

THE ALMANAC

SCES ANSWERS FOR ELDERLY

Home improvement: doing it right

Spring is the time for homeowners to plan necessary home repairs and improvements, and anyone making such plans should be sure they are doing them right.

Older consumers may be especially vulnerable to slick sales pitches, unscrupulous or incompetent contractors and other potential problems when planning improvements in their homes.

A free workshop on consumer rights and remedies with home repair and improvement contracts will take place at the North Cambridge Senior Center on Friday, May 13 at 10 a.m. It is open to residents of Somerville and Cambridge.

Here are some of the tips offered by the workshop's sponsors, the

Cambridge and Somerville Consumer Councils, Homeowners Rehab, Inc. and the Cambridge Energy Office:

•When looking for a contractor, talk to friends and neighbors who have had similar work done.

•Get written estimates from at least three contractors and ask for three references of other homeowners who have hired them recently.

•Be extremely skeptical of any contractor that contacts you door-to-door.

•Get a written contract specifying the work to be done and the material to be used in detail. Read it over carefully before signing. If the total is over \$1,000, it may be worth paying an attorney to review it.

•Make sure the contractor has insurance for his crew and property damage, that he fulfills all city permit requirements and that all warranties are in writing.

•If you're thinking about replacement windows of any kind advertised on TV, be aware that they have pros and cons and that there are other ways to save money on fuel, reduce drafts and beautify your home.

•Look into special programs designed to assist income-eligible homeowners with home repairs. The Home Improvement Programs of

fero by Homeowners Rehab, Inc. and others in Cambridge and by the City of Somerville provide advice on financing, contractor selection and technical matters free of charge, as

well as some financial assistance for rehabilitation work.

More information may be obtained at the workshop or by calling the following: Cambridge Consumer Council, 496-9022; Somerville Consumer Council, 776-3031; Homeowner's Rehab, Inc., 868-4858; Somerville City Hall, 625-6600; or the Cambridge Energy Office, 498-9034.



PRO ARTE CONSORT, an eight-voice capella vocal group, will present music from Elizabethan England and the French and Italian Renaissance at the Cambridge Public Library, 449 Broadway, on Thursday, May 12, at 7:30 p.m. The concert is free.

SCES ELDER MENUS

The SCES menu for the week of May 9 is: Monday, hot turkey sandwich, mashed potatoes, peas, sweet potato parfait or water pack fruit.

Tuesday, lasagna with sauce, tossed salad, scallion bread, grated cheese, fresh fruit, milk. Wednesday, juice, meatloaf with gravy, buttered noodles, mixed vegetables,

raisin bread, chilled fruit or water pack fruit, milk. Thursday, oven fried chicken, au gratin potatoes, dried carrots, blueberry muffin, pineapple havarian or water pack pineapple, milk. Friday, cheese omelette with cheese sauce, lyonnaise potato, zucchini, tomato, oatmeal bread, vanilla pudding with jimmies or D-Zerta, milk.

WHAT'S HAPPENING

Items for the What's Happening column must be submitted in writing by Friday at 12 noon for the issue of the following week. Items should be directed to the "Cambridge Chronicle," 7 Temple St., Cambridge 02139. The column includes events in Cambridge ONLY from the Thursday of publication through Friday of the following week, if space permits.

Thursday/May 5

HOOPER-LEE-NICHOLS House, Sundays, Tuesdays, Thursdays, 2 to 5 pm, 159 Brattle St., \$1 for adults, 50 cents for children.
DIANETICS SEMINAR, Tuesday, Thursday, 7 to 8:30 pm, Church of Scientology Dianetics Center, 8 Essex St.
GROCERY BINGO, weekly, 7:30 pm, 812

Memorial Dr. TOTAL AEROBIC Fitness, weekly, 6 pm, 595 Mass. Ave., fourth floor.
HENRY WADSWORTH LONGFELLOW House tours, daily, 10-30 pm, 105 Brattle St. Admission \$2. Free for seniors, children under 13.
QUINTALING I, Thursdays, 5:15-6:15 pm, Intercontinental Foreign Language Program, Zero Garden St.
YOGA CLASSES, Joy of Movement, 536 Mass. Ave., Monday, Wednesday and Friday, 7:15-8:30 am; Tuesday and Thursday, 6:30-7:30 am; \$7 a class, \$59 for ten classes, 492-4680.
AEROBICS AT THE YWCA, Thursdays, Saturdays, ongoing, 10 am, YWCA, 7 Temple St., \$5 per class, \$40 for 10. Call Julia at 492-1369, evenings.
I.R. OBICS Therapeutic Aerobics with Music with Incest Histories, YWCA, 7 Temple St., 2nd and 4th Thursdays of every month, 6:15-7:45 pm, \$5. Call 491-6078.
DROP-IN DISCUSSION GROUP for women with incest histories, third Thursday of every month, 7:30 to 9:30 pm, at the Women's Center, 46 Pleasant St., free. Call 354-8807.
ROTARY CLUB OF CAMBRIDGE,

Thursdays, 12:15 pm, Howard Johnson Hotel, 777 Memorial Dr.
THURSDAY MORNING LECTURE SERIES at the Cambridge Center for Adult Education, Blacksmith House, 55 Brattle St., Coffee and tea at 10 am; talks begin at 10:30. Tickets available in advance. Call 547-6789.
SLIM-FOR-LIFE weight-reduction, maintenance and nutrition program, 10:30 pm Thursdays, Sancta Maria Hospital, 97 Blanchard Rd. 924-3475.
SMALL WONDERS Stories and crafts for toddlers, Thursdays, 10:30 am, Central Square Branch Library, 45 Pearl St., 498-9081.
MOVIES FOR CHILDREN, for elementary school children, Central Square Library, 45 Pearl St., Thursdays at 3:45 pm, 498-9081.
AIDS AND RAISING KIDS, a presentation by Joan Frieley sponsored by the Peabody Community School, 44 Lincoln St., Cambridge at 7:30 pm, May 5. Free. Call 498-9065.
FICTION DISCUSSION GROUP, alternate Thursdays, Cambridge Public Library, Central Square Branch, 45 Pearl St., 498-9081.
AEROBIC CLASSES, Tuesdays and Thursdays, 7-8 pm, \$2 per class. Cam-

bridge Community Center, 5 Callender St.
ADVANCED CONVERSATIONAL SPANISH, 8:15-9:30 pm, 9:30-11 pm, Thursdays, Christ Church, Zero Garden St., 492-1476.
AIDS FAMILY SUPPORT GROUP, Cambridge-Somerville Mental Health Center, 12 Maple Ave., 491-0620, 1st and 3rd Thursdays, 7:30-9:30 pm, free.
ORGANIZATION OF OLDER STUDENTS, weekly, Cambridge Center for Adult Education, 56 Brattle St., 12 noon, free.

Friday/May 6

DROP-IN LOUNGE, weekly, for kids to 14, 808 Memorial Dr., 7 to 9 pm; 50 cents.
WOMEN'S COFFEEHOUSE, Fridays, 8 pm-12 midnight, Women's Center, 46 Pleasant St.
ADULT DAY HEALTH Windsor House, 10 am-2 pm, Shop entrance on the Harvard Square side of the church, offering used clothing, books, miscellany.
CHILDREN'S BULLET CLASSES at the St. John's Ballet School, YWCA, 7 Temple St. Classes for boys and girls, Mondays, 4 pm, and Saturdays, 11 am and 12 noon. Reduced fee sponsored by the North Atlantic Ballet. Call 257-5516 or 894-5195.
FLEA MARKET at Cambridge Community Center, 5 Callender St., Cambridge, Saturday, May 7 from 10am to 6pm. Call 547-6311.

seniors, 15 Pearl St., or call 868-0600.
TODDLERS Inc., play time for toddlers accompanied by an adult, Fridays, 10 am-noon, Central Square Branch Library.
LOVE CHAPEL, Christian service, by the Rev. Timothy Arnt, Fridays, 7:30-9 pm, YWCA, 7 Temple St.
TOUCHE, an organization of federally subsidized Section 8 tenants, will meet Friday, May 6 from 7:30 to 9:30 pm, at the Cambridge Community of Elders, 15 Pearl St. Call 868-2900(Days) and 547-1421(Evenings).
COUNTRY STORE/PENNY SALE, Friday, May 6 at 7pm. Sponsored by the M.L. King School, 100 Putnam Ave., in the school cafeteria.
ARTWALK at Graves Landing on Friday, May 6, from 11:30am to 1:30pm. Call 498-9033.

Saturday/May 7

EATING DISORDERS monthly support group, third Saturday, Christ Church, Zero Garden St., 254-0054 or 254-1100, ext. 366.
AT THE WORLD COMMUNITY, 33 Trowbridge St., "To Cure Greed," weekly workshops, 491-6369.
THRIFT AND GIFT SHOP, North Porter United Church of Christ, Forter Street, Mass. avenue at Roseland square, Wednesdays and Saturdays, 10 am-2 pm. Shop entrance on the Harvard Square side of the church, offering used clothing, books, miscellany.
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Monday, 926-4232.
CANDLEPIN BOWLING, Mondays, 9-11 pm, St. John's Bowling League, Bowl-Haven Lanes, 45 Day St. (near Davis St.). Meet to be over.
TOURS OF HARVARD YARD, daily from the Harvard International Center, Holyoke Center, Harvard Square, 10 am and 2 pm.
BIGENERGETIC EXERCISE CLASSES, Mondays, 8:45 am, 2000 Mass. Ave., 2nd floor, \$5, 354-2245.
AT THE WOMEN'S CENTER, 46 Pleasant St., 354-8807. Narcotics Anonymous, 7:30 to 9 pm; Battered Women's Support Group, 6:30 to 8 pm; and Lesbian Bar, 8-10 pm.
AFTER SCHOOL CARE, Cambridge Family YMCA, Monday through Friday, 2:30 to 6 pm. Transportation available from certain Cambridge schools, 876-3660.
DROP-IN RECREATION PROGRAM for the elderly, Monday, Wednesday and Thursday, 10 am to 1 pm, Gately Shelter, behind the Fitzgerald School, Rindge avenue and Haskell Street. Sponsored by the Cambridge Department of Human Services, 498-9028.

Harold Dick

Harold L. Dick, 63, died April 25 at the Mt. Auburn Hospital. He was born in Flat, IL, and was a resident of Cambridge for 40 years. He was a machinist for MIT, and for Simplex Wire and Cable Co. He was the father of Harold L. Dick, Jr. of Cambridge; and was the brother of Ernest Dick of Cambridge, Dothan, AL, and Mary Ellen Baxter of Lewiston, IL. He is also survived by one grandson, Harold L. Dick, III. The funeral services will be held at a later date in Flat, IL. Arrangements were made by the John J. Donahue Funeral Home.

Joseph Murphy

Joseph F. Murphy, 69, died after a brief illness April 25 at his residence in Cambridge. He was a lifelong resident of Cambridge, and was an employee of Harvard University. He was the brother of John F. Murphy of Waltham, Ann M. Gallagher of Arlington, Rosemary E. Sogue of Hingham and the late William M. and John F. Murphy. A Mass was said April 28 in St. Mary's Church. Interment followed in the Cambridge Cemetery. Arrangements were made by the John C. Burns and Sons Funeral Home.

Silvino Freitas

Silvino Freitas died April 26 at the Sancta Maria Hospital. He was born in Portugal, and was a construction worker. He was the husband of the late Maria (Viegas) Freitas; the father of Joseph and Charles Freitas; the son of Maria Paim and the late Joseph Freitas; and the brother of Concete Carvalho and Maria Angelina Sousa. A Mass was said April 29 at St. Anthony's Church. Interment followed at the Cambridge Cemetery. Arrangements were made by the Rogers Funeral Home.

Americo Valentino

Americo F. Valentino, 67, died after a lengthy illness April 27 at the Youville Hospital. He was a longtime resident of Cambridge.

He was the husband of the late Emily (Perry) and Marion (Murphy) Valentino; the father of Paul and Peter Valentino, Nancy Rodrigues and Hazel Everett; the brother of Italia Geramanitana, Beatrice Norris, Gurina Velleucci, Mary Ostroski, Rose Baxter, Rudolph Valentino and the late Fiore A., Peter A. and Columbus Valentino.

Margaret Sampson

Margaret J. (MacLean) Sampson, 80, died after a brief illness April 26 at the Sancta Maria Hospital. She was born in Nova Scotia, and was a resident of Cambridge for 30 years. She was the wife of Louis J. Sampson Sr.; the mother of Paul Douglas Sampson and Lewis J. Sampson, Jr., both of Cambridge; the sister of Florence Ferguson of New Glasgow, Nova Scotia. A Mass was said April 29 in Our Lady of Pity Church. Interment followed at the Mt. Auburn Cemetery. Arrangements were made by the Stanton Funeral Home.

Margaret J. (MacLean) Sampson, 80, died after a brief illness April 26 at the Sancta Maria Hospital. She was born in Nova Scotia, and was a resident of Cambridge for 30 years. She was the wife of Louis J. Sampson Sr.; the mother of Paul Douglas Sampson and Lewis J. Sampson, Jr., both of Cambridge; the sister of Florence Ferguson of New Glasgow, Nova Scotia. A Mass was said April 29 in Our Lady of Pity Church. Interment followed at the Mt. Auburn Cemetery. Arrangements were made by the Stanton Funeral Home.

William Hazard

William A. Hazard, Jr., 30, died suddenly April 26 at his residence in Cambridge. He was born in Saugus, and was a manager at the Hong Kong Restaurant in Harvard Square. He was the son of Anna Louise Hazard and the late William A. (Al) Hazard, and was the grandson of Elizabeth Merritt of Malden. He was the nephew of Ruth Bradshaw of Atlantic City, N.J., Clifford Merritt of Baltimore, James Gladden of Cam-

bridge and Catherine Samuels of Dorchester.

A funeral service was held April 30 at the A.J. Spears Funeral Home. Interment followed at the Cambridge Cemetery. Arrangements were made by the A.J. Spears Funeral Home.

Sarah Goodwin

Sarah E. (Axtman) Goodwin, 77, died after a long illness May 1 at the Cambridge Hospital. She was a lifelong resident of Cambridge. She was the mother of Jane Rivard of Lynnfield; grandmother of William Rivard and Suzanne Alicea, both of Nebraska, and Peter Rivard of Lynnfield. She is also survived by three great-grandchildren. A funeral service was held May 4 at the Morrison Funeral Home in Wakefield. Interment followed at the Forrester Hill Cemetery. Arrangements were made by the Morrison Funeral Home of Wakefield.

Robert O'Neil

Robert O'Neil, 67, died after a short illness May 2 at the Mt. Auburn Hospital. He was a lifelong resident of Cambridge, and was a retired engineer for New England Telephone. He was the husband of the late Dorothy (Stacey) O'Neil; the father of Barry O'Neil, Patricia Cronin, Ellen Simard and Elizabeth Boudreau; the brother of William O'Neil; and was the grandchild of Nathan, Patrick, Jacob, Emily, Susan, Kathleen, John, Daniel, Grace and Elizabeth. A Mass was said May 4 in St. John's Church. Interment followed at the Cambridge Cemetery. Arrangements were made by the Keefe Funeral Home.

Mark Anthony Hill

Mark Anthony James Hill, 26, died after a brief illness April 20 at University Hospital. He was the son of Carroll James Hill and Bessie Hill James; and was the brother of Louis Hill of Cambridge and Carol Patterson of Boston. A funeral service was held April 22 at the A.J. Spears Funeral Home. Interment followed at the Cambridge Cemetery. Arrangements were made by the A.J. Spears Funeral Home in Cambridge.

Joseph Simeone

Joseph S. Simeone died suddenly April 24 at the Mt. Auburn Hospital. He was born in Italy, and was a resident of Arlington for over 30 years. He was the chef-owner of Simeone's Restaurant in Cambridge for over 30 years and also taught cooking at Cambridge Rindge and Latin School.

Mr. Simeone was a member of the board of directors of the Suburban Bank of Arlington and a member of the board of directors of the Cardinal Cushing School in Hanover.

He was the husband of Rosalie (Smith) Simeone; the father of Mary Ann Pierce of Needham; the brother of Rosalie Cammaratta of Cambridge and Anthony Simeone. He is also survived by three grandchildren.

A Mass was said May 2 in St. Eulalia's Church in Winchester. Interment followed at the Mount Pleasant Cemetery. Arrangements were made by the Keefe Funeral Home.

Mary Sullivan-Coughlan

Mary F. (Noonan) Sullivan-Coughlan, 81, died after a lengthy illness April 22 at the Mt. Auburn Hospital. She was born in Boston, and was a lifelong resident of Cambridge.

She was the wife of Patrick Sullivan and the late Bartholomew Coughlan. She was the mother of Mary Curran of Lexington, Eileen Stafford of Cambridge, Joan Champagne of Lexington, Clare Magliozzi of Watertown, Anne Murray of Wellesley, Kathleen Cloonan of Wellesley, Patricia Sweeney of Cambridge and the late Jeremiah Coughlan. She is also survived by 27 grandchildren, and 5 great-grandchildren.

A Mass was said April 26 in the Church of the Blessed Sacrament. Interment followed at the Cambridge Cemetery.

Sunday/May 8

CANDLELIGHTERS SOCIAL, a group for Christian singles, second and last Sundays of the month. Carpool volunteers needed for Somerville area. Call 776-1197 or 666-2869.
EXHIBIT OF PASTEL DRAWINGS, featuring the Cambridge Cemetery. From May 1 to May 15, Monday-Friday, 9am to 5pm, Saturday, 9am to 5pm and Sunday, 10am to 5pm, at the Cambridge Public Library, 449 Broadway, Cambridge. Free. Call 498-9080.
WALKING TOUR OF CAMBRIDGE, sponsored by the Cambridge Historical Society, May 8 at 2pm at the Blacksmith House at 56 Brattle St. Fee \$2 for members, \$3 for non-members. Call Nancy Perry, executive director.
BE KIND TO ANIMALS WEEK, Week of May 8 thru May 14. The Cambridge Ordinance will feature Dr. Gul Alpha, president Nancy Perry, executive director. This half-hour program will be at the University of Massachusetts at Boston Harbor Campus, Boston. Free. Call 925-7270.

Monday/May 9

STATE SEN. MICHAEL LOPRESTI of one hour, first Monday, 6 pm, Ackerman Room, City Hall, or call his office at 722-1636.
ART CLASSES for senior citizens, free, Mondays, 12 noon-2 pm, Cambridge Community Center, 5 Callender St., 547-6811.
SENIOR NUTRITION CENTERS offer lunch every day of the week (75 cents requested contribution) at the following locations: Burns Apartments, 492-7247; Huron Towers, 354-6614; North Precinct United Church, 497-2115; Northfolk Street House, 868-7979; 15 Pearl St., 868-0800; Miller's River, 354-3789; and 122 Cambridge St., 876-4856. Call for reservations.
AGORAPHOBIA self-help group, Mondays, 10-11:30 am, 492-5163.
VISION Foundation, a support organization for people with sight loss, third

Tuesday/May 10

TOASTMASTERS CLUB offers public speaking meetings, 6 pm, 2nd and 4th Tuesdays of the month, Cambridge YWCA, 820 Mass. Ave., 643-1151.
WEIGHT WATCHERS every Tuesday, 5:30 pm, Cambridge-Somerville Weight Watchers Center, Twin City Mall, Monsignor O'Brien Highway, 566-5100.
BLOOD PRESSURE CLINIC, Sancta Maria Hospital, 11 am to 12 noon, first Tuesday of the month.
BREAST CANCER SCREENING CLINIC, Cambridge Hospital, first Tuesday, 498-1552.
AEROBICS AT PEABODY COMMUNITY SCHOOL, 44 Lincoln St., Tuesdays and Thursdays, 8:30-9:30 pm, Call Mary Ellen Ryan at 498-9065.
SENIOR BASKETBALL, Tuesdays, 1-3 pm, Margaret Fuller House, 71 Cherry St., 547-4880.
PRE-SCHOOL MOVIES Tuesdays, Central Square Library, 45 Pearl St., 10:30 am and 3:45 pm.

TUESDAY CLUB, a drop-in center for senior citizens, meets 11 am-4 pm through the year, except for holidays, at the First Parish Church, 8 Church St., Harvard Square. Light refreshments are served, or bring your lunch, \$1.50 per session.

HEALING SERVICE FOR ALL AFFECTED BY AIDS, Tuesday, May 10 at 7:30 pm at St. John's Memorial Chapel Episcopal Divinity School, 99 Brattle St., Cambridge. Call 868-3450.

LITERACY CLASSES FOR ADULT NON-READERS, Tuesdays and Thursdays, 6:30-8:30 pm, Central Square Branch Library, 45 Pearl St., 498-9080.

LESBIAN AND GAY DROP-IN for older lesbians and gay men, Tuesdays, 6-8 pm, alternating between Cambridge Committee of Elders, 15 Pearl St., and YWCA, Clarendon Street, Boston, call 725-4907.

YOGAEROBICS Tuesdays and Thursdays, 6-7:30 pm, \$6. First Parish Church, 8 Church St., Harvard Square. Call 492-3920; bring aerobic shoes.
AT THE WOMEN'S CENTER, 46 Pleasant St., former lesbian nuns support group, Monday, 7:30 pm, Discusing group in American Sign Language for deaf women with incest histories, third Tuesday of every month, 7:30 to 9:30 pm, Call 354-8807.

Wednesday/May 11

CAMBRIDGE KIWANIS meets weekly at the Howard Johnson Motor Lodge, 777 Memorial Dr., 12:15 pm.
FREE LUNCH for senior citizens, Wednesdays, noon, Cambridge Community Center, 5 Callender St. Call 547-6811 for reservations. Suggested donation, 75 cents.

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CAMBRIDGE, MASSACHUSETTS NOTICE OF ANNUAL MEETING OF CORPORATORS
The Annual Meeting of the Corporators of the Cambridge City of Cambridge will be held at the State Street Chamber and Trust Company, 225 Franklin Street, Boston — Board of Directors Room on the 33rd floor — on May 11, 1988 at 5:30 p.m. for the purpose of transacting the regular business of the Annual Meeting and to consider and act upon such other matters as may come before the meeting.
Robert N. Cann, Clerk
(C)May5

MEETING NOTICE
The regular meeting of the Shareholders of The North Cambridge Co-operative Bank will be held on Tuesday, May 24, 1988 at 5:00 PM at the banking rooms for the purpose of electing officers for the ensuing terms and for the transaction of such other business as may legally come before said meeting. The Bank's financial disclosures are available upon request.
Lucilla A. Stackhouse, Clerk of the Corporation
(C)May5

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT PROBATE OF WILL ADMINISTRATION WITH THE WILL ANNEXED WITH SURETIES
Middlesex Division Docket No. 88P1378E
Estate of Annie E. Walsh late of Cambridge in the County of Middlesex
NOTICE
A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that F. Gerard Gorman of Weymouth in the County of Middlesex or some other suitable person be appointed administrator with the will annexed of said estate.
If you desire to object to the allowance of said petition, you or your attorney must file a written answer in said Court at Cambridge on or before 10:00 in the forenoon on May 24, 1988.
In addition you must file a written affidavit of objections to the petition stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time) as the Court, on motion and upon notice to the petitioner, may allow in accordance with Probate Rule #16.
Witness, Sheila E. McGovern, Esquire, First Justice of said COURT DEPARTMENT, the twenty sixth day of April in the year of our Lord one thousand nine hundred and eighty-eight.
Paul J. Cavanaugh Register of Probate
(C)May 5

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 88P1379E
Estate of Luther K. Macnair late of Cambridge in the County of Middlesex
NOTICE
A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that M. Louise Macnair, Richard N. Macnair and Simon Scheff all of Cambridge in the County of Middlesex be appointed executors without giving surety on their bonds.
If you desire to object to the allowance of said petition, you or your attorney must file a written answer in said Court at Cambridge on or before 10:00 in the forenoon on May 24, 1988.
In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time) as the Court, on motion with notice to the petitioner, may allow in accordance with Probate Rule #16.
Witness, Sheila E. McGovern, Esquire, First Justice of said COURT DEPARTMENT, the twenty sixth day of April in the year of our Lord one thousand nine hundred and eighty-eight.
Paul J. Cavanaugh Register of Probate
(C)May 5

PUBLIC NOTICE RELATIVE TO JOINING CITY OF CAMBRIDGE MASSACHUSETTS OFFICE OF THE CITY CLERK.
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendment thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, May 19, 1988 at 5:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of the Planning Board to extend the effective date of the existing section 3-13 - Central Feed and Automobile Oriented Fast Order Food Establishments until September 30, 1988.
Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.
All persons interested in this matter may appear at this time and be heard.
For the Committee, Councillor William H. Walsh, Chairman.
(C)May,5,12

COMPUTER FURNITURE
Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, E. Cambridge, MA, until 3:00 P.M. Tuesday, May 24, 1988. Proposals will be opened for Computer Furniture for Middlesex County Commissioners Dept., Cambridge, MA at 3:00 P.M. Tuesday, May 24, 1988, at the Leonard J. Russell Hearing Room, Level 3, 40 Thorneike St., Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any formalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court, Cambridge, MA, 40 Thorneike St., Cambridge, MA. (644-4106)
Middlesex County Commissioners Office
Carole Kelley, Purchasing Agent
(C)May5

COMMONWEALTH OF MASSACHUSETTS PROBATE COURT Middlesex, ss. No. 88D 1254-D-1
Summons by Publication
Susan Hautaniemi, Plaintiff
Christopher Miller, Defendant
To the above-named Defendant:
A complaint has been presented to this Court by your spouse, Susan Hautaniemi, seeking to dissolve the bonds of matrimony.
You are required to serve upon Joseph O. Kropp, Plaintiff's attorney, whose address is One Boston Place, Boston, MA 02108 your answer on or before July 19, 1988. If you fail to do so, the Court will proceed to the hearing and judgment of this action. You are also required to file a copy of your answer in the office of the Register of the Court at Cambridge.
Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
April 11, 1988.
Paul J. Cavanaugh Register of Probate
(C)Apr.28.May5,12

REQUEST FOR PROPOSAL SECURITY GUARD SERVICES
MAYOR MICHAEL J. NEVILLE MANOR CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02138
Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, until 11:00 A.M. Thursday, May 12, 1988 at which time and place they will be publicly opened and read aloud for furnishing the following to the Mayor Michael J. Neville Manor Nursing Home.
The City of Cambridge reserves the right to reject any or all proposals, waive any informalities in the proposal process, or accept the proposal deemed to be in the best interest of the city.
Each proposal must be delivered, along with one (1) additional proposal summary, in a sealed package, plainly marked, "Proposal for Neville Manor Security Guard Services," and addressed to Barbara L. Duffy, Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, MA 02139.
The successful offeror must be an Equal Opportunity Employer.
If you desire to object to the allowance of said petition, you or your attorney must file a written answer in said Court at Cambridge on or before 10:00 in the forenoon on May 24, 1988.
In addition you must file a written affidavit of objections to the petition stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time) as the Court, on motion and upon notice to the petitioner, may allow in accordance with Probate Rule #16.
Witness, Sheila E. McGovern, Esquire, First Justice of said COURT DEPARTMENT, the twenty sixth day of April in the year of our Lord one thousand nine hundred and eighty-eight.
Paul J. Cavanaugh Register of Probate
(C)Apr.28.May5

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 88P1379E
Estate of Luther K. Macnair late of Cambridge in the County of Middlesex
NOTICE
A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that M. Louise Macnair, Richard N. Macnair and Simon Scheff all of Cambridge in the County of Middlesex be appointed executors without giving surety on their bonds.
If you desire to object to the allowance of said petition, you or your attorney must file a written answer in said Court at Cambridge on or before 10:00 in the forenoon on May 24, 1988.
In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time) as the Court, on motion with notice to the petitioner, may allow in accordance with Probate Rule #16.
Witness, Sheila E. McGovern, Esquire, First Justice of said COURT DEPARTMENT, the twenty sixth day of April in the year of our Lord one thousand nine hundred and eighty-eight.
Paul J. Cavanaugh Register of Probate
(C)May 5

FIRST PUBLICATION NO. 2413

FIRST PUBLICATION NO. 2412

CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Eighty-Eight
AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge,"
Be it ordained by the City Council of the City of Cambridge as follows:
Amend the text of the Zoning Ordinance of the City of Cambridge by adding the following new Section 10.40:

Section 10.40 Special Permits
10.40.A As expressly authorized in Section 9 of the Zoning Act, M.G.L. Ch. 40A, the following special permits, which authorize increases in the permissible density of population or intensity of a particular use as a proposed development, shall be subject to the provisions of Section 11.20 of this Ordinance.

Section 11.20 Incentive Zoning Provisions
Purpose-The purpose of this Section 11.20 is to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock and expressly its affordable housing stock while accommodating the expansion of housing and commercial opportunities in the City, to provide for a full range of housing choice for households of all incomes, ages, and sizes; to mitigate the impacts of commercial development on the availability and cost of housing and especially affordable housing; to increase the production of affordable housing units and to encourage employment opportunities within the City; to provide a mechanism by which commercial development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that permitted as a matter of right; and to establish standards and guidelines for the use of such contributions.

Section 11.20.1 Definitions
Affordable Housing Trust shall mean the entity defined in Section 11.20.2.
Affordable Unit shall mean any dwelling unit whose rent (including utilities) does not exceed thirty percent of the income of the renting household or whose mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal established pursuant to any city, state or federal housing program, provided that such standards may be determined by the Board of Trustees of the Affordable Housing Trust.

Section 11.20.2 Incentive Zoning Provisions
(a) A Covered Project of more than thirty thousand square feet (30,000 s.f.) of gross floor area, the developer shall contribute two dollars (\$2.00) for every square foot of gross floor area over thirty thousand square feet authorized by the Special Permit.

Section 11.20.3 Incentive Zoning Contributions
A Developer of a Covered Project shall either make a Housing Contribution in accordance with this Section 11.20.3 Subsection (a) or shall create or cause to be created housing, in accordance with this Section 11.20.3 Subsection (b).

Section 11.20.4 Housing Creation Option
The Developer of a Covered Project required to make a Housing Contribution in Subsection 11.20.3 (a) above may create or cause to be created housing, in accordance with this Section 11.20.4, exclusively by the housing contributions otherwise required.

Section 11.20.5 Standards for Construction and Occupancy of Affordable Housing Unit
The special permit granting authority shall give due regard to the standards of the Board of Trustees in granting any special permit subject to this Section 11.20.5 at.

Section 11.20.6 Affordable Housing Units shall be comparable in services and size to dwelling units in the neighborhood where the units are to be located. Units shall generally be designed and intended for families with children. Where the Affordable Housing Units are for elderly, handicapped, or other special needs households the similar standard does not apply.

Section 11.20.7 Use of the Affordable Housing Trust
The Trust property may be made available for, but shall not be limited to, the following uses:
(1) Creation of Affordable Housing Units. To encourage the development of affordable housing units through a variety of means, including but not limited to, the provision of favorable financing terms, direct write-off of costs for non-profit or for-profit developers or to subsidize the production of sites, existing structures or affordable units within a larger development.

Section 11.20.8 Administration of the Affordable Housing Trust
The Board of Trustees shall establish the policies and procedures for the operation of the Trust and Board of Trustees, and agencies for the implementation of this Subsection 11.20.8.

Section 11.20.9 Establishment of a Board of Trustees of the Affordable Housing Trust
The City Manager shall establish and chair a member Board of Trustees of the Affordable Housing Trust Fund for the purpose of administering the provisions of this Section 11.20.9.

Section 11.20.10 Special Resolutions Applicable to the Residence C District
Where it is proposed to employ the provisions of Section 5.31, footnote (1), paragraph (2), applicable to the Residence C District, the following requirements shall apply in lieu of the requirements of Section 11.20.3 above:

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge,"
Be it ordained by the City Council of the City of Cambridge as follows:
The Zone Map accompanying ordinance passed to be ordered September 16, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by deleting the existing Section 3.14 - North Point Temporary Building Moratorium and substituting therefor a new Section 3.14 - The Cambridgeport Interim Planning Overlay District in the area of Cambridgeport as shown on the accompanying map, having the following requirements:

Section 3.14
1. All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.

Section 3.14.1
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.2
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.3
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.4
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.5
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.6
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.7
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

Section 3.14.8
1.1 All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below.
2. The Floor Area Ratio (FAR) applicable on any lot shall be limited to 1.0.
3. The maximum height of any building shall be 46 feet.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D1925
Summons by Publication
Melanie Clark Plaintiff
Richard Clark Defendant

To the above-named Defendant:
Notice is hereby given that the written appearance in this Court by your spouse, Richard Clark, seeking divorce, was filed on the first day of July 1988, the return day of this citation. You are required to appear in person at the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Registrar of the Court of Probate and Estates.

Mid Cambridge Neighborhood Conservation District Commission
Notice is hereby given that the Mid Cambridge Neighborhood Conservation District Commission will hold a public hearing on Monday, June 27, at 5:30 P.M. in the third floor conference room of the City Hall Annex, 57 Inman Street, to consider the following application for Certificate of Appropriateness under Ordinance 100C and for the establishment of the Commission:

Case 157: Yvonne Hillier. Final review of application for Certificate of Appropriateness under Ordinance 100C and for the establishment of the Commission: Case 157: Yvonne Hillier. Final review of application for Certificate of Appropriateness under Ordinance 100C and for the establishment of the Commission.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
Docket No. 88P314101
GUARDIANSHIP - MENTALLY ILL
WITNESSES
NOTICE

To Gladys Thomas of Cambridge in said County of Middlesex:
Notice is hereby given that the application for appointment of a guardian for the person and estate of Gladys Thomas, a mentally ill person, was filed in the Probate and Family Court of the County of Middlesex on the 15th day of June, 1988.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
Docket No. 88P3037E
NOTICE OF PROBATE OF WILL
WITHOUT SURETIES

To the heirs, next of kin, and all persons claiming an interest in the estate of Mrs. Margaret G. Bates:
Notice is hereby given that the will of Mrs. Margaret G. Bates, deceased, was admitted to probate in the County of Middlesex on the 15th day of June, 1988.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88P0923
NOTICE OF FIDUCIARY'S ACCOUNT
FORBES, late of Cambridge in said County of Middlesex.

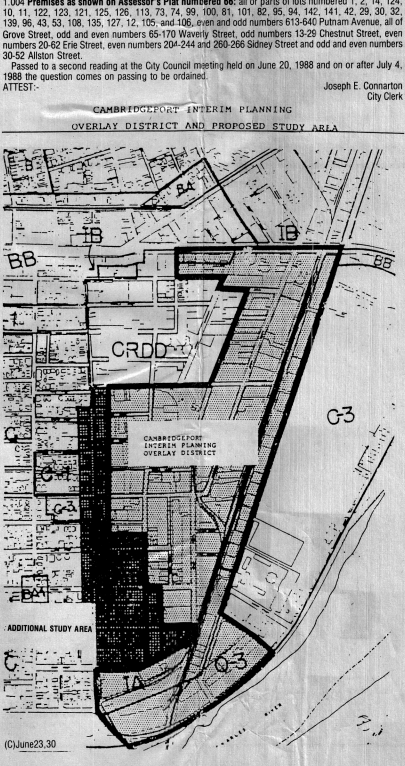
To all persons interested in the estate of Alynn B. Forbes, late of Cambridge in said County of Middlesex:
Notice is hereby given that the account of the executor of the estate of Alynn B. Forbes, late of Cambridge in said County of Middlesex, was filed in the Probate and Family Court of the County of Middlesex on the 15th day of June, 1988.

Cambridge Historical Commission
Notice is hereby given that a public hearing will be held Thursday, June 30, at 4:00 P.M. in the third floor conference room of the City Hall Annex, 57 Inman Street, to consider the following matters under M.G.L. Ch. 40C and the Ordinances governing the Cambridge Historical Commission:

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88P0937
NOTICE OF FIDUCIARY'S ACCOUNT
TO all persons interested in the estate of Anna G. Forbes, late of Cambridge in said County of Middlesex.

To all persons interested in the estate of Anna G. Forbes, late of Cambridge in said County of Middlesex:
Notice is hereby given that the account of the executor of the estate of Anna G. Forbes, late of Cambridge in said County of Middlesex, was filed in the Probate and Family Court of the County of Middlesex on the 15th day of June, 1988.

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88P0937
NOTICE OF FIDUCIARY'S ACCOUNT



SALE ENDS JUNE 25th
Quality & Beauty
HOURS: M-F 7:30-6 PM SAT. 9:30-3 PM
HOURS: M-F 7:30-5:30 PM SAT. 9:30-3 PM

SALE ENDS JUNE 25th
Quality & Beauty
HOURS: M-F 7:30-6 PM SAT. 9:30-3 PM
HOURS: M-F 7:30-5:30 PM SAT. 9:30-3 PM

What's his name is here!

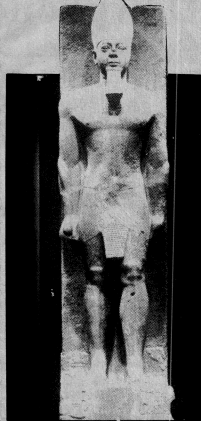
By David Wiegand

Who are Ramesses? What is he? The answer to the "who" question is that Ramesses II, or Ramesses the Great, lived 3,000 years ago, ruled Egypt for 67 years and was responsible for the creation of about one tenth of the great Egyptian monuments of antiquity. The answer to the "what" question can be found through Aug. 30 at the Boston Museum of Science, which is hosting one of the most badly overlooked exhibits to hit Boston since Remor hunkered down at the Museum of Fine Arts a while back. While the old gentleman himself remains at the Egyptian Museum in Cairo, the museum has a choice selection of his household items on display, as well as other artifacts which give the modern-day museum visitor a fascinating glimpse of life in ancient Egypt. Since the exhibit wouldn't be complete without a mummy, you're the first thing you'll see on the tour are the leathery remains of Padiheresh of Thebes, a veritable spring chicken compared to Ramesses, since he lived a scant 2,500 years ago. Padiheresh has temporarily checked out of Mass.

General Hospital for the run of the show.

The artifacts themselves run the gamut from the awesome to the mundane, but even the most common items, such as a scythe-like razor and a polished metal hand mirror, are fascinating not only because they have survived all these years, but because they represent day to day life outside the court of the Pharaoh. Among the most stunning of the royal artifacts is a 19-pound, solid gold necklace belonging to Pausenese I. It was one of several found on the pharaoh's mummy, we are told, but if he wore even one in life, it's amazing he was able to walk erect. Equally impressive is the pair of astounding gold earrings which belonged to King Sety. Each features a large gold tube with seven gold cornflowers dangling. The guy must have looked like Farfel.

Perhaps the most impressive of the artifacts from various royal households and temples are the carved stone pieces and of these, the most impressive of all is the seven and a half-foot tall, granite and limestone carving of a crouched Ramesses as a child. With a finger stuck in his mouth (a common way for a sculptor to depict childhood), Ramesses crouches beneath a sun disk and the protective figure of the bird god, Haaron. A smaller but equally impressive carving shows Ramesses making an offering to the gods, with his left leg bent in front of him and the right extending gracefully behind. The sun sanctuary from Abu Simbel, discovered in 1909, is set up as an exhibit within the exhibit. Representing the sanctuary are four carved baboons. Why baboons? The Egyptians held the baboons in high regard because they (the baboons) habitually faced and screamed at



Continued on page 5A

STALK LIKE AN EGYPTIAN — The Colossus of Memphis, the huge statue of Ramesses the Great, is the highlight of the Boston Museum of Science exhibit.

International animation hits Somerville screen

Animated films from around the world will be shown at the Somerville Theatre, 35 Davis Square, West Somerville, from Friday, May 6 through Friday, May 13.

The 16-film collection, called the Festival of Animation, includes new releases from Russia, Europe, Canada, Bulgaria, and the USA. Some productions in the 1988 film package show the latest in computer animation, like the Disney release, "Oilspot and Lipstick." This film depicts a pair of dogs made of used car parts who have an unexpected run-in with a junk-pile-turned-monster. Another film, "That's Not The Same at All," is the first animated film from Russia in more than 10 years to be shown in such a touring package. The Polish film, "Tango," won an Academy Award in

1983 that catapulted director Zbigniew Rybczynski to fame.

Another film "Traveling Light," made in the US by Jane Aaron, reveals live-stop action through the use of shadows moving about a room. "Crushed World," a 7-minute Bulgarian film, uses paper puppets to study the foibles of life for a man and boy. It won a grand prize at the Amecy, France Film Festival, and an Academy Award equivalent for animated films.

Each of the 16 films are one to 10 minutes each, presented in sequence for a total of two hours. Admission is \$5.50 in advance, \$6, and \$3 for children. Tickets are available at all Ticketmaster locations (787-8006) and at the Somerville Theatre Box Office.

CAA auction begins May 8

The Cambridge Art Association announces the return of its Art Auction as its main fundraising event, on Sunday, May 8, from 3-7 p.m. Silent bids will be accepted during the preview—now through May 7 at the Cambridge Art Association Gallery,

25R Lowell Street, Cambridge. Well known artists Albert Alcalay, Gyorgy Kepes, Maud Morgan and Kay Brown, as well as works from the collection of the Society of Arts and Crafts, will be represented. Entry is free and open to the public; refreshments will be served.

Be a cargo specialist on weekends

Be a member of our Aerial Port team and train as a loadmaster, forklift operator or a cargo specialist in the Air Force Reserve. Earn good pay, make new friendships and qualify for special benefits. A part-time job—with a future!

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Date of Birth: _____

AIR FORCE RESERVE

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ONCE AGAIN, NURSING IS YOUR MOST REWARDING CAREER!
Yes, nurses have "come around again" as highly respected professionals with the highest earning potential. And today's nurse receives special rewards and challenges like no other job opportunity.

PEOPLE ARE CHANGING CAREERS AND TURNING TO NURSING!
Men and women who are unfulfilled in their present job are turning to nursing because it is the career of the future and it fits their lifestyle. And they are choosing the Somerville Hospital School of Nursing because we too have "come around again" in both our academic philosophy and curriculum requirements.

WE'VE MADE IT EASIER TO BECOME A NURSE!

- Algebra and chemistry are no longer required
- Present LPN's get course exemptions and credit for work experience
- College credits are transferable
- Tuition Pay-Back program that can pay all your tuition if you work at Somerville Hospital upon graduation
- 2 Year Academic Program (summers off)
- Part Time program available
- Financial Aid
- Dormitory Facilities

OPEN HOUSE
May 11 from 7 pm - 9 pm

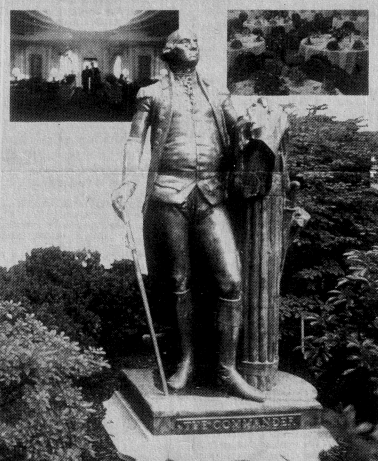
125 Lowell Street, Somerville, MA
If you can't attend our Open House and want further information, call Patricia Dineen, Admissions Counselor, 125 Lowell Street, Somerville, MA 02143; 666-4400, ext. 246.

Somerville Hospital School of Nursing
is committed to equal opportunity in education.

FIGHT SOME OF THE WORST DISEASES OF OUR TIME. Support the American Diabetes Association.

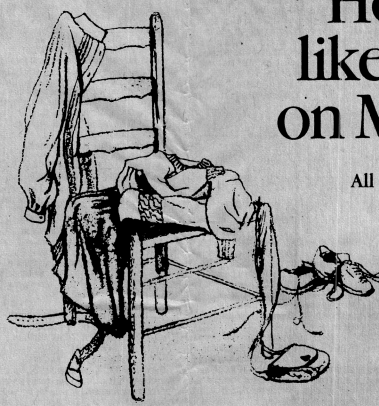
July 3, 1775: George Washington takes command of the Revolutionary Army at the site where the Sheraton Commander stands today... 1926: a Wedding Reception is held in the George Washington Ballroom and 50 years later in 1976 a 50th anniversary for the same couple is held in the same room... 1952: John F. Kennedy announces his candidacy for Congress of the United States... 1986: Joseph Kennedy Jr. makes his same announcement in the same Ballroom... 1938: a young couple hosts a Christening party for their infant daughter... 1961: the same young lady returns to the George Washington Ballroom to celebrate her Wedding... This is how "History is made" at the Commander.

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How to look like a superstar on Mother's Day



All Moms have certain things in common. And no matter how old you are... no matter who your Mom is... there are some sure and simple ways to make her happy on Mother's Day. All it takes is a little imagination and a little help from Meadow Glen Mall.

First, clean your room. Come on! It won't take all that long and it almost guarantees a hug. (Doing the dishes is another surefire smile!) Next, promise to do your homework, every night 'til school's out. She probably won't believe you — but she'll definitely love the idea.

Another thing all Moms love is clothes. So make her day with wonderful gifts from Casual Corner. Visit Tello's for great designer looks for a lot less. Pick up fashion T's from Mr. Tops, just \$9.00... assorted sweater tank tops, \$9.99 at Ormond... or, from Foxmoor, the one-pocket "T" shirt at \$9.99. And we bet she'll love women's leather huaraches, only \$12.99 (thru May 15) at Upstage Shoes!

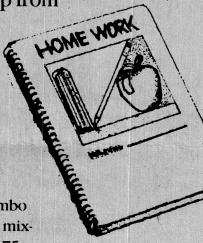
Now, those are great gifts. But if you want to be a superstar, you should do even more. Like what? If you have little brothers or sisters, take them off Mom's hands for an afternoon.



Bring them to Stride Rite for Zips® Sneakers and Stride Rite Sandals® — with a stop at Papa Gino's for a Creamy Combo or Incredible Cone with mix-ins, small \$1.25, large \$1.75.

Or take Mom out to eat! How about fresh-tossed salads, \$1.30 to \$2.85 at McDonald's. Or go to Yorks' Bounty Buffet, \$4.49 (lunch only).

Now, a Mother's Day card is a must, so stop by Lovables. Check out their plush gifts and mugs. Finally, go home and tell your Mom you love her. That puts you over the top. Now you're a superstar!



Over 60 fine stores and restaurants including Bradlees and Marshalls. Open daily 9:30 a.m. to 9:30 p.m. Sundays noon to 6:00 p.m. Conveniently located on Route 16, Mystic Valley Parkway, Medford, just off Route 93, (617) 595-6710



**PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS**

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendment thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, May 19, 1988 at 5:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of the Planning Board to **extend the effective date of the existing section 3.13 - Central Square Temporary Moratorium on Fast Order Food and Automobile Oriented Fast Order Food Establishments until September 30, 1988.**

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor William H. Walsh,
Chairman.

(C)May5,12



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For the Committee,
Councillor William H. Walsh,
Chairman.

(C) May 5, 1988

City of Cambridge

PETITION OF *Mary Conlan et al.*
Harvard Square Overlay District
 Petition filed with the City Clerk *March 17, 1988*

(all hearing to be completed 65 days from filing date with the City Clerk)

3 days March
30 days April
31 days May
1 days June

65 days = June 1, 1988 = all hearings

In City Council

March 28, 1988

Referred to the Planning Board for report

March 28, 1988

Planning Board Hearing

May 17, 1988

(CITY COUNCIL must act within 90 days of the ~~Planning Board's~~ hearing which would be August 17, 1988.)

City Council's

12 days May
30 days June
31 days July
17 days Aug.

90 days = August 17, 1988

City Council hearing published - *Chronicle*

May 5, 1988

May 12, 1988

Hearing before the City Council - *May 19, 1988 at 7:00 p.m.*

Report to the City Council

June 6, 1988

Passed to a second reading - published

June 6, 1988
Chronicle - June 9, 1988

Ready for Ordination . published

7/25/88 *Trailed of ordination*
4-3-2-0

COMPLETION DATE:

August 17, 1988



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

June 14, 1988

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Mr. Higley:-

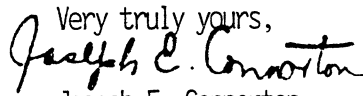
Enclosed you will find a copy of a proposed amendment to the Zoning Ordinances of the City of Cambridge on the petition of Mary Conlan, et al which was passed to a second reading at the City Council meeting held on June 6, 1988.

Enclosed also you will find copies of proposed amendments as follows:

1. Proposed amendment to the General Ordinance providing for a salary increase for the Mayor and the City Council which was passed to be ordained at the City Council meeting held on June 6, 1988.
2. Proposed amendment to the Zoning Ordinances to extend the fast food moratorium for the Central Square area which was passed to be ordained at the City Council meeting held on June 6, 1988.
3. Proposed amendment to the Zoning Ordinances to regulate helipads which was passed to be ordained at the City Council meeting held on June 6, 1988.

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton
City Clerk.

JEC/dl

Encs. (4) First publication number 2410, ordinance numbers 1070, 1071 & 1069.

c.c. Councillor William Walsh, Chairman of the Ordinance Committee
Mr. Cellucci, Inspectional Services Commissioner.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows

- A** Create a new subsection 11.542 (renumbering existing Sections 11.542 through 11.545 accordingly) which shall read:

"11.542 / Floor Area Ratio Limitations. The maximum floor area ratio permitted on any lot in the Harvard Square Overlay District shall be governed by the requirements of this subsection 11.542; however, at locations where the base zoning district establishes a more restrictive FAR limitation, the more restrictive shall apply.

a. As-of-Right Limitations. The maximum FAR applicable to any lot in the Harvard Square Overlay District shall be 2.0, except as may be permitted in b. below.

b. Special Permit for Additional FAR. The maximum allowable FAR in the Harvard Square Overlay District may be

increased to 3.0 upon issuance of a special permit from the Planning Board, provided that the following conditions are met:

1. The increased bulk allowed is not in conflict with the criteria of subsection 10.43.
2. The increased bulk allowed is found to be compatible with the objectives of the HARVARD SQUARE DEVELOPMENT GUIDELINES.

3. Sixty-five percent (65%) of the total gross floor area to be built is devoted to residential uses permitted in subsections 4.31, a-k.

4. At least thirty percent (30%) of the dwelling units constructed, but in any case no less than one unit, shall be made available to, and affordable by, families as defined in subsection 11.202, and shall further meet the requirements of subsections 11.203-11.206."

B Reduce maximum height limits established by the present subsection 11.542 (renumbered to 11.543 pursuant to above), and clarify the conditions for granting extra height by special permit, by making changes as follows:

1. Add a new subsection "c." which shall read:

"c. Conditions for Issue of Special Permit. A special permit for additional height shall be issued only upon a specific finding that:

1. Additional height enables better massing of the building on the lot; or else,

2. Benefit to the public of said additional height outweighs any negative environmental impacts."

2. Throughout the subsection, at each occurrence of "eighty" or "80", substitute "sixty" or "60", and at each occurrence of "sixty" or "60", substitute "forty" or "40".

C Clarify the applicability of the present subsection 11.544 (renumbered to 11.545 pursuant to above), by adding to the end of this subsection the paragraph following:

"Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

Passed to a second reading at the City Council meeting held on June 6, 1988 and on or after June 20, 1988 the question comes on passing to be ordained.

ATTEST:- John E. Flynn
Deputy City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled "Administration", Article XXII entitled "Officers Generally", Section 2-191 entitled "List of Salaries in General", is hereby amended by striking out the provisions of Ordinance Number 1033 ordained by the City Council on June 2, 1986 providing for the salaries of the Mayor and the City Council Members and substituting in place thereof a new salary schedule which reads as follows:

Each member shall receive the following salaries and are to be paid monthly or weekly, unless otherwise stated:

Mayor \$31,500 (flat rate)

Chair Ex Officio, School Committee \$10,000 (flat rate)

City Council Member \$31,500 (flat rate)

The effective date of this rate shall be July 1, 1988.

Effective July 1, 1989 the above positions shall receive an additional increase of five and one-half percent (5-1/2) of the salary of July 1, 1988.

In City Council June 6, 1988.

Passed to be ordained by a yeas and nays vote:- Yeas 8; Nays 0; Absent 0;
Present 1.

Robert W. Healy, City Manager.

ATTEST:- John E. Flynn
Deputy City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge is hereby amended as follows:

Create a new Subsection 3.13 - Central Square Moratorium on Fast Order Food Establishments and Automobile Oriented Fast Order Food Establishments as follows and renumber existing Subsection 3.13 as 3.14.

3.13 Central Square Temporary Moratorium on Fast Order Food and Automobile Oriented Fast Order Food Establishments.

Whereas the City of Cambridge, through its Central Square Economic Development Subcommittee and the Community Development Department, is engaged in a comprehensive planning process for Central Square; and whereas that process shall produce a plan which shall contain detailed recommendations for establishment and/or modifications to public land use policies in Central Square; and

Whereas there is growing concern that changes in land use activities in the Square while the planning efforts are underway may be inconsistent with the recommendations to be made; and

Whereas the maintenance of a wide diversity of retail activity is desired for Central Square, a goal which may be endangered should an inappropriate concentration of Fast Order Food uses become established

Therefore, there is hereby established a temporary moratorium on the establishment of new Fast Order Food Establishments (Section 4.35o) and Automobile Oriented Fast Order Food Service Establishment (Section 4.36b) in Central Square until Sept. 30, 1988 no building or occupancy permit shall be issued for new construction or renovation of an existing structure for occupancy by uses listed in Sections 4.35o and 4.36b within an area designated on the map entitled "Central Square Fast Order Food Temporary Moratorium District" which map is hereby attached to and made part of this Subsection 3.13. Subsection 3.13.

Central Square Fast Order Food Establishment Temporary
Moratorium District

The Central Square Moratorium District is described by a line beginning at a point, said point being the intersection of the centerline of Bishop Allen Drive and Inman Street;

- 1.0 Thence proceeding in a southwesterly direction along the centerline of Inman Street to its intersection with the centerline of Massachusetts Avenue, a distance of approximately 340 feet;
- 1.1 Thence turning and proceeding in a southeasterly direction along the centerline of Massachusetts Avenue to its intersection with the northeasterly projection of the centerline of Pleasant Street, a distance of approximately 85 feet;
- 1.2 Thence turning and proceeding in a southwesterly direction along the centerline of Pleasant Street to its intersection with the centerline of Franklin Street, a distance of approximately 500 feet;
- 1.3 Thence turning and proceeding in a southeasterly direction along the centerline of Franklin Street to its intersection with the centerline of Brookline Street, a distance of approximately 1450 feet;
- 1.4 Thence turning and proceeding in a northeasterly direction along the centerline of Brookline Street to its intersection with the centerline of Green Street, a distance of approximately 235 feet;
- 1.5 Thence turning and proceeding in a southeasterly direction along the centerline of Green Street to its intersection with the centerline of Landsdowne Street, a distance of approximately 1215 feet;
- 1.6 Thence turning and proceeding in a northeasterly direction along the centerline of Landsdowne Street and its northeasterly projection to its intersection with the centerline of Massachusetts Ave., a distance of approximately 290 feet;
- 1.7 Thence turning and proceeding in a southerly direction along the centerline of Massachusetts Ave. to its intersection with the southerly projection of centerline of Windsor Street, a distance of approximately 210 feet;

- 1.8 Thence turning and proceeding in a northerly direction along the centerline and projection of Windsor Street to its intersection with Main Street, a distance of approximately 650 feet;
- 1.9 Thence turning and proceeding in a northwesterly direction along the centerline of Main Street and its intersection with the projection of the centerline of Austin Street, a distance of approximately 410 feet;
- 1.10 Thence turning and proceeding in a northwesterly direction along the centerlines of Austin Street and Bishop Allen Drive to their intersection with the centerline of Inman Street, a distance of approximately 2350 feet, the point of beginning.

In City Council June 6, 1988.

Passed to be ordained by a yea and nay vote:- Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

ATTEST:- John E. Flynn
Deputy City Clerk

City of Cambridge

In City Council June 6, 1988

The Committee on Ordinances conducted a public hearing on May 19, 1988 beginning at 7:00 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to review the petition of Mary Conlan, et al to amend the Harvard Square Overlay District. Councillor William Walsh, Chairman of the Committee requested the petitioner to come forward.

At this time, Mr. Philip Dowds of 48 Banks Street and one of the petitioners outlined the reasons for filing the petition and stated that an amendment to the Overlay District was needed due to the intense development currently underway through out the Harvard Square Area.

He further stated the Advisory Committee which was put in place by the original overlay district was not totally effective, and that some 300,000 square feet are under development. He also urged the council to appoint a Blue Ribbon Committee to study the econometrics of their proposal.

At this time the Committee heard from Mr. Webb Nichol's of 201 Huron Avenue, one of the petitioners who outlined in detail the technical aspects of the petition including height and density requirements. He further stated to the Committee that uncontrolled development will threaten the quality of life in Harvard Square. Furthermore, he stated that the petition called for a Floor Area Ratio (F.A.R.) of 2.0 and could only be changed by Special Permit to an F.A.R. of 3.0 and finally that no building be higher than 60 feet. Mr. Nichol's further stated that any developer seeking to

construct a building in this area should not be allowed to go forward unless they are prepared to present all their financial data and projected rate of return to prove to the neighborhood that their businesses would be adversely impacted if not granted the necessary permits.

Also speaking in favor of the petition was Gladys Gifford of 85 Sparks Street who stated this proposal was also an attempt to stop the acquisition of property by Harvard University. She further stated that 28% of the total land area within the overlay district was owned by Harvard University. Furthermore, she stated Harvard University has relocated or closed several businesses due to this expansion in the Community. The City and neighborhood must maintain a dialogue with Harvard University in order to control their future expansion and development plan.

Also speaking in favor of the petition was Mr. Charles Sage of 221 Mt. Auburn Street who outlined his position on the petition as a Harvard Square merchant. He stated that buildings are too high, real estates values are doubling because of this kind of development and that the merchants are loosing parking spaces throughout the Harvard Square area.

Also speaking in favor of the petition was Mr. Brad Pool who supported the construction of affordable housing within the area and drew an analogy between boarding house construction in San Francisco and similar construction which he believes could be built within the Overlay District.

Councillor Walsh questioned the concept of developing "rooming houses" without bathrooms or kitchens.

At this time the Committee heard from Mr. Joseph Nigro representing the Building Trades Association who spoke in opposition of the petition. Building construction puts many Cambridge people to work, he stated, and the trades people within his organization have built many buildings and homes in Cambridge.

Also speaking in opposition to the petition was Ms. Kathy Spiegleman, Director of Planning for the Harvard University Planning Group who submitted a prepared statement outlining the University's position. She also submitted a written statement from Prof. William J. Poorvu. Furthermore, she stated the university disagrees with the substance of the proposal before the Committee. Ms. Spiegleman further stated Harvard has moved away from the large scale acquisition and development plans in the City's residential neighborhoods and is only involved in small scale projects compatible with neighborhood character.

Councillor Francis H. Duehay questioned whether or not Ms. Spiegleman had chnged her position regarding the allowable height limitation now that she is no longer the Assistant City Manager for Community Development. Ms. Spiegleman responded in the negative and stated the university has not altered its position since hearing the petitioners presentation before the Planning Board on May, 17, 1988.

Finally Ms. Spiegelman stated Harvard University has no plans to convert the Harvard Square area into a campus.

At this time the Committee heard from Mr. Hugh Russell, One Corliss Place who submitted a prepared statement opposing the petition and stated

it would be a mistake to reduce the F.A.R. and supported the development review process currently in effect by way of the Harvard Square Design Advisory Committee.

Also speaking in opposition to the petition was Ms. Sally Alcorn, Executive Director of the Harvard Square Business Association, who read a prepared statement and stated the petitioners have refused to accept a compromise on the petition and consequently the association has to oppose the proposal.

Also speaking in opposition was Mr. Louis DiGiovanni of 36 John F. Kennedy Street who stated there was no need to adopt the petition before the Committee since there were already sufficient mechanisms in place to check large scale development. He further stated he strongly supported the concept of affordable housing in the Harvard Square area and suggested the City Council file "Home Rule" legislation to acquire "Windmill Park" which would provide for a minimum of 200 units and presented the Committee with an architectural drawing of the site.

Councillor Duehay questioned whether or not Mr. DiGiovanni supported a maximum 3.0 F.A.R.

Mr. DiGiovanni responded by stating that per se 3.0 was not bad.

Councillor Duehay further questioned whether Mr. DiGiovanni could support the petition if "Wind Mill Park" were to become a reality.

Mr. DiGiovanni responded by stating "Windmill Park" should stand alone.

Also speaking in opposition was Mr. David Vickery of 88 Grozier Road who provided the Committee with a brief overview of the history of develop-

ment within the Harvard Square area. He further stated that should the City Council adopt the proposal currently before it, they would be stepping back from what they approved and developed with the Planning Board over the past 15 years.

Councillor Duehay questioned whether or not Mr. Vickery supported an F.A.R. of 4.0.

Mr. Vickery responded by stating he did not believe 4.0 was excessive.

At this time Mayor Alfred Vellucci stated he would submit for the upcoming City Council meeting a proposal to establish a one year moratorium on all demolition and construction in the Harvard Square area.

At this time the Chair ruled that the hearing has lasted slightly over the two hour limit but due to additional speakers wanting to be heard, an additional one half hour will be provided with individuals from both sides being given an opportunity to speak.

At this time speaking in favor of the petition were Jonathan Meyers of 5 Hollis Street, Robert LaTremouille of 348 Franklin Street, Mary Conlan, 26 Chauncy Street, John Pitkin, 18 Fayette Street and Howard Medwed. Speaking in opposition to the petition were: Sheldon Cohen, President of Out of Town News, Richard Sargin of Huron Avenue and Brett Donham of 296 Upland Road.

Councillor David Sullivan moved the petition be referred to the full City Council without recommendation.

The hearing was adjourned at 9:52 p.m.

For the Committee

William H. Walsh
City Councillor

enclosures

s

DOWNTOWN HARVARD SQUARE: an article by Charles E. Sage, Harvard Square business owner.

Merchants in Harvard Square who managed to survive the reconstruction of the MBTA are now under a new and even greater threat... the skyrocketing retail rents brought on by higher property taxes and the pressure of new development. The Commonwealth mandates that all land be assessed at the "Highest and Best Use" valuation which means that regardless of the height, age or historical value of a building, if the neighboring building is huge and modern, the land under each property is assessed as though a huge and modern building existed upon it. . . and there is no abatement procedure that can resolve this discrepancy.

Now that the standard height of new construction in Harvard Square is 70-80 feet the land value around these properties has risen drastically, in some cases the assessed value for land has doubled in three years, regardless of whether the impacted property is one story high or eight stories high.

Another factor that particularly impacts Harvard Square rents is the financial ability of the University to pay any price to purchase real estate in the Square. Most recently Harvard has purchased the physicians building at 51 Brattle Street for the division of Continuing Education and the building at 6 Story Street that presently houses the Architects Collaborative. As these buildings are converted to institutional use they will come off the City's tax rolls but the neighboring property which has to be reappraised by the assessors will pay higher taxes.

The final blow to current retailers in Harvard Square may well be the lack of affordable short-term parking for customers. Due to the federal Clean Air Act there is a parking moratorium in Cambridge. Although there are new parking garages in the Square, these were built by reducing the available on-street parking spaces. Increasingly these garage spaces are being reserved for monthly parkers who pay rates ranging up to two hundred dollars per month. This means that people who wish to drive to Harvard Square to shop for purchases must fight for the few remaining parking spaces. The City management views this as a good thing since it raises more than half of the parking fines in the City from the Harvard Square area. The five dollar parking fine will soon be history and the parking garage owners will once again raise their rates as desperate drivers seek shelter from the ever-vigilant parking control officers. The building developers make promises of MBTA passes for all employees, but the fact is that parking lots through-out the T system are full to overflowing already. Before the new buildings constructed, the developers routinely receive parking waivers for the amount of new parking required to be constructed by the zoning laws. Example: the Cherry, Webb and Touraine project provides only half the required parking, and the proposed new TAC office building will meet only two-thirds of its parking needs. Until the City enforces the zoning code, the new developments will feed off the diminished parking now available in Harvard Square

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138

617 · 495 · 2234

May 19, 1988

Councillor William H. Walsh
Chair
City Council Ordinance Committee
City Hall
Cambridge, MA 02139

Dear Councillor Walsh:

As one of the major property owners in Harvard Square, Harvard University is opposed to the Harvard Square zoning amendments proposed in the petition by Mary Conlon, et.al.

In recent years the University has tried to move away from simply opposing additional regulation. Instead we have tried to identify mutual areas of concern and agreement as a basis for establishing regulatory changes in Harvard Square. Two such efforts were the nomination to the National Register of the Harvard Square National Register District and the revision of the Harvard Square Overlay District. Both of these regulatory packages involved considerable work by the Cambridge Historical Commission, the Community Development Department and the residents and businesses in the area.

The Overlay District zoning amendments in 1986 established new ground rules for Harvard Square development. The subsequent flurry of development activity consists of projects which were anticipated, but the timing was by no means clear when the regulations were adopted. It is perhaps the timing of these proposals which has generated the most concern among neighbors. The sites which have been proposed for development were all identified in the analysis that preceded the 1986 Harvard Square rezoning. The process of review through an advisory committee made up of different interest groups and the creation of design guidelines for each site were also put in place through that rezoning and the resulting project proposals have been altered and improved as a result.

Commercial and institutional growth and change in Harvard Square is currently thriving. In the case of Harvard, our sites in the Harvard Square commercial district are getting heightened attention because of the direction which the regulatory initiatives of the city have presented to us. Harvard has moved away from large-scale acquisition and development plans in the city's residential neighborhoods, and is only involved in small scale projects which are compatible with neighborhood character. Development on the core campus has been discouraged by historic preservation restrictions which reflect the community's and institution's shared respect for the historic Harvard buildings and the important open spaces. This makes the few development sites which the University owns in Harvard Square very important for the growth which the University has historically demanded and for which some provision must be made in the future.

We believe that the process in which we participated two years ago was a positive step towards joining interests to shape Harvard Square development. We disagree with the current petition's rejection of that process and its results. Furthermore, although like the petitioners we are also concerned with the environmental quality and impacts in our own "neighborhood", we need to protect reasonable options for using the sites we own in Harvard Square which are not fully or appropriately developed for our needs.

The petition also includes language directed towards affordable housing. Our opposition to this down zoning does not represent opposition to goals of providing affordable housing. We have participated in the city's efforts to devise a citywide strategy linking development and affordable housing. Trying to achieve this by creating development disincentives as proposed in the petition may discourage development as desired by the petitioners, but is not likely to create affordable housing.

We recognize that many of our residential neighbors feel very strongly about this down zoning proposal and we regret that we are not able to support its process or substance. We hope that we will be able to maintain a dialogue about their concerns for Harvard Square without adoption of restrictions that reduce growth potential in a part of the city well-served by transit and well-served by an organized process for project review.

Sincerely,



Kathy A. Spiegelman
Director for Planning

cc: Cambridge City Council

KAS:cs
19:59

WILLIAM J. POORVU

44 BRATTLE STREET, FIFTH FLOOR, CAMBRIDGE, MASSACHUSETTS 02138

MAILING ADDRESS: P.O. BOX 828, CAMBRIDGE, MASSACHUSETTS 02238

TELEPHONE: (617) 576-1010

May 19, 1988

Members of the City Council
City of Cambridge
City Hall
Cambridge, MA 02138

Dear Members:

I am writing as a homeowner living at Charles Square, as a property owner of several parcels on Brattle Street and Mt. Auburn Street and as someone who has taught and lectured on real estate economics, housing policy and real estate development for over 20 years at Harvard to urge rejection of the Harvard Square Overlay District Amendment Petition as filed March, 1988.

This proposed petition is not meant to manage growth, but to stop it. Since most parcels in the area already are built at a 2:1 FAR or higher, there would be no incentive to develop a site if one could not add space. Moreover, since a major rehabilitation or restoration is subject to zoning laws, such restoration may be prohibited for those properties with a FAR currently in excess of 2:1 especially if any new space were added.

The proposed special permit language providing for an increase in FAR to 3:1 for housing is especially unfortunate in that it trivializes what is a serious issue, the need to provide affordable housing. At a 2:1 FAR, a two-story building with one floor of retail and one of commercial space is likely to be built. To qualify for a 3:1 FAR, one would have to give up the commercial floor and build two residential floors, an unlikely event given that 70% of the additional floor would have to be affordable housing which as we all know requires considerable subsidies, even when land costs are donated. I doubt if any new housing at all would be created under this plan. The incentive just is not there.

All of this ignores the fact that much of the Overlay District is inappropriate for housing because of its long standing commercial uses. Harvard Square is fortunate in that it has considerable residential land abutting and within walking distance of the Overlay District. That is where the added housing belongs according to most planning standards. I only wish many of the petitioners showed the same enthusiasm for added housing in their own residential neighborhoods as they do for seeing it in the core of commercial Harvard Square.

In regard to height limits, even the proponents' experts testified that a 60' height limit was appropriate for Harvard Square, not 40' as their petition proposes. They pointed out several 60 foot high buildings in Harvard Square as examples of good planning. The granting of special permission to go to 80' is not and has not been automatic. There should continue to have to be special circumstances for it to be given, with clear urban planning benefits.

The proponents slide show makes my point. Most buildings on Commonwealth Avenue are 60 feet high with exceptions on several corners that improve and accent the landscape. The 60 foot high buildings on St. Mark's Square serve as backdrops to the much higher Cathedral. In other words, each location is best analyzed in its own context, which in the case of Harvard Square is a commercial center, not a residential concourse, or an institutional/religious plaza. To have restricted the height of Charles Square to 60 feet, let alone 40 feet would have been a most inappropriate urban design decision.

As to rents and availability of space in Harvard Square for shopowners, limiting supply creates a shortage of retail which only drives up rents. Competition and diversity are what make Harvard Square vibrant and exciting. Merchants who attract customers have no trouble surviving. If some of those who complain about their inability to buy needle and thread at local stores had bought their clothes there as well, these stores would probably still be in Harvard Square. Although there may be an inverse relationship between small stores and lower prices for merchandise, if considered desirable, the Planning Board can easily encourage in their review process that developers provide space for smaller stores. In addition it is wrong if professional firms such as Ben Thompson and TAC have to leave the Square because of inability to find new space. Adequate office space for such firms adds to the life of Harvard Square and should not be ignored.

The loss of property tax revenues should also be considered. Traditionally revenue from buildings in the commercial core is supposed to alleviate the burden on the homeowners. In this case, not only will revenue growth be stopped under this petition, but existing property owners will be able to file for abatements of up to 50% on their land assessments because of a reduction in underlying land value from 4:1 to 2:1 in the case of Business B zoning. Given the valuation methods used by the assessors in

Cambridge, the portion of the total tax bill attributable to land in Harvard Square is among the highest in the county. That is because on each parcel land is assessed based on allowable not actual use with buildings treated separately. On any parcel zoned for a 4:1 FAR; it is assumed that the land can be sold for a price reflecting a total usage of the site. This proposed bill would create havoc and require a total change in assessment practices in the City.

A recent decision by the D.C. Appeals Court granted relief to a petitioner for abatement when the petitioner was able to show that a pending, but filed bill to establish a historic district had a considerable chance for passage. Although most of us would not mind filing for abatements on our properties, I doubt if that is what you would like to happen as it will diminish revenues and allocate greater costs ultimately over other buildings in Cambridge. If filings such as this downzoning petition become the norm, that is what likely will happen.

Lastly, as to the issue of management of growth, obviously it is a high priority for all of us. The 30,000 square feet that the Planning Board gave approval for us to build behind the Brattle Theatre (which approval would not be affected by this downzoning petition) is a minor project but very important to Benjamin Thompson and Associates as they are being forced to vacate their present premises. Also, as an owner of several other developed properties in the area, my larger concern is that the Southwest corridor be completed as recommended in numerous studies. I do not recommend leaving the MBTA tunnel and Harvard Square Motor Inn as our legacies to the future. The overlay district is really a collection of sub-districts each of which should be treated individually with a reasonable degree of flexibility.

Our own experience with the Advisory Committee and Planning Board is that the process works. Our exception to build to 72 feet versus 60 feet was only granted because it was adjacent to Waverly Hall, a building already at that 72 foot height. Moreover, we agreed to restore the Brattle Theatre and to setback our new building from the Theatre building (giving up an equivalent amount of space which could have been built by right without a special permit). We are also creating new walkways and courtyards, providing a landscaped park open to the public where nothing exists today, giving up retail space on Mifflin Place so as to provide garage access to the CWT site thus avoiding a curb cut on Brattle Street, and reducing our FAR from 4.0 to 3.2.

Page Four
May 19, 1988

CWT's height exception also came as a tradeoff for added walkways, setbacks to three stories along the Brattle Street and Theatre sides, a reduction in FAR to 3.2 plus the massing of any added height over 60 feet near the existing 72' Waverly Hall building. It is a much more desirable urban design solution than if CWT built as of right a 60 foot high building along Brattle Street with an above ground garage in the rear.

At the hearing Tuesday night before the Planning Board, a gentleman from San Francisco cautioned that added development in Harvard Square would result in added use of and put pressure on our mass transit system. I thought that is what we just spent hundreds of millions of State dollars to accomplish. Perhaps if San Francisco had an Advisory Committee and Planning Boards operating effectively, they would not have had the confusion he described. My only hope is that our Advisory and Planning Boards continue to enforce the same high standards in analyzing and regulating future projects as they did in ours. That is what will protect both our properties and the quality of life in Harvard Square, not a set of arbitrary regulations designed to stop not manage our growth.

I urge you to send a clear negative message to the petitioners that their proposal will raise rents, not encourage housing, will increase taxes and substitute inflexible planning tools for an atmosphere where complex but creative urban design solutions and tradeoffs can and should be encouraged.

Sincerely,



William J. Poorvu

cc: Sheldon Drucker
Dan Calano

MEMORANDUM

To: Cambridge City Council, Committee on Ordinances
Cambridge Planning Board

From: Hugh Russell, 1 Corliss Place, Cambridge

Date: 5/15/88

Re: THE HARVARD SQUARE OVERLAY PETITION

By way of introduction to those who may not know me, I came to Cambridge 27 years ago as a Harvard Student. I have worked in Harvard Square for 19 years as an architect. During this same time I have been a resident of Mid-Cambridge, and was one of the founders of the Mid-Cambridge Neighborhood Assn. For 10 years I was a member of the Board of Zoning Appeal, and am currently a member of the Harvard Square Design Advisory Committee, having previously been a member of the Harvard Square Development Task Force. I have deliberately chosen to live and work in this area because it is so nice, and I have devoted considerable time to helping to preserve and improve it.

I oppose this petition because I believe that it will not improve the quality of Harvard Square, including any new buildings that might be built, or produce affordable housing, and because the proposed changes are too extreme.

1. FLOOR AREA RATIO

It is a mistake to reduce development density in the city's prime commercial area. Zoning in this district should seek to reinforce Harvard Square as a commercial resource for the citizens of Cambridge.

Development density issues are more critical at the edges of the Square abutting residential districts, where a FAR of 2.0 is appropriate. This proposal is flawed because it would still allow a FAR of 3.0 for certain uses on peripheral sites such as the Gulf Station at Mass Ave and Harvard Street.

Small sites (under 10,000 sq ft) can be built to higher FAR than larger sites while still staying low because such developments use the air above public streets to gain light and air. It has been a goal to encourage smaller scale development to preserve the special urban quality of Harvard Square. It is appropriate to consider the development of each site individually and allow higher density when appropriate.

In enacting the rezoning several years ago that created the Harvard Square Design Advisory Committee, of which I am a member, reductions on the FAR were considered and rejected in favor of a design review process. It would be unfair to land owners, who may have made financial decisions based on this recent action, to drastically change the development rules at this time.

The buildings that have been reviewed by the Advisory Committee incorporate many unusually attractive features designed to improve the pedestrian experience. Given the realities of budgets, it seems likely that the architectural quality of buildings would decrease as the permitted size decreases.

Currently, traffic flows quite well in Harvard Square at most times, better than it has for many years. There is no need to "freeze"

development. Provided adequate parking is provided, I do not anticipate problems resulting from proposed developments.

2. BONUS FAR FOR AFFORDABLE HOUSING

Most of my professional work as an Architect has been with affordable housing, and my firm has provided services for a number of such projects totaling over 3,000 units. All affordable housing projects depend on one or more government subsidies, because the cost of construction is so high. Current priority for such subsidies in Massachusetts is for housing for families with children. Other subsidies are targeted to improving depressed areas. It is hard to imagine any undeveloped site within the boundaries of the Harvard Square Overlay district that would be suitable, and none of the area is "depressed".

FAR bonuses should be targeted to encourage desired qualities in the district, such as underground parking, pedestrian amenities, neighborhood serving retail uses, and compliance with the "Harvard Square Development Guidelines". It is bad zoning to encourage incompatible uses. Housing should be encouraged only on sites abutting residential districts, but 6-10 story height consistent with a FAR of 3.0 would probably NOT be appropriate in such locations.

3. HEIGHT LIMITS

Building CORNICE heights are the single most important factor in the perceived bulk of a building. The current 60' (5 story) height is probably too high for a CORNICE in most areas of the square, and the Harvard Square Advisory Committee has been successful in getting 3 and 4 story cornice heights for most developments. Further regulation of cornice heights would be desirable. I would recommend 4 stories for most of the square (50') with 3 stories (40') facing a lower density district. Additional height up to 70' or 80' behind a 45 deg sky exposure plane should be permitted by special permit for buildings complying with the applicable "Harvard Square Development Guidelines."

4. PARKING SPECIAL PERMITS

It seems like a good idea for most projects getting parking special permits to contribute to constructing parking spaces, but the special circumstances around each project needs to be evaluated. I would recommend a different change authorizing the Planning Board to impose this as a condition of a parking special permit when they deem it necessary.

5. SUMMARY/OVERVIEW

Previous presentations by the proponents have indicated there is some sort of "crisis" of development in Harvard Square. In some sense, therefore, this petition is a referendum on development in the Square, since the effect of the petition, if passed, would be to "freeze" development as it now stands. I believe that the Square is a terrific place now, that recent developments are (mostly) very attractive and fit in well, and that the proposed developments that have been reviewed by the Harvard Square Advisory Committee are of exceptional quality and will come to be seen as positive additions to the Square.

The development review process is working well in Harvard Square and there is no pressing need to make changes. If changes are made, they should be limited to "fine tuning" of the current regulations to respond to particular problems.

HARVARD SQUARE OVERLAY DISTRICT
AMENDMENT PETITION
COMMENTS TO THE CITY COUNCIL

by Brett Donham
296 Upland Road
Cambridge, MA 02140

May 19, 1988

The petition put forward by the Coalition for Harvard Square is seriously flawed. Worse than that it is either incredibly naive or a deceitful piece of work. It is attempting to conceal a major down-zoning by covering it with the politically expedient goal of affordable housing. Affordable housing is like motherhood; everyone is in favor of it. But it is deceitful to propose it to help passage of a controversial down-zoning if the underlying economics will prevent it ever being built.

I urge you to reject this petition but to recognize a very real and deep concern about the density of development permitted under current zoning.

The zoning petition refers to "unforeseen.....commercial development". This is inaccurate. All the planning and zoning studies of Harvard Square for the last 14 years recognize the development potential. The only wonder is that the space was not developed before this. The Monacelli study of 1974, for instance, identifies each of the parcels that is currently planned for re-development and further describes with great accuracy what level of building is likely on each site.

The petition says that new commercial development is "eliminating lower-rent premises". New buildings don't eliminate lower-rent premises, market forces do, supply and demand does. Corcoran's didn't close because of new development, it closed because it was a low margin business that could not pay the rents demanded by the market place. This petition will do nothing to stabilize rents.

The petition refers to the need "to protect.....affordable housing". Rent control and its attendant eviction controls protect affordable housing; this petition will not protect it in any way.

In 1984 the City commissioned a study by Chadbourne & Vigier entitled, "Development in the Harvard Square Overlay District". It concluded that, absent significant subsidies, the economics were such that rental housing was unlikely to be built in the Overlay District. Since then we have seen luxury condominium development, but it is not clear there is a market for more of

that, or even if there is, whether it could generate enough profit to subsidize affordable housing. At the very least, before approving the petition, the Community Development Department staff should do a pro-forma sensitivity analysis to see if affordable housing will result; I seriously doubt it.

Affordable housing as defined in the Cambridge Zoning Ordinance is family housing. I do not believe that the Overlay District with its heavy traffic and absence of elementary schools, playgrounds and other facilities is an appropriate place for family housing. However, single room occupancy housing may be appropriate in Harvard Square but this petition does not address that.

Parking is an issue to be considered with housing. Commercial uses in the Overlay District benefit from an excellent public transit system. Many use it and their number is growing. Housing on the other hand needs cars and in fact generates a higher parking demand than commercial uses in an area so well served by public transit. City policy, through its zoning ordinance, should not be skewed towards creating higher parking demands.

The last item in the petition, essentially a voiding of subsection 6.35 of the zoning ordinance, runs counter to all notions of good planning policy. In an area so well served by public transit, both surface and subway, public policy should be directed towards discouraging private car use and encouraging public transit use. Current City policy does this but I urge consideration of mandatory "T" passes as a further requirement for parking reduction.

In sum, I believe there is a real concern that this petition tries but fails to address, that of density. I urge the City Council to set this petition aside and to instruct the Community Development Department to draft a new zoning amendment that lowers the allowable density in the Harvard Square Overlay District to an FAR of somewhere between 3.0 and 3.5.

RECEIVED BY
OFFICE OF CITY CLERK

DARALYN M. KHAN
115 Mt. Auburn Street
Cambridge, MA 02138
H: 491-4063
B: 722-2692
MAY 31 PM 2:19
CAMBRIDGE MA.

May 20, 1988

Mr. David Sullivan, City Councillor
City Council Office
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Councillor Sullivan:

Several weeks ago, upon my request (thank you), you forwarded to me a copy of the Cambridge Ordinance No. 887, Regulations for the Control of Noise. Please allow this letter to serve as my formal request for an amendment to this Ordinance, No. 887.

Page 3 of the ordinance defines "daytime" as "...the period between the hours of seven ante meridian (7:00 am) and six post meridian (6:00 pm) daily except Sunday according to the time system locally in effect." As a resident situated in the middle of several large construction projects, currently underway and in the pipeline, I would like to offer the following amendment and justification for same:

Be it hereby amended in Ordinance No. 887, of the General Ordinances of the City of Cambridge, 1977, by inserting in Section 2, in the definition of DAYTIME, after the word "...effect.", "Daytime as it pertains to construction sites within 300 feet of inhabited residential property shall mean the period of 7:00 am to 6:00 pm daily except Saturday and Sunday, when daytime shall mean 8:30 am to 6:30 pm on Saturday.

Ordinance No. 887 of the General Ordinances of the City of Cambridge is further amended by inserting on page 12 Section XI., (3), after the word "...Ordinance.", "Construction activities which are located within 300 feet of inhabited residential property may not be granted license or permit exempting same from the definition of DAYTIME as defined in this Ordinance, except under the condition that a) an emergency condition exists that would endanger the welfare of residents in the immediate area, or, b) permission has been obtained from all residents within 300 feet of the construction site, or c) such extenuating circumstances exist and have been determined by the City Council to deem exception."

Section XV.A. is hereby amended by inserting after the word "...year.", "Variances shall not be granted to exempt construction projects from Section XI., (3), unless the conditions of same as well as the conditions of this section are met."

The request for this change is based on my experience. I work 6 days a week - Sunday through Friday - and have only Saturday to catch up on my sleep. I know that I am not alone and that many other residents object to early construction on Saturday mornings. I am not asking for a prohibition, merely a consideration on the part of the developer/contractor for residents' peace on Saturday morning. As a compromise, an extension of the daytime hours to 6:30 pm on Saturday is offered.

According to the 1986 Massachusetts General Laws, Section 21:22, Chapter 40, cities and towns are authorized to control or abate noise from whatever source by adoption of a local ordinance. I believe that Cambridge Ordinance No.887 does not adequately address construction noise on Saturday mornings, when such construction occurs within 300 feet of an inhabited residential property.

I urge the City Council to please consider this request at the earliest convenient City Council meeting, and to inform me of when this shall be; however, if the above offered amendments are unreasonable or impossible, please contact me to discuss same. Thank you for your consideration.

Sincerely,



DARALYN M. KHAN

cc: Mr. William Walsh, City Councillor
Mr. Frank Duhey, City Councillor
Ms. Alice Wolf, City Councillor
Mayor Alfred Vellucci, City Councillor
Ms. Sandra Graham, City Councillor
Mr. Thomas Danehy, City Councillor
Ms. Sheila Russell, City Councillor
Mr. Walter Sullivan, City Councillor

City of Cambridge

MASSACHUSETTS

In City Council

July 25 1988

C. Duahay - Motion to table Unfinished Bus #2

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy			✓	
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham			✓	
Mrs. Sheila T. Russell		✓		
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. William H. Walsh		✓		
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci		✓		

3

4

2



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows

- A** Create a new subsection 11.542 (renumbering existing Sections 11.542 through 11.545 accordingly) which shall read:

"11.542 / Floor Area Ratio Limitations. The maximum floor area ratio permitted on any lot in the Harvard Square Overlay District shall be governed by the requirements of this subsection 11.542; however, at locations where the base zoning district establishes a more restrictive FAR limitation, the more restrictive shall apply.

a. As-of-Right Limitations. The maximum FAR applicable to any lot in the Harvard Square Overlay District shall be 2.0, except as may be permitted in b. below.

b. Special Permit for Additional FAR. The maximum allowable FAR in the Harvard Square Overlay District may be

increased to 3.0 upon issuance of a special permit from the Planning Board, provided that the following conditions are met:

1. The increased bulk allowed is not in conflict with the criteria of subsection 10.43.
2. The increased bulk allowed is found to be compatible with the objectives of the HARVARD SQUARE DEVELOPMENT GUIDELINES.

3. Sixty-five percent (65%) of the total gross floor area to be built is devoted to residential uses permitted in subsections 4.31, a-k.

4. At least thirty percent (30%) of the dwelling units constructed, but in any case no less than one unit, shall be made available to, and affordable by, families as defined in subsection 11.202, and shall further meet the requirements of subsections 11.203-11.206."

B Reduce maximum height limits established by the present subsection 11.542 (renumbered to 11.543 pursuant to above), and clarify the conditions for granting extra height by special permit, by making changes as follows:

1. Add a new subsection "c." which shall read:

"c. Conditions for Issue of Special Permit. A special permit for additional height shall be issued only upon a specific finding that:

1. Additional height enables better massing of the building on the lot; or else,

2. Benefit to the public of said additional height outweighs any negative environmental impacts."

2. Throughout the subsection, at each occurrence of "eighty" or "80", substitute "sixty" or "60", and at each occurrence of "sixty" or "60", substitute "forty" or "40".

C Clarify the applicability of the present subsection 11.544 (renumbered to 11.545 pursuant to above), by adding to the end of this subsection the paragraph following:

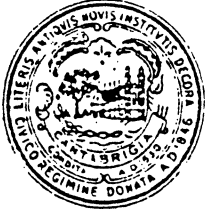
"Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

In City Council July 25, 1988.

Failed of ordination by a yea and nay vote:-
Yeas 4; Nays 3; Absent 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

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ATTEST:- Joseph E. Connarton
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

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In City Council July 25, 1988.

Failed of ordination by a yea and nay vote:-
Yeas 4; Nays 3; Absent 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 19, 1988

To The Honorable, The City Council:

SUBJECT: Conlan Petition to Modify the Harvard Square Overlay District

RECOMMENDATION

After further review of the Conlan Petition the Planning Board makes the following detailed recommendations. While responding favorably to many of the suggestions contained in the petition the Board does recommend significant modifications to its provisions as filed in order to provide for a more flexible public policy in a diverse area like Harvard Square.

For the Planning Board,

Paul Dietrich (pm)

Paul Dietrich, Chairman

attachment

Conlan Petition - RECOMMENDATIONS

	<u>Existing Provisions</u>	<u>Conlan Petition</u>	<u>Planning Board Recommendations</u>
<u>HEIGHT</u>	60' as-of-right 80' by special permit	40' as-of-right 60' by special permit	55' as-of-right 70' by special permit provided all mechanical equipment, normally exempt, is included.

Findings

With the reduction in the FAR as recommended below a reduction in the maximum height permitted is justified. It is important, however, that sufficient height flexibility remain to assure that new construction can adequately respond to the specific circumstances prevailing at any given site. Therefore the Board suggests a reduction to 55' as the as-of-right height. That height, already in the Overlay District as the required cornice height for all buildings, would permit the construction of four full floors of commercial uses (retail and office) and in a standard building permit construction of most of the FAR permitted in the Overlay District (as modified below). The maximum height, by special permit, should be lowered to 70 feet provided the mechanical elements normally exempted from the height limit are included. These limits will result in a significant reduction in visual height while assuring the needed element of flexibility to tailor a building design to the exigencies of any development's specific site conditions.

	<u>Existing Provisions</u>	<u>Conlan Petition</u>	<u>Planning Board Recommendations</u>
<u>FAR</u>	3.0 and 4.0 for most districts	2.0 as-of-right or 3.0 by special permit if 2/3 of the project is housing as currently allowed	3.0 as-of-right in Business B District for all uses. 2.0 as-of-right in the Office Office 3 District for non-residential uses, an additional .5 FAR as-of-right for residential uses only; all other districts as currently allowed.

Findings

The Planning Board has long advocated a reduction in the FAR permitted in the Business B district from the maximum of 4.0 now allowed. In balancing the issues of use, traffic, bulk, and height raised by the current petition the Planning Board would suggest that in the Business B District the maximum FAR for all uses should be reduced to 3.0 as-of-right. The Business B district functions as a commercial downtown, relatively densely developed now and over most of its area only marginally suitable for significant new housing construction. A continuation of that character and function, with due regard for the many valuable historic and urban design features of the district, seems appropriate. A reduction in the permitted FAR as the Board is proposing, without special incentives for housing, would reduce the development potential by 25% in the district, ensure that new construction more easily harmonizes with the existing environment, and would minimize the impacts of traffic, congestion, building bulk and scale that motivated the filing of the petition initially.

Changes are recommended to the Office 3 District to maintain the proportional relationship between that district and the Business B District and to better reflect the scale of development prevailing within the Office district now. With its lower developed density, proximity to residential neighborhoods, and greater inventory of existing housing some modest incentive to encourage housing is recommended.

Given the modest number of housing units likely to be constructed in the heart of the Square, whether incentives are provided or not, the Board is of the opinion that an inclusionary provision would produce few if any units and likely discourage construction of any housing in the Overlay District.

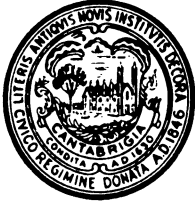
The Board would recommend that in the future certain areas within the Overlay District that are heavily residential, as on the river side of Mount Auburn Street at Putnam Avenue, be rezoned residential to preserve those existing residential uses.

	<u>Existing Provisions</u>	<u>Conlan Petition</u>	<u>Planning Board Recommendations</u>
<u>REDUCTION IN REQUIRED PARKING: CRITERIA FOR ISSUANCE; ART. 6.000</u>	<p>City-wide provision; by Special Permit if development is:</p> <p>(1) proximate to public transit, (2) close to publicly available parking, (3) uses allowed shared parking, (4) occupancy restrictions reduce auto use, or (5) environmental or pedestrian benefits result.</p>	<p>In Overlay District add the following:</p> <p>(1) development reduced to 80% of that allowed on lot or money payment made for spaces not provided, (2) lot ca. 10,000 sq ft in size, or less, (3) development is small in scale, (4) reduction improves urban design of building, and, (5) no historic structure is demolished.</p>	<p>In the Overlay District add:</p> <p>(1) development reduced to 80% of that allowed on lot or money payment made for spaces not provided, plus, (2) an appropriate traffic mitigation program is developed which might require the applicant to:</p> <ol style="list-style-type: none"> participate in the CARAVAN sponsored program conduct in-house ridesharing matching provide preferential parking for High Occupancy Vehicles (carpools, vans, etc.) reduced parking cost for HOV's operate van pool or bus pool service employer subsidized transit passes or at least provide passes through payroll deduction designation of a commuter coordinator for individual employers implementation of flexible work hours or other schedule modifications conducive to ride sharing and transit use.

Findings

The Planning Board would recommend that the Article 6.000 provisions of the Zoning Ordinance allowing reduction in required parking be modified as indicated to require, in addition to the current requirements, building size reduction or a money payment plus the provision of a detailed traffic mitigation program for encouraging non-auto access to new development; the Board continues to feel that reduction in parking, carefully reviewed, and subject to traffic mitigation standards, are appropriate in an area like Harvard Square which is so well served by public transit. In addition such requirements should be considered for application city wide where any development employs the same provisions of Article 6.000.

In addition the Planning Board would like to review the criteria contained in the Overlay District for the expenditure of those monies received under the existing parking waiver provision with the intention of requiring their use for traffic mitigation and parking management programs in Harvard Square.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

July 25, 1988

To the Honorable, the City Council:

Enclosed please find copy of the Planning Board's recommendation relative to the Conlan Petition to modify the Harvard Square Overlay District.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf

Agenda Item No. 10

Re: Planning Board recommendation on the
Conlan petition to modify the Harvard Square
Overlay District.

In City Council,

July 25, 1988

The HARVARD Shop

1988 JUN 23 PM 2:50
52 J.F.K. Street

CAMBRIDGE MA 02138
Telephone: (617) 576-3818

June 20, 1988

COMMENTS ON PETITION FOR DOWNZONING IN HARVARD SQ.

My name is Paul Corcoran and I am the owner of The Harvard Shop, 52 J.F.K. Street, Cambridge.

I formerly owned J. H. Corcoran & Co. which closed in December, 1987.

I regret that I am unable to attend this hearing but am away on vacation. I have asked Mr. Ed Ver Plank to deliver these remarks in my absence.

I can only speak as a small businessman who has spent the past thirty-two years owning and operating a retail store in Harvard Square. After many years in business I made the decision to close Corcoran's, 14 Brattle Street store. This decision was made due to our inability to generate sufficient volume to pay the current market rents in Harvard Square. While these rents are high I feel they are in line with the attractiveness of Harvard Square as a place in which to do business. I said at the time of our closing and will repeat now that I have no quarrel with either my landlord or the rents which he charged. I ran a general line small department store carrying moderately priced merchandise and, over the years, this type of business became less and less effective in competing with the many fine specialty stores in the area. I now own a small specialty store and do not feel that the general business atmosphere or the prevailing rents have hindered me in any way from successfully conducting my business. Good locations for such a business are difficult to find and when they are found one must be prepared to pay the going market rate for them. While I wish rents were lower than they now are, I realize how expensive it is to own property in Harvard Square. I feel landlords are entitled to reasonable profit margins as well as retailers and it is my opinion that this is generally what is occurring in the Square.

Thank you for taking the time to listen to these remarks.



Paul R. Corcoran, Jr.
President - Treasurer
The Harvard Shop

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Comm. from Paul R. Corcoran, Pres. & Treasurer, The Harvard Shop, commenting on a petition to downzone Harvard Square & of his experiences as a small businessman of 32 years in Harvard Sq.

In City Council,

June 27, 1988

6-27-88

Referred to the Petition

The Committee on Ordinances conducted a public hearing on May 19, 1988 beginning at 7 P.M. in the Sullivan Chamber, City Hall. The purpose of the hearing was to review the petition of Mary Conlan, et al to amend the Harvard Square Overlay District. Councillor William Walsh, chairman of the Committee requested the petitioners to come forward.

At this time Mr. Philip Douds of 48 Banks Street and one of the petitioners outlined the reasons for filing the petition and stated that an amendment to the Overlay District was needed due to the intense development presently underway throughout the Harvard Square area.

DOWNTOWN HARVARD SQUARE: an article by Charles E. Sage, Harvard Square business owner.

Merchants in Harvard Square who managed to survive the reconstruction of the MBTA are now under a new and even greater threat... the skyrocketing retail rents brought on by higher property taxes and the pressure of new development. The Commonwealth mandates that all land be assessed at the "Highest and Best Use" valuation which means that regardless of the height, age or historical value of a building, if the neighboring building is huge and modern, the land under each property is assessed as though a huge and modern building existed upon it. . . and there is no abatement procedure that can resolve this discrepancy.

Now that the standard height of new construction in Harvard Square is 70-80 feet the land value around these properties has risen drastically, in some cases the assessed value for land has doubled in three years, regardless of whether the impacted property is one story high or eight stories high.

Another factor that particularly impacts Harvard Square rents is the financial ability of the University to pay any price to purchase real estate in the Square. Most recently Harvard has purchased the physicians building at 51 Brattle Street for the division of Continuing Education and the building at 6 Story Street that presently houses the Architects Collaborative. As these buildings are converted to institutional use they will come off the City's tax rolls but the neighboring property which has to be reappraised by the assessors will pay higher taxes.

The final blow to current retailers in Harvard Square may well be the lack of affordable short-term parking for customers. Due to the federal Clean Air Act there is a parking moratorium in Cambridge. Although there are new parking garages in the Square, these were built by reducing the available on-street parking spaces. Increasingly these garage spaces are being reserved for monthly parkers who pay rates ranging up to two hundred dollars per month. This means that people who wish to drive to Harvard Square to shop for purchases must fight for the few remaining parking spaces. The City management views this as a good thing since it raises more than half of the parking fines in the City from the Harvard Square area. The five dollar parking fine will soon be history and the parking garage owners will once again raise their rates as desperate drivers seek shelter from the ever-vigilant parking control officers. The building developers make promises of MBTA passes for all employees, but the fact is that parking lots through-out the T system are full to overflowing already. Before the new buildings constructed, the developers routinely receive parking waivers for the amount of new parking required to be constructed by the zoning laws. Example: the Cherry, Webb and Touraine project provides only half the required parking and the proposed new TAC office building will meet only two thirds of its parking needs. Until the City enforces the zoning code, the new developments will feed off the diminished parking now available in Harvard Square

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138

617 · 495 · 2234

May 19, 1988

Councillor William H. Walsh
Chair
City Council Ordinance Committee
City Hall
Cambridge, MA 02139

Dear Councillor Walsh:

As one of the major property owners in Harvard Square, Harvard University is opposed to the Harvard Square zoning amendments proposed in the petition by Mary Conlon, et.al.

In recent years the University has tried to move away from simply opposing additional regulation. Instead we have tried to identify mutual areas of concern and agreement as a basis for establishing regulatory changes in Harvard Square. Two such efforts were the nomination to the National Register of the Harvard Square National Register District and the revision of the Harvard Square Overlay District. Both of these regulatory packages involved considerable work by the Cambridge Historical Commission, the Community Development Department and the residents and businesses in the area.

The Overlay District zoning amendments in 1986 established new ground rules for Harvard Square development. The subsequent flurry of development activity consists of projects which were anticipated, but the timing was by no means clear when the regulations were adopted. It is perhaps the timing of these proposals which has generated the most concern among neighbors. The sites which have been proposed for development were all identified in the analysis that preceded the 1986 Harvard Square rezoning. The process of review through an advisory committee made up of different interest groups and the creation of design guidelines for each site were also put in place through that rezoning and the resulting project proposals have been altered and improved as a result.

Commercial and institutional growth and change in Harvard Square is currently thriving. In the case of Harvard, our sites in the Harvard Square commercial district are getting heightened attention because of the direction which the regulatory initiatives of the city have presented to us. Harvard has moved away from large-scale acquisition and development plans in the city's residential neighborhoods, and is only involved in small scale projects which are compatible with neighborhood character. Development on the core campus has been discouraged by historic preservation restrictions which reflect the community's and institution's shared respect for the historic Harvard buildings and the important open spaces. This makes the few development sites which the University owns in Harvard Square very important for the growth which the University has historically demanded and for which some provision must be made in the future.

We believe that the process in which we participated two years ago was a positive step towards joining interests to shape Harvard Square development. We disagree with the current petition's rejection of that process and its results. Furthermore, although like the petitioners we are also concerned with the environmental quality and impacts in our own "neighborhood", we need to protect reasonable options for using the sites we own in Harvard Square which are not fully or appropriately developed for our needs.

The petition also includes language directed towards affordable housing. Our opposition to this down zoning does not represent opposition to goals of providing affordable housing. We have participated in the city's efforts to devise a citywide strategy linking development and affordable housing. Trying to achieve this by creating development disincentives as proposed in the petition may discourage development as desired by the petitioners, but is not likely to create affordable housing.

We recognize that many of our residential neighbors feel very strongly about this down zoning proposal and we regret that we are not able to support its process or substance. We hope that we will be able to maintain a dialogue about their concerns for Harvard Square without adoption of restrictions that reduce growth potential in a part of the city well-served by transit and well-served by an organized process for project review.

Sincerely,



Kathy A. Spiegelman
Director for Planning

cc: Cambridge City Council

KAS:cs
19:59

WILLIAM J. POORVU

44 BRATTLE STREET, FIFTH FLOOR, CAMBRIDGE, MASSACHUSETTS 02138

MAILING ADDRESS: P.O. BOX 828, CAMBRIDGE, MASSACHUSETTS 02238

TELEPHONE: (617) 576-1010

May 19, 1988

Members of the City Council
City of Cambridge
City Hall
Cambridge, MA 02138

Dear Members:

I am writing as a homeowner living at Charles Square, as a property owner of several parcels on Brattle Street and Mt. Auburn Street and as someone who has taught and lectured on real estate economics, housing policy and real estate development for over 20 years at Harvard to urge rejection of the Harvard Square Overlay District Amendment Petition as filed March, 1988.

This proposed petition is not meant to manage growth, but to stop it. Since most parcels in the area already are built at a 2:1 FAR or higher, there would be no incentive to develop a site if one could not add space. Moreover, since a major rehabilitation or restoration is subject to zoning laws, such restoration may be prohibited for those properties with a FAR currently in excess of 2:1 especially if any new space were added.

The proposed special permit language providing for an increase in FAR to 3:1 for housing is especially unfortunate in that it trivializes what is a serious issue, the need to provide affordable housing. At a 2:1 FAR, a two-story building with one floor of retail and one of commercial space is likely to be built. To qualify for a 3:1 FAR, one would have to give up the commercial floor and build two residential floors, an unlikely event given that 70% of the additional floor would have to be affordable housing which as we all know requires considerable subsidies, even when land costs are donated. I doubt if any new housing at all would be created under this plan. The incentive just is not there.

All of this ignores the fact that much of the Overlay District is inappropriate for housing because of its long standing commercial uses. Harvard Square is fortunate in that it has considerable residential land abutting and within walking distance of the Overlay District. That is where the added housing belongs according to most planning standards. I only wish many of the petitioners showed the same enthusiasm for added housing in their own residential neighborhoods as they do for seeing it in the core of commercial Harvard Square.

In regard to height limits, even the proponents' experts testified that a 60' height limit was appropriate for Harvard Square, not 40' as their petition proposes. They pointed out several 60 foot high buildings in Harvard Square as examples of good planning. The granting of special permission to go to 80' is not and has not been automatic. There should continue to have to be special circumstances for it to be given, with clear urban planning benefits.

The proponents slide show makes my point. Most buildings on Commonwealth Avenue are 60 feet high with exceptions on several corners that improve and accent the landscape. The 60 foot high buildings on St. Mark's Square serve as backdrops to the much higher Cathedral. In other words, each location is best analyzed in its own context, which in the case of Harvard Square is a commercial center, not a residential concourse, or an institutional/religious plaza. To have restricted the height of Charles Square to 60 feet, let alone 40 feet would have been a most inappropriate urban design decision.

As to rents and availability of space in Harvard Square for shopowners, limiting supply creates a shortage of retail which only drives up rents. Competition and diversity are what make Harvard Square vibrant and exciting. Merchants who attract customers have no trouble surviving. If some of those who complain about their inability to buy needle and thread at local stores had bought their clothes there as well, these stores would probably still be in Harvard Square. Although there may be an inverse relationship between small stores and lower prices for merchandise, if considered desirable, the Planning Board can easily encourage in their review process that developers provide space for smaller stores. In addition it is wrong if professional firms such as Ben Thompson and TAC have to leave the Square because of inability to find new space. Adequate office space for such firms adds to the life of Harvard Square and should not be ignored.

The loss of property tax revenues should also be considered. Traditionally revenue from buildings in the commercial core is supposed to alleviate the burden on the homeowners. In this case, not only will revenue growth be stopped under this petition, but existing property owners will be able to file for abatements of up to 50% on their land assessments because of a reduction in underlying land value from 4:1 to 2:1 in the case of Business B zoning. Given the valuation methods used by the assessors in

Cambridge, the portion of the total tax bill attributable to land in Harvard Square is among the highest in the county. That is because on each parcel land is assessed based on allowable not actual use with buildings treated separately. On any parcel zoned for a 4:1 FAR; it is assumed that the land can be sold for a price reflecting a total usage of the site. This proposed bill would create havoc and require a total change in assessment practices in the City.

A recent decision by the D.C. Appeals Court granted relief to a petitioner for abatement when the petitioner was able to show that a pending, but filed bill to establish a historic district had a considerable chance for passage. Although most of us would not mind filing for abatements on our properties, I doubt if that is what you would like to happen as it will diminish revenues and allocate greater costs ultimately over other buildings in Cambridge. If filings such as this downzoning petition become the norm, that is what likely will happen.

Lastly, as to the issue of management of growth, obviously it is a high priority for all of us. The 30,000 square feet that the Planning Board gave approval for us to build behind the Brattle Theatre (which approval would not be affected by this downzoning petition) is a minor project but very important to Benjamin Thompson and Associates as they are being forced to vacate their present premises. Also, as an owner of several other developed properties in the area, my larger concern is that the Southwest corridor be completed as recommended in numerous studies. I do not recommend leaving the MBTA tunnel and Harvard Square Motor Inn as our legacies to the future. The overlay district is really a collection of sub-districts each of which should be treated individually with a reasonable degree of flexibility.

Our own experience with the Advisory Committee and Planning Board is that the process works. Our exception to build to 72 feet versus 60 feet was only granted because it was adjacent to Waverly Hall, a building already at that 72 foot height. Moreover, we agreed to restore the Brattle Theatre and to setback our new building from the Theatre building (giving up an equivalent amount of space which could have been built by right without a special permit). We are also creating new walkways and courtyards, providing a landscaped park open to the public where nothing exists today, giving up retail space on Mifflin Place so as to provide garage access to the CWT site thus avoiding a curb cut on Brattle Street, and reducing our FAR from 4.0 to 3.2.

CWT's height exception also came as a tradeoff for added walkways, setbacks to three stories along the Brattle Street and Theatre sides, a reduction in FAR to 3.2 plus the massing of any added height over 60 feet near the existing 72' Waverly Hall building. It is a much more desirable urban design solution than if CWT built as of right a 60 foot high building along Brattle Street with an above ground garage in the rear.

At the hearing Tuesday night before the Planning Board, a gentleman from San Francisco cautioned that added development in Harvard Square would result in added use of and put pressure on our mass transit system. I thought that is what we just spent hundreds of millions of State dollars to accomplish. Perhaps if San Francisco had an Advisory Committee and Planning Boards operating effectively, they would not have had the confusion he described. My only hope is that our Advisory and Planning Boards continue to enforce the same high standards in analyzing and regulating future projects as they did in ours. That is what will protect both our properties and the quality of life in Harvard Square, not a set of arbitrary regulations designed to stop not manage our growth.

I urge you to send a clear negative message to the petitioners that their proposal will raise rents, not encourage housing, will increase taxes and substitute inflexible planning tools for an atmosphere where complex but creative urban design solutions and tradeoffs can and should be encouraged.

Sincerely,

A handwritten signature in cursive script, appearing to read "William J. Poorvu".

William J. Poorvu

cc: Sheldon Drucker
Dan Calano

MEMORANDUM

To: Cambridge City Council, Committee on Ordinances
Cambridge Planning Board

From: Hugh Russell, 1 Corliss Place, Cambridge

Date: 5/15/88

Re: THE HARVARD SQUARE OVERLAY PETITION

By way of introduction to those who may not know me, I came to Cambridge 27 years ago as a Harvard Student. I have worked in Harvard Square for 19 years as an architect. During this same time I have been a resident of Mid-Cambridge, and was one of the founders of the Mid-Cambridge Neighborhood Assn. For 10 years I was a member of the Board of Zoning Appeal, and am currently a member of the Harvard Square Design Advisory Committee, having previously been a member of the Harvard Square Development Task Force. I have deliberately chosen to live and work in this area because it is so nice, and I have devoted considerable time to helping to preserve and improve it.

I oppose this petition because I believe that it will not improve the quality of Harvard Square, including any new buildings that might be built, or produce affordable housing, and because the proposed changes are too extreme.

1. FLOOR AREA RATIO

It is a mistake to reduce development density in the city's prime commercial area. Zoning in this district should seek to reinforce Harvard Square as a commercial resource for the citizens of Cambridge.

Development density issues are more critical at the edges of the Square abutting residential districts, where a FAR of 2.0 is appropriate. This proposal is flawed because it would still allow a FAR of 3.0 for certain uses on peripheral sites such as the Gulf Station at Mass Ave and Harvard Street.

Small sites (under 10,000 sq ft) can be built to higher FAR than larger sites while still staying low because such developments use the air above public streets to gain light and air. It has been a goal to encourage smaller scale development to preserve the special urban quality of Harvard Square. It is appropriate to consider the development of each site individually and allow higher density when appropriate.

In enacting the rezoning several years ago that created the Harvard Square Design Advisory Committee, of which I am a member, reductions on the FAR were considered and rejected in favor of a design review process. It would be unfair to land owners, who may have made financial decisions based on this recent action, to drastically change the development rules at this time.

The buildings that have been reviewed by the Advisory Committee incorporate many unusually attractive features designed to improve the pedestrian experience. Given the realities of budgets, it seems likely that the architectural quality of buildings would decrease as the permitted size decreases.

Currently, traffic flows quite well in Harvard Square at most times, better than it has for many years. There is no need to "freeze"

development. Provided adequate parking is provided, I do not anticipate problems resulting from proposed developments.

2. BONUS FAR FOR AFFORDABLE HOUSING

Most of my professional work as an Architect has been with affordable housing, and my firm has provided services for a number of such projects totaling over 3,000 units. All affordable housing projects depend on one or more government subsidies, because the cost of construction is so high. Current priority for such subsidies in Massachusetts is for housing for families with children. Other subsidies are targeted to improving depressed areas. It is hard to imagine any undeveloped site within the boundaries of the Harvard Square Overlay district that would be suitable, and none of the area is "depressed".

FAR bonuses should be targeted to encourage desired qualities in the district, such as underground parking, pedestrian amenities, neighborhood serving retail uses, and compliance with the "Harvard Square Development Guidelines". It is bad zoning to encourage incompatible uses. Housing should be encouraged only on sites abutting residential districts, but 6-10 story height consistent with a FAR of 3.0 would probably NOT be appropriate in such locations.

3. HEIGHT LIMITS

Building CORNICE heights are the single most important factor in the perceived bulk of a building. The current 60' (5 story) height is probably too high for a CORNICE in most areas of the square, and the Harvard Square Advisory Committee has been successful in getting 3 and 4 story cornice heights for most developments. Further regulation of cornice heights would be desirable. I would recommend 4 stories for most of the square (50') with 3 stories (40') facing a lower density district. Additional height up to 70' or 80' behind a 45 deg sky exposure plane should be permitted by special permit for buildings complying with the applicable "Harvard Square Development Guidelines."

4. PARKING SPECIAL PERMITS

It seems like a good idea for most projects getting parking special permits to contribute to constructing parking spaces, but the special circumstances around each project needs to be evaluated. I would recommend a different change authorizing the Planning Board to impose this as a condition of a parking special permit when they deem it necessary.

5. SUMMARY/OVERVIEW

Previous presentations by the proponents have indicated there is some sort of "crisis" of development in Harvard Square. In some sense, therefore, this petition is a referendum on development in the Square, since the effect of the petition, if passed, would be to "freeze" development as it now stands. I believe that the Square is a terrific place now, that recent developments are (mostly) very attractive and fit in well, and that the proposed developments that have been reviewed by the Harvard Square Advisory Committee are of exceptional quality and will come to be seen as positive additions to the Square.

The development review process is working well in Harvard Square and there is no pressing need to make changes. If changes are made, they should be limited to "fine tuning" of the current regulations to respond to particular problems.

HARVARD SQUARE OVERLAY DISTRICT
AMENDMENT PETITION
COMMENTS TO THE CITY COUNCIL

by Brett Donham
296 Upland Road
Cambridge, MA 02140

May 19, 1988

The petition put forward by the Coalition for Harvard Square is seriously flawed. Worse than that it is either incredibly naive or a deceitful piece of work. It is attempting to conceal a major down-zoning by covering it with the politically expedient goal of affordable housing. Affordable housing is like motherhood; everyone is in favor of it. But it is deceitful to propose it to help passage of a controversial down-zoning if the underlying economics will prevent it ever being built.

I urge you to reject this petition but to recognize a very real and deep concern about the density of development permitted under current zoning.

The zoning petition refers to "unforeseen.....commercial development". This is inaccurate. All the planning and zoning studies of Harvard Square for the last 14 years recognize the development potential. The only wonder is that the space was not developed before this. The Monacelli study of 1974, for instance, identifies each of the parcels that is currently planned for re-development and further describes with great accuracy what level of building is likely on each site.

The petition says that new commercial development is "eliminating lower-rent premises". New buildings don't eliminate lower-rent premises, market forces do, supply and demand does. Corcoran's didn't close because of new development, it closed because it was a low margin business that could not pay the rents demanded by the market place. This petition will do nothing to stabilize rents.

The petition refers to the need "to protect.....affordable housing". Rent control and its attendant eviction controls protect affordable housing; this petition will not protect it in any way.

In 1984 the City commissioned a study by Chadbourne & Vigier entitled, "Development in the Harvard Square Overlay District". It concluded that, absent significant subsidies, the economics were such that rental housing was unlikely to be built in the Overlay District. Since then we have seen luxury condominium development, but it is not clear there is a market for more of

that, or even if there is, whether it could generate enough profit to subsidize affordable housing. At the very least, before approving the petition, the Community Development Department staff should do a pro-forma sensitivity analysis to see if affordable housing will result; I seriously doubt it.

Affordable housing as defined in the Cambridge Zoning Ordinance is family housing. I do not believe that the Overlay District with its heavy traffic and absence of elementary schools, playgrounds and other facilities is an appropriate place for family housing. However, single room occupancy housing may be appropriate in Harvard Square but this petition does not address that.

Parking is an issue to be considered with housing. Commercial uses in the Overlay District benefit from an excellent public transit system. Many use it and their number is growing. Housing on the other hand needs cars and in fact generates a higher parking demand than commercial uses in an area so well served by public transit. City policy, through its zoning ordinance, should not be skewed towards creating higher parking demands.

The last item in the petition, essentially a voiding of subsection 6.35 of the zoning ordinance, runs counter to all notions of good planning policy. In an area so well served by public transit, both surface and subway, public policy should be directed towards discouraging private car use and encouraging public transit use. Current City policy does this but I urge consideration of mandatory "T" passes as a further requirement for parking reduction.

In sum, I believe there is a real concern that this petition tries but fails to address, that of density. I urge the City Council to set this petition aside and to instruct the Community Development Department to draft a new zoning amendment that lowers the allowable density in the Harvard Square Overlay District to an FAR of somewhere between 3.0 and 3.5.

Councillor David Sullivan moved the petition be referred to the full City Council without recommendation.

The hearing was adjourned at 9:52 p.m.

For the Committee

William H. Walsh
City Councillor

enclosures

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City of Cambridge

In City Council..... June 6, 1988

The Committee on Ordinances conducted a public hearing on May 19, 1988 beginning at 7:00 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to review the petition of Mary Conlan, et al to amend the Harvard Square Overlay District. Councillor William Walsh, Chairman of the Committee requested the petitioner to come forward.

At this time, Mr. Philip Dowds of 48 Banks Street and one of the petitioners outlined the reasons for filing the petition and stated that an amendment to the Overlay District was needed due to the intense development currently underway through out the Harvard Square Area.

He further stated the Advisory Committee which was put in place by the original overlay district was not totally effective, and that some 300,000 square feet are under development. He also urged the council to appoint a Blue Ribbon Committee to study the econometrics of their proposal.

At this time the Committee heard from Mr. Webb Nichol's of 201 Huron Avenue, one of the petitioners who outlined in detail the technical aspects of the petition including height and density requirements. He further stated to the Committee that uncontrolled development will threaten the quality of life in Harvard Square. Furthermore, he stated that the petition called for a Floor Area Ratio (F.A.R.) of 2.0 and could only be changed by Special Permit to an F.A.R. of 3.0 and finally that no building be higher than 60 feet. Mr. Nichol's further stated that any developer seeking to



REPORT

Committee on Ordinances

Re: petition of Mary Conlan, et al to amend
the Harvard Square Overlay District.

In City Council,

June 6, 1988

6-6-88

C. Dushay

Passed to a 2nd
Reading.

construct a building in this area should not be allowed to go forward unless they are prepared to present all their financial data and projected rate of return to prove to the neighborhood that their businesses would be adversely impacted if not granted the necessary permits.

Also speaking in favor of the petition was Gladys Gifford of 85 Sparks Street who stated this proposal was also an attempt to stop the acquisition of property by Harvard University. She further stated that 28% of the total land area within the overlay district was owned by Harvard University. Furthermore, she stated Harvard University has relocated or closed several businesses due to this expansion in the Community. The City and neighborhood must maintain a dialogue with Harvard University in order to control their future expansion and development plan.

Also speaking in favor of the petition was Mr. Charles Sage of 221 Mt. Auburn Street who outlined his position on the petition as a Harvard Square merchant. He stated that buildings are too high, real estates values are doubling because of this kind of development and that the merchants are loosing parking spaces throughout the Harvard Square area.

Also speaking in favor of the petition was Mr. Brad Pool who supported the construction of affordable housing within the area and drew an analogy between boarding house construction in San Francisco and similar construction which he believes could be built within the Overlay District.

Councillor Walsh questioned the concept of developing "rooming houses" without bathrooms or kitchens.

At this time the Committee heard from Mr. Joseph Nigro representing the Building Trades Association who spoke in opposition of the petition. Building construction puts many Cambridge people to work, he stated, and the trades people within his organization have built many buildings and homes in Cambridge.

Also speaking in opposition to the petition was Ms. Kathy Spiegleman, Director of Planning for the Harvard University Planning Group who submitted a prepared statement outlining the University's position. She also submitted a written statement from Prof. William J. Poorvu. Furthermore, she stated the university disagrees with the substance of the proposal before the Committee. Ms. Spiegleman further stated Harvard has moved away from the large scale acquisition and development plans in the City's residential neighborhoods and is only involved in small scale projects compatible with neighborhood character.

Councillor Francis H. Duehay questioned whether or not Ms. Spiegleman had changed her position regarding the allowable height limitation now that she is no longer the Assistant City Manager for Community Development. Ms. Spiegleman responded in the negative and stated the university has not altered its position since hearing the petitioners presentation before the Planning Board on May, 17, 1988.

Finally Ms. Spiegelman stated Harvard University has no plans to convert the Harvard Square area into a campus.

At this time the Committee heard from Mr. Hugh Russell, One Corliss Place who submitted a prepared statement opposing the petition and stated

it would be a mistake to reduce the F.A.R. and supported the development review process currently in effect by way of the Harvard Square Design Advisory Committee.

Also speaking in opposition to the petition was Ms. Sally Alcorn, Executive Director of the Harvard Square Business Association, who read a prepared statement and stated the petitioners have refused to accept a compromise on the petition and consequently the association has to oppose the proposal.

Also speaking in opposition was Mr. Louis DiGiovanni of 36 John F. Kennedy Street who stated there was no need to adopt the petition before the Committee since there were already sufficient mechanisms in place to check large scale development. He further stated he strongly supported the concept of affordable housing in the Harvard Square area and suggested the City Council file "Home Rule" legislation to acquire "Windmill Park" which would provide for a minimum of 200 units and presented the Committee with an architectural drawing of the site.

Councillor Duehay questioned whether or not Mr. DiGiovanni supported a maximum 3.0 F.A.R.

Mr. DiGiovanni responded by stating that per se 3.0 was not bad.

Councillor Duehay further questioned whether Mr. DiGiovanni could support the petition if "Wind Mill Park" were to become a reality.

Mr. DiGiovanni responded by stating "Windmill Park" should stand alone.

Also speaking in opposition was Mr. David Vickery of 88 Grozier Road who provided the Committee with a brief overview of the history of develop-

ment within the Harvard Square area. He further stated that should the City Council adopt the proposal currently before it, they would be stepping back from what they approved and developed with the Planning Board over the past 15 years.

Councillor Duehay questioned whether or not Mr. Vickery supported an F.A.R. of 4.0.

Mr. Vickery responded by stating he did not believe 4.0 was excessive.

At this time Mayor Alfred Vellucci stated he would submit for the upcoming City Council meeting a proposal to establish a one year moratorium on all demolition and construction in the Harvard Square area.

At this time the Chair ruled that the hearing has lasted slightly over the two hour limit but due to additional speakers wanting to be heard, an additional one half hour will be provided with individuals from both sides being given an opportunity to speak.

At this time speaking in favor of the petition were Jonathan Meyers of 5 Hollis Street, Robert LaTremouille of 348 Franklin Street, Mary Conlan, 26 Chauncy Street, John Pitkin, 18 Fayette Street and Howard Medwed. Speaking in opposition to the petition were: Sheldon Cohen, President of Out of Town News, Richard Sargin of Huron Avenue and Brett Donham of 296 Upland Road.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 3, 1988

To The Honorable, The City Council:

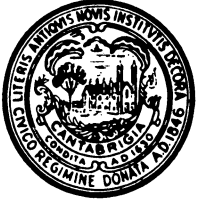
From: the Planning Board

SUBJECT: Conlan Petition to Modify Provisions of the Harvard Square Overlay District

PRELIMINARY RECOMMENDATION

The Planning Board hearing on the above petition was held on Tuesday, May 17, 1988. The petition would significantly modify provisions in the Overlay District affecting building bulk and height, use and parking quantities provided. These proposed regulations are potentially far reaching in their consequences and interrelated as to their future effects. Therefore the Board is not prepared to make detailed recommendations on the many provisions of the petition without further analysis and discussion. However, on the matter of maximum floor area ratio (FAR), the Board has concluded after review of many projects City-wide and in Harvard Square that the maximum FAR permitted should be reduced to a 3.0 from the 4.0 currently permitted in the Business B zoned portion of the Harvard Square Overlay District. At a 3.0 substantial development could occur on many lots at a scale which can be accommodated in a high density district such as Harvard Square; however the 25% reduction would allow buildings to be more easily designed to respect their context. In addition there would be less pressure to increase height or to reduce parking.

The Planning Board will forward more detailed recommendations to the City Council on the housing, height and parking waiver provisions as quickly as possible.



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 27, 1988

To the Honorable, the City Council:

Enclosed please find a copy of the Planning Board's recommendation relative to the Conlan Petition to modify provisions of the Harvard Square Overlay District.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 70

Re: enclosed Planning Board recommendation
on the Conlan petition to modify provisions
of the Harvard Square Overlay District.

In City Council,

June 27, 1988

6-27-88

Referred to the
Petition.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 3, 1988

To The Honorable, The City Council:

From: the Planning Board

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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 3, 1988

To The Honorable, The City Council:

From: the Planning Board

SUBJECT: Conlan Petition to Modify Provisions of the Harvard Square Overlay District

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The Planning Board will forward more detailed recommendations to the City Council on the housing, height and parking waiver provisions as quickly as possible.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows

- A** Create a new subsection 11.542 (renumbering existing Sections 11.542 through 11.545 accordingly) which shall read:

"11.542 / Floor Area Ratio Limitations. The maximum floor area ratio permitted on any lot in the Harvard Square Overlay District shall be governed by the requirements of this subsection 11.542; however, at locations where the base zoning district establishes a more restrictive FAR limitation, the more restrictive shall apply.

a. As-of-Right Limitations. The maximum FAR applicable to any lot in the Harvard Square Overlay District shall be 2.0, except as may be permitted in b. below.

b. Special Permit for Additional FAR. The maximum allowable FAR in the Harvard Square Overlay District may be

increased to 3.0 upon issuance of a special permit from the Planning Board, provided that the following conditions are met:

1. The increased bulk allowed is not in conflict with the criteria of subsection 10.43.
2. The increased bulk allowed is found to be compatible with the objectives of the HARVARD SQUARE DEVELOPMENT GUIDELINES.

3. Sixty-five percent (65%) of the total gross floor area to be built is devoted to residential uses permitted in subsections 4.31, a-k.

4. At least thirty percent (30%) of the dwelling units constructed, but in any case no less than one unit, shall be made available to, and affordable by, families as defined in subsection 11.202, and shall further meet the requirements of subsections 11.203-11.206."

B Reduce maximum height limits established by the present subsection 11.542 (renumbered to 11.543 pursuant to above), and clarify the conditions for granting extra height by special permit, by making changes as follows:

1. Add a new subsection "c." which shall read:

"c. Conditions for Issue of Special Permit. A special permit for additional height shall be issued only upon a specific finding that:

1. Additional height enables better massing of the building on the lot; or else,
2. Benefit to the public of said additional height outweighs any negative environmental impacts."

2. Throughout the subsection, at each occurrence of "eighty" or "80", substitute "sixty" or "60", and at each occurrence of "sixty" or "60", substitute "forty" or "40".

C Clarify the applicability of the present subsection 11.544 (renumbered to 11.545 pursuant to above), by adding to the end of this subsection the paragraph following:

"Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

Passed to a second reading at the City Council meeting held on June 6, 1988 and on or after June 20, 1988 the question comes on passing to be ordained.

ATTEST:- John E. Flynn
Deputy City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-eight

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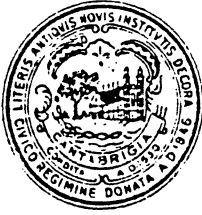
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City of Cambridge

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Passed to a second reading at the City Council meeting held on June 6, 1988 and on or after June 20, 1988 the question comes on passing to be ordained.

ATTEST:- John E. Flynn
Deputy City Clerk

PUBLIC NOTICE
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances comprised of the entire membership of the City Council, will hold a public hearing on Thursday, May 19, 1988 at 7:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Mary Conlon, et al to amend the text of the Zoning Ordinance, Article 11.50 - Harvard Square Overlay District. The amendment would decrease the maximum as-of-right Floor Area Ratio to 2.0, and allow by Special Permit a Floor Area Ratio of 3.0 under the following conditions: the increased bulk allowed is not in conflict with the criteria in the existing Section 10.43 and is compatible with the objectives of the Harvard Square Development Guidelines and 65% of the total gross floor area is devoted to residential use as permitted in Sections 4.31, a-k, of which at least 30% is affordable as defined in Section 11.202. The amendment would also decrease the as-of-right height from 60 feet to 40 feet and the Special Permit height from 80 feet to 60 feet. Additionally the amendment would add the following restriction to the Parking and Loading Requirements, Section 11.544, of the Overlay District: "Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor William H. Walsh,
Chairman.

LAWRENCE M. LEVINSON
THOMAS D. BURNS
ROBERT W. WEINSTEIN
WILLIAM H. CLANCY
GEORGE M. FORD
BARRY L. SOLAR
HOWARD D. MEDWED
SAMUEL P. SEARS, JR.
JOHN A. DONOVAN, JR.
NORMAN C. SPECTOR
CHARLES MARK FURCOLO
MARTIN B. SHULKIN
STEVEN C. GOODWIN
LAWRENCE G. CETRULO
RUSSELL F. CONN
BOB B. ROSENTHAL
JAMES F. KAVANAUGH, JR.
THOMAS E. PEISCH
WILLIAM E. MODERI
ELAINE M. MORIARTY
PETER J. SCHNEIDER
TRAVER CLINTON SMITH, JR.
MELVIN A. WARSHAW
PAUL E. STANZLER

RICHARD E. KAPLAN
CHESTER A. JANIAK
MICHAEL WEINBERG
DAVID STRAUSS
SUSAN M. BARNARD
DAVID M. GOVERNO
JOHN J. MCGIVNEY
MICHAEL J. GRACE
DAVID P. ROSENBLATT
PAUL ALAN RUFO
PETER F. ZUPCOFSKA
EDWARD J. KRUG
KATHLEEN A. SCRUTON
JOEL S. FREEDMAN
BARRY E. GOLD
BARBARA S. HAMELBERG
DAVID R. SULLIVAN
RAYMOND E. BAXTER
ANN C. EGAN
NANCY L. BRUSH
CHRISTOPHER A. DUGGAN
STEPHEN P. HAYES
DAVID M. O'CONNOR

BURNS & LEVINSON
1988 APR 20
COUNSELLORS AT LAW
CAMBRIDGE MA.
50 MILK STREET
BOSTON, MASSACHUSETTS 02109
(617) 451-3300
TELECOPIER (617) 451-5760

JAMES B. PELOQUIN
ROBERT C. RIVES, JR.
MICHAEL R. GOTTFRIED
JOHN B. SAVOCA
NANCY KELLY
RANDOLPH L. SMITH
ROBERT J. CORDY
DANA C. BLAKSLIEE
ANDREW P. BROWN
MARK M. CHRISTOPHER
JAY S. GREGORY
DOROTHY ANNE HURD
CONSTANCE M. McGRANE
DARRELL MOOK
ANN M. RISSO
ANNE E. SARGEANT
BETSY ANNE SEEL
JOHN P. WALKER
KEVIN E. YOUNG
MARGOT AMES CLOWER
ELIZABETH Z. HOLMES
EVELYN A. HARALAMPU
JEFFREY D. STERNKLAR
THOMAS G. COOPER

JEFFREY S. MICHAELSON
RAY A. CAMPBELL III
CLARE M. HOWE
MARY ELIZABETH VAN DYCK
MARK G. MAHER
SUSAN A. MAZE
BRUCE A. HAMILTON
NANCY A. DALY
DIANNA R. STALLONE
ROBERT P. INGRAM
WARREN E. TOLMAN
SUZANNE SHELDON
JOHN E. BOWEN
LAWRENCE J. McNALLY, JR.
STEVEN L. CHARLIP
DANIEL R. DEMARCO
CYNTHIA J. HELENEK
KEVIN G. KENNEALLY
JENNIFER L. LAURO
ELIZABETH J. MAILLETT
SARAH BORSTEL PORTER
PAMELA S. SHAPIRO
GARY W. SMITH
GEORGE S. TSANDIKOS

April 20, 1988

Mr. Philip Dowds
Coalition for Harvard Square
P.O. Box 19
Cambridge, MA 02238

Dear Phil:

Please be advised that the Neighborhood Nine Association voted at its regular monthly meeting on April 14, 1988 a resolution in support of the Harvard Square downzoning petition known as the Conlan Petition. This letter is intended to advise you of that fact and to advise you that copies of this letter are being sent to the Planning Board and the Cambridge City Council so that they may be part of the record with respect to the proceedings in respect to the Conlan Petition.

Very truly yours,

Howard D. Medwed

HDM/jb

cc: Cambridge Planning Board
Cambridge City Council ✓

5.

Comm. received from Howard Medwed recording
the Neighborhood Nine Assoc. in favor of the
Mary Conlan rezoning petition for Harvard
Sq.

RECEIVED BY
OFFICE OF CITY CLERK

1988 APR 25 AM 10: 28

CAMBRIDGE MA.

In City Council,

May 2, 1988

*Referred to the
petition*

Agassiz Neighborhood Council

Agassiz Community School Agassiz Community Center

20 SACRAMENTO STREET CAMBRIDGE, MASSACHUSETTS 02138

(617) 498-9056

May 15, 1988

Cambridge City Council
City Hall
Cambridge, MA 02139

Dear Mr. Mayor:

The Agassiz Neighborhood Council, at our April 13th meeting, voted unanimously to support the efforts of the Coalition for Harvard Square to ammend the Cambridge Zoning Ordinance Section 11.50 for the Harvard Square Overlay District. Our neighborhood is adjacent to Harvard Square, and this is a downtown area to many of our residents. Our day to day business in Harvard Square is already a hardship due to congestion, lack of parking and loss of small service businesses.

We appreciate the struggle of all Cambridge neighborhoods to encourage the kind of development that will not negatively affect the quality of life in our neighborhoods, and we join the Coalition for Harvard Square in this struggle.

Very truly yours,



Terry DeLancey, Co-ordinator
AGASSIZ NEIGHBORHOOD COUNCIL

GREENMAN, GROSSMAN & DUFFY

ATTORNEYS AT LAW

77 SUMMER STREET

BOSTON, MASSACHUSETTS 02110

KARL GREENMAN
DAVID E. GROSSMAN
WILLIAM B. DUFFY, JR.
STEPHEN C. FLASHENBERG
FREDERICK S. PAULSEN
MELISSA J. ROSS*
RICHARD L. WULSIN
JOSEPH M. SAMSON*
LESLIE RATLEY BEACH

TELEPHONE
(617) 542-0297

TELEFAX
(617) 542-7853

OF COUNSEL
GERALD J. BURZILLO

*ALSO ADMITTED IN NY
*ALSO ADMITTED IN DC AND MD

May 19, 1988

Cambridge City Council
Cambridge Planning Board
City Hall
795 Massachusetts Avenue
Cambridge, MA

Re: Harvard Square Overlay District Amendment

Dear Sirs/Mesdames:

I am writing to oppose the proposed Harvard Square Overlay District Amendment petition as filed in March of 1988. My client's property, located at 1430 Massachusetts Avenue is the large commercial and retail structure running from Baybank to Church Street and facing directly onto the Square. The owner has long been committed to preserving the character and appearance of Harvard Square, and for this reason has granted to the Cambridge Historical Commission a permanent easement preserving the appearance of the Mass. Ave facade. This assures that, ultimately, all of the retail storefronts will conform to the historic easement. I write, therefore, as representative of an owner with a proven financial commitment to preservation of the character of the Square which derives from its diverse mix of buildings old and new.

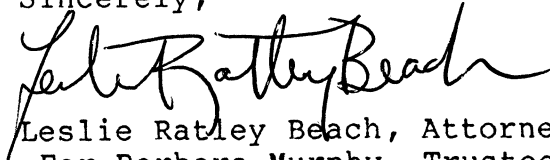
The proposed amendment petition will do nothing to advance the stated goals of the petitioners. The downzoning in Business B district from 4 to 2 will result in substantial diminution in land assessment revenues. The proposed inclusionary housing bonus provision for an increase in floor area ratio from 2 to 3 will act as a disincentive to produce any housing at all. Affordable housing requires substantial subsidies, not penalties in the form of elimination of valuable space. The proposed amendment will not assist the current process but will stop growth entirely by creating substantial impediments to housing, rehabilitation, and to new projects.

GREENMAN, GROSSMAN & DUFFY

Lastly, as business people, we note the new theory advanced here, that limiting supply of retail space will somehow lower rents and lower costs. This unprecedented theory ignores the fact that demand for retail space springs ultimately from spending patterns. As you know, if demand increases while supply decreases, price of space invariably increases.

We urge you to defeat this ill conceived amendment, and support the current planning process which, however complicated, has resulted in a vibrant, active mix of buildings in Harvard Square.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ratley Beach". The signature is written in dark ink and is positioned above the typed name.

Leslie Ratley Beach, Attorney
For Barbara Murphy, Trustee
Owner of 1430 Massachusetts Avenue

WILLIAM J. POORVU

44 BRATTLE STREET, FIFTH FLOOR, CAMBRIDGE, MASSACHUSETTS 02138

MAILING ADDRESS: P.O. BOX 828, CAMBRIDGE, MASSACHUSETTS 02238

TELEPHONE: (617) 576-1010

May 19, 1988

Members of the City Council
City of Cambridge
City Hall
Cambridge, MA 02138

Dear Members:

I am writing as a homeowner living at Charles Square, as a property owner of several parcels on Brattle Street and Mt. Auburn Street and as someone who has taught and lectured on real estate economics, housing policy and real estate development for over 20 years at Harvard to urge rejection of the Harvard Square Overlay District Amendment Petition as filed March, 1988.

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The proponents slide show makes my point. Most buildings on Commonwealth Avenue are 60 feet high with exceptions on several corners that improve and accent the landscape. The 60 foot high buildings on St. Mark's Square serve as backdrops to the much higher Cathedral. In other words, each location is best analyzed in its own context, which in the case of Harvard Square is a commercial center, not a residential concourse, or an institutional/religious plaza. To have restricted the height of Charles Square to 60 feet, let alone 40 feet would have been a most inappropriate urban design decision.

As to rents and availability of space in Harvard Square for shopowners, limiting supply creates a shortage of retail which only drives up rents. Competition and diversity are what make Harvard Square vibrant and exciting. Merchants who attract customers have no trouble surviving. If some of those who complain about their inability to buy needle and thread at local stores had bought their clothes there as well, these stores would probably still be in Harvard Square. Although there may be an inverse relationship between small stores and lower prices for merchandise, if considered desirable, the Planning Board can easily encourage in their review process that developers provide space for smaller stores. In addition it is wrong if professional firms such as Ben Thompson and TAC have to leave the Square because of inability to find new space. Adequate office space for such firms adds to the life of Harvard Square and should not be ignored.

The loss of property tax revenues should also be considered. Traditionally revenue from buildings in the commercial core is supposed to alleviate the burden on the homeowners. In this case, not only will revenue growth be stopped under this petition, but existing property owners will be able to file for abatements of up to 50% on their land assessments because of a reduction in underlying land value from 4:1 to 2:1 in the case of Business B zoning. Given the valuation methods used by the assessors in

Cambridge, the portion of the total tax bill attributable to land in Harvard Square is among the highest in the county. That is because on each parcel land is assessed based on allowable not actual use with buildings treated separately. On any parcel zoned for a 4:1 FAR; it is assumed that the land can be sold for a price reflecting a total usage of the site. This proposed bill would create havoc and require a total change in assessment practices in the City.

A recent decision by the D.C. Appeals Court granted relief to a petitioner for abatement when the petitioner was able to show that a pending, but filed bill to establish a historic district had a considerable chance for passage. Although most of us would not mind filing for abatements on our properties, I doubt if that is what you would like to happen as it will diminish revenues and allocate greater costs ultimately over other buildings in Cambridge. If filings such as this downzoning petition become the norm, that is what likely will happen.

Lastly, as to the issue of management of growth, obviously it is a high priority for all of us. The 30,000 square feet that the Planning Board gave approval for us to build behind the Brattle Theatre (which approval would not be affected by this downzoning petition) is a minor project but very important to Benjamin Thompson and Associates as they are being forced to vacate their present premises. Also, as an owner of several other developed properties in the area, my larger concern is that the Southwest corridor be completed as recommended in numerous studies. I do not recommend leaving the MBTA tunnel and Harvard Square Motor Inn as our legacies to the future. The overlay district is really a collection of sub-districts each of which should be treated individually with a reasonable degree of flexibility.

Our own experience with the Advisory Committee and Planning Board is that the process works. Our exception to build to 72 feet versus 60 feet was only granted because it was adjacent to Waverly Hall, a building already at that 72 foot height. Moreover, we agreed to restore the Brattle Theatre and to setback our new building from the Theatre building (giving up an equivalent amount of space which could have been built by right without a special permit). We are also creating new walkways and courtyards, providing a landscaped park open to the public where nothing exists today, giving up retail space on Mifflin Place so as to provide garage access to the CWT site thus avoiding a curb cut on Brattle Street, and reducing our FAR from 4.0 to 3.2.

CWT's height exception also came as a tradeoff for added walkways, setbacks to three stories along the Brattle Street and Theatre sides, a reduction in FAR to 3.2 plus the massing of any added height over 60 feet near the existing 72' Waverly Hall building. It is a much more desirable urban design solution than if CWT built as of right a 60 foot high building along Brattle Street with an above ground garage in the rear.

At the hearing Tuesday night before the Planning Board, a gentleman from San Francisco cautioned that added development in Harvard Square would result in added use of and put pressure on our mass transit system. I thought that is what we just spent hundreds of millions of State dollars to accomplish. Perhaps if San Francisco had an Advisory Committee and Planning Boards operating effectively, they would not have had the confusion he described. My only hope is that our Advisory and Planning Boards continue to enforce the same high standards in analyzing and regulating future projects as they did in ours. That is what will protect both our properties and the quality of life in Harvard Square, not a set of arbitrary regulations designed to stop not manage our growth.

I urge you to send a clear negative message to the petitioners that their proposal will raise rents, not encourage housing, will increase taxes and substitute inflexible planning tools for an atmosphere where complex but creative urban design solutions and tradeoffs can and should be encouraged.

Sincerely,



William J. Poorvu

cc: Sheldon Drucker
Dan Calano

WILLIAM J. POORVU

44 BRATTLE STREET, FIFTH FLOOR, CAMBRIDGE, MASSACHUSETTS 02138

MAILING ADDRESS: P.O. BOX 828, CAMBRIDGE, MASSACHUSETTS 02238

TELEPHONE: (617) 576-1010

May 19, 1988

Members of the City Council
City of Cambridge
City Hall
Cambridge, MA 02138

Dear Members:

I am writing as a homeowner living at Charles Square, as a property owner of several parcels on Brattle Street and Mt. Auburn Street and as someone who has taught and lectured on real estate economics, housing policy and real estate development for over 20 years at Harvard to urge rejection of the Harvard Square Overlay District Amendment Petition as filed March, 1988.

This proposed petition is not meant to manage growth, but to stop it. Since most parcels in the area already are built at a 2:1 FAR or higher, there would be no incentive to develop a site if one could not add space. Moreover, since a major rehabilitation or restoration is subject to zoning laws, such restoration may be prohibited for those properties with a FAR currently in excess of 2:1 especially if any new space were added.

The proposed special permit language providing for an increase in FAR to 3:1 for housing is especially unfortunate in that it trivializes what is a serious issue, the need to provide affordable housing. At a 2:1 FAR, a two-story building with one floor of retail and one of commercial space is likely to be built. To qualify for a 3:1 FAR, one would have to give up the commercial floor and build two residential floors, an unlikely event given that 70% of the additional floor would have to be affordable housing which as we all know requires considerable subsidies, even when land costs are donated. I doubt if any new housing at all would be created under this plan. The incentive just is not there.

All of this ignores the fact that much of the Overlay District is inappropriate for housing because of its long standing commercial uses. Harvard Square is fortunate in that it has considerable residential land abutting and within walking distance of the Overlay District. That is where the added housing belongs according to most planning standards. I only wish many of the petitioners showed the same enthusiasm for added housing in their own residential neighborhoods as they do for seeing it in the core of commercial Harvard Square.

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I urge you to send a clear negative message to the petitioners that their proposal will raise rents, not encourage housing, will increase taxes and substitute inflexible planning tools for an atmosphere where complex but creative urban design solutions and tradeoffs can and should be encouraged.

Sincerely,

A handwritten signature in black ink, appearing to read 'William J. Poorvu', written in a cursive style.

William J. Poorvu

cc: Sheldon Drucker
Dan Calano

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138

617 · 495 · 2234

May 19, 1988

Councillor William H. Walsh
Chair
City Council Ordinance Committee
City Hall
Cambridge, MA 02139

Dear Councillor Walsh:

As one of the major property owners in Harvard Square, Harvard University is opposed to the Harvard Square zoning amendments proposed in the petition by Mary Conlon, et.al.

In recent years the University has tried to move away from simply opposing additional regulation. Instead we have tried to identify mutual areas of concern and agreement as a basis for establishing regulatory changes in Harvard Square. Two such efforts were the nomination to the National Register of the Harvard Square National Register District and the revision of the Harvard Square Overlay District. Both of these regulatory packages involved considerable work by the Cambridge Historical Commission, the Community Development Department and the residents and businesses in the area.

The Overlay District zoning amendments in 1986 established new ground rules for Harvard Square development. The subsequent flurry of development activity consists of projects which were anticipated, but the timing was by no means clear when the regulations were adopted. It is perhaps the timing of these proposals which has generated the most concern among neighbors. The sites which have been proposed for development were all identified in the analysis that preceded the 1986 Harvard Square rezoning. The process of review through an advisory committee made up of different interest groups and the creation of design guidelines for each site were also put in place through that rezoning and the resulting project proposals have been altered and improved as a result.

Commercial and institutional growth and change in Harvard Square is currently thriving. In the case of Harvard, our sites in the Harvard Square commercial district are getting heightened attention because of the direction which the regulatory initiatives of the city have presented to us. Harvard has moved away from large-scale acquisition and development plans in the city's residential neighborhoods, and is only involved in small scale projects which are compatible with neighborhood character. Development on the core campus has been discouraged by historic preservation restrictions which reflect the community's and institution's shared respect for the historic Harvard buildings and the important open spaces. This makes the few development sites which the University owns in Harvard Square very important for the growth which the University has historically demanded and for which some provision must be made in the future.

We believe that the process in which we participated two years ago was a positive step towards joining interests to shape Harvard Square development. We disagree with the current petition's rejection of that process and its results. Furthermore, although like the petitioners we are also concerned with the environmental quality and impacts in our own "neighborhood", we need to protect reasonable options for using the sites we own in Harvard Square which are not fully or appropriately developed for our needs.

The petition also includes language directed towards affordable housing. Our opposition to this down zoning does not represent opposition to goals of providing affordable housing. We have participated in the city's efforts to devise a citywide strategy linking development and affordable housing. Trying to achieve this by creating development disincentives as proposed in the petition may discourage development as desired by the petitioners, but is not likely to create affordable housing.

We recognize that many of our residential neighbors feel very strongly about this down zoning proposal and we regret that we are not able to support its process or substance. We hope that we will be able to maintain a dialogue about their concerns for Harvard Square without adoption of restrictions that reduce growth potential in a part of the city well-served by transit and well-served by an organized process for project review.

Sincerely,



Kathy A. Spiegelman
Director for Planning

cc: Cambridge City Council

KAS:cs
19:59

Robert J. La Tremouille

January 29, 1988

Residence: 348 Franklin Street
Cambridge, MA 02139-3731
Telephone (617) 491-7181

Office: Sixty Western Avenue
Cambridge, MA 02139-3751
Telephone (617) 876-3362

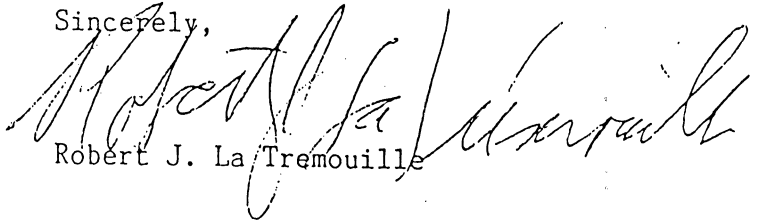
Dear Councillor:

This will confirm my telephone call of approximately 3:15 P.M. Enclosed for your information is the document I mentioned, "A Guide to the Massachusetts Housing Partnership", which I obtained from Amy Anthony's office on last Monday. Page 14 list the only definitions of "affordable" I could find in the document, defining "Most Affordable" and "Affordable": "Very Affordable", which you put in the Cambridge zoning ordinance, based on your claim of MHP's definition does not seem to exist in this document.

Based on this discrepancy, I called the Massachusetts Housing Partnership at their Boston number listed in the back of the book, 727-7824. I spoke with a Ms. Pat Burns who was not pleased that I would be calling her to define a term from the Cambridge Zoning Ordinance, and was even less pleased when I repeatedly asked her if MHP has any definition for "very affordable". She was quite insistent that the only terms of that nature which they use or define are "most affordable" and "affordable".

I hope that you will be able to provide a definition for "'very affordable' standard of the Massachusetts Housing Partnership or any successor agency", as used by you in section 11.202 of the Zoning Ordinance as your definition of "An affordable unit of housing", i.e. "one that meets" that standard.

Sincerely,



Robert J. La Tremouille

cc: Mr. William Cavellini
Simplex Steering Committee
274 Brookline Street
Cambridge, MA 02139

11.200 - Affordable Housing Requirements

Where additional intensity of development is permitted by special permit in any zoning district, subject to this Section 11.200, the following minimum standards and requirements shall apply.

11.201 - Quantity of Affordable Housing Units Required.

A minimum of 50% of the additional dwelling units, allowed by this section 11.200 and authorized by special permit, rounded to the higher number in the case of an odd number of additional units, shall be affordable as hereinafter defined in this Section 11.200.

11.202 - Definition of Affordable Housing.

An affordable unit of housing shall be one that meets the "very affordable" standard of the Massachusetts Housing Partnership or any successor agency, adjusted for family size, or such other equivalent income standard as may be employed by the Community Development Department through other city, state, or federal housing programs intended to assist in the provision of low or moderate income housing.

11.203 - Characteristics of the Required Affordable Housing Units

Each housing unit provided shall have a minimum gross floor area of 950 square feet and shall have a minimum of two bedrooms. In addition the affordable units shall be constructed of the same quality of materials and the same basic level of amenities as other housing units in the development. The specific location for the affordable housing units shall be dispersed throughout the development and shall be specifically approved by the Board of Zoning Appeal.

11.204 - Selection of Eligible Households

Eligible households shall be selected by the Community Development Department or its designated agent, use guidelines customarily employed by the Department in selecting tenant and homeowner households under other city, state, and federal housing assistance programs.

11.205 - Permanence of the Affordable Housing Units

To the maximum extent possible such restrictions, conditions, and/or limitations shall be required by the Board of Zoning Appeal to guarantee the permanent availability of the affordable housing units created under this Section 11.200. For units that are to be sold such restrictions shall include limited equity deed restrictions on the resale of the dwelling unit, in a form satisfactory to the Community Development Department.

11.206 - Other Requirements

Any application for a special permit for a development subject to this Section 11.200 shall be accompanied by a report from the Community Development Department certifying to the Board of Zoning Appeal that the requirements of this Section 11.200 have been met as demonstrated by the documents submitted in support of the application and recommending such conditions and requirements as may be appropriate as conditions to the issuance of the special permit to fully carry out the intent of this Section 11.200. The Community Development Department shall certify to the Superintendent of Buildings that final development plans are in conformance with the conditions of the special permit before the issuance of a building permit. In addition the Department shall certify that the conditions of the special permit have been met before issuance of any certificate of occupancy.

3/26/8
No change
Adding

Sp. 14

A GUIDE TO THE MASSACHUSETTS HOUSING PARTNERSHIP

SUPPORTING LOCAL EFFORTS
TO MEET LOCAL HOUSING NEEDS



Michael S. Dukakis, Governor

The following summaries outline MHP's new program initiatives and programs with special funding allocations, along with other resources often used by partnership communities. Detailed sets of program guidelines and applications for each resource are available at the MHP central office.

A. DEVELOPMENT RESOURCES	page
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2. Mixed-Income Rental Housing	16
3. Public Housing Development	16
4. Rental Rehabilitation & Rental Subsidy	17
5. Related Development Resources	17
6. Planning & Technical Assistance	18
B. HOW TO GAIN ACCESS TO THESE RESOURCES	22
C. SUGGESTIONS FOR ASSESSING LOCAL HOUSING NEEDS	22

A. DEVELOPMENT RESOURCES

1. Mixed-Income Homeownership Housing

THE MASSACHUSETTS HOMEOWNERSHIP OPPORTUNITY PROGRAM (HOP):

Purpose & Description

In January of 1986, as part of an effort to increase the supply of affordable housing throughout the state, Governor Michael Dukakis announced the Massachusetts Homeownership Opportunity Program (HOP) - a major new program of the Massachusetts Housing Partnership.

The Homeownership Opportunity Program makes available home mortgage financing with interest rates as low as 5 per cent to qualified first-time homebuyers. Also available are grants to cities and towns for the costs of new roads, sidewalks, and sewers, which allows home purchase prices to be reduced substantially. This combination offers strong incentives for local governments to work with private developers to produce new, affordable housing.

Benefits of the Homeownership Opportunity Program (HOP)

- For homebuyers, HOP offers affordable home prices and annual interest rates which start as low as 5 per cent;
- For future homebuyers, HOP creates housing that remains affordable through long-term deed restric-

tions that limit resale prices, while protecting each homebuyer's investment;

- For communities, HOP can include occupancy priority for local residents in instances where the local municipality makes significant contribution to the project such as providing increased density incentives;
- For developers, HOP allows a wide variety of unit types to be built, flexible development standards and often reduced land costs through the cooperation of local governments.

Affordability Mix

At least 25 per cent of dwelling units in a HOP development are priced so as to be affordable to moderate income households. For lower-income households, home financing loans are available starting at 5 per cent, while for other households with slightly higher incomes, mortgage interest rates of 7.9 per cent are available. The following table illustrates the home prices and interest rates that are available to first-time homebuyers, according to their income level:

HOP Home Purchase Prices & Interest Rates

	HOUSEHOLD INCOME LEVELS*	HOME PURCHASE PRICES*	INTEREST RATES
Most Affordable			
• Boston area	up to \$29,900	up to \$86,000	5%
• Balance of state	up to \$27,600	up to \$78,500	5%
Affordable			
• State-wide	up to \$43,000	up to \$110,000	7.9%

*Income limits and purchase prices vary also according to the household size; these may be obtained from your MHP field representative or through the MHFA.

Types of Housing Created

Within the Homeownership Opportunity Program (HOP), developers can construct a variety of unit types, including single-family detached and attached units, townhouses, multi-level buildings, according to local building codes and review requirements. Although new construction of housing units is encouraged, HOP also allows the substantial rehabilitation of vacant, existing structures for housing. The type of housing ownership may vary from single lot ownership to condominium as well as cooperative ownership.

MEMORANDUM

To: Cambridge City Council, Committee on Ordinances
Cambridge Planning Board

From: Hugh Russell, 1 Corliss Place, Cambridge

Date: 5/15/88

Re: THE HARVARD SQUARE OVERLAY PETITION

By way of introduction to those who may not know me, I came to Cambridge 27 years ago as a Harvard Student. I have worked in Harvard Square for 19 years as an architect. During this same time I have been a resident of Mid-Cambridge, and was one of the founders of the Mid-Cambridge Neighborhood Assn. For 10 years I was a member of the Board of Zoning Appeal, and am currently a member of the Harvard Square Design Advisory Committee, having previously been a member of the Harvard Square Development Task Force. I have deliberately chosen to live and work in this area because it is so nice, and I have devoted considerable time to helping to preserve and improve it.

I oppose this petition because I believe that it will not improve the quality of Harvard Square, including any new buildings that might be built, or produce affordable housing, and because the proposed changes are too extreme.

1. FLOOR AREA RATIO

It is a mistake to reduce development density in the city's prime commercial area. Zoning in this district should seek to reinforce Harvard Square as a commercial resource for the citizens of Cambridge.

Development density issues are more critical at the edges of the Square abutting residential districts, where a FAR of 2.0 is appropriate. This proposal is flawed because it would still allow a FAR of 3.0 for certain uses on peripheral sites such as the Gulf Station at Mass Ave and Harvard Street.

Small sites (under 10,000 sq ft) can be built to higher FAR than larger sites while still staying low because such developments use the air above public streets to gain light and air. It has been a goal to encourage smaller scale development to preserve the special urban quality of Harvard Square. It is appropriate to consider the development of each site individually and allow higher density when appropriate.

In enacting the rezoning several years ago that created the Harvard Square Design Advisory Committee, of which I am a member, reductions on the FAR were considered and rejected in favor of a design review process. It would be unfair to land owners, who may have made financial decisions based on this recent action, to drastically change the development rules at this time.

The buildings that have been reviewed by the Advisory Committee incorporate many unusually attractive features designed to improve the pedestrian experience. Given the realities of budgets, it seems likely that the architectural quality of buildings would decrease as the permitted size decreases.

Currently, traffic flows quite well in Harvard Square at most times, better than it has for many years. There is no need to "freeze"

development. Provided adequate parking is provided, I do not anticipate problems resulting from proposed developments.

2. BONUS FAR FOR AFFORDABLE HOUSING

Most of my professional work as an Architect has been with affordable housing, and my firm has provided services for a number of such projects totaling over 3,000 units. All affordable housing projects depend on one or more government subsidies, because the cost of construction is so high. Current priority for such subsidies in Massachusetts is for housing for families with children. Other subsidies are targeted to improving depressed areas. It is hard to imagine any undeveloped site within the boundaries of the Harvard Square Overlay district that would be suitable, and none of the area is "depressed".

FAR bonuses should be targeted to encourage desired qualities in the district, such as underground parking, pedestrian amenities, neighborhood serving retail uses, and compliance with the "Harvard Square Development Guidelines". It is bad zoning to encourage incompatible uses. Housing should be encouraged only on sites abutting residential districts, but 6-10 story height consistent with a FAR of 3.0 would probably NOT be appropriate in such locations.

3. HEIGHT LIMITS

Building CORNICE heights are the single most important factor in the perceived bulk of a building. The current 60' (5 story) height is probably too high for a CORNICE in most areas of the square, and the Harvard Square Advisory Committee has been successful in getting 3 and 4 story cornice heights for most developments. Further regulation of cornice heights would be desirable. I would recommend 4 stories for most of the square (50') with 3 stories (40') facing a lower density district. Additional height up to 70' or 80' behind a 45 deg sky exposure plane should be permitted by special permit for buildings complying with the applicable "Harvard Square Development Guidelines."

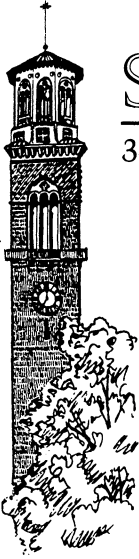
4. PARKING SPECIAL PERMITS

It seems like a good idea for most projects getting parking special permits to contribute to constructing parking spaces, but the special circumstances around each project needs to be evaluated. I would recommend a different change authorizing the Planning Board to impose this as a condition of a parking special permit when they deem it necessary.

5. SUMMARY/OVERVIEW

Previous presentations by the proponents have indicated there is some sort of "crisis" of development in Harvard Square. In some sense, therefore, this petition is a referendum on development in the Square, since the effect of the petition, if passed, would be to "freeze" development as it now stands. I believe that the Square is a terrific place now, that recent developments are (mostly) very attractive and fit in well, and that the proposed developments that have been reviewed by the Harvard Square Advisory Committee are of exceptional quality and will come to be seen as positive additions to the Square.

The development review process is working well in Harvard Square and there is no pressing need to make changes. If changes are made, they should be limited to "fine tuning" of the current regulations to respond to particular problems.



SAINT PAUL PARISH

34 Mount Auburn Street • Cambridge, Massachusetts 02138 • (617) 491-8400

RECEIVED
OFFICE OF CITY CLERK
1988 MAY 19 PM 1:44
CAMBRIDGE MA.

May 19, 1988

Mr. Joseph Connerton
City Clerk - City of Cambridge
Cambridge City Hall
Cambridge, MA 02139

Dear Mr. Connerton:

I write to request you bring the following to the attention of the members of the Cambridge City Council.

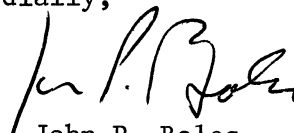
The adoption of the Conlon-Down Zoning could create a serious problem for the new building at St. Paul's Church.

The proposed building for which a variance has been granted has a F.A.R. of 2.08. Downzoning the area to a maximum F.A.R. of 2.00 would put our building in violation and its height of 51 feet on the Mt. Auburn Street side would also be in violation.

I consider such a restriction unreasonable to St. Paul's and hope the Council will reject it.

Thank you for your help with this matter.

Cordially,


Rev. John P. Boles

JPB/ca

GREENMAN, GROSSMAN & DUFFY

ATTORNEYS AT LAW

77 SUMMER STREET

BOSTON, MASSACHUSETTS 02110

KARL GREENMAN
DAVID E. GROSSMAN
WILLIAM B. DUFFY, JR.
STEPHEN C. FLASHENBERG
FREDERICK S. PAULSEN
MELISSA J. ROSS*
RICHARD L. WULSIN
JOSEPH M. SAMSON*
LESLIE RATLEY BEACH

*ALSO ADMITTED IN NY
*ALSO ADMITTED IN DC AND MD

TELEPHONE
(617) 542-0297

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(617) 542-7853

OF COUNSEL
GERALD J. BURZILLO

May 19, 1988

Cambridge City Council
Cambridge Planning Board
City Hall
795 Massachusetts Avenue
Cambridge, MA

Re: Harvard Square Overlay District Amendment

Dear Sirs/Mesdames:

I am writing to oppose the proposed Harvard Square Overlay District Amendment petition as filed in March of 1988. My client's property, located at 1430 Massachusetts Avenue is the large commercial and retail structure running from Baybank to Church Street and facing directly onto the Square. The owner has long been committed to preserving the character and appearance of Harvard Square, and for this reason has granted to the Cambridge Historical Commission a permanent easement preserving the appearance of the Mass. Ave facade. This assures that, ultimately, all of the retail storefronts will conform to the historic easement. I write, therefore, as representative of an owner with a proven financial commitment to preservation of the character of the Square which derives from its diverse mix of buildings old and new.

The proposed amendment petition will do nothing to advance the stated goals of the petitioners. The downzoning in Business B district from 4 to 2 will result in substantial diminution in land assessment revenues. The proposed inclusionary housing bonus provision for an increase in floor area ratio from 2 to 3 will act as a disincentive to produce any housing at all. Affordable housing requires substantial subsidies, not penalties in the form of elimination of valuable space. The proposed amendment will not assist the current process but will stop growth entirely by creating substantial impediments to housing, rehabilitation, and to new projects.

GREENMAN, GROSSMAN & DUFFY

Lastly, as business people, we note the new theory advanced here, that limiting supply of retail space will somehow lower rents and lower costs. This unprecedented theory ignores the fact that demand for retail space springs ultimately from spending patterns. As you know, if demand increases while supply decreases, price of space invariably increases.

We urge you to defeat this ill conceived amendment, and support the current planning process which, however complicated, has resulted in a vibrant, active mix of buildings in Harvard Square.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Ratley Beach". The signature is written in dark ink and is positioned above the typed name.

Leslie Ratley Beach, Attorney
For Barbara Murphy, Trustee
Owner of 1430 Massachusetts Avenue

WILLIAM J. POORVU

44 BRATTLE STREET, FIFTH FLOOR, CAMBRIDGE, MASSACHUSETTS 02138

MAILING ADDRESS: P.O. BOX 828, CAMBRIDGE, MASSACHUSETTS 02238

TELEPHONE: (617) 576-1010

May 19, 1988

Members of the City Council
City of Cambridge
City Hall
Cambridge, MA 02138

Dear Members:

I am writing as a homeowner living at Charles Square, as a property owner of several parcels on Brattle Street and Mt. Auburn Street and as someone who has taught and lectured on real estate economics, housing policy and real estate development for over 20 years at Harvard to urge rejection of the Harvard Square Overlay District Amendment Petition as filed March, 1988.

This proposed petition is not meant to manage growth, but to stop it. Since most parcels in the area already are built at a 2:1 FAR or higher, there would be no incentive to develop a site if one could not add space. Moreover, since a major rehabilitation or restoration is subject to zoning laws, such restoration may be prohibited for those properties with a FAR currently in excess of 2:1 especially if any new space were added.

The proposed special permit language providing for an increase in FAR to 3:1 for housing is especially unfortunate in that it trivializes what is a serious issue, the need to provide affordable housing. At a 2:1 FAR, a two-story building with one floor of retail and one of commercial space is likely to be built. To qualify for a 3:1 FAR, one would have to give up the commercial floor and build two residential floors, an unlikely event given that 70% of the additional floor would have to be affordable housing which as we all know requires considerable subsidies, even when land costs are donated. I doubt if any new housing at all would be created under this plan. The incentive just is not there.

All of this ignores the fact that much of the Overlay District is inappropriate for housing because of its long standing commercial uses. Harvard Square is fortunate in that it has considerable residential land abutting and within walking distance of the Overlay District. That is where the added housing belongs according to most planning standards. I only wish many of the petitioners showed the same enthusiasm for added housing in their own residential neighborhoods as they do for seeing it in the core of commercial Harvard Square.

In regard to height limits, even the proponents' experts testified that a 60' height limit was appropriate for Harvard Square, not 40' as their petition proposes. They pointed out several 60 foot high buildings in Harvard Square as examples of good planning. The granting of special permission to go to 80' is not and has not been automatic. There should continue to have to be special circumstances for it to be given, with clear urban planning benefits.

The proponents slide show makes my point. Most buildings on Commonwealth Avenue are 60 feet high with exceptions on several corners that improve and accent the landscape. The 60 foot high buildings on St. Mark's Square serve as backdrops to the much higher Cathedral. In other words, each location is best analyzed in its own context, which in the case of Harvard Square is a commercial center, not a residential concourse, or an institutional/religious plaza. To have restricted the height of Charles Square to 60 feet, let alone 40 feet would have been a most inappropriate urban design decision.

As to rents and availability of space in Harvard Square for shopowners, limiting supply creates a shortage of retail which only drives up rents. Competition and diversity are what make Harvard Square vibrant and exciting. Merchants who attract customers have no trouble surviving. If some of those who complain about their inability to buy needle and thread at local stores had bought their clothes there as well, these stores would probably still be in Harvard Square. Although there may be an inverse relationship between small stores and lower prices for merchandise, if considered desirable, the Planning Board can easily encourage in their review process that developers provide space for smaller stores. In addition it is wrong if professional firms such as Ben Thompson and TAC have to leave the Square because of inability to find new space. Adequate office space for such firms adds to the life of Harvard Square and should not be ignored.

The loss of property tax revenues should also be considered. Traditionally revenue from buildings in the commercial core is supposed to alleviate the burden on the homeowners. In this case, not only will revenue growth be stopped under this petition, but existing property owners will be able to file for abatements of up to 50% on their land assessments because of a reduction in underlying land value from 4:1 to 2:1 in the case of Business B zoning. Given the valuation methods used by the assessors in

Cambridge, the portion of the total tax bill attributable to land in Harvard Square is among the highest in the county. That is because on each parcel land is assessed based on allowable not actual use with buildings treated separately. On any parcel zoned for a 4:1 FAR; it is assumed that the land can be sold for a price reflecting a total usage of the site. This proposed bill would create havoc and require a total change in assessment practices in the City.

A recent decision by the D.C. Appeals Court granted relief to a petitioner for abatement when the petitioner was able to show that a pending, but filed bill to establish a historic district had a considerable chance for passage. Although most of us would not mind filing for abatements on our properties, I doubt if that is what you would like to happen as it will diminish revenues and allocate greater costs ultimately over other buildings in Cambridge. If filings such as this downzoning petition become the norm, that is what likely will happen.

Lastly, as to the issue of management of growth, obviously it is a high priority for all of us. The 30,000 square feet that the Planning Board gave approval for us to build behind the Brattle Theatre (which approval would not be affected by this downzoning petition) is a minor project but very important to Benjamin Thompson and Associates as they are being forced to vacate their present premises. Also, as an owner of several other developed properties in the area, my larger concern is that the Southwest corridor be completed as recommended in numerous studies. I do not recommend leaving the MBTA tunnel and Harvard Square Motor Inn as our legacies to the future. The overlay district is really a collection of sub-districts each of which should be treated individually with a reasonable degree of flexibility.

Our own experience with the Advisory Committee and Planning Board is that the process works. Our exception to build to 72 feet versus 60 feet was only granted because it was adjacent to Waverly Hall, a building already at that 72 foot height. Moreover, we agreed to restore the Brattle Theatre and to setback our new building from the Theatre building (giving up an equivalent amount of space which could have been built by right without a special permit). We are also creating new walkways and courtyards, providing a landscaped park open to the public where nothing exists today, giving up retail space on Mifflin Place so as to provide garage access to the CWT site thus avoiding a curb cut on Brattle Street, and reducing our FAR from 4.0 to 3.2.

CWT's height exception also came as a tradeoff for added walkways, setbacks to three stories along the Brattle Street and Theatre sides, a reduction in FAR to 3.2 plus the massing of any added height over 60 feet near the existing 72' Waverly Hall building. It is a much more desirable urban design solution than if CWT built as of right a 60 foot high building along Brattle Street with an above ground garage in the rear.

At the hearing Tuesday night before the Planning Board, a gentleman from San Francisco cautioned that added development in Harvard Square would result in added use of and put pressure on our mass transit system. I thought that is what we just spent hundreds of millions of State dollars to accomplish. Perhaps if San Francisco had an Advisory Committee and Planning Boards operating effectively, they would not have had the confusion he described. My only hope is that our Advisory and Planning Boards continue to enforce the same high standards in analyzing and regulating future projects as they did in ours. That is what will protect both our properties and the quality of life in Harvard Square, not a set of arbitrary regulations designed to stop not manage our growth.

I urge you to send a clear negative message to the petitioners that their proposal will raise rents, not encourage housing, will increase taxes and substitute inflexible planning tools for an atmosphere where complex but creative urban design solutions and tradeoffs can and should be encouraged.

Sincerely,

A handwritten signature in cursive script, appearing to read "William J. Poorvu".

William J. Poorvu

cc: Sheldon Drucker
Dan Calano

PUBLIC NOTICE
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances comprised of the entire membership of the City Council, will hold a public hearing on Thursday, May 19, 1988 at 7:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Mary Conlon, et al to amend the text of the Zoning Ordinance, Article 11.50 - Harvard Square Overlay District. The amendment would decrease the maximum as-of-right Floor Area Ratio to 2.0, and allow by Special Permit a Floor Area Ratio of 3.0 under the following conditions: the increased bulk allowed is not in conflict with the criteria in the existing Section 10.43 and is compatible with the objectives of the Harvard Square Development Guidelines and 65% of the total gross floor area is devoted to residential use as permitted in Sections 4.31, a-k, of which at least 30% is affordable as defined in Section 11.202. The amendment would also decrease the as-of-right height from 60 feet to 40 feet and the Special Permit height from 80 feet to 60 feet. Additionally the amendment would add the following restriction to the Parking and Loading Requirements, Section 11.544, of the Overlay District: "Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor William H. Walsh,
Chairman.

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For the Committee,

Councillor William H. Walsh,
Chairman.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

April 29, 1988

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for May 19, 1988 at 7:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Mary Conlon, et al to amend the text of the Zoning Ordinances of the City of Cambridge in Article 11.50 - Harvard Square Overlay District.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,
Joseph E. Connarton
Joseph E. Connarton
City Clerk

JEC/dl

Enc. (1)

RECEIVED BY
OFFICE OF CITY CLERK
HARVARD SQUARE OVERLAY DISTRICT
1988 MAR 17 PM 3:32 AMENDMENT PETITION
CAMBRIDGE MA FINAL - AS FILED
MARCH 1988

The Coalition for Harvard Square
Box 19, Cambridge 02238 / 354-5670

WHEREAS unforeseen and unprecedented commercial development threatens the quality of public life in Harvard Square; and

WHEREAS this intense commercial development, if uncontrolled, will increase congestion, create unsolvable traffic and parking problems, drive out traditional businesses by eliminating lower-rent premises, destroy valuable buildings, and fill up needed open space; and

WHEREAS commercial over-development also threatens the residential qualities of the Square; and

WHEREAS Cambridge urgently needs to protect and promote affordable housing;

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to preserve the diversity, character, and quality of life in Harvard Square by amending Zoning Ordinance Section 11.50, Harvard Square Overlay District, as follows:

- A** Create a new subsection 11.542 (renumbering existing Sections 11.542 through 11.545 accordingly) which shall read:

"11.542 / Floor Area Ratio Limitations. The maximum floor area ratio permitted on any lot in the Harvard Square Overlay District shall be governed by the requirements of this subsection 11.542; however, at locations where the base zoning district establishes a more restrictive FAR limitation, the more restrictive shall apply.

a. As-of-Right Limitations. The maximum FAR applicable to any lot in the Harvard Square Overlay District shall be 2.0, except as may be permitted in b. below.

b. Special Permit for Additional FAR. The maximum allowable FAR in the Harvard Square Overlay District may be

increased to 3.0 upon issuance of a special permit from the Planning Board, provided that the following conditions are met:

1. The increased bulk allowed is not in conflict with the criteria of subsection 10.43.

2. The increased bulk allowed is found to be compatible with the objectives of the HARVARD SQUARE DEVELOPMENT GUIDELINES.

3. Sixty-five percent (65%) of the total gross floor area to be built is devoted to residential uses permitted in subsections 4.31, a-k.

4. At least thirty percent (30%) of the dwelling units constructed, but in any case no less than one unit, shall be made available to, and affordable by, families as defined in subsection 11.202, and shall further meet the requirements of subsections 11.203-11.206."

B Reduce maximum height limits established by the present subsection 11.542 (renumbered to 11.543 pursuant to above), and clarify the conditions for granting extra height by special permit, by making changes as follows:

1. Add a new subsection "c." which shall read:

"c. Conditions for Issue of Special Permit. A special permit for additional height shall be issued only upon a specific finding that:

1. Additional height enables better massing of the building on the lot; or else,

2. Benefit to the public of said additional height outweighs any negative environmental impacts."

2. Throughout the subsection, at each occurrence of "eighty" or "80", substitute "sixty" or "60", and at each occurrence of "sixty" or "60", substitute "forty" or "40".

C Clarify the applicability of the present subsection 11.544 (renumbered to 11.545 pursuant to above), by adding to the end of this subsection the paragraph following:

"Uses failing to meet requirements and provisions listed above shall be ineligible for reductions of required parking by special permit pursuant to subsection 6.35."

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to preserve the diversity, character, and quality of life in Harvard Square by amending Zoning Ordinance Section 11.50 in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
<u>DeCoursey Fales</u>	<u>DECOURSEY Fales</u>	<u>11 Hilliard St</u>	<u>354-0475</u>
<u>Ellen G. Moot</u>	<u>ELLEN G. MOOT</u>	<u>44 Coolidge Hill Rd.</u>	<u>491-8120</u>
<u>Thomas W. Anninger</u>	<u>THOMAS W. ANNINGER</u>	<u>26 Healey Street</u>	<u>492-7349</u>
<u>Paul R. Lawrence</u>	<u>PAUL R. LAWRENCE</u>	<u>17 Willard St.</u>	<u>884-3804</u>
<u>John Brode</u>	<u>JOHN BRODE</u>	<u>23 Berkeley St</u>	<u>864-8319</u>
<u>Howard D. Medwed</u>	<u>HOWARD D. MEDWED</u>	<u>58 WASHINGTON AVE.</u>	<u>868-5805</u>
<u>John T. St. George</u>	<u>John T. St. George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
<u>Priscilla J. McMillan</u>	<u>Priscilla J. McMillan</u>	<u>12 Hilliard St</u>	<u>547-6260</u>
<u>Carol B. Bornheimer</u>	<u>CAROL B. BORNHEIMER</u>	<u>7 Stony St</u>	<u>354-8076</u>
<u>Mary G. ...</u>	<u>MARY G. ...</u>	<u>26 Channing St</u>	<u>547-0766</u>
<u>Caroline F. Williams</u>	<u>CAROLINE WILLIAMS</u>	<u>14 Nally Ave</u>	<u>497-0787</u>
<u>Sarah A. Wolfenstein</u>	<u>SARAH A. WOLFENSTEIN</u>	<u>11 1/2 Hilliard St</u>	<u>876-5316</u>
<u>James M. Shook</u>	<u>JAMES M. SHOOK</u>	<u>698 Green St #2</u>	<u>354-1779</u>
<u>Charles E. Sage</u>	<u>Charles E. Sage</u>	<u>221 Mt Auburn St</u>	<u>576-1474</u>

I, the above signed, am a registered voter in the City of Cambridge, MA

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Signature	Printed Name	Address	Phone
<i>George F. McCray</i>	George F. MCCRAY	2301 Mass. Ave. Camb.	876-1430
<i>Robert Owen Edbrooke Jr.</i>	Robert Owen Edbrooke Jr.	20 Prescott St. #5	492-8267
<i>William Cavellini</i>	WILLIAM CAVELLINI	274 Brookline St.	491-2933
<i>Olivia A. Golden</i>	Olivia A. Golden	45 Locke St	359-7932
<i>Dorothy Vetrano</i>	DOROTHY VETRANO	49 GORE ST	864-2749
<i>Paul Balordi</i>	PAUL BALORD	16 THIRD ST.	492-1051
<i>Mary Marchese</i>		73 Hure St	
<i>John Gravallo</i>		1 - Fifth St Camb.	
<i>Cherita Galambicki</i>		65 Fifth Camb.	
<i>Mary Leed</i>	MARY LEED	111 Gore	Camb.
<i>Jacob Leed</i>	Jacob Leed	111 Gore St Cambridge MA	
<i>Mary Mudo</i>		167 Spring St	
<i>Freda</i>		58 Fulcher St Camb.	
<i>Frank Mansuetti</i>	FRANK MANSUETTI	109 Gore St	864-9479
<i>Carol Pontes</i>		344 Hurley St.	
<i>Rose Squiri</i>		284 Hurley St	
<i>Nicholas Guarguery</i>		269 Hurley St	491-0394
<i>Holly J. Williams</i>		95 Third St.	
<i>Regina Fortado</i>		96 Spring St	

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RECEIVED BY
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**HARVARD SQUARE OVERLAY DISTRICT
AMENDMENT PETITION**

1988 MAR 17 PM 3:32

CAMBRIDGE MA **FINAL - AS FILED**

MARCH 1988

The Coalition for Harvard Square
Box 19, Cambridge 02238 / 354-5670

WHEREAS unforeseen and unprecedented commercial development threatens the quality of public life in Harvard Square; and

WHEREAS this intense commercial development, if uncontrolled, will increase congestion, create unsolvable traffic and parking problems, drive out traditional businesses by eliminating lower-rent premises, destroy valuable buildings, and fill up needed open space; and

WHEREAS commercial over-development also threatens the residential qualities of the Square; and

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a. As-of-Right Limitations. The maximum FAR applicable to any lot in the Harvard Square Overlay District shall be 2.0, except as may be permitted in **b.** below.

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HARVARD SQUARE OVERLAY DISTRICT AMENDMENT PETITION / FINAL - AS FILED

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2. The increased bulk allowed is found to be compatible with the objectives of the HARVARD SQUARE DEVELOPMENT GUIDELINES.
3. Sixty-five percent (65%) of the total gross floor area to be built is devoted to residential uses permitted in subsections 4.31, a-k.
4. At least thirty percent (30%) of the dwelling units constructed, but in any case no less than one unit, shall be made available to, and affordable by, families as defined in subsection 11.202, and shall further meet the requirements of subsections 11.203-11.206."

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 2. Benefit to the public of said additional height outweighs any negative environmental impacts."
2. Throughout the subsection, at each occurrence of "eighty" or "80", substitute "sixty" or "60", and at each occurrence of "sixty" or "60", substitute "forty" or "40".

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CAMBRIDGE MA.

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<u>John T. St. George</u>	<u>John T. St. George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
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<u>Mary Corlan</u>	<u>MARY CORLAN</u>	<u>26 Chauncy St</u>	<u>547-0965</u>
<u>Caroline F. Wadhams</u>	<u>CAROLINE WADHAMS</u>	<u>14 Nally Ave.</u>	<u>491-0787</u>
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_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____
_____	_____	_____	_____

I, the above signed, am a registered voter in the City of Cambridge, MA

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2009 MAR 17 PM 3:32

CAMBRIDGE MA.

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to preserve the diversity, character, and quality of life in Harvard Square by amending Zoning Ordinance Section 11.50 in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
<i>George F. McCray</i>	George F. McCRAY	2301 Mass. Ave. Camb.	876-4330
<i>Robert Owen Edbrooke Jr.</i>	Robert Owen Edbrooke Jr.	20 Prescott St #5	492-8267
<i>William Cavellini</i>	WILLIAM CAVELLINI	274 Brookline St.	491-2933
<i>Olivia A. Golden</i>	Olivia A. Golden	45 Locke St	359-7932
<i>Dorothy Vetrano</i>	DOROTHY VETRANO	49 GORE ST	864-2749
<i>Paul Balordi</i>	PAUL BALORD	16 THIRD ST.	492-1051
<i>Mary Marchese</i>		73 Hure St	
<i>John Gravallese</i>		1 - Fifth St Camb.	
<i>Charles Galambinski</i>		65 Fifth Camb.	
<i>Mary Leed</i>	MARY LEED 111 Gore	Camb.	
<i>Jacob Leed</i>	Jacob Leed	111 Gore St Cambridge MA	
<i>Mary Mudo</i>		167 Spring St	
<i>Paula</i>		58 Fulcher St Camb.	
<i>Frank Mangumelli</i>	FRANK MANGUMELLI	109 Gore St	864-9479
<i>Carol Pontes</i>		344 Hurley St.	
<i>Rose Scupin</i>		284 Hurley St	
<i>Nicholas Geraghty</i>		269 Hurley St	491-0394
<i>Sally J. Addison</i>		93 Third St.	
<i>Regina Furtado</i>		96 Spring St	

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3.

O-42

Petition of Mary Conlan, et al, to amend the Zoning Ordinances in Section 11.50, Harvard Square Overlay District by creating a new subsection 11.542 with regard to Floor Area Ratios, As-of-Right Limitations, Special Permits for additional FAR and the reduction of maximum height limits presently established.

1/25/88

Failed of ordination

4-3-2-0

In City Council,

March 28, 1988

3-28-88
Referred to the Planning Board
& Ordinance Committee

Copy sent to Leo Barber, Planning
Board - 3/30/88.

Copy sent to Councilman Walsh,
Ordinance Committee Chair -
4/1/88 mh