



THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF THE ATTORNEY GENERAL

JOHN W. Mc CORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE, BOSTON 02108

FRANCIS X. BELLOTTI
ATTORNEY GENERAL

11354
March 18, 1986

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

Christopher P. Davis, Esq.
Goodwin, Procter and Hoar
Exchange Place
Boston, MA 02109

Re: Growers' Market Corp.
Vs: Metropolitan District Commission
C.A. No: 85-3874

Dear Russell and Chris:

Since the season of "Riverbend Park" is again approaching (April 27) and nothing has been done that I'm aware of in connection with Growers' Market's proposed plans, I thought a reevaluation at this time may be appropriate.

Since our last appearance before Judge Ryan in May, 1985, the M.D.C. has obtained legislative approval for the park. Enclosed is a copy of St. 1985, c. 457, which sets forth the authorization.

As a practical matter, this legislation should put an end to this matter.

May I have your thoughts on what course should be taken?

Very truly yours,

Christopher R. Sullivan
Assistant Attorney General
727-7932

CRS/dg

Enclosure

CAMBRIDGE, CITY OF—MEMORIAL DRIVE—CLOSING
CHAPTER 457

AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CLOSE A PORTION
OF MEMORIAL DRIVE IN THE CITY OF CAMBRIDGE ON CERTAIN SUNDAYS.

*Be it enacted by the Senate and House of Representatives in General Court
assembled, and by the authority of the same, as follows:*

SECTION 1. The metropolitan district commission is hereby authorized and directed to prohibit the use of motor vehicles on Memorial Drive between Hingham street and Eliot Circle in the city of Cambridge from the hours of eleven o'clock ante meridiem to seven o'clock post meridiem on Sundays from the last Sunday in April through the second Sunday in November.

SECTION 2. The metropolitan district commission is hereby authorized and directed to prohibit or otherwise regulate the use of motor vehicles on Memorial Drive between Western avenue and Hingham street in the city of Cambridge on Sundays from the hours of eleven o'clock ante meridiem to seven o'clock post meridiem from the last Sunday in April through the second Sunday in November.

SECTION 3. The metropolitan district commission is hereby authorized, upon receipt of a request to that effect from the city council of the city of Cambridge, to suspend on any given Sunday the prohibitions as set forth in sections one and two of the use of motor vehicles on Memorial Drive in the city of Cambridge.

SECTION 4. Notwithstanding any of the foregoing provisions of this act, the metropolitan district commission may at its discretion suspend any authorized closings, if in the judgement of said commission such authorized closing poses a threat to public safety and should any emergency arise in which said commission in its judgement deems it necessary to alter the authorized closure.

Approved October 31, 1985.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
DEPUTY CITY MANAGER

March 24, 1986

To the Honorable, the City Council:

I transmit herewith for your information a communication received by Russell B. Higley, City Solicitor, from the Attorney General, relative to "Riverbend Park".

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over the typed name.

Robert W. Healy
City Manager

RWH/b

Agenda Item No. 45 760

Re: enclosed letter from the Attorney General
on "Riverbend Park".

In City Council,

March 24, 1986

Placed in File

CW
MS
RF