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CAMBRIDGE MA.

14
CNI 1

143 Pleasant Street, 2A
Cambridge, MA 02139
September 25, 1997

PROGRESS REPORT ON PROPOSED POLAROID REAL ESTATE PROJECT,
784 Memorial Drive,

Prepared by Cambridgeport Neighborhood Initiative (CNI) Co-Chairs,
Gordie Fellman, Stash Horowitz, Anastasia Leotsakos, Elie Yarden.

To the Honorable, the City Councillors:

The Cambridgeport Neighborhood Initiative (CNI) updated the City Council and the City Manager at the Council meetings of August 4 and September 8 with several Progress Reports, on developments over the summer concerning the proposed Polaroid / Spaulding & Slye commercial real estate project at 784 Memorial Drive.

Back in May when this project was first announced, the proponent maintained that no State permits, and only one City permit (Cambridge Historical Commission) was required. The CNI discovered this assertion to be inaccurate, and thus far has uncovered requirements for at least four State permits (Cf. enclosures in September 8 CNI Progress Report to City Council, from MWRA, DEP, and MDC). The MDC letter also strongly recommends the filing of an Environmental Notification Form by the proponent.

CNI sent a letter on August 15 to Inspectional Services Department Commissioner Robert Bersani, and to City Manager Robert Healy, outlining its concerns and its discoveries about State permits being required. Commissioner Bersani had not received the June 23 Council order requesting further soil testing for possible chemical contamination on the site, so we enclosed a copy with our letter.

Five days later, on August 20, a limited building permit for alteration/renovation and demolition work inside and outside Bldg #1 only (the historic front building) was issued, including plumbing, mechanical, electrical, and interior and exterior construction (Cf. attached).

This permit is incomplete and should not have been issued. The debris disposal part of the permit, required by City and State law (MGL c.111, S.150A) and by the Mass. State Building Code (Article 1, Section 114.1.3) has been left blank, nor has a large project affidavit been submitted.

No asbestos removal or demolition permits for Bldg #1 had been filed, as required by State law, with the DEP, according to the Division of Asbestos.

Since this proposal involves a project that has aroused significant community concerns on issues of traffic, neighborhood impacts including air pollution, and public health and safety, the CNI requests the City Council to pass an order requiring the City Manager to follow proper procedures and public policies in granting any approvals and permits for this project.

Submitted by hand by Elie Yarden, co-chair, CNI
enclosures: 7 pages total.
9/25.

Elie Yarden

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CAMBRIDGE MA.

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CNI 2

12 Florence Street
Cambridge, MA 02139-4635
September 18, 1997

To the Honorable, the City Councillors
From Cambridgeport Neighborhood Initiative (CNI) Co-chairs
Gordie Fellman, Stash Horowitz, Anastasia Leotsakos, Elie Yarden
Re Proposed Polaroid commercial real estate venture at 784 Memorial Drive

In an article in today's Cambridge Chronicle (cf. attached), a Spaulding & Slye VP, representing Polaroid Corporation, is quoted, "Polaroid is still not sure how much Polaroid will use of the two new office buildings [proposed], which each will be 120,000 square feet."

However, the first sentence of this article states "Polaroid Co. is looking to lease about 240,000 square feet of space at its future headquarters according to a sign outside the Memorial Drive site."

Since leasing 240,000 sq. ft. of a project totaling 285,000 sq. ft. represents 84% of the space, Polaroid intends either to occupy only one-sixth of the total (45,000 sq. ft.) for a small number of the employees currently working in Cambridge, or they are seriously misrepresenting their intentions in their advertising on the sign. Another Spaulding & Slye VP, at a July 21 meeting at CDD with CNI, made clear that the commitment of Polaroid to occupy only the front historic building (45,000 sq. ft.) has been in place for some time.

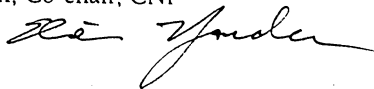
Further, before construction of the proposed new office towers can begin, a building permit for them must be issued by the City. This would first require a demolition permit and an asbestos removal permit from the Massachusetts Dept. of Environmental Protection (DEP) for Bldgs. #s 2, 3 and 8, which are currently where the towers would be constructed.

As of September 18, the DEP Division of Asbestos has received no notification from any asbestos removal or demolition companies as to when, where, and what work would be done, as required by state law.

On August 20, despite a prior letter from CNI to Inspectional Services Department Commissioner Robert Bersani, and to City Manager Robert Healy (cf. CNI August 15 letter), a building permit for alteration and renovation to Bldg. #1 only (the 45,000 sq. ft. historic front building) was issued.

Polaroid Corporation's intentions about going into the business of commercial real estate is of less concern to us than their desire to deceive the citizens of Cambridge, the City administration and you. CNI co-chairs will address you at the September 22 Council Meeting on these issues and concerns.

Submitted by hand on September 18,
by Elie Yarden, Co-chair, CNI



Enclosures: Cambridge Chronicle Sept. 18 article
CNI Aug. 15 letter to Robert Bersani

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97 SEP 25 PM 12: 56
CAMBRIDGE MA.

14

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CNI 3

Cambridgeport Neighborhood Initiative
c/o Elie Yarden
143 Pleasant Street, 2A
Cambridge, MA 02139

August 15, 1997

Robert Bersani, Commissioner
Inspectional Services Department
831 Massachusetts Avenue
Cambridge, MA 02139

Dear Commissioner Bersani,

The Cambridgeport Neighborhood Initiative (CNI) is a group of 75 abutters and near neighbors to the six-acre Polaroid site at 784-794 Memorial Drive, for which a 300,000 sq. ft. office development and a 500-600+ space parking garage was proposed in May, 1997.

Since then, our neighborhood group has had five public meetings, including several with a representative of the owner's putative future partner. At that time, they maintained that no permit other than a Cambridge Historical Commission permit was necessary. Nor did they, at that time, plan to do a traffic study.

On June 2, the Cambridge City Council unanimously ordered a traffic study done (Cf. copy of Council Order #98 of June 2).

On June 23, Julia O'Brien, Director of Planning for the Metropolitan District Commission (MDC), citing "... a significant new traffic burden on a road of the Commonwealth," namely Memorial Drive, due to the number of cars exiting and entering the proposed garage, strongly advised Polaroid to undertake a traffic study, and to file an Environmental Notification Form (ENF) with the Massachusetts Environmental Protection Act unit (MEPA). (Cf. copy of MDC letter of June 23.)

On July 9, Polaroid/ Spaulding & Slye hired Robert Vanasse Associates to conduct a traffic study. Meetings were held at Community Development Department (CDD) on July 21 and July 28, with CNI present, to discuss scoping of the traffic study. This study will be presented to CDD in mid-September for review by Rizzo Associates, the City's traffic consultant, and CNI's review. Presentation to the City Council should occur at one of the October meetings.

On June 23, the City Council, citing the previous lengthy history of industrial and chemical use on the site, and recent discovery of six buried underground tanks containing chemicals, unanimously passed an order requesting Polaroid to do additional soil testing at parts of the site where there were prior industrial uses, *before any demolition or excavation occurs on the site*. (Cf. copy of Council Order #101 of June 23.)

Thus far, there has been no official response from Polaroid.

14-3

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CNI 4

On July 31, Steven Johnson, chief of the Waste Site Management Section of the Massachusetts Department of Environmental Protection (DEP), wrote a letter to Polaroid strongly urging additional soil testing. (Cf. copy of DEP letter of July 31.)

In addition, further discussions of CNI with other state agencies indicate that further permits will be necessary for this proposed project to go forward.

We are writing to you and to the City Manager to inform you that, despite Polaroid's assertion that no additional city or state permits are needed, we have discovered otherwise.

The CNI does not want a situation to arise, where the City allows demolition, uncapping the asphalt surface, and soil excavation to begin, and then be brought to a halt - an awkward, and possibly harmful situation to public health and safety, and costly and time-consuming to the developer as the DEP notes in its letter.

We will keep you informed of any future developments in this matter. Thank you for your kind attention.

Very truly yours,

Elie Yarden
Stash Horowitz

Elie Yarden, Co-Chair
Stash Horowitz, Co-Chair
Cambridgeport Neighborhood Initiative

Copies: Cambridge City Council, for meeting of September 8
Robert Healy, City Manager

Enclosures:

14-4

CNIS 14
 PERMIT NUMBER
07241
 FEE: 26,100.00
 SPECIAL:
 TOTAL FEE: 26,100.00

ELECTRICAL T.O.M. DATE: 8-15-97
 PLUMBING/GAS 877 DATE: 8-15-97
 RENT CONTROL DATE:
 OTHER DATE:

VAL: Subject to the provisions of the Mass. State Zoning Laws of the City of Cambridge.

Accepted by: CD Date: 7/29/97
 ed by: CD Bin # 1997
 ved by: M Date: 8/25/97
 approval by: CD Date: 8/20/97
 ed by: [Signature] Date: 8/20/97

n submitted after foundation placed .

 FINAL INSPECTION MADE

it submitted
 and/or Occupancy issued

Notice of completion

2

Q



Robert R. Bersani
 Managing Director/
 Acting Commissioner

CITY OF CAMBRIDGE
 Inspectional Services Department
 583 Massachusetts Avenue
 Cambridge, Massachusetts 02139
 (617) 349-6100
 FAX (617) 349-6132

CAMBRIDGE
 HISTORICAL
 COMMISSION

145
 8/25/97

0797241

The undersigned hereby applies for a Permit to Build, Alter, or Repair in accordance with Section 113.0 of the Mass. State Building Code (MSBC).

(TYPE OR PRINT IN INK)
 1. Building Location: 784 Memorial Drive Date of Application: 7/22/97
 2. Zone C-3 Block# Lot# Lot Area Gross Floor Area
 Site Plan Submitted Use & Occupancy How is Bldg. Occup vacant/business
 Set Backs: Front Right Left Rear
 Height Above Grade: ± 67'0" ft, 4 1/2 stories: below grade 0 ft. 0 stories
 3. Owner: Polaroid Corporation Phone No.: 617-386-6584
 Address: 549 Technology Square City: Cambridge
 4. Applicant: polaroid Corporation Lessee or Other
 Address: 549 Technology Square Phone No.: 617-386-3864
 5. Contractor: S & S Boston Construction LLP Phone No.: 617-523-8000
 Address: 125 High Street, Boston, MA 02110
 6. Architect/designer: Cannon Registration No.:
 Address: One Center Plaza, Boston, MA 02108 Phone No.: 617-742-5440
 7. Engineer: Abhood/Halloran Associates Inc. Registration No.:
 Address: 275 Wyman Street, Waltham, MA 02154 Phone No.: 617-487-0530
 8. Type of work: new addition alteration repair
change of use/occupancy Other
 9. Type of Construction per Article 4 of the MSBC
 10. Description of work: (clearly indicate the scope of work under this permit.)
Interior demolition of existing office fit-up items - i.e. drywall
partitions, suspended ceiling system, doors, frames, and hardware, flooring
materials, mechanical, electrical, and plumbing equipment. (Sprinkler system
to remain active.) Construction alteration to consist of exterior facade repairs,
new window system to match existing, new roofing system, interior construction of
new base building core and shell consisting of drywall partitions, toilet rooms,
plumbing system, electrical distribution and fire alarm system, heating ventilation
and air conditioning system. Sprinkler system is existing and shall be reworked to
accommodate new layout. Exterior construction, including facade repairs and new

PLEASE NOTE: FOR NEW STRUCTURES AND ADDITIONS A CERTIFIED PLOT PLAN IS TO BE SUBMITTED FOR APPROVAL AFTER THE FOUNDATION IS POURED AND BEFORE FURTHER WORK COMMENCES. window system, will a) meet National Park Service standards for certified historic rehabilitation projects, and will be subject to Cambridge Historical Commission approval of construction details and methods; or will b) be in accordance with a preservation restriction allowing Cambridge Historical Commission to supervise the restoration and protect the building from inappropriate alteration.

1. Will street or sidewalk be blocked or obstructed during construction? No

If yes, a permit from Public Works will be required.

2. Total volume (cubic ft.) 540,000 (35,000 cu. ft. or more, requires camp of Massachusetts registered P.E. or Architect - (EXCEPTION: single or two family house.))

3. Is structure subject to control in accordance with Section 127.0 of the Massachusetts State Building Code? YES If YES, state the following and attach affidavits in accordance with Section 113.5.1 of State Building Code.

a. Laboratory: _____ License No.: _____

Address: _____

b. Technician: _____ License No.: _____

Address: _____

c. Other (Special Professional Services) License No.: _____

Address: _____

a. Design Occupant

Load

(per 806 MSBC)

b. Design Live Load.

(per 1103 & table

1106 MSBC)

Estimated Total Cost of project including related construction costs.*

Cost: \$2,610,000.00

* (TOTAL CONSTRUCTION COSTS INCLUDE ALL WORK DONE WITH OR CONCURRENTLY WITH THE WORK TEMPLATED BY THE BUILDING PERMIT INCLUDING DEMOLITION, PLUMBING, HEATING, ELECTRICAL, AIR CONDITIONING, PAINTING, CARPETING, LANDSCAPING, SITE IMPROVEMENTS, ETC. FURNISHINGS AND TABLE EQUIPMENT ARE NOT PART OF THE TOTAL CONSTRUCTION COST.)

BREAKDOWN OF COST ABOVE:

a. Fire Extinguishing equipment	\$ with sprinkler	b. Plumbing (2)	\$ 112,500
c. Water piping	\$ with plumbing	d. Gas fitting	\$ N/A
e. Air conditioning	\$ 585,000	f. Heating	\$ with air condition
g. Electrical	\$ 225,000	h. Sprinklers	\$ 81,000
i. Fire detection Equipment	\$ with electrical		

NOTES: 1. ITEMS a to h REQUIRE SEPARATE PERMIT.

2. BACKFLOW PREVENTION DEVICE INSTALLATIONS MUST FIRST BE APPROVED BY THE CAMBRIDGE WATER DEPARTMENT.

Is compliance with Article 31 (Energy Conservation) of the State Building Code required in any part of the work?

yes x no _____ if YES, answer no 17.

Does a summary and certification of compliance with Article 31 (Energy) company this application?

yes _____ no x

Plans and specifications: (Section 113.5 of State Building Code)

* a. Specifications submitted _____ No. of copies _____

* b. Plans submitted _____ No. of copies 2

c. Microfiche submitted No _____ (MICROFICHE REQUIRED FOR ALL NEW CONSTRUCTION, EXCEPT R-1.)

NOTE: NORMALLY TWO (2) SETS OF PLANS AND SPECIFICATIONS ARE REQUIRED TO BE SUBMITTED.

If existing building, complete the following:

a. Type of Construction concrete/masonry b. Use group B

c. No. of rooms/units _____ d. Occupancy vacant/business

e. Height in FT. above grade: 67.0" f. Area per floor ± 11,250

g. # of stories above grade 4 1/2 h. Total volume _____

i. Gross Floor Area (all floors, incl. basement, attic) _____

20. READ BEFORE SIGNING: (and the following sections of Massachusetts State Building Code)

The undersigned hereby certifies that he/she has read and examined this application and that the proposed work subject to the provisions and other applicable laws and ordinances is accurately represented in the statements made in this application and that the work shall be in accordance with the provisions of law and ordinance in force on the date of this application to the best of the undersigned's knowledge.

The following sections are quoted directly from the Massachusetts State Building Code, as of June 19, 1992.

113.6 SITE PLAN: There shall also be filed prior to a permit being granted for the excavation or for the erection of any building or structure and location of all new construction and all existing structures on the site, distances from lot lines, the established street grades if the site plan shall not be changed except as specified in Sections 113.8 and 115.3.

114.3 EXPIRATION OF PERMIT: Any permit that is issued shall be deemed abandoned and invalid unless the work authorized by the permit is completed within six (6) months after its issuance;.....

114.7 REVOCATION OF PERMITS: The building commissioner may revoke a permit or approval issued under the provisions of this chapter if the permittee misrepresentation of fact in the application or the plans on which the permit or approval was based.

115.1 COMPLIANCE WITH CODE: The permit shall be a license to proceed with the work and shall not be construed as authority to violate any provision of this Code, except as specifically stipulated by modification or legally granted variation in accordance with Section 126.0.

115.2 COMPLIANCE WITH PERMIT: All work shall conform to the stamped or endorsed application and plans for which the permit has been issued.

115.3 CHANGE IN SITE PLAN: A lot or site shall not be changed, increased or diminished in area from that shown on the official site plan. A revised plan showing such changes accompanied by the necessary affidavit of owner or applicant shall have been filed and approved by the building commissioner before the change is made. No change shall be required if the change is caused by reason of an official street opening, street widening or other public improvement.

119.1 NEW BUILDINGS AND STRUCTURES: A building or structure hereafter shall not be used or occupied in whole or in part unless the building has been issued by the building commissioner or inspector of buildings or, when applicable, the state inspector. The certificate shall be completed in accordance with the provisions of the approved permits and of the applicable codes for which a permit is required, except as otherwise provided.

119.2 BUILDINGS OR STRUCTURES HEREAFTER ALTERED: A building or structure, in whole or in part, altered to change: fire protection; use within the same group; the fire grading; the maximum live load capacity; the occupancy load capacity; or a building or structure, shall not be used or occupied until the certificate of use and occupancy has not been heretofore issued, shall not be used or occupied until the certificate shall have been issued certifying that the work has been completed in accordance with the provisions of the code for which a permit is required. Any use or occupancy, which was not discontinued during the work of alteration, shall be discontinued at the alteration unless the required certificate is issued.

122.3 VIOLATIONS PENALTIES: A person who shall violate a provisions of the Basic Code shall be punishable by a fine of not more than one year, or both, for each violation. Each day during which any portion of a violation continues shall constitute a separate violation.

HOLD HARMLESS CLAUSE: The Permittee(s) by acceptance of this permit agree(s) to indemnify and hold harmless the City of Cambridge and all claims, demands and actions for damages resulting from operations under this permit, regardless of negligence of the City of Cambridge or the defense of the City of Cambridge, and its employees, against all claims, demands and actions.

S. Taylor (Agent)
(Signature of Owner)

549 Technology Square
(Address)

Cambridge
(City)

-786-6599
(Phone)

S. Taylor
(Signature of Licensed Building Official)

97 Vetter
(Address)

Dorchester
(City)

523-8000
(Phone)

087
(License Number)

City: Cambridge



CNI 7 14

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES DEPARTMENT
831 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-6100
FAX (617) 349-6132

ROBERT R. BERSANI
MANAGING DIRECTOR/
ACTING COMMISSIONER

DEBRIS

TAKEN FROM ARTICLE 1, SECTION 114.1.3 OF THE MASSACHUSETTS STATE BUILDING CODE.

As a condition of issuing a permit for the demolition, renovation, rehabilitation or other alteration of a building or structure, M.G.L. C40, S54 requires that the debris resulting therefrom shall be disposed of in a properly licensed solid waste disposal facility as defined by M.G.L. C111, S150A. signature of the permit applicant, date and number of the building permit to be issued shall be indicated on a form provided by the building department, and attached to the office copy of the building permit retained by the building department. In the case of a large project where the name and location of the disposal facility may be unknown at the time of the building permit application, an affidavit provided by the building department containing the number of the building permit, date, within two months, when notification will be submitted to the building official of the name and location of the waste disposal facility, signature and address of the permit applicant and date shall be acceptable. THIS REQUIREMENT DOES NOT APPLY TO NEW CONSTRUCTION.

In accordance with the provisions of MGL c 40, S 54, a condition of Building Permit Number _____ is that the debris resulting from this work shall be disposed of in a properly licensed solid waste disposal facility as defined by MGL c 111, S 150A.

The debris will be disposed at _____

Name/Street Address

TYPE OF CONTAINER
FOR
TRANSPORTATION

Signature of Permit Applicant

Date

14-7

Consent Communication #14

S-606

Communication was received from Eli Yarden,
Co-chair, Cambridgeport Neighborhood
Initiative, transmitting a progress report
on proposed Polaroid Real Estate Project,
784 Memorial Drive.

In City Council September 29, 1997

PLACED ON FILE