

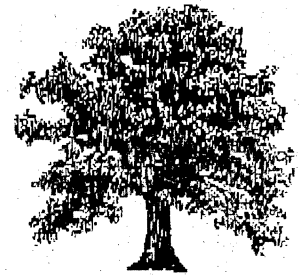
FAX

Lyme Properties, LLC

On the Common - P.O. Box 266

Lyme, New Hampshire 03768

Tel. 603-795-2129 ♦ Fax. 603-795-4789



DATE: 4/21/99

TO: Cambridge City Councilors 617-349-4269
c/o City Clerk

FROM: David Clem

RE: East Cambridge Planning Team

No. of pages including cover sheet: 6

Please deliver to the Cambridge City Councilors.

Thank you.

ATTENTION: This facsimile contains **PRIVILEGED AND CONFIDENTIAL INFORMATION** intended only for the use of the Addressee(s) named above. If you are not the intended recipient of this facsimile, you are hereby notified that any dissemination or copying of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone at 603-795-2129 and return this original facsimile to us at the address above. We will reimburse you for all expenses incurred. Thank you.

LYME PROPERTIES LLC
ON THE COMMON
POST OFFICE BOX 266
LYME, NEW HAMPSHIRE 03768
TEL: 603-795-2129 • FAX: 603-795-4789

April 21, 1999

Cambridge City Council
City Hall 2nd Floor
795 Massachusetts Avenue
Cambridge, MA 02139

Re: East Cambridge Planning Team

Dear Councilors:

Under separate cover I have forwarded a copy of a letter I sent to Steve Bikofsky, President of the East Cambridge Planning Team, pursuant to the City Council order requesting that Lyme Properties meet with the East Cambridge Planning Team. I spoke with Phillip Higonnet immediately after the Council meeting and I felt better communication had already begun.

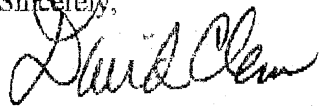
However, yesterday I received a copy of an April 20, 1999 letter Edward J. O'Connell sent to our attorney, Daniel Taylor. Mr. O'Connell claims to represent the East Cambridge Planning Team and now "several East Cambridge residents". The tone of his letter, which I understand he forwarded to the City Council, is not constructive.

I feel it is important for the City Council to have access to previous correspondence between Mr. O'Connell and Lyme. Accordingly, I have enclosed a copy of a letter Mr. O'Connell sent to me, dated March 1, 1999 and my reply, dated March 3, 1999. I think the letters speak for themselves.

Lyme has tried to be responsive to neighborhood concerns. We have spoken and met with a number of East Cambridge residents over the past year and will continue to do so. The East Cambridge Planning Team is an important neighborhood group and we want a better dialogue with the organization. I appreciate the City Council's efforts to facilitate better communication.

I am hopeful the President of the East Cambridge Planning Team agrees with these efforts.

Sincerely,



David Clem

DC:fp

cc: Steve Bikofsky, David Roby, Robert Green, Robert Healy, Beth Rubenstein

citycouncil/4/21/99

MURPHY & O'CONNELL
THREE SCHOOL STREET
BOSTON, MASSACHUSETTS 02108
TELEPHONE: (617) 723-8000
FAX: (617) 367-8024

March 1, 1999

VIA FACSIMILE

Mr. David E. Clem, President
Cambridge Research Park, LLC
101 Main Street, 18th Floor
Cambridge, MA 02142

RE: Development of Cambridge Research Park Site

Dear Mr. Clem:

Please be informed that this office has been retained to represent the interests of the East Cambridge Planning Team relative to your proposed development of the former Com/Energy site at 364 Third Street in Cambridge, Massachusetts. I will be appearing with my clients and other abutters to the subject property at the Cambridge Planning Board's March 2, 1999 public hearing.

In addition to engaging the services of my firm, the East Cambridge Planning Team has secured funding to hire both a traffic consultant and an environmental consultant to assess the impacts of your proposed development on the East Cambridge community. It is the collective hope of the members of the Planning Team that, with technical assistance and legal representation, they may offer better-informed input into the Planning Board's review process and, if appropriate, work with you and other representatives of Cambridge Research Park to ensure that the development of the Cambridge Research Park site does not harm the interests of the East Cambridge community.

With the foregoing in mind, it is our intention to request that the Cambridge Planning Board extend its timeline for the review and approval/denial of your project by at least thirty (30) days. To the extent that your agreement to such an extension is necessary, it is respectfully requested that you agree to same as a good faith gesture to the community and with an eye toward achieving a mutually-satisfactory resolution of the issues which separate the parties.

Should you choose not to agree to an extension of time, you will force the East Cambridge Planning Team to seek judicial review

MURPHY & O'CONNELL

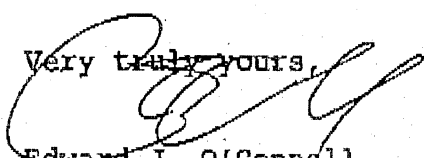
Mr. David E. Clem
March 1, 1999
Page 2

of any Planning Board decision which does not have the benefit of the opinions of the neighborhood's environmental and traffic consultants and, perhaps more importantly, you will have lost an opportunity to work with the East Cambridge community and not against it.

I shall make myself available to discuss these issues with you or your representatives.

Thank you for your attention and consideration in this regard.

Very truly yours,


Edward J. O'Connell

cc: Robert Healy, City Manager (via fax)
Beth Rubinstein, Assistant City Manager (via fax)

THE LYME TIMBER COMPANY
ON THE COMMON
POST OFFICE BOX 266
LYME, NEW HAMPSHIRE 03768
TEL: 603-795-2129 • FAX: 603-795-4789

March 5, 1999

Edward J. O'Connell
Murphy & O'Connell
Three School Street
Boston, MA 02108

Re: Cambridge Research Park

Dear Mr. O'Connell:

As I indicated to you at the public hearing, I received your March 1, 1999 letter the day of the meeting and did not have a chance to discuss it with my partners or my attorney. I have subsequently asked my attorney to analyze the potential impacts of your request in order to properly evaluate it.

However, I will say that Lyme Properties has always indicated a willingness to meet with the East Cambridge Planning Team or a delegation from the group. This offer was made last April at the informal Planning Board Meeting pursuant to Article 12 of the Cambridge Zoning Ordinance. We met with the East Cambridge Planning Team last May to describe our preliminary application, and I felt we incorporated some of the suggestions made then in our Final Development Plan. Certainly the increase in the amount of open space, the skating rink, and the location of retail space at the corner of Third Street and Linskey Way are in direct response to Planning Team input.

Subsequent to the May meeting, I offered to copy all materials submitted to the City directly to Planning Team members so they could be informed throughout the FUD process. I asked for the mailing list, but my request was denied.

The East Cambridge Planning Team, however, has been able to secure all of the written materials from the CDD staff. The Planning Team responded to the ENF and the DEIR as part of the MEPA process. I believe they also have a copy of the FEIR which was filed last week. Planning Team representatives have attended every meeting of the Planning Board, City Council and Conservation Commission relative to Cambridge Research Park. They have received, according to the CDD, copies of our traffic reports and the reports of the traffic consultant hired by the City.

On environmental matters several East Cambridge Planning Team members have petitioned for a PIP process which we have acknowledged. The PIP Plan, including community interviews, is being prepared and will provide multiple opportunities for the East Cambridge Planning Team to receive information and DEP submissions and to allow formal comment periods. As you no doubt know, there are many state laws and regulations that mandate the appropriate clean-up of a "brownfields" site and CRP is legally bound to follow them. We would not have purchased the site if we were not comfortable with those obligations and committed to fulfilling them 100%.

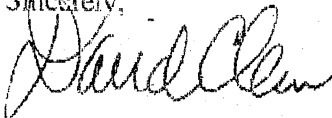
E. O'Connell, 3/5/99
Page 2

I think Lyme has demonstrated an ability to listen and favorably respond to constructive ideas. Threatening to sue the Planning Board is not, in my experience, the best way to advance a dialogue. We have tried to accept comments and criticism as legitimate and good faith expressions of neighborhood concerns. In spite of downzoning petitions, eminent domain orders, threats of lawsuits, and, in some cases, personal attacks, we have tried to respond professionally and advance our PUD application according to the rules established by Article 12 of the Cambridge Zoning Ordinance and Chapter 40A.

I regret that you think that Lyme may have "lost an opportunity to work with the East Cambridge community". We feel we have been responsive to the concerns of many neighbors. Several have acknowledged this by voicing their support at public hearings. On the other hand, other East Cambridge residents have made it clear by their actions and words that their objective is not to work with us but to stop us. The PUD process, which has been operative for the past eleven months, has allowed all sides to participate and CRP has previously granted two extensions to allow everyone the opportunity to express their opinions to the Planning Board.

If you would like to discuss this issue, please call me at (603) 795-2129 x 20.

Sincerely,



David Clem

DC:fp

cc: Daniel Taylor, Esq.
Robert L. Green
David M. Roby

o'connell, 3/5/99

Consent Communication #18

Cont. 18
3075

A communication was received from
David Clem, Lyme Properties, LLC,
transmitting additional information
regarding the East Cambridge Planning
Team.

In City Council April 26, 1999

CHARTER RIGHT

BY T. Tooney

5/3/99

PLACED ON FILE