the new activity on abutters as a result of the location, orientation, and use of the structures and its yards as proposed.

We consider reduction in private open space where it's proposed to reduce the amount of on-site private open space below that required in the applicable district, the board shall evaluate the proposal in light of the following:

The extent to which screening and buffering from neighbors will be accomplished.

The quality and viability of the proposed open spaces as they are designed.

The tradeoff and benefits and negative impacts of the loss of green space in order to provide the required amount of parking.

The availability of common recreational spaces within the building to compensate for the loss of usable outdoor open space.

And then finally, community outreach. The Planning Board shall consider what reasonable efforts have been made to address concerns raised by abutters and neighbors to the project site.

An applicant seeking a Special Permit shall solicit input from affected neighbors before submitting a Special Permit application. The application shall include a report on all outreach conducted and meetings held, shall describe the issues raised by community members,

and should describe how the proposal responds to those issues.

And additions, we also now have an early engagement policy which basically requires the same thing for all proposals.

The other -- obviously the general criteria provisions of a Special Permit under 10.4 3 apply as to the citywide urban design objectives and the they're -- the only other issue is the exemption of basement area which is that we have the power to grant a Special Permit to exempt GFA if such exemptions supports the character of the neighborhood or district in which the application is located.

So those are the criteria that this Board needs to find to grant one or more Special Permits.

So do board members have any questions or

comments right now?

Tom.

TOM SIENIEWICZ: Thank you for reading the criteria into the record, especially as it relates to 5.28. This board member would find it very, very difficult tonight to -- in light of the input we've gotten from abutters and my review of the documents, to make findings in affirmative consistent with the requirements that have been laid out and that you have read into the record. So that leaves me with a couple of thoughts:

For instance, you know, I think we can go section by section, but it seems like there is the potential to engage in a more detailed conversation with the community to see whether they can assuage -- the developer can assuage, the primary concerns of parking, of density, and

the issue of settlement which I think probably could be addressed and then potentially return here.

I would also include the potential you suggested for the Board to ask for a parking analysis or a traffic analysis, and maybe that's something that we would like to maybe formally see. But also especially since a community outreach and successful community outreach is a criteria, in light of the number of people speaking pretty eloquently and strongly against the project tonight, I wonder about the quality of that outreach and whether in fact we would benefit from perhaps a renewed effort in that regard.

I'm an eternal optimist. I think it's probably possible to find the highest and best use for this property, but as detailed tonight

I'm troubled by what I hear and what I see in the documents and I wouldn't be prepared to make those findings tonight.

H. THEODORE COHEN: Ahmed.

AHMED NUR: I also agree with what my colleague said and, you know, we have same developer had a case before this and where the abutters worked well and everyone was in support of the project that he was doing, and unfortunately at the moment it doesn't seem that way. And it does happen where we need to ask for more information and for the developers to go back and talk to the neighbors and convince them one way or the other.

In addition to what Tom said, I would also request a, some sort of a geotech engineering study done. More than one person mentioned houses sinking based on the water. I'm

not a geotech engineer, but I'm a civil engineer and I'm also community and resident in Cambridge and I don't get paid for what I do. And you asked the question about de-watering, I can tell you what I know about de-watering as someone who built buildings, and that is the only purpose where you de-water is if you're going into a basement where the water table's higher. And so you take the water out and you pour mud mat or Bentonite or any type of a heavy density than soil and continue to de-water until you get to a dry spot where it's safe for your home around that foundation. So you lay down your foundation and you would pour your concrete and take the water out. But in the meanwhile any city for de-watering, you take the water out and you filter it and you recharge the ground again. You're supposed to recharge the ground. You

don't take it out into the city drain and out the area, otherwise you get the dry soil and therefore everything sits. Right? I'm not saying that's the case, but that's what de-watering to us is. And so aside from that, I am in support of what you read on the criteria of the restoring this building that's currently not a residential. We do need more housing and this is a perfect case of it. And but evidently we have parking and clarification, high end density, privacy, and so on and so forth. So these are all concerns and I'm pretty sure at the end it will work it out and everybody will be happy. That's what we're here for.

H. THEODORE COHEN: Anyone else? Hugh.

HUGH RUSSELL: I would agree with the previous speakers that the issues of privacy have not been addressed. The issues of whether

there's parking available on the street which I would be astonished if the study would indicate there was, there were empty spaces at night on Regent Street given the density of the neighborhood in my brief experience with the street when the auto repair garage was there about 20 years ago. And so I think the kinds of solutions that ought to be looked at is reducing the large new openings in the back wall, you know, possibly down into the existing opening which is probably bricked up so that there's much less light that's coming out from the structure and into the backyard. There will be less light coming in but that's what it is.

And you might want to consider getting rid of some of the basements and put in tandem parking in the basement. That might be a solution.

I think the geotech report is important. I think there's reason to believe if the excavation is all above the water table, that it might be possible to create the -- convert the crawl space into a basement without affecting the adjacent properties. It seems very clear that, you know, we have that -- there have been serious structural problems with the abutting properties. If people believe and it makes sense to me that it's related to digging a deep basement across the street and de-watering, the mention of that one person had found peat under their building which is, you know, the house when it was built on top of peat may have suffered from settlement but then it reaches a stability but if you're de-watering and then you're no longer stable.

MARK BOYES-WATSON: Hugh, may I just --

HUGH RUSSELL: No.

MARK BOYES-WATSON: On the geotechnicals, I can speak to.

HUGH RUSSELL: We'll let you respond at the appropriate time.

MARK BOYES-WATSON: Okay.

HUGH RUSSELL: So, we also don't like the bike shed out on the street, but I think as an issue, it pales beyond the other issues that have been brought up to us.

H. THEODORE COHEN: Steve.

STEVEN COHEN: I agree with much of what has been said, but I probably would have a slightly different emphasis on how I would say it. You know, I certainly understand the objection of the neighbors, you know, so much density right next-door but that is the building that is there. The Zoning Code says that that building can in fact be used and reused for

residential use. And while I understand that they might wish that it were otherwise and that it just be a small structure built there, that's -- that's not the policy that the City has adopted and that's not what the Zoning Code says. In general I actually think that the design approach for adaptive reuse of the structure is, you know, fairly creative and reasonable.

Having said that, though, I think there are a couple of concerns and they have been stated here:

First and foremost is the geotechnical issue, and I guess we'll hear from Mark on that. And, you know, I think we need an opinion from a geotechnical engineer, and I don't know, maybe there should be hydraulics involved in there as well. And maybe, you know, the city engineer should sign off on -- maybe it wouldn't be a bad

idea to have a report by somebody whose client doesn't have a vested interest in the particular engineering assessment on this thing. But it's, you know, there's enough history here and enough concern by neighbors, and I think it's absolutely essential that this geotechnical issue be addressed to totally eliminate the concern.

I do suspect that the concern comes not from new construction and not even from excavation per se, but rather from the de-watering. But that's not for me to say. You know, we need to hear that from a professional. So that's the one area of concern.

And the other area of concern is parking. And, again, it's been mentioned. Hugh mentioned it. It's very easy to add two parking spaces per unit in the basement by using tandem parking without much impact on design other than the loss

of some basement storage which would not be the end of the world here. And to the extent that there's a legitimate concern about parking on the street, especially with three-bedroom units here, I think it would not be unreasonable to require the additional parking to be absolutely sure that we don't exacerbate the parking problem for neighbors.

Beyond that I would just mention just one thing, I mean we recently had a matter come before us in which the whole design was based on reuse of an existing and non-conforming structure, and it turns out the structure was not structurally sound. So would certainly like some assurance from the applicant that we're dealing with a sound structure here and that we're not going to find out later that, gee, there's no structural integrity here, but can we still build

in the same footprint?

And that last thing of course which we haven't talked about much is the penthouse which is, you know, a separate matter for the ZBA, but of course we should be rendering an opinion on the matter.

My own sense is that if reuse of the existing structure is in fact permitted and full of the other issues of the geotechnical issues and the parking issues can be addressed satisfactorily, my own sense is adding a penthouse is not an unreasonable addition to the structure. Certainly not something that the applicants are entitled to per se, if in fact it's a Variance that they need. But I don't think it would be unreasonable to grant them the penthouse and personally I'd probably support it.

But as I said, overall I think it's a

reasonable proposal for this unusual structure given our law. But, you know, there are, you know, the parking and the geotechnical issues simply have to be addressed to assure that there's reasonable negative impacts to the neighborhood.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: The one thing that bugged me the whole time, any idea why the foundation of this building is at six feet and not four?

MARK BOYES-WATSON: Yes. I think actually this building was fairly well built and it -- they definitely went down below the major areas of the peat that may be troubling the neighbors. And that is why then they filled it back up again afterwards, because they went down to get to the good material. We have had

geotechnical done all over the sloping and obviously not off our site, and it confirms that there's actually good soils under most of this building. There are little pockets of peat. I'm not sure, you know, I'm sure that the geotechnical varies in the neighborhood. And so I'm, I totally understand and empathize with -- and I've worked on many projects, you know, in the Marsh District, etcetera, that have foundation issues. And I can imagine that a de-watering would exacerbate. There is no de-watering needed at this site. I think that we've taken care to locate the level of excavation above the water table. It's currently set 12 inches above so as we would have no de-watering during construction at this site.

There actually has been some settlement on this building. Minor. The interior and

they're getting reconstructed as a part of this.

The exterior walls of this building are 20 inches thick and so (inaudible). And it seems to be very sound.

But it seems I'm hearing from the Board that these -- I mean, I don't want to, and you wouldn't accept it from me, so we will be happy to, you know, obviously give you much more technical data because clearly we would want to satisfy you and the neighbors that we weren't endangering anybody. And no one more than me wanted to know that that was the case.

STEVE HISERODT: That was published by the neighbors.

MARK BOYES-WATSON: Yeah, I know.

ROBERT PURDY: That data is in the geo form.

MARK BOYES-WATSON: Yeah, I know. We can

get a professional from here.

STEVEN COHEN: Lou, just one comment. Every geotechnical report that I ever seen, Mark, addresses the structural issues posed for the proposed building on that site. And of course that's not clearly what we're focussed on here. We're talking about the potential impact on the neighboring sites. And it may be as you say and as I suspect that it's the de-watering issue, but it isn't for you or I to say. I mean, we need an --

MARK BOYES-WATSON: Right.

STEVEN COHEN: -- expert to opine pine on the issue and give comfort to the neighborhood if in fact that's the conclusion. And they don't give conclusions easily.

MARK BOYES-WATSON: Well, in this case we actually are not excavating outside the purview

of that wall and we're not going below the water table. But I totally hear --

STEVEN COHEN: Be that as it may, get the opinion.

MARK BOYES-WATSON: We're contained excavation. And actually we're just simply taking back out the fill, that's all. But I hear you.

One of the parking space -- can I, maybe I'm --

H. THEODORE COHEN: Why don't you hold off.

Lou, do you have further comments?

LOUIS J. BACCI, JR.: The first floor on this building remains?

MARK BOYES-WATSON: It's reconstructed.

LOUIS J. BACCI, JR.: The existing?

So concrete first floor existing?

STEVE HISERODT: It's a wood frame first floor.

LOUIS J. BACCI, JR.: Wood frame first floor?

STEVE HISERODT: Yeah.

LOUIS J. BACCI, JR.: That's it.

MARK BOYES-WATSON: Because there was a crawl space.

H. THEODORE COHEN: Mary.

MARY FLYNN: I don't have much to add. I agree with my colleagues. I can see Steve's point in that obviously the City does like to encourage the reuse of the industrial buildings, but where we are right now is not the right place. And I think my other colleagues had good suggestions for the things that we need to look at. I think there does need to be more of a community process. But like Hugh and others, I'm

hopeful that, you know, we can get to a place where the project can work for everyone. So I think we spelled out a lot of areas to look at and I would encourage you to go back and I think we'll be continuing the hearing.

H. THEODORE COHEN: Thacher.

THACHER TIFFANY: I don't have anything to add that hasn't already been said.

H. THEODORE COHEN: Okay.

STEVEN COHEN: Can I just comment? Mary, just one comment. It's not that I favored the use of old buildings, I do.

MARY FLYNN: Well, the city.

STEVEN COHEN: The city exactly. I mean, you know, that's built into the code that we're charged with implementing and so that's what we need to do.

MARY FLYNN: Yes.

AHMED NUR: I'm not sure if I agree with that. I think that the criteria, the city allows you to do it, but they're coming to the Board to have discretion to make sure that everything works for the neighbors and for them. It's not there for, you know -- and you said that before, Steve, you said something about the city said that the building that's existing right now can be residence or it could be residential. You know if that's the case, then, if they have it as of right, what are they doing here? You know, we have to look at the whole thing. I mean, the language is -- yeah, you're right, the language is there, but we have to examine and see and talk to the developer and see -- and take as much as we can from the developer to make sure the abutters are happy.

STEVEN COHEN: And, Ahmed, I agree with

you up to a point. But, you know, there are specific criteria cited here and we, we can't just go with the general notion that we have to come up with something that the neighbors are happy with. I think you know within the four corners of those criteria we have room to move.

AHMED NUR: Okay.

STEVEN COHEN: And we shouldn't aggressively address them.

AHMED NUR: I agree.

STEVEN COHEN: But we can't go beyond that.

AHMED NUR: Okay, I agree. I just wanted to make sure that I understand what you're saying is not because, you know, the laws itself and we shouldn't do that. That's all.

STEVEN COHEN: Yeah.

H. THEODORE COHEN: All right, I'll make

a couple of comments.

I agree with what everybody has said more or less, but I think that there are a couple of, you know, being something of a devil's advocate, a couple of things we need to consider. This is the last non-residential property on this block. It's hard to believe that it's going to remain as a dead, you know, commercial building. And I think, you know, the City has created this Ordinance to allow for residential reuse of non-residential structures, and it seems to me that it is quite appropriate to have a residential use in this space. I also think it is the City's policy to promote additional housing and additional density and that, you know, we're looking at it throughout the city, and I think we have to address it. I also think that if you look at the block, it's a beautiful

block, beautiful houses. There are a number of triple deckers on the block already. So one of the issues I think that we have to look at is, you know, could it be an economic reuse if it only had say two units? You know, the proposal is for four. You know, under the Ordinance they could go up to eight theoretically. But if it were economic at two, does that resolve a lot of the issues? Or if it's not economic, then you know, maybe it is three or maybe it is four.

I think parking, you know, is clearly an issue, but parking is an issue throughout the entire city. And one of our members is not here who probably would be gagging at the idea of going beyond what zoning requires of one space per unit. We've been reducing parking below one space in many, many other areas, and so while I certainly understand the neighbor's concerns, you

know, we have to look at it on a citywide basis and what we're doing elsewhere and make a determination, you know, is the one space per unit appropriate or is there something special about this block and this neighborhood that would require more than that? And so that's an issue I think we have to look at, too.

I think, you know, while the penthouse is ultimately a BZA issue, I think it factors into the privacy requirement that we have to consider in going through the criteria. And so I think it is fair for us to consider privacy. And certainly if we were to grant the Special Permit, I think it would be anticipated that we would probably make a positive recommendation to the BZA when the hearing was being held before them with regard to the penthouse, and so I think we have to grapple with that issue.

STEVEN COHEN: You say positive, you mean a recommendation necessarily in favor?

H. THEODORE COHEN: Right, I think we have would have to make a recommendation.

STEVEN COHEN: Exactly.

H. THEODORE COHEN: But I think it would be somewhat odd if we were to grant the Special Permit for this design which is premised in part upon getting the Variance. But we can ask, you know, and I think we should ask the developer and the architect what would you do if you couldn't get the Variance. You know, and if you can't put in the penthouse, you know, what options do you have and what alterations might you do?

Having said all of that, I came to the meeting thinking that it was a very handsome building and a handsome and well thought out

redesign with the exception of the bicycle parking shed which I didn't care for at all and was something that we could deal with, but that was before hearing all the comments from all of the abutters and the people on Creighton Street. And I think they've raised a number of issues that everyone else has mentioned and that do need to be addressed.

And I guess my last question for Mark or the developers is was there only one community meeting?

STEVE HISERODT: There were two.

ROBERT PURDY: Two and we had the website up the entire time.

H. THEODORE COHEN: Sorry, I can't here.

ROBERT PURDY: I'm Bob Purdy the owner. And we had the website up the entire time with back and forth with the neighbors.

H. THEODORE COHEN: Okay, because I see in the application there's reference to one meeting and a list of people who attended, and most of whom were here this evening.

ROBERT PURDY: And we had a second one last week.

H. THEODORE COHEN: You had a second? Okay.

I think it would be wise for you to go back and have another meeting with the abutters.

ROBERT PURDY: It certainly sounds like it.

H. THEODORE COHEN: And talk to them again and see if you can work out a lot of issues certainly that they've raised and that we've raised.

ROBERT PURDY: Can I ask just one question? Because the question of parking --

JOHN HAWKINSON: Can you use the microphone?

ROBERT PURDY: Bob Purdy, P-U-R-D-Y.

The question of parking is one where we're kind of caught as you just referred to, where we know of the requirements, and on several of the other projects that we've done in the city is encouraging one space for one, for each unit. We can, as you said, do tandem but where does it go from there? Because certainly when we get to ISD, they're gonna -- I know that Sean is gonna ask us for one parking space. So do you guys recommend that we, that we do that effort? Which we're happy to do. Or where does the Planning Board stand on that?

HUGH RUSSELL: I think what we need is for you to study the availability of on-street parking in, you know, Creighton Street and Regent

Street and tell us what the facts are about on-street parking is how it's usually done at six in the morning? Because for most residential streets, it's the overnight parking that's the really crucial. And we have occasionally required additional parking when there is simply no expectation that there's an on-street parking available. So it's -- but it's something that first we need the facts to be -- that has to be looked at by the City and the staff and we have to discuss it and that will determine what we -- we will then make a determination whether we thought it was appropriate.

H. THEODORE COHEN: And I think when you're making, doing that study, if I can speak for our missing board member, that the fact that it is -- Regent Street is not that far from the Porter Square subway or from the busses on Mass.

Ave. are factors to be taken into account when determining how much parking needs to be provided.

ROBERT PURDY: Right. Thank you.

H. THEODORE COHEN: No, I'm sorry.

Any other comments?

STEVEN COHEN: Go ahead, Ahmed.

AHMED NUR: No, I was going to refer to the basement. If there's going to be units and not parking, I would like to see a little detail about the six inches that you referred to, just because of the code.

STEVE HISERODT: That's actually not a part of the multi-family code now.

AHMED NUR: It's not?

STEVE HISERODT: No.

AHMED NUR: Take it off. Okay.

HUGH RUSSELL: It's in one and two-family

code, but not in the multi-family code.

ROBERT PURDY: It would be moot if we do tandem anyway.

HUGH RUSSELL: Right. But you do have to provide drainage in the garage. You have to provide oil separators so that it accomplishes the same purpose that should there be a leak in the gas tank, the gas doesn't go into the building, it drains and then it's appropriately handled. Putting in a gas and I also think will take you below the water table.

MARK BOYES-WATSON: And I think it's actually, I don't think it's actually required with the four parking spaces, but we'll speak to that when we come back. Because you're right, that would be an excavation below the water table.

LOUIS J. BACCI, JR.: Oh, yeah.

MARK BOYES-WATSON: I think it's not required here, but we can speak to that.

AHMED NUR: As long as there's no stairs going in the basement and you have to put a hunch of concrete to support that.

MARK BOYES-WATSON: I don't think that's the case because it's a four car garage.

ROBERT PURDY: Yes, but we're speaking to the fact --

STEVE HISERODT: If we had cars.

THE STENOGRAPHER: We have too many people speaking at once and it's hard to hear what you're saying.

STEVEN COHEN: Just a quick comment on the parking, and I guess I know I'm not blowing in the wind here. You know, frequently when we address these parking issues, there are multi-family housing with a lot of studios and

ones and a few twos, and they're in locations where maybe, you know, single people -- but when we're talking about, you know, a few three-bedroom units here in a neighborhood which I know from observation and experience it is extremely tight for any parking places. And we've already heard great concern expressed by the neighbors. And one of the criteria are in fact to address issues raised by neighbors, I don't think it would be unreasonable to permit or even to require additional parking in this instance. I mean, it's a unique, isolated instance. It's not something which establishes great precedent or unduly compromises our policy against parking. And I don't know, you've got to deal with real world and real people and real concerns, and I think this is an instance where it would make sense to do so. For what it's

worth.

H. THEODORE COHEN: Well, I think we ought to wait until we get the further information before we make a determination what we think should happen with the parking. I think we've given enough direction to the architects and the developers to do their studies and then to come back to us and make their argument one way or the other.

STEVEN COHEN: I agree. I just want them to know it's not a uniform iron wall here.

H. THEODORE COHEN: Right.

All right, if there are no other comments then the hearing will be continued to a date to be determined and thank you all for your comments.

Thank you all for coming in.

And we do have one more matter.

LIZA PADEN: Yes.

H. THEODORE COHEN: It should only take us a moment but if you're going to leave, please do it quickly and quietly and continue your conversations outside.

LIZA PADEN: So at 35 CambridgePark Drive the applicant has requested an extension of time. The time deadline is actually October 31st which is somewhat amusing. So he's asked for an extension to the end of November, and he's working out some final designs and has a submittal for the Planning Board to review.

H. THEODORE COHEN: Do we have a date for this to come back?

LIZA PADEN: No.

H. THEODORE COHEN: To the Board?

LIZA PADEN: No.

H. THEODORE COHEN: Do we think it can be

scheduled and resolved by and a decision rendered by November 31st (sic)?

LIZA PADEN: I don't know the answer to that, but he gave me until November 30th. And so we're meeting a lot in November, so if I can't get it done by November 30th, I'll be back for another extension.

H. THEODORE COHEN: Okay.

LIZA PADEN: Any opposition to extending the time to November 30th?

STEVEN COHEN: No.

H. THEODORE COHEN: All those in favor?

(Raising hands.)

H. THEODORE COHEN: Thank you.

Liza, I don't think there's anything else, is there?

LIZA PADEN: No.

H. THEODORE COHEN: So we are adjourned.

(Whereupon, at 10:50 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 10th day of November, 2016.

Catherine L. Zelinski
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