



City of Cambridge

O-35.

IN CITY COUNCIL

September 24, 2001

COUNCILLOR BORN
COUNCILLOR BRAUDE
COUNCILLOR DAVIS
COUNCILLOR DECKER
MAYOR GALLUCCIO
VICE MAYOR MAHER
COUNCILLOR REEVES
COUNCILLOR SULLIVAN
COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to refer the attached letter from Stephen Kaiser to the Community Development Department, the City Engineer and the City Solicitor for quick response.

In City Council September 24, 2001.

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

A handwritten signature in black ink that reads "D. Margaret Drury".

ATTEST:-

D. Margaret Drury
City Clerk

Stephen H. Kaiser
191 Hamilton Street
Cambridge, Mass. 02139

To : Councilor Kathleen Born, Co-Chair of the Ordinance Committee
Vice-Mayor David Maher, Co-Chair of the Ordinance Committee
City Councilors

From : Stephen Kaiser, Zoning Consultant, Association of Cambridge Neighborhoods

SJK

SUBJECT: Status of Zoning Map for City of Cambridge, especially regarding North Point and the Boundary with Somerville

Dear Councilors Born and Maher,

On September 12, the Council was first apprised of the error in Cambridge maps in North Point at the Cambridge/Somerville boundary. A week later the Planning Board referred to the growing controversy, including concerns from the Somerville Planning Director, who indicated that he would be watching the Cambridge process very closely.

Our pressing problem is that the Zoning Map is in error : this map shows about 5 acres of Somerville land as being in Cambridge. A thin sliver of Cambridge is shown as being in Somerville. This map error must be corrected. This error has direct relevance to the East Cambridge zoning issues now before the Council : Section 16.11 of both the Planning Board/ ECaPS and Birk zoning petitions "*regulates development within the North Point Residence District (the "District"), located as shown on the Zoning Map, as amended.*"

This error first crept into city mapping at least as early as April 1989, although city maps did continue to use the S-shaped "wavy" boundary through 1996. The advent of centralized GIS mapping in the City has resulted in the following maps containing the erroneous "straight-line" version :

- * The Assessor's Maps of Cambridge, especially area IA.
- * The Zoning Map of Cambridge
- * All maps presented to the ECaPS study committee and included in the various draft documents submitted to ECaPS
- * The ECaPS rezoning map included in materials submitted to the Planning Board and the Cambridge City Council.

The Somerville city maps retain the wavy S-shaped boundary which follows the historical Miller's River alignment or river "thread" as verified in the work of the Rivers and Harbor Commission of the first decade of the last century. The final step was the Boston/Cambridge map of 1910 accompanying Chapter 312 of the Acts of 1910. This map, while showing the S-shaped boundary between Cambridge and Somerville, established a straight-line boundary between Boston and Cambridge which is properly reflected in the current Cambridge city maps -- except for the Assessor's Map which shows two boundary lines for Boston and Cambridge.

It is my understanding that the changes to Cambridge city maps occurred shortly after the last rezoning of North Point in 1988, and were done at the behest of the Guilford company, utilizing the surveying services of Gunther Engineering. Private entities can draw any map they wish, but the problem comes in the acceptance of these changes into Cambridge city mapping over the past decade. Who authorized the changes? Why was Somerville never consulted? Was there any effort to comply with state law, Chapter 42, Section 7, which specifies the necessary procedures and legislation before changes are made to the boundaries of cities and towns?

Further historical evidence was obtained from a visit to the State House Library and a review of the 1927 Sanborn maps for Charlestown, Somerville and Cambridge. These maps show a straight-line form which virtually matches the changes introduced into the city maps during the 1989 to 1996 period. The Sanborn maps were generated by a private company in New York City and are intended primarily for insurance applications. Today we now know more about the origins of the boundary change. For a period of at least 60 years the Sanborn maps differed from both the Cambridge and Somerville City maps.

The bottom line for the Cambridge City Council is that it cannot take any East Cambridge zoning action based upon the flawed Zoning Map of the city. This map must be corrected, including the electronic versions which are now posted on the City's Web-site. Only then can legal and domestic peace be restored with the State, the County and the City of Somerville. Only then can zoning actions taken by the City Council at North Point be considered legal.

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letter ^{FROM Stephen Kriser} to CAD for quick response
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Order #35

Letter from Stephen Kaiser be referred to the Community Development Department, City Engineer and City Solicitor for a response.

Councillor Born and entire membership

In City Council September 24, 2001

ORDER ADOPTED