CITY OF CAMBRIDGE

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795 Massachusetts Avenue
Cambridge, Massachusetts 02139

(617) 498-9020

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

June 5, 1989

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Crystal rezoning petition

Dear Mr. Healy:

We have examined the so-called "Crystal" petition as it currently stands. This current version of the Crystal petition contains amendments that were proposed by the Planning Board and adopted by the City Council on May 22, 1989. It also includes several amendments proposed by the petitioners and moved by Councillor Duehay and adopted by the City Council on May 22, 1989.

The City Council referred the petition, as amended, to the City Solicitor for review and opinion on the validity of the amended petition if finally adopted by the City Council at their meeting on June 5, 1989.

In addressing the validity of the amendments first, we conclude that the amendments do not alter the substantial character of the original

petition and were, therefore, properly adopted. The original boundaries of the district to be rezoned have not changed throughout the process. By amendment some parcels have undergone changes in the base zoning proposed by the original petition. Other parcels originally proposed to be removed from the Harvard Square Overlay District by amendment are now left within the overlay, but the overlay text is changed so as to exclude retail in certain base zone districts within the overlay. The original petition would have eliminated retail uses from these parcels. The amendment eliminates retail, but leaves the landowners with other substantial benefits of the overlay district.

While reviewing the adopted amendments we received a communication from attorneys representing Harvard University. (See attached copy of letter dated June 1, 1989.) Harvard's lawyers make reference to three recent decisions by the Land Court wherein rezoning petitions were ruled invalid by the Court. Harvard's lawyers maintain that under the analysis used by the Land Court the Crystal petition would be struck down as invalidly enacted if adopted in its current form.

The Land Court, in these recent decisions, acknowledges the established principle of law that, to prevail in challenging the enactment of a zoning ordinance or amendment, the plaintiff must overcome the strong presumption of validity the Commonwealth accords to decisions of the local zoning authorities. See, Smith v. Board of Appeals of Salem, 313 Mass. 622, 624 (1943); Beal v. Building Comm'r of Springfield, 353 Mass. 640, 642 (1968); Crall v. Leominster, 362 Mass. 95, 101-102 (1972).

The Land Court, however, points out that the presumption of validity

can be overcome if the plaintiff can show that there is no substantial relation between the zoning amendment and the expressed purpose of the zoning act. A zoning amendment will be held invalid if it is arbitrary, unreasonable, or substantially unrelated to the public health, safety, convenience, morals or welfare. See, e.g., Lamarre v. Comm'r of Public Works of Fall River, 324 Mass. 542, 545 (1949); Schertzer v. Somerville, 345 Mass. 747, 751 (1963); Sinn v. Bd. of Selectmen of Acton, 357 Mass. 606, 609 (1970).

The Land Court, particularly in the three recent decisions cited by Harvard, has looked at specific factors in determining the reasonableness of a zoning amendment. As a threshold matter the Court has looked to the size of the rezoned land. The Court then looks further to the character of the rezoned parcel as compared with the surrounding land, the objective of the zoning change, and the economic effect of the zoning change.

If a rezoned parcel has been "singled out" from similar surrounding land, the Court will inquire into the justification of disparate treatment of the parcel in terms of both uniform, comprehensive planning and promotion of the public welfare. See, e.g., Atherton v. Selectmen of Bourne, 337 Mass. 250, 255, (1958); Marshall v. Topsfield, 13 Mass. App. Ct. 425, 429 (1982).

The Court will examine with particular interest the character of surrounding land. If similarly zoned neighboring land is not also rezoned, the Court will question the logic offered to support the amendment. Murphy v. City of Springfield, Misc. Case No. 114481 (Land Ct. 4/2/87), aff'd, 25 Mass. App. Ct. 1121 (1988), at 9.

Perhaps the most instructive aspect of the recent Land Court decisions is the fact that the Court assigns great significance to the fact that a petition was initiated by residents near the site, as opposed to being filed by the planning officials of the municipalities. The Land Court in all three cited cases openly questions the motive of the local legislative body in passing the rezoning petition. Murphy v. City of Springfield, Misc. Case No. 114481 (Land Ct. 4/2/87), aff'd, 25 Mass. App. Ct. 1121 (1988), at 12, 13; DeRubeis v. City of Newton, Misc. Case No. 118308 (Land Ct. 1/4/89) at 11, 12; National Amusements, Inc. v. City of Boston, Misc. Case No. 123588 (Land Ct. 2/23/89), at 11-14.

What emerges clearly from these recent cases is the obvious need for extra caution in any action taken to rezone land when the rezoning proposal is initiated by nearby residents. The need for caution is heightened when the rezoning petition can be seen as a direct response by neighbors to an announced, or even rumored, development proposal.

We do not believe that a citizen's rezoning petition filed in response to a proposed development can never been sustained. We do conclude, however, that a new and heightened level of scrutiny is being applied by the courts to such petitions and the need for the best possible clarity in demonstrating the justification for rezoning the parcel in terms of uniform, comprehensive planning and promotion of the public welfare is crucial.

In reviewing the Crystal petition from the perspective of the recent cases, we find the issue of its validity is questionable. The Crystal petition was filed by a group of citizens living in or around the affected parcel. This group of citizens also openly stated their objection to

several development projects as their motivation to seek the rezoning. These factors will dictate strong questioning by the court of the City Council's motivation in adopting the petition.

There are, however, significant differences between the Crystal petition and the petitions struck down in the cases cited by Harvard. While initiated by a citizen's group the Crystal petition was amended by the City Council in accordance with recommendations from the Planning Board.

A problem remains in that further amendments were adopted on May 22, 1989 which have never been reviewed by the Planning Board. In the context of the recent court decisions we must advise that the best method to insure the validity of the rezoning petition is to resubmit the current amended version to the Planning Board. The Planning Board should perform a thorough planning review with clear support in sound planning policies to justify the final treatment of each parcel rezoned.

The current petition, if enacted on June 5, 1989, might survive judicial review. It will be closely examined, however, as we have indicated. The litigation will be lengthy and costly. If the goals of the City Council in rezoning this land can be achieved with further review by the Planning Board, it is a legally sounder course to allow for that further review to occur before final adoption.

Very truly yours,

Russell B. Higley

Donald A. Drisdell

RBH:DAD/jml
Enclosure

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June 1, 1989

BY HAND

Donald A. Drisdell, Esq.
Deputy City Solicitor
Cambridge City Hall
795 Mass. Ave.
Cambridge, MA 02139

RE: Proposed Zoning Amendments

Dear Mr. Drisdell:

Our client, Harvard University, has asked us to bring to your attention substantive legal issues raised by the proposed amendment to the Cambridge Zoning Ordinance, suggested originally by the East Harvard Square Neighborhood Association and known as the "Crystal Petition," and since amended by substitution of the Planning Board recommendations and further changes voted at the City Council meeting of May 22. The proposed amendment, either in the form of the Crystal Petition, the Planning Board recommendations, or the subsequent modifications, is illegal, and should not be adopted by the City Council.

The amendment is improper principally because, even as modified, it singles out a specific parcel for disparate treatment and therefore constitutes impermissible "spot zoning." Massachusetts courts have repeatedly held that it is improper under the zoning laws to single out a specific site for disparate treatment within the same zoning district. Three recent decisions by the Land Court have invalidated zoning amendments by the cities of Boston, Springfield and Newton which imposed zoning restrictions on particular sites at the instigation of nearby owners who sought to prevent development on those sites. See National Amusements, Inc. v. City of Boston, Misc. Case. No. 123588 (Land Ct. 2/23/89); DeRubeis v. City of Newton, Misc. Case. No. 118308 (Land Ct. 1/4/89); Murphy v. City of Springfield, Misc. Case No. 114481 (Land Ct. 4/2/87), aff'd, 25 Mass. App. Ct. 1121 (1988). See also Shapiro v. Cambridge, 340 Mass. 652 (1960). Such "singling out" is precisely what is involved here.

In both intent and effect, the amendment presently before the Council essentially imposes restrictions on a single parcel--the former Gulf Station site at the east end of Harvard

GOODWIN, PROCTER & HOAR

Square. Virtually all other parcels included within the present amendment--particularly those proximate to the Gulf Station site--are either presently non-conforming, or have little development potential under existing zoning. The intent to affect a specific proposed use of the Gulf Station site is clear. The petitioners have quite explicitly sought--and will receive if the amendment is passed--the assistance of the City Council in preventing Harvard from carrying out its announced plans to develop the site, plans that are consistent with the existing C-3 zoning applicable to the site since 1961.

This clear effect is underlined by the extensive gerrymandering of the amendment's scope. Other affected landowners who stepped forward--St. Paul's Church, the Bicycle Shop, the Harvard Crimson, and the Gund Project--have been systematically exempted from the proposed downzoning. This gerrymandering to accommodate specific voices in the community further demonstrates the arbitrariness of the proposed amendment.

The proposed amendment would violate the principle of uniformity which constitutes a fundamental requirement of all zoning decisions. It would ignore the comprehensive planning efforts which went into the revision of the Overlay District. In short, the proposed amendment bears no rational relationship to the legitimate purposes of the Zoning Ordinance; it does nothing other than attempt to prevent development now permitted as of right in order to protect nearby residents. That has been specifically held to be improper as spot zoning.

I have advised Harvard University that if the proposed amendment is enacted it should bring an immediate action to invalidate the amendment in the Massachusetts Land Court, which has recently struck down other instances of spot zoning.

Very truly yours,

Alexander A. Randall

AAR:cam
cc: Robert W. Healy, City Manager
Russell B. Higley, Esq.

DP-0101/H

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Mary Lou McGrath
Superintendent of Schools

(C)June1,8

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, June 15, 1989 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

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The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for Designate Item" and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)June1,8

PAPER (CENTRAL SUPPLY)

Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Tuesday, June 27, 1989 until 2:00 PM. Proposals will be opened for Paper (Central Supply) for the Middlesex County Commissioners Dept., Cambridge, Ma at 3:30 P.M. Tuesday, June 27, 1989 at the Leonard J. Russell Hearing Room, Level 3, 40 Thorndike St., East Cambridge, Ma. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities 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, Room 382, Superior Court House, 40 Thorndike St., E. Cambridge, MA (494-4186).

Middlesex County Commissioners Office
Carole Kelley,
Purchasing Agent

(C)June8

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(C)June8

THURSDAY, JUNE 8, 1989

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Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 19 on block plan 215 in the office of the assessor of the City of Cambridge.
Location of Property: 14 Andrew St.
Assessed Owners: **Maria A. West**
Tax Account: 026480 22 87
1987 Taxes Remaining Unpaid:
1st Half Tax 1,309.25
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Description of Parcel: A parcel of land with buildings thereon, containing about 2,680 square feet being described as Lot 61 on block plan 127 in the office of the assessor of the City of Cambridge.
Location of Property: 53 Orchard St.
Assessed Owners: **Eleanor Wilson Williams C/O Majorie Fletcher**
Tax Account: 032305 02 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 182.44
182.44

Description of Parcel: A parcel of land with buildings thereon, containing about 5,779 square feet described as Lot 22 on block plan 180 in the office of the assessor of the City of Cambridge.
Location of Property: 106 Pleasant St.
Assessed Owners: **Washor-Liebhaber, Ruven & Joshua Barnett**
Tax Account: 039245 00 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 545.83
545.83

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 22 on block plan 101 in the office of the assessor of the City of Cambridge.
Location of Property: 336 Harvard St.
Assessed Owners: **Webb, Roger S., Hoy Road**
Tax Account: 727652 06 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 501.52
501.52

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 63 on block plan 116 in the office of the assessor of the City of Cambridge.
Location of Property: 10 James Way
Assessed Owners: **Hoogbruin, Steve J.**
Tax Account: 760052 03 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 176.05
176.05

Description of Parcel: A parcel of land with buildings thereon, containing about 2,224 square feet being described as Lot 160 on block plan 39 in the office of the assessor of the City of Cambridge.
Location of Property: 11 Mt. Pleasant St.
Assessed Owners: **Uber, Ellen Woodbury**
Tax Account: 018000 00 87
1987 Taxes Remaining Unpaid:
1st Half Tax 551.06
2nd Half Tax 603.28
1,154.36

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 49 on plan plan 201.5 in the office of the assessor of the City of Cambridge.
Location of Property: 46 Western Ave.
Assessed Owners: **Sobczewsky, Susan**
Tax Account: 780186 22 87
1987 Taxes Remaining Unpaid:
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2nd Half Tax 1,197.19
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Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 124 on on block plan 106 in the office of the assessor of the City of Cambridge.
Location of Property: 44 Irving St.
Assessed Owners: **Cowan, Philip Carl Stone**
Tax Account: 802160 09 87
1987 Taxes Remaining Unpaid:
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2nd Half Tax 1,464.77
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Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 48 on block plan 142 in the office of the assessor of the City of Cambridge.
Location of Property: 47 Centre St.
Assessed Owners: **Sporer, Michael**
Tax Account: 809060 24 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 1,089.79
1,089.79

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 82 on block plan 118 in the office of the assessor of the City of Cambridge.
Location of Property: 77 Putnam Ave.
Assessed Owners: **Thomas, Jonathan B. & Susan D. Thomas**
Tax Account: 811300 09 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 906.54
906.54

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 1 on block plan 190 in the office of the assessor of the City of Cambridge.
Location of Property: 6 Chauncy Street Rear
Assessed Owners: **Redgate, Elaine M., Trustee of 1600 Mass. Ave.,**
Tax Account: 860022 25 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 395.79
395.79

Description of Parcel: A parcel of land with buildings thereon, containing about 3,424 square feet being described as Lot 98 on block plan 172 in the office of the assessor of the City of Cambridge.
Location of Property: 11 Cogswell Ave. No. 9
Assessed Owners: **Bagnell, F. Allen**
Tax Account: 870022 30 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 505.05
505.05

Description of Parcel: A parcel of land with buildings thereon, containing about 575 square feet being described as Lot 33 on block plan 199 in the office of the assessor of the City of Cambridge.
Location of Property: 625 Cogswell Ave.
Assessed Owners: **Bell, Douglas E., Gerald H. Fandetti, Trs. of Cogswell Avenue Realty Trust & City of Cambridge Tax Title**
Tax Account: 870108 10 87
1987 Taxes Remaining Unpaid:
1st Half Tax 535.86
2nd Half Tax 1,133.76
1,669.06

Description of Parcel: A parcel of land with buildings thereon, containing about 1,747 square feet being described as Lot 171 on block plan 199 in the office of the assessor of the City of Cambridge.
Location of Property: 21 Cogswell St. No. 3
Assessed Owners: **Sullivan, Daniel Box H H-Bay View Drive**
Tax Account: 870200 26 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 518.94
518.94

Description of Parcel: A parcel of land with buildings thereon, containing about 792 square feet being described as Lot 36 on block plan 117 in the office of the assessor of the City of Cambridge.
Location of Property: 17 Ringefield St. No. 1
Assessed Owners: **Paladino, Robert F.**
Tax Account: 807400 09 87
1987 Taxes Remaining Unpaid:
1st Half Tax 3.69
2nd Half Tax 31.63
35.32

Description of Parcel: A parcel of land with buildings thereon, containing about 900 square feet being described as Lot 100 on block plan 196 in the office of the assessor of the City of Cambridge.
Location of Property: 17 Ringefield St. No. 2
Assessed Owners: **Anders, Richard**
Tax Account: 870245 00 87
1987 Taxes Remaining Unpaid:
1st Half Tax 7.51
2nd Half Tax 541.05
548.56

Description of Parcel: A parcel of land with buildings thereon, containing about 1,929 square feet being described as Lot 100 on block plan 196 in the office of the assessor of the City of Cambridge.
Location of Property: 12 Hillard Pl.
Assessed Owners: **Edwin T. & Jean P. Green**
Tax Account: 870285 21 87
1987 Taxes Remaining Unpaid:
1st Half Tax 412.98
2nd Half Tax 1,207.63
1,620.61

Description of Parcel: A parcel of land with buildings thereon, containing about 4,448 square feet being described as Lot 1 on block plan 167 in the office of the assessor of the City of Cambridge.
Location of Property: 2 Garden Ct.
Assessed Owners: **Calans, Daniel V., Tr. of One Garden Court Realty Trust**
Tax Account: 870302 07 87
1987 Taxes Remaining Unpaid:
1st Half Tax 1,464.73
2nd Half Tax 350.12
1,814.85

Description of Parcel: A parcel of land with buildings thereon, containing about 4,125 square feet being described as Lot 146 on block plan 229 in the office of the assessor of the City of Cambridge.
Location of Property: 3 Cowperthwait St.
Assessed Owners: **Ruder, Lori & Ian Warhaftig**
Tax Account: 920312 32 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 196.35
196.35

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 96 on block plan 115 in the office of the assessor of the City of Cambridge.
Location of Property: 11 Huncock St.
Assessed Owners: **Cohen, Anita E., Tr. of Fisher Realty Trust C/O Collins & Collins Management Serv.**
Tax Account: 920454 04 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 33.66
33.66

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 57 on block plan 115 in the office of the assessor of the City of Cambridge.
Location of Property: 47 Homer Ave.
Assessed Owners: **Mahjian, Mary**
Tax Account: 920574 07 87
1987 Taxes Remaining Unpaid:
1st Half Tax 120.48
2nd Half Tax 181.50
301.98

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 152 on block plan 252A in the office of the assessor of the City of Cambridge.
Location of Property: 4 Washington Ave.
Assessed Owners: **Barrett, Harry L., Tr. of 4-6 Washington Ave. Realty Trust**
Tax Account: 920646 25 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 545.52
545.52

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 33 on block plan 211 in the office of the assessor of the City of Cambridge.
Location of Property: 4 Washington Ave.
Assessed Owners: **Silverman, Shirley**
Tax Account: 920664 21 87
1987 Taxes Remaining Unpaid:
1st Half Tax 265.79
2nd Half Tax 389.52
655.31

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 33 on block plan 211 in the office of the assessor of the City of Cambridge.
Location of Property: 31 Longfellow Park
Assessed Owners: **Friedmann Financial Company**
Tax Account: 920778 01 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 29.28
29.28

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 38 on block plan 211 in the office of the assessor of the City of Cambridge.
Location of Property: 7 Linnaean St.
Assessed Owners: **Trover Sr, Robert W.**
Tax Account: 920880 05 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 328.32
328.32

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 97 on block plan 212 in the office of the assessor of the City of Cambridge.
Location of Property: 1600 Massachusetts A
Assessed Owners: **Alfadul, Ibrahim C/O Agnes Kan Trustee**
Tax Account: 950079 33 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 112.91
112.91

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 97 on block plan 172 in the office of the assessor of the City of Cambridge.
Location of Property: 27 Lopez St.
Assessed Owners: **Abraham Katz**
Tax Account: 990061 36 87
1987 Taxes Remaining Unpaid:
1st Half Tax 74.76
2nd Half Tax 268.59
343.35

Description of Parcel: A parcel of land with buildings thereon, containing about 1,162 square feet being described as Lot 164 on block plan 84 in the office of the assessor of the City of Cambridge.
Location of Property: 14 Long Ave.
Assessed Owners: **Joseph G. Ianelli C/O A Lom**
Tax Account: 994016 87 87
1987 Taxes Remaining Unpaid:
Water Interest 1.58
Water Lien 11.83
2nd Half Tax 445.15
458.15

Description of Parcel: A parcel of land with buildings thereon, containing about 1,174 square feet being described as Lot 15 on block plan 19 in the office of the assessor of the City of Cambridge.
Location of Property: 975 Memorial Dr.
Assessed Owners: **Zinberg, Norman E. & Dorothy S. Zinberg**
Tax Account: 994370 20 87
1987 Taxes Remaining Unpaid:
2nd Half Tax 2,751.58
2,751.58

Description of Parcel: A parcel of land with buildings thereon, containing about 0 square feet being described as Lot 56 on block plan 165 in the office of the assessor of the City of Cambridge.
(C)June8

DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING
Division of Water Pollution Control
Wetlands and Waterways Regulation
Waterways Regulation Program
Notice of Public Hearing
Pursuant to G.L. Chapter 91
Waterways Regulations
No. 89W-092N

One & Two Canal Park, Cambridge, MA

Notice is hereby given a public hearing for the application of **Canal Park Associates,** 135 Oser Ave., Hauppauge, NY 11788 for authorization to maintain existing fill and an existing 4-story building and to construct and maintain a second 4-story building with penthouse and parking at One & Two Canal Park in the municipality of Cambridge on formerly flowed tidelands of the Charles River. The structures and fill are proposed for commercial office use, retail space and associated parking.

The Department of Environmental Quality Engineering, Division of Wetlands and Waterways Regulation, will conduct a public hearing on the aforesaid project proposal on Thursday, June 22, 1989 at 10:00 a.m. in the Adams Room, Cambridge City Hall, 795 Massachusetts Ave., Cambridge, MA. The Department will conduct this hearing in order to receive information to be used in its decision on whether to grant a Waterways License pursuant to G.L. Chapter 91. The Department will consider all written comments on the aforesaid project proposal within 30 days of the date of publication of this notice. Such comments should be addressed to: John Simpson, Waterways Regulation Program Chief, DEQE Division of Wetlands and Waterways Regulation, One Winter Street, 8th Floor, Boston, MA 02108. Plans and documents for this application may be seen by interested parties at public review at the Boston office. (617)292-5695.
(C)June8

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 134159

To **Richard P. McBride; George F. Bent;** and **Guaranty Trust Company,** claiming to be the holder of a mortgage covering real property in Cambridge, numbered 16-18 Trowbridge Street, given by Richard F. McBride, George P. Bent and Eugene W. DuBois, Jr. to Plaintiff dated May 18, 1988, recorded with Middlesex County (Southern) District Registry of Deeds, Book 19060, Page 187, has filed with said court a petition for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the tenth day of July 1989, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, Marilyn M. Sullivan, Chief Justice of said Court this twenty-second day of May, 1989.

Charles W. Trombly, Jr.
Recorder

(C)June8

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89D-1627-DI

Summons by Publication
McDuffy Herbert
vs.
Cheryl L. Herbert Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, McDuffy Paul, seeking Divorce.

You are required to serve upon Dane M. Shulman, Esq., plaintiff's attorney, whose address is 1999 Blue Hill Avenue, Mattapan, MA 02126 your answer on or before August 28, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
May 23, 1989

Paul J. Cavanaugh
Register of Probate

(C)June8, 15,22

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Sale of Real Estate
Executor

Middlesex Division Docket No. 89P2576E

Estate of **Mary E. Mullen**
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that for license to sell at private sale certain real estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on June 16, 1989.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the sixteenth day of May in the year of our Lord one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C)June8

COMMONWEALTH OF MASSACHUSETTS
LAND COURT DEPARTMENT
OF THE TRIAL COURT
(Seal) Case No. 127043

To **Subhash C. Agrawal; Emilie N. Dupont; Daniel Silva; Bruce Maloy, Clare Kain, Joy Boyda, Laura Nelson,** and **James Schuh,** Trustees of 285 Harvard Street Condominium Trust and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Cambridge Fitzgerald Credit Union, claiming to be the holder of a mortgage covering real property in Cambridge, Unit 104, numbered 285 Harvard Street, given by Subhash C. Agrawal, to Plaintiff, dated March 30, 1987, recorded with Middlesex County (Southern District) Registry of Deeds, Book 18006, Page 355, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the third day of July 1989, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, Marilyn M. Sullivan, Chief Justice of said Court this seventeenth day of May, 1989.

Charles W. Trombly, Jr.
Recorder

(C)June8

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89D1660DI

Summons by Publication
Menna Belaineh Plaintiff
vs.
Teshaye Yilma Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Menna Belaineh, seeking a divorce.

You are required to serve upon Frances M. Avris, plaintiff's attorney, whose address is 705 Centre Street, Jamaica Plain, MA 02130, your answer on or before August 28, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
May 17, 1989

Paul J. Cavanaugh
Register of Probate

(C)June8, 15,22

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
NO. 89D 0258 DI

Summons by Publication
Clarence Lamb Plaintiff
vs.
Daphne Forester Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Clarence Lamb, seeking Divorce.

You are required to serve upon Edward M. Altman, Esquire, plaintiff's attorney, whose address is 84 Massachusetts Ave., Cambridge, MA 02139 your answer on or before August 28, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
May 11, 1989

Paul J. Cavanaugh
Register of Probate

(C)June8,15,22

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 88P2846G-I
NOTICE OF GUARDIANSHIP OF
MENTALLY ILL — WITH — SURETIES

To **Patrick C. Grant** of Cambridge in said County Middlesex and his heirs apparent or presumptive.

A petition has been presented in the above-captioned matter alleging that said Patrick C. Grant is a mentally ill person and praying that **Ruth S. Spencer** of Brookline, in the County of Norfolk be appointed his guardian of the estate.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before July 5, 1989.

Witness Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the first of June, in the year of our Lord one thousand nine hundred and eighty-nine.

Paul J. Cavanaugh
Register of Probate

(C)June8

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, June 22, 1989 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

Conductive Suction Tubing & Canisters
Lease of Mobile Home
Police Vehicles
Trucks

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for Designate Item" and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)June8,15

CITY OF CAMBRIDGE
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a public meeting on Thursday, June 22, 1989 in Room 200, City Hall, Cambridge, Massachusetts. The following cases will be heard:

7:00 P.M. Case No. 5889

107 Museum Street, Sharon Feigenbaum - Residence C-1 Zone - Variance: To raise rear 20' of roof, eliminating existing hip roof to form two shed dormers. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:20 P.M. Case No. 5890

180 Fawcett Street, James P. Kelley & John McGoughran - Industry B-2 Zone - Special Permit: To use existing open lot for parking of leased cars. Art. 4.000, Sec. 4.371 (Open Lot Use).

7:40 P.M. Case No. 5891

319-327 Columbia Street, Edward D. Cacciola - Residence C-1 Zone - Variance: To subdivide existing lot into two lots. Art. 5.000, Sec. 5.15 (Subdivision) Sec. 5.31 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.361 (Parking Requirements).

8:00 P.M. Case No. 5892

178 Acorn Street, Kenneth Prost & Kathryn Herold - Residence C Zone - Variance: To add a shed dormer on the front floor. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:20 P.M. Case No. 5893

91 Pleasant St/2 Rockwell Street, Andrew Rodgers - Residence C-1 Zone - Variance: To add second floor on top of existing flat roof structure. Art. 5.000 Sec. 5.31 (Table of Dimensional Requirements).

8:40 P.M. Case No. 5894

47 Larchwood Drive, Harvey & Margaret Lallamantia - Residence A-2 Zone - Variance: Addition to an existing structure. Special Permit: To create an accessory apartment. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Art. 4.000, Sec. 4.221 (Accessory Structure).

9:00 P.M. Case No. 5895

17-19 Kenwood Street, Jeffrey & Patricia C. Petrucelly - Residence C Zone - Variance: Addition to an existing structure and conversion of a open carport. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:20 P.M. Case No. 5896

71 Dudley Street, John L. & Antoinette M. Fitch - Residence C Zone - Variance: Addition to an existing structure. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

9:40 P.M. Case No. 5897

40 Jackson Road, Louise Bates - Residence B Zone - Variance: To construct two story addition to the rear of the existing structure. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

10:00 P.M. Case No. 5898

113 Brattle Street, Limited Partnership of Land Policy, Inc. - Residence A-1 & A-2 Zone - Special Permit: To use existing kindergarten school for a non-profit educational institution providing advanced education in land policies and economics. Art. 4.000, Sec. 4.56(c) (Institutional use Regulations). Art. 6.000, Sec. 6.35 (Reduction of Required Parking).
(C)June8,15

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89D1441 DI

Summons by Publication
Robert Charles Plaintiff
vs.
Adelize Charles Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Robert Charles, seeking Divorce.

You are required to serve upon Dane M. Shulman, Esq., plaintiff's attorney, whose address is 1596 Blue Hill Avenue, Mattapan, MA 02126, your answer on or before August 14, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
May 19, 1989

Paul J. Cavanaugh
Register of Probate

(C)May25,Jn,1,8

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. 89P 2601 EP

To all persons interested in the estate of **Donald P. Loker** late of Oceanside in the County of San Diego and State of California, deceased.

A petition has been presented to said Court, with certain papers purporting to be copies of the last will of said deceased, and of the probate thereof in said State of California duly authenticated, by **Katherine B. Loker** of Oceanside in the State of California, praying that the copy of said will may be filed and recorded in the Registry of Probate in said County of Middlesex, and that she be appointed executrix thereof therein without surety on her bond.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the twenty-fourth day of July 1989, the return day of the citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twenty-sixth day of May, 1989.

Paul J. Cavanaugh
Register

(C)June8,15,22

CITY OF CAMBRIDGE
DEPARTMENT OF
TRAFFIC & PARKING

By force of the power vested in me by Special Act of The Legislature of 1961 (Chapter 460), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation:

REGULATION NO. 89.020

Regulation No. 66-1 Schedule 60 **"Parking Prohibited At All Times On Certain Sides Of Certain Streets, Tow Away Zone"** (Handicapped Persons and Disabled Veterans) is hereby amended by adding the following:

Huron Avenue, south side, 526' west of Cushing Street to 582' west of Cushing Street.

This regulation shall take effect 19 June 1989.
PROMULGATED
DATE
May 24, 1989

George Teso
Traffic Director

(C)June8,15,22

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court

To all persons interested in a petition for adoption of **Francesca Edith Ram** of Cambridge in said County.

A petition has been presented to said Court by **Rodney L. Maxwell** and **Fleur Ann Maxwell** his wife of Cambridge in said County, praying for leave to adopt said Francesca Edith Ram, a child of Fleur Ann Ram of Cambridge in the County of Middlesex and the alleged father not unknown and that the name of said child be changed to **Francesca Edith Maxwell.**

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the first day of August 1989, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this fifteenth day of May 1989.

Paul J. Cavanaugh
Register

(C)May25,June1,8

COMMONWEALTH OF MASSACHUSETTS
LAND COURT DEPARTMENT
OF THE TRIAL COURT
(Seal) Case No. 134102

To **The Mattapan Corporation, Trustee of the 10-12 Lopez Street Trust** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

First American Bank for Savings, claiming to be the holder of a mortgage covering real property in Cambridge numbered 10-12 Lopez Street, given by The Mattapan Corporation, Trustee of the 10-12 Lopez Street Trust to Plaintiff dated May 20, 1987, recorded with Middlesex County (Southern District) Registry of Deeds, Book 18246, Page 342, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the tenth day of July 1989, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, Marilyn M. Sullivan, Chief Justice of said Court this twenty-second day of May, 1989.

Charles W. Trombly, Jr.
Recorder

(C)June8

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage of real estate given by **James W. Mastromatteo to Peoply Capital Corp.,** dated September 16, 1986, and recorded with Middlesex County (Southern District) Registry of Deeds, in Book 17414, Page 373, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 A.M. on the twenty-ninth day of June, 1989, upon the mortgaged premises at 5 Malcolm Road, Cambridge, Massachusetts, all and singular the premises described in said mortgage, to wit:

That certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, being now numbered 5 Malcolm (Malcolm) Road and being shown as Lot 11 on a plan entitled "Plan of Premises in Cambridge Belonging to James J. Conley" dated July 5, 1913, by W.A. Mason & Son, Surveyors, recorded with the Middlesex South Registry of Deeds, Plan Book 215, Plan 40, being bounded and described as follows:

Southerly by said Malcolm Road, forty-five (45) feet;

Westerly by lot 10 on said plan, eighty (80) feet;

Northerly by land of owners unknown, forty-five (45) feet;

Easterly by lots 12 and 13 on said plan, eighty (80) feet. Containing 3600 square feet of land.

Meaning and intending to convey the same premises as conveyed to the within mortgagor by Quitclaim Deed of Mary D. Mastromatteo dated July 25, 1985 and recorded in the Middlesex South Registry of Deeds in Book 16317 at Page 553.

Subject to a first mortgage held by New England Financial Services dated July 11, 1986 and recorded in the Middlesex South Registry of Deeds with Indenture #110 and 396.

Terms of Sale: Said premises will be sold and conveyed subject to and with the benefit of all restrictions, easements, improvements, outstanding tax titles, mortgages, liens, unpaid taxes, municipal liens and assessments, if any. Will take precedence over said mortgage. Five thousand ($5,000.00) dollars of the purchase price must be paid in cash, certified check, bank treasurer's or cashier's check, at the time and place of the sale by the purchaser and the balance of the purchase price shall be paid in cash, certified check, bank treasurer's or cashier's check within thirty (30) days after the date of sale and shall be deposited, in escrow, with Alan H. Segal, Esquire 45 Braintree Hill Office Park, Suite 201, Braintree, MA 02184, pending approval of the sale by the Land Court. The deed shall be delivered within ten (10) business days from the date of the approval of the sale by the Land Court.

Other terms to be announced at the sale.

Capital Resources Corporation
Present holder of said mortgage,
By its Attorney,
Alan H. Segal, Esquire
45 Braintree Hill Office Park
Suite 201
Braintree, MA 02184
(617)848-6272

(C)June8,15,22

ORDINANCE NO. 1803
Final Publication No. 2449
First Publication in the Chronicle
on March 23, 1989.
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Eighty-Nine
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 Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by rezoning to Residence C-2B that area presently zoned Residence C-3 and Office, 3 in the area bounded by Harvard Street, Massachusetts Avenue, Remington Street, Arrow Street and Bow Street.

Also to rezone to Office 2 that area presently zoned Business B which is bounded by Mt. Auburn Street, Putnam Avenue and Banks Street.

Also to rezone to Residence C-1 that area presently zoned Residence C-2 which area is bounded by Plympton Street, Mt. Auburn Street, John F. Kennedy Street, Dunster Street, Winthrop Street, Holyoke Place and South Street.

Also to remove the designation of Harvard, Radcliffe, Lesley Institutional Overlay District in the area bounded by Massachusetts Avenue, Remington Street, Arrow Street and Bow Street.

In Section 11.542 - Building Height Limitations; by adding a new paragraph E.

In Section 11.543 - Retail, Business, and Consumer Service Establishments in Office and Residential Districts in its entirety and substituting in place a new section 11.543.

Passed to be ordained as amended at the City Council meeting held on June 5, 1989 by a yea and nay vote: - Yeas 7; Nays 1; Absent 1.

Robert W. Healy, City Manager
ATTEST: - Joseph E. Connarton, City Clerk

Note: Pursuant to the provisions of General Laws, Chapter 40, Section 32C, Ordinances passed by the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninely days after the posting or the second publication.
ATTEST: - Joseph E. Connarton, City Clerk
(C)June8

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 5, 1989

To the Honorable, the City Council:

Enclosed please find a copy of the opinion of the City Solicitor relative to the Crystal rezoning petition.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf

Agenda Item No. 25

Re: enclosed copy fo the opinion of the City Solicitor regarding the Crystal rezoning petition.

In City Council,

June 5, 1989

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council June 5 1989

C. Walsh — Move to Go Into Executive Session For the Purpose of Discussing the Legal Opinion of the City Solicitor Relative to the Capital Hotel Zoning Petition

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy			✓	
Mr. Francis H. Duehay	✓			
Ms. Saundra 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		✓		
	7	1	1	

C. AMENDMENTS TO THE TEST OF THE HARVARD SQUARE OVERLAY DISTRICT

1. In Section 11.542 - Building Height Limitations, add a new paragraph c as follows:

   c. Notwithstanding the limitations of this Section 11.542 and Section 5.32 - Office Districts, footnote d, in an Office 2 district, the Planning Board may issue a special permit for additional height up to the maximum of 80 feet permitted in the Overlay District within 125 feet of any residential district.

2. Delete Section 11.543 - Retail, Business, and Consumer Service Establishments in Office and Residential Districts, in its entirety and substitute therefor the following:

   11.543 Retail, Business, and Consumer Service Establishments (Section 4.35) in Office and Residential Districts.

   a. The Planning Board may allow by special permit the retail use of a lot or structure all or partially within the Harvard Square Overlay District and in a base residential or office-district where retail uses are not permitted under the provisions of Section 4.30 - Table of Use Regulations; provided, however, that the following conditions are met or findings made:

      1. The general purposes of this Section 11.50 are met.

      2. The use will be located in a structure in existence as of June 1, 1985 and will not involve significant new construction.

      3. The addition of such use(s) will assist in the preservation, rehabilitation and/or restoration of a National Register or contributing building or important open space by increasing the economic feasibility of maintaining such features.

      4. The preservation of the buildings and open space identified in (3) above is assured through an approved mechanism for the full period that the special permit is in force and effect.

Crystal Petition - Amendment by Planning Board cont'd

5. The proposed use will preserve, rehabilitate or restore the outward appearance of the structure or open space.

6. In its operation the use will not, in impact, be significantly different from the uses permitted in the base district.

7. The use is completely contained within the structure.

8. The use will be patronized substantially by pedestrians and will, if required by the Planning Board, function adequately without additional off-street parking or loading facilities and will in any case not generate vehicular traffic in quantity and type substantially different from that generated by permitted uses;

9. The applicant can demonstrate a need for the use (s) as a service to adjacent residential communities or to the academic community and can demonstrate that for economic or other reasons the use cannot easily be located in existing business or office districts where the use is permitted. In addition the applicant must demonstrate that either the use has been displaced as result of redevelopment elsewhere in the Harvard Square Overlay District, or that the use is important in its contribution to the variety, continuity, or uniqueness of the Harvard Square Overlay District.

10. The retail use does not take the place of a residential or dormitory use.

11. The following uses listed in Section 4.35 are however specifically prohibited:

    4.35e (Lunchroom, restaurant, cafeteria);

    4.35f (Establishments where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided);

4.35g (Bar or other establishment where alcoholic beverages are sold and where dancing is provided);

4.35j (Mortuary, undertaking or funeral establishment);

4.35l (Veterinary establishment, kennel, pet shop);

4.35m (sales place for new and uses cars);

4.35o (Fast Order Food Establishment);

4.35p (Massage establishment)

11. The proposed use is not located in a base Residence C-2B or Office 2 district. ~~In addition, in an Office 2 district, the provisions of Section 4.40 - Footnoted to the Table of Use Regulations, footnote 12, shall not apply.~~

b. In the Office 2 base district the provisions of Section 4.40 - Footnotes to the Table of Use Regulations, footnote 12, shall not apply in the Harvard Square Overlay District.

The conditions and required findings mentioned in this section 11.543 are not severable, and if a court declares any such condition or required finding invalid, then this section 11.543 shall cease to operate in its entirety, and no additional special permits shall be issued under its authority.

Harvard Real Estate, Inc.
1350 Massachusetts Avenue
Cambridge, Massachusetts 02138
Telephone 617-495-2745

Kristin S. Demong
President

May 18, 1989

Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139
Attention: Mr. Joseph Connarton, City Clerk

Dear City Councilors:

I would like to take this opportunity to explain Harvard's involvement in and ongoing commitment for the property commonly known as the Putnam Square Senior Citizen Housing Complex, 2 Mt. Auburn Street.

In 1970, 94 units of new elderly housing were constructed on land leased from Harvard with mortgage funds provided by the Massachusetts Housing Finance Agency (MHFA). All of the units were leased to the Cambridge Housing Authority (CHA), a public housing agency, for a term of 40 years. CHA entered into an Annual Contributions Contract with the Department of Housing and Urban Development (HUD) under the Section 10(c) leasing program (Public Housing Act of 1937). This program provided CHA with subsidy funds to defray the difference between the economic rent and the rents that the tenants could afford.

Harvard became more involved with the property in 1975 when the original developer/owner, after experiencing significant financial difficulties, defaulted on the mortgage. With Harvard support, the default was subsequently cured. Concurrently, the property was placed under new management, with Harvard monitoring the agent/manager and the project's operations.

In 1985, Harvard became directly involved by assuming responsibility for improvements made to the property which are currently estimated to cost $1.1 million at completion. At the end of the 1988 calendar year, the capital improvement program was about 55% complete. All major renovations at the 94 unit complex require approval by MHFA. Funding has been provided by the project's cash reserves and by a $450,000 loan from the University, the terms of which were approved by MHFA.

After obtaining MHFA approval, day-to-day property management responsibility was directly assumed by the University's affiliate, Harvard Real Estate, Inc. (HRE), on April 1, 1988. At the end of 1988, MHFA representatives performed an operational review. The results of their review are incorporated by reference in the attachment.

The University is enthusiastically committed to maintaining the property as senior citizen residential housing. We are proud of our association with Putnam Square and its tenants. It is clearly Harvard's intention to honor the terms of our forty year lease with the CHA which includes a commitment through the year 2010.

I trust that this report responds affirmatively to your concerns. If you have any additional questions, however, please call me.

Sincerely,

Kristin S. Demong

Enclosure

KSD/al

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1350 Massachusetts Avenue
Cambridge, Massachusetts 02138
Telephone 617-495-2745

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Sincerely,

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KSD/al

DEATHS

Angelina Greco

Angelina (Nicci) Greco, 91, died Feb. 9 at Sancta Maria Hospital in Cambridge after a long illness. Born in Italy, she was a longtime resident of Cambridge.

She was the wife of the late Sanitary, mother of Vincent J. Greco of Revere, Pia, and Carmine A. of Cambridge; sister of the late Guy Micci; grandmother of Lida Graham, Brenda and Vincent J. Greco Jr., and great-grandmother of David and Lauren Graham. She was also survived by nieces and nephews here and in Italy.

A funeral Mass was said at St. Sacred Heart Church, followed by the interment at Cambridge Cemetery. Arrangements were by the DeVito Funeral Home.

Memorial donations may be made to the St. Vincent dePaul Society, 70 Mount Auburn St., Watertown.

Justina Pacheco

Justina B. Pacheco, 73, died Feb. 8 at Cambridge Hospital after a long illness. Born in St. Michael Azores, Portugal, she was a longtime resident of Cambridge.

She was the mother of Maria, Eulena DeMelo, Maria Barros, Correia, Jose Correia and Antonio Chaniel, Gonclaves, Do Carl and Luis Candido. She is also survived by 24 grandchildren and 20 great-grandchildren.

A funeral Mass was said at St. Anthony's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Rogers Funeral Home.

Marion Crimmins

Marion G. (Catlin) Crimmins, 72, died Feb. 6 at Sancta Maria Hospital after a long illness. She was a lifelong resident of Cambridge.

She was the wife of the late David F. Crimmins; mother of Jean Johnson of Arizona, Linda Sugrue of Colorado Springs and Marion DeGaglielmo of Maryland; and sister of Phyllis Alfano of North Carolina. She is also survived by seven grandchildren and many nieces and nephews.

A funeral Mass was said at St. Patrick's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Joseph A. Carr Funeral Home.

Memorial donations may be made to the charity of your choice.

William Crowley

William T. Crowley, 67, died Feb. 2 at Beth Israel Hospital in Boston after a long illness. A lifelong resident of Cambridge, he was a clerk for the Cambridge Postal Service.

He was the son of Helen L. (Burke) and the late John J. Crowley; and brother of John J. Jr. of Revere, Paul F. of Tewksbury, Robert D. of Woodland, Rosemarie Sweet of Medford, Julia A. McDonough of Cambridge, Mary E. Crowley of Melrose and the late Phyllis Burns.

A funeral Mass was said at Sacred Heart Church, followed by the interment at Cambridge Cemetery. Arrangements were by the William T. Rickey Funeral Home.

Memorial donations may be made to the St. Peter's Restoration Fund, 31 Buckingham St., Cambridge, MA 02138.

Ellen Birt

Ellen B. Birt, 96, died at St. John's Hospital in Lowell after a short illness. Born in Peeks Station, Prince Edward Island, Canada, she was a longtime resident of Cambridge.

She was a retired waitress at the Union Oyster House in Boston where she was employed for 30 years. She retired in 1970.

She is survived by several nieces and nephews.

A graveside service was held at Mount Auburn Cemetery. Arrangements were by the Long Funeral Home.

Abigail VanVleck

Abigail (Fuenzie) VanVleck, 95, died Feb. 9 at Mount Auburn Hospital in Cambridge. Born in Mankato, Minn., she was a longtime resident of Cambridge.

She graduated from the University of Minnesota in 1915. She had joined the Red Cross as a volunteer during World War I and later supervised Boston-area blood banks for several years.

She was also an archivist for the New England Fuel and Transportation Association and a partner in the Institute of Distribution at the University of Minnesota.

She was a member of the Harvard Faculty Club, the University of Minnesota Alumni Club and of the Mothers' Tuesday Club.

She was the wife of the late John H., the 15th Master of mechanics and former member of Harvard University.

A memorial service will be held at a later date in Madison, Wis.

Dennis Johnson

Dennis E. Johnson, 46, died suddenly Feb. 1 at Cambridge Hospital after a brief illness. He was a resident of Cambridge.

He was a wrestling coach for many years with Arthur D. Little Inc. of Cambridge for 28 years.

He graduated from Rice University in 1967 and was a member of the Phi DuPont de Nemours Co. as a process engineer in polymer film manufacturing. He joined Arthur D. Little in 1968 after completing a master's degree in chemical engineering at MIT.

He was fluent in French, worked in Algiers from 1970 to 1972 with Arthur D. Little client companies in the food, oil, gas and chemical industries.

He was the husband of Irmtraud ("Thea"); and brother of Gilbert J. of Nashville, Texas and Alan of Houston.

Francisco Rivera

Francisco Rivera, 75, died Feb. 12 at his Cambridge home after a long illness. Born in Puerto Rico, he was a longtime resident of Cambridge.

He was a retired farmer.

He was the husband of Maria (Rivera) and father of Francisco Rivera Jr. of Puerto Rico, Victor of Somerville, Maria and Luis both of Cambridge, Gerardo of Chelsea, Jesus Fernando of Puerto Rico, and Carmen Rosado of Brockton and Margarita of Maria, both of Cambridge. He is also survived by 32 grandchildren and one great-grandchild.

A funeral service was held at Lang Funeral Home. The interment will be held in Utuado, Puerto Rico. Arrangements were by the Lang Funeral Home.

William Whelan

William G. Whelan, 86, died Jan. 28 at Cambridge Hospital. A lifelong resident of Cambridge, he was a retired maintenance worker by the Badger Corp.

He was the brother of the late Rae (Silva) and uncle of Alice Alcaro, George Silva, Lorraine Silva and the late Judy Lane, Joseph, Edward and William Silva. He is also survived by five great-nieces and great-nephews.

A funeral Mass was said at Sacred Heart Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Dawson-Authority Funeral Home.

Maria Pegram

Maria A. (Springer) Pegram, 62, died Jan. 31 in Durham, NC. Born in Cambridge, she was a longtime resident of Cambridge until moving to Durham, NC in 1978.

She was a graduate of the Boston Conservatory of Music in Boston and the Shepard Girl School of Dancing in Cambridge. She was also employed at the Massachusetts General Hospital, Duke University Medical Center and General Telephone Co.

She was a late member of the GTE Data Service Organization, the Order of the Eastern Star, PHA and Celestial Choir and Usher Board.

She was the wife of James A. Pegram; mother of Karen Pegram; daughter of Elsie (Reid) and Emery Springer of California; sister of Emery Jr.; granddaughter of Louise Springer; niece of Esther and Gladys Springer, Miriam Braithwaite, Bernice Best, Kenneth Best, Esther Braithwaite and Oswald Springer; and godaughter of Janice Bradshaw.

A funeral service was held at Ebenezer A.M.E. Church in Durham, NC, followed by the interment at Beechwood Cemetery in Durham. Arrangements were by the A.J. Spears Funeral Home.

James Betts

James Alden Betts, 75, died suddenly Feb. 9 at Cambridge Hospital. Born in Brighton, he was a lifelong resident of Cambridge.

He was a retired maintenance worker at M.I.T.

He was the husband of Florence E. (Cox); stepfather of William Mitchell; and brother of Barbara (Betts) Jones, Robert, Gardiner, Malcolm, Brian and Chester Betts and the late June Thorne and Roberta Hartley. He is also survived by several other relatives and friends.

A funeral service was held at Western Avenue Congregational and followed by the interment at Cambridge Cemetery. Arrangements were by the A.J. Spears Funeral Home.

Winifred Singleton

Winifred I. (Martin) Singleton, 85, died Feb. 10 at her Cambridge home after a long illness. She was a longtime resident of Cambridge.

She was the wife of the late Sewell; mother of Dr. Ronald B., Jacqueline C. Scott, Diana L., Bernard and Eugene Pappas and Severin Jr., and sister of James P. Martin. She is also survived by 12 grandchildren, 10 great-grandchildren and several other relatives and friends.

A funeral service was held at St. Bartholomew's Episcopal Church, followed by the interment at Cambridge Cemetery.

Arrangements were by the A.J. Spears Funeral Home.

Memorial donations may be made to St. Bartholomew's Choir Lift Fund, 209 Harvard St., Cambridge, MA 02139.

John Grigolonok

John S. Grigolonok, 92, died Feb. 11 at Emerson Hospital in Concord after a short illness. Born in Russia, he was a lifelong resident of Cambridge.

He was a retired meat market owner in Cambridge.

He was the husband of the late Mary (Bertolini); and father of the late Joseph, Peter and Stephen. He is also survived by five grandchildren and eight great-grandchildren.

A funeral service was held at the Slow Hollow Funeral Home, followed by the interment at Mount Auburn Cemetery in Cambridge. Arrangements were by the Silva-Wutkie Funeral Home.

Gladys Ahern

Gladys M. Ahern, 81, died Feb. 10 at Mount Auburn Hospital in Cambridge after a brief illness. Born in Boston, she was a longtime resident of Cambridge.

She was a retired dining hall employee at Harvard University.

She was the wife of the late William F. Ahern and of Agnes Vincent Juliano; and mother of Frances Hoffit, Marie Wood, William F. Ahern and the late Josephine Gemmell. She is also survived by nine grandchildren and five great-grandchildren.

A funeral Mass was said at Blessed Sacrament Church, followed by the interment at Holy Cross Cemetery in Malden. Arrangements were by the Donovan-Auferro Funeral Home.

Memorial donations may be made to Father Flanagan's Boys Town, Boys Town, NE 68010.

Constance Zanfani

Constance "Jennie" Zanfani, 77, died Feb. 12 at Beth Israel Hospital in Boston after a long illness. Born in Lowell, she was a lifelong resident of Cambridge.

She was a retired stitcher.

She was the mother of Norwood Zanfani of Cambridge, Robert D. Patterson of Arizona, Robert E. Patterson, Jr. and his wife Angela, Nancy A. and Michael J. Patterson; and sister of Peter Moscatel, Albert Moscatel and Anthony Moscatello.

A funeral Mass was said at St. Francis of Assisi Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Donovan-Auferro Funeral Home.

Angela Messer

Angela (Sarlo) Messer, 88, died Feb. 9 at Massachusetts General Hospital after a long illness. Born in Italy, she was a longtime resident of Cambridge.

She was employed in the accounts payable department at Fleming Printing Co.

She was the wife of the late George Sousa; mother of Loretta Callanan, George Sousa and Robin Messer; dear friend of Rad Fleming; and sister of Henry Sabar. She is also survived by three grandchildren.

A funeral Mass was said at St. John's Church, followed by the interment at Cambridge Cemetery. Arrangements were by the Rocchi Funeral Home.

Memorial donations may be made to the Cambridge Hospice or St. Peter's Church, Cambridge.

Anna Graham

Anna (Dunn) Graham, 78, died Feb. 11 at Middlesex County Hospital in Waltham after a long illness. Born in Charlestown, she was a lifelong resident of Cambridge.

She loved music, poetry, arts and crafts.

She was wife of the late Frederick; mother of Dr. Richard Graham of East Orange, NJ and Barbara Graham of Cambridge; sister of Richard Dunn of Cambridge and Mae Sullivan of Framingham; grandmother of Major Richard and Kenneth Jones; and great-grandmother of Jennifer and Christoper Jones.

Funeral services were private. Arrangements were by the Keefe Funeral Home.

Memorial donations may be made to Middlesex County Hospital, Waltham, MA.

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SCHOOL NOTEBOOK

Student Counsel

The sixth Grade of the John Yoho School in Cambridge brought several hundred signatures to the Senator Ted Kennedy on behalf of the Save the Children Campaign to LIFE.

The campaign was signed by the governor allowing nursing home residents receive Medicaid assistance a cost of living adjustment effective on July 1.

Athans told the students, "We have 80 million in cuts and more revenues to balance the budget, and it is essential to protect the vital services provided by government."

LIFE, Living for the Elderly, is the only state organization whose sole purpose is to improve the lives of long term care facility residents through helping them to assert control over their own lives. Its membership is made up of nursing home residents, people who are retired, low income, mentally disabled and most vulnerable members of society.

Some time this March, students will testify in the State House on behalf of the PNA Cost of Living adjustment.

Vacation week

Next week, February 20-25, is school winter vacation week. All schools will be closed throughout the week; however the school department headquarters will be closed on Monday, February 20, but open for the remainder of the week.

The School Committee meeting originally set for February 21 has been changed to Tuesday, February 28 at 6:45 p.m. at CRLS. This is a regular meeting of the School Committee and is open to the public.

Bank on it

The East Cambridge Savings Bank is scheduled to open a branch at CRLS to assist the school's students. Information regarding students for careers in the financial world, Bank Vice President Susan Cunningham and CRLS Business Education Coordinator Sarah Almansky are formulating plans for the opening.

Black History Month

This is National Black History Month. In addition to a concentration on black history in all classrooms across the city, three Cambridge School Community members were honored at the Maynard School last Friday. They are Jim Smith of CRLS Measurey, Dorothy Brown, a teacher assistant and Steve Keen, a fireman. Our congratulations to them.

Lovely Lila

Lila Paulini, who retired after 29 years with the School Department was honored by friends and colleagues, at a reception last week. Vice Chairman Fred Fantini presented Ms. Paulini with a resolution from the School Committee, as did Mayor Alfred Vellucci and Commissioner Tim Toomey.

Black History Month program

Since 1973, the Cambridge Black Cultural and Historical Association has sponsored an annual Black Heritage Program at the Cambridge Public Library. This year's program, "Black Women of the United States: Apostles of Hope for the Future," will be held on Sunday, February 19 at 4 pm at the Main Library, 449 Broadway.

The afternoon will feature talks by three women who have helped to shape the role of black women in the religious community. Rev. Susan Thomas of Mt. Olive Non-Denominational Church will be the founder of a non-denominational church in Cambridge. Rev. Thomas Wortham of the Church of God in Christ, Geneva is the director of the office for black Catholics in the Archdiocese of Boston, the highest position held by a woman within the archdiocese. Rev. Wortham is also the founder of Project Hope, a program for the homeless.

Rev. Wortham will be the keynote speaker. Following the talks, there will be a reception.

For more information, please call the library at 489-9000.

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CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given that Nikolaos Kalogeropoulos, Inc., has applied for an entertainment license, mon. to sun. 6:00pm to 1:00am, for the months of August, September and early October, for the purpose of providing entertainment by means of Klezmer music at Wursthaus, 1 Kendall Square.
The Officers and directors of The Tasty Hotels Company, Inc., are Mike G. Kalogeropoulos, 1 Chandler Rd., Natick, and Gregory Tsiotsias, 1 Chandler Rd., Natick.
The hearing on this petition will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16)

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Ana Maria Rodriguez has applied for a common victualler license for a transfer of ownership to Mare E. Jeanneur and Jean-Pierre Jeanneur for the operation of a restaurant, and entertainment on said premises and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am, and to have a license to serve wine and malt beverages as a package store, Mon. to Sat. 11:30 am to 11:00 pm, and Sun. 12:00 noon to 11:00 pm, at 1369 Cambridge St.
The hearing on this transfer will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16)

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Andrew Kelly Gallery, Inc. has applied for a common victualler license for the operation of a restaurant and entertainment on said premises and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am, and to have a license to serve wine and malt beverages as a package store, Mon. to Sat. 11:30 am to 11:00 pm, and Sun. 12:00 noon to 11:00 pm, at 1369 Cambridge St.
A hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
Anthony S. Pasella
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16)

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D861-S1

SUMMONS BY PUBLICATION
Theresa S. Levesque, petitioner
vs.
Joseph J.A. Levesque Defendant

To the above-named Defendant:
A complaint has been presented to this Court by your spouse, Theresa S. Levesque, seeking to divorce you from the bonds of matrimony for causality of and allowance for minor child.
You are required to serve upon Kenneth J. Fishman, Esq. your answer on or before March 9, 1989 in this Court at Cambridge, MA 02141 and also to file a copy of your answer in the office of the Register of this Court at Cambridge.
Witness Sheila C. McGovern, Esq., First Judge of said Court at Cambridge.
January 18, 1989
Paul J. Cavanaugh
Register of Probate
(CHN-2,2-9,16

CITY OF CAMBRIDGE
PUBLIC WORKS DEPARTMENT
Sealed proposals will be received at the Office of the Commissioner of Public Works, 147 Hampshire Street, Cambridge, MA 02139 until 11:00 o'clock A.M. Monday, February 27, 1989 at which time and place they will be publicly opened and read for furnishing and delivering the following to the City of Cambridge:
Approximately 1,000 tons
Bituminous concrete binder
Prepared base mixture
Type I-1 bituminous concrete
Contractor must submit prequalification prepare See proposal for bid deposit
The Commissioner of Public Works reserves the right to waive any informalities or to reject any or all proposals.
Specifications may be obtained at the Office of the Commissioner of Public Works, 831 City Hall, Cambridge, Mass.
Each proposal must be in a sealed envelope plainly marked "Proposal for Designation Item: Bituminous Concrete" addressed to the Purchasing Agent, City Hall, Cambridge, Massachusetts.
Barbara L. Duffy
Purchasing Agent
(CHN-9,16

CITY OF CAMBRIDGE
DEPARTMENT OF
PUBLIC WORKS
Middlesex, ss. Probate Court
No. 88D1868-S1

Summons by Publication
Gardenson Singh, petitioner
vs.
Catherine G. Smith Defendant

To the above-named Defendant:
A complaint has been presented to this Court by the petitioner, Gardenson Singh, seeking a decree of dissolution of marriage.
You are required to serve upon Abdallah F. Shibley, plaintiff's attorney, whose address is 983 Main St., Norwell, MA 02061 your answer on or before March 9, 1989 in this Court at Cambridge and will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.
Witness Sheila C. McGovern, Esq., First Judge of said Court at Cambridge
January 18, 1989
Paul J. Cavanaugh
Register of Probate
(CHN-9,16,23

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Richard Andrew Gaines and Sandra Gaines, doing business as Cafe Pamplona, has applied for a common victualler license for a transfer of ownership to Mare E. Jeanneur and Jean-Pierre Jeanneur for the operation of a restaurant, and entertainment on said premises and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am, and to have a license to serve wine and malt beverages as a package store, Mon. to Sat. 11:30 am to 11:00 pm, and Sun. 12:00 noon to 11:00 pm, at 1369 Cambridge St.
A hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that University Liquor Corp., doing business as Cafe Pamplona, has applied for a common victualler license for the operation of a restaurant and entertainment on said premises and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am, and to have a license to serve wine and malt beverages as a package store, Mon. to Sat. 11:30 am to 11:00 pm, and Sun. 12:00 noon to 11:00 pm, at 1369 Cambridge St.
A hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that the University Liquor Corp., doing business as Cafe Pamplona, has applied for a wine and malt beverages as a package store license at 1369 Cambridge St. and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am.
A hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given that Mare E. Jeanneur and Jean-Pierre Jeanneur, doing business as Cafe Pamplona, has applied for a transfer of ownership to Mare E. Jeanneur and Jean-Pierre Jeanneur for the operation of a restaurant, and entertainment on said premises and would request permission to provide entertainment by means of Live Entertainment, Mon. to Sat. 11:30 am to 1:00 am, and Sun. 12:00 noon to 1:00 am, and to have a license to serve wine and malt beverages as a package store, Mon. to Sat. 11:30 am to 11:00 pm, and Sun. 12:00 noon to 11:00 pm, at 1369 Cambridge St.
A hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D1868-S1

NOTICE OF HEARING ON AMENDED COMPLAINT
You are hereby notified pursuant to Mass. R.D.P. Rule 7(j) that the fifth through the seventh paragraphs of the Amended Complaint for Gardenson Singh dated January 27, 1989 have been presented to said Court for allowance.
If you desire to be heard, your right to file an objection to said Amended Complaint and to appear at the hearing thereon on the petition to be held on March 9, 1989 at 9:00 a.m. in the forenoon, you may within ten days of said hearing, or within such further time as may be allowed by the Court, file a written request for reconsideration or certified mail to the Register of this Court at Cambridge, Massachusetts, and mail a copy thereof to Abdallah F. Shibley, Esq., Attorney for the petitioner, Gardenson Singh, 983 Main Street, Norwell, MA 02061.
Witness: Sheila C. McGovern, Esquire, First Judge of said Court, this 31st day of January, 1989.
Paul J. Cavanaugh
Register of Probate
(CHN-16

MORTGAGEES SALE OF REAL ESTATE
By virtue and in execution of the Power of Sale contained in a certain mortgage given by Steve S. Tsantilas, Trustee of S.S.S. Trust to Richard L. Beckett Trustee of Mary C. Beckett Trust dated December 31, 1986 and recorded with Middlesex South County Registry of Deeds at Book 16187, Page 158 of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 A.M. on the 13th day of March, 1989 the mortgaged premises hereinafter referred to all and singular the premises described in said mortgage, to wit:
The land with the buildings thereon known and numbered 29-31 Ingalese Street, Arlington, Middlesex County, Massachusetts, being Lot C on a Plan No. 1 of Land in Arlington, Massachusetts, dated February 1, 1989 by Frederick S. Darling, Inc., Surveyors, Recorded at Plan #33 of 1989 in Middlesex South Registry of Deeds, Book 16187, Page 158.
Subject to Easements and Restrictions of record.
Subject to Taxes not yet due and payable.
Subject to Tax Title and any and all unpaid municipal charges.
Subject to Tax Liens or other municipal charges.
Subject to Rights of Tenants and Parties in possession.
Terms: Cash or certified check in hand at time of sale. Deposit of $10,000 in form acceptable to mortgagee will be required to be delivered at the time of sale. Balance to be delivered within thirty (30) days from date of sale. Deed will be delivered upon receipt of payment in full. Other terms to be announced at the time of sale.
Richard L. Beckett, Trustee
Mary C. Beckett Trust
1121 Beaver Street
Waltham, MA 02181
(617) 894-1800
Current Title Guaranty
34 Penne Road
Woburn, MA 01801
(617) 923-9500
(CHN-16,23,30

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D1868-S1

Summons by Publication
Gardenson Singh, petitioner
vs.
Allen B. Williams Defendant

To the above-named Defendant:
A complaint has been presented to this Court by the petitioner, Gardenson Singh, seeking a decree of dissolution of marriage.
You are required to serve upon Abdallah F. Shibley, plaintiff's attorney, whose address is 983 Main St., Norwell, MA 02061 your answer on or before the eighth day of May, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.
Witness Sheila C. McGovern, Esq., First Judge of said Court at Cambridge
January 25, 1989
Paul J. Cavanaugh
Register of Probate
(CHN-2,9,16,23

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that S. L. W. K. P. Hong Kong Restaurant Inc., d/b/a Hong Kong Restaurant, Ben Lee, Manager, holder of an all alcoholic beverages as a restaurant license at 1334-1336 Massachusetts Ave., has applied for a change in premises description.
The hearing on this application will be held on Tuesday evening, February 28, 1989, at 8:00 o'clock in the Council Chamber, 831 Massachusetts Avenue.
James Theodore McGrath
Attorney for Applicant
Thomas V. Sporn
License Commissioner
(CHN-16

PUBLIC NOTICE
CITY OF CAMBRIDGE
PLANNING BOARD
MASSACHUSETTS
Office of the City Clerk,
Pursuant to the provisions of Chapter 40A, Section 5 of the General Laws, Temporary Zoning and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Thursday, March 9, 1989 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Terry Crystal, et al to amend the Zoning Ordinance of the City of Cambridge by changing the Zoning Map of the City of Cambridge, Section 5 of Ordinance No. 1193 of the City of Cambridge, Adopted December 31, 1962, as amended. The petition also proposes to extend an area currently subject to the Harvard Square Overlay District and the Harvard - Radcliffe Land Lease Limitation Ordinance by creating a new area currently subject to these Overlay Districts as shown on the accompanying map.
Petitioners may be heard in person or by agent, 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 Walsh
Chairman



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COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
No. 89P0553E

NOTICE OF
Appointment Of Co-Executrixes

Estate of Thomas J. Mara
also known as Thomas John Mills
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 Joan R. Sullivan of Arlington and Alice R. Lavery of Billerica in the County of Middlesex be appointed executrixes without giving surety on their bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on March 10, 1989.

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 at Cambridge, the seventh day of February in the year of our Lord one thousand nine hundred and eighty nine.

Paul J. Cavanaugh
Register of Probate

(Cl)Feb.23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89P0603D-1

Summons by Publication
Carolyn S. Michelet, Plaintiff

vs.

Sylvain F. Michelet, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Carolyn S. Michelet, seeking a divorce.

You are required to serve upon Lee Brown, Esq. - plaintiff's attorney, whose address is 117 Hamilton St., Cambridge, MA 02139, your answer on or before May 1, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 19, 1989

Paul J. Cavanaugh
Register of Probate

(Cl)Feb.9,16,23

CITY OF CAMBRIDGE
DEPARTMENT OF
TRAFFIC & PARKING

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 450), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation:

REGULATION NO. 89-9S

Regulation No. 66-1 Schedule III "**Parking Prohibited At All Times On Certain Sides of Certain Streets, Tow Away Zone" (Handicapped Persons and Disabled Veterans)** is hereby amended by striking out the following:

Clifton Street, east side from 118' south of Thorsult Court to 140' south of Thorsult Court.

And further Amended by Adding the Following:
Cambridge Street, North Side, From 20' West of Trowbridge Street to 42' West of Trowbridge Street.

This regulation shall Take Effect March 3, 1989.
PROMULGATED
DATE
Feb. 1, 1989

George Teso
Traffic Director

(Cl)Feb.9,16,23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 88D0123D-1

Summons by Publication
Lois G. Melara, Plaintiff

vs.

Alicia Melara, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Lois G. Melara, seeking divorce.

You are required to serve upon Edward M. Altman, Esquire - plaintiff's attorney, whose address is 834 Massachusetts Avenue, Cambridge, MA 02139 your answer on or before March 20, 1989 if you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 18, 1989.

Paul J. Cavanaugh
Register of Probate

(Cl)Feb.16,23,Mar.2

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, March 9, 1989 at 6:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on **a petition by the City Council to amend the Zoning Ordinances of the City of Cambridge, Section 11.205.3, by adding a new sentence before the last sentence beginning: "The Trustees, with the concurrence of the City Manager..." to read as follows:**

If the City Manager chooses to appoint a representative of the academic community to the Board of Trustees of the Affordable Housing Trust, he will elicit from the President of Harvard University, M.I.T., Lesley College, and Cambridge College the names of five (5) candidates, mutually agreed upon by the referring presidents, from whose number the City Manager will select the nominee. If the City Manager chooses to nominate a developer to the Board, that person must have voting residency in the City of Cambridge.

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

(Cl)Feb.16,23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89D0007 D-1

Summons by Publication
Johnnie Carter Plaintiff

vs.

Catherine O. Smith Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Johnnie Carter, seeking a divorce on the grounds of desertion.

You are required to serve upon Malcolm P. Trojano, plaintiff's attorney, whose address is 383 Main St., Norwell, MA 02061 your answer on or before May 1, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 19, 1989

Paul J. Cavanaugh
Register of Probate

(Cl)Feb.9,16,23

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
PUBLIC NOTICE

Notice is hereby given that the Community Development Department will hold a public meeting to discuss the draft **Implementation Provisions of the Cambridgeport Revitalization District Roadway Improvement Plan.** The meeting will be held on Thursday, February 23, 1989 at 7:00 p.m. at the Central Square Branch Library, 45 Pearl Street, Cambridge, Massachusetts.

Any person or organization wishing to have input into the planning process will be afforded the opportunity at the meeting. Written comments will also be welcome until March 6, 1989. For more information contact either Richard Easler or Catherine Daly Woodbury at 498-9034.

(Cl)Feb.16,23

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 10:00 A.M. Thursday, March 2, 1989 at which time and place they will be publicly opened and read for furnishing and delivering the following:

Plants
Chemistry Analyzer Reagents & Consumables
Mammary Prosthesis
Traffic Paint
Sale of Used Equipment (Data Processing)
Computer Equipment

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for "Designate Item" and addressed to Barbara L. Dutt, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Dutt
Purchasing Agent

(Cl)Feb.16,23

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Thursday Afternoon, Inc.** d/b/a **Bow and Arrow Pub,** holder of an alcoholic beverages as a restaurant license at 1 Bow Street has applied for a change of manager, from **Michael A. Connelly** to **Peter L. Gobel.**

The hearing on this application will be held Tuesday evening, February 28, 1989 at 7:00 P.M. o'clock, 2nd floor, 831 Massachusetts Avenue.

James Thaddeus Murphy
Anthony G. Pallotta
Thomas V. Scott
License Commission

(Cl)Feb.23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89D0077 D-1

Summons by Publication
Gursharan Singh Gill Plaintiff

vs.

Linda Gill Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Gursharan Singh Gill, seeking a divorce.

You are required to serve upon Malcolm P. Trojano, plaintiff's attorney, whose address is 383 Main St., Norwell, MA 02061 your answer on or before May 1, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
January 19, 1989

Paul J. Cavanaugh
Register of Probate

(Cl)Feb.9,16,23

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
LIS Docket Number Docket No. 88 2356 D-1
ORDER FOR SERVICE BY PUBLICATION
Wanda I. Matos, Plaintiff

vs.

Luis Matos, Jr., Defendant

Upon motion of plaintiff and for an order directing Luis Matos, Jr., the defendant herein, to appear, answer, plead or otherwise move with respect to Mass. R.Dom.Rel.P. Rule 4, it appearing to the Court that this is an action - to dissolve the bonds of matrimony - for separate support and maintenance - alimony - for custody of the minor children - for support - for conveyance of real or personal property located within the Commonwealth - that the said Luis Matos, Jr. cannot be found within the Commonwealth and that his present whereabouts are unknown; that personal service on said defendant is therefore not practicable, and that said defendant has not voluntarily appeared in this action, it is

Ordered that said Luis Matos, Jr. is directed to appear, plead, answer or otherwise move with respect to the complaint herein on or before the twenth day of May, 1989 or in default thereof this Court will proceed to the hearing and adjudication of this case.

Date: February 3, 1989

Sheila E. McGovern
Justice of the
Probate and Family Court

(Cl)Feb.23,Mar.2,9

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Ellen S. Bachelder,** Trustee of **E.S.B. Trust** to **Michael L. Katkoff** Trustee of **Margy E. Katkoff Trust** dated March 8, 1988 which mortgage is recorded with Middlesex South District Registry of Deeds in Book 16137, Page 158 of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at public auction at 9:00 o'clock a.m. on the 13th day of March 1989 the mortgaged premises hereinafter described to all and singular the premises described in said mortgage, to wit:

The land with the buildings thereon known and numbered as 33 Bigelow Street, Cambridge, Middlesex County, Massachusetts, and Lot C on a "Plan of Land in Cambridge, Massachusetts" dated 19 February 1985 by Frederick R. Joyce Co., Surveyors, recorded on March 6, 1985 in Book 16258, page 362, containing 2,842.72 square feet of land, bounded and described as follows:

Southeasterly by Bigelow Street, twenty-eight and 23/100 (28.23) feet;

Southwesterly by Lot B as shown on said Plan ninety-nine and 53/100 (99.53) feet;

Northwesterly by land now or formerly of Caspar, Inc. and land now or formerly of **Bellow and Wack,** Twenty-eight and 67/100 (28.67) feet;

Northeasterly by land now or formerly of **Cambridge Visiting Nurses Association** ninety-nine and 01/100 (99.01) feet.

Being part of Parcel One in a Deed from Anita L. Pagliaro dated June 17, 1974 recorded in said Deeds in Book 14640, Page 426. For Grantor's title see deed recorded in Book 16445, Page 464 which is to be amended at 33 Bigelow Street, Cambridge, Massachusetts 02139.

Said premises will be sold subject to any and all unpaid taxes, outstanding tax titles, municipal liens and assessments, if any such there be.

Terms of Sale: $30,000.00 to be paid by the purchaser in cash or certified check at the time and place of sale, and the balance of the purchase price to be paid in cash or certified check in fourteen (14) days thereafter at 10:00 o'clock a.m. at said Records. All deeds in which the said mortgage is recorded or affected.

Other terms to be announced at the time and place of sale.

Michael L. Katkoff, Trustee
Margy E. Katkoff Trust
1172 Beacon Street
Newton, MA 02161
(617) 965-5650
Cynthia L. Toter, Esq.
24 Pierce Road
Watertown, MA 02172
(617) 923-0550

(Cl)Feb.16,23,Mar.2

LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

Pursuant to M.G.L. c. 21E, Section 14(a) and the Massachusetts Contingency Plan (310 CMR 40.00), Request for Comments on Environmental Quality Department Assessments and Limited Site Investigations have been performed at the following locations:

COMMUNITY	SITE NAME ADDRESS	SITE #	CLASSIFICATION (N = Non-Priority P = Priority)
Cambridge	Former Gulf Station 1201 Massachusetts Ave.	3-1263	N
Cambridge	Former Midland Ross Corp. 445 Concord Ave.	3-0899	N

These investigations have confirmed that a release of oil and/or hazardous materials has occurred at these locations. Therefore, the Department has defined them as **confirmed** disposal sites. The Department has also determined that these sites are **non-priority** disposal sites (as defined by M.G.L. c. 21E, Section 2). M.G.L. c. 21E, Section 3A (f) (3) requires that, if feasible, permanent solutions be implemented at each of these disposal sites. If a permanent solution is not feasible, then a temporary solution must be implemented, and a plan for achieving a permanent solution must be developed.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice of and involvement in decisions regarding response actions at disposal sites, including:

• The Chief Municipal Official and Board of Health of the community in which the site is located will be provided with notices of the results of investigations, plans for remedial responses, and field work involving the use of heavy construction equipment and/or protective clothing (310 CMR 40.202).

• Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, or upon the Department's initiative, a plan for involving the public in decisions regarding response actions at the site will be prepared and presented at a public meeting. This plan will be revised based on comments received, and will be implemented over the course of the response action (310 CMR 40.203).

For more information on the confirmed disposal sites referenced above, and the opportunities for public involvement in their remediation, please contact Karen Stromberg, DEQE Northeast Regional Office, Site Assessment and Cleanup Section, 5 Commonwealth Avenue, Woburn, MA 01801 (Telephone: (617)935-2160).

The Department may provide for grants to be given to groups of individuals who may be affected by oil or hazardous materials from any disposal site. These grants may be used to obtain advice on technical assistance on matters relating to the handling of disposal sites. Regulations describing this program are contained in the Massachusetts Contingency Plan (310 CMR 40.700). For more information about the Technical Assistance Grant Program, please contact Susan Steenland, DEQE Division of Hazardous Waste, Public Participation Branch, One Winter Street, Boston, MA 02108 (Telephone: 617/292-5820).

(Cl)Feb 23

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, March 9, 1989 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Terry Crystal,** et al to amend the Zoning Map in the area of Harvard Square by rezoning from the existing Residence C-2, C-3, Business B and Office 3 to Residence C-1 and Business A-1 as shown on the accompanying map. The petition also proposes to amend an area currently subject to the Harvard Square Overlay District and the Harvard, Radcliffe, and Lesley Institutional District boundaries by deleting some areas currently subject to these Overlay Districts as shown on the accompanying map.

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



(Cl)Feb 16,23

SOUSA

Continued from page 1

at the DeMoulas market in Somerville, but a friend reports that John goes out early to start the car and get it warmed up for his wife to drive.

Cambridge-Born

He was born on Gore street, East Cambridge, on October 20, 1898 of parents who came from the Azores island of Graciosa, yet, surprisingly, he cannot speak much Portuguese. When he was only two weeks old, his father was killed in an accident at the John P. Squire pork-packing plant.

This left his mother with seven children, six boys and a girl, and very little money to feed and clothe them. "We were very poor," he says, "and if we had only a few slices of bread, my mother wouldn't eat any herself so that she and the children had some for supper. She was a strong, energetic little woman and she was wonderful. No matter how hard up we were, she would always say, 'Tomorrow things will be better.'"

John Philip himself had three children, by his first wife, when he married in 1914 and who died in 1941. Their son, Joseph, died when he was three years old as the result of being accidentally impaled on a sharp stick that was holding a flag; John Jr., a soldier in World War Two, was killed, along with others, when a gun exploded during a training exercise in England; and their third son, Francis died three years ago.

No-Fault Motorcycle

As he looks back on his life, his eyes light up as he remembers only recently his days as bandmaster of the Marine Band and long-time member of the Boston Carmen's Union. "I'd stations missed a good bet when they failed to put him on the air during the recent celebration of the 100th anniversary of the electrification of a Boston trolley line. He would have electrified the viewing audience.)

He began his career in transportation humbly enough as a painter's helper. "I was paid peanuts"), soon was promoted to painter, then became a conductor and later, when one-man came in to use, was broken in as an operator or motorman.

It was the World War One shortage of iron that enabled him to quickly rise a number of notches at a bound. He had previously been a motorman, but because of iron shortage requirements

As a motorman, he worked out of Cambridge's Sunset street yards, driving trolley cars on the Harvard square-Dudley street line, and also from Harvard square to Arlington, Belmont and Watertown. Sometimes he drove trolleys from Watertown to Newton and down Commonwealth avenue by Braves Field. He liked the Braves but says he and Hazel have always been red Sox fans.

"When I first became an operator," he says, "I had to report at 4:30 a.m. or perhaps as late as 5:30 a.m. for a night by seniority and the senior men picked the best runs. We were paid by the hour and pay was deducted if we were late."

There was a five cent fare then, the same price, he says, as the cost of a loaf of bread at Cambridge street bakeries. Spotters rode the trolleys to check up on whether the motormen were "clipping any of the fare money." If they got caught at it, they were fired. John Philip, of course, was strictly honest and worked as a motorman until he retired on October 31, 1955, "when the buses came in."

"I still have years," he says with great pride, "and I've had a serious accident."

What's His Secret?

What's the secret of his lively longevity?

At age 90 plus, he says, "I can do anything." In the morning before rising, he does stretching exercises in bed, and when he gets up, rubs his body over his back at the waistline. "That's where age can get you," he says," so I massage my back every day."

Just before bedtime, he drinks a small shot glass of brandy and milk. "Not whiskey," he insists, "it's brandy and in a little bit of a glass."

The truth is, however, that he doesn't claim all the credit for being so well and so active.

"I don't know how I do it," he muses. "My mother must be praying for me up in heaven."

CCOE meeting

The Cambridge Committee of Elders will hold a general membership meeting on Tuesday, Feb. 28, at 2 pm in its offices at 15 Pearl St.

The meeting will focus on the needs of elderly homeowners. Speakers will include officials from the city assessor's office, Homeowner's Rehab Inc. and Mass. SAVE.

In addition, there will be a discuss of the upcoming Committee of Elders' board elections. All Cambridge seniors are welcome. Refreshments will be served.

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3 Diamonds Tuna — Chunk Light — In Water — Save 58¢ — 2/$1 — 6½ oz. CANS

Fish Sticks — Save 40¢ — CRUNCHY or Fillets — Taste O Sea — 8 oz. PKG. — 99¢

Ore Ida Shoestring Potatoes — Save 50¢ — 20 oz. POLY BAG — 69¢

Northern Bath Tissue — Save 40¢ •White •Prints — 4 PAK — 89¢

Cheerios — General Mills — Save 50¢ — 1.99 15 oz. BOX

Orange Juice — Tropicana — Save 30¢ — 12 oz. CAN — 89¢

Applesauce — MOTT'S — •Regular •Natural •Cinnamon — Save 30¢ — 1.49 6 PAK

Brawny Towels — Save 38¢ — Colors •Prints — 2/$1 — 70 ct. ROLLS

Margarine Qtrs. — Promise — •Lite •Regular — Save 30¢ — 16 oz. QTRS. — 89¢

MOTT'S — Save 50¢ — **Apple Juice** 1.49 HALF GAL.

SNOW'S — Save 20¢ — 15 oz. — **Clam Chowder** 99¢

Orange Juice — DeMoulas & Market Basket — •Not from Concentrate — 1.69 HALF GAL.

FLAVOR FRESH — Green Cap — Save 90¢ — **Fruit Festival** 3.99 64 oz. JAR

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COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. MI99P0113EA

NOTICE OF
Appointment Of Conservator
Petition For Adoption
(Pursuant to G.L. c. 210, § 4B)
In the Interest of: **Gerardine Alexander**
A minor child

A petition has been presented in the above-captioned matter that your parental rights be terminated, purporting to be the last will of said deceased they are directed and ordered to appear at the Probate and Insolvency Session at 208 Main St. Cambridge, MA on March 18, 1999 at 9:00 a.m. in the forenoon.

If you desire to object to the allowance of said petition you or your attorney must file a written appearance in said Court at Cambridge on or before 9:00 a.m. in the forenoon on March 18, 1999.

This is a matter which may be disposed of without objection to the petition, stating the specific facts and grounds upon which such objection is based, may be filed within thirty days after the return day or such other time as the Court, on motion with notice to the petitioner, may allow in accordance with Rule 16 of the Probate Rules.

Witness Sheila E. McSweeny, Esquire, First Justice of this Court at Cambridge this 17th day of February in the year of our Lord one thousand nine hundred and eighty nine.

Paul J. Cavanaugh
Register of Probate

(Cchn.23)

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. MI99P0113EA

Summons by Publication
Petition For Adoption
(Pursuant to G.L. c. 210, § 4B)

Sylvan F. Blichfeldt, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Carolyn S. Mitchell, seeking a divorce.

You are required to serve upon Lael Brown, Esq., Attorney for Plaintiff, whose address is 1 Gateway Center, Suite 702, Newton, MA 02458, your answer on or before May 1, 1999, if you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in this office. This is a matter which may be heard

Witness Sheila E. McSweeny, Esq., First Judge of this Court at Cambridge, January 13, 1999.

Paul J. Cavanaugh
Register of Probate

(Cchn.6 16,23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. MI99P0113EA

Summons by Publication
Petition For Adoption
(Pursuant to G.L. c. 210, § 4B)

Catherine O. Smith Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Lael Brown, seeking a divorce on the grounds of desertion.

You are required to serve upon Catherine O. Smith, Attorney for Plaintiff, whose address is 1 Gateway Center, Suite 702, Newton, MA 02458, your answer on or before May 1, 1999, if you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in this office. This is a matter which may be heard

Witness, Sheila E. McSweeny, Esq., First Judge of this Court at Cambridge, January 13, 1999.

Paul J. Cavanaugh
Register of Probate

(Cchn.6 16,23

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
PUBLIC NOTICE

Notice is hereby given that the Community Development Department will hold a public meeting to discuss the draft **Implementation Recommendations for the Cambridge Growth Management Strategy.** The meeting will be held on Tuesday, February 23, 1999 at 7:30 p.m. in the Lombardi Auditorium, 344 Broadway, Cambridge, Massachusetts.

The Community Development Department is hold three public meetings in March to solicit input on the draft report prior to the public hearing. Written comments will be accepted through March 31, 1999. Copies of the draft report are available at the Community Development Department and may be obtained by calling 349-4600.

(CHn 16,23 Mar.2

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
PUBLIC NOTICE

Notice is hereby given that the City of Cambridge Community Development Department will hold a public meeting on Thursday, March 4, 1999 at 7:30 p.m. in the Lombardi Auditorium, 344 Broadway, Cambridge, Massachusetts.

The purpose of the meeting is to receive public comments on the Cambridge Housing Authority's Annual Plan for fiscal year 2000. The Annual Plan is a HUD required document that describes the CHA's mission, goals and objectives for serving the housing needs of low-income, very low-income and extremely low-income families.

Copies of the Annual Plan are available for review at the CHA, 362 Green Street, Cambridge, MA 02139. Written comments will be accepted through March 31, 1999. Please direct your comments to Gloria Greenfield, Executive Director, Cambridge Housing Authority, 362 Green Street, Cambridge, MA 02139.

(CHn 16,23

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
PURCHASING DEPARTMENT

Sealed bids will be received by the Director of the Purchasing Agent at 344 Broadway, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, March 4, 1999 for the following: new cast iron, CPVC and copper solenoid and wood for furnishing. To be delivered to the Public Works Yard.

Plumb
Chemistry Analyzer Reagents & Consumables
Electrical
Paint
Sale of Used Equipment (Data Processing)
Miscellaneous

See proposal for list deposit.

The City of Cambridge reserves the right to waive any informality in bids or to reject any or all proposals. Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall Annex, 344 Broadway.

Each proposal must be in a sealed envelope bearing the name of the bidder, the date and hour, and addressed to Barbara L. Duffy, Purchasing Agent, 344 Broadway, Cambridge, Massachusetts 02139.

Barbara L. Duffy
Purchasing Agent

(CHn 16,23

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, Section 12, that **Cambridge Common, Inc.** d/b/a **Bow and Arrow Pub**, holder of an All Alcoholic Beverages Restaurant License, has applied for the transfer of place of manager from **Michael A. Connelly** to **Peter L. Sokol.**

The hearing on this matter will be held on Tuesday evening, February 26, 1999, at Sacker's Office, 2nd floor, 831 Massachusetts Avenue.

James Fitzpatrick
Chairman

(CHn 16,23

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. MI99P0113EA

Summons by Publication
Petition For Adoption
(Pursuant to G.L. c. 210, § 4B)

Linda Girl Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your husband, Jonathan Singh, seeking a divorce on the grounds of desertion.

You are required to serve upon Frederick P. Fitzgerald, Attorney for Plaintiff, whose address is 1 Main St., Nashua, NH 03060, your answer on or before May 1, 1999. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in this office. This is a matter which may be heard

Witness, Sheila E. McSweeny, Esq., First Judge of this Court at Cambridge, January 13, 1999.

Paul J. Cavanaugh
Register of Probate

(Cchn.6 16,23

COMMONWEALTH OF MASSACHUSETTS
TRIAL COURT OF THE COMMONWEALTH
FAMILY COURT DEPARTMENT
MIDDLESEX DIVISION DOCKET NO. MI97D2398 D/1
ORDER FOR SERVICE BY PUBLICATION
Wanda I. Wales, Plaintiff

Lois Wales, Jr., Defendant

Upon motion of plaintiff for an order directing service by publication of the above named, it is ordered that service be made in accordance with Mass.R.Dom.Rel.P. 4(d)(4)(A) upon the Defendant, Lois Wales, Jr. by publication of this Order of Notice once each week for three successive weeks in the Cambridge Chronicle, a newspaper published in Middlesex County, Massachusetts, the last publication to be not less than twenty days before the return day hereof, requiring the Defendant to appear at the Middlesex Division of the Family Court Department on the 2nd floor of the Superior Court Building, 40 Thorndike Street, Cambridge, Massachusetts on the 23rd day of March, 1999 at 2:00 p.m. to show cause why the prayer of the Complaint for Divorce should not be granted.

Ordered that said Lois Wales, Jr. is directed to file with the Court a written answer to the Complaint for Divorce on or before the return day hereof, and that said defendant has not voluntarily appeared in this action.

Ordered that said Lois Wales, Jr. is directed to appear at the time and place above stated to be examined by the Court and/or Probation Officer on the benefit-day of May, 1999 or to default thereof this Complaint for Divorce will be dismissed without prejudice.

Date: February 3, 1999

Sheila E. McSweeny
Probate and Family Court Justice

(CHn 23 Mar.2,9

COMMONWEALTH OF MASSACHUSETTS
MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Glenn S. Rothschild, Trustee of **E.B.B. Trust** to **Mortgage Select** Trustee of **Margo E. Kalmett Trust** dated May 31, 1995 and recorded with Middlesex South Registry of Deeds in Book 13137, Page 152 of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 AM on the 12th day of March, 1999 at the mortgaged premises hereinafter referred to all and singular the premises described in said mortgage, to wit:

The land with the buildings thereon known and numbered as 30 Rogers Street, Cambridge, Middlesex County, Massachusetts, being Lot C on a Plan of Land in Cambridge, Massachusetts, dated 10 February, 1988 by Meridian Associates, Inc., Surveyors, recorded as Plan 303 of 1988 in Book 1988, Page 303 in the Middlesex South Registry of Deeds, said land described as follows:

Southeasterly by Rogers Street, twenty-eight and 00/100 (28.00) feet;

Southwesterly by Lot B as shown on said Plan one hundred (100.00) feet;

Northwesterly by Lot A as shown on said Plan, twenty-eight and 00/100 (28.00) feet; and

Northeasterly by Lot D as shown on said Plan one hundred (100.00) feet.

Containing 2,800 square feet of land according to said Plan.

Subject to and together with all rights, easements, restrictions and agreements, if any such there be.

The premises will be sold and conveyed subject to any unpaid taxes, municipal liens or assessments, tenancies, and all other superior liens or encumbrances.

A deposit of Five Thousand ($5,000.00) Dollars in the form of cash or certified check will be required at the time of sale. And the balance of the purchase price to be paid in cash or certified check in Boston, MA, thirty (30) days thereafter at 11:00 o'clock a.m., or said deposit will be forfeited to the said mortgagee and this sale may be canceled.

Other terms to be announced at the time and place of sale.

Michael L. Kalmett, Trustee
Margo E. Kalmett Trust
1120 Boylston Street
Newton, MA 02161
(617) 965-2200
Attorney for Mortgagee
Jo-Anne Rosen
Mortgage Select
(617) 923-2550

(CHn 2,9,16,23 Mar.2

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC HEALTH
Pursuant to M.G.L. c. 21E, Section 18(d) and the Massachusetts Oil Emergency Plan (310 CMR 40.000), the Department of Public Health hereby gives notice that the following underground storage tank systems have been permanently removed from service:

COMMUNITY	SITE NAME	ADDRESS	SITE #	CLASSIFICATION
				Priority/ Permit
Cambridge	Former Mobil Station	1291 Massachusetts Ave.	3-1263	2
Cambridge	Former Mobil Station	1291 Massachusetts Ave.	3-0263	2

These investigations have confirmed that a release of oil and/or hazardous materials has occurred at these locations. Therefore, The Department has identified them as **confirmed disposal sites.** The Department has also determined that these sites are **non-priority** disposal sites (as defined by 310 C. M.R. 40.0006(16), M.G.L. c. 21E, Section 5A (7) (c) (ii)) because Phase II Comprehensive Solutions will be implemented at each of these disposal sites. If a permanent solution is not feasible, then a temporary solution will be implemented to achieve a level of no significant risk as defined by the MCP.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice and involvement in decisions regarding response actions at disposal sites, including:

1) Notice of the availability of a Phase II Scope of Work for public review and comment. Such a scope will be submitted within 44 months of investigation. Comments received will be reviewed and addressed in the response action plan.

2) Notice of the availability of a Phase III Remedial Action Plan. Such a plan is required to be submitted within 9 months of investigation. This plan will be reviewed and approved by the Department. Public comments received will be reviewed, considered, and field work implemented over the course of the response action (310 CMR 40.0900).

For more information on the contaminated disposal sites and the opportunities for public involvement in their remediation, please contact Kevin Stoverbury, DEQE Northeast Regional Office, 5th Floor, 205 Lowell Street, Wilmington, MA 01887 (Communities Andover, Methuen, Bill, Chelmsford, 978/661-7600).

The Department may provide for grants to be given to groups of individuals who may be affected by oil and hazardous material releases. Please contact the DEP if you need to obtain advice and technical assistance on matters relating to the handling of disposal sites.

Information concerning the above-mentioned disposal sites describing this program are contained in the Massachusetts Contingency Plan (MCP) (310 CMR 40.000). This information is available at the Northeast Regional Office, Department of Environmental Protection, DEQE/Division of Hazardous Waste, Public Participation Branch, One Winter Street, Boston, MA 02108 (Telephone: 617/292-5825).

(CHn 23 Mar.2

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
PUBLIC NOTICE

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, the Cambridge Community Development Department will hold a public meeting on Thursday, March 11, 1999 at 7:30 p.m. in the Lombardi Auditorium, 344 Broadway, Cambridge, Massachusetts for the purpose of considering the following petition:

Petition of Cambridge Housing Authority, 362 Green Street, Cambridge, Massachusetts, to amend the Cambridge Zoning Ordinance by adding a new Section 11.207 to the Zoning Ordinance to establish a Cambridge Housing Authority Overlay District. The proposed Overlay District would be located on the northeast corner of Green Street and Pacific Street and would be bounded by Green Street, Pacific Street, Putnam Avenue and Cambridge Housing Authority property. The proposed Overlay District would allow the Cambridge Housing Authority to construct a new building of up to 100 units of housing for elderly persons and persons with disabilities. The proposed Overlay District would also allow the Cambridge Housing Authority to construct a new building of up to 100 units of housing for elderly persons and persons with disabilities on the Cambridge Housing Authority property bounded by Green Street, Pacific Street, Putnam Avenue and Cambridge Housing Authority property.

Copies of the petition are on file in the Office of the City Clerk, 2nd Floor, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at the time and by the place aforesaid.

For the Committee,
Councillor William H. Walsh
Chairman

(CHn 16,23

PUBLIC NOTICE
CITY OF CAMBRIDGE
BOARD OF ZONING APPEAL
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 of the Commonwealth of Massachusetts, the Cambridge Board of Zoning Appeal will hold a public meeting on the entire membership on Thursday, March 11, 1999 at 7:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Terry Crystal, et al to construct a new single family dwelling on the rear of Assessor's Parcel 104 Lot 1 which is located at 1 Berkeley Street and Office 2 for Residence D-1 and Business A-1 as shown on the accompanying map. The petitioner seeks relief from Article 5.000 Section 5.31 (Table of Dimensional Requirements) and Article 10.000 Section 10.40 (Special Permit) of the Zoning Ordinance of the City of Cambridge, Massachusetts for building relief with respect to the Zoning Districts as shown on the accompanying map.

All persons interested in this matter may appear at the time and by the place aforesaid.

For the Committee,
Councillor William H. Walsh
Chairman


1 Berkeley St.
Office 2
Res. D-1
Bus. A-1
Res. C-1
Res. C-1
Res. C

SOUSA

Continued from page 1

at the DeMoulas market in Somerville, but a friend reports that John goes out early to plant the car and got it warmed up for his wife to drive.

Cambridge-Born

He was born on Gore street, East Cambridge, on October 24, 1896 of parents who came from the Azores island of Graciosa, yet, surprisingly, he cannot speak much Portuguese. When he was only two weeks old, his father was killed in an accident at the John P. Squire pork-packing plant.

This left his mother with seven children, six boys and a girl, and very little money to feed and clothe them. "We were very poor," he says, "and if we had only a few slices of bread, my mother wouldn't eat any herself until she was sure there was some for each of us. She was an energetic little woman and she worked very hard to make a hard up-to-nothing life well."

always say, "Tomorrow things will be better."

John Philip himself had three children, by his first wife, whom he married in 1914 and who died in 1961. Their son, Joseph, died when he was three years old as the result of being accidentally engulfed on a sharp stick that was holding a flag. John Jr., a soldier in World War Two, was killed, along with others, when a gun exploded during a training exercise in England, and their third son, Francis died three years ago.

No-Fault Motorman

As he looks back on his life, his eyes light up as he enthusiastically recalls his days as trolley car conductor, motorman and long-time member of the Boston Carmen's Union. "TV stations missed a good bit when they failed to put him at the air controls of the second car of one of the 'bath' streetcars of the Grand Duchies of a Boston trolley line. He would have described the viewing audience.)

He began his career in transportation handily enough as a painter's helper ("I was paid peanuts"), soon was promoted to painter, then became a conductor and later, when one-man came into use, was broken in as an operator or motorman.

It was the Watt Way' (the shortage of iron that enabled him to qualify as a motorman. Because at 5 feet 4½" he had previously been a half inch too short to meet the height requirement.

As a motorman, he worked out of Cambridge's busiest street yards, driving trolley cars on the Harvard square-Dudley street line, and also from Harvard square to Arlington, Belmont and Waltham. Sometimes he drove trolleys from Watertown to Newton and down Commonwealth avenue by Brown Field. He liked the Brown but says he and Hazel have always been red hot Red Sox fans.

"When I first became an operator," he says, "I had to report at 4:30 a.m. or perhaps lose a whole day's pay. It all went by seniority and the senior men picked the best runs. We were paid by the hour and pay was deducted if we were late.

"There was a five-cent fare then the same price, he says, as the cost of a loaf of bread at Cambridge street bakeries. Spotters rode the trolleys to check up on whether the motormen were "clipping any of the fare money." If they got caught at it, they were fired. John Philip, of course, was strictly honest and worked as a motorman until he retired on October 31, 1950, "when the buses came in."

"In all those years," he says with great pride, "I never had a serious accident."

What's His Secret?

What's the secret of his lively longevity?

At age 90 plus, he says, "I can do anything." In the morning before rising, he does stretching exercises in bed, and when he gets up, rubs his hands over his back at least 100 times. "Two years ago I've got you," he says, "and I massage my back every day."

Just before bedtime, he drinks a small shot glass of brandy and milk. "Not whiskey," he insists. "It's brandy and is a little bit of a glass."

The truth is, however, that he doesn't claim all the credit for being so well and so active.

"I don't know how I do it," he muses. "My mother must be praying for me up in heaven."

CCOE meeting

The Cambridge Committee of Elders will hold a general membership meeting on Tuesday, Feb. 28, at 1:30 p.m. in offices at 13 Pearl St.

The meeting will focus on the needs of elderly homeowners. Speakers will include officials from the city assessor's office, Somerset's Rehab Incentive, Homeowner's Rehab Inc. and others.

In addition, there will be a discussion of the upcoming Committee of Elders' board/city Councilors. All Cambridge seniors are welcome. Refreshments will be served.

DeMoulas MARKET BASKET

MARKET BASKET

MEAT SPECIALS

Center Cut Pork Chops BEST CENTER CUTS 1.69 lb.

Pot Roast USDA CHOICE Boneless Chuck UNDERBLADE 1.79 lb.

Smoked Shoulder COOK'S PICNIC Water Added 79¢ lb.

Roasting Chicken COOKIN GOOD 5 to 7 lbs. 89¢ lb.

Stew Beef Boneless •Lean 1.99 lb.

MRS. BUDD'S •White Meat Chicken Pie 3.99 36 oz. PIE

OLD NEIGHBORHOOD •Reg. •Beef Polska Kielbasa 1.79 lb.

GROCERY SPECIALS

Mac & Cheese PRINCE 4/$1 7¼ oz. PKGS.

3 Diamonds Tuna Chunk Light IN WATER Save 58¢ 2/$1 6½ oz. CANS

Northern Bath Tissue Save 40¢ •White •Pastel 4 PAK 89¢

Cheerios General Mills Save 50¢ 1.99 15 oz. BOX

Applesauce MOTT'S •Regular •Natural •Cinnamon Save 30¢ 1.49 6 PAK

Brawny Towels Save 38¢ •Colors •Prints 2/$1 70 ct. ROLLS

MOTT'S Apple Juice Save 50¢ 1.49 HALF GAL.

SNOW'S Clam Chowder Save 20¢ 15 oz. 99¢

SEAFOOD

Scrod COD FILLETS Ocean Fresh 2.79 lb.

OCEAN FRESH Sea Scallops 4.99 lb.

OCEAN FRESH Pollock Fillets 1.99 lb.

DELICATESSEN

Roast Beef Cooked to Perfection 3.99 lb.

LAND O LAKES American Cheese 1.99 lb.

DAIRY & FROZEN

Fish Sticks Save 40¢ CRUNCHY or Fillets Taste O Sea 8 oz. PKG. 99¢

Ore Ida Shoestring Potatoes Save 50¢ 20 oz. POLY BAG 69¢

Orange Juice Tropicana Save 30¢ 12 oz. CAN 89¢

Margarine Qtrs. Promise •Lite •Regular Save 30¢ 16 oz. QTRS. 89¢

Orange Juice DeMoulas & Market Basket "Not from Concentrate" HALF GAL. 1.69

FLAVOR FRESH Fruit Festival Green Save Gap 90¢ 64 oz. JAR 3.99

PRODUCE

Pink Grapefruit Florida 6 LB. BAG 1.59

Navel Oranges Calif. Sunkist 12 LB. BAG 1.49

CALIF. Carrots 2 LB. BAG 59¢

GREEN Cabbage 23¢ lb.

WASHINGTON Anjou Pears Pkgd. 59¢ lb.

Prices Effective Now thru Saturday. Quantity Rights Reserved.

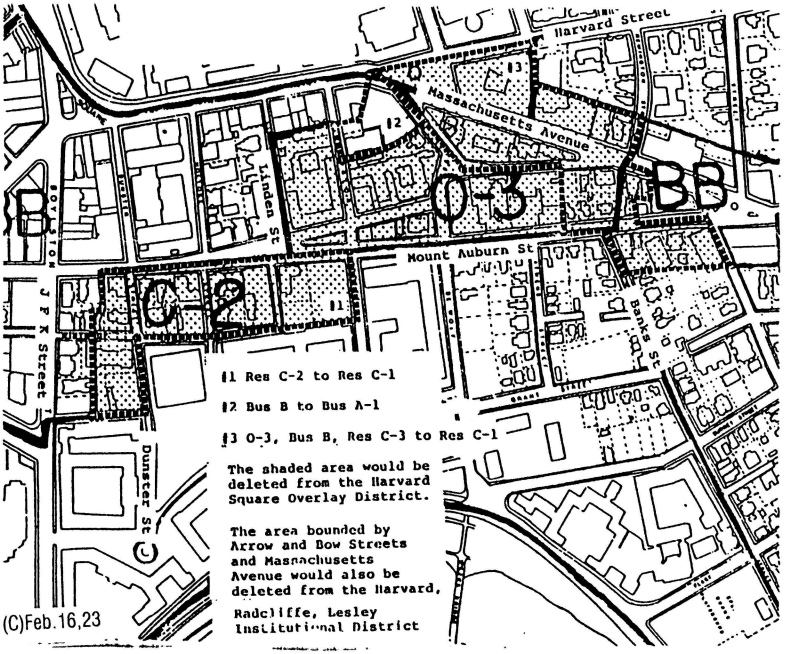
Somerville 400 Somerville Ave. **Burlington** Burlington Village Mall 46 Middlesex Turnpike **Chelsea** **Woburn** Woburn Mall Mishawum Rd.

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, March 9, 1989 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Terry Crystal,** et al to amend the Zoning Map in the area of Harvard Square by rezoning from the existing Residence C-2, C-3, Business B and Office 3 to Residence C-1 and Business A-1 as shown on the accompanying map. The petition also proposes to amend an area currently subject to the Harvard Square Overlay District and the Harvard, Radcliffe, and Lesley Institutional District boundaries by deleting some areas currently subject to these Overlay Districts as shown on the accompanying map.

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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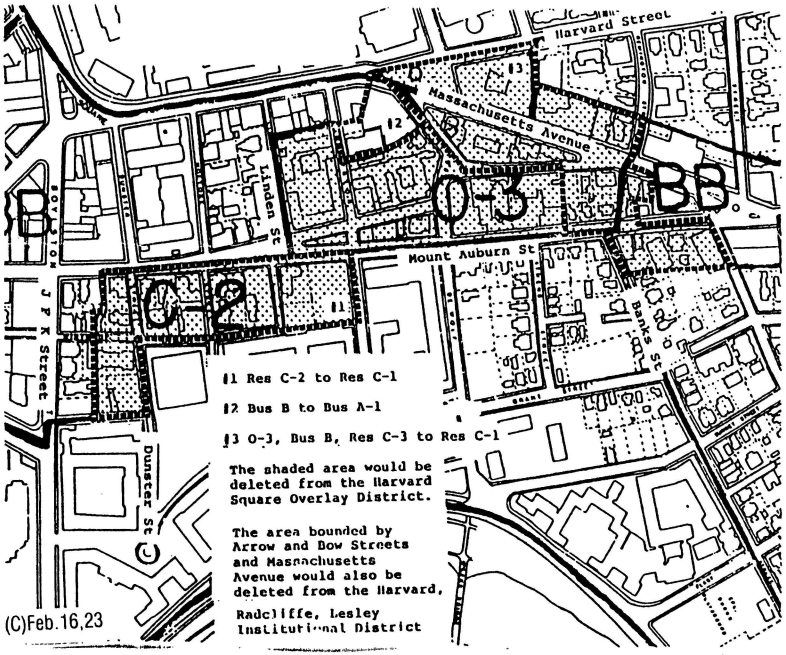
Councillor William H. Walsh,
Chairman.



PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
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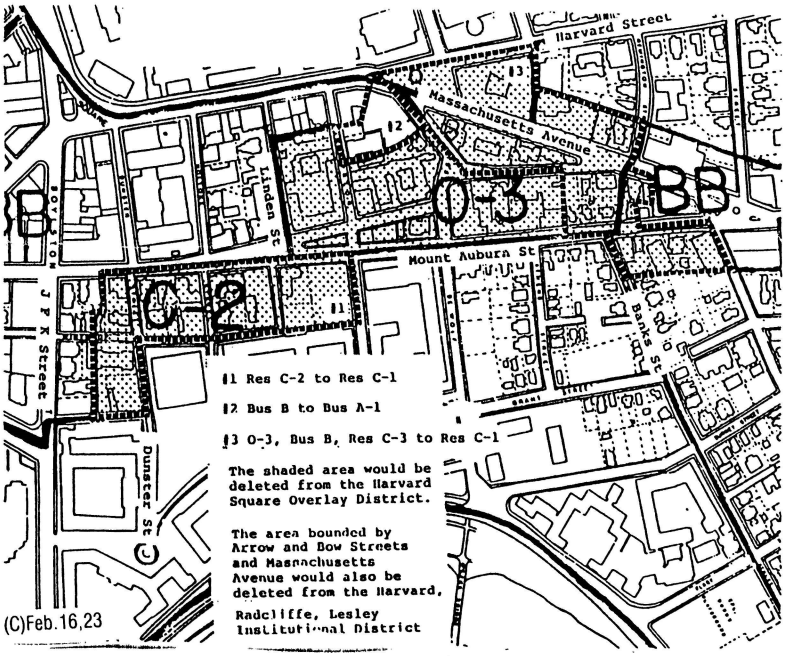
For the Committee,
Councillor William H. Walsh,
Chairman.



CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Les Barber
Community Development Dept.

Date April 28, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject

Additional information on the petition of Terry Crystal, et al.

Attached you will find for your information a communication which was received by the City Council at its meeting of April 24, 1989 from the Fly Club requesting that the Fly Club property be severed from the Crystal petition.

Your kind attention in this matter will be greatly appreciated.



Fly Club

APR 24
CAMBRIDGE MA.

21 April 1989

The Mayor and Members of the City Council
Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Councillor:

On behalf of the Trustees of the Fly Club, owners of property at Two Holyoke Place, Cambridge, I write in strong opposition to the petition of Terry Crystal et al. to amend the Zoning Code of Cambridge.

As you are no doubt aware, the Crystal petition seeks, among other things, to remove the Fly Club's property from the Harvard Square Overlay District. Additionally, the petition will down-zone the Fly Club's property from Residence C-2 to Residence C-3.

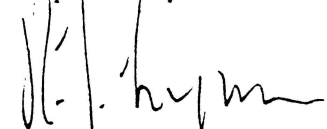
The Fly Club wishes the Councillors to note in particular several ramifications of such changes. First, severance of this parcel from the Harvard Square Overlay District removes incentives for the property owner to preserve the existing structure. While the Fly Club has no wish to raze its building, the owners increasingly feel the burden of commercial tax assesments, particularly coupled with progressively more restrictive residential zoning constraints. Second, the proposed down-zoning will additionally render inconceivable any future plans to construct a residential building on the site.

The Trustees of the Fly Club are firmly supportive of the intentions of the proponents of the Crystal petition. As property owners and as citizens of Cambridge, we firmly support efforts to regulate excessive development in and around Harvard Square. Nevertheless, we feel equally strongly that this petition, as currently constituted, fails to serve such aims. In the specific case of the Fly Club property, we doubt that provisions to lower the allowable F.A.R. to 0.75 from 1.75 encourage the preservation of a valued

and (potentially) historically significant building that we can scarcely afford to maintain, given that this building already exhausts 0.48 of the F.A.R. of the parcel. We want to save this building; do not strip from us the mechanisms to allow us to do so. If we can never derive any income from this property, from either commercial or residential rents, such a legacy will result from this ill-conceived petition.

We respectfully request that the Council consider an amendment to sever the Fly Club property from the proposals of the Crystal petition. We have been fortunate to have a number of Councillors consider such a measure in our discussions with them; please join your colleagues in this matter.

Respectfully submitted,



Richard Jeffrey Lyman
Secretary to the Trustees of the Fly Club
c/o 23 Cambridge Terrace, # 2
Cambridge, Massachusetts 02140
864-5702

cc: The City Clerk

RECEIVED BY
OFFICE OF CITY CLERK
1989 FEB 13 PM 2:44
CAMBRIDGE MA.

Robert J. La Tremouille

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

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

February 13, 1989

City Council
City of Cambridge

City Manager
City of Cambridge

RE: Petition of Natalie Ward, et al. to change the zoning of portions of East Harvard Square

I had a very distressing discussion with the City Clerk last week in which he, in an extremely belligerent manner, informed me that he would falsely identify the first signer of the above zoning petition in its legal advertisement. I note that a notice in the name of the planning board appears on the city clerk's bulletin board making the same false designation.

The time has not arrived when the false designations presently on the city clerk's bulletin board can no longer be corrected.

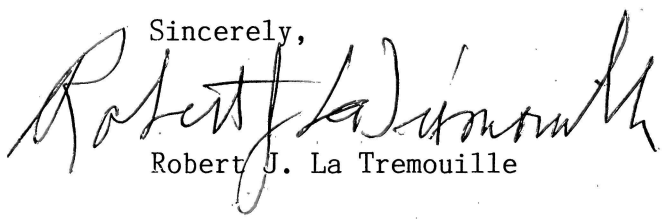
Any substantive error in publishing a zoning petition can, of course, be cause for the petition's being thrown out in court. As a result, the only responsible course is to make no errors.

It has not been unheard of for the Development Department to make "accidental" errors on zoning petitions which help developers at the expense of the City. The "accidental" errors almost always go in the same direction, that direction which assists their obvious career path.

What is unheard of is for such errors to be made after notice of what is the truth. In the past, it has been unthinkable for the City Clerk to knowingly falsify anything on his own account.

It is my firm and strong hope that, should the Natalie Ward, et al., zoning petition for East Harvard Square be advertised as the petition of any one else, the City Manager and the City Council fire the person or persons responsible.

Sincerely,



Robert J. La Tremouille

cc: City Clerk
Development Department

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

William Walsh, Chairman
Ordinance Committee
Cambridge City Council
Cambridge City Hall
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Walsh:

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al. The amendments would change the zoning for four defined areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B. In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised and, we believe, will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The proposed change would prohibit a hotel use for this site, reduce the F.A.R. to .75, and reduce maximum heights to 35 feet. The context for the site does not warrant such dramatic decreases in allowed development. This site is a major entry point to Harvard Square, and Harvard is committed to responsible development on the site as required to meet the University's needs, both short and long term.

In 1972, Harvard gave its voluntary commitment to limit its expansion into residential neighborhoods in the City, so it is all the more crucial that sites appropriate for institutional development be free of unreasonable zoning restriction, and instead subject to reasonable zoning provisions and processes.

The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision was the product of the thoughtful efforts of many landowners, planners, merchants, City officials, and institutions, who reached a consensus regarding the control of future development in Harvard Square. The Crystal proposal to delete a significant section from the District, with no rational basis for such a change, should be rejected. This area of Harvard Square benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

In an informal survey of the properties affected by the various provisions of this petition, we found that, if the amendments are adopted, approximately 70% of these properties would be non-conforming, due either to insufficient setbacks, excess floor area ratios, or excess height. We have urged the Planning Board to undertake its own review and report this information to the City Council. A zoning amendment which causes such widespread nonconformity should be rejected.

Sincerely,

Kathy A. Spiegelman

Kathy A. Spiegelman
Director of Planning

KAS:kjq
33:33

cc: Ordinance Committee

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY -8 PM 3:06
CAMBRIDGE MA.

May 8, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

In reply to your memo dated May 5, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest filed by Terry Crystal, et al.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date May 5, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Terry Crystal, et al zoning petition.

Enclosed you will find two copies of the written protest to the petition filed by Terry Crystal, et al.

Would you kindly certify the ownership of the property and remit a copy to the Engineering Dept.

Please refer to the previously sent memo which contained the most recent Zoning Chart for your information.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY -3 PM 4:27
CAMBRIDGE MA.

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY -3 PM 4:27
CAMBRIDGE MA.

May 3, 1989

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Amended Petition of Terry Crystal, et al To Amend The Zoning Map in the Area of Harvard Square by Rezoning Parcel #2 as Shown on the Map Accompanying the Petition by Rezoning it from the Existing Business B to Business C

Dear Mr. Connarton:

The undersigned represents Harvard Crimson Trust, II, the owner of the land with the buildings thereon located at 14-18 Plympton Street, Cambridge, Massachusetts, containing 8,580 square feet of land, which is included in the proposal to change the zoning as described in the above identified petition.

Enclosed herewith please find my client's protest pursuant to G.L. c. 40A, § 5, to the proposed amendments. May the same be filed.

It is my client's position that as a result of filing this protest, a vote of three-fourths of the Cambridge City Council is required for ordination of any amendment to the Zoning Map rezoning Parcel # 2 as shown on the map accompanying the amended petition of Terry Crystal, et al

to rezone Parcel # 2 from the exising Business B to Business C, or any other zone.

Very truly yours,

Daniel C. Crane, P.C.

DCC/jcp
Enclosure

DELIVERY BY MESSENGER

HARVARD CRIMSON TRUST, II
ONE INTERNATIONAL PLACE
23RD FLOOR
BOSTON, MA 02110

May 2, 1989

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Petition of Terry Crystal, et al. to Amend the Zoning Map in the Area of Harvard Square by Rezoning Parcel #2 as Amended

Dear Mr. Connarton:

This letter is a further protest submitted by George S. Abrams, J. Anthony Lewis and Philip M. Cronin as they are Trustees of Harvard Crimson, II in accordance with Massachusetts General Laws, Chapter 48, Section 5 to the Amended Petition of Terry Crystal, et al. to rezone the property of the Harvard Crimson Trust, II located at 14-18 Plympton Street, Cambridge from the existing Business B zone to Business C or to any other zone, including Business C-1, other than the present zone of Business B.

The Harvard Crimson Trust, II is the owner of more than twenty percent of the land area in parcel 2 proposed to be changed in the petition as amended. The Harvard Crimson Trust, II is protesting this change on the grounds that the law of the Commonwealth of Massachusetts requires that zoning ordinances have a degree of permanency. Relying on what Massachusetts law requires for permanency of zoning ordinances, the Harvard Crimson Trust, II retained architects to remodel and rehabilitate the existing structure in accordance with the present Business B zone. The Harvard Crimson Trust, II also initiated a nationwide fund-drive campaign to pay for the cost of the rehabilitation. The fund-drive involves many of the major newspapers and newspaper publishers and editors throughout the United States. Substantial funds have already been raised by newspaper publishers and editors in behalf of the Harvard Crimson Trust, II. Any change of zone from the existing zoning would seriously prejudice the Harvard Crimson Trust, II's fund-raising efforts and severely restrict efforts to

rehabilitate the present structure in accordance with existing zoning. There is absolutely no reason for the change. The petitioners have no grievance with the Harvard Crimson. They are in no way aggrieved by the proposed rehabilitation of the Crimson building. The petitioners were not even aware of the Crimson's plans to rehabilitate its building at the time the petitioners filed their petition for rezoning. Furthermore, the entire area surrounding the Crimson building consists of structures which are in excess of four stories high. A change of zone from Business B to Business C or Business C-1 would be totally arbitrary and capricious and inconsistent with the uses already existing within the parcel 2 area. Accordingly, the Harvard Crimson Trust, II protests any change from the existing zone.

Very truly yours,

HARVARD CRIMSON TRUST, II

by _____
Trustee

CRYSTAL et al PETITION - AS AMENDED

1.0 Rezone to Residence C-2B that area presently zoned Residence C-3, Office 3 and Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midlines of Harvard Street and Massachusetts Avenue;

1.1 Then proceeding 495 feet more or less, in a southeasterly direction along the midline of Harvard Street to the extension of the southeastern lot line of lot number 1 on assessors map 134;

1.2 Then turning and proceeding 108 feet more or less, in a southwesterly direction along the extension of and the southeastern lot line of lot number 1 on assessors map 134 to a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue;

1.3 Then turning and proceeding 385 feet, more or less, in a southeasterly direction, along a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue to the midline of Remington Street;

1.4 Then turning and proceeding 132 feet, more or less, in a southwesterly direction, along the midline of Remington Street to the midline of Massachusetts Avenue;

1.5 Then turning and proceeding 77 feet, more or less, in a southeasterly direction along the midline of Massachusetts Avenue to the northeasterly extension of the southeastern lot line of lot number 31 on assessors map 133;

1.6 Then turning and proceeding 80 feet, more or less, in a southwestern direction along the extension of and the southeastern lot line of lot number 31 on assessors map 133 to the southwestern lot line of said lot number 31 on assessors map 133;

1.7 Then turning and proceeding 27 feet, more or less, in a northwesterly direction along the southwestern lot line of lot number 31 on assessors map 133 to the southeastern lot line of lot number 45 on assessors map 133;

1.8 Then turning and proceeding 55 feet, more or less, generally in a southwesterly direction, along three connected line segments at right angles to each other, which three connected line segments together constitute the southeastern lot line of lot 45 on assessors map 133, and the extension thereof, proceeding to the midline of Mount Auburn Street;

1.9 Then turning and proceeding **220** feet, more or less, in a northwesterly direction, along the midline of Mt. Auburn Street to the extension of the northwest lotline of lot 38 on assessor's map 123;

1.10 Then turning and proceeding 188 feet, more or less, in a northeasterly direction, along the extensions of and the northwest lotline of lot 38 **and 24** on assessors map 133 to the midline of Arrow Street;

1.11 Then turning and proceeding 329 feet, more or less, in a northwesterly direction, along the midline of Arrow Street to the midline of Bow Street;

1.12 Then turning and proceeding 299 feet, more or less, in a northerly direction, along the midline of Bow Street to the midline of Massachusetts Avenue;

1.13 Then turning and proceeding 40 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the midline of Harvard Street, the point of origin.

1.00 Said area includes all or part of the following parcels of land:

1.01 Premises shown on assessors map 133:

Lots numbered 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, and 45.

Being numbers 2, 4 and 6 Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, and odd numbers 9 through 19 Mount Auburn Street.

Petitioners note that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street, and thus are misnumbered on the city records.

1.02 Premises shown on assessors map 134

Lots numbered 1, 2, 6, 7, and 8.

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street

1a.0 **Rezone to Residence C-1 that area presently zoned Business B which area is bounded by a line beginning at a point, said point being the intersection of the midline of Mt. Auburn Street and Putnam Avenue, on assessors Plat #132;**

1a.1 Then turning and proceeding 135 feet, more or less, in a southerly direction, along the midline of Putnam Avenue to a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street;

1a.2 Then turning and proceeding 269 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street, to the midline of Banks Street;

1a.3 Then turning and proceeding 125 feet, more or less, in a northeasterly direction, along the midline of Banks Street to the midline of Mount Auburn Street;

1a.4 Then turning and proceeding **340** feet, more or less, in a southeasterly direction, along the midline of Mount Auburn Street to the midline of Putnam Avenue, **the point of origin.**

1a.00 **Said area includes all or part of the following parcels of land:**

1a.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138.

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street

2.0 Rezone to Business C that area presently zoned Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and the extension of the southeastern lotline of lot number 53 on assessors map 133;

2.1 Then proceeding 206 feet, more or less, in a southwesterly and then westerly direction, along a series of connected line segments, together constituting the extensions of and the southeastern lot line of lot numbered 53 on assessors map 133, to the midline of Plympton Street;

2.2 Then turning and proceeding 127 feet, more or less, in a southwesterly direction to the southern extremity of the Business B district on Plympton Street;

2.3 Then turning and proceeding 239 feet, more or less, in a northeasterly direction along the said southern extremity of the Business B district to the midline of Bow Street

2.4 Then turning and proceeding 207 feet, more or less, in a northerly direction, along the midline of Bow Street, to the midline of Massachusetts Avenue;

2.8 Then turning and proceeding 49 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the extension of the southeastern lot line of lot number 53 on assessors map 133, the point of origin.

2.00 Said area includes all or part of the following parcels of land:

Premises shown on assessors map 133:

Lots numbered 3, 9, 10, 51, 52, 54, 55, and 56;

Being odd numbers 1 through 9 Bow Street, even numbers 10 through 48 Plympton Street, and even numbers 1230 through 1238 Massachusetts Avenue.

NO CHANGE PROPOSED TO THE FOLLOWING

3.0 Rezone to Residence C-1 that area presently zoned Residence C-2, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Plympton Street and the midline of Mount Auburn Street;

3.1 Then proceeding 750 feet, more or less, in a northwesterly direction, along the midline of Mount Auburn Street, to the extension of the northwestern lot line of lot number 67 on assessors map 162;

3.2 Then turning and proceeding 125 feet, more or less, in a southwesterly direction, along the extension of and two connected line segments, which two connected line segments together constitute the northwestern lot line of lot number 67 on assessors map 162, to a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street;

3.3 Then turning and proceeding 29 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street, to a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street;

3.4 Then turning and proceeding 300 feet, more or less, in a southwesterly direction, along a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street, to the midline of South Street;

3.5 Then turning and proceeding 180 feet, more or less, in a southeasterly direction, along the midline of South Street, to the midline of Dunster Street;

3.6 Then turning and proceeding 200 feet, more or less, in a northeasterly direction, along the midline of Dunster Street, to the midline of Winthrop Street;

3.7 Then turning and proceeding 690 feet, more or less, in a southeasterly direction, along three connected line segments, which connected line segments are, in order:

(1) the midline of Winthrop Street,

(2) the midline of the northwestern segment of Holyoke Place, and

(3) the southeasterly projection of said midline of the northwestern segment of Holyoke Place, which projection proceeds through Holyoke Place, through lot number 76 on assessors map 161 and through Plympton Street,

proceeding on said connected line segments to the midline of Plympton Street;

3.8 Then turning and proceeding 160 feet, more or less, along the midline of Plympton Street, to the midline of Mount Auburn Street, the point of origin.

3.00 Said area includes all or part of the following parcels of land:

3.01 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 82, 83, and 84;

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

3.02 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street and odd numbers 17 through 21 South Street.

Changes in the Overlay Districts

4.0 Remove the designation of Harvard Square Overlay District from all areas, **with the exception of lots #50, 47,40,39, and 23 on assessors Plat #133 and having the addresses 8-24 Arrow Street and 23-35 Mount Auburn Street,** in said Overlay District which satisfy the following:

after the changes described in all the preceding paragraphs are accomplished, they have as a base zone either a residential district or an office district, and

they are located in that portion of said Overlay District, which is generally south of a line, which line divides said Overlay District into two portions, one portion of the district generally north of said line and one portion of the district generally south of said line,

said line dividing the district into two portions is described as follows:

beginning at a point, which point is the intersection of the Cambridge-Boston City Line and the Midline of Anderson Bridge;

4.1 Then proceeding in a northeasterly direction along the midline of the Anderson Bridge and the midline of John F. Kennedy Street to the northeastern extremity of John F. Kennedy Street, its intersection with the midline of Massachusetts Avenue;

4.2 Then proceeding in a southeasterly direction along the midline of Massachusetts Avenue until it reaches the northwestern extremity of the midline of Harvard Street, the intersection of the midline of Massachusetts Avenue and the midline of Harvard Street;

4.3 Then proceeding in a southeasterly direction along the midline of Harvard Street until it reaches its eastern extremity, the midline of Portland Street.

4.00 Said area includes all or part of the following parcels of land:

4.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138;

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street.

4.02 Premises shown on assessors map 133:

Lots numbered 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 47, 48, 49, and 50;

Being all numbers Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, all numbers Bow Street except odd numbers 1 through 7, even numbers 18 through 44 Plympton Street, all numbers DeWolfe Street between Bow Street and Mount Auburn Street, and odd numbers 9 through 53 Mount Auburn Street;

City Lot 872, located at Massachusetts Avenue and Arrow Street.

It is noted that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street.

4.03 Premises shown on assessors map 134:

Lots numbered 1, 2, 6, 7, and 8;

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street.

4.04 Premises shown on assessors map 160:

Lots numbered 60 and 61;

Being all even numbers on Linden Street, all numbers 47 through 57 Bow Street, 57 Mount Auburn Street, and odd numbers 17 through 35 Plympton Street.

4.05 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 83, **91, 92, and 93;**

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

4.06 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street, and odd numbers 17 through 21 South Street.

NO CHANGE PROPOSED TO THE FOLLOWING

5.0 Remove the designation of Harvard, Radcliffe, Lesley Institutional Overlay District from that area bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and Remington Street;

5.1 Then proceeding 70 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue, to the midline of Arrow Street;

5.2 Then turning and proceeding 305 feet, more or less, in a northwesterly direction, more toward westerly than 6.1, along the midline of Arrow Street, to the midline of Bow Street;

5.3 Then turning and proceeding 361 feet, more or less, along the midline of Bow Street, to the midline of Massachusetts Avenue;

5.4 Then turning and proceeding 809 feet, more or less, in a southeasterly direction, along the midline of Massachusetts Avenue, to the midline of Remington Street, the point of origin.

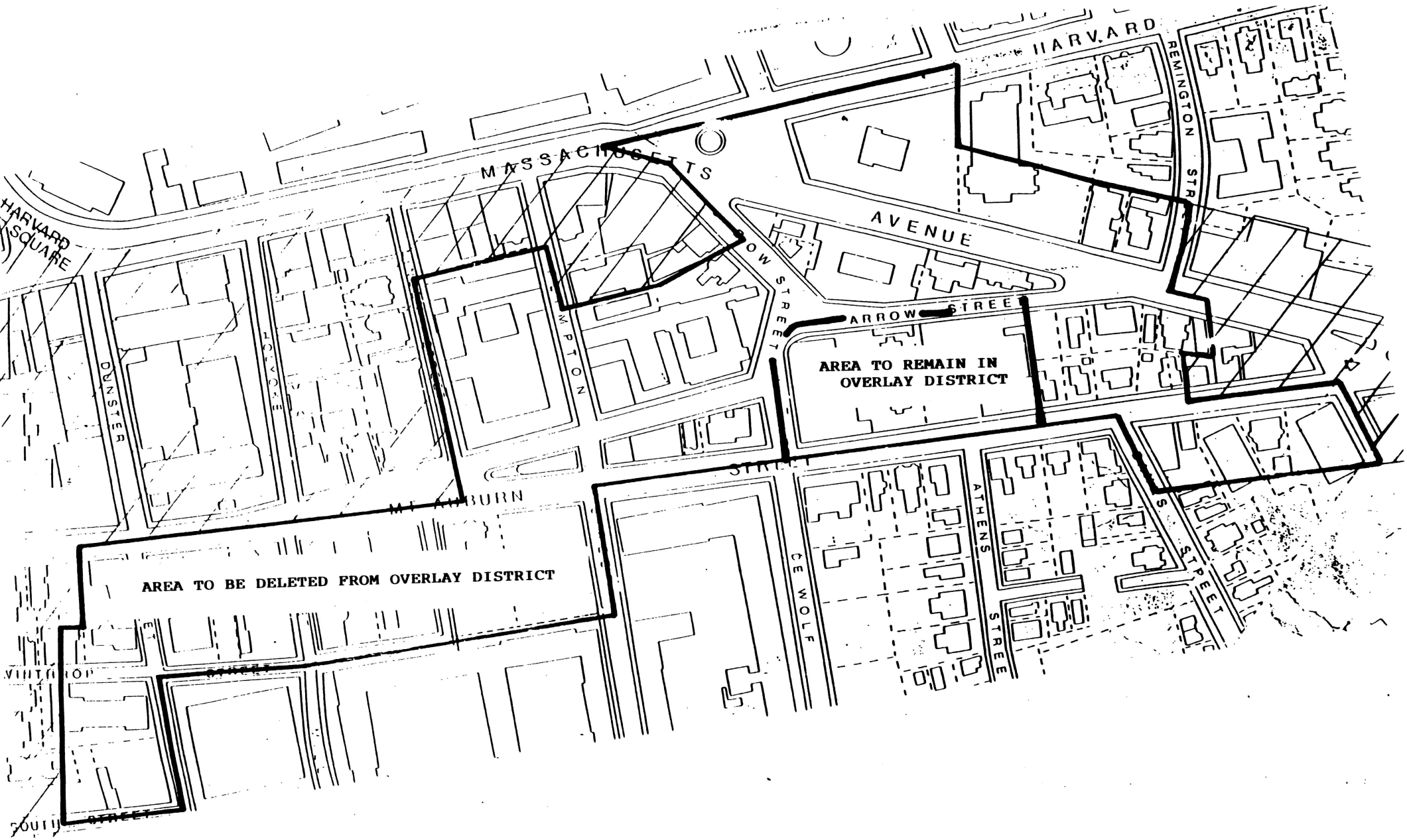
5.00 Said area includes all or part of the following parcels of land:

Premises shown on assessors map 133:

Lots numbered 14, 15, 20, 21, 41, 42, and 43;

Being even numbers 1134 through 1218 Massachusetts Avenue, all odd numbers Arrow Street, and odd numbers 1 through 25 Bow Street.

City lot numbered 872, located at Massachusetts Avenue and Arrow Street.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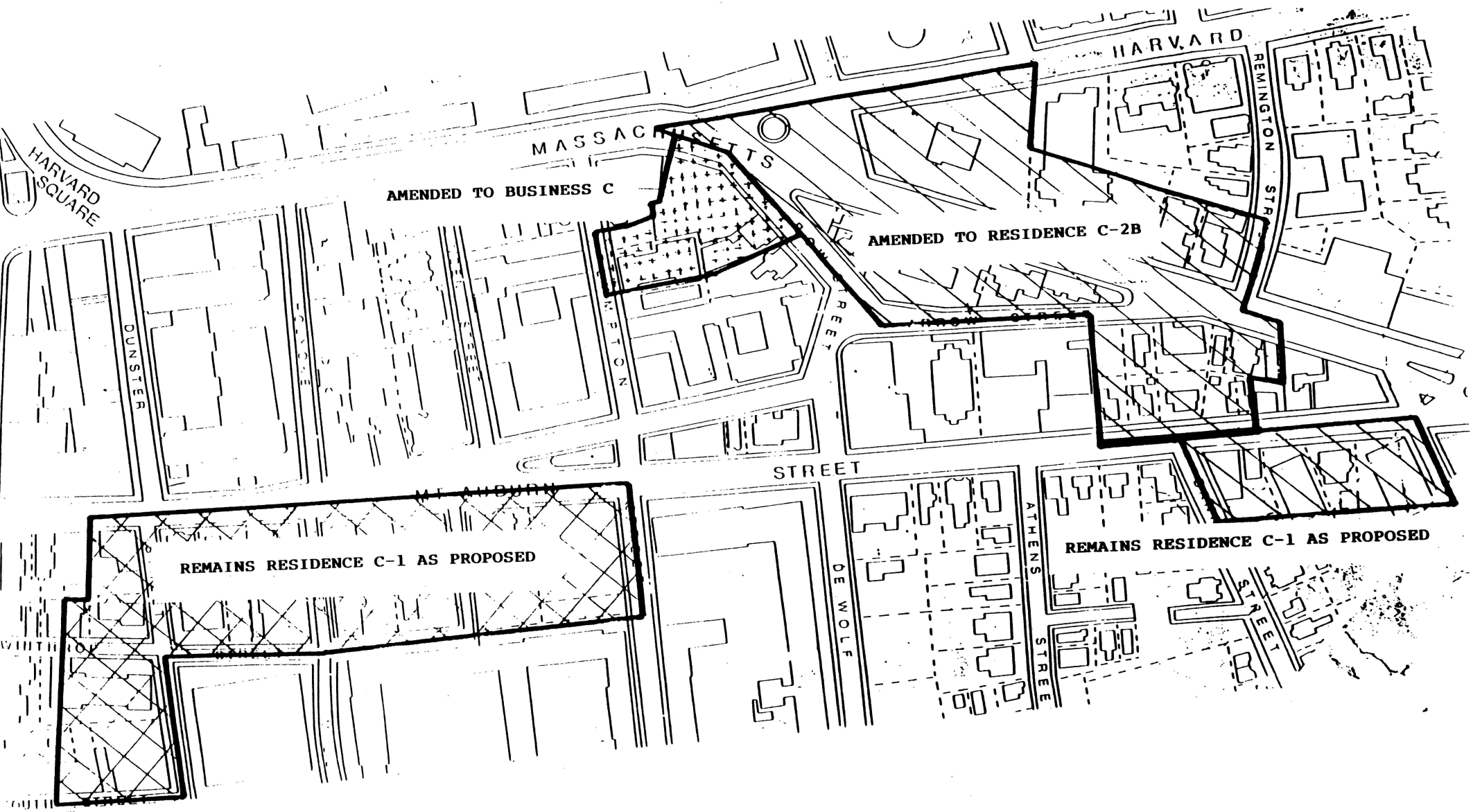
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CRYSTAL et al PETITION - AS AMENDED

1.0 Rezone to Residence C-2B that area presently zoned Residence C-3, Office 3 and Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midlines of Harvard Street and Massachusetts Avenue;

1.1 Then proceeding 495 feet more or less, in a southeasterly direction along the midline of Harvard Street to the extension of the southeastern lot line of lot number 1 on assessors map 134;

1.2 Then turning and proceeding 108 feet more or less, in a southwesterly direction along the extension of and the southeastern lot line of lot number 1 on assessors map 134 to a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue;

1.3 Then turning and proceeding 385 feet, more or less, in a southeasterly direction, along a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue to the midline of Remington Street;

1.4 Then turning and proceeding 132 feet, more or less, in a southwesterly direction, along the midline of Remington Street to the midline of Massachusetts Avenue;

1.5 Then turning and proceeding 77 feet, more or less, in a southeasterly direction along the midline of Massachusetts Avenue to the northeasterly extension of the southeastern lot line of lot number 31 on assessors map 133;

1.6 Then turning and proceeding 80 feet, more or less, in a southwestern direction along the extension of and the southeastern lot line of lot number 31 on assessors map 133 to the southwestern lot line of said lot number 31 on assessors map 133;

1.7 Then turning and proceeding 27 feet, more or less, in a northwesterly direction along the southwestern lot line of lot number 31 on assessors map 133 to the southeastern lot line of lot number 45 on assessors map 133;

1.8 Then turning and proceeding 55 feet, more or less, generally in a southwesterly direction, along three connected line segments at right angles to each other, which three connected line segments together constitute the southeastern lot line of lot 45 on assessors map 133, and the extension thereof, proceeding to the midline of Mount Auburn Street;

1a.0 **Rezone to Residence C-1 that area presently zoned Business B which area is bounded by a line beginning at a point, said point being the intersection of the midline of Mt. Auburn Street and Putnam Avenue, on assessors Plat #132;**

1a.1 Then turning and proceeding 135 feet, more or less, in a southerly direction, along the midline of Putnam Avenue to a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street;

1a.2 Then turning and proceeding 269 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street, to the midline of Banks Street;

1a.3 Then turning and proceeding 125 feet, more or less, in a northeasterly direction, along the midline of Banks Street to the midline of Mount Auburn Street;

1a.4 Then turning and proceeding **340** feet, more or less, in a southeasterly direction, along the midline of Mount Auburn Street to the midline of Putnam Avenue, **the point of origin.**

1a.00 **Said area includes all or part of the following parcels of land:**

1a.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138.

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street

1.9 Then turning and proceeding **220** feet, more or less, in a north westerly direction, along the midline of Mt. Auburn Street to the extension of the northwest lotline of lot 38 on assessor's map 123;

1.10 Then turning and proceeding 188 feet, more or less, in a northeasterly direction, along the extensions of and the northwest lotline of lot 38 **and 24** on assessors map 133 to the midline of Arrow Street;

1.11 Then turning and proceeding 329 feet, more or less, in a northwesterly direction, along the midline of Arrow Street to the midline of Bow Street;

1.12 Then turning and proceeding 299 feet, more or less, in a northerly direction, along the midline of Bow Street to the midline of Massachusetts Avenue;

1.13 Then turning and proceeding 40 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the midline of Harvard Street, the point of origin.

1.00 Said area includes all or part of the following parcels of land:

1.01 Premises shown on assessors map 133:

Lots numbered 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, and 45.

Being numbers 2, 4 and 6 Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, and odd numbers 9 through 19 Mount Auburn Street.

Petitioners note that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street, and thus are misnumbered on the city records.

1.02 Premises shown on assessors map 134

Lots numbered 1, 2, 6, 7, and 8.

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street

2.0 Rezone to Business C that area presently zoned Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and the extension of the southeastern lotline of lot number 53 on assessors map 133;

2.1 Then proceeding 206 feet, more or less, in a southwesterly and then westerly direction, along a series of connected line segments, together constituting the extensions of and the southeastern lot line of lot numbered 53 on assessors map 133, to the midline of Plympton Street;

2.2 Then turning and proceeding 127 feet, more or less, in a southwesterly direction to the southern extremity of the Business B district on Plympton Street;

2.3 Then turning and proceeding 239 feet, more or less, in a northeasterly direction along the said southern extremity of the Business B district to the midline of Bow Street

2.4 Then turning and proceeding 207 feet, more or less, in a northerly direction, along the midline of Bow Street, to the midline of Massachusetts Avenue;

2.8 Then turning and proceeding 49 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the extension of the southeastern lot line of lot number 53 on assessors map 133, the point of origin.

2.00 Said area includes all or part of the following parcels of land:

Premises shown on assessors map 133:

Lots numbered 3, 9, 10, 51, 52, 54, 55, and 56;

Being odd numbers 1 through 9 Bow Street, even numbers 10 through 18 Plympton Street, and even numbers 1230 through 1238 Massachusetts Avenue.

NO CHANGE PROPOSED TO THE FOLLOWING

3.0 Rezone to Residence C-1 that area presently zoned Residence C-2, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Plympton Street and the midline of Mount Auburn Street;

3.1 Then proceeding 750 feet, more or less, in a northwesterly direction, along the midline of Mount Auburn Street, to the extension of the northwestern lot line of lot number 67 on assessors map 162;

3.2 Then turning and proceeding 125 feet, more or less, in a southwesterly direction, along the extension of and two connected line segments, which two connected line segments together constitute the northwestern lot line of lot number 67 on assessors map 162, to a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street;

3.3 Then turning and proceeding 29 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street, to a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street;

3.4 Then turning and proceeding 300 feet, more or less, in a southwesterly direction, along a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street, to the midline of South Street;

3.5 Then turning and proceeding 180 feet, more or less, in a southeasterly direction, along the midline of South Street, to the midline of Dunster Street;

3.6 Then turning and proceeding 200 feet, more or less, in a northeasterly direction, along the midline of Dunster Street, to the midline of Winthrop Street;

3.7 Then turning and proceeding 690 feet, more or less, in a southeasterly direction, along three connected line segments, which connected line segments are, in order:

(1) the midline of Winthrop Street,

(2) the midline of the northwestern segment of Holyoke Place, and

(3) the southeasterly projection of said midline of the northwestern segment of Holyoke Place, which projection proceeds through Holyoke Place, through lot number 76 on assessors map 161 and through Plympton Street,

proceeding on said connected line segments to the midline of Plympton Street;

3.8 Then turning and proceeding 160 feet, more or less, along the midline of Plympton Street, to the midline of Mount Auburn Street, the point of origin.

3.00 Said area includes all or part of the following parcels of land:

3.01 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 82, 83, and 84;

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

3.02 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street and odd numbers 17 through 21 South Street.

Changes in the Overlay Districts

4.0 Remove the designation of Harvard Square Overlay District from all areas, **with the exception of lots #50, 47,40,39, and 23 on assessors Plat #133 and having the addresses 8-24 Arrow Street and 23-35 Mount Auburn Street,** in said Overlay District which satisfy the following:

after the changes described in all the preceding paragraphs are accomplished, they have as a base zone either a residential district or an office district, and

they are located in that portion of said Overlay District, which is generally south of a line, which line divides said Overlay District into two portions, one portion of the district generally north of said line and one portion of the district generally south of said line,

said line dividing the district into two portions is described as follows:

beginning at a point, which point is the intersection of the Cambridge-Boston City Line and the Midline of Anderson Bridge;

4.1 Then proceeding in a northeasterly direction along the midline of the Anderson Bridge and the midline of John F. Kennedy Street to the northeastern extremity of John F. Kennedy Street, its intersection with the midline of Massachusetts Avenue;

4.2 Then proceeding in a southeasterly direction along the midline of Massachusetts Avenue until it reaches the northwestern extremity of the midline of Harvard Street, the intersection of the midline of Massachusetts Avenue and the midline of Harvard Street;

4.3 Then proceeding in a southeasterly direction along the midline of Harvard Street until it reaches its eastern extremity, the midline of Portland Street.

4.00 Said area includes all or part of the following parcels of land:

4.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138;

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street.

4.02 Premises shown on assessors map 133:

Lots numbered 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 47, 48, 49, and 50;

Being all numbers Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, all numbers Bow Street except odd numbers 1 through 7, even numbers 18 through 44 Plympton Street, all numbers DeWolfe Street between Bow Street and Mount Auburn Street, and odd numbers 9 through 53 Mount Auburn Street;

City Lot 872, located at Massachusetts Avenue and Arrow Street.

It is noted that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street.

4.03 Premises shown on assessors map 134:

Lots numbered 1, 2, 6, 7, and 8;

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street.

4.04 Premises shown on assessors map 160:

Lots numbered 60 and 61;

Being all even numbers on Linden Street, all numbers 47 through 57 Bow Street, 57 Mount Auburn Street, and odd numbers 17 through 35 Plympton Street.

4.05 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 83, **91, 92, and 93;**

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

4.06 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street, and odd numbers 17 through 21 South Street.

NO CHANGE PROPOSED TO THE FOLLOWING

5.0 Remove the designation of Harvard, Radcliffe, Lesley Institutional Overlay District from that area bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and Remington Street;

5.1 Then proceeding 70 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue, to the midline of Arrow Street;

5.2 Then turning and proceeding 505 feet, more or less, in a northwesterly direction, more toward westerly than 6.1, along the midline of Arrow Street, to the midline of Bow Street;

5.3 Then turning and proceeding 361 feet, more or less, along the midline of Bow Street, to the midline of Massachusetts Avenue;

5.4 Then turning and proceeding 809 feet, more or less, in a southeasterly direction, along the midline of Massachusetts Avenue, to the midline of Remington Street, the point of origin.

5.00 Said area includes all or part of the following parcels of land:

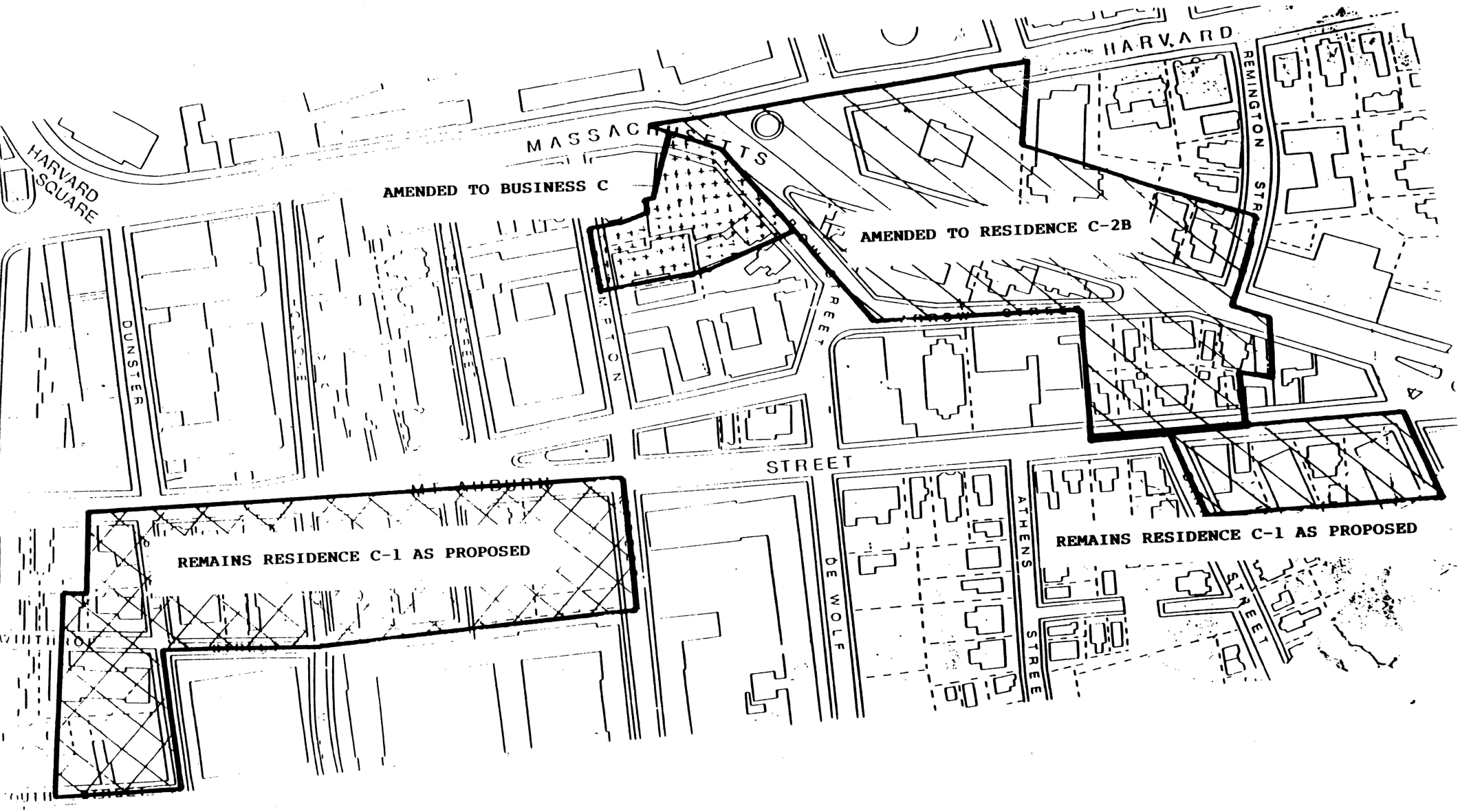
Premises shown on assessors map 133:

Lots numbered 14, 15, 20, 21, 41, 42, and 43;

Being even numbers 1134 through 1218 Massachusetts Avenue, all odd numbers Arrow Street, and odd numbers 1 through 25 Bow Street.

City lot numbered 872, located at Massachusetts Avenue and Arrow Street.


HARVARD
REMINGTON STREET
MASSACHUSETTS
AVENUE
HARVARD SQUARE
ARROW STREET
AREA TO REMAIN IN OVERLAY DISTRICT
DUNSTER
MT AUBURN
AREA TO BE DELETED FROM OVERLAY DISTRICT
DE WOLF
ATHENS STREET
STREET
SOUTH STREET


HARVARD
REMINGTON STR
HARVARD SQUARE
MASSACHUSETTS
AMENDED TO BUSINESS C
AMENDED TO RESIDENCE C-2B
DUNSTER
STREET
STREET
STREET
REMAINS RESIDENCE C-1 AS PROPOSED
REMAINS RESIDENCE C-1 AS PROPOSED
DE WOLF
ATHENS
STREET
STREET

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

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 24, 1989

To the Honorable, the City Council:

Enclosed please find copy of a communication from the Community Development Department enclosing a copy of the Crystal et al Rezoning Petition, East Harvard Square, as amended.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 2

Re: enclosed comm. from the Community Development Dept. & copy of the Crystal et al Rezoning Petition, East Harvard Square, as amended.

In City Council,

April 24, 1989

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

April 20, 1989

To the Honorable, the City Council:

SUBJECT: Crystal et al Rezoning Petition, East Harvard Square

The Planning Board had an opportunity at its April 18th meeting to briefly review in more detail the provisions of the petition as filed as well as those amendments to it that are now under consideration. While the Board will forward a final recommendation after its May 2, 1989 regular meeting, some preliminary comments may be helpful at this time.

Removal of any of the area proposed to be deleted from the Overlay District is ill-considered. In addition to establishing a height limit where none now exists, the Overlay has served the useful purpose of sending most major new construction through a public review process that has resulted in more thoughtful and well designed buildings. The two Overlay provisions which seem to be motivating the petitioners to recommend deletion (i.e. waiver of the yard requirements in office districts and allowance for retail use in old buildings in office and residential districts) are two provisions which have worked well and are reasonable within the context of the built environment in the affected portions of Harvard Square. Many rather massive buildings do not now meet the setbacks required of them in the Office 3 district; future building in the area should have the flexibility, after public review, to fit into that already non-conforming environment. With regard to the retail provision, also discretionary through a special permit process, it has been used only once and resulted in the preservation of an important small building on Mt. Auburn Street. While fears of wholesale conversion of university dormitories to retail use is exaggerated, the Board does consider it perfectly reasonable to review this regulation with an eye toward modifications that would ensure that the location, scale, and character of future retail activity under this provision is explicitly regulated to protect abutting neighborhoods.

The Board has recommended or supported reductions in FAR and changes in use categories for portions of the affected area in the past. In response to the Major Brooks petition for Riverside the Board supported rezoning the Business B district along Putnam Avenue and Mt. Auburn Street to Residence C-3. Similarly for the Conlan petition, the Board recommended that the office district FAR be reduced to 2.0 from 3.0. At a minimum the Board continues to support those modifications; further review of the Crystal proposals may suggest variations on those earlier recommendations.

The petition raises many additional policy issues of major importance to the City, affected property owners and neighborhoods. Two come most directly to mind: (1) to what extent is it appropriate to rezone to residential use an area which is heavily commercial as well as home to many residents and (2) what is the consequence to the city, its neighborhoods, and affected insitutions when limitations as to institutional use and density are imposed in currently high density and commercial areas where earlier policies have suggested additional institutional growth was most appropriate or least harmful to the City's neighborhoods.

The Board would like to take the time necessary to review these issues and others and provide thoughtful recommendations to the Council which can serve the interests of all those affected by this important petition.

Respectfully submitted for the Planning Board,

Paul Dietrich

Paul Dietrich, Chairman

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

April 24, 1989

To the Honorable, the City Council:

Enclosed please find copy of a communication from the Cambridge Planning Board relative to their review of the Crystal et al Rezoning Petition, East Harvard Square.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 10

Re: enclosed comm. from the Planning Board regarding their review of the Crystal, et al Rezoning Petition, East Harvard Square.

In City Council,

April 24, 1989

C. C. 106

City of Cambridge

Comm. from Irene & DeCoursey Fales, in support of the proposed East Harvard Square rezoning petition.

In City Council,

March 20, 1989



CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date April 21, 1989

From Joseph E. Connarton JEC
City Clerk

Reference

Subject
Written protest - Terry Crystal, et al petition.

Enclosed you will find two copies of the written protest to the petition of Terry Crystal, et al.

Would you kindly certify the ownership of the property and remit a copy the Engineering Dept.

Your kind attention in this matter will be greatly appreciated.

GRAHAM GUND ARCHITECTS

47 Thorndike Street

Cambridge, Massachusetts 02141

Telephone 617-577-9600

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 20 PM 3:12
CAMBRIDGE MA.

HAND DELIVER

18 April 1989

City Clerk
Cambridge City Hall
Cambridge, Massachusetts 02139

Re: "Crystal Petition"

Gentlemen:

As owner of 13-15 Mt. Auburn Street, 17 Mt. Auburn Street, and 4-6 Arrow Street, part of which is also called 1136 Massachusetts Avenue, I wish to file my formal opposition to the so-called Crystal Petition which would downzone the subject sites. I hereby request that my name be added to those opposed, to the end requiring 7 City Council votes to enact this amendment.

Since 1984, I have been attempting to develop this and adjoining sites with a proposal which would conform to zoning. My current scheme could have been built as-of-right when we began the process. However, zoning on the site has undergone frequent revision. My current scheme could be built today with a special permit recently issued by the Planning Board. The zoning initiative would reduce density and, worse, would remove the controls of the Harvard Square Overlay District. I believe that the current zoning allows appropriate development in this area. I further believe that yet another zoning change on this site is grossly unfair.

Sincerely,

Graham Gund
President

cc: Thomas W. Danehy
Francis H. Duehay
Saundra Graham
Sheila T. Russell
David E. Sullivan
Walter J. Sullivan
Alfred E. Vellucci, Mayor
William H. Walsh
Alice K. Wolf, Vice Mayor

Principals: Graham Gund Peter E. Madsen David Perry

Senior Associates: Richard Bechtel William Erickson

Associates: George Coon James Cullion Willie Wong Donald Self John Prokos Gerard Frank Alec Holser

Real Estate Development

THE GUNWYN COMPANY

47 Thorndike Street

Cambridge, Massachusetts 02141

Telephone 617-577-9666

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 20 PM 3:12
CAMBRIDGE MA.

HAND DELIVER

18 April 1989

City Clerk
Cambridge City Hall
Cambridge, Massachusetts 02139

Re: "Crystal Petition"

Gentlemen:

As owner of 9-11 Mt. Auburn Street, The Gunwyn Company wishes to file its formal opposition to the so-called Crystal Petition which would downzone the subject site. We hereby request that our name be added to those opposed, to the end requiring 7 City Counsel votes to enact this amendment.

Since 1984, we have been attempting to develop this and adjoining sites with a proposal which would conform to zoning. Our current scheme could have been built as-of-right when we began the process. However, zoning on the site has undergone frequent revision. Our current scheme could be built today with a special permit recently issued by the Planning Board. The zoning initiative would reduce density and, worse, would remove the controls of the Harvard Square Overlay District. We believe that the current zoning allows appropriate development in this area. We further believe that yet another zoning change on this site is grossly unfair.

Sincerely,

Peter E. Madsen
President

cc: Thomas W. Danehy
Francis H. Duehay
Saundra Graham
Sheila T. Russell
David E. Sullivan
Walter J. Sullivan
Alfred E. Vellucci, Mayor
William H. Walsh
Alice K. Wolf, Vice Mayor

Peter E. Madsen, President
Jan A. Brodie, Richard Backer, Vice Presidents
Michael Chu, Roslyn M. Watson, Jonathan Haar, Virginia E. Jenks

10. March, 1989.
11, Hilliard Street,
Cambridge, MA. 02138

Dear Members of the Cambridge City Council,

We are writing to urge you to vote for the Downzoning Petition for East Harvard Square (the "Crystal" Petition), which would assure the protection of the relatively small-scale buildings leading to the entrance to Harvard Square. It would protect the considerable residential element in the area, and as we are all keenly aware, residential properties in our City need protecting.

Downzoning would also discourage or even prevent the "canyonizing" of Massachusetts Avenue, which has to a large degree already happened [toward Central Square] on Mass. Ave., and which should be stopped.

While I have your attention, I would also urge all members of our City Council to strive for and maintain a high level of courtesy, dignity and civility towards each other and toward citizens who come to speak before the Council.

Respectfully,

Dean N. Fales
Re Connery Fales

CAMBRIDGE MA.
1989 MAR 13 PM 12:47
RECEIVED BY
OFFICE OF CITY CLERK

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR -3 AM 9:28
CAMBRIDGE MA.

April 3, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

In reply to your memo dated March 31, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Terry Crystal, et al.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date March 31, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Terry Crystal et al rezoning petition.

Enclosed you will find two copies of the written protest to the petition of Terry Crystal, et al.

Would you kindly certify the ownership of the property and remit a copy to the Engineering Dept.

Please refer to the memo I sent to you dated March 14, 1989 which contained the chart outlining the time period of this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR 28 AM 10:48
CAMBRIDGE MA.

34 Mt. Auburn Street
Cambridge, MA

March 24, 1989

To the Honorable,
the City Council
City Hall
Cambridge, MA

Attn: City Clerk

Dear Members of the Council:

St. Paul's Roman Catholic Church opposes the Amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Assoc., Terry Crystal, et als.

St. Paul's Church is in the process of devloping a new Choir School, Rectory, Parish Center and Harvard-Radcliffe Student Center at 29 Mt. Auburn Street, Cambridge, for which a building permit has been issued. However, should any additional changes be made, the downzoning would affect such changes drastically.

This type of downzoning is not in the best interest of the City or of St. Paul's Church.

Please record our opposition to this petition.

Very truly yours,

St. Paul's Roman Catholic Church

(Rev) John P. Boles

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR 29 PM 5:17
CAMBRIDGE MA.

March 29, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

In reply to your memo dated March 27, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Terry Crystal, et al.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date March 27, 1989

From Joseph E. Connarton JEC
City Clerk

Reference

Subject
Written protest - Terry Crystal et al rezoning petition.

Enclosed you will find two copies of the written protest to the petition of Terry Crystal, et al.

Would you kindly certify the ownership of the property and remit a copy to the Engineering Dept.

PLEASE NOTE THAT THE COMMUNICATION I SENT TO YOU ON MARCH 17, 1989 CONTAINED WRITTEN PROTEST FOR 14 PLYMPTON STREET AND THE ENCLOSED IS WRITTEN PROTEST FOR THE PREMISES NUMBERED 14-18 PLYMPTON STREET.

Please refer to the memo I sent to you dated March 14, 1989 which contained the chart outlining the time period of this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR 27 PM 2:00
CAMBRIDGE, MA.

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

March 27, 1989

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Petition of Terry Crystal, et al To Amend The Zoning Map in the Area of Harvard Square by Rezoning Parcel #2 as Shown on the Map Accompanying the Petition by Rezoning it from the Existing Business B to Business A-1

Dear Mr. Connarton:

The undersigned represents Harvard Crimson Trust, II, the owner of the land with the buildings thereon located at 14-18 Plympton Street, Cambridge, Massachusetts containing 8,580 square feet of land, which is included in the proposal to change the zoning as described in the above identified petition.

Enclosed herewith please find my client's protest pursuant to G.L. c. 40A, § 5, to the proposed amendments. May the same be filed.

It is my client's position that as a result of filing this protest, a vote of three-fourths of the Cambridge City Council is required for ordination of any amendment to the Zoning Map rezoning Parcel # 2 as shown on the map accompanying the petition of Terry Crystal, et al to

rezone Parcel # 2 from the exising Business B to Business A-1.

Very truly yours,

Daniel C. Crane, P.C.

DCC/mls
enclosure
DELIVERY BY MESSENGER

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR 27 PM 2:00
CAMBRIDGE, MA

HARVARD CRIMSON TRUST, II
ONE INTERNATIONAL PLACE
23RD FLOOR
BOSTON, MA 02110

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Petition of Terry Crystal, et al to Amend the Zoning Map in the Area of Harvard Square by Rezoning Parcel #2 as Shown on the Map Accompanying the Petition by Rezoning it from the Existing Business B to Business A-1

Dear Mr. Connarton:

George S. Abrams, J. Anthony Lewis and Philip M. Cronin, Trustees of the Harvard Crimson Trust, II hereby protest pursuant to Massachusetts General Laws, Chapter 40A, Section 5 the proposed rezoning of parcel 2 as shown on the map accompanying the petition of Terry Crystal, et al. by rezoning it from the existing Business B to Business A-1 or to any other zone. The undersigned are the owners of a parcel at 14-18 Plympton Street, Cambridge containing 8,580 square feet. The Harvard Crimson Trust, II is the owner of more than 20% of the land area in parcel 2 proposed to be changed by the petition. The Harvard Crimson Trust, II is protesting this proposed change for the reason among others, that the change would prevent the Harvard Crimson Trust, II from carrying out an extensive and long planned rehabilitation of the existing buildings on the site. The Harvard Crimson Trust, II can not see any legitimate reason why its parcel should be included in any proposed rezoning for any other parts of the Massachusetts Avenue area.

Very truly yours,

HARVARD CRIMSON TRUST, II

by Philip M. Cronin
Trustee

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR 21 PM 2:57
CAMBRIDGE MA.

March 21, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

In reply to your memos dated March 17, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protests to the following petitions: (1) the East Cambridge Interim Planning Overlay District (2) the Terry Crystal petition, and (3) the Traffic Mitigation and Parking Supply Restrictions.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date March 17, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Terry Crystal et al rezoning petition.

Enclosed you will find two copies of the written protest to the petition of Terry Crystal, et al.

Would you kindly certify the ownership of the property and remit a copy to the Engineering Dept.

Please refer to the memo I sent to you dated March 14, 1989 which contained the chart outlining the time period of this petition.

Your kind attention in this matter will be greatly appreciated.

A

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

William Walsh, Chairman
Ordinance Committee
Cambridge City Council
Cambridge City Hall
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Walsh:

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al. The amendments would change the zoning for four defined areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B. In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised and, we believe, will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The proposed change would prohibit a hotel use for this site, reduce the F.A.R. to .75, and reduce maximum heights to 35 feet. The context for the site does not warrant such dramatic decreases in allowed development. This site is a major entry point to Harvard Square, and Harvard is committed to responsible development on the site as required to meet the University's needs, both short and long term.

In 1972, Harvard gave its voluntary commitment to limit its expansion into residential neighborhoods in the City, so it is all the more crucial that sites appropriate for institutional development be free of unreasonable zoning restriction, and instead subject to reasonable zoning provisions and processes.

The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision was the product of the thoughtful efforts of many landowners, planners, merchants, City officials, and institutions, who reached a consensus regarding the control of future development in Harvard Square. The Crystal proposal to delete a significant section from the District, with no rational basis for such a change, should be rejected. This area of Harvard Square benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

In an informal survey of the properties affected by the various provisions of this petition, we found that, if the amendments are adopted, approximately 70% of these properties would be non-conforming, due either to insufficient setbacks, excess floor area ratios, or excess height. We have urged the Planning Board to undertake its own review and report this information to the City Council. A zoning amendment which causes such widespread nonconformity should be rejected.

Sincerely,

Kathy A. Spiegelman

Kathy A. Spiegelman
Director of Planning

KAS:kjq
33:33

cc: Ordinance Committee

B

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Ave.
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Connarton:

Massachusetts General Laws Chapter 40A, Section 5, states generally that no zoning ordinance can be adopted except by a two-thirds vote of the City Council. For Cambridge, this would mean six councilors. The statute provides that, prior to final approval of a change to the ordinance, if there is a written protest stating the reasons for the protest, signed by "the owners of twenty percent or more of the area of the land proposed to be included in such change, or of the area of the land immediately adjacent extending three hundred feet therefrom," then a three-fourths vote (7 councilors) would be necessary to enact the proposed change to the ordinance. Harvard owns real estate which will be affected by the proposed changes and now so files such a protest.

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al., which would change the zoning for four areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. We believe this would be illegal "spot zoning." The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B.

In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised, and, we believe will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision, a product of the thoughtful efforts of many landowners, planners, merchants, city officials and institutions, who reached a consensus regarding the control of future development in Harvard Square. This Harvard Square area benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE

By _____
Sally Zeckhauser

By _____
Nancy Kossan

Attachment: Harvard Property List
33:32

Harvard Property in the Proposed East Harvard Sq. Downzoning Area

Address	Area	Assesors Map Number	Lot
11 Bow	6,355	133	3
13 Bow	11,552	133	4
29 Bow	7,967	133	5
31 Bow	11,707	133	6
45 Bow	3,210	133	7
57 Bow	47,036	160	60
52 Dunster	6,075	162	49
55 Dunster	4,138	162	7
69 Dunster	7,165	162	32
1 Holyoke Pl	6,239	161	3
9 Holyoke Pl	7,410	161	4
30 Holyoke Pl	115,932	161	76
28 Holyoke St	3,640	161	1
31 Holyoke St	5,091	162	63
1201 Mass. Ave.	30,902	134	1
2 Mt. Auburn	14,870	132	138
6 Mt. Auburn	4,493	132	122
8 Mt. Auburn	9,947	132	135
10 Mt. Auburn	7,759	132	97
56 Mt. Auburn	13,208	161	81
78 Mt. Auburn	4,000	162	11
10 Plympton	524	133	56
12 Plympton	507	133	54
22 Plympton	4,616	133	8
61 Plympton	2,617	161	83
17 South	4,387	162	53
19 South	1,590	162	51
21 South	2,040	162	52
41 Winthrop	2,270	162	14
45 Winthrop	2,530	162	50
65 Winthrop	2,709	162	48
TOTAL	352,486		

3/1/89

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

RECEIVED BY
CLERK OF CITY CLERK
1989 MAR -9 AM 11:24
CAMBRIDGE MA.

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

March 8, 1989

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Petition of Terry Crystal, et al
To Amend Zoning Map

Dear Mr. Connarton:

Enclosed herewith please find my letter of this date on the above subject to Councillor William H. Walsh, Chariman of the Committee on Ordinances.

Request is made that this letter be read into the record of the proceedings conducted by that Committee at its hearing on the above petition to be conducted commencing at 5:30 P.M. on Thursday, March 9, 1989.

Very truly yours,

Daniel C. Crane, P.C.

DCC/jcp
Enclosure

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAR -9 AM 10:24
CAMBRIDGE MA

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

March 8, 1989

Councillor William H. Walsh, Chairman
Committee on Ordinances
Cambridge City Council
Cambridge City Hall
Cambridge, MA

RE: Petition of Terry Crystal, et al
To Amend Zoning Map

Dear Councillor Walsh:

The undersigned represents the trustees of Harvard Crimson Trust II, the owner of the land with the buildings thereon located at 14 Plympton Street, Cambridge, Massachusetts.

The above identified petition proposes to change the existing zoning of my clients' property from Business B to Business A-1. My clients wish to be recorded in opposition to the proposed change of zoning of their property at the meeting of the Committee on Ordinances to be conducted on Thursday, March 9, 1989.

The reason for my clients' position is that they are in the process of preparing plans to restore and rebuild the building on their property which is and will continue to be occupied by the Harvard Crimson. The zoning proposed for my clients' property by the petition will not permit my clients to execute their current plans for rebuilding on their property.

As my clients' plans for their property to continue to be used by the Harvard Crimson, it should not be included in parcel #2, as described in the petition, because it will not be part of any development involving the remaining property designated as parcel #2 by the petition.

Very truly yours,

Daniel C. Crane, P.C.

DCC/jcp
Enclosure

DELIVERY BY MESSENGER

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

February 15, 1989

To Whom It May Concern:

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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)

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

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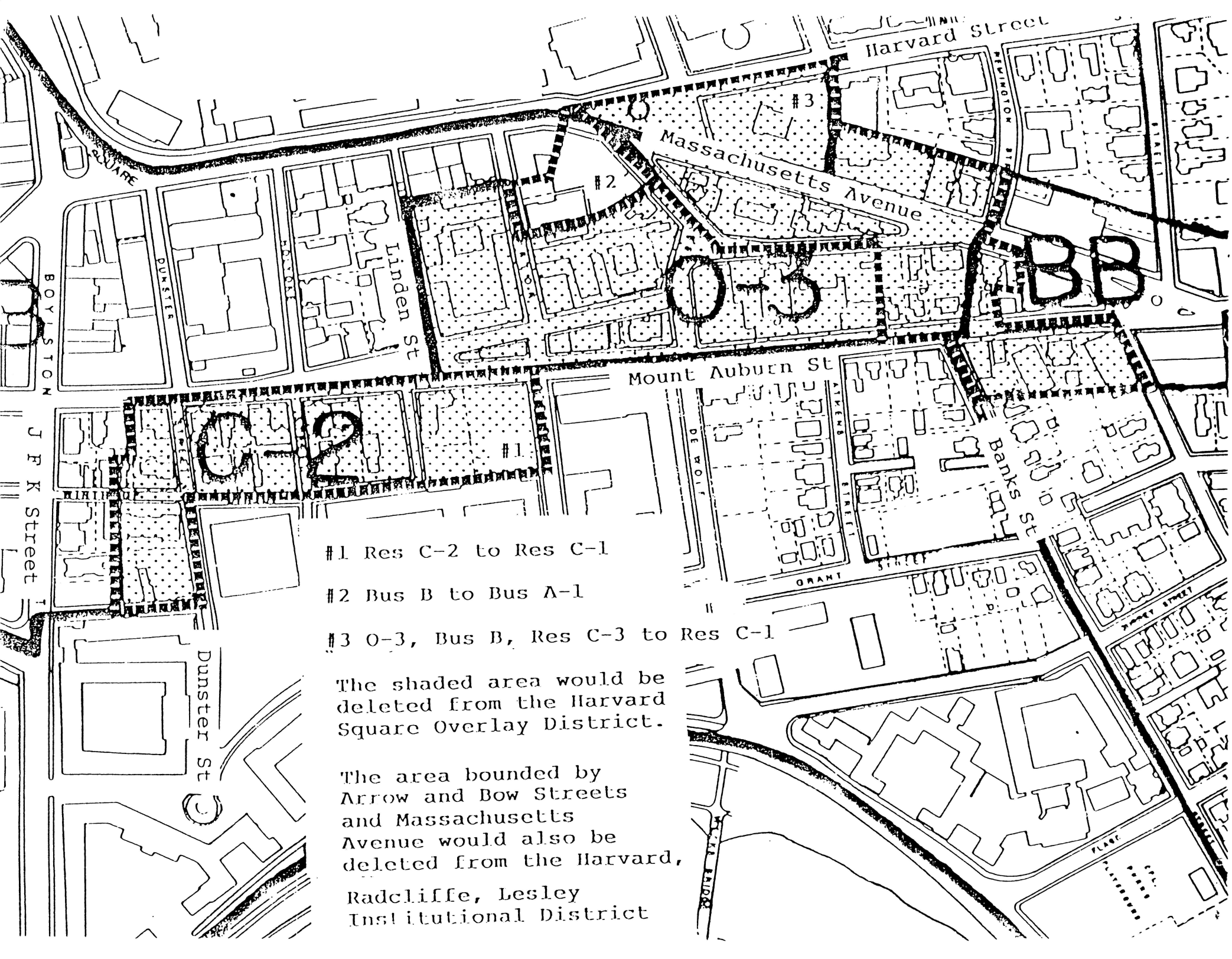
For the Committee,

Councillor William H. Walsh,
Chairman.



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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
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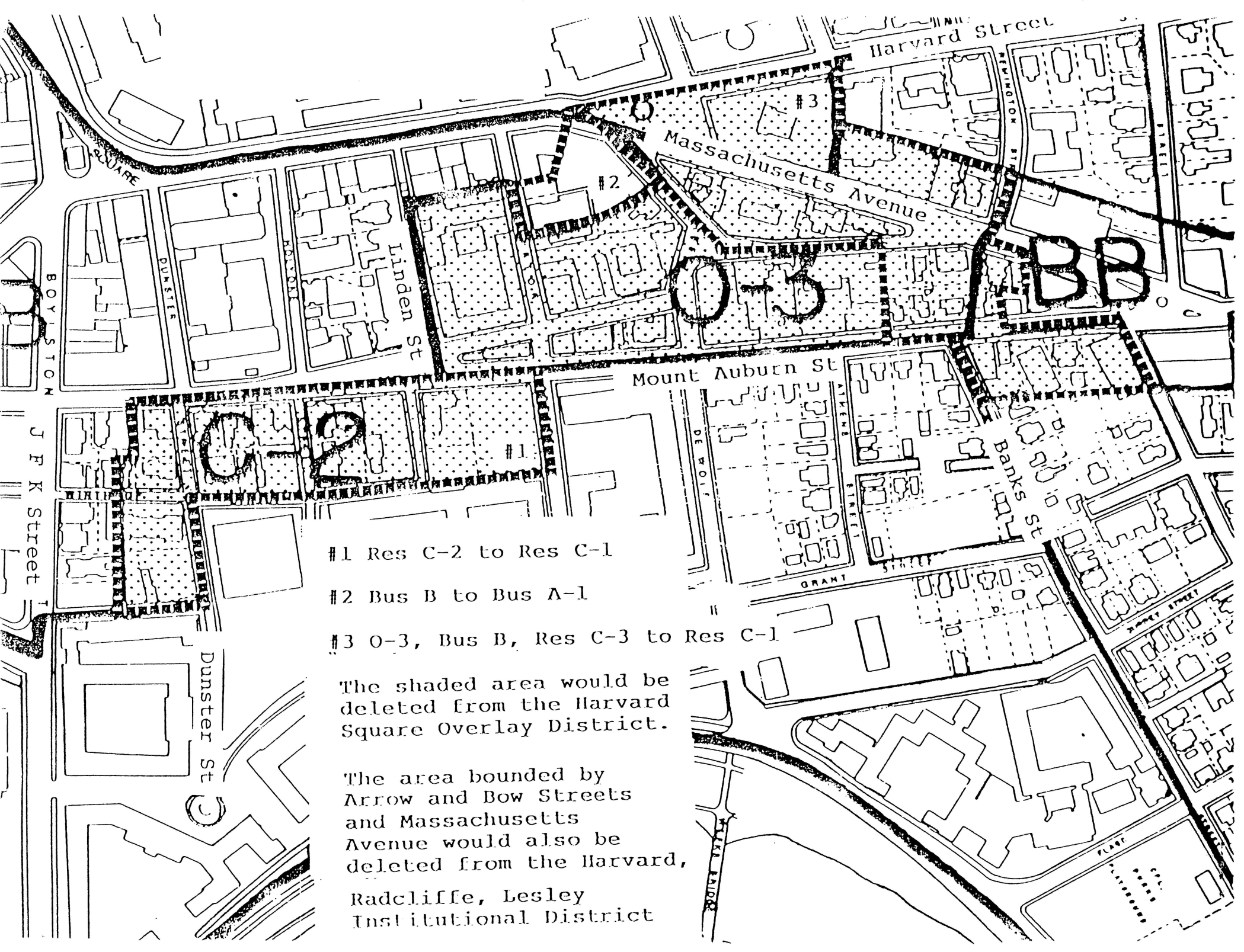

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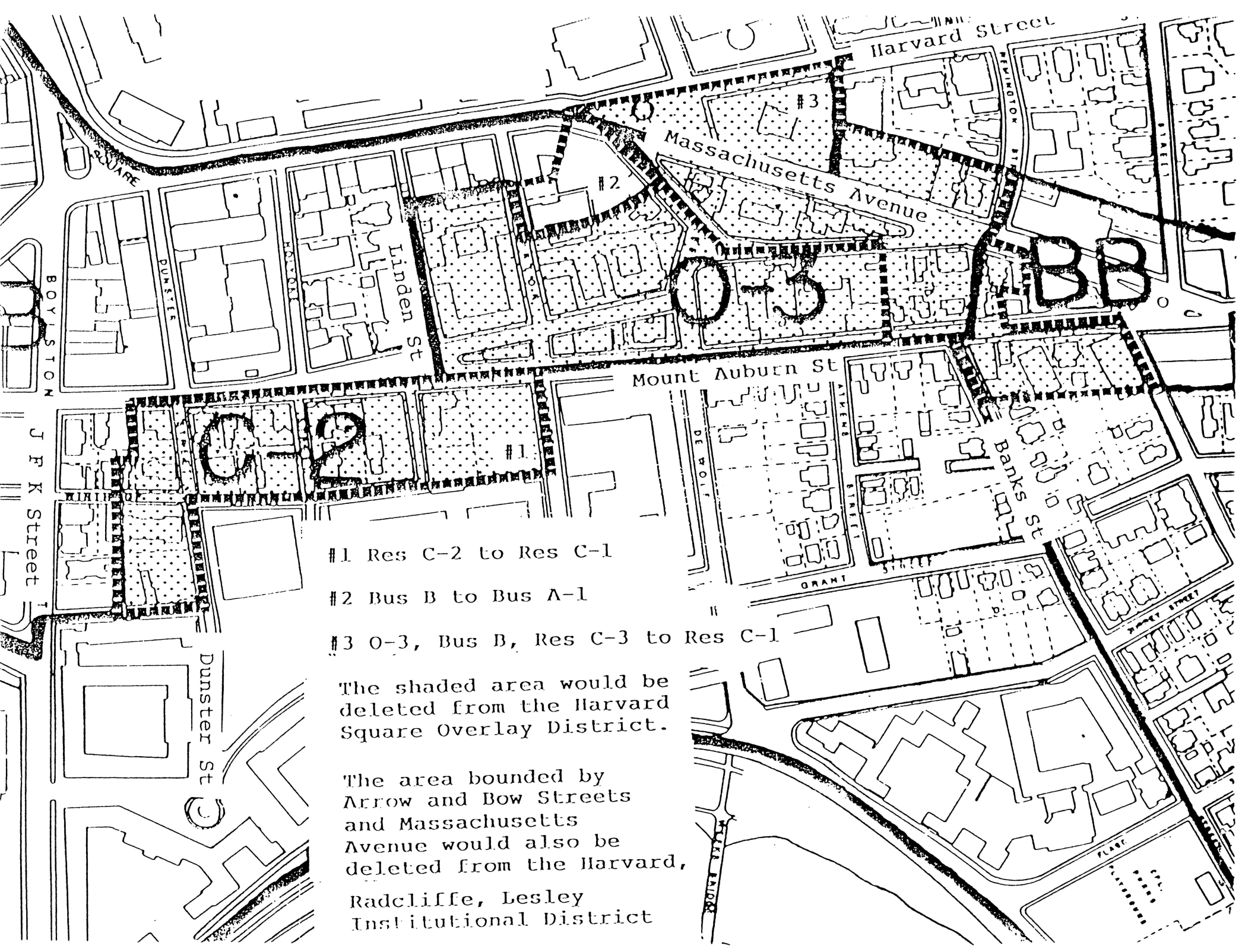

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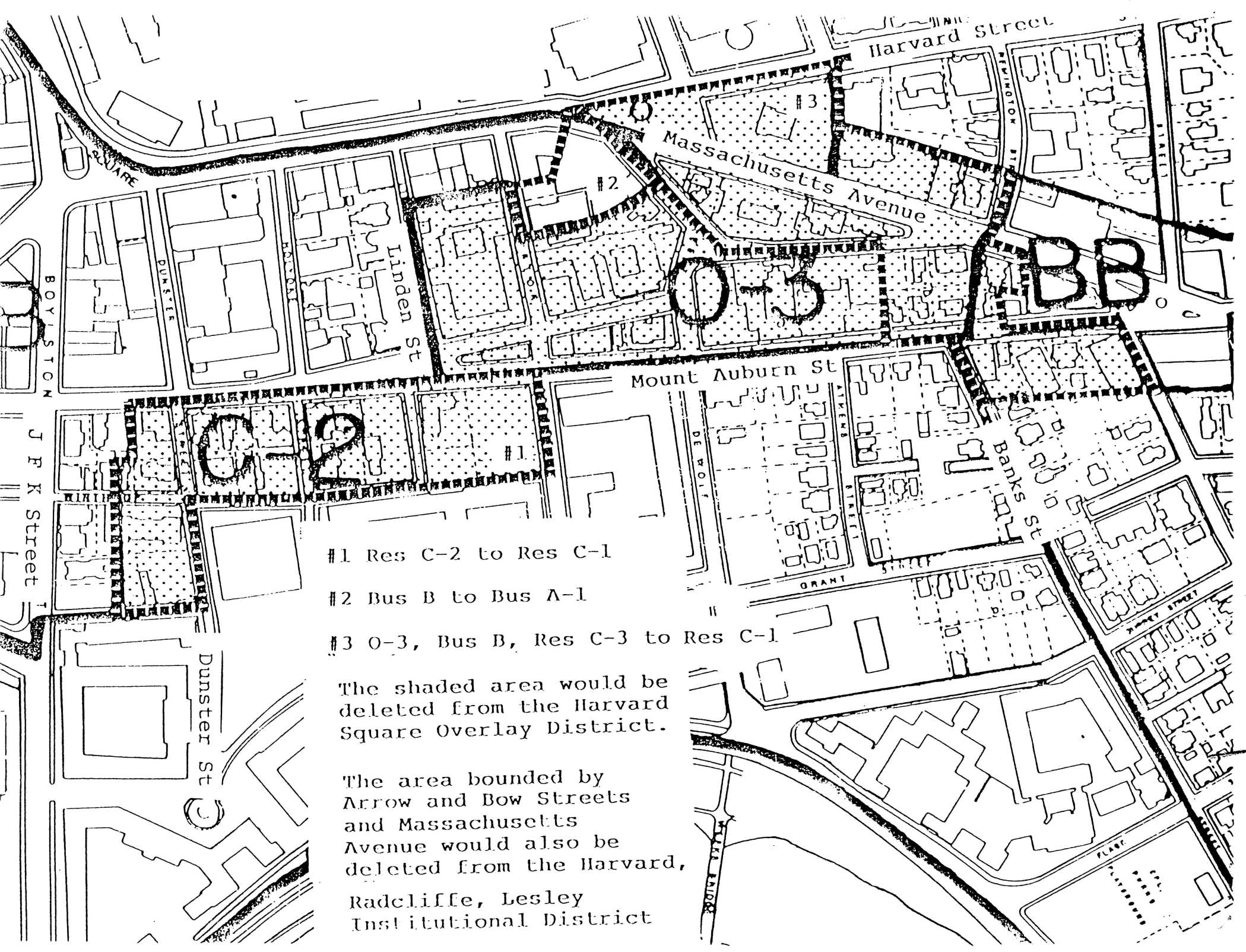

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1984
Harvard Design School Study on
Development in the Harvard Overlay District

PUTNAM SQUARE EXIT POLL
11/26/88
2:00 to 3:00 P.M.

Bowl and Board

	From	Transp.	Parking
1.	Somerville	MBTA	
2.	Concord	Car	Crate & Barrel private lot
3.	Cambridge	Car	Private space
4.	Medford	Walked	
5.	Brookline	MBTA	
6.	Newton	Car	Crate & Barrel private lot
7.	Suburbs	Car	Illegal space
8.	Newton	MBTA	
9.	Cambridge	Car	Putnam St.
10.	Arlington	Car	Dropped off
11.	Cambridge	Walked	
12.	Dorchester	Car	Near Harvard Law School
13.	Western Mass.	MBTA	
14.	Cambridge	Car	?
15.	Cambridge	Walked	
16.	South Boston	Car	At his office
17.	Somerville	Walked	
18.	Allston	Car	Illegal space on Mass. Ave.
19.	Suburbs	Car	Double parked
20.	Cambridge	Walked	
21.	Quincy	Car	Church St.
22.	Somerville	Car	Charles Hotel
23.	New York	Car	Dropped off
24.	Arlington	MBTA	

An additional 26 persons were not interviewed because they were exiting at the time that other individuals were being interviewed.

Heartwood

1.	Boston	Car	Green St.
2.	Somerville	Car	Mass. Ave.
3.	Somerville	Walked	
4.	Lowell	MBTA	
5.	Cambridge	Walked	
6.	Boston	Car	Mass. Ave.
7.	Jamaica Plain	Car	Crate & Barrel private lot
8.	Brighton	MBTA	
9.	Cambridge	Walked	
10.	?	Car	Mass. Ave.
11.	Boston	MBTA	
12.	Brookline	Car	Dana St.
13.	Cape Cod	Car	Mass. Ave.
14.	Boston	Car	Mass. Ave.

15.	Watertown	Car	Side st. off Harvard Sq.
16.	Somerville	Bicycle	
17.	Brighton	Car	Harvard St.
18.	Swampscott	Car	Mass. Ave.
19.	New York	Car	Crate & Barrel private lot
20.	Rhode Island	Car	Somewhere near Harvard Science Bldgs.

A few patrons were missed because they exited as others were being interviewed.

Workbench

1.	Sherborn	Car	Harvard St.
2.	Cambridge	Walked	
3.	Rhode Island	Car	Workbench lot
4.	Boston	MBTA	
5.	Belmont	MBTA	
6.	Cambridge	Walked	
7.	Brookline	MBTA	
8.	Dover	Car	Mass. Ave.
9.	Boston	MBTA	
10.	Tewksbury	Car	Mass. Ave.

The store has two exits and some patrons were not interviewed.

Summary:

A total of 54 persons or groups of persons were interviewed.

43 came from outside Cambridge
10 came from Cambridge
1 came from ?

31 came by car
12 came on MBTA
10 walked
1 bicycled

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

William Walsh, Chairman
Ordinance Committee
Cambridge City Council
Cambridge City Hall
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Walsh:

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al. The amendments would change the zoning for four defined areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B. In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised and, we believe, will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The proposed change would prohibit a hotel use for this site, reduce the F.A.R. to .75, and reduce maximum heights to 35 feet. The context for the site does not warrant such dramatic decreases in allowed development. This site is a major entry point to Harvard Square, and Harvard is committed to responsible development on the site as required to meet the University's needs, both short and long term.

In 1972, Harvard gave its voluntary commitment to limit its expansion into residential neighborhoods in the City, so it is all the more crucial that sites appropriate for institutional development be free of unreasonable zoning restriction, and instead subject to reasonable zoning provisions and processes.

The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision was the product of the thoughtful efforts of many landowners, planners, merchants, City officials, and institutions, who reached a consensus regarding the control of future development in Harvard Square. The Crystal proposal to delete a significant section from the District, with no rational basis for such a change, should be rejected. This area of Harvard Square benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

In an informal survey of the properties affected by the various provisions of this petition, we found that, if the amendments are adopted, approximately 70% of these properties would be non-conforming, due either to insufficient setbacks, excess floor area ratios, or excess height. We have urged the Planning Board to undertake its own review and report this information to the City Council. A zoning amendment which causes such widespread nonconformity should be rejected.

Sincerely,

Kathy A. Spiegelman

Kathy A. Spiegelman
Director of Planning

KAS:kjq
33:33

cc: Ordinance Committee

ANALYSIS OF ZONING POTENTIALS FOR EAST HARVARD SQUARE AREA

The present zoning in the East Harvard Square area allows for a mix of dense residential, business and retail functions. The proposed zoning would reduce the allowed intensity and also would reduce the amount of activity and traffic generation.

One fairly simple method of assessing the development implications is to compare the as-of-right development potential of existing compared to new zoning. These potentials were calculated on the basis of allowed FAR and land uses, disregarding any limitations of sideyards, non-conforming uses or zoning variances.

The method of calculating the trip generation from the two zoning situations is :

* Identify total square footage of land in each zoning subarea
* Identify allowed FARs and land uses
* Specify the trip generation rate, per 1,000 s.f. of leasible area (based on data from the Trip Generation Handbook of the Institute of Transportation Engineers).
* Estimate the modal split (50% by car, 50% by transit or walk-ins) for the Harvard Square area.
* Calculate the daily vehicle trips by multiplication the above factors.

The result show that present zoning for the area affected by the Crystal petition includes about 470,000 s.f. (not including streets and sidewalks), yielding an as-of-right potential of 14,842 daily vehicles trips. By comparison, the Crystal petition would generate 4,399 vehicle trips, which represents a difference of 10,443 daily vehicle trips. This result is a summary of the maximum traffic generated as limited by zoning regulations of the two zoning alternatives.

Stephen H. Kaiser
Traffic & Transportation Engineer
March 7, 1989

C. C. 106

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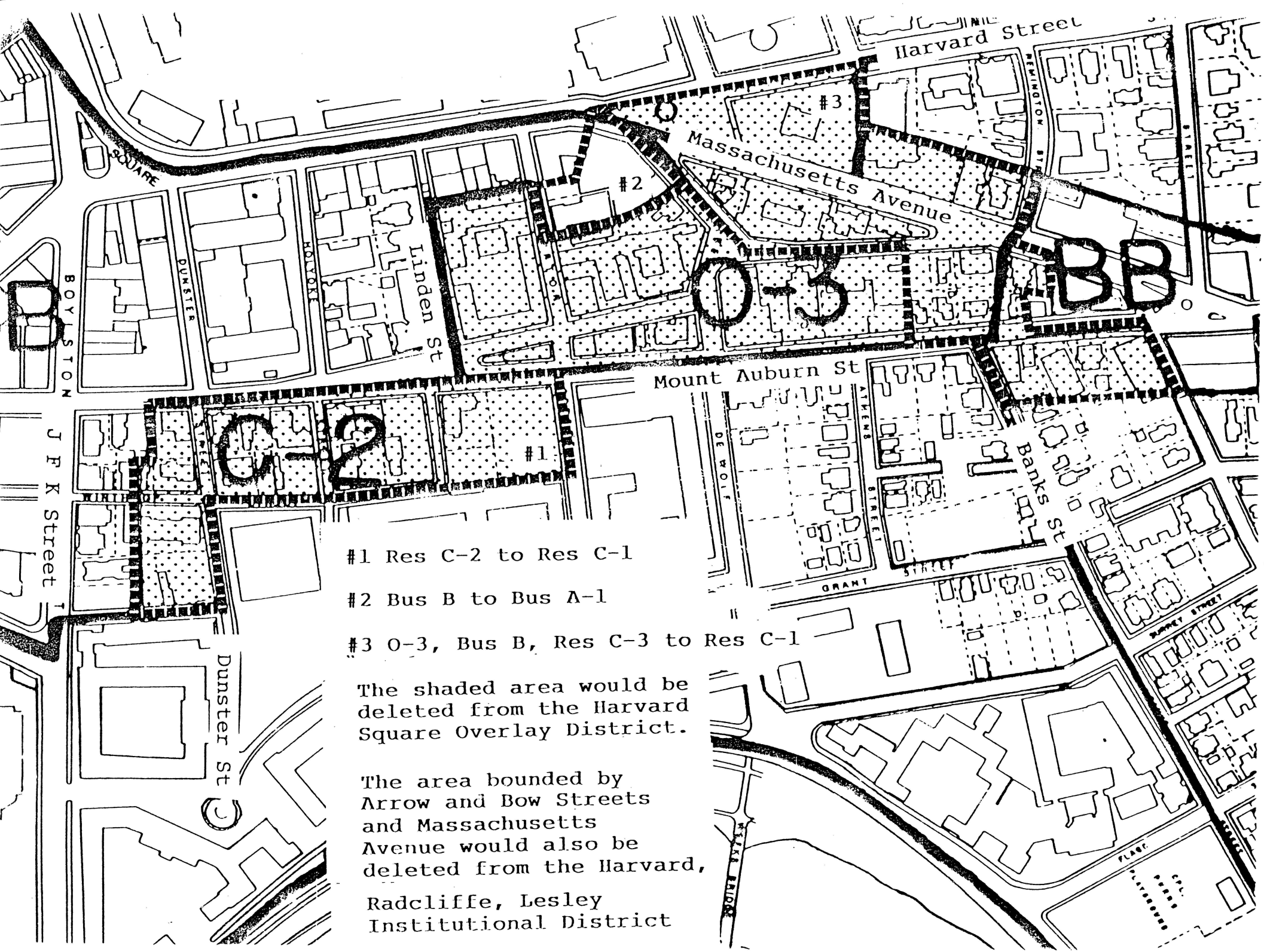

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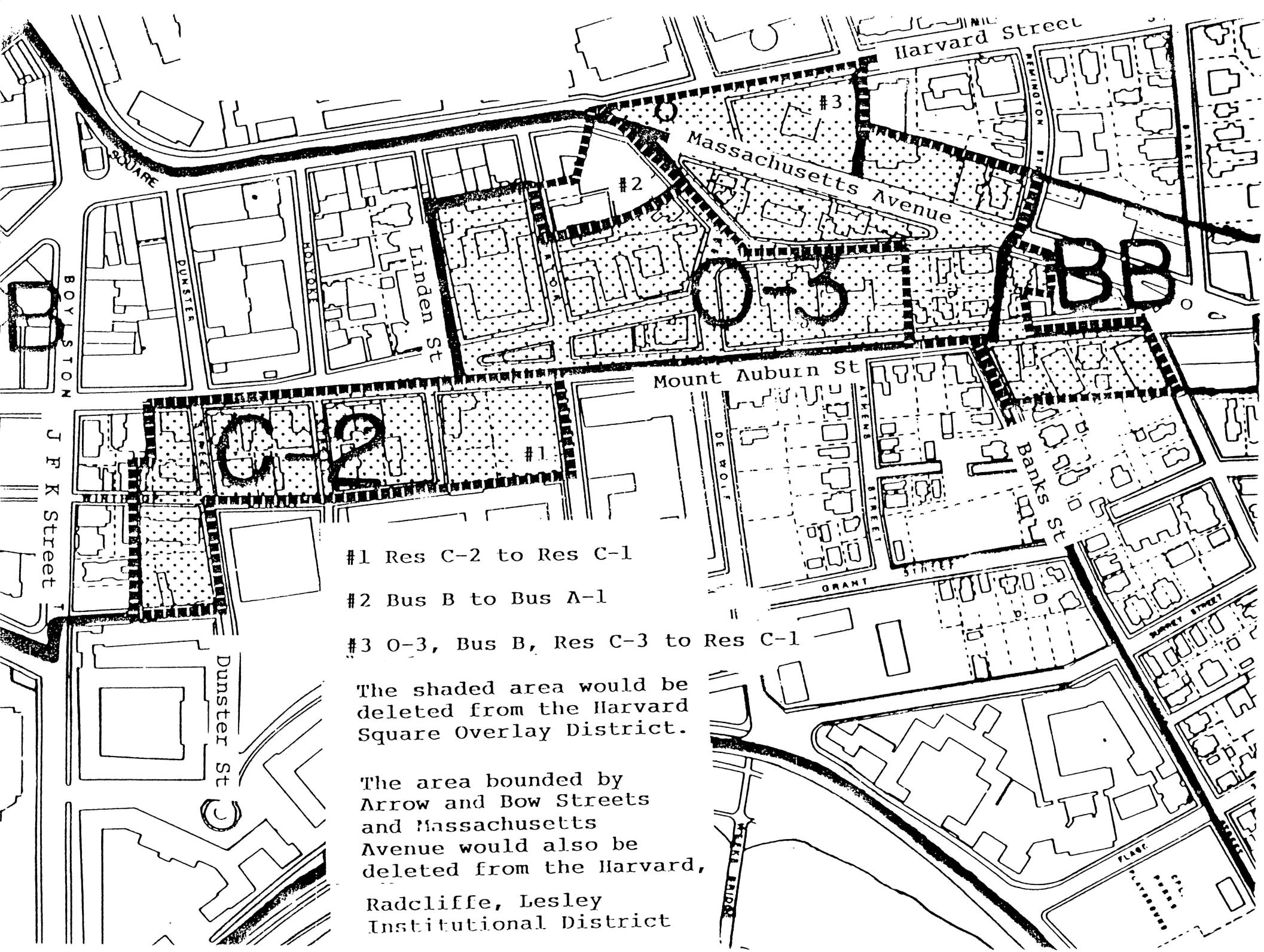

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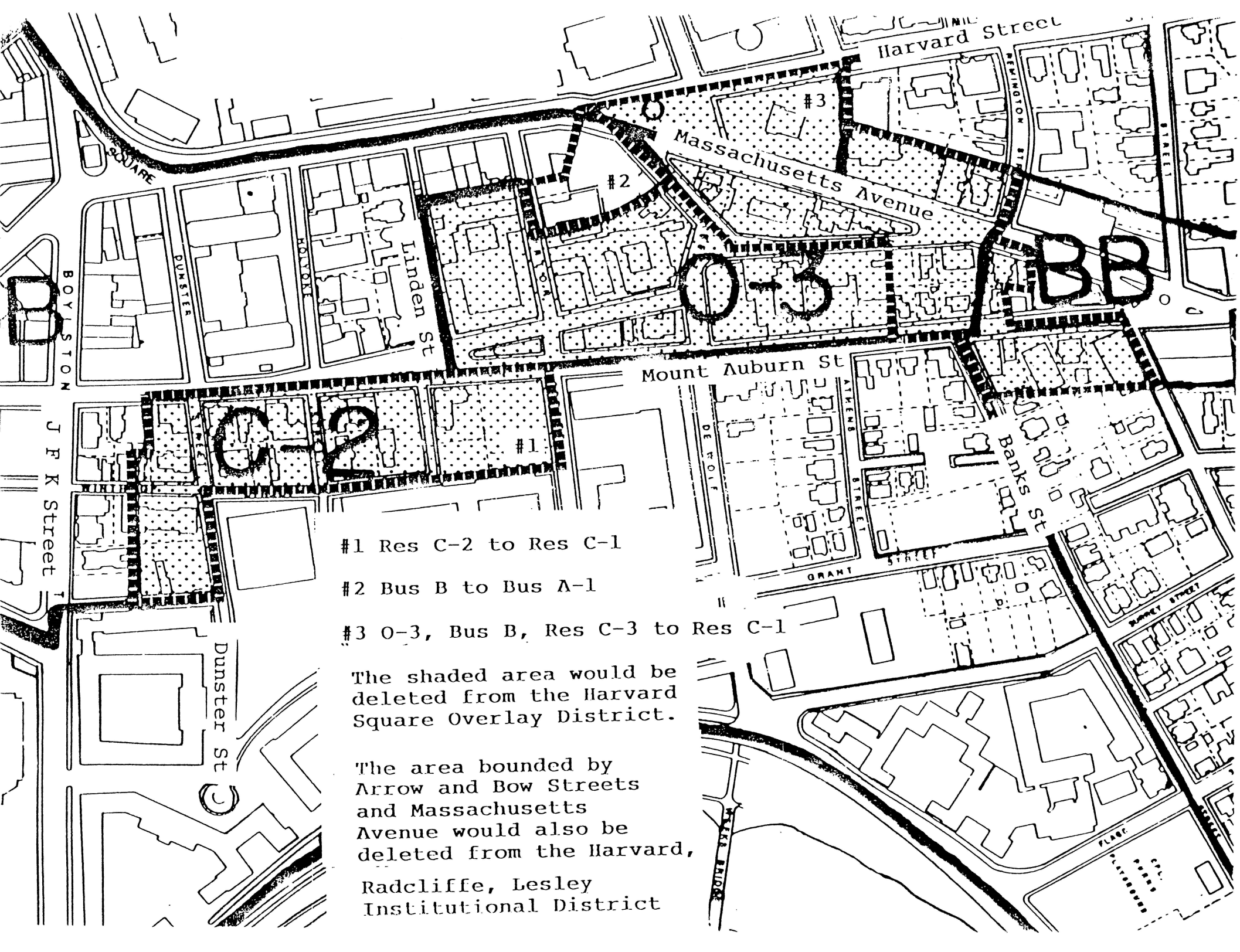

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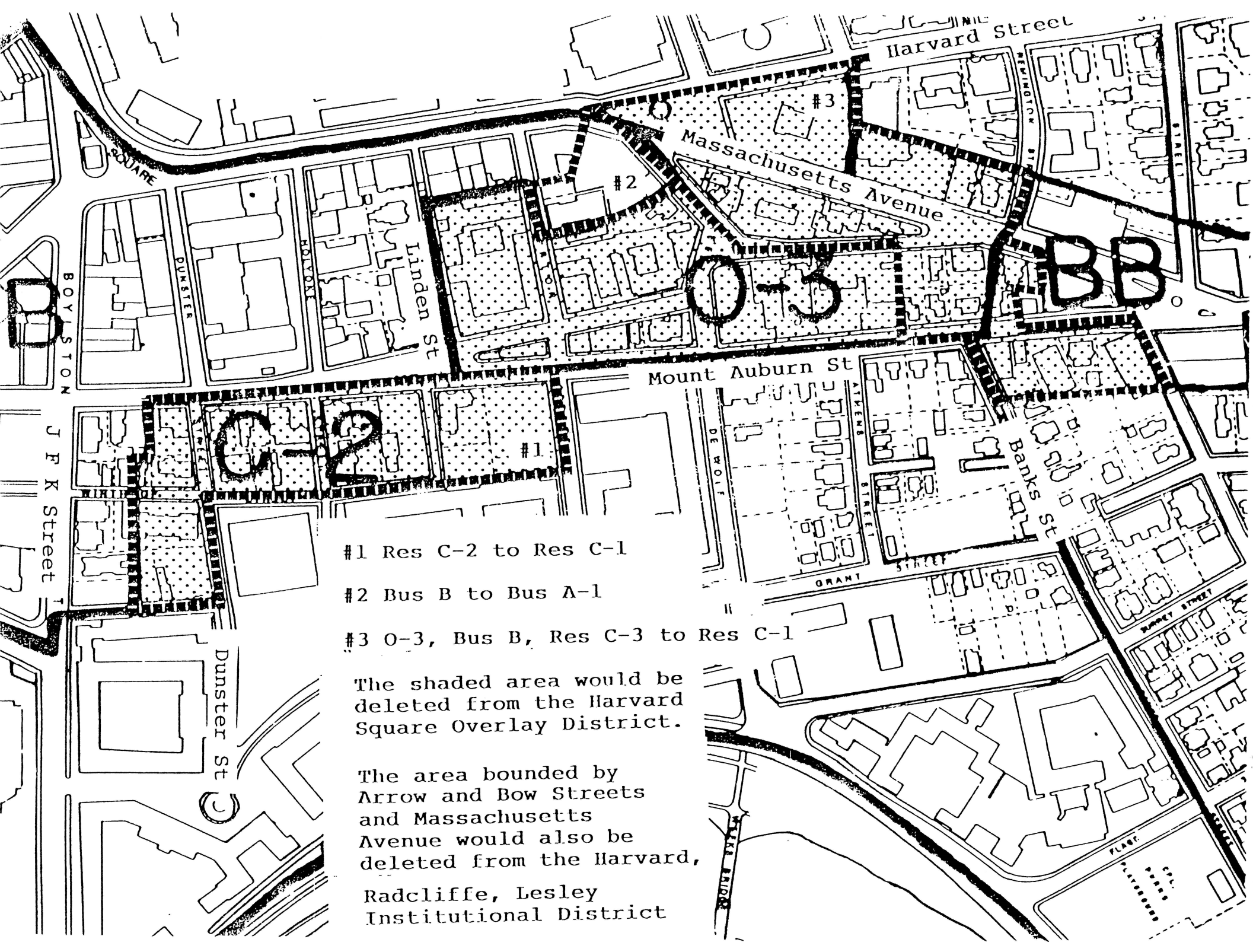

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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

RECEIVED IN
FEB 10 AM 9:18
CAMBRIDGE MA.

NOTICE OF PUBLIC HEARING

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, March 7, 1989 at 7:30 p.m. at the Community Development Conference Room, third floor, City Hall Annex, 57 Inman Street, Cambridge, Massachusetts on a petition of Terry Crystal, et al to amend the Zoning Map in the area of Harvard Square by rezoning from the existing Residence C-2, C-3, Business B and Office 3 to Residence C-1 and Business A-1 as shown on the accompanying map. The petition also proposes to amend an area currently subject to the Harvard Square Overlay District and the Harvard, Radcliffe, and Lesley Institutional District boundaries by deleting some areas currently subject to these Overlay Districts as shown on the accompanying map.

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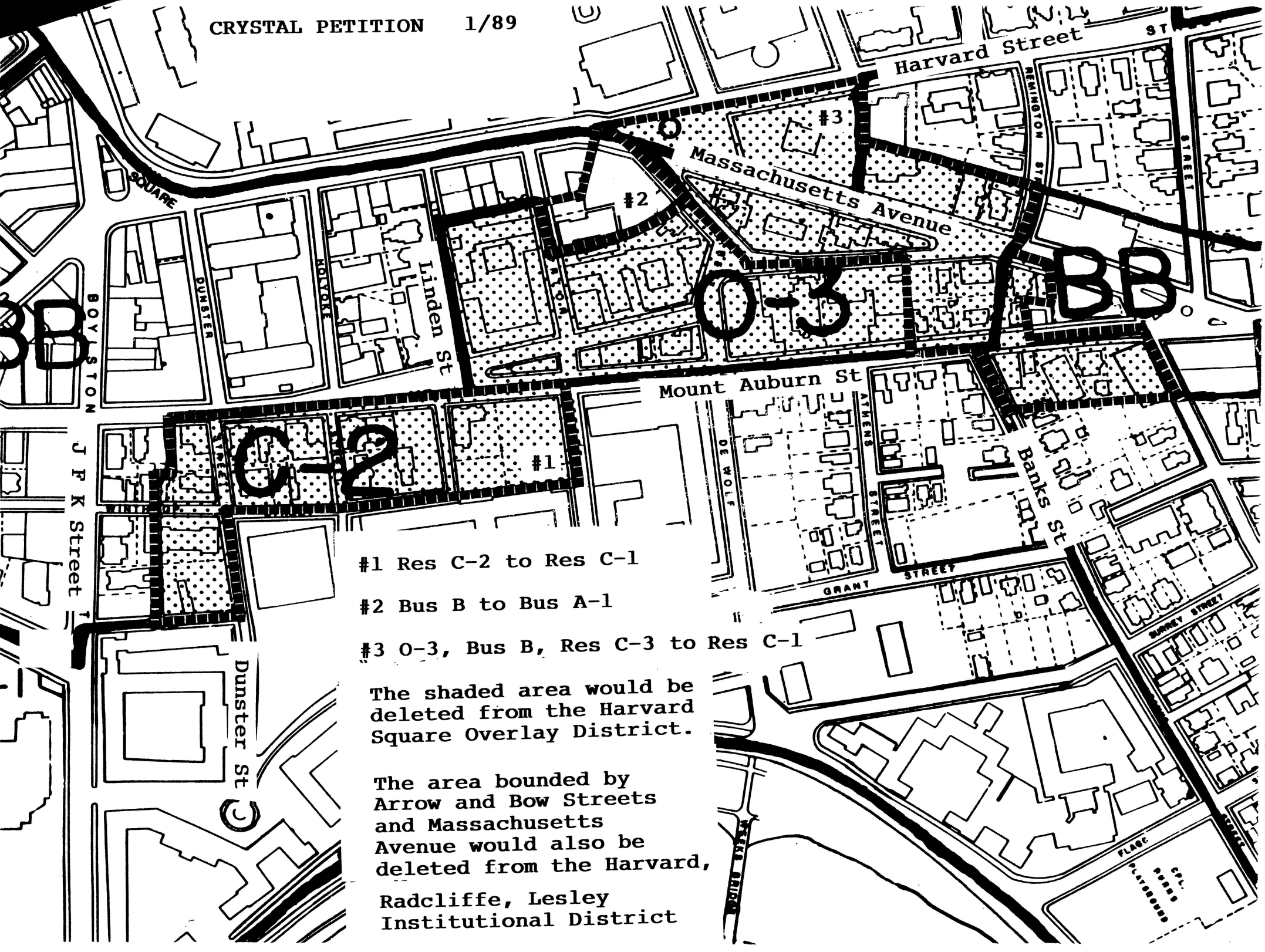
CRYSTAL PETITION 1/89



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RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 24 AM 11:39
CAMBRIDGE MA.

April 24, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

In reply to your memo dated April 21, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Terry Crystal, et al.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

RECEIVED BY
OFFICE OF CITY CLERK
1989 APR 21 P 4:15
CAMBRIDGE MA.

To Joseph E. Connarton
City Clerk

Date April 21, 1989

From William Sommers
Commissioner of Public Works

Reference

Subject Terry Crystal Petition

The figures below indicate that the 20% requirement for registered landowners has been met and exceeded.

	SQUARE FEET	
TOTAL AREA WITHIN BOUNDS OF PETITION	440,382	(100%)
Land within Bounds of Petition Whose Owners have Signed in Protest	376,243	(85.44%)
Partial Listing of Abutting Properties Whose Owners have Signed in Protest	7,371	(1.67%)
Total Qualifying Area Whose Owners have Signed in Protest	383,614	(87.11%)

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

April 5, 1989

To: The Honorable, The City Council

From: The Planning Board

SUBJECT: Crystal, et al Petition to rezone the eastern part of Harvard Square

At the regularly scheduled Planning Board meeting of April 4, 1989 the Planning Board voted to request that the City Council delay any action on the Crystal, et al Petition so that the Board could have more time for consideration of a recommendation. There have been many petitions involving the Harvard Square area. The Board wants to review the Crystal Petition and its implications more thoroughly before making any recommendation to the Council.

A

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

William Walsh, Chairman
Ordinance Committee
Cambridge City Council
Cambridge City Hall
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Walsh:

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al. The amendments would change the zoning for four defined areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B. In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised and, we believe, will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The proposed change would prohibit a hotel use for this site, reduce the F.A.R. to .75, and reduce maximum heights to 35 feet. The context for the site does not warrant such dramatic decreases in allowed development. This site is a major entry point to Harvard Square, and Harvard is committed to responsible development on the site as required to meet the University's needs, both short and long term.

In 1972, Harvard gave its voluntary commitment to limit its expansion into residential neighborhoods in the City, so it is all the more crucial that sites appropriate for institutional development be free of unreasonable zoning restriction, and instead subject to reasonable zoning provisions and processes.

The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision was the product of the thoughtful efforts of many landowners, planners, merchants, City officials, and institutions, who reached a consensus regarding the control of future development in Harvard Square. The Crystal proposal to delete a significant section from the District, with no rational basis for such a change, should be rejected. This area of Harvard Square benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

In an informal survey of the properties affected by the various provisions of this petition, we found that, if the amendments are adopted, approximately 70% of these properties would be non-conforming, due either to insufficient setbacks, excess floor area ratios, or excess height. We have urged the Planning Board to undertake its own review and report this information to the City Council. A zoning amendment which causes such widespread nonconformity should be rejected.

Sincerely,

Kathy A. Spiegelman

Kathy A. Spiegelman
Director of Planning

KAS:kjq
33:33

cc: Ordinance Committee

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138 617 · 495 · 2234

March 9, 1989

Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Ave.
Cambridge, MA 02139

Re: East Harvard Square Neighborhood Association Zoning Petition (1/9/89)

Dear Mr. Connarton:

Massachusetts General Laws Chapter 40A, Section 5, states generally that no zoning ordinance can be adopted except by a two-thirds vote of the City Council. For Cambridge, this would mean six councilors. The statute provides that, prior to final approval of a change to the ordinance, if there is a written protest stating the reasons for the protest, signed by "the owners of twenty percent or more of the area of the land proposed to be included in such change, or of the area of the land immediately adjacent extending three hundred feet therefrom," then a three-fourths vote (7 councilors) would be necessary to enact the proposed change to the ordinance. Harvard owns real estate which will be affected by the proposed changes and now so files such a protest.

Harvard University opposes all of the amendments to the Cambridge Zoning Ordinance proposed by the East Harvard Square Neighborhood Association, Terry Crystal, et. al., which would change the zoning for four areas of the eastern portion of Harvard Square.

First, in Area 1, which includes the "Gulf Station" site, the amendments would rezone the entire area to Residential C-1. We believe this would be illegal "spot zoning." The "Gulf Station" site is currently zoned Residential C-3, while other parts of Area 2 currently are zoned Office 3 and Business B.

In addition, the petition proposes deleting this site and a large area reaching south and west to Winthrop Street and J.F.K. Street from the Harvard Square Overlay District.

These amendments, and the others proposed in the petition are ill-advised, and, we believe will not serve the best interests of the City of Cambridge or, in particular, the area directly affected.

There is no rational basis for the drastic reduction in development potential proposed for the "Gulf Station" site and others. The Harvard Square Overlay District, with its comprehensive design review and planning process, was most recently revised in 1986. This revision, a product of the thoughtful efforts of many landowners, planners, merchants, city officials and institutions, who reached a consensus regarding the control of future development in Harvard Square. This Harvard Square area benefits from the process and guidelines created by the Overlay provisions and can be expected to continue to do so in the future.

PRESIDENT AND FELLOWS OF
HARVARD COLLEGE

By _____
Sally Zeckhauser

By _____
Nancy Kossan

Attachment: Harvard Property List
33:32

Harvard Property in the Proposed East Harvard Sq. Downzoning Area

Address	Area	Assesors Map Number	Lot
11 Bow	6,355	133	3
13 Bow	11,552	133	4
29 Bow	7,967	133	5
31 Bow	11,707	133	6
45 Bow	3,210	133	7
57 Bow	47,036	160	60
52 Dunster	6,075	162	49
55 Dunster	4,138	162	7
69 Dunster	7,165	162	32
1 Holyoke Pl	6,239	161	3
9 Holyoke Pl	7,410	161	4
30 Holyoke Pl	115,932	161	76
28 Holyoke St	3,640	161	1
31 Holyoke St	5,091	162	63
1201 Mass. Ave.	30,902	134	1
2 Mt. Auburn	14,870	132	138
6 Mt. Auburn	4,493	132	122
8 Mt. Auburn	9,947	132	135
10 Mt. Auburn	7,759	132	97
56 Mt. Auburn	13,208	161	81
78 Mt. Auburn	4,000	162	11
10 Plympton	524	133	56
12 Plympton	507	133	54
22 Plympton	4,616	133	8
61 Plympton	2,617	161	83
17 South	4,387	162	53
19 South	1,590	162	51
21 South	2,040	162	52
41 Winthrop	2,270	162	14
45 Winthrop	2,530	162	50
65 Winthrop	2,709	162	48
TOTAL	352,486		

3/1/89

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

RECEIVED BY
OFFICE OF CITY CLERK
'89 MAR -9 AM 11:24
CAMBRIDGE MA.

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

March 8, 1989

Joseph E. Connarton, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Petition of Terry Crystal, et al
To Amend Zoning Map

Dear Mr. Connarton:

Enclosed herewith please find my letter of this date on the above subject to Councillor William H. Walsh, Chariman of the Committee on Ordinances.

Request is made that this letter be read into the record of the proceedings conducted by that Committee at its hearing on the above petition to be conducted commencing at 5:30 P.M. on Thursday, March 9, 1989.

Very truly yours,

Daniel C. Crane, P.C.

DCC/jcp
Enclosure

FINN AND CRANE
A PROFESSIONAL ASSOCIATION
INCLUDING A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ONE ELIOT SQUARE
HARVARD SQUARE
P. O. BOX 1030
CAMBRIDGE, MA 02238

RECEIVED
CITY CLERK'S OFFICE
1989 MAR -9 AM 10:24
CAMBRIDGE MA

DANIEL C. CRANE, P.C.
KEVIN P. CRANE
GERALDINE M. FOLEY

EDWARD A. CRANE
(1938-1982)
HARRY FINN
(RETIRED)

TELEPHONE
876-8500

March 8, 1989

Councillor William H. Walsh, Chairman
Committee on Ordinances
Cambridge City Council
Cambridge City Hall
Cambridge, MA

RE: Petition of Terry Crystal, et al
To Amend Zoning Map

Dear Councillor Walsh:

The undersigned represents the trustees of Harvard Crimson Trust II, the owner of the land with the buildings thereon located at 14 Plympton Street, Cambridge, Massachusetts.

The above identified petition proposes to change the existing zoning of my clients' property from Business B to Business A-1. My clients wish to be recorded in opposition to the proposed change of zoning of their property at the meeting of the Committee on Ordinances to be conducted on Thursday, March 9, 1989.

The reason for my clients' position is that they are in the process of preparing plans to restore and rebuild the building on their property which is and will continue to be occupied by the Harvard Crimson. The zoning proposed for my clients' property by the petition will not permit my clients to execute their current plans for rebuilding on their property.

As my clients' plans for their property to continue to be used by the Harvard Crimson, it should not be included in parcel #2, as described in the petition, because it will not be part of any development involving the remaining property designated as parcel #2 by the petition.

Very truly yours,

Daniel C. Crane, P.C.

DCC/jcp
Enclosure

DELIVERY BY MESSENGER

In City Council March 20, 1989

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Thursday, March 9, 1989 beginning at 5:30 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to review the petition of Terry Crystal, et al, to amend the Zoning Ordinances relative to various districts east of Harvard Square.

At this time Councillor William Walsh, Chairman of the Committee, called the hearing to order and requested the petitioner to come forward.

The Committee first heard from Natalie Ward of 1170 Massachusetts Avenue, who read a prepared statement supporting the petition, due to the fact she and many other residents within the area east of Harvard Square believe this area is sufficiently developed now and given the request of the developer, Graham Gund to further develop this area, they strongly feel such an action would bring increased traffic congestion, as well as unsafe living contitions.

Also speaking in favor of the petition was Wendy Gold of 527 Franklin Street, Cambridge, who provided the Committee with a slide presentation outlining the area in question and providing the Committee with a brief historical background of the neighborhood, along with its current fears of overdevelopment. Furthermore, she stated that far too much open space will be lost if, in fact, Mr. Gund is allowed to construct his development.

Also speaking in support of the petition was Sally Hunt, Esq. of 1137 Massachusetts Avenue, Cambridge, who stated that she and many of her neighbors enjoy the retail shops within walking distance of their apartments and that currently there are no franchised type large retail operations in the area. Furthermore, she stated that any new development there would drastically change the complexion of the neighborhood.

Also speaking in support of the petition was Stephen Kieser of Cambridge, who stated he was concerned with the proposal by Graham Gund from a traffic circulation standpoint. He stated he did not believe Mr. Gund should be allowed to go forward with his proposed development without the Traffic Department conducting a traffic mitigation study and proposal.

At this time, the Committee heard from Terry Crystal of 1200 Massachusetts Avenue, Cambridge, who read a prepared statement on the effects of carbon monoxide on humans. She stated that already there are too many cars in the neighborhood causing air polution. Furthermore, she stated that should the Gund development be built, the density of the buildings would block out the sunlight.

Also speaking in support of the petition was Vincent Dixon, 287 Harvard Street, Cambridge, who stated that although this proposal could technically be called a down-zoning petition, its real purpose is to protect the neighborhood and preserve the quality of life which currently exists.

Speaking in opposition to this petition was Marilyn O'Connell, Esq., representing the Harvard University Planning Group, who stated Harvard University was opposed because they believe this area, the former "Gulf Gas Station" site, in particular, could, in fact, handle responsible development. Furthermore, she stated Harvard University believes the proposed amendments before the Committee are ill-advised and not in the best interests of the City or the area east of Harvard Square. She also submitted a letter from Kathy A. Spiegelman, Director of Planning for Harvard, outlining its specific reasons for objection (Appendix A), as well as a formal letter of protest from Harvard pursuant to C.40 Subsection 5, M.G.L.A., as owners of property in the affected area. (Appendix B).

The Commmittee was also in receipt of a communication from Daniel C. Crane, Esq., opposing the petition on behalf of his client, Harvard Crimson Trust, II. (Appendix C).

At this time Councillor Francis Duehay moved that the petition be referred to the full City Council without recommendation.

The motion - prevailed.

The hearing was adjourned at 7:07 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

21.

Comm. from Joseph E. Connarton, City Clerk, transmitting the report of Councillor William H. Walsh, Chairman, Committee on Ordinances without recommendation Re: petition of Terry Crystal, et al to amend the Zoning Ordinances in various districts east of Harvard Square.

In City Council,

March 20, 1989

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN -9 AM 9:17
CAMBRIDGE MA

1200 Massachusetts Avenue #47W
Cambridge, MA 02139
January 9, 1989

To the Honorable, The Cambridge City Council:

We, the East Harvard Square Neighborhood Association, hereby submit our neighborhood zoning proposal, because of what we feel is a state of emergency.

Our neighborhood has strategic location, on many central arteries: Massachusetts Avenue, Mount Auburn Street, Harvard Street, Putnam Avenue, and Quincy Street/Bow Street/DeWolfe Street. Its overdevelopment and the traffic and congestion which overdevelopment brings, will be harmful to the health, safety and welfare of the residents of the neighborhood and of the City of Cambridge at large.

This area is part of the residential neighborhoods of Riverside and Mid-Cambridge, and should be zoned in a manner compatible with the neighborhoods. The character of this area is unique and, if not adequately protected, could be forever lost.

Enclosed are four maps describing the changes proposed. The first two maps describe the changes proposed for base zoning districts. Of these, the first shows the specific districts being changed, while the second puts the changes in context. The third map shows changes proposed for the Harvard Square Overlay District, and the fourth shows changes proposed for the Harvard, Radcliffe, Lesley Institutional District.

Signers of the petition are but a sampling of the residents of the area and nearby affected areas who feel strongly about the situation.

East Harvard Square Neighborhood
Association

by Terry Crystal

RECEIVED BY
OFFICE OF CITY CLERK

January 1989 1989 JAN -9 AM 9:17

CAMBRIDGE MA.

TO THE HONORABLE, THE CITY COUNCIL OF THE CITY OF CAMBRIDGE:

THE UNDERSIGNED RESPECTFULLY PRAY THAT THE ZONING ORDINANCE OF THE CITY OF CAMBRIDGE BE AMENDED BY AMENDING THE ZONING MAP TO CHANGE DISTRICT DESIGNATIONS, AS STATED, FOR THE FOLLOWING AREAS:

Changes in base zoning districts.

1.0 Rezone to Residence C-1 that area presently zoned Residence C-3, Office 3 and Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midlines of Harvard Street and Massachusetts Avenue;

1.1 Then proceeding 495 feet more or less, in a southeasterly direction along the midline of Harvard Street to the extension of the southeastern lot line of lot number 1 on assessors map 134;

1.2 Then turning and proceeding 108 feet more or less, in a southwesterly direction along the extension of and the southeastern lot line of lot number 1 on assessors map 134 to a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue;

1.3 Then turning and proceeding 385 feet, more or less, in a southeasterly direction, along a line parallel to and 100 feet northeast of the northeast boundary of Massachusetts Avenue to the midline of Remington Street;

1.4 Then turning and proceeding 132 feet, more or less, in a southwesterly direction, along the midline of Remington Street to the midline of Massachusetts Avenue;

1.5 Then turning and proceeding 77 feet, more or less, in a southeasterly direction along the midline of Massachusetts Avenue to the northeasterly extension of the southeastern lot line of lot number 31 on assessors map 133;

1.6 Then turning and proceeding 80 feet, more or less, in a southwestern direction along the extension of and the southeastern lot line of lot number 31 on assessors map 133 to the southwestern lot line of said lot number 31 on assessors map 133;

1.7 Then turning and proceeding 27 feet, more or less, in a northwesterly direction along the southwestern lot line of lot number 31 on assessors map 133 to the southeastern lot line of lot number 45 on assessors map 133;

1.8 Then turning and proceeding 88 feet, more or less, generally in a southwesterly direction, along three connected line segments at right angles to each other, which three connected line segments together constitute the southeastern lot line of lot 45 on assessors map 133, and the extension thereof, proceeding to the midline of Mount Auburn Street;

1.9 Then turning and proceeding 231 feet, more or less, in a southeasterly direction, along the midline of Mount Auburn Street to the midline of Putnam Avenue;

1.10 Then turning and proceeding 135 feet, more or less, in a southerly direction, along the midline of Putnam Avenue to a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street;

1.11 Then turning and proceeding 269 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest side line of Mount Auburn Street, to the midline of Banks Street;

1.12 Then turning and proceeding 125 feet, more or less, in a northeasterly direction, along the midline of Banks Street to the midline of Mount Auburn Street;

1.13 Then turning and proceeding 127 feet, more or less, in a northwesterly direction, along the midline of Mount Auburn Street to the extension of the northwest lotline of lot 38 on assessors map 133

1.14 Then turning and proceeding 188 feet, more or less, in a northeasterly direction, along the extensions of and the northwest lotline of lot 38 on assessors map 133 to the midline of Arrow Street;

1.15 Then turning and proceeding 329 feet, more or less, in a northwesterly direction, along the midline of Arrow Street to the midline of Bow Street;

1.16 Then turning and proceeding 299 feet, more or less, in a northerly direction, along the midline of Bow Street to the midline of Massachusetts Avenue;

1.17 Then turning and proceeding 40 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the midline of Harvard Street, the point of origin.

1.00 Said area includes all or part of the following parcels of land:

1.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138.

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street

1.02 Premises shown on assessors map 133:

Lots numbered 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, and 45.

Being numbers 2, 4 and 6 Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, and odd numbers 9 through 19 Mount Auburn Street.

Petitioners note that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street, and thus are misnumbered on the city records.

1.03 Premises shown on assessors map 134

Lots numbered 1, 2, 6, 7, and 8.

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street

2.0 Rezone to Business A-1 that area presently zoned Business B, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and the extension of the southeastern lotline of lot number 53 on assessors map 133;

2.1 Then proceeding 206 feet, more or less, in a southwesterly and then westerly direction, along a series of connected line segments, together constituting the extensions of and the southeastern lot line of lot numbered 53 on assessors map 133, to the midline of Plympton Street;

2.2 Then turning and proceeding 127 feet, more or less, in a southwesterly direction to the southern extremity of the Business B district on Plympton Street;

2.3 Then turning and proceeding 239 feet, more or less, in a northeasterly direction along the said southern extremity of the Business B district to the midline of Bow Street

2.4 Then turning and proceeding 207 feet, more or less, in a northerly direction, along the midline of Bow Street, to the midline of Massachusetts Avenue;

2.8 Then turning and proceeding 49 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue to the extension of the southeastern lot line of lot number 53 on assessors map 133, the point of origin.

2.00 Said area includes all or part of the following parcels of land:

Premises shown on assessors map 133:

Lots numbered 3, 9, 10, 51, 52, 54, 55, and 56;

Being odd numbers 1 through 9 Bow Street, even numbers 10 through 18 Plympton Street, and even numbers 1230 through 1238 Massachusetts Avenue.

3.0 Rezone to Residence C-1 that area presently zoned Residence C-2, which area is bounded by a line beginning at a point, which point is the intersection of the midline of Plympton Street and the midline of Mount Auburn Street;

3.1 Then proceeding 750 feet, more or less, in a northwesterly direction, along the midline of Mount Auburn Street, to the extension of the northwestern lot line of lot number 67 on assessors map 162;

3.2 Then turning and proceeding 125 feet, more or less, in a southwesterly direction, along the extension of and two connected line segments, which two connected line segments together constitute the northwestern lot line of lot number 67 on assessors map 162, to a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street;

3.3 Then turning and proceeding 29 feet, more or less, in a northwesterly direction, along a line parallel to and 100 feet southwest of the southwest boundary of Mount Auburn Street, to a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street;

3.4 Then turning and proceeding 300 feet, more or less, in a southwesterly direction, along a line parallel to and 100 feet southeast of the southeast boundary of John F. Kennedy Street, to the midline of South Street;

3.5 Then turning and proceeding 180 feet, more or less, in a southeasterly direction, along the midline of South Street, to the midline of Dunster Street;

3.6 Then turning and proceeding 200 feet, more or less, in a northeasterly direction, along the midline of Dunster Street, to the midline of Winthrop Street;

3.7 Then turning and proceeding 690 feet, more or less, in a southeasterly direction, along three connected line segments, which connected line segments are, in order:

(1) the midline of Winthrop Street,

(2) the midline of the northwestern segment of Holyoke Place, and

(3) the southeasterly projection of said midline of the northwestern segment of Holyoke Place, which projection proceeds through Holyoke Place, through lot number 76 on assessors map 161 and through Plympton Street,

proceeding on said connected line segments to the midline of Plympton Street;

3.8 Then turning and proceeding 160 feet, more or less, along the midline of Plympton Street, to the midline of Mount Auburn Street, the point of origin.

3.00 Said area includes all or part of the following parcels of land:

3.01 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 82, 83, and 84;

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

3.02 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street and odd numbers 17 through 21 South Street.

Changes in overlay districts

4.0 Remove the designation of Harvard Square Overlay District from all areas in said Overlay District which satisfy the following:

after the changes described in all the preceding paragraphs are accomplished, they have as a base zone either a residential district or an office district, and

they are located in that portion of said Overlay District, which is generally south of a line, which line divides said Overlay District into two portions, one portion of the district generally north of said line and one portion of the district generally south of said line,

said line dividing the district into two portions is described as follows:

beginning at a point, which point is the intersection of the Cambridge-Boston City Line and the Midline of Anderson Bridge;

4.1 Then proceeding in a northeasterly direction along the midline of the Anderson Bridge and the midline of John F. Kennedy Street to the northeastern extremity of John F. Kennedy Street, its intersection with the midline of Massachusetts Avenue;

4.2 Then proceeding in a southeasterly direction along the midline of Massachusetts Avenue until it reaches the northwestern extremity of the midline of Harvard Street, the intersection of the midline of Massachusetts Avenue and the midline of Harvard Street;

4.3 Then proceeding in a southeasterly direction along the midline of Harvard Street until it reaches its eastern extremity, the midline of Portland Street.

4.00 Said area includes all or part of the following parcels of land:

4.01 Premises shown on assessors map 132:

Lots numbered 97, 98, 122, 131, 135, 138;

Being numbers 3 and 5 Putnam Avenue, even numbers 2 through 10 Mount Auburn Street, and even numbers 2 through 20 Banks Street.

4.02 Premises shown on assessors map 133:

Lots numbered 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37, 38, 39, 40, 41, 42, 43, 45, 47, 48, 49, and 50;

Being all numbers Arrow Street, even numbers 1110 through 1134 Massachusetts Avenue, all numbers Bow Street except odd numbers 1 through 7, even numbers 18 through 44 Plympton Street, all numbers DeWolfe Street between Bow Street and Mount Auburn Street, and odd numbers 9 through 53 Mount Auburn Street;

City Lot 872, located at Massachusetts Avenue and Arrow Street.

It is noted that buildings numbered 1134 and 1132 Massachusetts Avenue, plus a portion of building numbered 1130 Massachusetts Avenue are all actually located on Arrow Street.

4.03 Premises shown on assessors map 134:

Lots numbered 1, 2, 6, 7, and 8;

Being numbers 3 and 9 Remington Street, odd numbers 1131 through 1201 Massachusetts Avenue, an apparently unnumbered portion of the southwesterly extension of Quincy Street, and an apparently unnumbered portion of Harvard Street.

4.04 Premises shown on assessors map 160:

Lots numbered 60 and 61;

Being all even numbers on Linden Street, all numbers 47 through 57 Bow Street, 57 Mount Auburn Street, and odd numbers 17 through 35 Plympton Street.

4.05 Premises shown on assessors map 161:

Lots numbered 1, 2, 3, 4, 5, 76, 81, 82, 83, and 84;

Being even numbers 52 through 72 Mount Auburn Street, numbers 28 and 30 Holyoke Street, odd numbers 21 through 35 Holyoke Place, all numbers 1 through 16 Holyoke Place, and odd numbers 57 through 61 Plympton Street.

4.06 Premises shown on assessors map 162:

Lots numbered 7, 10, 11, 14, 16, 31, 32, 36, 47, 48, 49, 50, 51, 52, 53, 62, 63, 67, and 71;

Being even numbers 74 through 86 Mount Auburn Street, all numbers 43 through 56 Dunster Street, odd numbers 61 through 77 Dunster Street, all numbers 56 through 70 Winthrop Street, odd numbers 39 through 45 Winthrop Street, odd numbers 25 through 33 Holyoke Street, 56 and 58 John F. Kennedy Street, and odd numbers 17 through 21 South Street.

5.0 Remove the designation of Harvard, Radcliffe, Lesley Institutional Overlay District from that area bounded by a line beginning at a point, which point is the intersection of the midline of Massachusetts Avenue and Remington Street;

5.1 Then proceeding 70 feet, more or less, in a northwesterly direction, along the midline of Massachusetts Avenue, to the midline of Arrow Street;

5.2 Then turning and proceeding 505 feet, more or less, in a northwesterly direction, more toward westerly than 6.1, along the midline of Arrow Street, to the midline of Bow Street;

5.3 Then turning and proceeding 361 feet, more or less, along the midline of Bow Street, to the midline of Massachusetts Avenue;

5.4 Then turning and proceeding 809 feet, more or less, in a southeasterly direction, along the midline of Massachusetts Avenue, to the midline of Remington Street, the point of origin.

5.00 Said area includes all or part of the following parcels of land:

Premises shown on assessors map 133:

Lots numbered 14, 15, 20, 21, 41, 42, and 43;

Being even numbers 1134 through 1218 Massachusetts Avenue, all odd numbers Arrow Street, and odd numbers 1 through 25 Bow Street.

City lot numbered 872, located at Massachusetts Avenue and Arrow Street.

Respectfully submitted,

Signature	Printed Name, Address, and Phone Number
Natalie E. Ward	Natalie E. Ward - 1170 Mass. Ave., Cambridge - 491-7019
James E. O'Reilly	JAMES E. O'Reilly 20 Banks ST 491-4740
Thomas C. Marvin	THOMAS C. MARVIN 1105 MASS. AVE. 876-4933
Arthur J. Gallagher	ARTHUR J. GALLAGHER 21 ELLERY ST. 357-5525
Patricia P. Chappell	Patricia P. Chappell 44 Langdon st. 492-8829
Terry Crystal	Terry Crystal 1200 Mass Ave #47W 497-4942
Mildred J. Guffey	Mildred J. Guffey 1124 Mass Ave 547-4736

Continuation of Signatures

Signature	Printed Name, Address, and Phone Number
Joseph W. Guffey	Joseph W. Guffey 1124 Mass Ave, Camb., 547-7736 6/3
William B. Cunningham	WILLIAM B. CUNNINGHAM, 3 PUTNAM GDNS 547-1408
Myra H. McCoy	MYRA H McCOY 1124 MASS AVE CAMB. 6/3
Fred M. Stone	Fred M. STone 9 Remington ST, 02138 012384/1
Lucia Antonioli Stone	LUCIA ANTONIOLI STONE 9 Remington St. Cambridge, Ma 02138 4/1
Charles A. Reynolds	CHARLES A. REYNOLDS 277 HARVARD ST CAM. 02139
Kristine Konrad	KRISTINE KONRAD 14 Remington St. Camb. 02138 864-8997 4/1
Lisa J. Betteridge	LISA J. Betteridge 357 Harvard St 02138
Robert Owen Edbrooke, Jr.	Robert Owen Edbrooke, Jr. 20 Prescott St. #5 Cambridge 02138
Genevieve McMillan	Genevieve McMillan, 40 Bow St, Cambridge 02138
Meredith Miller	MEREDITH B. MILLER 23 ATHENS ST #2 CAMBRIDGE MA
Sheridan L. Haines	SHERIDAN L. HAINES SAME 02138 23 Athens St, Camb.
William Alfred	William Alfred 31 Athens St., Cambridge MA 02138 6/2
Linda Levine	Linda Levine 26 Mt Auburn St. Cambridge 02138

V = registered voters

Continuation of Signatures

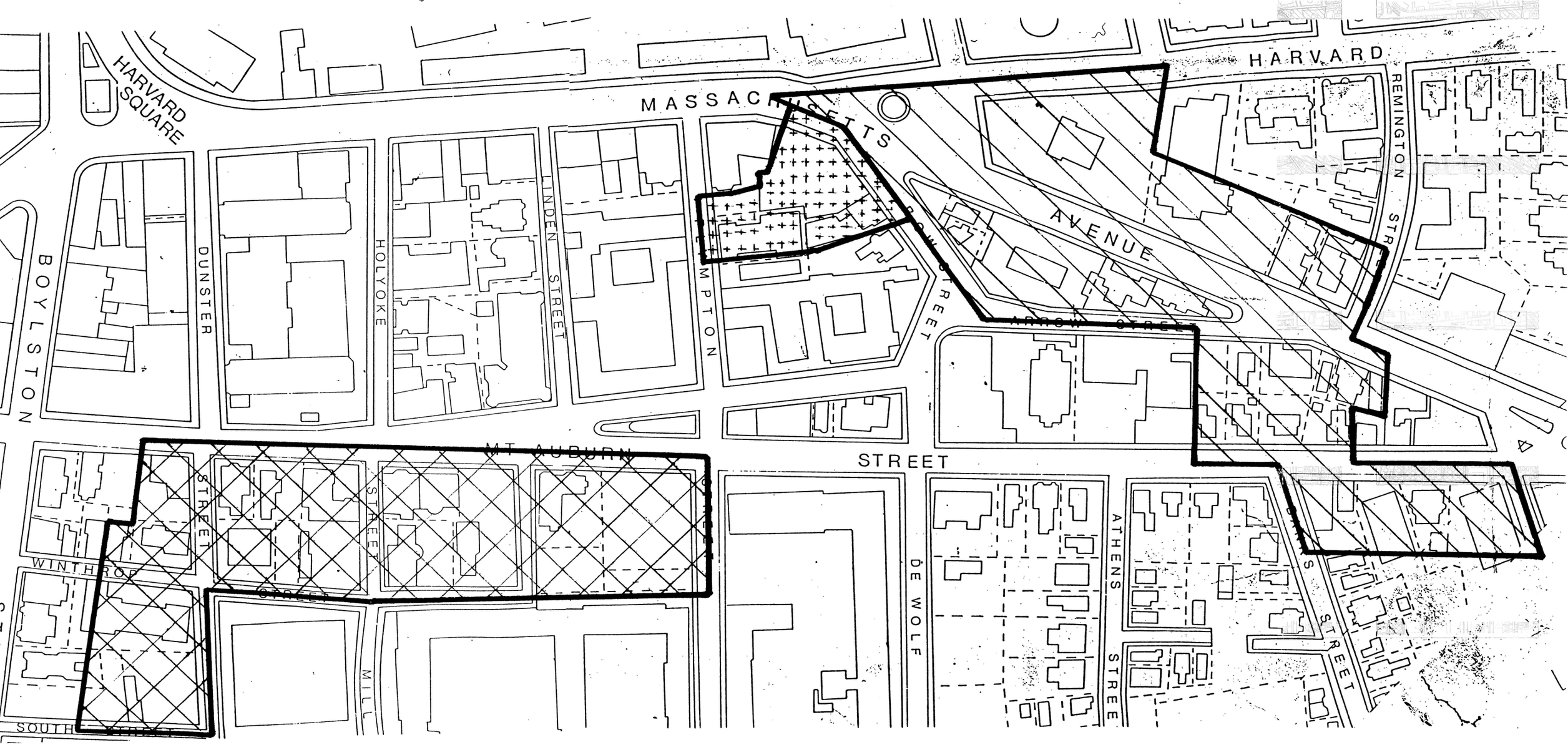
Signature	Printed Name, Address, and Phone Number
Marilyn Zoeller Wellons	Marilyn Zoeller Wellons 354-3858 ✓ 651 Green St. Cam. 02139
Ellin Sarot	Ellin Sarot 654 Green St. 868-7726 ✓ Cambridge Mass. 02139
Philip A. Wellons	PHILIP A. WELLONS 354-3858 ✓ 651 GREEN ST CAMBRIDGE, MA 02139
Dena Feldstein	DENA FELDSTEIN 497-6858 ✓ 661 GREEN ST. CAMBRIDGE, MA 02139
Robt E. Lohnes	Robert E Lohnes 491-4121 ✓ 658 Green ST Cambridge MA 02139
Patrick Curry	Wielson / Curry ✓ 50 Trowbridge #14 Camb. Ma. 02138
DAVID MUCCI David Mucci	DAVID MUCCI 658 GREEN ST #2 4191-2179 ✓ CAMBRIDGE, MA 02139
Barbara A. Richard Francis L. Richard	BRANCIS / BARBARA RICHARD ✓ 652 GREEN ST. CAMBRIDGE, MA 02139
Robert J. Latremouille	ROBERT J. LATREMOUILLE 491-7181 348 Franklin St Cambridge, MA 02139-3771 ✓

Continuation of Signatures

Signature	Printed Name, Address, and Phone Number	
	Maura Ann Kilcommons 26 MT Auburn ST Cambridge MA 497-0090	✓
	CHARLES WELSH 616 GREEN ST 661-2610	✓
	ERIC S. ORNER 23 BAY ST APT. #1 CAMBRIDGE MA. 02139 547-8371	✓
	Ardys Kozbial 23 Bay St. #3 Cambridge 02139 868-4655	✓
	Anne Loop 694 Green St. Cambridge, Mass, 02139	✓
	Frances Barna 29 Athens St Cambridge, MA 02138	✓

Continuation of Signatures

Signature	Printed Name, Address, and Phone Number
Wendy Baring-Gould	Wendy Baring-Gould 527 Franklin Street Cambridge, Mass. 02139
Jay H. Gammell	Jay H. Gammell 525 Franklin St Camb MA 02139

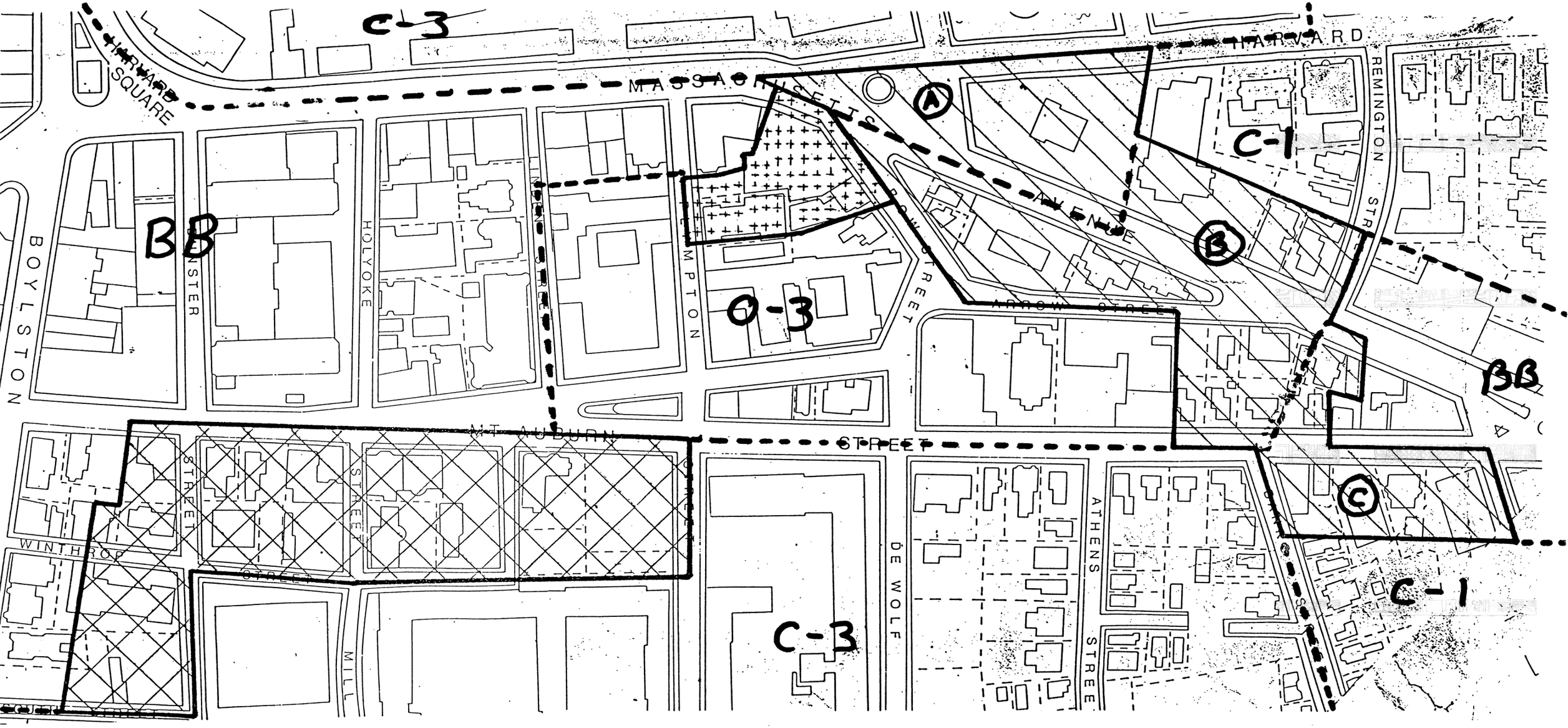


Area 1, proposed Residence C-1

Area 2, proposed Business A-1

Area 3, Proposed Residence C-1

Map 1



IMPACT ON BASE ZONING DISTRICTS

Area 1, proposed Residence C-1

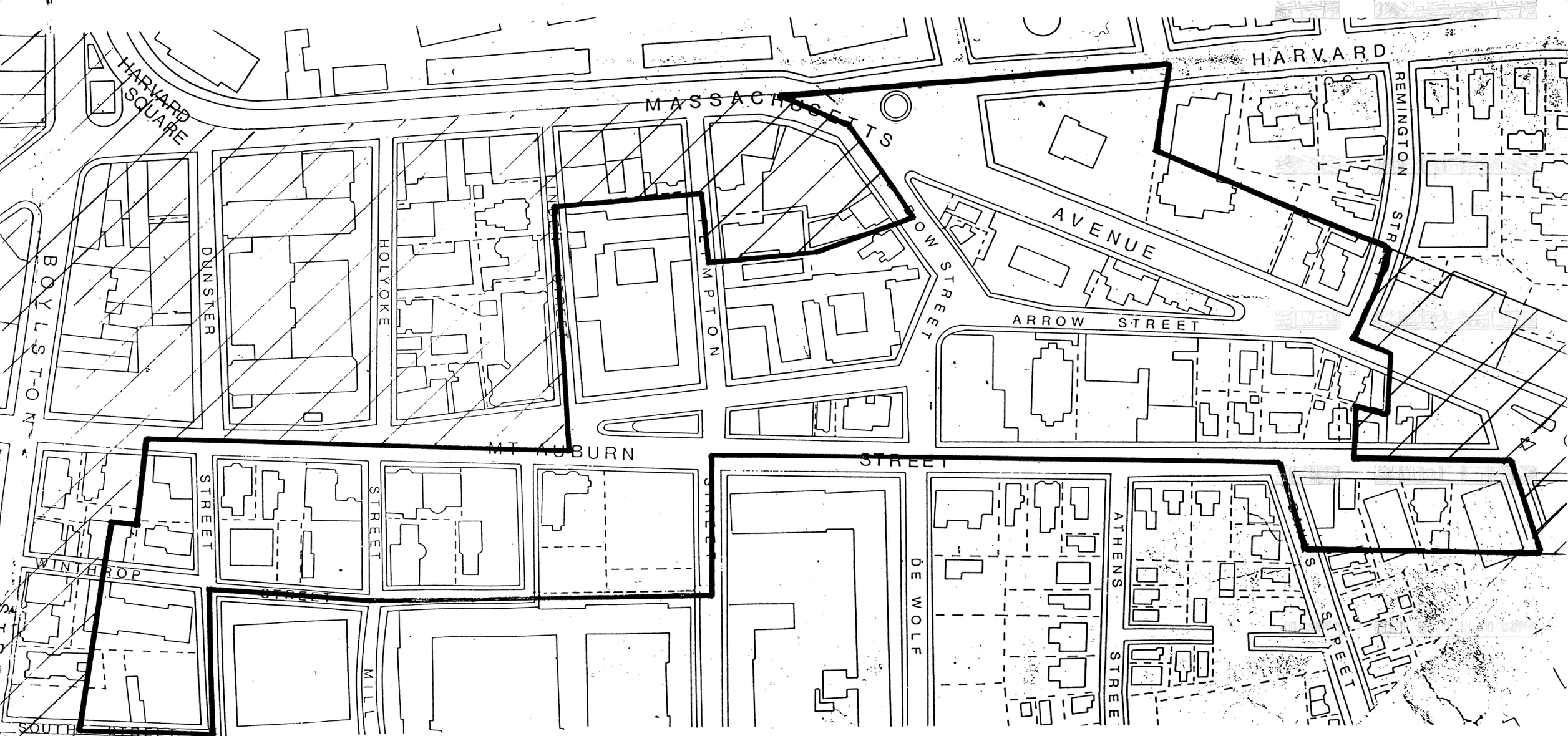
A: Present Residence C-3
B: Present Office 3
C: Present Business B

Area 2, proposed Business A-1

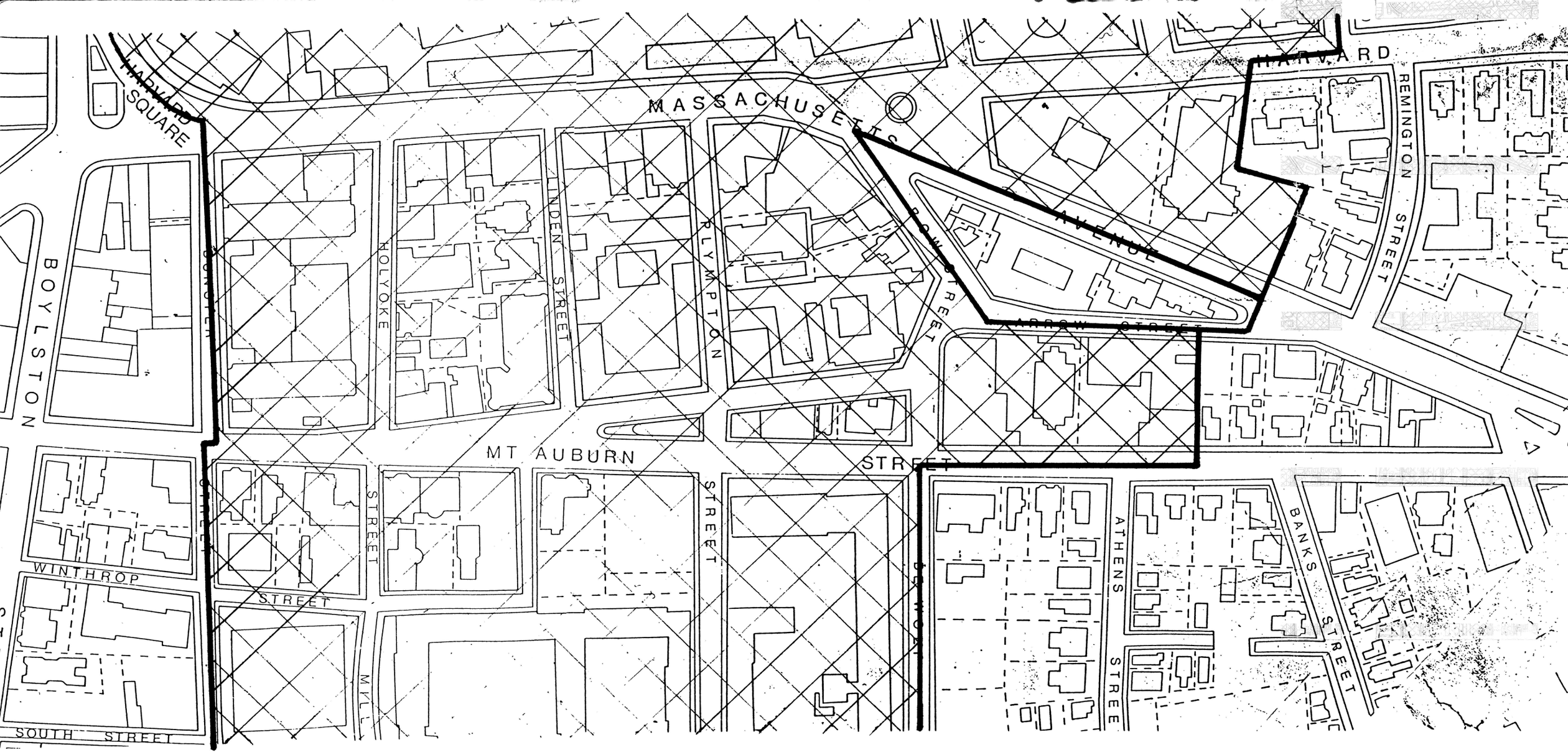
Present Business B

Area 3, Proposed Residence C-1

Present Residence C-2



Harvard Square Overlay District after Center Area Deleted



Harvard, Radcliffe, Lesley Institutional District after area deleted.

Area to be deleted

11. O-62

Petition of Terry Crystal, East Harvard Sq. Neighborhood Assoc., et al, to amend the Zoning Map by rezoning from Residence C-3, Office 3 & Business B to Residence C-1 in the Harvard St., Mass. Ave., Remington St., Mt. Auburn St., Putnam Ave., Banks St., Arrow St., Bow St., Quincy St., Plympton St., JFK St., Winthrop St., Holyoke Pl., Holyoke St., South St. & Portland St. area.

6/5/89 Passed to be ordained as amended 7-0-1-0

6/8/89 - Published - Chronicle

In City Council,

January 9, 1989

Copy sent to Lee Barber, Planning Board, 1/11/89. Copy to Councillor Walsh, Ord Comm. Chair 1/20/89