

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE
GENERAL HEARING
Tuesday, May 2, 2017
6:30 p.m.
in
Second Floor Meeting Room
344 Broadway
Cambridge, Massachusetts

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

Community Development Staff:

Jeff Roberts
Swaathi Joseph

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GENERAL BUSINESS

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Development Department 4

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Public Hearings

6:30 p.m. Zoning petition by Robert Korff, manager of Mark Lechmere, LLC and Amadan Management, LLC to amend the Zoning Ordinance by rezoning the area bounded by Cambridge, Gore, Third, and Second Streets currently zoned Business A to a newly created zoning district Business A-5, with associated text amendments as follows:

* to amend Section 5.33, Table 5-3 (Table of Dimensional Requirements) by creating the new line "Bus A-5" under the line "Bus A-4" with the same dimensional standards as Business A except for the addition of footnote text that would allow, for developments in which all parking is provided entirely below grade, a Floor area Ratio (FAR) up to 2.15 and building heights up to 48 feet on structures containing retail uses on the ground floor, provided that buildings may only exceed 45 feet to the extent that the ground floor height exceeds 10 feet; and

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* to amend Section 4.31 (Table of Use Requirements) and Section 6.36 (Schedule of Parking and Loading Requirements) by adding "Bus A-5" to the same column as "Bus A-4."

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PROCEEDINGS

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H. THEODORE COHEN: Good evening everyone. Welcome to the May 2nd meeting of the Planning Board. This is certainly in my memory the first time the Board has met at the new meeting time of 6:30. So the intent is not to go a half hour longer, but to be able to conclude at our usual time at a half hour earlier.

We will start with the update from the Community Development Department.

JEFF ROBERTS: Thanks, Mr. Chair, I'll take the place of Iram for tonight. I hope she remembered it was a 6:30 start time.

We have one public hearing tonight on a zoning petition which will also have a hearing tomorrow at the Ordinance Committee, and you'll hear more about that shortly.

Looking ahead to future Planning Board meetings, there's no Planning Board meeting next week. But the week after that we have a public hearing on another zoning petition. This one having to do with the Observatory Hill area of the city which is a small mixed use retail district on Concord Avenue roughly between Harvard Square and Fresh Pond. And that will also be heard at the Ordinance Committee the same week on May 18th.

On May 23rd, we have another round of public hearings. We actually have two public hearings on May 23rd, which will be with regard to short-term rentals. That's Airbnb type housing rentals. There are two zoning petitions, both with regard to that subject, one by a group of residents, a citizen petition, and another petition that's been developed by the City

Council. And we'll be hearing those both the same night. And that should be interesting. I'm looking forward to that.

Looking ahead to future meetings, I'm sure we'll have more hearings and business scheduled. I know that we are at least tentatively at this point planning on having an update on the Envision process in June. June 6th I think is when we're going to try to do that. There are a lot of public meetings I know going on related to the Envision process. I don't think I could possibly remember or list all of them, but if you were interested in those, then I encourage you to look up the schedule on the web page.

And I think that does it for my update.

H. THEODORE COHEN: Okay, thank you.

Well, then we will commence our first and

only matter of business which is a hearing with -- a zoning petition by Robert Korff to amend the Zoning Ordinance by rezoning the area bounded by Cambridge, Gore, Third, and Second Streets, currently zoned Business A to a newly created zoning district Business A-5. Basically it will amend the Table of Dimensional Requirements creating a new line for Business A-5 which would allow development, which all parking is provided entirely below grade. Have an FAR of up to 2.15, and building heights up to 48 feet on structures containing retail uses on the ground floor. To the extent that the ground floor height exceeds ten feet and to amend Section 4.31, Table of Use Requirements and Section 6.36 Schedule of Parking and Loading Requirements by adding a Business A-5 to the same column as Business A-4.

We will start with the petitioner and then go to questions from the audience. I just want to remind everyone that our role is to review the petition and to make a recommendation to City Council. We do not make amendments to the zoning. We simply make a recommendation and City Council is the body that would amend the zoning. As Jeff indicated, there is a hearing before the Ordinance Committee tomorrow. You have another opportunity to go to another hearing if you choose, and then ultimately based upon whatever the Ordinance Committee does, it may or may not go to the full City Council for their debate.

So, Mr. Rafferty, I will remind you to please keep presentation to no longer than 30 minutes and shorter than that is always appreciated.

Also remind people that we are being streamed live on the City's website, so please come to the podium and speak into the microphone so that everyone can hear what you are saying.

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. I'm appearing on behalf of the petitioner, Mark Lechmere, LLC, which happens to be the entity that owns this property. Its managing member is partner is Robert Korff. And from Mark Development the parent company of Mark Lechmere is Damien Chaviano, who is present in the front row with me. The design team from PCA is David Chilinski and Shan Li.

As we know, what we had before the Board tonight is a zoning amendment, but because of

many of the discrete elements of the zoning amendment, it's a bit difficult to talk about the amendment without talking about what the amendment is intended to produce. So a portion of our presentation this evening by Mr. Chilinski will allow the Board to envision what is proposed to be built on the site if the zoning amendment were to be enacted.

The district itself is a one block section you'll see depicted here, currently zoned Business A between Third and Second Street, bordered by Cambridge and Gore Streets. It's the parcel of the block across from the Registry of Deeds building on Cambridge Street. Mark Development purchased the property and the property consists of a portion of that district. And we've got a site plan I'll show you in a minute. But you can probably visualize the

location. The Citizens Bank building that sits on the corner has been there for decades. Or it's predecessor -- it's a been a banking institution there we learned through the Historical Commission process it opened as the Lechmere National Bank 80 or 90 years ago. A number of structures on the stretch fronting on Cambridge Street existed in the past. They've all been removed. So the dominant feature on the lot today is a surface parking lot.

There's another building within the ownership of the developer and that is a building numbered 207 Cambridge Street. And 207 Cambridge Street is a wood frame building. The ground floor has office space, and there might be a couple of apartments here. For those with a long Cambridge memory, it was the long time home of the Barrister which was not a law library but it

was a place where many lawyers gathered to discuss legal issues. I also think there were some nonmembers of the Bar that were permitted admission. But it was a lively salon where current events were discussed. It's long been closed, but it's the last building at 207.

So I should tell you just a two or three minute history of how it is that we're here today. So my client actually is -- has a lot of experience in developing and siting locations of CVS stores. And he assessed this site and purchased it for a proposed CVS. We reviewed the zoning, came up with a design for a CVS building that would involve the removal of the two existing structures, including the bank and the 207 Cambridge Street building. So it had surface parking in the rear. It met all the dimensional requirements for the building. It is an allowed

use. And we then went to share this idea with the neighbors through the East Cambridge Planning Team and other venues. And the reception was lukewarm would be a polite description. So people didn't seem to want a CVS. There was concern about the frontage along Cambridge Street. It was out of scale with all the other retail along the street. This is actually the second version. The first version was a bit different, but this one was an attempt I think by the CVS architect to have some type of homage to the bank building perhaps, because it certainly is more formidable than your average CVS building. So notwithstanding that effort, it didn't fair too well. So we returned with a second design that actually left the bank building in place and took down 207, but incorporated the bank into the CVS. That only

faired mildly better in terms of public reaction, because after hearing the expression of affinity for the bank building we then heard about the 207 building really matters to us, too. So we came up with I think at that point would be our third or fourth scheme for CVS. The bank stays. There's an addition on the bank which has facades, and 207 stays as its own building.

That didn't do a heck of a lot better, but there was admittedly some appreciation of the fact that the 207 building stayed, the bank building stayed.

The clear message was that we should explore an alternative approach to the site. And Mr. Korff was asked would he be willing to engage in such an exercise. He said he would. He changed architects, hired Mr. Chilinski and said that he would be willing to explore creating a

location with ground floor retail and residential above. Most agreed that a CVS in that corner wasn't the best way to introduce the neighborhood to the street and to allow for an active use.

And of course we're mindful that we're a couple hundred yards from the Lechmere T station. We're only one block away from PUD districts that allow for much greater density and residential uses.

The conversion of the candy factory in the PUD district at Second Street, so it was an obvious place to try to think to make housing work. But it became pretty clear that the housing here to be successful, housing at the ground floor at this location probably wasn't going to succeed.

So we began exploring a series of plans that would involve ground floor retail with housing above. We were fortunate because the East Cambridge Planning Team at some point in the

process -- now this is almost a two year long process. We began in the fall of 2015, and about nine months ago they authorized a working group to work with us. There were four or five individuals that we would meet at Mr. Chilinski's office and came up with a design and tried to frankly, we tried to follow the model that was employed at the Masse's Hardware parking lot at the corner of Walden and Sherman Street. That proved successful. One might say it was a form of form-based zoning. We kind of envisioned what the building would look like and then took a look at what the zoning -- what modifications had to happen to the zoning.

In this case the modifications to the zoning here are limited, discrete, and I would say modest. It's a recognition that the base zoning is not significantly changed from the

Business A district that's there now. And what we tried to do is create a mechanism where if certain things were to occur, then additional densities could result. And that's the model we followed in the Masse's petition. So the principal change in the zoning here is that if a project were to locate all of its parking below grade, it would be eligible then to have an increase in floor area ratio for 1.75 to 2.15. And candidly we kind of backed into 2.15, because we figured what does a building with ground floor retail and four stories of residential above it look like? And that's what yielded all of this or what the outcome shows from a mathematical development point, is that there's about 10,000 square feet more of GFA in the Business A-5 as there would be in the current zoning. And nearly all of that, in fact, all of it is expressed in

retail space on the ground floor. So in many ways it's consistent with some of the efforts that looked at how do you incentivize retail? How do you make retail successful? I recall petitions years ago on North Mass. Ave. where there was discussion about exempting retail from GFA. There were talks over the years to try to come up with other ways to make the retail succeed.

One of the things that was key component of our retail strategy was an emphasis on small retail. And you'll see here tonight from Mr. Chilinski that the size of the retail spaces here are limited. There's no one size in this particular scheme of less than 3,000 square feet. We've committed in the zoning not to have retail greater than 4500 square feet.

So the three-dimensional changes that are

presented in the petition is an increase in FAR from 1.75 to 2.15. An opportunity to have increased height to 48 feet. And the 48 feet height, again, finds its genesis from the efforts on North Mass. Ave. around enhancing retail by getting a few more feet, not to make the residential floors bigger, but to create greater height at the ground level to make the retail succeed. So the notion here is we're probably looking, and Mr. Chilinski can go through it, we're probably shooting for an ideal ceiling height somewhere between 12 and 13 feet for the retail space. And given the depth of the retail that's ceiling is very helpful. So that's the second element of the zoning.

And the third piece of the zoning that we talked about and which has been incorporated into the plan but is proposed as an amendment

tomorrow, is also as we went through the design of the building, there was some concern about height on Gore Street. So we're proposing by way of an amendment this bulk plane requirement. And it's here in image. I know the Board is certainly familiar with bulk plane because it exists in a number of zoning districts in the city. But this bulk plane is intended to reduce the height, if you will, on portions of the building that face on to Gore Street. So in our case we're -- you'll see tonight we're going to achieve this bulk plane. So those are the three changes that would occur to the zoning. As I said, you can only get there with below grade parking, but it really does represent opportunity to create something kind of authentic. We have been to the Historical Commission with the project. It was necessary to do so because of

the removal of the 207 Cambridge Street building. They found that building not preferably preserved in the context of the replacement structure. So we have received the necessary approval.

They did recognize the significance of the bank building which is being preserved not as a component of another building but as a freestanding building. So we see that as a retail opportunity. And so that the Historical Commission actually wanted to retain jurisdiction over the details of that building. So they actually voted contemporaneous with approving the demolition of 207. They voted to landmark 225, but the landmarking is frankly benign because we're going to be working with them to work on whatever alterations will be made to the building.

So we find ourselves now, we have met on

a few occasions, more than few occasions, with the East Cambridge Planning Team, other neighborhood groups, try to share with them what has come about as a result of this. We're grateful for the level and attentiveness and participation. We think that this modest change in zoning will really create an important project at that corner and we're eager tonight to have Mr. Chilinski walk you through the building recognizing once again that we're not seeking to permit this building, but Mr. Chilinski will now show you what these few changes in zoning will yield in the context of the building.

Thank you.

DAVID CHILINSKI: So I'm David Chilinski with PCA Architects in Inman Square.

In our numerous meetings with the East Cambridge neighbors, it was pretty clear that,

you know, in all honesty, I mean, they love their neighborhood and they love how it looks and love how it feels. And we talked to them about well, why is that? And what they love about it is the grain of the retail that they see at the ground floor and they feel and the grain of the architecture. And what I mean by that is the overall scale of the buildings, even though there are street walls, buildings that line Cambridge Street, they're clearly an assemblage of, you know, individual structures.

What I'm showing here is some of our immediate context. You can see here this is -- Jim mentioned 207 Cambridge Street which is the building that would be removed. The building adjacent to it, the brick building which is not on our site, is this building here. This of course is the bank. And then, you know, our

immediate neighbor and probably most oldest building in the neighborhood is the Registry of Deeds.

In speaking with the neighbors up and down Cambridge Street we looked for sort of typology of the way the street wall was put together with different materials, different scale elements, and window fenestration. And so while the building is conceptually, it's one lobby, it's one garage, I think you're going to see that the character of the building would be designed as an articulated street wall.

So just very quickly on the site, the existing two buildings that Jim mentioned, here's the -- here is the bank. This is the original bank is this rectangle. There is a kind of a rather funky addition that was put on that the Historic Commission is not interested in

retaining. So they are interested in retaining the original rectangle here. And this is the building that would be removed.

So the proposal is essentially to carry the building along the street wall here on Cambridge Street and along and to retain the bank here at the corner. So essentially beginning to fill in the missing tooth that's here along Cambridge Street. Then there's a break and then there's another built form along here on Gore Street. One of the things that we worked with the neighbors about, and we went through several iterations about how to gain access to the underground garage, and with due respect to our neighbors and our existing buildings here, we had originally explored some kind of hidden ramp on the back side of the building. But we had all kinds of issues with, you know, getting that to

work with our adjacent structures. So you're going to see now that the building actually now has an internal access to the garage within the building using an exist curb cut.

So this is an image along Cambridge Street. The existing bank, which will be restored and is likely a single user restaurant or retailer. And then essentially the facade, while it has ground level retail here, and I'll show you a plan of some demising of that that we are looking to pursue, essentially a taller ground floor at 16 feet in this corner. I can tell you there's a couple of feet of topography here. So this corner is actually two feet higher than this. So while I'm gonna pin the dimensions to that 16 feet, it actually is between 14 and 16 feet because of the way the grade moves around the building. But essentially it would feel, and

the design -- it's a three-story building above ground level retail. This is the view along Third Street. Essentially the bank, which is retained, the building beyond here on the other side and the building stays back, this is sort of a break which is where the lobby is located. And then again an articulation of several buildings along Third Street.

I can tell you what you're looking at. This is lobby. This is amenity space for the apartment building. This is a stair that comes down, and this is a shared common room for the building. And, you know, back to Jim's diagram about the bulk plane, essentially what we're doing is setting the four stories back what appears to be sort of like a full building off of Gore Street, which is what brings us to the bulk plane that is not 45 degrees like it typically is

around the city. It's actually shallower than that. It's a two and three slope I think instead of a one to one. But the notion of it is to set that building back a little over 20 feet.

And then the Gore Street elevation, as I mentioned, that we would end up with three stories here. That's the building that's set back beyond the 25 feet, and that there's a -- there would be a garage door on the street using that existing curb cut.

This is a section of sorts through that walkway which essentially here's the building on Gore Street. This is the walkway, the back of the amenity space for the residential. This gives you a sense about the, you know, the basic components, the retail, which is generally 14 to 16 feet, and then the residential above and the parking below. Essentially the -- we have sort

of a speed ramp and then a parked ramp and then a flat area. And I'll show you that in plan in a moment and explain a little bit about how that works. But essentially what we're looking to create is something that meets the criteria of zoning for below grade parking. And I'll explain that in some detail in a second when we get to the plans. But you basically get the idea.

Here's the existing bank. Here's Cambridge Street. Here's Gore Street. Here's that common room that exists at grade. And then this is the speed ramp that takes you down to a parked ramp. And that this raised area is to give proper ceiling height for the parking area. But the ceiling in that location is not more than three feet above the height of the first floor which is the grade. And the zoning really looks at, you know, basically a four-foot cap that the

ceiling of that underground parking can't rise above four feet. So we have a very small area. And I'll show it to you where it is in plan where essentially it's a couple of feet above grade, but within the allowable envelope.

So just, you know, without getting into, you know, too much detail because this is a zoning conversation, but as Jim explained, I think this helps give you an idea about how, how this could be implemented.

(Steve Cohen now in attendance.)

DAVID CHILINSKI: Actually starting at the ground floor this is the bank in this location. So we would basically be adding this additional building square footage to the Cambridge Street corridor. There would be an amenity and a lobby space for the building above, entered from here with some short-term bicycle

parking. And then this is a -- we have a 50 -- we would be planning on 50 bicycles for the 45 units. And they would be located at grade in that common room.

We have the parking diagrammatically again, we have a curb cut that's essentially in this location. It would take you in and down a speed ramp and then to a parked ramp. So above this and this are the areas where we would have that slightly stepped ceiling that we were talking about a little bit earlier. And then essentially this is the area that is flat which allows us space for handicapped vans and an elevator to meet our accessibility requirements.

Let's see.

ATTORNEY JAMES RAFFERTY: Could I -- can you stay on that plan for just a minute.

DAVID CHILINSKI: Sure.

ATTORNEY JAMES RAFFERTY: Two

things noted on the plan --

JOHN HAWKINSON: Mr. Chair, can you ask Mr. Rafferty use the mic?

ATTORNEY JAMES RAFFERTY: Okay.

We're wrapping up. As long as we're on this image, two issues that were a significant point of discussion with the neighborhood group. One is a parking ratio of one per dwelling unit. The zoning amendment does not change the lot area per dwelling unit. There's no increase in density represented by going from the Business A4 to the Business A5. So the number of dwelling units here are what's permitted as of right under the current zoning. But we did say two things about parking, and this is again lifted directly from the massing negotiation, the letter of commitment that was executed in that situation.

One is that parking fees will be included in the rent. A legitimate concern by a lot of abutters to larger multi-family buildings is the tenants can often assess the cost of the parking space against the cost of a parking permit and will opt to park on the street. To avoid that, and to ensure that we have committed that the parking fee, the fee for the parking will be included in the rent. So tenants will have, each apartment will have a parking space connected to it. And secondly, there's a restriction that that parking space cannot be assigned or sold or used by anyone outside the building. But in -- but in the scenario where someone doesn't have a vehicle and there's an empty parking space and another tenant had two vehicles, the agreement would allow for that space. But it was a very -- a critical element which is one-for-one parking

ratio and mechanisms in place to ensure that the parking gets used. Meaning that the cost of the parking is included in the rent for the apartments. That's language that is in a letter of agreement, letter of commitment that the proponents signed. It was incorporated into the zoning by the City Council in the Masse case. And we intend to offer that letter tomorrow to the Ordinance Committee to suggest that the same mechanism can be utilized here both with regard to the parking spaces and to the insistence that no outside parkers can use the building. Just wanted to make that point before you wrap up.

DAVID CHILINSKI: And again, the, you know, general framework it's a little over 50,000 feet. It will, as you can see by these very diagrammatic elevations there will be obviously a more robust design process and discussion about

the, about the design. Basically 45 units and a general sense of what that, you know, in terms of the overall diagram of the 46,000 feet of residential, how it's broken down into the 45.

ATTORNEY JAMES RAFFERTY: Stay right there.

DAVID CHILINSKI: Units.

ATTORNEY JAMES RAFFERTY: I want to draw the Board's attention to the retail square footage. That's that 9,550, that additional square footage is what cannot be constructed under the current zoning. So the reason for the increase in the FAR is to allow for that space. It doesn't change the GFA for residential. So the limitation on that additional GFA that moves the FAR needle from 1.75 to 2.15 is that that space is devoted to retail uses. So in our case, in this building given the way this lays out,

that's 9550. And that's the 10,000 delta additional from the current zoning to what's being proposed here.

DAVID CHILINSKI: All right. And this does just give you a little bit of a sense of where it is in its context with the Registry and the bank and the existing building.

H. THEODORE COHEN: All set? Jim, do you have anything further?

ATTORNEY JAMES RAFFERTY: A correction to an earlier statement, and it may have led to confusion. The building that we're taking down at 207 and it wasn't until I looked at this, and I remembered, it wasn't the Barrister. The Barrister remains. The Barrister is next-door. It's an office building now. It was actually -- and others know this, but that was a butcher shop apparently many years ago and had an apartments.

But the Barrister I didn't see it often in daylight, but it's coming back to me now. That building remains there. So I misspoke earlier and I -- maybe some people have a recollection but I probably confused things. That's -- the Barrister is not part of this.

H. THEODORE COHEN: All right, thank you.

Do board members have any immediate questions for the petitioner?

(No Response.)

H. THEODORE COHEN: If not, then we will go to the public. So when I call your name, please come forward, speak into the microphone, state your name and address for the stenographer. We ask that you speak for only three minutes. You will get a green light when your time commences. It will turn yellow when you're near the end of your three minutes. And when it turns

red, we ask that you please wrap up.

Charles Hinds.

CHARLES HINDS: Hi, my name is Charles Hinds. I live at 207 1/2 Charles Street. My last name is spelled H-I-N-D-S. I just took over as President of the East Cambridge Planning Team yesterday, but I'm here speaking on my own accord and not for the planning team.

Dear Board Members: I have -- I'd like this put into the record, too. I have serious concerns regarding the zoning petition itself and communications between the Planning Board, the East Cambridge Planning Team, and the ECPT 205-225 Cambridge Street Subcommittee. These concerns are as follows:

Subcommittee scope and authority. This subcommittee was never empowered to speak for the general membership or the Board which is required

by our By-Laws Article 1, Section 9 Executive and Other Committees. And I have that for you.

This would require a vote by the Board with directors and a motion from the general membership. The purpose of the subcommittee was to assist the general membership and to develop a strategy and plan for this project, present it to the general membership for consideration and be acceptable proposed to the developer. No communications from the subcommittee is the official position of ECPT.

There's a letter, ECPT letter to the Planning Board dated April 27, 2017. The ECP By-Laws Article 5, Section 3 state: The President shall be the Chief Executive Officer have supervision and control of the business and cooperation subject to the Board of Directors. The ECP letter Planning Board dated April 28th

was not authorized by the Board or the membership.

I just started my position as new President yesterday and I came across the letter on Monday, May 1st, in our files. I directed that it be distributed to the ECPT members. I received numerous communications from shocked board members and the ECP general membership. In fact, some people are talking about it in the audience that just read it. This letter was not authorized by the Board or the membership.

Going to the ECP meeting April 12, 2017, Mark Investments did present an update on the project at the April 12th meeting. I recall the neighbors raising concerns. Two representatives from Mark Investments included increased FAR, shadows, height, zoning change versus variance, size and project, and none of these issues were

memorialized nor were they discussed after the presenters left as is our process. Nor was there a motion to accept or reject the project as presented. The last vote on this project was October 26, 2016. At that meeting there was no mention of zoning changes but there was a concern of the accuracy of the drawings. See the letter from November 29th. A vote in favor taken six months ago, but the project has since evolved is not valid. I'm almost finished.

The upzoning versus variance. I believe the upzoning is an inappropriate venue for the developer to have this project approved. It circumvents a spirit of voting Zoning Law by taking away the abutters' rights for input that is provided by variance in the existing zoning. This proposal is arbitrary and capricious with no basis and any studies or consideration for the

area of the neighborhood as a whole. The main consideration is the developer's return on investment.

The zoning proposal itself calls for a totally new zoning district based on the requirements that should be called M1 -- MI-1 Mark Investments District 1.

H. THEODORE COHEN: If you could wrap up please?

CHARLES HINDS: Okay. Almost done. It requires a 20 percent increase in FAR and sudden increase in height, elimination of front setbacks, elimination of side setbacks, reduction of rear setbacks, and elimination of private open space. Such a radical change in zoning is an indicative means the project is out of scale with the surrounding. The pre-Civil War building which is mentioned here, it's disheartening no

attempt is being done to save or restore the building. It was constructed before Abraham Lincoln was President.

H. THEODORE COHEN: Please, we have a number of people who want to speak this evening.

CHARLES HINDS: I'll just conclude.

H. THEODORE COHEN: Give us the --

CHARLES HINDS: I'm still hopeful the site can become an iconic piece of East Cambridge. I believe this could happen with the neighborhood continually involved with the design process for all the reasons mentioned above. I urge the Planning Board not to approve the Cambridge Street zoning petition.

Thank you.

H. THEODORE COHEN: Thank you.

Marie Elena Saccoccio.

MARIE ELENA SACCOCCIO: Good evening.

Marie Elena Saccoccio, 55 Otis Street in Cambridge. I'm a lawful abutter as designated by the Historic Commission. I spoke there. I tried to -- I filed two petitions for landmarking one of 209 and one of 225. I wrote to the City Council about it. 209 actually was a lovely -- what we would call Sora Maria. It's an Italian high end grocery store where they made homemade sausages and had all kinds of olives. To this day it still has its original pressed tin ceiling and pressed tin on the walls with the original wainscoting. What you don't see depicted, and that's clearly visible from the sidewalk because they have huge storefront windows. What you also don't see in the photos today is it has a beautiful hip roof, and all ornamental detail surrounding the roof line. It's just an extraordinary building. 1834.

What you also didn't see today are two houses that abut, and they're on Gore Street. Those are the houses owned by Agnes Dattero, 38R and 38 Gore Street.

The planned depressed entry for the garage would have been six inches from her houses. The houses lengthwise. Her houses are as old as 209 also. Now she's a life long resident. She's 83-years-old. She just had her house modified to accommodate for a walker and a wheelchair. She lives with an adult autistic child. She can't be here tonight. I'm an attorney. I'm a life long friend. I said I would essentially represent her interest. She's absolutely opposed to this.

I also, you know, I read the CDD historical account of zoning amendments in that area, and I think that taken in -- it's very

sterile and it's taken in vacuo. And obviously CDD did a good job, but at the same time they're quite young, they're not from here. I brought some photos so you can actually see no matter what the zoning said, there were parking lots. And then prior to that, very modest housing. And it just so happened I was preparing a photo exhibit for Saint Francis Assisi's 100th anniversary when I came across it. So you'll see that these are the houses. The bank is here. Houses are here. That's what I grew up with.

H. THEODORE COHEN: We'll pass them out. Please why don't you just continue. We have received your e-mail with the photos and with your comments. So please just, you know, summarize what you wish to leave us with.

MARIE ELENA SACCOCCIO: Okay. Well, I think it's -- despite whatever the zoning history

was, the fact is the actual use there was very modest. There were modest housing. When they were raised, they were raised because a bank got ambitious and wanted a drive -- drive-up window really and parking. But that never really took off. So it was too bad we lost some very nice housing and nice shops on Cambridge Street.

I also agree with Chuck Hinds, the present President of ECPT. I'm a board member. I never had input in any of those letters that went out. I never even saw them until yesterday morning. And one I just saw today. I'm a board member. So a select group, which were three architects, involved with that working group -- I could have joined the working group, but I did not want to work on this project because I was never in favor.

H. THEODORE COHEN: Ma'am, if you could

wrap up, please.

MARIE ELENA SACCOCCIO: Okay. Again, I have a submission here that I sent to the City Council.

H. THEODORE COHEN: We've received it.

MARIE ELENA SACCOCCIO: Okay.

H. THEODORE COHEN: Just a quick question for you, what are the approximate dates of these photos?

MARIE ELENA SACCOCCIO: Early 50s.

H. THEODORE COHEN: Okay.

MARIE ELENA SACCOCCIO: And now I have also one other thing which is -- this is -- there's an app to make complaints as a citizen. And you'll see that someone, not that long ago, complained about Gore Street. And if you look at the second page, it's a blowup of Gore Street during rush hour. And right here is Gore and

Third.

H. THEODORE COHEN: Ma'am, if you could please --

MARIE ELENA SACCOCCIO: I will. I will.

H. THEODORE COHEN: We have many people who wish to speak this evening.

MARIE ELENA SACCOCCIO: Also I was surprised that CDD did no evaluation of the fact that we have a huge fire station on the corner of Second, Cambridge, Second and Gore. We have exit on one side and entrance on the other. I mean with this kind of traffic I can't imagine --

H. THEODORE COHEN: Ma'am, please. We have many other people who wish to speak this evening.

MARIE ELENA SACCOCCIO: Okay. Well, I'll wrap up then. Obviously I'm opposed to this project.

H. THEODORE COHEN: Yes.

Jules Kobek.

JULES KOBEEK: My name is Jules Kobek. I live at 69R which is rear Gore Street, which is about half a block away from this proposed development. And --

THE STENOGRAPHER: Spell your last name, please.

JULES KOBEEK: K-O-B-E-K.

And I just see this development as being too big for the neighborhood. I first moved onto Gore Street when it was a quiet street. And as Marie Elena mentioned before the traffic is just getting worse and worse particularly during rush hour.

Another big development is just going to make things worse there. It's just too dense and too big for this area, especially on Gore Street.

And I, I'm urging the committee not to -- I am opposed to the rezoning of this. I think that it should be -- just go forth with the present zoning.

H. THEODORE COHEN: Thank you.

Helen Kobek.

HELEN KOBEEK: Helen Kobek, K-O-B-E-K, 69R Gore Street. I also live a half a block from where this proposed development will be taking -- could potentially be taking place. I also oppose the rezoning. I would support it going forward with what is able to be without the zoning.

Although I would like to respond or add to -- Mr. Chilinski noted that there are many things that we love in our neighborhood, sort of the envy of the buildings and things like that. One thing also I would like to say, what we love is our people. We love our neighbors. We love the

connections we have with neighbors. We love it that we're there for each other in a real way. And we, we cherish and appreciate our elders, and I'd like to just bring into the room present with us, Buddy Dattero, who lives down behind -- you can't even see where she lives with these buildings around her. She will not survive this in all likelihood. We have all kinds of detail. We see all kinds of detail about what is gonna be done here, and this woman and her son are going to be irreparably harmed. It could even be the end of her life what is being caused by this. We need, we cannot legislate empathy. We cannot legislate empathy or compassion or heart or conscience, but that is why we have you folks to protect and be protective because we cannot force people, we cannot force blood and warmth through something where a heart ought to be. And we're

asking you to do that, to protect Buddy, to protect the rest of us from the increased shadow that's going to be there that would make us more likely to slip and fall, get injured, break bones, have concussions because there will be no sunlight or much, much less sunlight cast on being able to have access to melt the snow that's going to be there. It's going to be colder for us, much more dangerous, a lot more, a lot more traffic. It's gonna be more dangerous and hazardous for our young people to ride bikes, to cross streets. So I'm asking you to put that empathy into play here. Can't force anyone to do that, but we need that kind of protection.

Thank you.

H. THEODORE COHEN: Thank you.

Betty Lee Saccoccio.

BETTY LEE SACCOCCIO: Good evening. My

name is Betty Lee Saccoccio. I'm a life long resident of East Cambridge and an abutter to the property, 207-227 Cambridge Street. I live at 55 Otis Street. I am opposed to Mark Investment's request for rezoning or spot zoning. The project is too large and massive for the area. I believe other speakers before me have addressed some of these concerns so I won't go there.

Allowing the zoning change and building of the development which has stored the two Dattero homes on Gore Street on the block that is in question, and set a very bad precedent for destroying housing in East Cambridge.

Mrs. Dattero is an elderly disabled neighbor. She restored and saved the two homes many years ago. Within the past year she had to put up a handicap ramp for easy access to her home. She is disabled and lives with her autistic adult

son.

Also on the block is 207 Cambridge Street, a storefront building with housing and garages. The house has much of its original ornamental detail around the roof line and displays a very rare hip roof. It also has original pressed tin ceiling clearly visible from the storefront windows as well as original wainscoting. This house and storefront could be a gem on the block if restored. And I want to add and on Chronicle a couple of weeks ago they showed this building on Huron Ave. with tin ceilings and how unique it was. This building has those capabilities.

I have attended all ECPT meetings relative to Mark Investments and never, never was there a mention of rezoning the block until April 12th. This was when a representative from

Mr. Rafferty's firm informed ECPT of the plans. There was a working group formed in July, mainly of architects, and I don't see any of them here tonight. They have not attended ECPT meetings since for the most part. There were two architects present at the April 12th meeting. I saw and overheard them say that they knew nothing of rezoning. ECPT asked them to convene the group regarding the rezoning once again. The two of the architects thought Mr. Rafferty should be contacted regarding zoning since it was his expertise. I objected strongly as an ECPT member and the group request -- the ECPT group requested that they not contact Mr. Rafferty on questions regarding zoning. They were to contact CDD or the City Attorney for such an opinion. I am told that Mr. Rafferty was indeed contacted. This working group has empowered themselves to vote

for members of the board on this project and design a project they were not tasked to do so.

In summary, I am against the rezoning or spot zoning of this block and request the Board not to grant the request.

Thank you.

H. THEODORE COHEN: Thank you.

Alan Greene.

ALAN GREENE: My name is Alan Greene, A-L-A-N G-R-E-E-N-E. I live at 82 Fifth Street.

The photograph I am submitting is from the Historical Commission taken in 1875. It represents 207-225 Cambridge Street. It also represents an example of what proper zoning should look like for the area in question. That said, in 1875 if a real estate wanted to upzone an entire city block like this, all he would have to do was buy the land in question. From there

he could build anything he liked. Since 1924 zoning control has been put in place to stop there. Similarly in 1971 if a developer wanted to demolish the two buildings pictured in the middle in order to create a parking lot, all he had to do was find a wrecking ball provided he owned the property. Since 1980 buildings over 50 years old had to be first reviewed by the Historical Commission to stop needless demolition. In essence, zoning control and Historical Commission review were put in place as protections. Tonight you are scheduled to decide by an up or down vote on whether or not to recommend the project as put forth by Mr. Korff of Mark Investments to the City Council. I am speaking to you now to urge you not to recommend such a rezoning as it involves an out-of-scale upzoning of an entire city block in my

residential neighborhood and the needles
demolition of 207 Cambridge, built in 1857.

Since upzoning is proposed it's better suited --
such upzoning as proposed is better suited for
Kendall Square and North Point.

I also wish to remind you of your duty as
a Planning Board to protect the residents and
citizens of Cambridge from needles upzoning in
this case, and I dare to urge you not to
recommend the current request.

I also ask that the ECPT be enabled to
form a working group to implement development
using the 1875 photograph as a model and
maintaining the current zoning, one that would
save the architectural integrity of 207
Cambridge, now needlessly slated to be
demolished, and 225 Cambridge, the bank building.

Thank you.

H. THEODORE COHEN: Thank you.

Ilan Levy.

ILAN LEVY: Ilan Levy, 148 Spring Street,
East Cambridge.

THE STENOGRAPHER: Spell that, please.

ILAN LEVY: Yes. I-L-A-N. Last name
L-E-V-Y.

So I'm here asking myself the following question and this is why I'm here: If you zone an entire block and let all of the owners of that block are in agreement, is that spot zoning? What exactly is spot zoning in reality? And I think that I don't understand if that is not spot zoning, what that is. And for that simple principle or understanding so that we have some kind of limit, at least when I go to an upzoning or something that happens with Alexandria or one of the big developer, they own all of the land

that we're talking about. Here it's only a part of the land that is owned by the developer. So I would request that just on the principle of, you know, let's not hide ourselves. It's a clever trick to consume an entire block so that you can have what you want on the property that you own, but really in reality it has come to become spot zoning. On those basis I would ask you not to recommend this zoning to the City Council.

Thank you.

H. THEODORE COHEN: Thank you.

I'm sorry, I can't read the name at all.

28 Bristol Street.

UNIDENTIFIED MEMBER FROM THE AUDIENCE:

She doesn't want to speak.

H. THEODORE COHEN: Carol Bellew.

CAROL BELLEW: Carol Bellew, B-E-L-L-E-W, 257 Charles Street. I guess I'll be the one who

agrees with the developers. They've gone out of their way to work with us at the East Cambridge Planning Team. And the building that they want to save is a piece of crap as far as I'm concerned. It's had so many different things done to it. It doesn't even look like a building any longer. So I'm in total support of this agreement. And I think they've worked hard to work with the neighborhood and get us more of what we wanted rather than less of what we wanted.

Thank you.

H. THEODORE COHEN: Thank you.

Bill Dines.

BILL DINES: Bill Dine, 69 Otis Street, Cambridge, Mass. I just like to register my disapproval of this zoning, upzoning, and I consider it spot zoning. And I think it would

have detrimental effects to the rest of the abutters on the property and that's all I have to say.

Thank you.

H. THEODORE COHEN: Heather Hoffman.

HEATHER HOFFMAN: Hello. Heather Hoffman, 213 Hurley Street. I've been looking at this spot for an awfully long time since I've been a title examiner working mostly at the Middlesex -- at South District it's not country -- Registry of Deeds. Sorry, that typo annoyed me in the memo. -- for more than 25 years. And while I would -- I think it would be a fine thing to not be looking at a parking lot, I am not sure that this proposal is what we do want to be looking at. I think that a lot of this is driven by the price that was paid for the land, and that's not your problem and it's not my

problem. The developer's a big boy. And we should not have to arrange things so that he makes a profit just because he wanted to pay more than \$10 million for this. So while I think that something can and should be built there, I'm I can't, I can't support this proposal. I think that there needs to be a whole lot more work before we get something that actually will fit into the neighborhood better.

Thank you.

H. THEODORE COHEN: Thank you.

Dennis Ferrick.

DENNIS FERRICK: Dennis Ferrick, 25 Gore Street. F-E-R-R-I-C-K. And I notice the pictures gone from up there. So it's -- does that mean you heard our voices? We got a couple --

H. THEODORE COHEN: We are seeing scenes

from the Mars Rover for a moment.

DENNIS FERRICK: I've got a couple of projects.

ATTORNEY JAMES RAFFERTY: That's another project. He's got a CVS planned for there.

DENNIS FERRICK: Why don't we put the Barrister there, too.

I lived in East Cambridge my whole life. Parking is terrible now. I went to an East Cambridge planning meeting when they were trying to develop the courthouse, and I told them they should fill it up with prisoners because they don't drive. You know what I mean? You can't find a parking spot. And the neighborhood knows. There was an incident once at the Sacred Heart Church in East Cambridge where bricks were falling off, they had to have cars towed off of Otis Street and when the police came down to tow

cars, they found out the people were all the way from North Point parked there. The reason why they're doing that is because when you come from Cambridge, you get a resident sticker. Whether four people living in that apartment, you get one parking spot, there are still going to be three other cars on the street. That's why they get parking resident in North Point and they're parking all over East Cambridge.

The next thing, Buddy. Everybody's mentioned her here. I take out her barrels. Obviously she's a little concerned over here because she didn't want to sell her property. So she's gonna be, you know, put this monstrosity beside her. You know?

And the other things that were shown with the pictures? You know what I see here? There was a building just done over on Gore Street -- I

mean, Second Street. It's a six family. They just completely did it over. They got away with putting a front staircase in there because it's all sprinkled. It don't need two egresses. And those apartments are going on for rent May 1st, which is the beginning of this month. They'll probably get \$3500 an apartment for a six-family. Here what I see the size of the building is a monstrosity. The driveway, you talk about a cutout being on Gore Street. There also was a driveway cut ut on Third Street. And the fire department, which I live right on Gore Street behind this building, comes down that street all the time to bring their trucks back to the fire station. The fire, the cutout could have been left on Third Street.

But the build something way too big. If you turned around and put four or five,

six-family units on that building and they've had a little bit of a yard space to have a cookout or whatever, instead of this monstrosity that's gonna take the whole building, the whole block, you know, like someone just spoke, it basically is just greed. If you had four, eight-family units, there would still be plenty of living space or green space on that block and you'd get \$3500 or more for an apartment and you still would be making your money back no matter how much you spent on it.

The other thing is -- the main thing like I talked about is I lived here my whole life. A lot of the people on the East Cambridge Planning Team, the so-called East Cambridge Planning Team I would call them people that came into the neighborhood. You know what I mean? That area, when the houses were allowed to be torn down, it

was probably because they put a -- they put the bank there or whatever. Now it's just to cover every inch of that space up, I don't see it I'm opposed to it.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: Okay, none appearing.

Then, Board Members, do you have questions for the petitioner? Comments?

CATHERINE PRESTON CONNOLLY: I can start with comments.

H. THEODORE COHEN: Catherine.

CATHERINE PRESTON CONNOLLY: I'm happy to start with comments. I'm going to not comment on the proposal because we're not considering a proposal at this stage. We're considering a

zoning petition that has been noted zones an entire city block and for which we have not seen really the kind of planning and zoning study that we often like to see before making these changes. I think there is certainly opportunities here for redevelopment. I have -- I am no great fan of surface parking lots, and I think that the bank building, while lovely, the addition adds nothing to it, and the bank itself could certainly do it some work. I'm not sure about the other building. But, you know, I think the point has been made that the entire area is probably right for some kind of development. But I think that it warrants some actual discussion as to what is right not just what is proposed. And I always get concerned when we are considering zoning proposals that look an awful lot like projects. And that's what this feels like to me. I, you

know, merits of the project I think are something for someone else to consider since it's -- the project is not before us at this stage, but I in general, am not a big fan of recommending any zoning that hasn't had kind of the vetting, context, and study that we usually associate with proper zoning.

And I think CDD's memo appropriately noted that corridor study for Cambridge Street and what is the appropriate level of development in that corner is part of the Envision Cambridge process. So I think there is a forthcoming opportunity for that kind of dialogue. And I, you know, I also think that the neighborhood has a role to play in engaging not only this developer but others in the area on what they want in this section of Cambridge Street in particular to look like, and how it interfaces

with Gore Street, Second, and Third. The fact that this is not all under single ownership and, you know, we've heard a lot about this with the two single-family homes. There's another freestanding building and there is the Cambridge firehouse and which has its own parking lot. That's a lot of area of this we've heard nothing about tonight. And I would like to better understand how it would interface with anything that gets built here, what else we can expect if a proposal such as this were to go forward, or any other similar changes to the zoning that were proposed.

So, again, I'm not necessarily opposed to the kinds of changes that are being proposed, but I don't think it's ripe at this point. So I'm not prepared to recommend it.

H. THEODORE COHEN: Hugh? We'll go

around.

HUGH RUSSELL: So I was wondering when I saw this if the appropriate zoning action should be to create some sort of an incentive housing Overlay District that might stretch over significant areas of the city and that will allow the Planning Board to grant Special Permits that might increase the density and/or height modestly with setbacks. And that for such -- because I think we are, we have as a goal in the City to try to increase housing where it works. So then -- I thought that's not a bad procedure. It avoids the cumbersome process that went through on the Masse site, and was it -- and what was the street up in North Cambridge?

MARY FLYNN: Masse's is on Sherman and Walden.

H. THEODORE COHEN: The cleaners.

HUGH RUSSELL: Yeah.

And so what would the criteria have been?

It's like, well, it would have to be in scale with the context and it would have to be generally well received by people around. So had this project come to us under those criteria, we would vote against it based on what I've heard tonight.

I think the -- having design on the table helps us understand the bulk implications, not only the proposal but actually the current zoning since it's not, you know, to make it compliant with current zoning, you have to take out 10,000 feet of space. And it's still going to be, be a 46,000 square foot building instead of a 56,000 square foot building. And I believe everyone in this room has spoke against it will be speaking against the 46,000 square foot building because

of the, you know, the observations that we've all heard.

But we're actually here to make a recommendation on this proposal, and I feel that because it has -- does not have the support of many of the people who live closest to it, I could not vote to make that recommendation. As an architect, I think it's kind of clever and sort of nice, but if I lived on Gore Street or Otis Street, I think I probably would be here with the neighbors. So I think we should -- we should not recommend it. And I think Catherine has given us a proper kind of legal reasons for thinking and we could head a different way but if they come together.

H. THEODORE COHEN: Mary.

CATHERINE PRESTON CONNOLLY: I was just going to say that's always a nice coincidence

when the views come together.

MARY FLYNN: I think my thoughts are consistent with what the other board members are saying. This is a hearing on a zoning petition as Catherine said, and as much as I appreciate the fact that you've taken it from the project point of view, and I agree, it does help us gain an understanding of what can happen there, you know, it is about zoning. And I know there was reference made to the Masse block and how that worked out supposedly successfully between the neighbors and the developers. I'm not particularly familiar with that, but I do think the two sites are very, very different. You know, Masse's is in an area that's mostly residential, has very little commercial development right near it. This is in a section of the city that is teaming with all sorts of

uses around it. You know, it's coming into the East Cambridge/Lechmere area. It's got North Point. It's got the small scale residential. And it has the beautiful feel along Cambridge Street. And I appreciate the fact that you've tried to address some of that, but given the number of objections from people in the community, I would say you haven't quite got it right. So I think Catherine's right in that there needs to be a broader study of the zoning and not just looking at that one particular block.

I do also have a great deal of sympathy for the direct abutters. I drove down passed there tonight before the meeting, and while a building very similar to this could potentially be developed as of right some day and have an impact on the abutters just as well, it is going

to have a big impact. So whatever development does go here, I think needs to be extremely sensitive to those abutters. So I would not recommend it either.

H. THEODORE COHEN: Tom.

TOM SIENIEWICZ: Well, I appreciate what my fellow board members have said and generally agree with it. For me it's a difficult thing to consider. There's so many things conflating with zoning versus the project as Catherine so articulately laid out. Community concerns expressed by -- very articulately by our neighbors about that tonight. But also in my mind a long history with the East Cambridge Planning Team and a community that takes planning seriously and rigorously and somewhat professionally. They've got a great process there. And we've heard East Cambridge over and

over again talk about the impacts of traffic and the pressure that their community is under. And the complete desire to complete the street walls and add housing and affordable housing, and on some level this project begins to address the very, you know, primary concerns that have been expressed over and over again so well by East Cambridge planning team. And so conflated, I'm confused and -- by what I'm seeing, what I'm hearing. But also somewhat saddened to hear that the house of the East Cambridge Planning Team doesn't seem to be in order. So I have some sympathy for people who are trying to do things, trying to make projects, trying to by whatever mechanism, trying to wind their way through a rich neighborhood and where do they turn to to get, you know, reasonable input. And it's a plea for the East Cambridge Planning Team to get their

house in order, to deal rationally with the pressures that their community is under. So I'm saddened to hear what I heard tonight about that process.

I can't support the rezoning petition either tonight given the circumstances, but I think this missing tooth needs to be addressed.

H. THEODORE COHEN: Lou.

LOUIS J. BACCI, JR.: I guess all my concerns are already spoken except it does seem that this has all the components for something that could work. I don't know if the scale's exactly what everyone would agree on, but the retail and the housing component of this are what we need in East Cambridge. Don't know if it's just a little large, could use some open space. I am concerned, did you say that the Historical Commission wanted to retain the bank building?

ATTORNEY JAMES RAFFERTY: Yes, we've agreed to do that.

JOHN HAWKINSON: Mr. Chair.

ATTORNEY JAMES RAFFERTY: Do you want me....

H. THEODORE COHEN: Please.

ATTORNEY JAMES RAFFERTY: Early on the property owner filed an application to -- with the Historical Commission to demolish both the bank and the 207-209 building. We later withdrew that application and have never sought approval to demolish the bank incorporated, in fact, retained it. And when the Commission held its hearing on our demo application for the other building, the 207-209 building, they approved the removal of that building and also landmarked the bank building. So, you know, all of this comes out of the context of we spent a lot of time at

the Historical Commission with a CVS building
and --

H. THEODORE COHEN: Mr. Rafferty, I think
the question was whether you are retaining the
bank building? And I think now we'd like to
continue our discussions. And if we have further
questions, we'll ask you for your comments.

ATTORNEY JAMES RAFFERTY: Oh, I
apologize.

H. THEODORE COHEN: Lou, do you have
further comments?

LOUIS J. BACCI, JR.: Well, along the
same line I was confused as to the age of the
existing building that was 207? That's going to
be taken down. It's a considerably older
building.

ATTORNEY JAMES RAFFERTY: Yeah.

LOUIS J. BACCI, JR.: And the retention

of the considerably newer building. And I understand the want to use it as a standalone restaurant or something, a kind of an attraction. It doesn't make a very good corner, the building. I like what you did on the streetscape. The retail looks like it fits. All the buildings the right size, but I think it's just maybe a little too much of it.

H. THEODORE COHEN: Steve.

STEVEN COHEN: And my colleagues have spoken well, I don't have too much to add other than sort of a few thoughts about how to look at a proposal like this. Ordinarily when proposals come before this board it's under existing zoning and therefore our review is largely a professional review under the zoning. We listen and we invite the input of neighbors, but they don't have a veto. And our role is primarily a

professional judgment, assessments on the existing zoning. This of course comes in a totally different context. This is to change the zoning, and I think when we're in the role of evaluating and making recommendations under changing zoning, there's still that professional element that we always play, but I think there's also a greater political element which is to say does the proposed change in zoning reflect the interests and desires of the community generally, of the city generally, but in particular of the abutters and immediate neighbors. So that changes the nature of our review somewhat. So on this matter, to the extent that our review is of a professional in nature, I think the proposal is not unreasonable. I think it has merit, but it does -- while I wouldn't use the term spot zoning at all, it does seem less than ideal to be

changing the zoning on such a small parcel without reviewing and thinking and considering potentials and impacts and maybe improvements on a larger neighborhood. So my sense is on the professional planning side of the analysis that our staff could do more work and evaluate the proposal for somewhat broader perspective. It's not unreasonable. It's got a lot of merit as proposed, but I think we need to understand the ramifications of zoning changes in this neighborhood more.

On the political side, however, gosh that's a tough one. We didn't hear resounding support from the community here this evening. And even if we thought something is a pretty good proposal from a planning perspective, I think we'd be hard pressed to propose a zoning change in the absence of some, some reasonable level of

demonstrated support from the community. Now I know the way these things work, and maybe there is a lot of support from the community, and the nay sayers are the ones that show up at a zoning hearing and maybe that's the case. And maybe tonight is not representative of the views of the community or maybe it is. I think just as we need to do more work on the planning side, I think you need to do more work on the political side and demonstrate that you've done some more homework, some more meetings, and give us some greater confidence that this proposal is not at odds with the wishes and interests and architectural ideals of the community.

H. THEODORE COHEN: Okay.

Well, my colleagues covered most of my areas. Like Tom I'm very confused and conflicted. I would love to see the parking lot

disappear. I think underground parking would be great. I think we need much more housing, and the housing needs to be spread out throughout the city. It's not just going to be Kendall Square or North Point or Fresh Pond area. It's, it needs to be throughout the city. And the idea of 45 units of housing seems like a great thing. I mean, maybe it is too much for this one spot, but I think that's the problem that, you know, there hasn't been enough study to determine what should be done.

I was very interested in CDD's memo about the history of the zone, and I think this comes very close to spot zoning to just picking one square block. Obviously property not owned by this one developer was included to try to avoid that, but I think, you know, in discussing it and what can be done in the existing zone, you know,

I like keeping the street line. I don't think that residential necessary needs to be set back. Certainly in mixed use projected with retail on the first floor, I would prefer it not breaking the street line and not necessarily being set back. So I think, you know, that this be a subject for Envision Cambridge if they're not already overwhelmed with everything that's been referred to them, or possibly something, an Overlay District like Hugh has suggested that covers a much larger portion of Cambridge Street and maybe other areas of East Cambridge makes sense. You know, I was pleased when I saw the letter from East Cambridge Planning Team thinking that everybody was on board. And, you know, and the Masse Hardware spot, there were several hearings before this Board where there were proposals and the neighbors said we like this, we

don't like that, and they went back with the developer and there were negotiations and discussions. I wouldn't say everybody was on board with it, but a significant portion of the neighborhood said yes, this is what we want to see. Clearly -- and I thought maybe that was what the letter implied, but based on the people who have spoken today that's clearly not the case.

And, Steve, you may be right, it may be just a small group of people that are proposed and there are a large number of people that are in support. But, you know, Mr. Hinds, as the new President of the East Cambridge Planning Team said they weren't authorized to say this and they weren't speaking for all of us and that carries a lot of weight.

So while I think there are a lot of good

things in the proposal and maybe somewhere down the line it will end up being the same thing or something close to it, I really, for all the reasons that we've all articulated, I just don't think it's ready for prime time right now and that I would not make a recommendation to support it.

Do any members have any other questions for the petitioner?

(No Response.)

H. THEODORE COHEN: Mr. Rafferty, you've heard what we've had to say. If you have any final comments -- I cut you off before, that you want to make, please do.

ATTORNEY JAMES RAFFERTY: Thank you, no. Thank you.

H. THEODORE COHEN: No? Okay.

I guess --

CATHERINE PRESTON CONNOLLY: Do you need a vote?

H. THEODORE COHEN: Yes.

JEFF ROBERTS: Yes, the Planning Board, you want to make a recommendation and it should be a vote.

H. THEODORE COHEN: Yes. I think the tenor of everyone that spoke could we have a motion to not recommend the rezoning as proposed for the various reasons that have been articulated here? Primarily I think for more study and for more input from the neighborhood.

MARY FLYNN: So moved.

H. THEODORE COHEN: And second?

CATHERINE PRESTON CONNOLLY: I'll second.

H. THEODORE COHEN: All those in favor?

(Show of hands.)

H. THEODORE COHEN: It's unanimous.

ATTORNEY JAMES RAFFERTY: Thank you.

H. THEODORE COHEN: Thank you, all. We do appreciate your input.

You have another opportunity tomorrow at the Ordinance Committee to make your positions known and the petitioner to make their position known. And I think we have nothing else before us this evening, so we are adjourned.

(Whereupon, at 8:05 p.m., the
Planning Board Adjourned.)

* * * * *

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I have read the foregoing transcript of the Planning Board, and except for any corrections or changes noted above, I hereby subscribe to the transcript as an accurate record of the statement(s) made by me.

C E R T I F I C A T E**COMMONWEALTH OF MASSACHUSETTS
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 19th day of June, 2017.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
License No. 147703

My Commission Expires:
April 29, 2022

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