



City of Cambridge

Calendar Item No. 22

~~(Calendar Item No. 28.)~~

~~-6-~~

IN CITY COUNCIL

~~December 19, 1988~~

~~January 9, 1989~~

January 30, 1989

COUNCILLOR WALTER SULLIVAN

ORDERED: That all items excluding ordinance amendments subject to a statutory time frame, not acted upon at this meeting be placed without prejudice, in the files of the City Clerk, subject to recall by any member of this City Council.

In City Council January 30, 1989.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.



City of Cambridge

Calendar Item No. 22

~~-(Calendar Item No. 28.)~~

~~-6-~~

IN CITY COUNCIL

~~December 19, 1988~~

~~January 9, 1989~~

January 30, 1989

COUNCILLOR WALTER SULLIVAN

ORDERED: That all items excluding ordinance amendments subject to a statutory time frame, not acted upon at this meeting be placed without prejudice, in the files of the City Clerk, subject to recall by any member of this City Council.

In City Council January 30, 1989.
Adopted by the affirmative vote of 9 members.
Attest:- Joseph E. Connarton, City Clerk.

A true copy; -

ATTEST:-

Joseph E. Connarton, City Clerk.

City of Cambridge

In City Council November 14, 1988

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, November 2, 1988 beginning at 7:01 p.m. in the Ackermann Room, City Hall. The purpose of the hearing was to receive testimony on the petition of Webb Nichols to amend the Zoning Ordinances relative to adding a new Section entitled "Required Documentation For Project Threshold Criteria".

At this time, Mr. Webb Nichols appeared before the Committee and stated his strong belief that the City of Cambridge should require comprehensive documentation for all phases of new construction which requires a special permit or variance for a project involving three or more dwelling units or which proposes to add more than 5,000 new square feet of gross floor area or for a project which proposes to be in excess of 35 feet in height. He stated the purpose of the petition was to establish a fair way to approach such development projects in the City. Cambridge residents, he said, have not been given serious consideration before the City Council on their objections to developer-oriented projects. He further stated that when a developer is seeking a special permit due to hardship for either financial or economic reasons, the citizens have a right to know what the hardship is.

Councillor Duehay questioned whether or not the petition requires any environmental review.

Mr. Nichols responded by stating there is a requirement for traffic analysis only. Mr. Nichols further stated that his proposal addresses the need for accurate documentation being provided to the City, particularly in view of the linkage ordinance.

Councillor Walsh questioned exactly how this proposal would effect linkage.

Mr. Nichols responded that although he believes that such a proposal effects other communities, he is unsure whether it would effect Cambridge.

Speaking in favor of the petition was Robert Edbrooke, 20 Prescott St., Philip Dowds, 48 Banks St., and Betty Davis, 13 Ware St.; all of whom agreed that not enough documentation by developers is submitted to the City at the time requests are made for variances and/or special permits.

Speaking in opposition was Robert Heroux, 901 Mass. Avenue, of the Cambridge Chamber of Commerce, Jeffrey Hermatson, Esq., representing Carpenter & Co., Eric Wadlinger, Esq., 10 Craigie St., and Alex Steinbergh, 3 Clinton St.; all of whom strongly opposed the proposal before the Committee and indicating that the proposal is far beyond the scope of Chapter 40, M.G.L.A.

Attorney Wadlinger stated that under Chapter 40A, there is no reference to hardship when seeking variances or special permits.

At this time, Councillor Russell moved to refer the petition without recommendation to the City Council.

The hearing was adjourned at 7:29 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

11.0

Calendar #14

Comm. from Joseph E. Connarton, City Clerk, transmitting the report of Councillor William H. Walsh, Chairman, Committee on Ordinances, without recommendation on the petition of Webb Nichols to amend the Zoning Ordinances in Article 10.000: Appeals, Variances, and Special Permits by adding a new Section 11.50 entitled "Required Project Documentation".

11/14/88 - Tabled on motion of
Councillor Duchamp.

1/30/89 - Communication placed on file,
pursuant to Calendar Item
#22 of this date.

1/31/89 - Petition placed on file due to
expiration of time limit

In City Council,

November 14, 1988

Wehb
Nichols

PETITION OF

re: Required Project Documentation
Petition filed with the City Clerk Sept. 23, 1988

(all hearings to be completed 65 days from In City Council date)

4 days Sept.

31 days Oct.

30 days Nov.

65 days = November 30, 1988 = all hearings

In City Council Sept. 26, 1988

Referred to the Planning Board for report Sept. 26, 1988

Planning Board Hearing _____

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be January 31, 1989.)

28 days November

31 days December

31 days January

90 days = January 31, 1989

City Council hearing published Chronicle on Oct. 13, 1988

and Oct. 20, 1988

Hearing before the Ordinance Committee November 2, 1988 at 7:00 P.M.

Reported to the City Council - _____

Passed to a second reading on _____

published in _____ on _____

Planning Board report received on January 23, 1989

Ready for ordination on _____

Passed to be ordained on _____

published in _____ on _____

COMPLETION DATE January 31, 1989

1/31/89 - Placed on file due to expiration of time limit

City-wide

RECEIVED BY
OFFICE OF CITY CLERK

1989 FEB -1 AM 10:46

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 31 PM 4: 17

CAMBRIDGE MA.

PETITION

November 29, 1988

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

Dear Mr. Connarton:

The undersigned Cambridge landowners oppose in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 could 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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 31 PM 4: 17

CAMBRIDGE MA.

Joseph E. Connarton
November 29, 1988
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 31 PM 4: 17

CAMBRIDGE MA.

HOMEOWNERS, LANDOWNERS, BUSINESS OWNERS

DO YOU KNOW ?

The "NICHOLS" petition currently before the Cambridge City Council will affect all developments in Cambridge of more than 3 dwelling units, more than 5,000 square feet, or taller than 35 feet which require any kind of special permit or zoning relief.

The petition will require applicants for special permits or variances to file a PROJECT DOCUMENTATION REPORT. In addition to documentation regarding conditions and the proposed project, the report must include shadow and traffic impact studies and detailed legal and financial information which normally would remain confidential.

WHY OPPOSE ?

This petition will require all applicants for special permits or zoning relief to file costly and irrelevant information, serving no public need. Existing documentation requirements are adequate, and established procedures allow for the Board of Zoning Appeal or Planning Board to obtain additional information as needed on a case-by-case basis without unnecessarily overburdening all applicants to commission elaborate consultant studies and provide full disclosure of business terms related to the project.



**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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **Webb Nichols**, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

A. Renumber Section 10.50: Repetitive Petitions to 10.60.

B. Delete Subsections 10.471 and 10.472, and renumber subsequent subsections accordingly.

C. Insert following the existing Section 11.40 a new Section 11.50: Required Documentation, reading as follows:

"10.50 Required Project Documentation

Threshold Criteria. Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 Procedures

(a) Timing: Submit required documentation with the application for special permit or variance.

(b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce over-size drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.

(c) Number of Copies: Provide nine (9) copies of the Project Documentation Report—2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.

(d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 Documentation Required

(a) Existing conditions documents:

(1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.

(2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in = 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc.).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

(d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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

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

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

(C)Oct.13,20



**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 reconvened public hearing on Wednesday, November 2, 1988 at 5:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Howard Medwed**, et al to amend the text of the Zoning Ordinance as follows:

1. adding a new definition to Article 2.00 entitled "**Addition**. New construction which is connected to an existing structure above grade at any point by construction which contributes to gross floor area."

2. adding to the definition of **Lot** the following: "For the purposes of determining whether a parcel of land is in identical ownership throughout, only those persons who, alone or jointly or severally with others, have legal title to such parcel shall be considered to have an ownership interest. The interests of lessees and others who have care, charge or control of such parcel, but who do not have legal title shall be disregarded.", and

3. adding to the Ordinance the following Section 5.272 new sections 5.28 entitled "Exclusion of way from Lot Area for purposes of determining Floor Area Ratio; 5.29 entitled "Computation of lot area for purposes of determining FAR on Multiple Structure lots and Section 5.30 entitled "Computation of lot area for purposes of determining FAR".

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

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

For the Committee
Councillor William H. Walsh
Chairman.

(C)Oct.13,20

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 30 AM 10:24

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 30 AM 10:24
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 30 AM 10: 24

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 FEB -1 AM 10: 57

CAMBRIDGE MA.

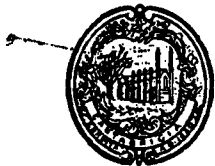
February 1, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

Handwritten initials, likely 'SP', in dark ink, positioned to the right of the 'FROM:' line.

In reply to your memo dated January 27, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 27, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject

Written protest - petition of Webb Nichols

Enclosed you will find two copies of the written protest to the petition of Webb Nichols, 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 previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

Spaulding & Slye

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 26 AM 9:39

CAMBRIDGE MA.

PETITION

January 24, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case-by-case basis as needed to rule on an application.

Spaulding & Slye

Mr. Joseph E. Connarton
January 24, 1989
Page 2

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes. . . ." This burden is unreasonable.

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans, "without explaining what full-size means.

Spaulding & Slye

Mr. Joseph E. Connarton
January 24, 1989
Page 3

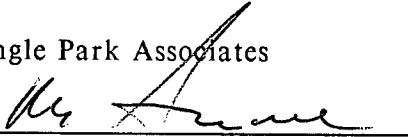
Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

Triangle Park Associates

98 CambridgePark Drive
192 CambridgePark Drive



for self and Co-Trustees of Triangle
Park Associates Nominee Trust, and not
individually

CambridgePark One Limited Partnership,
a Massachusetts Limited Partnership

115 CambridgePark Drive

By: Triangle Park Associates, a joint
venture, its sole General Partner

By: Triangle Park Company, a
Massachusetts Limited Partnership,
a General Partner by


its General Partner

Spaulding & Slye

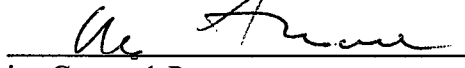
Mr. Joseph E. Connarton
January 24, 1989
Page 4

CambridgePark Two Limited Partnership,
a Massachusetts Limited Partnership

120 CambridgePark Drive

By: Triangle Park Associates, a joint
venture, its sole General Partner

By: Triangle Park Company, a
Massachusetts Limited Partnership,
a General Partner by


its General Partner

1000 Massachusetts Avenue Phase I Associates
a Massachusetts Limited Partnership

1000 Massachusetts Avenue

By: 
its General Partner

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 27 AM 9:33
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 FEB -1 AM 10: 57

CAMBRIDGE MA.

February 1, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 25, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 25, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject
Written protest - petition of Webb Nichols.

Enclosed you will find two copies of the written protest to the petition of Webb Nichols, 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 previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 25 AM 11: 31

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 FEB -1 AM 10: 57

CAMBRIDGE MA.

February 1, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 24, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 24, 1989

From Joseph E. Connarton JEC
City Clerk

Reference

Subject Written protest - petition of Webb Nichols.

Enclosed you will find two copies of the written protest to the petition of Webb Nichols, 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 previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 24 AM 10:02
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 24 AM 10:02
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 24 AM 10:02
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 FEB -1 AM 10: 57

CAMBRIDGE MA.

February 1, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 23, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 23, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject Written protest - petition of Webb Nichols

Enclosed you will find two copies of the written protest to the petition of Webb Nichols, 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 previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 23 AM 10:14
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

BayBank Harvard Trust Company .
Post Office Box 300
Cambridge, MA 02139
(617) 661-3300

BayBank

PETITION

January 19, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowner owns real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 23 AM 10:20
CAMBRIDGE MA.

Mr. Joseph E. Connarton
January 19, 1989
Page 2

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeal (or Planning Board) for "any changes" This burden is unreasonable.

In Section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed projects; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

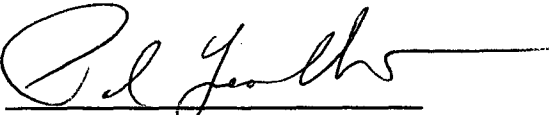
Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief

Mr. Joseph E. Connarton
January 19, 1989
Page 3

to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purposes being served.

Respectfully submitted,

BAYBANK HARVARD TRUST COMPANY

By 
Paul Yeomelakis
Vice President

NAME OF PROPERTY OWNER

BayBank Harvard Trust Company

ADDRESS OF PROPERTY OWNED

1408-1414 Massachusetts Avenue

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 31 AM 10:41

CAMBRIDGE MA.

January 30, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 20, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 20, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject
Written protest - petition of Webb Nichols

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

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

Please refer to the memo I previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 20 AM 10: 29

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 20 AM 10:25
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

COMMANDER REALTY ASSOCIATES

E. Huleman Trustee

Walter C. Huleman Trustee

ADAMS REALTY ASSOCIATES

E. Huleman Trustee

Walter C. Huleman Trustee

SHERATON COMMANDER HOTEL

12-14-16 GARDEN ST

22 - GARDEN ST

24 GARDEN ST

26 GARDEN ST

28 GARDEN ST

10 CONCORD AVE

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 20 AM 10:24

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

Ogden Realty Limited Partnership

25 East St Cambridge MA
(TAX Acct 546250-13
Location Per TAX bill 22R Charlesstwn
Ave)

Ogden Realty Limited Partnership
by Ogden Realty Corp, Gen Ptnr
Sherald Donovan, Pres.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 20 AM 10: 24

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

SOLDANOR REALTY CO.
Adrian B. Thompson

108-120 SECOND ST.

SOLDANOR REALTY CO.
Adrian B. Thompson

18 HURLEY ST.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 20 AM 10: 24

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

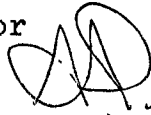
1989 JAN 30 AM 11:40

CAMBRIDGE MA.

January 30, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 19, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 19, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject Written protest - petition of Webb Nichols

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

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

Please refer to the memo I previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10:13

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10:12

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

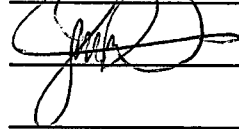
lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

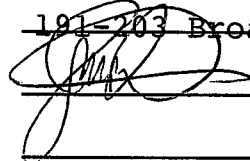
~~Jonathan G. Davis, Trustee
Henderson Carriage Development
Trust~~

~~2067-2095 Massachusetts Avenue~~



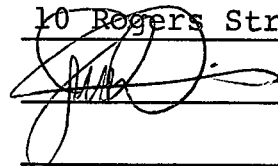
~~Jonathan G. Davis, Trustee
Broadway/Hampshire Realty
Trust~~

~~191-203 Broadway~~



~~Jonathan G. Davis, Trustee
River Court Development
Trust~~

~~10 Rogers Street~~



RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 19 AM 10:12
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10: 09

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

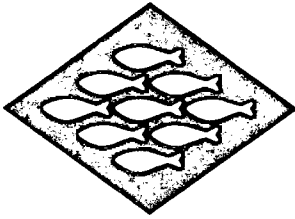
ADDRESS OF PROPERTY OWNED

Lotus Development
CORPORATION

1 Rogers Street

31 MSGR OBR180 Hwy

Joseph E. Connarton
Manager
Facilities
Lotus Development Corp
(617) 225-1100



RECEIVED BY
OFFICE OF CITY CLERK

Alewife Land Corporation
62 Whittemore Avenue
Cambridge, MA 02140
CAMBRIDGE MA.
(617) 876-1400

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

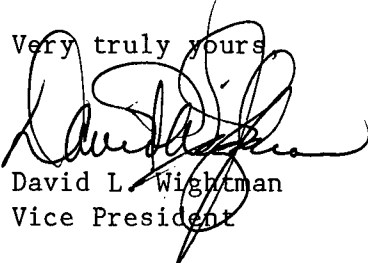
Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

<u>NAME OF PROPERTY OWNER</u>	<u>PARCEL #'s</u>	<u>ADDRESS OF PROPERTY OWNED</u>
<u>ALEWIFE LAND CORP</u>	<u># 269 104</u>	<u>134 ALEWIFE BROOK PARKWAY</u>
<u>ALEWIFE LAND CORP.</u>	<u># 269 105</u>	<u>405 RINDGE AVE.</u>

Very truly yours


David L. Wightman
Vice President

DLW/BLD

GRACE

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10: 06

CAMBRIDGE MA.

Construction Products Division

W.R. Grace & Co.
62 Whittemore Avenue
Cambridge, Mass. 02140

(617) 876-1400

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

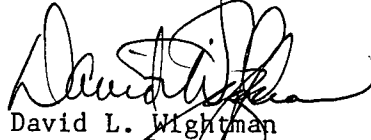
Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

<u>NAME OF PROPERTY OWNER</u>	<u>PARCEL #'s</u>	<u>ADDRESS OF PROPERTY OWNED</u>
<u>W.R. GRACE & CO.</u>	<u>188-53-28-29</u>	<u>59 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>188-116-117-118</u>	<u>52 WHITTEMORE AVE</u>
<u>W.R. GRACE & CO.</u>	<u>188-120-131-6</u>	<u>88 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-72</u>	<u>115 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>188-25-121</u>	<u>73 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO</u>	<u>269-94-95</u>	<u>222 HARVEY STREET</u>
<u>W.R. GRACE & CO.</u>	<u>269-84-119</u>	<u>222 HARVEY STREET</u>
<u>W.R. GRACE & CO.</u>	<u>269-122-124</u>	<u>349 R. RINDGE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>269-109-110</u>	<u>343 RINDGE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>269-120-123</u>	<u>343 R. RINDGE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-11-12-13-14</u>	<u>140 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>269-85-86-121-126</u>	<u>226 HARVEY STREET</u>
<u>W.R. GRACE & CO.</u>	<u>188-132-137</u>	<u>104 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-15</u>	<u>148 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-73</u>	<u>119 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-7-60-62</u>	<u>95 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>187-8-9-10</u>	<u>114-124 WHITTEMORE AVE.</u>
<u>W.R. GRACE & CO.</u>	<u>188-11-119</u>	<u>36-40 WHITTEMORE AVE</u>
<u>W.R. GRACE & CO.</u>	<u>187-66</u>	<u>WHITTEMORE AVE. - REAR</u>

Joseph E. Connarton
January 9, 1989
Page 4

Very truly yours,



David L. Wightman
Vice President
Administration

DLW/BLD

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 19 AM 10:05
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10:04

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 19 AM 10:04

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

- RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 19 AM 10:04
CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connorton
 January 9, 1989
 Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

Shirley A. Fennell, Trustee
J.R. Fennell Realty Trust.
J.R. Fennell Realty Trust

" " " "

22 Bishop R. Allen Drive

47 Bishop R. Allen Drive

" " " "

65 Bishop R. Allen Drive

" " " "

9-19 Columbia Street

" " " "

16 Columbia Street

" " " "

865-871 Main Street

" " " "

877 Main Street

" " " "

883-891 Main Street

" " " "

415-429 Mass. Ave.

" " " "

433-445 Mass. Ave.

" " " "

507 Mass. Ave.

" " " "

7 Douglas Court

" " " "

" " " "

" " " "

" " " "

" " " "

" " " "

" " " "

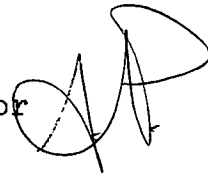
" " " "

Shirley A. Fennell, Trustee, J.R. Fennell Realty Trust

January 26, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors

A handwritten signature in black ink, appearing to be 'SP', is written over the 'FROM' line of the memo.

In reply to your memo dated January 18, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 18, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject
Written protest - petition of Webb Nichols.

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

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

Please refer to the memo I previously sent to you on January 13, 1989 which enclosed the chart which covers the time limit on this petition.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 17 PM 12: 56

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report". The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

Epic Realty Trust
Valerie Costello, Trustee

83-117 First Street, 1-5, 10, 12 Hurley St.

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 1:48

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 1:48

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 1:48

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 1:48

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton

January 9, 1989

Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 1:49

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 18 PM 4: 33

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNE

Lesley College	29 Everett St.
Lesley College	14 Hillside St.
Lesley College	12 Kirkland Pl.
Lesley College	1627 Mass. Ave.
Lesley College	7 Mellen St.
Lesley College	9 Mellen St.
Lesley College	11 Mellen St.
Lesley College	17 Mellen St.
Lesley College	23 Mellen St.
Lesley College	24 Mellen St.
Lesley College	27 Mellen St.
Lesley College	29 Mellen St.
Lesley College	33 Mellen St.
Lesley College	33 1/2 Mellen St.
Lesley College	35 Mellen St.
Lesley College	37 Mellen St.
Lesley College	47 Oxford St.
Lesley College	63/69 Oxford St.
Lesley College	82F Oxford St.
Lesley College	49 Washington Ave.
Lesley College	14 Wendell St.
Lesley College	34 Wendell St.

Joseph E. Connarton
January 9, 1989
Page 4

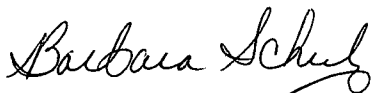
NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNE

Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College
Lesley College

31 Everett St.
23 Mellen St.
31 Mellen St.
61 Oxford St.
68 Oxford St.
78/80 Oxford St.
82R Oxford St.
6 Sacramento St.
10 Sacramento St.
18 Wendell St.
30/32 Wendell St.
13 Mellen St.
21 Mellen St.
20 Wendell St.
22/24 Wendell St.
28 Wendell St.

Sincerely,



Barbara Schulz
Director of Business Services

cc: Rob Trow

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 23 PM 4:24

January 23, 1989

CAMBRIDGE MA.

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 13, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 13, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject

Written protest - petition of Webb Nichols.

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

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

I have also enclosed a chart which covers the time limit on this petition for your convenience.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1988 JAN 12 PM 12:06

CAMBRIDGE MA.

PETITION

November 29, 1988

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

Dear Mr. Connarton:

The undersigned Cambridge landowners oppose in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 could 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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
November 29, 1988
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

Joseph E. Connarton
 January , 1989
 Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

Stu-Lin Family Trust
 925 Mass. Ave. Cambridge, Mass.

NAME OF PROPERTY OWNER	ADDRESS OF PROPERTY OWNED
Hunt Rottman, [Signature] Trustees of Stu-Lin family	15 Linnear
" " "	6-10 Agassiz
" " "	7-9 Banks St
" " "	12 Mt Auburn
" " "	5-7 Craigie Circle
" " "	6-8 Craigie Circle
" " "	5-11 Fifth St
" " "	126-130 More St
" " "	Seventh Street
" " "	23-27 Trowbridge
" " "	10-12 Wendell St.
" " "	48-50 Bishop Allen
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	
" " "	

RECEIVED BY
OFFICE OF CITY CLERK

1988 JAN 12 PM 12:06

CAMBRIDGE MA.

PETITION

November 29, 1988

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

Dear Mr. Connarton:

The undersigned Cambridge landowners oppose in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 could 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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
November 29, 1988
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

Joseph E. Connarton
November 29, 1988
Re: Nichols Petition
Page 3

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

George B. Dodge Jr., Trustee
J + M Realty Trust

165-181 Cambridge Park Dr.

Robert G. Jones
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Robert G. Jones, Trustee
Paul H. Campbell Tr.
Robert G. Jones, Trustee

60 R Aberdeen Avenue 63,452⁺
215 First Street 109,943⁺
66 Binney Street 79,956⁺
725 Concord Avenue 91,160⁺
1 Kendall Sq. 96,499⁺
1 R Kendall Sq. 167,804⁺
389-389 R Binney St 112,422⁺
236-238 Humbert CARD. MEDEIROS AVE. 31,770⁺
278- HUMBERTO CARD. MEDEIROS AVE. 31,680⁺
625 CONCORD AVENUE 47,800⁺
31 SMITH PLACE 18,792⁺

RECEIVED BY
OFFICE OF CITY CLERK

1989 JAN 12 PM 12:06

CAMBRIDGE MA.

PETITION

January 9, 1989

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

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
January 9, 1989
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

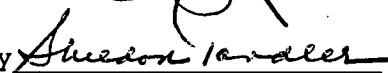
Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and

Joseph E. Connarton
January 9, 1989
Page 3

lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

PRESIDENT AND FELLOWS
OF HARVARD COLLEGE

By 
Sally Zeckhauser

By 
Sheldon Tandler

Attachment: Harvard Property List

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Map Number	Lot
6 APPIAN WAY	7,480	169	26
8 APPIAN WAY	3,995	169	27
9 APPIAN WAY	28,148	170	35
12 APPIAN WAY	5,117	169	87
14 APPIAN WAY	5,655	169	30
18 APPIAN WAY	5,512	169	31
22 APPIAN WAY	4,385	169	70
13 ATHENS	4,797	132	8
25 ATHENS	6,000	132	10
27 ATHENS	6,750	132	11
2 ATHENS TER.	1,867	132	133
3 ATHENS TER.	1,300	132	134
4 ATHENS TER.	3,750	132	14
30 BANKS	5,640	132	65
35 BANKS	3,708	132	24
37 BANKS	6,230	132	25
39 BANKS	4,406	132	26
43 BANKS	2,794	132	112
49 BANKS	2,130	132	113
132 BANKS	1,800	130	84
200 BANKS	3,625	130	113
203 BANKS	7,707	130	131
204 BANKS	2,730	130	109
9 BOW	6,355	133	3
13 BOW	7,967	133	5
13 BOW	11,552	133	4
31 BOW	11,707	133	6
31 BOW	3,210	133	7
47 BOW	47,036	160	60
51 BRATTLE ST	14,951	169	14
55 BRATTLE ST	11,605	169	23
59 BRATTLE ST	8,200	169	24
63 BRATTLE ST	6,340	169	25
64 BRATTLE ST	24,541	167	11
472 BROADWAY	6,802	136	23
9 BRYANT	16,602	147	35
13 BRYANT	18,291	147	24
1730 CAMBRIDGE	28,130	137	41
1737 CAMBRIDGE	20,180	143	11
1746 CAMBRIDGE	4,183	137	4
1750 CAMBRIDGE	4,420	137	3
21 CHURCH	1,536	169	8
32 CHURCH	5,072	169	82
35 CHURCH	8,743	169	10
41 CHURCH	6,526	169	11
53 CHURCH	16,505	169	12
239 CONCORD AVE	38,458		
8 COWPERTHWAIT	105,726	131	70
13 COWPERTHWAIT	3,370	132	82
13 COWPERTHWAIT	4,000	132	87
13 COWPERTHWAIT	4,000	132	83
13 COWPERTHWAIT	4,000	132	85
13 COWPERTHWAIT	5,583	132	81
13 COWPERTHWAIT	4,000	132	84
15 COWPERTHWAIT	4,000	132	86
24 COWPERTHWAIT	72,913	131	65
39 COWPERTHWAIT	69,100	132	137
COWPERTHWAIT ST	24,734	131	68
22 DEWOLFE ST	9,500	132	39

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Number	Map Lot
24 DEWOLFE ST	3,798	132	38
42 DEWOLFE ST	884	132	158
48 DEWOLFE ST	95,637	161	85
2 DIVINITY	24,700	145	2
3 DIVINITY	18,000	145	3
10 DIVINITY	229,309	145	44
13 DIVINITY	16,695	144	20
14 DIVINITY	10,000	145	33
51 DUNSTER	4,138	162	7
52 DUNSTER	6,075	162	49
69 DUNSTER	7,165	162	32
9A ELIOT	31,811	164	6
9 ELIOT	93,384	164	5
27 ELMER	1,275	130	61
29 ELMER	1,275	130	60
33 ELMWOOD	113,300	246	9
8 EVERETT	8,354	157	38
15 EVERETT	26,994	157	51
23 EVERETT	13,500	157	20
27 EVERETT	13,712	157	19
4 FARRAR	31,386	146	110
16 FARRAR	8,027	146	125
12 FARWELL	2,386	169	16
15 FARWELL	3,797	169	92
11 FARWELL PL	2,062	169	22A
13 FARWELL PL	1,909	169	22
2 FERNALD	175,375	208	2
11 FLAGG	4,000	131	43
22 FLAGG	3,600	130	86
25 FLAGG	2,350	131	67
28 FLAGG	1,800	130	85
29 FRANCIS	209,921	145	41
49 FRANCIS	209,921	147	11
50 FRANCIS	7,100	147	46
54 FRANCIS	23,119	147	47
56 FRANCIS	6,780	147	56
60 FRANCIS	7,786	147	55
64 FRANCIS	9,870	147	50
FRISBIE	4,080	144	17
6 FRISBIE	8,498	144	23
8 FRISBIE	6,450	144	14
9 FRISBIE	14,820	144	16
10 FRISBIE	6,525	144	19
3 GARDEN	2,600	169	69
20 GARDEN	8,529	216	35
29 GARDEN	27,816	172	60
50 GARDEN	9,530	215	22
66 GARDEN	376,198	227	90
81 GARDEN	34,275	208	3
87 GARDEN	5,795	208	4
20 GARFIELD	6,600	155	2
32 GARFIELD	6,600	155	4
36 GARFIELD	6,600	155	5
44 GARFIELD	7,700	155	6
54 GARFIELD	7,150	155	7
28 GORAM	5,053	149	101
4 GRANT ST	5,000	132	78
5 GRANT ST	4,200	132	28
6 GRANT ST	2,000	132	77

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Map Number	Lot
7 GRANT ST	4,000	132	29
8 GRANT ST	2,000	132	76
9 GRANT ST	4,000	132	30
10 GRANT ST	4,000	132	75
12 GRANT ST	4,000	132	74
13 GRANT ST	4,000	132	31
15 GRANT ST	3,200	132	109
17 GRANT ST	3,993	132	33
29 GRANT ST	971	132	126
3 HAMMOND	3,281	149	107
74 HAMMOND	9,137	149	38
87 HAMMOND	6,876	149	41
90 HAMMOND	4,805	149	31
94 HAMMOND	6,398	149	42
97 HAMMOND	6,157	149	29
100 HAMMOND	2,964	149	87
397 HARVARD ST	8,700	136	21
3 HILLIARD	6,125	167	12
5 HILLIARD	4,368	167	13
28 HINGHAM	6,420	130	106
32 HINGHAM	7,080	130	105
12 HOLDEN	29,897	146A	129
12 HOLYOKE	9,356	160	38
16 HOLYOKE	6,997	160	37
28 HOLYOKE	3,640	161	1
31 HOLYOKE	5,091	162	63
39 HOLYOKE	35,778	162	61
1 HOLYOKE PL	6,239	161	3
9 HOLYOKE PL	7,410	161	4
30 HOLYOKE PL	115,932	161	76
HOLYOKE ST	10,741		
10 HOWLAND	4,900	149	33
125 IRVING	19,800	147	54
127 IRVING	8,239	147	58
129 IRVING	8,873	147	57
134 IRVING	222,732	147	41
136 IRVING	7,773	147	60
60 JFK	3,552	162	35
72 JFK	210,271	163	39
100 JFK	110,120	163	40
3 KIRKLAND	5,700	143	10
7 KIRKLAND	5,385	143	15
14 KIRKLAND	133,211	143	17
15 KIRKLAND	3,218	143	6
17 KIRKLAND	5,907	143	5
17 KIRKLAND	28,953	144	1
21 KIRKLAND	48,875	144	8
25 KIRKLAND	27,502	144	22
27 KIRKLAND	32,560	145	19
33 KIRKLAND	24,320	145	21
34 KIRKLAND	17,378	143	13
37 KIRKLAND	12,708	145	30
38 KIRKLAND	19,000	143	4
43 KIRKLAND	23,341	145	36
6 KIRKLAND PL	11,803	145	37
9 KIRKLAND PL	14,674	145	38
5 LINDEN	5,970	160	54
2 MADISON ST	3,796	227	43
10 MADISON ST	8,792	227	44

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Map Number	Lot
12 MADISON ST	4,825	227	45
16 MADISON ST	4,828	227	46
20 MADISON ST	4,811	227	76
MASS. AVE	981,136	159	1
1201 MASS. AVE	30,902	134	1
1256 MASS. AVE	9,347	133	53
1304 MASS. AVE	9,116	160	27
1328 MASS. AVE	2,029	160	23
1350 MASS. AVE	74,913	160	14
1521 MASS. AVE	10,067	158	23
1529 MASS. AVE	656,309	158	26
1557 MASS. AVE	19,865	158	11
1563 MASS. AVE	15,771	158	12
1569 MASS. AVE	13,837	158	15
1571 MASS. AVE	31,355	158	24
1571 MASS. AVE	3,513	158	14
1575 MASS. AVE	42,530	158	21
1579 MASS. AVE	1,030	157	58
1581 MASS. AVE	11,970	157	57
1587 MASS. AVE	10,916	157	33
1591 MASS. AVE	3,087	157	48
1593 MASS. AVE	10,093	157	47
1599 MASS. AVE	3,685	157	35
1601 MASS. AVE	2,531	157	36
1603 MASS. AVE	4,349	157	28
1607 MASS. AVE	8,430	157	26
1705 MASS. AVE	21,528	155	33
8 MELLEN	4,149	157	49
10 MELLEN	5,310	157	3
12 MELLEN	5,274	157	4
14 MELLEN	7,056	157	5
18 MELLEN	7,080	157	6
20 MELLEN	5,310	157	7
880 MEMORIAL DR	34,044	130	1
890 MEMORIAL DR	18,102	130	116.5
890 MEMORIAL DR	18,102	130	116
MILL ST.	15,536	161	87
MILL ST.	8,150	161	89
8 MILL ST.	38,970	161	73
32 MILL ST.	49,000	161	77
60 MOONEY ST	299,871	267	3271
2A MT. AUBURN	2,667	132	131
4a MT. AUBURN	11,400	132	128
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
20 MT. AUBURN	4,887	132	19
24 MT. AUBURN	4,218	132	6
56 MT. AUBURN	15,865	161	81
63 MT. AUBURN	14,347	160	30
78 MT. AUBURN	4,000	162	11
90 MT. AUBURN	3,212	162	68
92 MT. AUBURN	2,335	162	5
110 MT. AUBURN	17,578	165	34
120 MT. AUBURN	4,010	165	39
120 MT. AUBURN	3,591	165	40
122 MT. AUBURN	3,769	165	41
122 MT. AUBURN	3,830	165	42

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Map Number	Lot
122 MT. AUBURN	3,550	165	38
124 MT. AUBURN	65,338	165	53
134 MT. AUBURN	3,312	166	35
140 MT. AUBURN	5,203	166	24
80 MUSEUM	10,745	147	30
2 NUTTING	2,760	166	73
5 OXFORD	28,438	158	5
7 OXFORD	59,350	158	6
9 OXFORD	13,272	158	4
12 OXFORD	57,987	144	21
15 OXFORD	25,400	158	3
19 OXFORD	11,440	158	19
20 OXFORD	18,550	144	6
24 OXFORD	262,428	144	18
36 OXFORD	23,377	144	15
38 OXFORD	18,000	144	10
39 OXFORD	223,155	157	30
48 OXFORD	177,213	148	2
64 OXFORD	5,685	149	106
12 PLYMPTON	507	133	56
12 PLYMPTON	507	133	54
22 PLYMPTON	4,616	133	8
61 PLYMPTON	2,617	161	83
103 PLYMPTON	4,421	161	57
107 PLYMPTON	4,129	161	58
4 PRESCOTT	16,990	136	39
8 PRESCOTT	7,492	136	9
11 PRESCOTT	7,700	136	27
12 PRESCOTT	15,060	136	34
16 PRESCOTT	6,300	136	11
18 PRESCOTT	6,300	136	12
20 PRESCOTT	14,853	136	13
22 PRESCOTT	8,395	136	22
94 PRESCOTT	4,997	137	17
95 PRESCOTT	18,180	137	35
96 PRESCOTT	3,201	137	27
79 PRWSCOTT	9,141	137	36
23 PUTNAM	4,880	132	51
33 PUTNAM	2,600	132	106
39 PUTNAM	4,556	132	107
89 PUTNAM	4,010	130	92
111 PUTNAM	257,503	130	144
10 QUINCY	50,826	136	26
14 QUINCY	11,060	136	2
20 QUINCY	22,387	136	3
24 QUINCY	22,379	136	4
28 QUINCY	70,572	136	36
40 QUINCY	20,488	137	42
42 QUINCY	79,701	143	20
RIDGELY COURT	2,863	160	36
RIVERVIEW	8,549	161	90
15 ROBINSON	5,015	208	12
27 ROBINSON	3,468	208	8
29 ROBINSON	5,141	208	7
17 SACRAMENTO COURT	3,836	155	41
21 SACRAMENTO COURT	2,436	155	40
23 SACRAMENTO COURT	2,057	155	20
3 SACRAMENTO STREET	9,506	155	43
7 SACRAMENTO STREET	4,761	155	30

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Number	Map Lot
7 SACRAMENTO STREET	20,000	155	30
13 SACRAMENTO STREET	16,786	155	26
20 SACRAMENTO STREET	20,000	156	67
22 SACRAMENTO STREET	5,000	156	7
24 SACRAMENTO STREET	11,287	156	8
26 SACRAMENTO STREET	5,075	156	58
2 SOUTH	4,029	163	41
17 SOUTH	4,387	162	53
19 SOUTH	1,590	162	51
20 SOUTH	5,702	163	11
21 SOUTH	2,040	162	52
6 STORY	7,382	168	60
8 STORY	4,500	168	55
12 STORY	3,500	168	56
3 SUMNER	4,459	143	16
9 SUMNER	4,500	143	8
11 SUMNER	3,218	143	7
18 SUMNER	16,546	142	18
48 TROWBRIDGE	8,986	135	43
50 TROWBRIDGE	9,000	135	44
34 WALKER	7,878	214	13
7 WARE	8,700	136	20
11 WARE	30,949	136	37
15 WARE	6,330	136	19
17 WARE	6,522	136	18
19 WARE	12,491	136	29
23 WENDELL	2,928	156	93
25 WENDELL	3,570	156	95
27 WENDELL	3,462	156	94
84 WENDELL	6,543	149	23
381 WESTERN	2,641	130	3
387 WESTERN	6,420	130	103
403 WESTERN	7,670	130	104
41 WINTHROP	4,800	162	14
45 WINTHROP	2,530	169	50
65 WINTHROP	2,709	162	48
67 WINTHROP	2,489	162	47
98 WINTHROP	3,405	162	18
SUBTOTAL	8,786,219		

RECEIVED BY
OFFICE OF CITY CLERK
1988 JAN 12 PM 12:06
CAMBRIDGE MA.

PETITION

Jan 3, 1989
~~November 29, 1988~~

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

Dear Mr. Connarton:

The undersigned Cambridge landowners oppose in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 could 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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton
November 29, 1988
Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

Joseph E. Connarton
November 29, 1988
Re: Nichols Petition
Page 3

NAME OF PROPERTY OWNER

Alex M. Stenbergh, Trustee
R Stanley Barber, Trustee

ADDRESS OF PROPERTY OWNED

193-195 Brookline St

"

16 Chauncy St

"

21 Chauncy St

"

50 Church St

"

276-300 Sidney St

"

2-40 Chestnut St
1-30 Henry St

15 Elly St

"

60 Elly St

"

105-107 Jane St

"

205-211 Howard St

"

288-290 Howard St

"

100A-102 Hampshire St

"

Joseph E. Connarton
November 29, 1988
Re: Nichols Petition
Page 4

NAME OF PROPERTY OWNER

ADDRESS OF PROPERTY OWNED

25 Highland Ave Units 1F, 2R, 2L, 3
"

21 Lee St Units 1L, 2R, 4R
"

38-40 Lee St
"

1800-1802 Main Ave
"

2-4-6 Arlington St
"

115 Pleasant St
"

117 Pleasant St
"

1245-1289 Cambridge St
353 Pompey"

355-365 Prospect St
"

6-8 Clary St
"

19-25 Market St
"



RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 12 PM 10:06
Commonwealth Energy System
Post Office Box 190
Cambridge, Massachusetts 02139
Telephone (617) 864-3100

CAMBRIDGE MA.

January 3, 1989

Mr. Joseph R. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Ma. 02139

Dear Mr. Connarton:

The Cambridge land owners listed below oppose the changes to the Cambridge Zoning Ordinance proposed by Webb Nichols which among other things, would require that a Project Documentation Report be submitted for all developments of more than three dwelling units, 5,000 square feet or taller than thirty-five feet (35') requiring a variance or special permit.

As such, we do hereby respectfully file a written protest pursuant to Chapter 40A, Section 5 of the Massachusetts General Laws. 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 (6) councillors. However, the statute further provides that if a written protest is filed prior to final approval of a change to the ordinance, stating the reasons for the protest, signed by the owners of twenty percent (20%) or more of the land proposed to be included in such change, or of the area of the land immediately adjacent extending three hundred feet (300') therefrom, then a three-fourths vote (7 councillors) would be necessary for the ordinance to be enacted. As land owners of real estate which will be affected by the proposed changes, we now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because it does not serve the best interests of the City of Cambridge or the people who live and work here. We believe that the current regulation is sufficient and that the proposed regulation will only decrease the value of our property. Please refer to Schedule A attached for a detailed listing of our land holdings adversely impacted by the proposed zoning petition.

Please place this written protest into the official records of the City.

Sincerely,

COMMONWEALTH ENERGY SYSTEM

A handwritten signature in cursive script, appearing to read "Michael P. Sullivan", is written over a solid horizontal line.

Michael P. Sullivan
Vice President, Clerk and General Attorney

Cambridge Electric Light Company
Commonwealth Gas Company
COM/Energy Research Park Realty
Darvel Realty Trust

Enclosure

SCHEDULE A

COMMONWEALTH ENERGY SYSTEM

Cambridge Land Holdings Impacted
by the
Proposed Zoning Petition

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
364 Third St.	COM/Energy Research Park	397,530
One Main St.	Darvel Realty Trust	68,520
101 Main Street	Darvel Realty Trust	84,784
12 Charles St.	Cambridge Electric Light Co.	3,500
273 First St.	Cambridge Electric Light Co.	168,000
364R Third St.	Cambridge Electric Light Co.	84,784
27 Potter Park	Cambridge Electric Light Co.	4,200
209 Otis St.	Cambridge Electric Light Co.	13,899
179-185 Broadway	Cambridge Electric Light Co.	11,853
187-189 Broadway	Cambridge Electric Light Co.	4,840
315 Vassar St.	Cambridge Electric Light Co.	9,100
1 Waverly St.	Cambridge Electric Light Co.	1,029
126 Amory St.	Cambridge Electric Light Co.	9,131
188-190 Hampshire	Cambridge Electric Light Co.	3,620
259 Prospect St.	Cambridge Electric Light Co.	32,575
330 River St.	Cambridge Electric Light Co.	38,919
379 Putnam Ave	Cambridge Electric Light Co.	91,543
219 Putnam Ave	Cambridge Electric Light Co.	14,717
24 Blackstone St.	Cambridge Electric Light Co.	109,944
45 Blackstone St.	Cambridge Electric Light Co.	29,271
8 Mellen St.	Cambridge Electric Light Co.	2,930
7 Edmunds St.	Cambridge Electric Light Co.	3,377
4 King St.	Cambridge Electric Light Co.	3,788
52 Walden St.	Cambridge Electric Light Co.	2,191
23 Healey	Cambridge Electric Light Co.	5,223
54R-56 Aberdeen	Cambridge Electric Light Co.	2,249
50 Wheeler St.	Cambridge Electric Light Co.	36,173
43 Smith Pl.	Cambridge Electric Light Co.	7,500
503 Concord Ave	Cambridge Electric Light Co.	26,500
112 Sherman St.	Cambridge Electric Light Co.	10,000
199R Concord Turn.	Cambridge Electric Light Co.	3,200

1 Warren F. Roberts	Cambridge Electric Light Co.	7,232
14 Cameron Ave	Commonwealth Gas Co.	2,107
31 Potter Pk.	Commonwealth Gas Co.	142,460
43 Brookford St.	Commonwealth Gas Co.	7,796
330 Third St.	Commonwealth Gas Co.	13,855

RECEIVED BY
OFFICE OF CITY CLERK

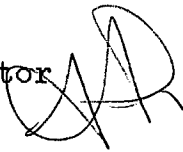
1989 JAN 11 PM 1:18

CAMBRIDGE MA.

January 11, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated January 3, 1989, please be advised that we have, this day, forwarded to Joan Lastovica, City Engineer, the written protest to the petition of Webb Nichols.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Ms. Sally Powers
Director, Board of Assessors

Date January 3, 1989

From Joseph E. Connarton *JEC*
City Clerk

Reference

Subject

Written protest - petition of Webb Nichols.

Enclosed you will find two copies of the written protest to the petition of Webb Nichols.

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

Please note that this petition must be finally acted upon by the City Council on January 31, 1989 and this information is required for the City Council to take the appropriate vote.

Your kind attention in this matter will be greatly appreciated.

c.c. Nancy Carney

PETITION

November 29, 1988

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

Dear Mr. Connarton:

The undersigned Cambridge landowners oppose in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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 could 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. The undersigned landowners own real estate which will be affected by the proposed changes and now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

Joseph E. Connarton

November 29, 1988

Page 2

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment has inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

Joseph E. Connarton
November 29, 1988
Re: Nichols Petition
Page 3

NAME OF PROPERTY OWNER

Albert W. [unclear]

Charles R. Lausay
CHARLES R. LAUSAY

Helen J. Morison
Clark T. [unclear]
Clark T. [unclear]

ADDRESS OF PROPERTY OWNED

40 Smith Place
Worcester Street
75 North Street

323 Broadway
1818-1825 Main Ave
1271 Main Ave.
1950-1970 Main Ave
100 Bank St
91 Montgomery St.
1A & 1B Forest St.

9 Lowell St. Cambridge 02138
19 Follen St., Camb.
146 Mt. Auburn St., Camb.

December 12, 1988

To: Joseph E. Connarton, City Clerk
From: Sally Powers, Director
Board of Assessors

The attached three petitions cannot be certified by this office since they do not contain the location of the properties to be certified.



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

November 30, 1988

TO: Nancy Carney
Assessors Dept.

FROM: Joseph E. Connarton, ^{JEC} City Clerk

SUBJECT: Written Protest/Webb Nichols Zoning Petition

Enclosed you will find two copies of a written protest from Charles Square Associates to the Webb Nichols, et al petition to amend the Zoning Ordinances in Article 10.000 entitled "Appeals, Variances, and Special Permits" concerning required project documentation criteria.

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

Your kind attention in this matter will be greatly appreciated.

JEC/mh

Enclosure



RECEIVED BY
OFFICE OF CITY CLERK

1988 NOV 23 AM 11:45

CAMBRIDGE MA.

November 16, 1988

Charles Square Associates
Suite 2100
600 Atlantic Avenue
Boston, MA 02210
617 367-2300

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. Charles Square Associates owns real estate which will be affected by the proposed changes and now so files such a protest.

Charles Square Associates opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of the proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Joseph E. Connarton
November 16, 1988
Page 2

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment had inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Joseph E. Connarton
November 16, 1988
Page 3

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

truly yours,

Very

CHARLES SQUARE ASSOCIATES

By: 

NLO



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

November 30, 1988

TO: Nancy Carney
Assessors Dept.

FROM: Joseph E. Connarton, ^{JEC} City Clerk

SUBJECT: Written Protest/Howard Medwed Zoning Petition

Enclosed you will find two copies of a written protest from Charles Square Associates to the Howard Medwed, et al petition to amend the Zoning Ordinances in Article 2.00, Definitions by adding a new definition entitled "Addition" and adding to the definition of "Lot".

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

Your kind attention in this matter will be greatly appreciated.

JEC/mh

Enclosure



RECEIVED BY
OFFICE OF CITY CLERK

1988 NOV 23 AM 11:45

CAMBRIDGE MA.

Charles Square Associates
Suite 2100
600 Atlantic Avenue
Boston, MA 02210
617 367-2300

November 16, 1988

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Howard Medwed, and others which, among other things, would alter the way the ordinance regulates joint development of separate parcels of land, multiple buildings on a lot and property rights associated with private ways.

Massachusetts General Law 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. Charles Square Associates owns real estate which will be affected by the proposed changes and now so files such a protest.

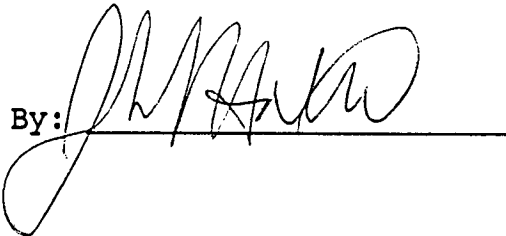
Charles Square Associates opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge. We believe that there are benefits in the addition of buildings on already improved but underdeveloped lots, in the cooperation of abutting property owners in development of lots in separate ownership, and in the creation or continuation of private ways for circulation.

Joseph E. Connarton
November 16, 1988
Page 2

These are all prohibited or discouraged in the above-referenced petition. Furthermore, the amendment is vague and confusing and would create unpredictability in the application of the ordinance.

Very truly yours,

CHARLES SQUARE ASSOCIATES

By: 

NFO



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

November 30, 1988

TO: Nancy Carney
Assessors Dept.

FROM: Joseph E. Connarton, ^{JEC} City Clerk

SUBJECT: Written Protest/Mary Conlan Zoning Petition

Enclosed you will find two copies of a written protest from Charles Square Associates to the Mary Conlan, et al petition to amend the Zoning Ordinances, regarding Floor Area Ratios in the Harvard Square Overlay District.

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

Your kind attention in this matter will be greatly appreciated.

JEC/mh

Enclosure



RECEIVED BY
OFFICE OF CITY CLERK
1988 NOV 23 AM 11:45
CAMBRIDGE MA

Charles Square Associates
Suite 2100
600 Atlantic Avenue
Boston, MA 02210
617 367-2300

November 16, 1988

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by The Coalition for Harvard Square, Mary Conlan, Howard D. Medwed, Gladys Gifford, Philip Dowds, and others which, among other things, would reduce the height and permissible floor area ratio of new buildings in the Harvard Square Overlay District, and impose new standards for reduction of parking and loading requirements in the Overlay District.

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. Charles Square Associates owns real estate which will be affected by the proposed changes and now so files such a protest.

Charles Square Associates opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge. The amendment substantially alters the guidelines of the Harvard Square design review and planning process incorporated into the Zoning Ordinance in 1986. That 1986 change resulted from the efforts of many landowners, planners, merchants, city officials, and institutions and represented a consensus of how future development in Harvard Square should be controlled.

Joseph E. Connarton
November 16, 1988
Page 2

The proposed amendment would reduce allowable floor area by 25% in much of the district and radically reduce allowable height by including mechanical space even though mechanical space is exempted from the height calculation in other areas of the city.

Very truly yours,

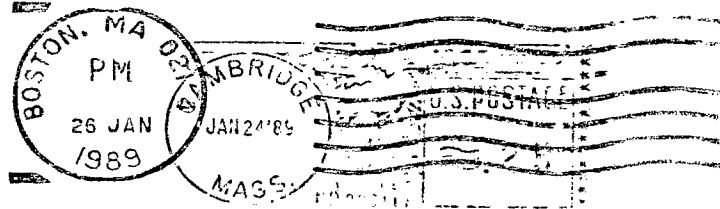
CHARLES SQUARE ASSOCIATES

By: 

NRD

U.S.C. REALTY TRUST
41 WILLIAM LINSKEY WAY
CAMBRIDGE MA 02142

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





CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

January 3, 1989

To the Honorable, the City Council

SUBJECT: Nichols Rezoning Petition to Establish Submission Requirements for Special Permits and Variances.

Recommendation

The Planning Board does not recommend adoption of the petition.

Findings

1. The strictly technical aspects of application submissions, i.e. numbers of copies of documents, scales, etc., are appropriately and easily adopted by the Planning Board or the Board of Zoning Appeal administratively. This would allow easy modifications as circumstances warrant. The more substantive submission documents, i.e. studies relating to traffic impacts, environmental analysis, etc., are now requested by the Planning Board as needed. As the variances and permits issued by the two boards are so variable in their scale and impact any all encompassing list of submission requirements must inevitably be administratively modified to reflect the scale and impact of the specific application.
2. The Planning Board, and certainly the Board of Zoning Appeal as well, has not been reluctant to ask for additional information where required and that information has been routinely provided by applicants. No permit has been issued except with the confidence that adequate information has been submitted to the Board to permit an informed decision.

January 3, 1989
Nichols Rezoning Petition
Page 2

3. The central new element of this petition is the proposed requirement that extensive ownership and financial information be submitted to the Boards for their review. The Planning Board considers such information as irrelevant to most deliberations for which it has a responsibility; financial hardship is not a standard appropriate to issuance of any special permit and where it is relevant to the issuance of a variance appropriate documentation can be requested by the Board of Zoning Appeal. In addition, the information supplied is likely to be too preliminary and insubstantial technically to be of any real use to the boards even if "financial hardship" were a relevant standard for approval of an application.

Respectfully submitted, for the Planning Board,

Paul Dietrich (LM)

Paul Dietrich
Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

January 3, 1989

To the Honorable, the City Council

SUBJECT: Nichols Rezoning Petition to Establish Submission Requirements for Special Permits and Variances.

Recommendation

The Planning Board does not recommend adoption of the petition.

Findings

1. The strictly technical aspects of application submissions, i.e. numbers of copies of documents, scales, etc., are appropriately and easily adopted by the Planning Board or the Board of Zoning Appeal administratively. This would allow easy modifications as circumstances warrant. The more substantive submission documents, i.e. studies relating to traffic impacts, environmental analysis, etc., are now requested by the Planning Board as needed. As the variances and permits issued by the two boards are so variable in their scale and impact any all encompassing list of submission requirements must inevitably be administratively modified to reflect the scale and impact of the specific application.
2. The Planning Board, and certainly the Board of Zoning Appeal as well, has not been reluctant to ask for additional information where required and that information has been routinely provided by applicants. No permit has been issued except with the confidence that adequate information has been submitted to the Board to permit an informed decision.

January 3, 1989
Nichols Rezoning Petition
Page 2

3. The central new element of this petition is the proposed requirement that extensive ownership and financial information be submitted to the Boards for their review. The Planning Board considers such information as irrelevant to most deliberations for which it has a responsibility; financial hardship is not a standard appropriate to issuance of any special permit and where it is relevant to the issuance of a variance appropriate documentation can be requested by the Board of Zoning Appeal. In addition, the information supplied is likely to be too preliminary and insubstantial technically to be of any real use to the boards even if "financial hardship" were a relevant standard for approval of an application.

Respectfully submitted, for the Planning Board,

Paul Dietrich (LM)

Paul Dietrich
Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

RECEIVED BY
OFFICE OF CITY CLERK
1989 JAN 17 PM 12:31
CAMBRIDGE MA.

January 3, 1989

To the Honorable, the City Council

SUBJECT: Nichols Rezoning Petition to Establish Submission Requirements for Special Permits and Variances.

Recommendation

The Planning Board does not recommend adoption of the petition.

Findings

1. The strictly technical aspects of application submissions, i.e. numbers of copies of documents, scales, etc., are appropriately and easily adopted by the Planning Board or the Board of Zoning Appeal administratively. This would allow easy modifications as circumstances warrant. The more substantive submission documents, i.e. studies relating to traffic impacts, environmental analysis, etc., are now requested by the Planning Board as needed. As the variances and permits issued by the two boards are so variable in their scale and impact any all encompassing list of submission requirements must inevitably be administratively modified to reflect the scale and impact of the specific application.
2. The Planning Board, and certainly the Board of Zoning Appeal as well, has not been reluctant to ask for additional information where required and that information has been routinely provided by applicants. No permit has been issued except with the confidence that adequate information has been submitted to the Board to permit an informed decision.

January 3, 1989
Nichols Rezoning Petition
Page 2

3. The central new element of this petition is the proposed requirement that extensive ownership and financial information be submitted to the Boards for their review. The Planning Board considers such information as irrelevant to most deliberations for which it has a responsibility; financial hardship is not a standard appropriate to issuance of any special permit and where it is relevant to the issuance of a variance appropriate documentation can be requested by the Board of Zoning Appeal. In addition, the information supplied is likely to be too preliminary and insubstantial technically to be of any real use to the boards even if "financial hardship" were a relevant standard for approval of an application.

Respectfully submitted, for the Planning Board,

Paul Dietrich (LM)

Paul Dietrich
Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

January 3, 1989

To the Honorable, the City Council

SUBJECT: Nichols Rezoning Petition to Establish Submission Requirements for Special Permits and Variances.

Recommendation

The Planning Board does not recommend adoption of the petition.

Findings

1. The strictly technical aspects of application submissions, i.e. numbers of copies of documents, scales, etc., are appropriately and easily adopted by the Planning Board or the Board of Zoning Appeal administratively. This would allow easy modifications as circumstances warrant. The more substantive submission documents, i.e. studies relating to traffic impacts, environmental analysis, etc., are now requested by the Planning Board as needed. As the variances and permits issued by the two boards are so variable in their scale and impact any all encompassing list of submission requirements must inevitably be administratively modified to reflect the scale and impact of the specific application.
2. The Planning Board, and certainly the Board of Zoning Appeal as well, has not been reluctant to ask for additional information where required and that information has been routinely provided by applicants. No permit has been issued except with the confidence that adequate information has been submitted to the Board to permit an informed decision.

RECEIVED

89 JAN 17 AM 11:08

OFFICE OF THE CITY MANAGER

January 3, 1989
Nichols Rezoning Petition
Page 2

3. The central new element of this petition is the proposed requirement that extensive ownership and financial information be submitted to the Boards for their review. The Planning Board considers such information as irrelevant to most deliberations for which it has a responsibility; financial hardship is not a standard appropriate to issuance of any special permit and where it is relevant to the issuance of a variance appropriate documentation can be requested by the Board of Zoning Appeal. In addition, the information supplied is likely to be too preliminary and insubstantial technically to be of any real use to the boards even if "financial hardship" were a relevant standard for approval of an application.

Respectfully submitted, for the Planning Board,

Paul Dietrich (LM)

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

January 23, 1989

To the Honorable, the City Council:

Enclosed please find copy of the Planning Board's recommendation relative to the Nichols Rezoning Petition to Establish Submission Requirements for Special Permits and Variances.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 4

Re: Planning Board recommendation on the Webb
Nichols, et al rezoning petition to establish
submission requirements for special permits
& variances.

In City Council,

January 23, 1989



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

November 30, 1988

TO: Nancy Carney
Assessors Dept.

FROM: Joseph E. Connarton, ^{JEC} City Clerk

SUBJECT: Written Protest/Webb Nichols Zoning Petition

Enclosed you will find two copies of a written protest from Charles Square Associates to the Webb Nichols, et al petition to amend the Zoning Ordinances in Article 10.000 entitled "Appeals, Variances, and Special Permits" concerning required project documentation criteria.

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

Your kind attention in this matter will be greatly appreciated.

JEC/mh

Enclosure

RECEIVED BY
OFFICE OF CITY CLERK

1988 NOV 23 AM 11:45

CAMBRIDGE MA.

November 16, 1988

Charles Square Associates
Suite 2100
600 Atlantic Avenue
Boston, MA 02210
617 367-2300

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. Charles Square Associates owns real estate which will be affected by the proposed changes and now so files such a protest.

Charles Square Associates opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of the proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Joseph E. Connarton
November 16, 1988
Page 2

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment had inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Joseph E. Connarton
November 16, 1988
Page 3

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

truly yours,

Very

CHARLES SQUARE ASSOCIATES

By: 



RECEIVED BY
OFFICE OF CITY CLERK

1988 NOV 23 AM 11:45

CAMBRIDGE MA.

November 16, 1988

Charles Square Associates
Suite 2100
600 Atlantic Avenue
Boston, MA 02210
617 367-2300

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

The undersigned Cambridge landowner opposes in their entirety the changes in the Cambridge Zoning Ordinance proposed by Webb Nichols which, among other things, would define a "Project Documentation Report" to be submitted with applications for variances and special permits for all developments of more than three dwelling units, more than 5,000 square feet, or taller than 35 feet.

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. Charles Square Associates owns real estate which will be affected by the proposed changes and now so files such a protest.

Charles Square Associates opposes the proposed amendment to the Cambridge Zoning Ordinance because the amendment will not serve the best interests of the City of Cambridge.

The proposed amendment requires applicants to submit much information which is irrelevant to the variance or special permit requested. The proposed amendment places an unreasonable burden on the applicant who must supply the information and on the City officials who must review it. Current documentation requirements adequately inform the public and the City administrative boards of the nature and scope of the proposed projects. Furthermore, established procedures for issuing a special permit or a variance allow the Board of Appeal (or Planning Board) to obtain additional information about a project on a case by case basis as needed to rule on an application.

Joseph E. Connarton
November 16, 1988
Page 2

Few applicants could supply the information in full compliance with the proposed amendment. Construction projects often require some changes from architectural plans. Section 10.52(d) of the proposal requires the applicant to make a total resubmission of plans to the Board of Appeals (or Planning Board) for "any changes" This burden is unreasonable.

In section 10.53(d) Mr. Nichols requires that applicants reveal in detail their private business information, including terms and arrangements of the purchase of the project site,

"development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

The proposed amendment does not explain why this financial information is needed, or what test must be met for the financial information to be acceptable. This information is irrelevant to the decision to grant or deny a special permit or variance. The proposed amendment does not specify what the Board of Appeal (or Planning Board) must, can, or may do with the financial information, and it exposes the City, the Boards, and the Board members to potential liability for misuse of the information.

Furthermore, the proposed amendment had inconsistencies and ambiguities which will make it complicated to enforce or which may make it invalid. Some of the oddities are noted below:

The waiver provisions in Section 10.53(c)(3) transfer authority to persons not authorized by the Zoning Act, M.G.L. c. 40A.

The proposal, by amending Section 11.50, could delete the existing Harvard Square Overlay District provisions of the Ordinance.

Section 10.52(c), ambiguously requires the applicant to "submit one (1) set of full-size drawings, maps, and plans," without explaining what "full-size" means.

Joseph E. Connarton
November 16, 1988
Page 3

Finally, by treating all applications in the same manner the proposed amendment denies zoning relief to those unable to afford the "Project Documentation Report." The proposed amendment will link zoning relief to paying the architects, surveyors, transportation engineers, accountants, and lawyers necessary to produce a "Project Documentation Report." The added cost for small projects could be prohibitive with no clear public purpose being served.

truly yours,

Very

CHARLES SQUARE ASSOCIATES

By:  _____



CAMBRIDGE CITY COUNCIL

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9094

CAMBRIDGE MA.

RECEIVED BY
OFFICE OF CITY CLERK
1988 DEC 15 AM 10:55

William H. Walsh
City Councillor

December 13, 1988

City Clerk
Joseph Connarton
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I am enclosing herewith a letter which I received in the mail from A. O. Wilson Structural Company. Would you please be kind enough to put this with the Webb Nichols Petition.

Very truly yours,

William H. Walsh
William H. Walsh

WHW/lm
Enclosure

ltr-connarton/bill(C)-A

AW WILSON STRUCTURAL CO.

INCORPORATED 1923

RECEIVED BY
1988 DEC 15 AM 10:55
CAMBRIDGE MA.

December 2, 1988

Mr. William H. Walsh, Chairman
Committee on Ordinances
Cambridge City Hall
Massachusetts Ave.
Cambridge, MA 02139

Dear Mr. Walsh:

As a third generation Wilson working in Cambridge and owner of a firm conducting business and paying taxes in the city since 1923, I am writing on behalf of our company to register opposition to the petition submitted by Webb Nichols. With regards to the additional requirements for disclosure (particularly those for financial disclosure) proposed, we have significant opposition, both practical and ideological.

Practically speaking, we feel the cost and effort required to supply the increased documentation to be unusually burdensome. Also, the public disclosure of "pro forma" information will inhibit and compromise owner/developer relationships with lenders and other business associates with whom agreements are typically negotiated on a case by case basis, often in a competitive atmosphere. Both of these results will discourage progressive development necessary for the city's future success.

Ideologically, we also have problems with this petition. While we feel that requests for special permits and variances on the basis of economic hardship alone should be carefully scrutinized as to the impact of that hardship, special permits and variances need be accepted or rejected based on their projects' overall merits; what the end result will be. Arbitrary public release of proprietary financial information is irrelevant to the greater issue of special permit and variance grants. In addition, this intrusion will inhibit private initiative to create innovative solutions beneficial to both property owners and the city.

AOWILSON STRUCTURAL CO.

RECEIVED BY
OFFICE OF CITY CLERK

2.

1988 DEC 15 AM 10:55

CAMBRIDGE MA

The future progress and success of the city must be coordinated with those of individual property owners; our interests are indivisible. The adoption of this petition will promote and assert a more adversarial relationship between the city and property owners, which is to the benefit of neither.

We urge you and the members of the Council to oppose this petition.

Submitted respectfully,



Albert O. Wilson, Jr.
Chairman
A.O. Wilson Structural Co.
40 Smith Place
Cambridge, MA 02138

AOW/jbb

cc: Robert Heroux
Cambridge Chamber of
Commerce
Cambridge, MA 02139

C. C. 106
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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) Timing: Submit required documentation with the application for special permit or variance.
- (b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) Existing conditions documents:
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.

- 4 -

CAMBRIDGE MA.

1988 OCT -5 PM 3:30

RECEIVED BY
OFFICE OF CITY CLERK

1st flr chd

NORTH POINT

Continued from page 1

development at North Point. Last spring, property owners set out to create their own rezoning proposal after negotiations with city planners broke down. Their revised petition recently won endorsements from the East Cambridge community and Cambridge Planning Department.

The current zoning for North Point — the "no-man's land" of railroad yards, old warehouses and the city's garbage transfer station — allows unlimited height and a four FAR (floor area ratio). This means that the size of a project can be four times larger than the lot on which it is built.

The landowners' new petition would create a base zone with a one FAR, representing a 75 percent reduction in development rights, and a height limit of 50 feet.

Each project would fall within the Planned Unit Development process. This means that each project would

CAMBRIDGE (MASS.) CHRONICLE

would also include traffic controls. Developers could build up to 3,000 parking spaces at North Point, but that figure could be reduced if the planning board rules over time that the traffic capacity in the area has been exceeded. The city's own petition calls for a limit of 1,800 parking spaces.

The city and property owners have also agreed on a pedestrian crosswalk connecting Monsignor O'Brien Highway to East Way, one of two roads at North Point. A pedestrian bridge leading to the proposed MBTA Green Line station at Lechmere will offer another alternative for reaching North Point.

The landowners' petition also features the city's new linkage policy, which would require developers needing special permits for commercial projects in excess of 30,000 square feet to pay \$2 per square foot above that level. Also, the petition includes an inclusionary zoning plan that would require developers of residential projects to set aside 15 percent of the units for

low- to moderate-income residents.

The landowners' petition also provides significant zoning bonuses for residential construction.

"The result is a structure of checks and balances and failsafe points where the city is protected against development," said Dean Stratoulis, president of Congress Group, a Cambridge developer. "And it provides the developers with enough incentive to move ahead and create a whole new environment out there."

Congress Group owns the Federal Distillers, Inc. property in the heart of North Point and, if the rezoning petition is approved, it plans to knock down the liquor warehouse and put up a pair of office buildings. The two buildings would flank Industrial Way, rise 10 and 12 stories, and offer 438,000 square feet of office space.

Unihab Inc., which has the rights to buy a parcel of land along the Charles River, is exploring whether to build office space or condominiums on the site.

Asked about the landowners' revised petition, City Councilor David

Sullivan said, "My sense is that it's heading in the right direction. I think the Guilford petition has made a lot of progress regarding the city's concerns. Whether the landowners have made enough, I don't know yet. I want to wait and see what they've come up with."

The city's petition, on the other hand, covers 20 more acres in North Point than that not included in the landowners' petition.

Matignon, NCC set blood drive

North Cambridge Catholic High School and Matignon High School will sponsor a blood drive on Thursday, Oct. 13, at NCC, 40 Norris St. from 8 am to 1 pm.

Anyone interested in donating at that time should contact David Paskind at NCC, 876-6068, for an appointment.

THURSDAY, OCTOBER 13, 1988

LEGAL NOTICE
ATTN: DONNA LOPEZ
C OCT 13
CITY OF CAMBRIDGE
CITY CLERK'S OFFICE
CITY HALL 795 MASS AVENUE
CAMBRIDGE, MA 02138
TWENTY

ridge Chronicle

THURSDAY, OCTOBER 13, 1988 ©1988 CAMBRIDGE SUN PUBLISHING CO. 50 CENTS

Teachers get 19 percent hike over three years

By LAURA BECK
Chronicle staff

Most teachers in the Cambridge public schools will receive a 19 percent pay boost over the next three years, according to terms of a tentative three-year contract worked out this week by the school committee and the Cambridge Teachers Association.

The 829-member CTA is expected to ratify the contract Monday. A majority vote from the CTA is needed before the contracts become official.

Retrospective to Sept. 1, 1988, school employees will receive a 4 percent salary increase across the board and teachers with at least 11 years experience will get an additional 2 percent salary increase for the current year. This 2 percent increase is based on the veteran teachers' educational degrees and additional academic credits.

For example, a teacher with a bachelor's degree and five years experience will now make \$26,900, up from the last year's salary of \$24,712. A teacher with a master's degree plus 30 academic credits and 11 years experience

The city always sets money aside to use for contract settlements. Hopefully there will be money for the school contract.

Robert Healy
City manager

will now make \$39,211 compared to last year's salary of \$36,741, according to School Department Spokesman Albert Giroux.

The second year proposal calls for a 5 percent across the board salary increase in September 1989 with 1 additional percent for teachers with at least 11 years experience.

Please see CONTRACT, page 9

Brattle street neighbors battle primary school

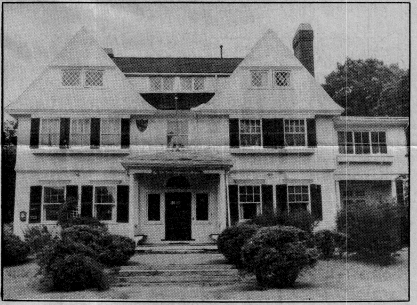
By JOHN PERRY
Chronicle staff

Brattle street neighbors will regroup tonight in their effort to force the closing of a private kindergarten and primary day school serving mainly minority students.

Although the large Colonial revival house at 113 Brattle St. has housed a school for almost 50 years, opponents are using a highly technical reading of the city's zoning ordinance to block the new institution from operating on the site.

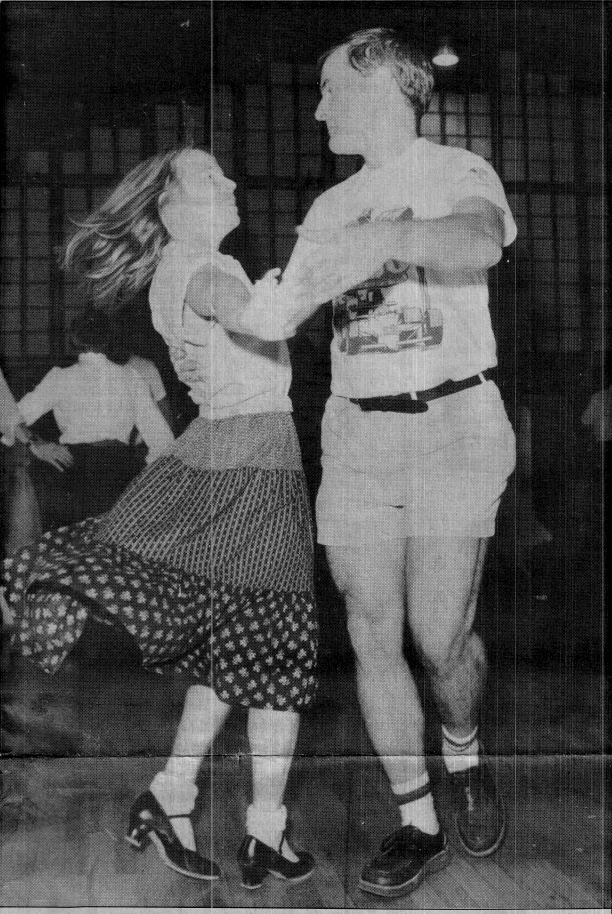
Commonwealth Day School's (CDS) 40 young students have clearly settled into the building, 225 Cambridge residents, however, have signed a petition and launched a campaign to force the school off Brattle street.

David Barrett, who lives across the street from the school, called CDS "an institution looking for a home,



RESIDENTS of the Brattle street area near the former New Preparatory School are fighting a special permit application which would enable the building to be used as a school for children from low- and moderate-income families. (Staff photo by Carolyn Hine)

Please see SCHOOL, page 8



SWING YOUR PARTNER — Karen Heiman swirls around the dance floor at the Mt. Auburn Post VFW's weekly square and contra dance session last Thursday. Her partner is Lon Hooker. (Staff photo by Carolyn Hine)

Give.

WE'RE FIGHTING FOR YOUR LIFE
American Heart Association

BIG REWARD FOR CATCHING DOGS

Catch New England's hottest greyhounds at Wonderland Park and register to win a hot, new Toyota Corolla FX from now until November 5th.

The more times you come out to play at Wonderland, the more chances you have to win.



After millions of dollars in renovations, there really is something for everyone at the new Wonderland — including a chance to win a new Toyota Corolla from Jaffarian's Volvo & Toyota, New England's oldest and largest dealer.

This fall, there's no better place to play.

Racing Nightly at 7:30 PM
Matinees Tues. & Thurs. at 1 PM

THE NEW

WONDERLAND RACING SPORTS BAR RESTAURANTS

A BETTER PLACE TO PLAY
Route 1A to VFW Parkway, Revere (off Bell Circle)
MBTA Blue Line to Wonderland Station
Reservations & Information 284-1300

*No par chase necessary. Entry forms available at entrance gate before the first race thru 11:58 am and at Jaffarian's Volvo & Toyota, 312 River St., Haverhill, until 11:58 am. Winner will be announced Saturday, Nov. 5th.

Rindge Tech continues day classes for adults

The Rindge Technical Vocational Program at Cambridge Rindge and Latin School broke precedent two years ago and offered adults the opportunity to attend classes with teens during the regular school day.

"The concept of mixing adults and teens in day-time classes was considered for years an educational taboo. This was based on theories ranging from 'maturity dissonance' to 'attitude polarization' and a number of other negative concepts perceived by educational authorities," said Rindge Tech Director Karen Prentice.

"The initial program was a pilot study to evaluate its potential. Its success prompted expansion of the program last fall and is the reason for its reintroduction this school year," she said.

She explained that adults are offered free instruction in areas including: auto-body, auto mechanics, carpentry, computer technology, culinary arts, graphic arts, drafting, electrical, machine, sheet metal and welding in scheduled classes during the regular school day.

"In addition, we provide job placement services without charge to those who complete the one to one and a half year course," Prentice said.

School Committee Occupational Education Subcommittee chairman Fred Fantini recalled that two decades ago the school department offered courses to adults in a day

time setting but separate from teen students.

"During the '60s courses were offered to adults in evening classes stenography. However, adults and students did not attend classes together," he said. "To my knowledge, this program marks the first time the school department has offered courses bringing adults and students together in the same classes during the regular school day."

Interim schools' Superintendent Mary Lou McGrath said that the venture is a new opportunity for the community. "It is an occasion to open the doors of public schools to adults in a way that will further benefit the community and individuals beyond high school age who are seeking to develop new skills," McGrath said.

McGrath explained that the traditional Evening Adult Education Program will continue to offer courses for those who prefer to attend that program from October to March. "The day-time adult courses are more than a supplement to the evening program," she said, "since they offer a full-time, five-day-a-week schedule, as opposed to the evening school offering of two nights a week."

Adults interested in the program can call 498-9280. She said that applicants should have a high school degree or GED. Some courses offer community college credit in addition to skill training.

LaRonga Bakery

DELI SPECIALS

Liverwurst.....\$1.99 lb.	Russer Wunderbar.....99c lb.	German Bologna.....99c lb.	Land O'Lakes White American Cheese.....\$1.99 lb.	Brand Smithfield Ham.....\$1.99 lb.
---------------------------	------------------------------	----------------------------	---	-------------------------------------

Try our subs!
At least twice as much meat than anywhere else!

Call 625-8600, 599 Somerville Ave., Som.
Hours: 6 am to 10 pm Daily, 7 am to 9 pm Sat., 7 am to 8 pm Sun.

OCEAN REEF SEAFOOD RESTAURANT

13 ELM STREET, SOMERVILLE
776-7890

TRY OUR SEAFOOD PARTY PLATTERS!

- Great for both families and parties
- Feeds 4 to 6 people
- Consists of Fr. clams, Fr. scallops, Fr. Haddock, Fr. Shrimp, and Fr. Marinated Swordfish with Bries and Onion rings.

"We fry in 100% vegetable oil."

Need to Read?

Call

The Cambridge Public Library

498-9081

1-800-642-7030

This Free Phone Call is worth \$35.00

It connects you to COM/Electric's FREE WRAP-UP/TURN-DOWN PROGRAM and it can save you \$35.00* a year if you have an ELECTRIC WATER HEATER. The installation and phone call will cost you absolutely nothing...so do it now!

- IT'S FREE! • IT'S EASY!
- IT'S CONVENIENT!
- CALL TODAY:
- 1-800-642-7030 (OUTSIDE MASS. CALL: 508-291-0950)

COM/Electric

*Based on current rate, plus average savings of previous customers.

Cops set to appear at review board tonight

By LAURA BECK
Chronicle staff

The weight of the Cambridge Police Review and Advisory Board's subpoena powers will be tested Thursday night, when five police officers are scheduled to face two public hearings.

Thursday's hearings will mark the first test of the subpoena since the Middlesex Superior Court upheld the civilian review board's subpoena powers last month.

Police ignored several subpoenas to appear at hearings in the past, prior to the court ruling.

"We don't like issuing the subpoenas," said William Golon, executive director of the CRB board. "But the chances of an officer showing up to a hearing is very small."

The CRB was established four years ago to investigate public charges about police misconduct and brutality. A city ordinance gave the CRB the power to issue subpoenas requiring police officers to appear during case investigations or at public hearings, but this has been virtually ignored by many police officers in the past, according to Golon.

Three patrol officers, Roger Folger, John Callinan and Louis Neal, as well as Lt. Thomas Benson, are scheduled for Thursday night's

Please see REVIEW, page 9

Council votes on North Point Monday

By JAY WEAVER
Staff writer

It has taken more than two years, but city planners, residents and property owners have finally found a common ground for the future of North Point.

It is now up to the Cambridge City Council to decide the fate of the landowners' rezoning petition for the 4-acre industrial district north of Monsignor O'Brien Highway. The council meeting is set for Monday, at

5 pm, in the Sullivan Chamber at City Hall.

It represents the last opportunity the city council will have to vote on the so-called Guilford petition, named after the major property owner at North Point, Guilford Transportation Co. If the council takes no action, the petition will automatically die. But considering how the landowners have amended their petition to reflect development restrictions in the city's own rezoning plan, the odds for its success are promising.

"This petition clearly incorporates the key points of the city's petition," said Michael Rosenberg, assistant city manager for community development. "Though it approaches the problem of development a little differently, it does the job we're looking for. I see it as an acceptable alternative to our petition."

This outlook represents a dramatic shift in the city's attitude toward the landowners. For the past two years, there has been a moratorium on

This petition clearly incorporates the key points of the city's petition.... I see it as an acceptable alternative.

Michael Rosenberg
CDD director

Please see NORTH POINT, page 12



FOUR-ALARM BLAZE — Cambridge firefighters responded to a four-alarm fire at Elliott and Winthrop streets at 7:09 Wednesday morning. The fire damaged two buildings, 16-18 Elliott St. and 98 Winthrop St. The Elliott street building, a four-story commercial and residential structure which houses the Ta Chien and Roka restaurants, sustained the greater damage. Residents were evacuated. The Winthrop street building includes the Henry IV restaurant. The fire department is conducting an investigation into the source of the blaze. (Staff photo by Cheryl Miller)

Schochet denied crucial UDAG funds

By JAY WEAVER
Staff writer

For almost two years, inertia and graffiti have enveloped the buildings wrapped around the corner of Mass. Avenue and Essex street.

What was supposed to have been the site of a lively commercial and residential development that would give Central Square an economic lift has remained its same scruffy self.

In recent weeks, almost all of the critical permits for the mixed-use project have been approved; however, a federal grant that is considered the linchpin for development of the corner site has been turned down for the second time.

The federal government last week rejected the application for a \$2.2 million urban development action grant (UDAG) for the project. A spokesperson for the U.S. Department of Housing and Urban Development (HUD) said the developer,

Schochet Associates, failed to provide enough details in the application about private financing for the \$14 million project.

The project's inability to qualify for the UDAG funds could hold up progress on the development of the corner site. Furthermore, without the UDAG and the low-interest loan it would yield, Schochet Associates could end up building fewer affordable apartments than it promised in an agreement with the city.

"The UDAG was a critical juncture; it would have made the project happen now," said Joseph Kellogg, the city's director of economic development. "But I feel confident the project will move forward."

Jack Flynn, the HUD spokesperson, said the city's UDAG application on behalf of Schochet Associates will be reconsidered next September. "There has to be an unequivocal

Please see SCHOCHET, page 9

ON THE INSIDE

The Almanac	13	Letters	5
Business	12a	Movies	12a
Crime beat	5	PoliTalks	4
Deaths	13	Restaurants	3a
Editorial	4	What's happening	13

Talking to the animals

A day in the life of a 'dog catcher'

See page 2A in The Weekender

Fitzgerald School hosts arts group

For the second year, Underground Railway Theatre will be in residence at the Fitzgerald School in North Cambridge.

The residency begins in October with a performance of the company's peace parade, "The Vision of Dreaming Branch," for Grades 3-8.

Following the initial performance, students of the fourth and fifth grades will participate in a series of workshops on how to create their own puppet performance.

For their peers and members of the community is tentatively planned for the week of December 11. Last year, Underground Railway designer David Fichter created a mural with the Fitzgerald School students also on the subject of dreams.

Further information, call Underground Railway Theatre Co-Director, Debra Wise, at 497-6138.

CAMBRIDGE ARTIST Prilla Brackett's paintings and drawings from New England and Greece will be on view at the Cambridge Arts Council's Gallery 57, 57 Inman St., from Oct. 18 through Nov. 4.

Research works. WERE FIGHTING FOR YOUR LIFE. American Heart Association. Visit Our Sunbilt Sunroom On Display.

STORAGE CONTAINERS FOR RENT. ON OUR SITE. Originally built to strict shipping standards, these giant, extremely strong, watertight containers are theft-proof and virtually impregnable.

YANKEE RENTAL. 200 McGrath Highway, Somerville, MA 02143. 571-6770, 729-2955 (H).

NEW ENGLAND Transmission Company, Inc. 372 Rindge Ave., Cambridge, Mass. 02140. Specialists in Rebuilding. 354-5451.

WESTON SCHOOL OF THEOLOGY. 3 Phillips Place Cambridge, Massachusetts 02138. announces the 1st Presentation of the 1988-89 Weston Lecture Series: "THEOLOGY AND CULTURE: AN AFRICAN PERSPECTIVE"



IN FOCUS — Two Cambridge residents won prizes in the annual Boston Globe Photo Contest this year. An eye Lipnick won a \$500 third place award for a color photo and Renan Flores won a \$100 honor award for a black and white photo.

Rx Fever Blister Relief. Fever blisters, also known as "cold sores," are caused by the virus type 1 herpes simplex.

The Skenderian Apothecary. 1613 CAMBRIDGE STREET, CAMBRIDGE. Open 7 Days a Week for Your Health Protection. FREE DELIVERY 354-5600

Celebrate with BayBank!

Join us October 26 from 10:00 a.m. - 2:00 p.m. for refreshments, free gifts, and more at our newly renovated Harvard Square office—1414 Massachusetts Avenue, Cambridge.

- Plus, enter our drawing and you could win one of three exciting prizes!
► An eight-day, seven-night trip for two to London
► An RCA VCR
► A \$100 gift certificate to the restaurant of your choice

Come find out why Nobody does it better™ for Cambridge than BayBank. See you there!

BayBank logo and contact information. For the Committee, Councillor William H. Walsh, Chairman.

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, October 27, 1988 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

CITY OF CAMBRIDGE BOARD OF LICENSE COMMISSIONERS. Notice is hereby given pursuant to General Laws, Chapter 148, that Modern Continental Enterprises has applied for a parking garage for 176 cars and for storage of 260 gallons of gasoline in tanks of cars only at 236 Monsignor O'Brien Highway.

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 Wednesday, November 2, 1988 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition by Mary Golan, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

1. Throughout the subsection, at each occurrence of the "eighty" or "80" substitute "seventy" or "70", and at each occurrence of the "sixty" or "60" substitute "fifty-five" or "55".
2. Add to the end of 11.542 a new paragraph "c" which shall read:
"Maximum heights in the Overlay District shall be inclusive of, and measured to, the uppermost limit of mechanical equipment, antennas and/or visual screens for said equipment, and also any roof accessories and/or appendages."

10.50 Required Project Documentation. Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, (b) proposes a construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.51 Provisions. (a) The applicant's project documentation with the application for special permit or variance. (b) Form. Submit required documentation in six (6) inch Report or binder. Reduce over size drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.

10.52 Documentation Required. (a) Existing conditions documents: (1) A certified survey of the project parcel in a scale of 1" = 20' or 40', including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2' intervals), and edges of structures within 100 feet of other lots immediately abutting, or facing across streets and ways.

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft. (3) Quantitative information regarding ground floor areas allocated to the various uses or components of the proposed project, total FAR, on-site parking and loading capacity, number, floor areas, and bedroom counts for dwelling units, and areas of usable open space allocated to units, and/or assigned to common areas.

(4) Shadow impact studies showing shadows cast on the ground plane by the proposed structures at 9 a.m. noon, and 3 pm for the summer months, the winter solstice, and the vernal/autumnal equinox. (5) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(6) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of a written recommendation of the Assistant City Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts which further study warrants. (7) Project legal and financial information, including: site acquisition terms and development costs, including itemized construction costs, professional fees, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.

ANNIVERSARY WALTZ — The Cambridge Center for Adult Education recently marked its 50th anniversary. Featured at the event was the presentation of an award for distinction to former executive director Lydia Weare, the first director of the center. From the left are Board President William Truslow, current Director James Smith and Lydia Weare.

ADULT ED. CENTER MARKS 50TH. More than 300 people from the Cambridge Center for Adult Education's past and present gathered Sept. 30 to celebrate the center's 50th year in Harvard Square.

The Friday evening activities began with a champagne reception at 42 Brattle St. to allow those who had not visited for some time to reminisce in the familiar classrooms of the Brattle House.

The party continued until 12 midnight at the Charles Hotel, where people danced to the 1930's sounds of the fine Ken Hadley Orchestra, a local 17-piece band.

James Smith, the center's executive director, and William Truslow, president of the board of directors, turned the spotlight on five honored guests at an award ceremony for their contribution to the center over the years.

THE CAMBRIDGE LIONS CLUB and the Department of Public Health will sponsor an eye mobile visit to 40 Thorndike St., East Cambridge, on Friday, Oct. 14, from 9am to 4 pm.

Research saves lives.

American Heart Association. WERE FIGHTING FOR YOUR LIFE.

CITY OF CAMBRIDGE BOARD OF LICENSE COMMISSIONERS. Notice is hereby given that Shawnee Ferraone has applied for an Open Air Parking license at 46 Ashton Place, for 12 cars.

MORTGAGEE'S SALE OF REAL ESTATE. By virtue and in execution of the Power of Sale contained in a certain mortgage given by Edell Johnnie Hicks and Gwendolyn D. Hicks to The Boston Five Cents Savings Bank now known as The Boston Five Cents Savings Bank FSB dated December 30, 1977, and recorded with Middlesex South District Registry of Deeds, Book 13368, Page 131, of which mortgage the undersigned is the present holder for benefit of the contents of the mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 o'clock A.M. on the 1st day of November, 1988, on the mortgaged premises hereinafter described all and singular the premises described in said mortgage.

1. To wit: Being shown as Lot 59 on a plan made by E.F. Bowler, Engineer and Surveyor, dated December 17, 1975 and recorded with Middlesex South District Registry, Plan Book 29, Plan 9, in which plan reference is hereby made for a more detailed description, and containing a 1201.4 square feet of land according to said Plan.

2. With the right to use the passageway, as shown on said plan, in the rear and on each side of the block of six brick houses (now numbered 205, 207, 209, 211, 213, and 215), now or formerly of Clara B. Wood.

The property has as address 213 Green Street, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard.

Developer aids St. Paul AME housing plan

Newton-based developer Jonathan Davis, president of H.J. Davis Development Co., last week presented a \$10,000 check to St. Paul AME Church. The Church, in partnership with the Cambridge Department of Human Services, has been renovating its parsonage on Elisha Allen Drive, converting the structure into transitional housing for six homeless Cambridge families.

"We'd been following the progress of the project, offering some technical assistance, when it became apparent that the renovations on the 100-year-old building required some capital funds," Davis said. "Knowing the need in the community for this kind of program for homeless families, we decided to step forward."

With the check but he's challenged other Cambridge developers to help with the project. "There's a public perception that development aids to the problem of housing in this community," Davis said. "We're preparing a proposal for a \$500,000 housing project that can be directly involved," he said.

Rev. Richard Richardson, St. Paul's administrative minister, points out that the greatest need now is to finish the renovation. "We still have about a year left in completing the work and getting the house ready for the families. Hopefully, others will take up the challenge and the families will be here for the holidays."

Square extended on National Register list

Secretary of State Michael J. Conolly, chairman of the Massachusetts Historical Commission, announced the extension of the Harvard Square National Register District as an amendment to the Cambridge Multiple Resource Area on the National Register of Historic Places.

"Harvard Square's unique association with events, people, and architecture is clearly worthy of recognition. I am pleased to announce the extension of the Harvard Square National Register District," said Conolly.

Cambridge was the first English fortified town plan in North America, laid out in 1630 on a grid plan with strong building regulations, and is one of the few consciously planned towns in this century New England.

During the 17th and 18th centuries, the meetinghouse, the courthouse, the jail, and the marketplace of Cambridge were located in Harvard Square. After 1822, the prestige and influence of Harvard College grew and transportation improvements were introduced.

Architecturally the Harvard Square Historic District is a mixed commercial, institutional, and residential district, whose character was derived from the vernacular Georgian, Federal, and Greek Revival styles. Many of the houses in the district have survived in their original form.

Historically, Harvard Square was the civic, commercial and residential area of old Cambridge. During the 17th and 18th centuries, the meetinghouse, the courthouse, the jail, and the marketplace of Cambridge were located in Harvard Square.

After School program to begin. "After School" has a number of meanings to students. For some it indicates punishment for missing homework or talking back, for others it means taking part in sports or the school play.

But in Cambridge, the "After School Program," means taking extra courses that can't be squeezed into a busy school day, or where the program last year. Prentice said that the program is free of charge to students enrolled in the Cambridge public schools and is open to children in parochial or private schools if space is available.

Information regarding the "After School" program is available by calling 498-9200 or the school Public Information Office.

Review board head to speak. William Golon, executive director of the Police Review and Advisory Board, will speak at 7 pm at the Robert's Maynard Neighborhood Council meeting on Monday, October 17.

Roberts' Community School, 225 Windsor St. The meeting will begin at 7 pm. With sufficient notice, child care can be provided. For more information, contact Deborah Lerme Goodman at 498-9067.

*No purchase necessary to enter. Offer good only at our 1414 Massachusetts Avenue office.

Member FDIC



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

October 11, 1988

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances in Article 10.000: Appeals, Variances, and Special Permits by inserting after the existing section 11.40 a new section 11.50 entitled "Required Project Documentation".

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton
City Clerk.

JEC/dl

Enc.(1)

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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 Procedures

(a) Timing: Submit required documentation with the application for special permit or variance.

(b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.

(c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.

(d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53

Documentation Required

(a) Existing conditions documents: -

(1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2-ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.

(2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.



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

October 11, 1988

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances in Article 10.000: Appeals, Variances, and Special Permits by inserting after the existing section 11.40 a new section 11.50 entitled "Required Project Documentation".

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton
City Clerk.

JEC/dl

Enc.(1)

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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) Timing: Submit required documentation with the application for special permit or variance.
- (b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) Existing conditions documents: -
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2-ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.

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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) Timing: Submit required documentation with the application for special permit or variance.
- (b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) Existing conditions documents:
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in = 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.

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 Wednesday, November 2, 1988 at 7:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Webb Nichols, et al to amend the Zoning Ordinances of the City of Cambridge in Article 10.000 entitled "Appeals, Variances, and Special Permits", as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

(a) Timing: Submit required documentation with the application for special permit or variance.

(b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.

(c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.

(d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

Documentation Required

(a) Existing conditions documents:

(1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.

(2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

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.

SEP 23 AM 11:05

DOCUMENTATION REQUIREMENTS

FINAL / AS FILED / 23 Sep 88

WHEREAS developers regularly apply for special permits and variances in order to get building permits for structures not allowed by zoning as of right; and

WHEREAS the customary motivation for seeking said permits and variances is to increase the project's size, economic value and/or profitability; and

WHEREAS the award of a special permit or variance usually constitutes a significant economic benefit for the *applicant*, while *public* benefits (if any) resulting from this award are at best intangible or poorly defined; and

WHEREAS the public interest is better served when our municipal Boards and authorities are fully informed about construction proposals, and systematically understand the consequences, including the economic consequences, of their discretionary actions; and finally

WHEREAS the Cambridge Zoning Ordinance does currently have some requirements regarding submission of project documentation, but these requirements apply only to townhouse development;

NOW THEREFORE we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend ARTICLE 10.000: APPEALS, VARIANCES, AND SPECIAL PERMITS of the Cambridge Zoning Ordinance as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

- 10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the

construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) Timing: Submit required documentation with the application for special permit or variance.
- (b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) Existing conditions documents:
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways; drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

DOCUMENTATION REQUIREMENTS PETITION

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend the rules and regulations of the Zoning Ordinance Article 10.000, Appeals, Variances and Special Permits, in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
<i>W. Nichols</i>	WEBB NICHOLS	201 HURON AVE CAMBRIDGE	491-4298 10/3
<i>Howard D. Medwed</i>	HOWARD D. MEDWED	58 WASHINGTON AVE.	868-5809 7/3
<i>C. Devon Makepeace</i>	C. DEVON MAKEPEACE	23 CAMBRIDGE HURD	354-5386 9/1
<i>Sarah A. Wolfenson</i>	SARAH A. WOLFENSON	1 1/2 Hilliard	876-5316 8/2
<i>Mary Cowlan</i>	MARY COWLAN	26 Chauncy	547-0965 8/1
<i>R. Philip Dows</i>	R. PHILIP DOWS	48 BANKS ST	354-6094 6/2
<i>George F. McCray</i>	GEORGE F. MCCRAY	2301 Mass. Ave	876-1430
<i>John R. May</i>	JOHN R. MAY	44 Coolidge Hill Rd	491-8120 9/1
<i>Richard D. Clarey</i>	RICHARD D. CLAREY	15 Brookford St	864-6751 11/4
<i>Brian W. Le Clair</i>	BRIAN W. LE CLAIR	26 Hurbut St.	492-8244 7/3
<i>Stephanie Anne Gramolini</i>	STEPHANIE ANNE GRAMOLINI	6 Washington Ave. #9	491-1392 7/3
<i>Alan Clark</i>	ALAN CLARK	2 Ellsworth Ave	868-8330
<i>Eraine Kistinkowsky</i>	ERAINÉ KISTINKOWSKY	31 Hudson St	869-9814 7/3
<i>Patricia Lewis</i>	PATRICIA LEWIS	36 Holworthy St.	864-3256 9/4

RECEIVED BY
OFFICE OF CITY CLERK
1988 SEP 23 AM 11:05
CAMBRIDGE MA.

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

U = registered voters

8 SEP 23 AM 11:05

DOCUMENTATION REQUIREMENTS

FINAL / AS FILED / 23 Sep 88

WHEREAS developers regularly apply for special permits and variances in order to get building permits for structures not allowed by zoning as of right; and

WHEREAS the customary motivation for seeking said permits and variances is to increase the project's size, economic value and/or profitability; and

WHEREAS the award of a special permit or variance usually constitutes a significant economic benefit for the *applicant*, while *public* benefits (if any) resulting from this award are at best intangible or poorly defined; and

WHEREAS the public interest is better served when our municipal Boards and authorities are fully informed about construction proposals, and systematically understand the consequences, including the economic consequences, of their discretionary actions; and finally

WHEREAS the Cambridge Zoning Ordinance does currently have some requirements regarding submission of project documentation, but these requirements apply only to townhouse development;

NOW THEREFORE we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend ARTICLE 10.000: APPEALS, VARIANCES, AND SPECIAL PERMITS of the Cambridge Zoning Ordinance as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the

construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) Timing: Submit required documentation with the application for special permit or variance.
- (b) Format: Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) Number of Copies: Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) Changes and Resubmissions: Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) Existing conditions documents:
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

DOCUMENTATION REQUIREMENTS PETITION

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend the rules and regulations of the Zoning Ordinance Article 10.000, Appeals, Variances and Special Permits, in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
<i>W. Nichols</i>	WEBB NICHOLS	201 HURON AVE CAMBRIDGE	491-4298 10/3
<i>Howard D. Medwed</i>	HOWARD D. MEDWED	58 WASHINGTON AVE.	868-5809 7/3
<i>C. Devson Maloney</i>	C. DEVSON MALONEY	23 CAMBRIDGE HILL RD	354-5386 9/1
<i>Sarah A. Wolfinsohn</i>	SARAH A. WOLFINSOHN	1 1/2 Hilliard	876-5316 8/2
<i>Mary Cowlan</i>	MARY COWLAN	26 Chauncy	547-0965 8/1
<i>R. Philip Dows</i>	R. PHILIP DOWS	48 BANKS ST	354-6054 6/2
<i>George F. McCray</i>	GEORGE F. MCCRAY	2301 Mass. Ave	876-1430
<i>John R. May</i>	JOHN R. MAY	44 Cambridge Hill Rd	491-8129 9/1
<i>Richard D. Clarey</i>	RICHARD D. CLAREY	15 Brookford St	864-6751 11/4
<i>Brian W. Le. Clair</i>	Brian W. Le. Clair	26 Herbut St.	492-8244 7/3
<i>Stephanie Anne Gramolini</i>	Stephanie Anne Gramolini	6 Washington Ave. #9	491-1392 7/3
<i>Aran Clark</i>	ARAN CLARK	2 Ellsworth Ave	868-8330
<i>Elaine Kistinkowsky</i>	ELAINE KISTINKOWSKY	31 Hudson ST	864-9814 7/3
<i>Patricia Lewis</i>	Patricia Lewis	36 Holworthy St.	864-3256 9/4
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

RECEIVED BY
OFFICE OF CITY CLERK
1988 SEP 23 AM 11:05
CAMBRIDGE MA.

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

U = registered voters

1988 SEP 23 AM 11:05

DOCUMENTATION REQUIREMENTS

FINAL / AS FILED / 23 Sep 88

WHEREAS developers regularly apply for special permits and variances in order to get building permits for structures not allowed by zoning as of right; and

WHEREAS the customary motivation for seeking said permits and variances is to increase the project's size, economic value and/or profitability; and

WHEREAS the award of a special permit or variance usually constitutes a significant economic benefit for the *applicant*, while *public* benefits (if any) resulting from this award are at best intangible or poorly defined; and

WHEREAS the public interest is better served when our municipal Boards and authorities are fully informed about construction proposals, and systematically understand the consequences, including the economic consequences, of their discretionary actions; and finally

WHEREAS the Cambridge Zoning Ordinance does currently have some requirements regarding submission of project documentation, but these requirements apply only to townhouse development;

NOW THEREFORE we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend ARTICLE 10.000: APPEALS, VARIANCES, AND SPECIAL PERMITS of the Cambridge Zoning Ordinance as follows:

- A. Renumber SECTION 10.50: REPETITIVE PETITIONS to 10.60.
- B. Delete SUBSECTIONS 10.471 and 10.472, and renumber subsequent subsections accordingly.
- C. Insert following the existing SECTION 11.40 a new SECTION 11.50: REQUIRED DOCUMENTATION, reading as follows:

***10.50 REQUIRED PROJECT DOCUMENTATION**

10.51 *Threshold Criteria.* Any applicant for a special permit or variance for a construction or development project which (a) includes more than three dwelling units, or (b) proposes the

construction of more than 5,000 new square feet of gross floor area, or (c) proposes construction in excess of 35 feet of height, shall provide a Project Documentation Report as further described herein.

10.52 *Procedures.*

- (a) **Timing:** Submit required documentation with the application for special permit or variance.
- (b) **Format:** Submit required documentation in an 8 1/2 x 11 inch Report or binder. Reduce oversize drawings, maps and plans to 11 x 17 inches maximum, and fold to fit within. Photographs may be presented as black-and-white photocopies.
- (c) **Number of Copies:** Provide nine (9) copies of the Project Documentation Report -- 2 for public record copies, and the remainder for distribution to members of the permit- or variance-granting Board. Additionally, submit one (1) set of full-size drawings, maps and plans, and of color photographs.
- (d) **Changes and Resubmissions:** Any changes in the applicant's proposal following submittal of the application, except for changes negotiated at the public hearing, shall require resubmittal of the application and the Project Documentation Report.

10.53 *Documentation Required.*

- (a) **Existing conditions documents:**
 - (1) A certified survey of the project parcel at a scale of 1 in = 20 ft or 40 ft, including property lines, existing structures and drives, trees in excess of 3" caliper, public utilities serving the parcel, existing grades (topographic contours at 2 ft intervals), and edges of structures within 100 feet on other lots immediately abutting, or facing across streets and ways.
 - (2) Photographs of the project parcel and its surroundings.

(3) For both the project parcel, and for immediately abutting or facing lots, information specifying existing zoning classification, existing land uses (including number of dwelling units), approximate building heights and FAR's.

(b) Project proposal documents:

(1) Site plan of the proposed project at a scale of 1 in - 20 ft or 40 ft, showing retained and proposed structures; walkways, drives, curb cuts and parking/loading areas; proposed grading and site drainage; required usable open space; trees, shrubs and other landscape elements; and treatments of the parcel edges (fences, screens, etc).

(2) Schematic elevations (front, side, and rear) of project structures, indicating position and height of structures on adjacent lots within 100 ft.

(3) Quantitative information regarding gross floor areas allocated to the various uses or components of the proposed project; total FAR; on-site parking and loading counts; number, floor area(s), and bedroom counts for dwelling units; and areas of usable open space allocated to units, and/or assigned to common areas.

(c) Project impact documents:

(1) Shadow impact studies showing shadows cast on the ground plane by project structures at 9 am, noon, and 3 pm for the summer solstice, the winter solstice, and the vernal/autumnal equinox.

(2) Traffic impact study prepared by a registered transportation engineer describing capacities, volumes and levels of service at adjacent streets and key intersections both as currently existing, and as resulting from development as proposed.

(3) The scope of the traffic impact study shall be established by negotiations between the applicant and the Community Development Department. Either or both impact studies may be waived by unanimous consent of the Board upon receipt of the written recommendation of the Assistant City

Manager for Community Development, stating that the small scale or specific location of the project will result in no impacts worth further study.

- (d) Project legal and financial information, including: site acquisition terms and arrangements, with explanations of any residual leases, easements, or other encumbrances; development costs, including itemized construction costs, professional fees, and other hard and soft costs of the project; anticipated finance arrangements, including anticipated mortgages, interest rates, payment schedules, and equity participation; anticipated annual management and operating costs of the completed project; anticipated project income, including sales or rental rates or prices for the various components of the project; and anticipated return on investment."

DOCUMENTATION REQUIREMENTS PETITION

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend the rules and regulations of the Zoning Ordinance Article 10.000, Appeals, Variances and Special Permits, in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
<u>[Signature]</u>	<u>WEBB NICHOLS</u>	<u>201 HURON AVE CAMBRIDGE</u>	<u>491-4298 10/3</u>
<u>[Signature]</u>	<u>HOWARD D. MEDNER</u>	<u>58 WASHINGTON AVE.</u>	<u>868-5809 7/3</u>
<u>[Signature]</u>	<u>C. DENSON MALAPANE</u>	<u>23 CAMBRIDGE HILL RD</u>	<u>354-5386 9/1</u>
<u>[Signature]</u>	<u>SARAH A. WOLFENSON</u>	<u>1 1/2 Hilliard</u>	<u>876-5316 8/2</u>
<u>[Signature]</u>	<u>MARY COWLAN</u>	<u>26 Chauncy</u>	<u>547-0965 8/1</u>
<u>[Signature]</u>	<u>R. PHILIP DOWDS</u>	<u>48 BANKS ST</u>	<u>354-6094 6/2</u>
<u>[Signature]</u>	<u>George F. McCRAY</u>	<u>2301 Mass. Ave</u>	<u>876-1430</u>
<u>[Signature]</u>	<u>JOHN R. MERT</u>	<u>44 Coolidge Hill Rd</u>	<u>491-8120 9/1</u>
<u>[Signature]</u>	<u>RICHARD D CLAREY</u>	<u>15 Brookford ST</u>	<u>864 6751 11/4</u>
<u>[Signature]</u>	<u>Brian W. Le Clair</u>	<u>26 Hur/but ST.</u>	<u>492-8244 7/3.</u>
<u>[Signature]</u>	<u>Stephanie Anne Gramolini</u>	<u>6 Washington Ave. #9</u>	<u>491-1392 7/3</u>
<u>[Signature]</u>	<u>FRAN CLARK</u>	<u>2 Ellsworth Ave</u>	<u>868-8330</u>
<u>[Signature]</u>	<u>EWANIE KISTINKOWSKY</u>	<u>31 Hudson ST</u>	<u>864-9814 7/3</u>
<u>[Signature]</u>	<u>Patricia Lewis</u>	<u>36 Holworthy St.</u>	<u>864-3256. 9/4</u>

RECEIVED BY
OFFICE OF CITY CLERK
1988 SEP 23 AM 11: 05
CAMBRIDGE MA.

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

U = registered voters.

0-8

Petition of Webb Nichols, et al, to amend the Zoning Ordinances in Article 10.000: Appeals, Variances, and Special Permits by inserting after the existing Section 11.40 a new Section 11.50 entitled "Required Project Documentattion".

1/31/89 - Placed on file due to
Expiration of time limit

In City Council,

September 26, 1988

Referred to Planning
Board and Ordinance
Committee

Copy sent to Council's Walsh.
Ord. Comm Chair 9/30/88 ml
sent to Planning Board 10/5/88 ml