Lopez, Donna

From: Stephen Kaiser [skaiser1959@gmail.com]
Sent: Monday, October 27, 2014 10:53 PM
To: Rossi, Rich
Cc: City Council; Lopez, Donna; mike@media.mit.edu; cambridge-residents-alliance-core@googlegroups.com; Paden, Liza; John Hawkinson; Graham Gund
Subject: craCORE: Planning Board Reform

To : Rich Rossi, Cambridge City Manager

From : Stephen H. Kaiser, Hamilton Street

I sense Mike Hawley's unhappiness with the Planning Board, especially in the case of the high-rise courthouse. However, we should begin our assessment with the preparation of a problem statement. The question to be asked is : what is wrong with the current Planning Board? If citizens were to write in to you, as chief administrative officer of the City of Cambridge, you would have both a sense for citizen displeasure as well as a sense of priorities for what needs fixing.

I would need to take some time to make up a detailed assessment, but I think we need reassurance from City officials that they would like to proceed with some sort of definition of what it is that needs correction with respect to this important Board.

Since earlier this year when concerns were raised about the Board having a record of 49-0 for favorable approvals of special permits, the record has increased to 51-0 with almost all recent approvals being made by a unanimous Board. In addition, a new special permit request was added to the agenda for the September 30 hearing on the courthouse. Yet the chair announced that since there was "no new information" from the proponent, the Board would not be taking public testimony. How can there be new special permit requests slipped in at the end of a lengthy review process, yet there is no provision for public comment?

The subject matter of the special permit was language dealing with parking relative to section 6.22.2 of the CZO -- a matter certain to come up before the City Council.

Mr. Hawley could not be fully complete in his e-mail listing of concerns about the Board, and neither can I . What I hope is that we can agree on a procedure to resolve the current crisis over credibility of the Board.

SHK

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On 10/27/14, Michael Hawley <mike@media.mit.edu> wrote:
> Dear Councilors and other public servants:
>
> We understand you will be asked to consider an ambitious process to
> rethink the Planning Board procedures.
>
> Mr. Rossi's responsiveness to complaints on these thorny issues are
> appreciated, but: isn't this doomed to another quagmire of hearings
> and conversations? We are not sanguine about the result.
>
> As you consider what to do, remember that 5 of the Planning Board
> members have expired terms. Nearly all are a holdover from the
> previous administration. Is it any wonder the stale, entrenched
> patterns continue? – or that so many people have complained so

> vigorously? You might consider asking the City Manager to first
> simply focus on replacing the expired members, and refreshing the
> Board. "Rotating the crops" is crucial to any healthy board
> governance. With a fresh Board, discussions about board process might have more traction.
>
> To that point, I urge each of you to watch this brief clip contrasting
> the PB deliberation (on the Courthouse, 30 Sept) with the testimony of
> Graham
> Gund:
>
> https://www.youtube.com/watch?v=UVh3_Z0XOv8
> <https://www.youtube.com/watch?v=UVh3_Z0XOv8>
> Mr. Gund is one of the nation's finest and most respected architects.
> He's also the man who had the decency to step up and save the historic
> Bulfinch Courthouse. And he continues to generously maintain the old
> Bulfinch building and its courtyard gardens with affection and
> dignity. It's one of Cambridge's jewels.
>
> About the proposed 40 Thorndike renovation, Mr. Gund testified:
>
> "It's not a question of architecture. It's the mass of the building."
> "During the entire year we don't see the sun."
> "It's horrendous. No one would permit this in a civilized society.
> So why are we perpetuating it?"
>
> As you can see, when the Planning Board recalled Mr. Gund's testimony,
> they sniggered in amusement that Mr. Gund "didn't like the building."
> Dismissing the whole point of Mr. Gund's testimony, the Board says:
> "We are softening the edge, making it compatible, with an emphasis on
> an earth-based material [terra cotta]." Softening the edge?! An
> "earth-based" material? As opposed to what, kryptonite? We all know
> that tweaks to the skin of the building or to the details of the
> architecture, do not begin to address the fundamental, overwhelming
> problem of massing and deleterious impact – which every single one of
> you voted to substantially reduce. The capacity of this Board to toss
> aside the input of Mr. Gund, almost as if it were a joke, and
> disregard the input of hundreds and hundreds of citizens who were in a
> vast majority so thoughtfully and vigorously opposed to the project, is jaw-dropping. Does
nobody respect your unanimous policy order?
>
> At the end of the deliberation, the Planning Board complimented
> themselves proudly on a job well done. And Board member Ted Cohen
> actually wondered with a laugh why Jim Rafferty didn't jump up and
> down with joy once the vote was recorded – at which the whole board giggled. A "high five"
moment?
> After the years of tortured hearings leading to this point? Really?
> Many observers were disgusted. One who stayed to the bitter end said
> "the so-called deliberation was merely a performance." Another said it
> was a "bag job." Another spoke of the "devastating incompetence" of the Board.
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> This is not merely a few folks kvetching about an unpopular decision.
> And it is not just an echo of the summer's heated arguments around Mr.
> Carlone's proposed amendment on large special permits. People are irate.
>
> Kindly consider insisting that Board members with expired terms be
> retired and replaced.
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> On a legal note, the community awaits the filing of the formal
> decision on the Courthouse permits, expected this week. We intend to
> appeal that decision. As you all know, this case potentially leaves
> the City liable for issuing an unlawful special permit. As you also
> all know, the prudent course would have been to simply deny the permit
> and require the Developer to seek approval in Court that this
> structure, once privately owned, indeed gains protection as a lawfully
> nonconforming structure: legally it is their burden to do so.
> Instead, stepping on the gas and approving the permits dumps the
> burden onto the community. It is an unfortunate turn of events, but
> many in the community feel that we need to do what is right – legally
> and morally – in the hope of achieving a better outcome for an historic site defiled by a
colossal, corrupt mistake.
>
> Since we citizens pay the taxes that support our City Solicitor and
> the Planning Board, I'd like to suggest that the City provide funds to
> support the citizen's legal appeal in this case. Unorthodox, but is that so wrong?
> Kindly reconsider some of the crazy "wrongs" that have led to this point:
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> We have the outrageous "wrong" of the original building (a criminally
> corrupt fiasco); and now the massively "wrong" idea of kicking that
> can into the future by piling thousands of corporate commuters into
> the midst of a residential neighborhood. Everyone knows two wrongs don't make a right.
> And we have a third wrong: the exploitation of Cambridge's unstoppable
> permitting machine to bridge from one monumental wrong to the next.
> And also the wrong idea that it's somehow good planning to steam ahead
> on this massive renovation without first tackling the problems of
> traffic and parking that already plague the neighborhood and are
> growing much worse. Or how about the idea that 80-90% of the building
> will be removed – and then rebuilt like a zombie we can't kill, in
> order to milk every leasable square inch of the original monstrosity?
> Or the desperation maneuver by DCAMM, using "eminent domain" to take
> the property from itself, and give it back to itself, in order to
> "cleanse" the title and wash away that pesky founding gift – all in
> the nick of time for the Planning Board to issue a decision in a final full-court press.
Many feel these wrongs are deeply offensive.
>
> How many wrongs must we swallow?
>
> Sincerely,
> Michael Hawley
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> --
> #### Forward only with permission ####
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> You received this message because you are subscribed to the Google
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> To unsubscribe from this group and stop receiving emails from it, send
> an email to cambridge-residents-alliance-core+unsubscribe@googlegroups.com.
> For more options, visit https://groups.google.com/d/optout.
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