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North Cambridge Stabilization Committee

November 22, 1992

Mr. Michael Rosenberg,
Assistant City Manager for Community Development
57 Inman Street
Cambridge, MA 02139

RE: Midas Muffler, 2501 Massachusetts Ave. & 10 Clarendon Ave.

Dear Michael:

I am writing at the behest of the Stabilization Committee to ask that you join us in officially opposing Midas Muffler's pending application for an expanded garage and gasoline-storage license at its North Cambridge location.

As you know, Midas has erected an unlicensed two-story garage/warehouse—a hazardous monstrosity that intrudes on the residential zone and blatantly violates the land-use and design provisions of the North Massachusetts Avenue Overlay District.

In addition to helping to plan, implement, and administer the overlay district and the North Mass. Ave. Design Guidelines, the Community Development Department has worked closely and cooperatively with members of the NCSC and other neighborhood residents in other relevant ways:

- to renovate and revitalize Clarendon Park, which is located directly across the street from the Midas site;
- to improve architectural accessibility at the nearby Burns Apartments and help address the residents concerns about existing noise, traffic, parking, and safety problems on this particular block;
- to fund and develop affordable housing (in conjunction with Homeowners Rehab) at 14 Clarendon Ave—the very lot that abuts the Midas properties;
- to create the North Cambridge neighborhood plan and to conduct a separate professional traffic study, both of which warn against such heavy commercial and industrial development along this stretch of Massachusetts Avenue; and, just recently,
- to initiate a more specific comprehensive planning process for this immediate area, along with the rest of Trolley Square.

Given your department's heavy involvement in all of these efforts, the hundreds of hours put in by the city's planners and other specially trained staff, the thousands of dollars you have spent on outside consultants, and the considerable tax revenues that have gone into implementing these programs, the neighborhood naturally expects you to preserve the city's investment and support us by taking forceful action to convince the License Commission how utterly inappropriate it would be for the city to license this facility—not only because it

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subverts the zoning laws, rips off taxpayers, and undermines our mutual efforts to enhance the neighborhood's residential fabric while we encourage appropriate commercial development, but also because it constitutes a public and private nuisance, a potential fire hazard, and a real threat to public safety.

Midas's three new automotive bays and warehouse are not yet operational, but neighbors and police officers have already reported a dramatic increase in illegal parking and serious traffic accidents at the corner of Mass. Ave. and Clarendon—several involving personal injury.

The inevitability of still more accidents, serious harm to pedestrians, and substantial disruption and inconvenience to abutters and the public if the city authorizes the use of the enlarged facility is obvious. Just consider:

- The obstructed, overly narrow, ramped, mostly uncurbed sidewalk along this particular block of Mass. Ave.—one of the city's most heavily trafficked thoroughfares—is dangerous and difficult for pedestrians and bicyclists to negotiate even under the preexisting traffic and parking conditions and in ideal weather.
- The property's sensitive location, across from a newly renovated tot lot and playground and near 199 units of public housing for the elderly and disabled, means that hundreds of people on foot—including a particularly vulnerable population of parents with babies in buggies or strollers, toddlers, kids on bikes, physically infirm seniors, and others who must rely on canes, crutches, and wheelchairs for mobility—will be drawn to the precise vicinity each week.
- The siting of the inadequate, unworkable, tandem-style parking lot in the residential zone will necessarily create noise, noxious exhaust fumes, and other disruptions and hazards as cars are jockeyed about just a few feet from the windows of abutters trying to live peacefully in city-sponsored housing.
- The location of the accessory parking lot on Clarendon Ave., a narrow side street, will create additional traffic congestion, according to the Traffic Department, or will force the removal of desperately needed on-street parking at a time when the park's renovation will increase the demand for it.
- Because the peripheral location of the overflow parking lot prevents direct on-site access to the automotive bays, and because no curb cut on Clarendon Ave. allows vehicular access to the main facility, Midas employees—who have been cited for illegally using the side parking lot without authorization from the Inspectional Services Department—have been making a sharp left turn out of Clarendon and driving southbound in the northbound lanes of Mass. Ave. in order to enter the main lot, apparently to avoid having to drive several blocks out of the way and enter the Mass. Ave. bays via a lawful route.

The dimensions of the potential risks become staggering when one considers that Midas's warehouse and additional garage bays are by design intended to promote the use of larger delivery vans and to generate increased traffic that will consist of vehicles with broken exhaust systems, faulty steering, and bad brakes.

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Paid agents of Midas are claiming that this project has received "the approval of all city agencies." Obviously, this is not the case. The Planning Board objected so strongly to the scheme that the city manager authorized its members to hire outside counsel and attempt to intervene in a neighborhood suit against Midas and the BZA. The director of the Historical Commission signed off only after discovering that Midas had allowed a house he considered architecturally and historically significant to fall into hopeless disrepair. The superintendent of streets and sidewalks, who was forced to order Midas's subcontractors to restore the public way on Clarendon after they unlawfully excavated it without notice to proper authorities or permission from the city, has expressed concern about the narrow Mass. Ave. sidewalk.

The Traffic and Parking Department and the Police Department clearly have not been adequately consulted (although certain officials familiar with the situation have expressed alarm), and it would appear that the Recreation Department and the Commission for Persons with Disabilities have also been left out of the loop. The City Council, which is still actively considering the entire Midas situation and has repeatedly referred the matter to the city manager for action, surely does not approve of the intentional circumvention of its own zoning policies. Even Inspectional Services has expressed reservations about the current configuration of the project and is unwilling to issue an occupancy certificate at this stage.

In sum, we urge you as assistant city manager for community development to dispel the notion that the city condones this botched project. We believe it is crucial that you immediately issue a strong public statement condemning the expansion of Midas's activities at this location so that the licensing authorities understand the true thrust of the city's professed legislative and administrative policy for North Mass. Ave. Failing to do so cannot help but damage CDD's credibility and undermine the department's ability to function effectively in its role as liaison between the North Cambridge community and city government.

I look forward to your prompt response and hope to see you and experts from your staff at Tuesday evening's License Commission hearing.

Yours truly,



Michael Brandon, Vice Chair

cc.: NCSC Chair Richard Clarey
Neighborhood Planner Stuart Dash
City Manager Robert Healy
Cambridge City Council c/o City Clerk
Executive Officer Richard Scali, Cambridge License Commission

FAX

DATE: February 22, 1996
TO: MARGARET DRURY,
FAX: CITY CLERK

FROM: Michael Brandon
864-3520

PAGES: (including this cover sheet)

MEMO

RE: MIDAS MUFFLER

Dear Ms. Drury:

Please place the attached documents on the City Council's February 26 agenda so that they can be considered in conjunction with the Midas Muffler curb cut request.

Thank you for your assistance.

Michael Brandon

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Consent Communication #19 5-108

Communication were received from
Michael Brandon transmitting
correspondence regarding the Midas
Muffler curb cut request.

In City Council February 26, 1996

Referred to Unfinished Business
Number 16.