



Commonwealth of Massachusetts  
COUNTY OF MIDDLESEX  
OFFICE OF THE COUNTY COMMISSIONERS

THOMAS J. LARKIN  
CHAIRMAN

494-4115 494-4116

NEW SUPERIOR COURT HOUSE  
EAST CAMBRIDGE, MASS. 02141

July 12, 1988

The Honorable Francis Duehay  
Cambridge City Council  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts

Dear Councillor Duehay:

FRANK

The Board of Middlesex County Commissioners, at their meeting in Waltham, on July 11, 1988, voted to deny all five petitions relating to Old County Road and Winter Street.

Attached is a copy of my memorandum to the Board recommending denial of the petitions, the rationale for the decision and a proposal for regional planning.

Thank you for your expression of interest in this issue. If you have any further questions, do not hesitate to contact me.

Sincerely,

Thomas J. Larkin  
Chairman  
Board of Middlesex  
County Commissioners

TJL:mtq

Attachment



*Commonwealth of Massachusetts*  
**COUNTY OF MIDDLESEX**  
OFFICE OF THE COUNTY COMMISSIONERS

THOMAS J. LARKIN  
CHAIRMAN

494-4115      494-4116

NEW SUPERIOR COURT HOUSE  
EAST CAMBRIDGE, MASS. 02141

TO: Board of Middlesex County Commissioners  
FROM: Thomas J. Larkin, Chairman  
DATE: July 11, 1988  
RE: Petitions to Alter or Discontinue Portions of Old County  
Road and Winter Street

BACKGROUND

We have before us five petitions, filed on October 2, 1987, relating to Old County Road and Winter Street in Lincoln and Waltham.

Two petitions (5840 and 5842) seek to alter, relocate and repair portions of Old County Road and Winter Street (The Boston Properties Petitions).

Three petitions (5841, 5843 and 5844) seek to discontinue a portion of Old County Road (The Lincoln Petitions).

We have held two Public Hearings, each attended by over three hundred people (December 1, 1987 and February 2, 1988). We have had two public discussions relating to our consultant (ERM-New England Inc.) report (April 5, 1988 and June 7, 1988). Over two hundred people attended each of those meetings. In addition, we made a site visit March 9, 1988, accompanied by all of the parties.

The time has now come for the Board of County Commissioners to act on the petition.

RECOMMENDATION

I recommend that the Board of County Commissioners deny all five petitions.

## RATIONALE

I have concluded that no common convenience and necessity has been demonstrated by supporters of the Boston Properties petitions. The overwhelming volume of testimony heard, and correspondence received by the Board of County Commissioners was in support of the Town of Lincoln's position that the common convenience and necessity of the residents in the area would be adversely effected, if the Boston Properties petitions were approved. I have also concluded that common convenience and necessity are not served by approving the Lincoln petitions seeking to discontinue portions of Old County Road.

No resident of Waltham or Lincoln who signed the Boston Properties petitions appeared before us in support of those petitions. While it is true that the Mayor and the Director of Public Works and a single resident of Waltham did write to us in support of the Boston Properties petition, Waltham residents west of Route 128 were unified in opposition. For example, thirty-seven Waltham residents signed one of the discontinuance petitions. Waltham residents attended our Public Hearings in large numbers to speak before us in opposition to the Boston Properties petitions.

The Board of County Commissioners received over four hundred letters from area residents in opposition to the Boston Properties petitions. In addition, the following elected and appointed public officials are recorded in opposition to the Boston Properties petitions:

Senator Carol C. Amick, Chairman of the Committee on Natural Resources, Fifth Middlesex  
Senator Michael J. Barrett, Middlesex and Suffolk  
Senator Richard A. Kraus, Fourth Middlesex  
Representative Lucile Hicks, Thirteenth Middlesex  
Representative Stephen W. Doran, Fifteenth Middlesex  
James S. Hoyte, Secretary, Office of Environmental Affairs, Commonwealth of Massachusetts  
Lincoln Board of Selectmen  
Cambridge City Council  
Robert W. Healy, Manager, City of Cambridge  
Richard A. Murray, Chairman, Weston Board of Selectmen  
John C. Eddison, Chairman, Lexington Board of Selectmen  
John McCulloch, Chairman, Bedford Board of Selectmen  
Michaela Lipsey, Vice-Chairman, Lincoln School Committee  
Warren F. Flint, Jr., Lincoln Planning Board  
Timothy W. D. MacDonald, Manager of Water Resources, Cambridge  
Donald F. Horning, President, Cambridge Water Board  
David C. Soule, Executive Director, Metropolitan Area Planning Council  
Paul Levy, Executive Director, Massachusetts Water Resources Authority  
Senator Michael LoPresti, Jr., Suffolk and Middlesex  
Representative Charles F. Flaherty, 27th Middlesex  
Representative Sandra Graham, 28th Middlesex  
Representative Peter A. Vellucci, 29th Middlesex

The substance of the presentations heard by the Board, was of a high quality. The legal briefs presented by Frederick Connors on behalf of Boston Properties and by Hutchins and Wheeler on behalf of the Town of Lincoln, seemed to me to be comprehensive and well researched. I was particularly impressed with the June 20, 1988 letter from Attorney Connors outlining schematic intersection layouts, a proposed roadway improvement plan and a plan to protect the Cambridge Reservoir from run-off as described in a memorandum to Boston Properties from Vanasse, Hangen, Brustlin, Inc. Mr. Edward Linde's letter to us dated February 19, 1988 responded to the substantive issues.

However, I have finally come to agree with the position of the Town of Lincoln, as summarized in their letter to us dated May 24, 1988, that no common convenience and necessity has been demonstrated, that granting the petition would pose overwhelming traffic burdens on the area, that the Cambridge Reservoir is at risk and that a comprehensive planning process must be put in place prior to approving any petitions.

#### REGIONAL PLANNING PROPOSAL

All of the parties have commented on the lack of Regional Planning. This is the second time the Old County Road/Winter Street area has come before the Board of County Commissioners in the form of petitions pertaining to the Board's responsibilities under C.82 of the General Laws. The economic development of the area is further complicated by the potential adverse effect of development and traffic on the Cambridge Reservoir. Before we proceed with any further petitions in this area there needs to be a Regional Planning Study.

The Metropolitan Area Planning Commission has submitted a proposal to the Board of Middlesex County Commissioners which describes a scope of services and would create a Joint Policy Committee with the following representation:

Board of County Commissioners  
City of Waltham  
Town of Lexington  
Town of Lincoln  
Town of Weston

An Advisory Committee would also be formed which could include public and private interests such as Boston Properties, the City of Cambridge and other interested parties in the area.

I recommend that we embark upon a joint effort with the Metropolitan Area Planning Council for the purpose of bringing a coherent planning process to bear upon land use in the Winter Street/Old Colony Road area.

mtq

cc: All interested parties



# City of Cambridge

21.

IN CITY COUNCIL

July 25, 1988

COUNCILLOR DUEHAY

ORDERED: That the Cambridge City Council incorporate as part of the record of this meeting the attached decisions and memoranda from the Board of Middlesex County Commissioners with regard to petitions before them pertaining to alteration or discontinuance of Portions of Old County Road and Winter Street in Lincoln and Waltham; and be it further

ORDERED: That the Cambridge City Council thank the Middlesex County Commissioners, Thomas J. Larkin, Chairman, for its significant action in denying these petitions, which action provides crucial protection to the water supply of the City of Cambridge; and be it further

ORDERED: That the Cambridge City Council thank all those citizens and public officials who testified and wrote the Middlesex County Commissioners to preserve this important watershed.

In City Council July 25, 1988.

Adopted by the affirmative vote of 8 members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

A handwritten signature in cursive script that reads "Joseph E. Connarton".

ATTEST:-

Joseph E. Connarton  
City Clerk

Order #21 S-477

C. Duehay order re: that the City Council incorporate as part of the record of this meeting the attached decisions & memoranda of the Board of Middlesex County Commissioners with regard to petitions before them on the discontinuance or alteration of portions of Old County Road & Winter St. in Lincoln & Waltham.

In City Council,

July 25, 1988

*Order adopted*