



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD


CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## NOTICE OF DECISION

Case Number:	286
Address:	75 New Street, Cambridge
Zoning:	Industry A-1
Applicant:	Abodez Acorn 75 New Street LLC 277 Broadway Cambridge, MA
Owner:	Abodez Acorn 75 New Street LLC and New Street Residence LLC and J.C. Adams Company Inc. 277 Broadway Cambridge and 75 New Street, Cambridge, MA
Application Date:	October 21, 2013
Date of Planning Board Public Hearing:	March 4, 2014 continued to July 22, 2014, September 16, 2014 and November 25, 2014
Date of Planning Board Decision:	November 25, 2014
Date of Filing Planning Board Decision:	December 19, 2014
Application:	The Applicant seeks a Project Review Special Permit (Section 19.20), Special Permit for Multi-family housing in the Industrial A-1 District, reduction of side and rear yard requirements (5.34.2b), waiver of screening requirements for on-grade open parking (Section 6.47.8) and modification of setbacks for open on-grade parking facilities (Sections 6.44.1(g) and 10.45) to construct a residential development with 93 residential units and 94 parking spaces.
Decision:	GRANTED, with Conditions

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board:

For further information concerning this decision, please contact  Liza Paden at 617-349-4647, or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

## **DOCUMENTS SUBMITTED**

1. Special Permit Application Submission containing Cover Sheet, Ownership Certificate, Dimensional Form, Narrative, LEED checklist, and Graphic materials dated 10/17/13
2. Graphic materials dated 5/20/14
3. Supplemental Information and Graphic materials dated 9/16/14
4. Revised drawings dated November 25, 2014

## Other materials

1. Design Review Report dated 12/10/13
2. Memorandum to the Planning Board from Susan E. Clippinger, dated 12/17/13
3. Memo to the Planning Board from CDD staff, dated 4/3/14
4. Revised submittal dated 4/7/14
5. Response to Neighborhood Concerns dated 5/16/14
6. Hugh Russell's list of areas of concern
7. Hugh Russell's list of retail in the vicinity of 75 New Street, dated 9/11/14
8. Memo to the Planning Board from CDD staff dated 9/10/14
9. Memorandum to the Planning Board from Monica R. Lamboy, Interim Director of Traffic, Parking and Transportation, dated 11/19/14

## Communications

1. Email to the Planning Board from Martha Werman, dated 1/20/14
2. Email to the Planning Board from Katherine Roof, dated 1/21/14
3. Email to the Planning Board from Judith Summersby, dated 1/21/14
4. Email to the Planning Board from Judy and Ed Summersby, dated 2/4/14
5. Email to the Planning Board from Gene Szafranski, dated 2/7/14
6. Letter to the Planning Board from Jan Devereux, dated 2/6/14

7. Email to the Planning Board from Margaret Weyerhaeuser, dated 2/9/14
8. Email to the Planning Board from Nancy W. Menzin, dated 2/7/14
9. Email to the Planning Board from Helen Privett, dated 2/13/14
10. Email to the Planning Board from Charles Teague, dated 2/13/14
11. Email to the Planning Board from Lorraine Murphy, dated 2/22/14
12. Online petition dated 2/27/14
13. Email to the Planning Board from Ann Sweeney, dated 2/28/14
14. Email to the Planning Board from Jennifer Craft, dated 3/7/14
15. Emails to the Planning Board from Jay Yesselman dated 3/10/14
16. Emails to the Planning Board from Michele Sprengnether, dated 3/23/14
17. Email to the Planning Board from Susan Strang dated 3/21/14
18. Email to the Planning Board from Elizabeth Marran, dated 3/25/14
19. Email to the Planning Board from Emmanuel Stefanakis, dated 4/2/14
20. Email to the Planning Board from Eva Paddock, dated 4/2/14
21. Email to the Planning Board from Janet M. Kinasewich, dated 4/2/14
22. Email to the Planning Board from Rebecca Nesson, dated 4/2/14
23. Email to the Planning Board from Janet Randall, dated 4/2/14
24. Email to the Planning Board from Steve Harris, dated 4/2/14
25. Email to the Planning Board from Sandra Cullison, dated 4/2/14
26. Email to the Planning Board from Mara Levine, dated 4/2/14
27. Email to the Planning Board from Leslie Cutler, dated 4/2/14
28. Email to the Planning Board from Daphne Rulf, dated 4/2/14

29. Email to the Planning Board from Arthur Strang, dated 4/2/14
30. Email to the Planning Board from Ellen Stark, dated 4/2/14
31. Email to the Planning Board from Alice Heller, dated 4/2/14
32. Email to the Planning Board from Amy Flax, dated 4/2/14
33. Email to the Planning Board from Hunter Aldrich, dated 4/2/14
34. Email to the Planning Board from Abigail Lewis-Bowen, dated 4/2/14
35. Email to the Planning Board from Ruth Whitney, dated 4/2/14
36. Email to the Planning Board from Rozann Kraus, dated 4/2/14
37. Email to the Planning Board from Peter Wilson, dated 4/2/14
38. Email to the Planning Board from Jamie Porreca, dated 4/2/14
39. Email to the Planning Board from Jana Odette, dated 4/3/14
40. Email to the Planning Board from William Stone, dated 4/3/14
41. Email to the Planning Board from Jay Yesselman, dated 4/3/14
42. Email to the Planning Board from Charles Teague, dated 4/3/14
43. Email to the Planning Board from John G. McKernan, dated 4/3/14
44. Email to the Planning Board from Lang Keyes, dated 4/3/14
45. Email to the Planning Board from Linda Dunn, dated 4/3/14
46. Email to the Planning Board from Shelley Rieman, dated 4/3/14
47. Email to the Planning Board from Dan Paradis, dated 4/3/14
48. Email to the Planning Board from Tom Klein, dated 4/3/14
49. Email to the Planning Board from Nancy Haslett, dated 4/3/14
50. Letter to the Planning Board from Stephen H. Kaiser, dated 34.3.14
51. Email to the Planning Board from Steven Bercu, dated 4/3/14

52. Email to the Planning Board from Fred Hewett, dated 4/3/14
53. Email to the Planning Board from Carolyn Shipley, dated 4/3/14
54. Email to the Planning Board from Jacqueline and Jonathan King, dated 4/3/14
55. Email to the Planning Board from Judith Rosen, dated 4/3/14
56. Email to the Planning Board from Jana Odette, dated 4/3/14
57. Letter to the Planning Board from Paul Steven Stone, dated 4/3/14
58. Letter to the Planning Board from Jane Devereux, et al, dated 4/3/14
59. Undated and untitled photographs submitted at the rescheduled Planning Board meeting of 4/8/14
60. Letter to the Planning Board from the Fresh Pond Residents Alliance, dated 5/13/14
61. Letter to the Planning Board from Lisa Camacho, undated
62. Letter to the Planning Board from the Cambridge Residents Alliance, dated 5/15/14
63. Email to the Planning Board from Ruth Whitney, dated 5/17/14
64. Email to the Planning Board from Leslie Cutler, dated 5/17/14
65. Email to the Planning Board from Alice Heller, dated 5/19/14
66. Email to the Planning Board from Lee Farris, dated 5/20/14
67. Email to the Planning Board from Gaylen Morgan, dated 5/20/14
68. Email to the Planning Board from Susan Markowitz, dated 5/20/14
69. Email to the Planning Board from Jen Craft, dated 5/20/14
70. Email to the Planning Board from Kimberly Simonsen, dated 5/20/14
71. Email to the Planning Board from Michele Sprengnether, dated 5/20/14
72. Email to the Planning Board from Sarah Stewart, dated 5/20/14
73. Email to the Planning Board from Nicolai Cauchy, dated 5/20/14

74. Email to the Planning Board from Robert M. Camacho, dated 5/20/14
75. Email to the Planning Board from Renee Hellenbrecht, dated 5/20/14
76. Email to the Planning Board from Kathy Watkins, dated 5/20/14
77. Email to the Planning Board from Kathy and John Roberts, dated 5/20/14
78. Email to the Planning Board from Melissa Quest-Mercadante, date 5/20/14
79. Email to the Planning Board from Sidonie Pierce, dated 5/20/14
80. Email to the Planning Board from Jana Odette, dated 5/20/14
81. Email to the Planning Board from Jamie Porreca, dated 5/20/14
82. Email to the Planning Board from Linda Dunn, et al, dated 5/20/14
83. Email to the Planning Board from Rob Riordan, dated 5/20/14
84. Email to the Planning Board from Jonathan Aaron, dated 5/20/14
85. Email to the Planning Board from Anita D. McClellan, dated 5/21/14
86. Email to the Planning Board from Molly O'Brien, dated 5/21/14
87. Email to the Planning Board from Carolyn Shipley, dated 5/23/14
88. Email to the Planning Board from Kate Benanti, dated 5/25/14
89. Email to the Planning Board from Eleanor Beran, dated 6/2/14
90. Email to the Planning Board from Sylvia Barnes, dated 6/24/14
91. Email to the Planning Board from Jan Devereux, with attachments, dated 7/21/14
92. Letter to the Planning Board from Doug Brown, et al Fresh Pond Residents Alliance, dated 7/21/14
93. Email to the Planning Board from Jane Devereux, with attachments, dated 7/21/14
94. Email to the Planning Board from Nicolai Cauchy, dated 7/21/14
95. Email to the Planning Board from Richard Krushnic, dated 7/22/14

96. Letter to the Planning Board from Jan Devereux, Fresh Pond Alliance, dated 8/1/14
97. Email to the Planning Board from Bob Comacho, dated 8/4/14
98. Letter to the Planning Board from Jan Devereux, et al, dated 9/15/14
99. Letter to the Planning Board from Councilor Mark McGovern, dated 9/16/14
100. Email to the Planning Board from Alice Heller, dated 9/16/14
101. Email to the Planning Board from Genevieve Coyle, dated 9/16/14
102. Email to the Planning Board from Jamie Porreca, dated 9/16/14
103. Copy of letter to Kathy Watkins, City Engineer from the Fresh Pond Residents Alliance, dated 11/3/14
104. Letter to the Planning Board from Stephen H. Kaiser dated 11/24/14
105. Letter to the Planning Board from the Fresh Pond Residents Alliance, dated 11/25/14

## **APPLICATION SUMMARY**

On October 17, 2013 the Applicant submitted a proposal for a residential development sited on a 49,256 square foot lot located at 75 New Street. This development is proposed as the second phase of a development for which the first phase was a residential building constructed on the adjacent site, known as 87 New Street, by the same Applicant as an as-of-right project. Currently the site is occupied by a recently closed window and door manufacturing and warehouse facility known as the J. and C. Adams Company. The Applicant proposes to redevelop the site by demolishing the existing structures and constructing 93 residential units. The residences will be supported by 94 parking spaces located both at grade and in a single-level underground parking garage. The project will provide a variety of unit types: 27 studio units, 29 one-bedroom units, 25 two-bedroom units, and 14 three-bedroom units. The project will include 98 long-term bicycle parking spaces in the basement parking area and 14 short-term bicycle parking spaces located within the front yard setback. Two existing curb cuts will be reduced in width and reused in the project.

## **FINDINGS**

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Project Review Special Permit (19.20)

*(19.25.1) Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (2) the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.*

*(19.25.11) Traffic Impact Indicators. In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.*

*The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.*

A Traffic Impact Study (TIS) was included in the Application Documents, reviewed and certified as complete and reliable by the Traffic, Parking and Transportation Department. As described in the TIS, no transportation related Planning Board Special Permit Criteria are exceeded and the project will not have a significant adverse impact on traffic operations. Nevertheless, memorandums submitted to the Planning Board from the Traffic, Parking and Transportation Department dated December 17, 2013 and September 9, 2014, recommended a set of mitigation measures to be employed, which the Applicant has agreed to have included as Conditions of this Special Permit.

The Board has been informed that the City of Cambridge Department of Public Works is developing a design for New Street to upgrade it from its current layout, as an access road that originally serviced only the City dump and industrial uses, to a residential street that provides access to housing and Danehy Park. Improvements will focus on enhancements for pedestrians and cyclists, street trees and vehicular access. More broadly, it is also anticipated that as the area continues to develop and change, infrastructure improvements will take place



as outlined in the Concord-Alewife Planning Study. The Applicant has agreed to take responsibility for construction of the street improvements fronting both phases of the Applicant's development (87 and 75 New Street) according to the City's plan when it is finalized.

*(19.25.2) Urban Design Findings. The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.*

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, as described below.

*(19.31) New projects should be responsive to the existing or anticipated pattern of development.*

The proposed residential project with a height of four stories is compatible with the evolving residential character of the area and responds positively to existing and anticipated development patterns. The site is located in a district where a transition from industrial uses to residential is anticipated. The project provides an appropriate interface with Danehy Park and the potential future multi-use path on former railway land to the rear. The building has been carefully sited away from the existing auto body repair use to the south.

The project is designed to create a residential streetscape along New Street, which currently lacks a residential character and is in poor condition. The building will be oriented to the street and will have front yard setbacks lined with green open space, and mature trees and plantings. The Applicant made significant changes through the design review process to result in a building design that mitigates the scale and length of the building and contributes positively to the transformation in the character of the area from industrial to residential.

*(19.32) Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.*

The development addresses the street with a centrally located pedestrian and bicycle friendly entrance at the ground level, with bicycle facilities available within the building and along the street frontage. The site is located within a 15-minute walk of Alewife Station and bus routes 74, 75 and 78. The project will feature 98 long-term and 14 short-term bicycle parking spaces with secured covered bicycle storage provided in the basement parking areas. The number of bicycle spaces will meet the Ordinance requirement for bicycle parking. In addition, the lobby will be designed to be cyclist

friendly and will connect through to the rear of the building via a ramp to where a future multi-use path is proposed within the railroad right-of-way. A 5-foot public easement on the south side of the building will be provided to enable a through-block connection to the future multi-use path.

The ground floor common area and lobby has been designed as a focal point, which creates an open and welcoming entrance to the building. Ground floor residential units have been designed with high levels of transparency, which will enliven the streetscape. Changes in the wall plane and use of vertical bay windows help to modulate the façade, create a townhouse scale and avoid long expanses of co-planar surfaces. This reduces the monotony of the building and creates a pedestrian-oriented environment.

Parking is mostly located below grade, and the necessary service functions such as garage entrances and mechanical equipment are minimized and screened with aesthetically pleasing materials. The limited surface parking located on the side and rear of the property will be shielded from public view by appropriate landscape screening and fencing. The majority of the parking will be below grade or covered.

*(19.33) The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.*

The project is designed to minimize negative impacts on its surroundings and enhance the overall appearance of the existing streetscape. The project will be an improvement in appearance over the existing conditions. Rooftop mechanical equipment will be set back from the roof edge and shielded from public view by parapet walls. The trash/recycling handling for the development will generally be contained within the building to avoid noise, odor and visual impacts. An enclosed dumpster is to be located in the rear corner of the surface parking area, away from residential neighbors. Service and loading functions are interior to the lot.

The building scale, wall treatment and windows are designed to complement the existing residential building at 87 New Street.

The project will meet the DPW standard for water quality management and the retention/detention of the difference between the 2-year, 24 hour pre-construction runoff hydro graph and the post-construction 25-year, 24 hour runoff hydrograph. The stormwater management features for the site will include water quality and quantity controls, and stormwater detention on the rooftop.

The project will also provide an improvement in stormwater management conditions at the site by increasing permeable areas as well as improving the quality and quantity of stormwater introduced to the Municipal system.

Abutting properties will not be adversely impacted by shadows, windows or lighting. A short retaining wall will be constructed at the rear of the site; however, its height will be

minimized and a cedar fence will be installed on top of the wall. The wall and fence will enhance the view from the future multi-use path. Additionally, the project will be responsible for mitigating noise impacts from Whole Foods through installation of acoustical windows and baffles.

*(19.34) Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.*

The project will meet all applicable standards for provision of public infrastructure. The project will be subject to Green Building requirements pursuant to Section 22.20 of the Zoning Ordinance.

The project will connect by gravity to the existing sewer main in New Street with a new 8” PVC service connection. The building will be serviced by an 8” sewer lateral running parallel to the building face to allow for multiple connection points. Sewer connections will be subject to final review and approval by the Department of Public Works. All runoff collected within the underground garage floor drains will be directed through an oil/water separator into a pump, where the flows will be pumped to the 8" sewer lateral running along the face of the building and then conveyed via gravity to the existing main in New Street.

As described in the TIS, no transportation related Planning Board Special Permit Criteria are exceeded and the project will not have a significant impact on traffic operations. As previously noted, the Applicant has agreed to be responsible for implementing City-designed improvements to New Street along the frontage of both phases of the residential development (87 and 75 New Street).

*(19.35) New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.*

The project will enhance the mixed-use character of the area with additional housing, which is compatible with adjacent uses, including Danehy Park. The building design and massing includes a range of architectural treatments, which respond to the prevailing built form patterns in the area. A rhythm of alternating bays, vertically aligned balconies, materials, and colors, with corresponding variation in the roofline add interest and successfully reinforce the notion that the building is broken down into a series of smaller volumes that are more closely related to the finer-grain scale of nearby neighborhoods.

*(19.36) Expansion of the inventory of housing in the city is encouraged.*

The project will include 93 total residential units and will be subject to Inclusionary Housing requirements. The Project will provide a variety of unit types: approximately 27% will be studio units, 31% will be one-bedroom units, 27% will be two-bedroom units, and 15% will be three-bedroom units.

*(19.37) Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.*

The project will include a small publicly enjoyable terrace at the ground floor as well as a top floor roof terrace as an amenity for residents of the building. Additionally, the project improves the pedestrian streetscape with the addition of street tree plantings and landscaping within the front yard adjacent to Danehy Park. Such landscaping will also be extended across the frontage of the Phase 1 building at 87 New Street. Balconies and private terraces will provide outdoor areas for residents. The project has been designed to have strong visual and physical connections to the potential multi-use path, which may be developed on former railroad land adjacent to the site. An area of land on the south side of the site will be dedicated for a future public connection to that path.

2. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

*10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:*

*(a) It appears that requirements of this Ordinance cannot or will not be met, or ...*

With the requested Special Permits the requirements of the Ordinance will be met.

*(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...*

The proposed development will replace a factory/warehouse and surface parking and loading areas with 93 residential units. Vehicular access and egress points will utilize the two existing curb cuts, which will be reduced in width. The Applicant has completed an analysis of the traffic impacts associated with the project as evidenced in the TIS prepared by Vanasse, Hangen, Brustlin Inc. and submitted with the Special Permit Application. As described in the TIS, no transportation related Planning Board Special Permit Criteria are exceeded and the project will not have a significant impact on traffic operations.

*(c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or ...*

The proposed residential use is consistent with the allowed uses in the area and will not impair the operation or development of adjacent uses that are permitted by zoning.

*(d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or ...*

No nuisance or hazard will be created. The project includes demolition of the existing industrial building, and surface parking and loading areas. Due to the previous industrial use, potentially contaminated land on the site will be remediated in accordance with State and Federal regulations. The Applicant has set up a web site to address remediation issues. The Applicant has also contacted the Cambridge Public Health Department to discuss monitoring programs for the adjacent auto body use to ensure that it complies with State regulations. All other applicable health and safety regulations will be met.

*(e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and ...*

The project is consistent with the intent of the zoning for the area and is compatible with the adjoining and nearby Alewife Overlay District, Open Space District and Pathway Overlay District.

*(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.*

The project is consistent with the City's Urban Design Objectives as set forth in the 19.30 Findings above.

### 3. Multifamily in Industrial A-1 District (4.26.3)

*(10.47.4) Criteria for approval of Townhouses and Multifamily Dwellings. In reviewing applications for townhouse developments and multifamily dwelling, the special permit granting authority shall consider and address the following site plan criteria as applicable:*

- 1. Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.*
- 2. New buildings should be related sensitively to the existing built environment. The location, orientation and massing of structures in the development should avoid overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.*
- 3. The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to occupants of the development.*
- 4. Parking areas, internal roadways and access/egress points should be safe and convenient.*

5. *Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.*
6. *Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for resident, yet unobtrusive.*

The site is currently used as a factory and warehouse with extensive paved parking and loading areas. As such, there are no existing natural landscape features. The existing built environment is evolving from traditional large-format commercial and industrial uses to a mixed-use character. The proposed four-story residential building is comparable in scale and massing with new residential development in the area. The front yard setback will be well landscaped with a variety of trees, shrubs and ground covers, which will create a layered landscape edge to the development and an attractive setting. Improvements to New Street, including new street trees will also provide visual benefits. As described above, the majority of parking is to be located below grade with landscaping and fencing provided to screen surface parking areas. Service facilities are to either be located in the building, or to the rear and side of the building, and attractively fenced and landscaped.

*(10.47.41) Additional Criteria for Townhouses and Multifamily Dwellings in Industry A and A-2 districts, Industry B, B-1 and B-2 districts, and the Industry C district. In addition to the criteria set forth in Section 11.47.4 above, the following shall be considered by the Planning Board in these industrial districts:*

1. *On balance the location is appropriate for the proposed residential uses, because:*
  - (a) Residential use at the proposed location will not preempt space particularly suitable for nonresidential uses; and*
  - (b) Existing or anticipated uses on nearby premises will not make residential use inappropriate because of external impacts such as noise, glare, odors or safety concerns; and*
  - (c) The proximity of the proposal to other residential development or reasonably anticipated residential development in the future, helps to establish an amount of housing sufficient to ensure a viable, supportive and healthy residential environment;*  
*or*
  - (d) The proposal will act as a transition to neighboring residential districts and uses; or*
  - (e) The proposal is of sufficient scale to create its own supportive residential environment.*
2. *The proposed design includes amenities appropriate to provide a supportive service environment for the anticipated residential uses.*
3. *Other potential benefits can be identified, including:*
  - (a) The proposed residential use may make feasible the preservation of an historic structure;*

*(b) The proposed residential use and nearby commercial uses are linked through work/live arrangements or in other ways.*

The site is an appropriate location for residential use as it adjoins a recently constructed housing project at 87 New Street, and provides a positive interface with the adjacent Danehy Park. 75 New Street is not found to be a highly viable or attractive location to sustain an isolated retail use, such as a small corner store, as there is a lack of pedestrian activity within the vicinity of the site and the proposed housing would not sustain retail on its own. However, the Planning Board is amenable to permitting ground floor residential space to be converted to an appropriate commercial use as permitted by zoning, should that be desirable in the future.

Noise and odor impacts from existing nearby premises, including the Whole Foods Market and the auto body shop, will be mitigated through high transmission-loss acoustical windows and sound baffles on fresh-air intakes at the rear of the building, and with no intakes on the south side of the building. The Applicant has also set up a website to address remediation issues and has contacted the Cambridge Public Health Department to discuss monitoring programs for the adjacent auto body shop to ensure that its emissions comply with state regulations.

4. Reduction of Side and Rear Yard Requirements (5.34.2b)

In the Industry A-1 district, side yard and rear yard setbacks may be reduced to a minimum required setback of 10 feet by special permit, provided that the yard is suitably landscaped to effectively buffer building walls from abutting lots.

The Applicant seeks side yard setback relief on the north property line and a rear yard setback reduction along the west property line, although it was noted that the Inspectional Services Department has not yet determined that rear yard may be found to be a side yard given the patterns of public ownership around the site. Regardless of whether the rear yard is determined to be a side yard, and given that the Board may grant the requested relief in either case, the Board approves the proposed setbacks shown on the project plans. On the north side some landscape screening, comprising shrubs and ground covers, will provide a buffer to the residential building to the north, which is controlled by the Applicant and also considered Phase 1 of the development. The rear yard setback will be landscaped with a series of trees and shrubs, and a partial stone retaining wall with cedar fencing.

5. Setbacks for On-Grade Parking (6.44.1(g))

The Board finds that the proposed parking layout and number of vehicle parking spaces for the site are appropriate. The limited surface parking will include 13 compact spaces and 12 standard spaces, with the remaining 69 parking spaces located below grade. The project will provide a landscaped setback with a planted mature tree and shrubs at the driveway entry. Within the site, parking spaces will be screened with a stone wall and

cedar fence, as well as ornamental grasses, adjacent to the abutting auto body use and future multi-use path.

6. Waiver of Parking Screening Requirements (6.47.8)

The Planning Board agrees to a waiver of the parking screening requirements in accordance with Section 6.47.8 of the Zoning Ordinance. The surface parking areas will mostly be screened by a stone wall and cedar fence, as well as ornamental grasses and perennials. Additionally, the rear spaces are effectively screened by the railroad tracks and by an existing change in grade at the boundary of the site.

## **DECISION**

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Revised Application Documents dated November 25, 2014, and all supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD). Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment. At a minimum, the following specific elements of the design shall be subject to review and approval by CDD prior to issuance of a Building Permit:
  - a. Final landscaping plans, including the proposal to extend landscaping across the entire frontage of the Phase 1 building.
  - b. Final selection of materials and colors on building façades.
  - c. The structural systems supporting the roof, to the extent that they affect the feasibility of installing solar energy systems in the future.



- d. The design of measures to mitigate noise and other environmental impacts, including acoustical windows, noise baffles, and location of air intakes, which shall be employed as indicated in the Revised Application Documents dated November 25, 2014.
3. In addition to the uses identified in the Application Documents, this Special Permit shall authorize the future establishment of a retail use in the ground floor of the building, provided that the use is permitted as-of-right by zoning and does not require substantial modifications to the design of the building. The Planning Board shall approve the location, type and design of any such retail use by a written determination as a matter of General Business at a Planning Board meeting.
  4. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).
  5. Throughout design development and construction, the project shall conform to the Green Building Requirements set forth in Section 22.20 of the Cambridge Zoning Ordinance.
  6. The Permittee shall be required to implement the following Transportation Demand Management (TDM) measures to encourage residents to choose preferred modes of transportation including transit, bicycling and walking over single occupancy vehicles. Compliance with these requirements shall be certified by the Community Development Department and Traffic, Parking and Transportation Department (TPT) prior to issuance of any Certificate of Occupancy for residential uses authorized by this Special Permit.
    - a. Make available at least one parking space on site for a carsharing vehicle. The best on-site location would be in the proposed drop-off area which would make the carshare vehicle(s) accessible to the Proposed Project, adjacent 87 New Street residents building, and the public.
    - b. Provide an MBTA Bike Charlie Card, with the value of a combined bus/ subway pass (currently set at \$75 but is subject to MBTA fare increases) to each adult member of a new household during the first month of initial occupancy of a new household. Up to two Charlie Cards total per household are required. This requirement renews each time a new household moves in to incentivize new households to use public transportation.
    - c. Post information in an area that is central, visible, convenient, and accessible to all residents and visitors including but not limited to the following:
      - Available pedestrian and bicycle facilities in the vicinity of the Project site.
      - MBTA maps, schedules, and fares.
      - Area shuttle (i.e. EZ-Ride Shuttle) map and schedule.
      - "Getting Around in Cambridge" map (available at the Cambridge Community Development office).
      - Bicycle parking.

- Ride-matching and Car-sharing information.
  - Other pertinent transportation information.
- d. Provide air pumps and other bicycle tools, such as a "fix-it" stand in the bicycle storage areas.
  - e. Designate a Transportation Coordinator (TC) for the site to manage the TDM program. The TC will also oversee the marketing and promotion of transportation alternatives to all residents at the site in a variety of ways including posting information in prominent locations, Project's web site and property newsletter, and responding to individual requests for information.
  - f. The TC should participate in any TC trainings offered by the City of Cambridge or local Transportation Management Associations.
  - g. Join the Alewife Transportation Management Association (TMA) or such other TMA that may be established in the area in the future.
7. The Permittee shall be required to maintain a clear 5-foot corridor as a connection to a future multi-use path on the southern edge of the lot as indicated in the Application Documents. The connection shall be kept clear of trees or other objects that might impede a connection in the future. Public access to such corridor shall be provided in the future if and when a planned public multi-use pedestrian and bicycle pathway is established adjacent to the site. Guarantee of such public access shall be provided by some legal instrument acceptable to the City prior to issuance of a Certificate of Occupancy for uses authorized by this Special Permit.
  8. The Project shall be obligated to accommodate every resident's vehicle or vehicles, visitor vehicles and any building management staff vehicles on site (e.g. some residents will have one vehicle, some will have no vehicle, some will have two vehicles; all vehicles must be accommodated on-site if any on-site spaces are available at any one time). Visitor parking needs beyond the 4 spaces in the front or overnight visitors must be accommodated in the garage in the surface parking lot.
  9. The Permittee has committed to providing a ramp in the rear of the building to access the future multi-use path from the bicycle parking in the garage. Conceptual plans for the ramp should be completed prior to the Building Permit and approved by TPT. Final ramp design shall occur when the future path location and grade is known. The ramp should be open when the multi-use path is completed.
  10. The Permittee shall create a cross-easement or access agreement with any future owners of 87 New Street if that project is sold, to provide future access to moving trucks and guest parking from the 87 New Street driveway. The driveway must always serve both 87 and 75 New Street in the future.

11. The Permittee shall be responsible for constructing improvements to streets and sidewalks on New Street along the frontages of residential properties at 87 New Street and 75 New Street, as those properties are proposed as a phased development on a common lot for development purposes. The design for such improvements shall be approved by the Department of Public Works in accordance with the outcome of a City-directed public design process for New Street. The completion of such improvements shall be completed and approved by the Department of Public Works prior to issuance of a Certificate of Occupancy for uses authorized by this Special Permit; however, failure on the part of the City to determine a final design for New Street shall not prevent the issuance of a Certificate of Occupancy.
12. The Permittee shall be required to prepare and implement a Construction Management Program in accordance with Section 18.20 of the Zoning Ordinance, which shall be reviewed and certified by the Department of Public Works and the Cambridge Public Health Department prior to issuance of a Building Permit for development authorized by this Special Permit. Such a program shall include, in addition to the specific items required by Section 18.20, a plan for site remediation in accordance with applicable local, state and federal requirements. The Construction Management Program shall also include a plan for public outreach to affected neighbors including a web site and e-mail list for regular updates, information posted on-site, a point of contact for questions, and neighborhood meetings at appropriate points prior to and during the course of construction.
13. As indicated in the Application Materials, the Permittee shall assist to the extent feasible, in coordination with the Cambridge Public Health Department, in implementing programs to monitor the activity of adjacent industrial uses to ensure that they comply with state emissions standards so as not to create hazard for residents of the development authorized by this Special Permit.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members Hugh Russell, Steve Winter, H Cohen, Steve Cohen, Pam Winters, and Tom Seiniewicz, and Associate Members Ahmed Nur, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,



Hugh Russell, Chair

A copy of this decision #286 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on December 19, 2014, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge

## Dimensional Form

Project Address: 75 New Street, Cambridge MA

Application Date: October 17, 2013, Revised November 25, 2014

	Existing- Phase I (87 New St.)	Proposed- Phase II (75 New St.)	Proposed Total, Phases I and II	Allowed or Required (max/min)	Permitted	Notes
Lot Area, (sq ft)	30,000	49,256	79,256	79,256		
Lot Width (ft)	260'-3"	428'-3"	688'-6"			Width of lots measured parallel to New Street
Total Gross Floor Area (sq ft)	58,474 *	96,049	154,523	154,549		*58,500 sf allowed in Phase I, only 58,474 built.
Residential Base	44,980 *	73,884	118,864	118,884		* 45,000 sf allowed in Phase I, only 44,980 built.
Non-Residential Base	0	0	0	0		
Inclusionary Housing Bonus	13,494 *	22,165	35,659	35,665		*13,500 sf allowed in Phase I, only 13,494 built.
Total Floor Area Ratio	1.95	1.95	1.95	1.95		
Residential Base	1.5	1.5	1.5	1.5		
Non-Residential Base	NA	NA	NA	NA		
Inclusionary Housing Bonus	0.45	0.45	0.45	0.45		
Total Dwelling Units	54 *	93	147	147		*55 Units allowed in Phase I, only 54 were built, hence unit added to Phase II
Base Units	42	71	113	113		
Inclusionary Bonus Units	12	22	34	34		
Base Lot Area/Unit (sq ft)	714	694	701	700		
Total Lot Area/Unit (sq ft)	556	530	539	538		
Building Height(s) (ft)	45'	45'		45'		
Front Yard Setback (ft)	NA	NA		Not Req'd		
Side Yard Setback- South (ft)	Varies	42'		(H+L)/7 or 10'		
Rear Yard Setback- West (ft)	Varies	10'		(H+L)/5 or 10'		Special Permit req'd for setback relief per Zoning Article 5.34.2, Table 5-4 note (b)
Side Yard Setback- North (ft)	Varies	10'		(H+L)/7 or 10'		Special Permit req'd for setback relief per Zoning Article 5.34.2, Table 5-4 note (b)
Distance Between Buildings			26'-0"	(H+H)/6 or 10'		(45'+45')/6=15', Complies with Zoning Article 5.13
Open Space (% of Lot Area)	27%	NA	NA	Not Req'd		
Private Open Space	8,082	NA	NA	Not Req'd		
Permeable Open Space	NA	NA	NA	Not Req'd		
Other Open Space (Specify)	NA	NA	NA	Not Req'd		
Off-Street Parking Spaces	54	94	148	147 min.		
Bicycle Parking- Residents	25	98	123	123		Bicycle Parking reqm'ts have changed since Phase I; Phase II complies with new reqm'ts.
Bicycle Parking-Guests	2	14	16	11		Bicycle Parking reqm'ts have changed since Phase I; Phase II complies with new reqm'ts.
Loading Bays	0	0	0	Not Req'd		



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013

Public Hearing Dates: March 4, 2014, May 20, 2014, July 22, 2014, September 16, 2014 and November 25, 2014

Application: Special Permit application to construct 93 units of housing.

At the public meeting of November 25, 2014, the Planning Board voted to agree to an extension of time for filing the final decision on the above case until December 19, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013

Public Hearing Dates: March 4, 2014, May 20, 2014, July 22, 2014 and September 16, 2014

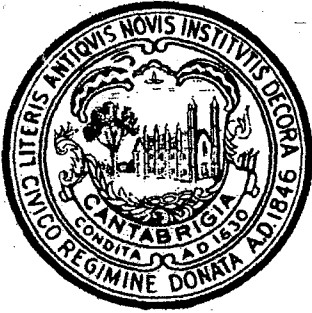
Application: Special Permit application to construct 93 units of housing.

At the public meeting of September 16, the Planning Board voted to agree to an extension of time for filing the final decision on the above case until November 30, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Planning Board Waiver Form

Date: 9/16/14

Cambridge Planning Board  
Community Development Department  
344 Broadway  
Cambridge, MA 02139

RE: Case # 286.

Address: 75 New Street.

\_\_\_\_\_, Petitioner, or \_\_\_\_\_.

Petitioner Representative, hereby waives the Petitioner's right to a

Decision by the Planning Board on the above reference

Case # 286, within the statutory time period as required by

Section 15 of the Zoning Act of the Commonwealth of Massachusetts,

Massachusetts General Laws, Chapter 40A.

Signature

Extension to November 30, 2014  
all info ✓





CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013

Public Hearing Dates: March 4, 2014, May 20, 2014 and July 22, 2014

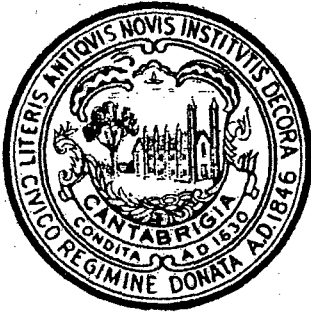
Application: Special Permit application to construct 93 units of housing.

At the public meeting of July 22, 2014, the Planning Board voted to agree to an extension of time for the public hearing to September 16, 2014 and filing the final decision on the above case until September 30, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Planning Board Waiver Form

Date:

Cambridge Planning Board  
Community Development Department  
344 Broadway  
Cambridge, MA 02139

RE: Case # 286.

Address: 75 New Street.

Abdoy Acorn, Petitioner, or \_\_\_\_\_.

Petitioner Representative, hereby waives the Petitioner's right to a  
Decision by the Planning Board on the above reference  
Case # 286, within the statutory time period as required by  
Section 15 of the Zoning Act of the Commonwealth of Massachusetts,  
Massachusetts General Laws, Chapter 40A.

[Signature] Signature

September 30, 2011



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013  
Public Hearing Date: March 4, 2014 and May 20, 2014

Application: Special Permit application to construct 93 units of housing.

At the public meeting of May 20, 2014, the Planning Board voted to agree to an extension of time for the public hearing to July 22, 2014 and filing the final decision on the above case until July 31, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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**ADAMS & RAFFERTY**  
ATTORNEYS AT LAW  
A Professional Association \*  
675 Massachusetts Avenue  
Cambridge, MA 02139

**James J. Rafferty, P.C.**  
*jrafferty@adamsrafferty.com*

Telephone (617) 492-4100  
Fax (617) 492-3131

May 20, 2014

Liza Paden  
Cambridge Community Development  
344 Broadway  
Cambridge MA 02139

**Re: Abodez Acorn 75 New Street LLC  
Planning Board Case # 286**

*✓ All for fan*

Dear Ms. Paden:

Please be advised that the applicant in the above-captioned matter assents to an extension of time for the issuance of a decision by the Planning Board to Thursday, ~~June 26, 2014.~~ *Emp*

Thank you for your cooperation and assistance.

*July 22, 2014*

Very truly yours,

*James J. Rafferty*  
James J. Rafferty

*July 31, 2014*  
*Angie L.*

JJR/pwc



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013

Public Hearing Date: December 17, 2013, continued to February 11, 2014, the time period extended to March 31, 2014.

Application: Special Permit application to construct 93 units of housing.

At the public meeting of February 18, 2014, the Planning Board voted to agree to an extension of time for the public hearing on the above case until March 31, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

2014 FEB 19 PM 11:38  
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**HOPE LEGAL LAW OFFICES**

675 Massachusetts Avenue  
CAMBRIDGE, MA 02139  
TELEPHONE (617) 492-0220  
FAX (617) 492-3131

**Sean D. Hope Esq.**

**[scan@hopelegal.com](mailto:scan@hopelegal.com)**

Ms. Liza Paden  
Cambridge Planning Board  
Community Development Department  
344 Broadway  
Cambridge, MA 02139

February

**Re: Planning Board Case No. 286  
75 New Street (Extension Request)**

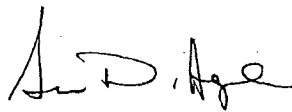
Dear Ms. Paden:

Please accept this request to extend the statutory decision date by the planning board for the above-referenced Case #286 until March 31<sup>st</sup> 2014.

Thank you for your cooperation and assistance with this matter.

Very truly yours,

Sean D. Hope Esq.



2/15/14

Melvin

2nd

all in favor

SC

TC



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Notice of Extension of Time

Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
Application Date: October 21, 2013

Public Hearing Date: December 17, 2013, continued to February 11, 2014, the time period extended to March 1, 2014.

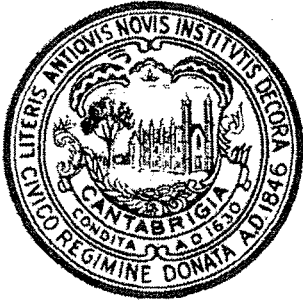
Application: Special Permit application to construct 93 units of housing.

At the public meeting of January 21, 2014, the Planning Board voted to agree to an extension of time for the public hearing on the above case until February 11, 2014 before cancelling the meeting due to inclement weather.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## Planning Board Waiver Form

Date: JAN. 21, 2014


Cambridge Planning Board  
Community Development Department  
344 Broadway  
Cambridge, MA 02139

RE: Case # 286.

Address: 75 NEW STREET.

\_\_\_\_\_, Petitioner, or PHILIP TERZIS.

Petitioner Representative, hereby waives the Petitioner's right to a  
Decision by the Planning Board on the above reference  
Case # 286, within the statutory time period as required by  
Section 15 of the Zoning Act of the Commonwealth of Massachusetts,  
Massachusetts General Laws, Chapter 40A.

 Signature





CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

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Case No: 286  
Address: 75 New Street  
Applicant/Owner: Abodez Acorn 75 New Street, LLC  
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Application: Special Permit application to construct 93 units of housing.

At the public meeting of December 23, 2013, the Planning Board voted to agree to an extension of time for the public hearing on the above case until January 21, 2014.

Authorized Representative to the Planning Board

For further information, please contact Liza Paden at 617 354 5640 or [lpaden@cambridgema.gov](mailto:lpaden@cambridgema.gov).

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**Paden, Liza**

---

**From:** Phil Terzis [pterzis@abodez.com]  
**Sent:** Monday, December 16, 2013 6:22 PM  
**To:** Paden, Liza  
**Cc:** Jim Rafferty (jrafferty@adamsrafferty.com); Sean Hope; Ly Liu; Kin Lau  
**Subject:** 75 New Street: Planning Board Hearing Postponement

Liza,

Our attorney, Sean Hope, informed us this evening that there will likely be only 5 Planning Board members at tomorrow night's hearing, (December 17).

We would need a unanimous vote from all 5 members for our 75 New Street project to move forward, so we feel it is too risky to proceed with the hearing. We would like to postpone our hearing for the project until the next available time slot, which we understand to be on January 21. Hopefully there will be more Board members available at that hearing.

I hope this doesn't present any problems for you or the Board. We suspect that the pending snowstorm could further limit turnout for the hearing, so public input might be limited, possibly making it difficult for the Board to make an informed decision. We appreciate your understanding of our position under the circumstances.

Please call or email me if you have any questions or concerns.

Thanks.

Phil

--

Phil Terzis  
VP Project Planning  
Acorn Holdings LLC / AbodeZ Development  
277 Broadway  
Cambridge, MA 02138

[www.acornh.com](http://www.acornh.com)  
[www.abodez.com](http://www.abodez.com)

C 978-771-5584  
P 617-945-8100 ex. 101