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I'm here once again to talk about the latest episode in the saga of the Vaporware Arms. Dictionary.com defines vaporware as "a product, especially software, that is promoted or marketed while it is still in development and that may never be produced." Given the location of this oft-promised, never-delivered building, the name seems most appropriate.

There are two items that you will be voting on in the latest version of Boston Properties' just-give-us-this-one-more-thing-and-you'll-have-your-Kendall-Square-residential-development scam. The one you could vote on tonight is yet another zoning amendment. The zoning amendment story goes back to 2001, when the MXD District development cap was increased by 200,000 square feet, which could be used only for residential purposes. The FAR for a multifamily residential structure, as far as I can tell, has always been 4.0 in the MXD District and in the Kendall Square Urban Renewal Plan, although there are provisions to modify that if a building is a mix of uses with different FARs. Several years ago, BP even submitted plans for a building permit across the street from the current proposed site, and I have found no indication that a 4.0 FAR was a problem.

Yet now that BP has painted itself into a corner by using that other site for something shinier than an apartment building, they act as though they were surprised to find out that the zoning says what it's said for years and so you have to get rid of any cap on residential FAR. They could have addressed this back when they got that zoning change, when this Council gave them 300,000 additional square feet that they just had to have for the Broad Institute, and in return they gave us, the residents of Cambridge, what amounts to the value of my house and a studio condo, along with a promise to give you a sketch of an apartment building on a wet cocktail napkin. Do not give them even more license to make up the rules as they go along by getting rid of the FAR cap for multifamily housing. Figure out what it needs to be, with a little extra if you wish, and make it that.

BP has played fast and loose with the definition of open space, apparently counting a median strip and odd bits of pavement used as motorcycle parking as open space. While it might well be better from a planning point of view to plan the open space strategically throughout the district, Boston Properties has shown that it cannot be trusted to tell the truth about open space, nor to safeguard it without a very short leash. Think long and hard before you let them get rid of the lot open space requirements, another need they can't possibly have just discovered. The best open space in Kendall Square, and my former favorite anywhere, the roof garden, is but a shadow of what it was because this Council succumbed to the word Google and once again gave away the store. Armed with 50,000 square feet of space from the Broad upzoning that the Broad magically didn't need after all, BP was able to convince you and the Cambridge Redevelopment Authority to let them build on this open space. It should surprise no one that Google doesn't appear to be using their 25,000 square foot building that replaced this wonderful parkland the way they said, the way that necessitated the configuration you let them have. What did we get for this? Two million dollars and land that BP didn't even own that has already been open space for decades.

What do we get for all of these new gifts to BP? Nothing.

Next is the proposed sale of a 20' strip of Ames Street. I still don't understand why BP needs

more than is required to build the new building, and I want to reiterate my belief that all of this land that is now public needs to remain used for public purposes, except for what is necessarily going to be covered by the new building. In its offer, BP certified under the pains and penalties of perjury that it had sufficient assets to undertake this project, and I imagine that all of us believe that the \$2,010,000 they offered is well within their financial capability. Why, then, do you think they went to the Cambridge Redevelopment Authority before submitting this bid to ask the CRA to contribute \$1,000,000 to the cause because BP decided that they just couldn't make the numbers work, i.e., they couldn't afford to do the housing? To their everlasting credit, the CRA said no, although they did agree to stretch out the payments BP will owe them. In addition, the CRA extracted several other concessions, including extending the open space covenant for the roof garden as public parkland to 99 years. You guys could learn a lot from them. You've let Boston Properties lead you around by the nose for more than a decade over this housing so many people want to see, and you've got nothing to show for it. The CRA, on the other hand, said no and got some other things they wanted.

Finally, let's look at this housing. We want housing in Kendall Square. We want affordable housing in Kendall Square. I have listened to hours of Council speechifying about the alleged 15 percent affordable housing requirement, which we all know is a lie unless you flunked arithmetic and can't tell the difference between 15 and somewhere around 10 or 11. So, could someone explain to me why BP is planning to build 240-250 units, with 30-32 of them affordable? They don't get bonus units and square footage in the MXD District, do they? How could they if there's unlimited FAR? Why are they talking about 12.5% affordable housing instead of 15%? At what point do the City and this Council join the CRA in saying enough is enough?