

402 petition

PETITION OF Susan Yanew^{III}, et all

re. Transitions Requiements

Petition filed with the City Clerk June 8, 1989

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

18 days June
31 days July
1.6 days Aug.

65 days = August 16, 1989 = all Hearings

In City Council June 12, 1989

Referred to the Planning Board for report June 12, 1989

Planning Board Hearing August 1, 1989

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be November 14, 1989.)

15 days Aug.
30 days Sept.
31 days Oct.
1.4 days Nov

90 days = November 14, 1989

City Council hearing published _____ on _____

and _____

Hearing before the Ordinance Committee August 16, 1989 at 4:30 p.m.

Reported to the City Council Sept. 11, 1989 - Tabled pending rep. from P.B.

Passed to a second reading on October 30, 1989

published in Chronicle on November 2, 1989

Planning Board report received on October 23, 1989

Ready for ordination on November 13, 1989

Passed to be ordained on _____

published in _____ on _____

COMPLETION DATE November 14, 1989

11/14/89 No action taken
Placed on file due to expiration
of time limit

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

May 18, 1989

To the Honorable, the City Council:

SUBJECT: Recommendation on the Yanow et al Rezoning Petition

Recommendation

The Planning Board is not prepared to recommend adoption of the petition or a specific modification to it at this time. The proposal is a thoughtful one and is an extension of a recommendation made by the Board itself in regard to the first Yanow petition filed in July of 1988. However the extension of the transition requirements, in the current petition, to all non-residential districts in the City has raised issues of impact and conflict with policies already incorporated into the Zoning Ordinance in so many varying situations that the Board cannot confidently make a recommendation with full knowledge of its consequences and the Board is prepared to continue its analysis to provide more certain and responsible recommendations to the City Council at a later date.

Findings

It is clear that in circumstances, as those that prompted the initial petition in July of 1988 where high density industrial districts abut low density residential ones, reasonable transitions should be mandated. However even the Planning Board's initial recommendation for the Industry B district (Yanow petition #1), upon further reflection prompted by the current petition, can be found to produce anomalous results in some circumstances (e.g. 35 foot commercial buildings along Main Street adjacent to a row of 70 foot or higher existing buildings). Most buildings in the commercial zones in the heart of Harvard Square would be required to have front yard setbacks where the existing circumstances and general policy has favored buildings to the lot line.

As a result of the scope of the petition many buildings will be made newly non-conforming in most non-residential districts in the City. Initial analysis indicates that transitions along district lines located in streets should be treated differently (and less stringently perhaps given the natural transition provided by the open space of the street) than the more critical transition desirable along rear and side property lines. Transition from the Residence C-3 district should perhaps not be required as it is in fact as much an institutional district as it is a residential district. And thoughtful measures should be devised to minimize the non-conforming impact on existing structures or to permit some variations in special circumstances (as perhaps through a carefully defined special permit process). The current proposal is one that deserves careful consideration and the Planning Board regrets that the analysis of the host of other important zoning matters before it and the Council have made it difficult to devote the time necessary to adequately assess the impact the current petition would have.

Respectfully Submitted for the Planning Board,

David Kennedy ^{LM}

David Kennedy, Vice Chairman



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

May 22, 1989

RICHARD C. ROSSI
Deputy City Manager

To the Honorable, the City Council:

Enclosed please find copy of the Cambridge Planning Board's
recommendation relative to the Yanow, et al, Rezoning Petition.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 7

Re: Planning Board recommendation on the
rezoning petition of Susan Yanow, et al.

In City Council,

May 22, 1989

5/22/89 - Referred to the petition

GOODWIN, PROCTER & HOAR

(A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS)

COUNSELLORS AT LAW

EXCHANGE PLACE

BOSTON, MASSACHUSETTS 02109-2881

693 MAY -5 AM 11: 24

CAMBRIDGE MA

TELEPHONE (617) 570-1000

TELECOPIER (617) 523-1231

TELEX 94-0640

CABLE GOODPROCT, BOSTON

570-1440

May 4, 1989

Cambridge City Council
c/o Mr. Joseph Connarton, City Clerk
City of Cambridge
795 Massachusetts Avenue - Room 103
Cambridge, MA 02139

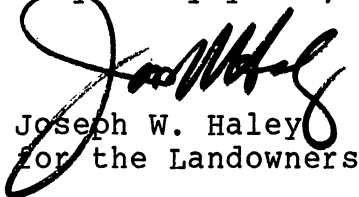
Dear Councillors:

On Monday, May 1, 1989, Polaroid Corporation, The Prudential Insurance Company of America, Massachusetts Institute of Technology, The Charles Stark Draper Laboratory, Inc., Tofias, Fleishman & Shapiro and Concorde Associates (the "Landowners") filed a formal protest under MGL C.40A §5 to oppose the enactment of a City-wide zoning amendment sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988. This amendment, if passed, would add a new subsection 5.43 to the Zoning Ordinance creating a 45° bulk control plane affecting, Office, Business and Industrial zones beginning at the residential/nonresidential zoning district boundaries.

The Landowners own property in the Industry B Zoning District which is currently the subject of two Interim Planning Overlay District petitions before the City Council and the Planning Board. The Landowners believe that rezoning proposals should reflect impact studies and careful analysis of the specific areas involved and therefore they are generally opposed to "piecemeal" rezoning efforts which would affect all properties on a City-wide basis.

The Landowners want to make the Cambridge City Council aware that the proposed bulk control zoning amendment would make many significant buildings existing in the Industry B District (as well as other existing buildings in other parts of the City) nonconforming and will severely limit the orderly development of other properties affected by the proposed amendment.

Very truly yours,


Joseph W. Haley
for the Landowners

JWH:hr

XP-3796/p

Comm. from Joseph W. Haley, Goodwin, Proctor & Hoar, on behalf of Polaroid Corp., The Prudential Insurance Co. of America, MIT, Charles Stark Draper Laboratories, Tofias, Fleishman & Shapiro & Concorde Associates pursuant to MGL Ch. 40A, Subsection 5 in written protest to the petition of Susan Yanow, et al to create a 45⁰ bulk control plane.

GOODWIN, PROCTOR & HOAR

ATTORNEYS AT LAW
CORPORATION OFFICE

BOSTON: WASHINGTON STREET, 12th FLOOR, 02108-1884

In City Council,

May 8, 1989

RECEIVED
MAY 11 1989
CITY OF BOSTON

May 11, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated May 8, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest filed by Susan Yanow, et al.

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY 11 PM 4:30
CAMBRIDGE MA.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date May 8, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Susan Yanow zoning amendment.

Enclosed you will find two copies of the written protest to the petition filed by Susan Yanow, et al.

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

Please refer to the previously sent memo which contained the most recent Zoning Chart for your information.

Your kind attention in this matter will be greatly appreciated.

Harvard University Planning Group

1350 Massachusetts Avenue · Holyoke Center 912 · Cambridge, Massachusetts 02138

617 · 495 · 2234

RECEIVED BY
OFFICE OF CITY CLERK
MAY 10 10 44
CAMBRIDGE MA.

May 2, 1989

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

Re: Bulk Control Plane Zoning Petition Filed by Susan Yanow (December 5, 1988)

Dear Mr. Connarton:

Harvard University opposes the above referenced petition filed by Susan Yanow et al. The petition proposes to amend Section 5.40, Transition Requirements of the Cambridge Zoning Ordinance and to add a new subsection 5.43 which would restrict any building in an office, business, or industrial zone which abuts a residence district, to a so-called "45° bulk control plane." In the alternative, the petition proposes that a building could be built forward and above the bulk control plane only if the building complies with the height and yard requirements of both the non-residential zone and the abutting residential zone.

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 of 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.

The Yanow proposal is excessively broad in scope, applying to all office, business, and industrial zones city-wide, without taking into account existing transitional features of many non-residential zones. It would add a city-wide "transition zone" requirement which ignores and would potentially conflict with other carefully planned guidelines and restrictions for particular areas of the City.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

By:


Sally Zeckhauser

By:


Sheldon Tandler

Attach: Harvard Property List
ML0:kjq
33:30

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Number	Map 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 COWPERTHWAITE	105,726	131	70
13 COWPERTHWAITE	3,370	132	82
13 COWPERTHWAITE	4,000	132	87
13 COWPERTHWAITE	4,000	132	83
13 COWPERTHWAITE	4,000	132	85
13 COWPERTHWAITE	5,583	132	81
13 COWPERTHWAITE	4,000	132	84
15 COWPERTHWAITE	4,000	132	86
24 COWPERTHWAITE	72,913	131	65
39 COWPERTHWAITE	69,100	132	137
COWPERTHWAITE ST	24,734	131	68
22 DEWOLFE ST	9,500	132	39

HARVARD PROPERTY IN CAMBRIDGE

Address	Area	Assesors Map Number	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 Number	Map 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 Map Number	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		

May 11, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated May 9, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest filed by Susan Yanow, et al.

RECEIVED BY
C. HOFFER, CITY CLERK
1989 MAY 11 PM 4:30
CAMBRIDGE MA.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date May 9, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Susan Yanow zoning amendment.

Enclosed you will find two copies of the written protest to the petition filed by Susan Yanow, et al.

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

Please refer to the previously sent memo which contained the most recent Zoning Chart for your information.

Your kind attention in this matter will be greatly appreciated.

RECEIVED BY
OFFICE OF CITY CLERK

1988 MAY -9 PM 1:01

CAMBRIDGE MA.

Protest Under MGL C.40A §5

The undersigned owner of land in the Industry B Zoning District and in other areas of the City of Cambridge, hereby opposes the enactment of a City-wide zoning amendment sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988. This amendment would add a new subsection 5.43 to the Zoning Ordinance creating a 45' bulk control plane affecting Office, Business and Industrial zoning districts beginning at the residential/nonresidential zoning district boundaries.

The undersigned owner's land in the Industry B Zoning District is currently the subject of two Interim Planning Overlay District petitions. The undersigned owner believes that rezoning proposals should reflect impact studies of the specific area involved and therefore is generally opposed to "piecemeal" rezoning efforts.

The proposed bulk control zoning amendment will make existing buildings in the Industry B District (as well as other existing buildings in other parts of the City) nonconforming and will severely limit the orderly development of other properties affected by the proposed amendment.

OLD CAMBRIDGE REALTY TRUST
OLD KENDALL REALTY TRUST
OLD BINNEY REALTY TRUST
OLD PORTLAND REALTY TRUST
THE ATHENAEUM GROUP

By



May 2, 1989

TO: Joseph E. Connarton
City Clerk

FROM: Sally Powers, Director
Board of Assessors



In reply to your memo dated May 2, 1989, please be advised that we have, this day, forwarded to Sue Tamber, Engineering Dept., the written protest filed by Susan Yanow, et al.

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY -2 PM 3:31
CAMBRIDGE MA.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Sally Powers
Director, Board of Assessors

Date May 2, 1989

From Joseph E. Connarton
City Clerk

Reference

Subject Written protest - Yanow zoning amendment.

Enclosed you will find two copies of the written protest to the petition filed by Susan Yanow, et al.

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

Please refer to the previously sent memo which contained the most recent Zoning Chart for your information.

Your kind attention in this matter will be greatly appreciated.

GOODWIN, PROCTER & HOAR

(A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS)

COUNSELLORS AT LAW
EXCHANGE PLACE

BOSTON, MASSACHUSETTS 02109-2888
CAMBRIDGE MA.

TELEPHONE (617) 570-1000
TELECOPIER (617) 523-1231
TELEX 94-0640
CABLE GOODPROCT, BOSTON

570-1440

May 1, 1989

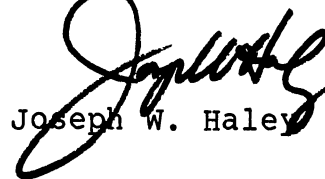
BY HAND

Mr. Joseph Connarton, City Clerk
City of Cambridge
795 Massachusetts Avenue - Room 103
Cambridge, MA 02139

Dear Mr. Connarton:

Enclosed is a Protest pursuant to Massachusetts General Laws C.40A §5 signed by Polaroid Corporation, Massachusetts Institute of Technology, The Prudential Insurance Company of America, The Charles Stark Draper Laboratory, Inc., Tofias, Fleishman & Shapiro and Concorde Associates. This is filed to protest the passage of the Yanow amendment which proposes a bulk control line at residential/nonresidential district boundaries.

Very truly yours,


Joseph W. Haley

JWH:hr
Enclosure

cc: Polaroid Corporation
Massachusetts Institute of Technology
The Prudential Insurance Company of America
The Charles Stark Draper Laboratory, Inc.
Tofias, Fleishman & Shapiro
Concorde Associates

XP-3767/p

(Hand Delivered to Connarton 5-1-89 JCF)

Protest Under MGL C.40A §5 1989 MAY -2 AM 8:11

The undersigned owners of land in the Industry B Zoning District and in other areas of the City of Cambridge, hereby oppose the enactment of a City-wide zoning amendment sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988. This amendment would add a new subsection 5.43 to the Zoning Ordinance creating a 45° bulk control plane affecting Office, Business and Industrial zoning districts beginning at the residential/nonresidential zoning district boundaries.

The undersigned owners' land in the Industry B Zoning District is currently the subject of two Interim Planning Overlay District petitions. The undersigned owners believe that rezoning proposals should reflect impact studies of the specific areas involved and therefore they are generally opposed to "piecemeal" rezoning efforts.

The proposed bulk control zoning amendment will make existing buildings in the Industry B District (as well as other existing buildings in other parts of the City) nonconforming and will severely limit the orderly development of other properties affected by the proposed amendment.

POLAROID CORPORATION

By *Eric V. Bus*

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

By _____

TOFIAS, FLEISHMAN & SHAPIRO

By *[Signature]* Principal

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY

By *Philip A. Russell*

THE CHARLES STARK DRAPER
LABORATORY, INC.

By *[Signature]*

CONCORDE ASSOCIATES

By _____

RECEIVED BY
OFFICE OF CITY CLERK

Protest Under MGL C.40A §5 -2 AM 8:11

The undersigned owners of land in the ^{CAMBRIDGE MA.} Industry B Zoning District and in other areas of the City of Cambridge, hereby oppose the enactment of a City-wide zoning amendment sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988. This amendment would add a new subsection 5.43 to the Zoning Ordinance creating a 45° bulk control plane affecting Office, Business and Industrial zoning districts beginning at the residential/nonresidential zoning district boundaries.

The undersigned owners' land in the Industry B Zoning District is currently the subject of two Interim Planning Overlay District petitions. The undersigned owners believe that rezoning proposals should reflect impact studies of the specific areas involved and therefore they are generally opposed to "piecemeal" rezoning efforts.

The proposed bulk control zoning amendment will make existing buildings in the Industry B District (as well as other existing buildings in other parts of the City) nonconforming and will severely limit the orderly development of other properties affected by the proposed amendment.

POLAROID CORPORATION

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

By _____

By _____

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA

THE CHARLES STARK DRAPER LABORATORY, INC.

By *Joseph D. Murphy*

By _____

Assoc. Regional Counsel and Asst Secretary
TOFIAS, FLEISHMAN & SHAPIRO

CONCORDE ASSOCIATES

By _____

By _____

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

May 18, 1989

To the Honorable, the City Council:

SUBJECT: Recommendation on the Yanow et al Rezoning Petition

Recommendation

The Planning Board is not prepared to recommend adoption of the petition or a specific modification to it at this time. The proposal is a thoughtful one and is an extension of a recommendation made by the Board itself in regard to the first Yanow petition filed in July of 1988. However the extension of the transition requirements, in the current petition, to all non-residential districts in the City has raised issues of impact and conflict with policies already incorporated into the Zoning Ordinance in so many varying situations that the Board cannot confidently make a recommendation with full knowledge of its consequences and the Board is prepared to continue its analysis to provide more certain and responsible recommendations to the City Council at a later date.

Findings

It is clear that in circumstances, as those that prompted the initial petition in July of 1988 where high density industrial districts abut low density residential ones, reasonable transitions should be mandated. However even the Planning Board's initial recommendation for the Industry B district (Yanow petition #1), upon further reflection prompted by the current petition, can be found to produce anomalous results in some circumstances (e.g. 35 foot commercial buildings along Main Street adjacent to a row of 70 foot or higher existing buildings). Most buildings in the commercial zones in the heart of Harvard Square would be required to have front yard setbacks where the existing circumstances and general policy has favored buildings to the lot line.

As a result of the scope of the petition many buildings will be made newly non-conforming in most non-residential districts in the City. Initial analysis indicates that transitions along district lines located in streets should be treated differently (and less stringently perhaps given the natural transition provided by the open space of the street) than the more critical transition desirable along rear and side property lines. Transition from the Residence C-3 district should perhaps not be required as it is in fact as much an institutional district as it is a residential district. And thoughtful measures should be devised to minimize the non-conforming impact on existing structures or to permit some variations in special circumstances (as perhaps through a carefully defined special permit process). The current proposal is one that deserves careful consideration and the Planning Board regrets that the analysis of the host of other important zoning matters before it and the Council have made it difficult to devote the time necessary to adequately assess the impact the current petition would have.

Respectfully Submitted for the Planning Board,

David Kennedy ^{LM}

David Kennedy, Vice Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

May 18, 1989

To the Honorable, the City Council:

SUBJECT: Recommendation on the Yanow et al Rezoning Petition

Recommendation

The Planning Board is not prepared to recommend adoption of the petition or a specific modification to it at this time. The proposal is a thoughtful one and is an extension of a recommendation made by the Board itself in regard to the first Yanow petition filed in July of 1988. However the extension of the transition requirements, in the current petition, to all non-residential districts in the City has raised issues of impact and conflict with policies already incorporated into the Zoning Ordinance in so many varying situations that the Board cannot confidently make a recommendation with full knowledge of its consequences and the Board is prepared to continue its analysis to provide more certain and responsible recommendations to the City Council at a later date.

Findings

It is clear that in circumstances, as those that prompted the initial petition in July of 1988 where high density industrial districts abut low density residential ones, reasonable transitions should be mandated. However even the Planning Board's initial recommendation for the Industry B district (Yanow petition #1), upon further reflection prompted by the current petition, can be found to produce anomalous results in some circumstances (e.g. 35 foot commercial buildings along Main Street adjacent to a row of 70 foot or higher existing buildings). Most buildings in the commercial zones in the heart of Harvard Square would be required to have front yard setbacks where the existing circumstances and general policy has favored buildings to the lot line.

As a result of the scope of the petition many buildings will be made newly non-conforming in most non-residential districts in the City. Initial analysis indicates that transitions along district lines located in streets should be treated differently (and less stringently perhaps given the natural transition provided by the open space of the street) than the more critical transition desirable along rear and side property lines. Transition from the Residence C-3 district should perhaps not be required as it is in fact as much an institutional district as it is a residential district. And thoughtful measures should be devised to minimize the non-conforming impact on existing structures or to permit some variations in special circumstances (as perhaps through a carefully defined special permit process). The current proposal is one that deserves careful consideration and the Planning Board regrets that the analysis of the host of other important zoning matters before it and the Council have made it difficult to devote the time necessary to adequately assess the impact the current petition would have.

Respectfully Submitted for the Planning Board,

David Kennedy ^{LM}

David Kennedy, Vice Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

May 18, 1989

To the Honorable, the City Council:

SUBJECT: Recommendation on the Yanow et al Rezoning Petition

Recommendation

The Planning Board is not prepared to recommend adoption of the petition or a specific modification to it at this time. The proposal is a thoughtful one and is an extension of a recommendation made by the Board itself in regard to the first Yanow petition filed in July of 1988. However the extension of the transition requirements, in the current petition, to all non-residential districts in the City has raised issues of impact and conflict with policies already incorporated into the Zoning Ordinance in so many varying situations that the Board cannot confidently make a recommendation with full knowledge of its consequences and the Board is prepared to continue its analysis to provide more certain and responsible recommendations to the City Council at a later date.

Findings

It is clear that in circumstances, as those that prompted the initial petition in July of 1988 where high density industrial districts abut low density residential ones, reasonable transitions should be mandated. However even the Planning Board's initial recommendation for the Industry B district (Yanow petition #1), upon further reflection prompted by the current petition, can be found to produce anomalous results in some circumstances (e.g. 35 foot commercial buildings along Main Street adjacent to a row of 70 foot or higher existing buildings). Most buildings in the commercial zones in the heart of Harvard Square would be required to have front yard setbacks where the existing circumstances and general policy has favored buildings to the lot line.

As a result of the scope of the petition many buildings will be made newly non-conforming in most non-residential districts in the City. Initial analysis indicates that transitions along district lines located in streets should be treated differently (and less stringently perhaps given the natural transition provided by the open space of the street) than the more critical transition desirable along rear and side property lines. Transition from the Residence C-3 district should perhaps not be required as it is in fact as much an institutional district as it is a residential district. And thoughtful measures should be devised to minimize the non-conforming impact on existing structures or to permit some variations in special circumstances (as perhaps through a carefully defined special permit process). The current proposal is one that deserves careful consideration and the Planning Board regrets that the analysis of the host of other important zoning matters before it and the Council have made it difficult to devote the time necessary to adequately assess the impact the current petition would have.

Respectfully Submitted for the Planning Board,

David Kennedy ^{LM}

David Kennedy, Vice Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY 18 PM 4:22
CAMBRIDGE MA.

May 18, 1989

To the Honorable, the City Council:

SUBJECT: Recommendation on the Yanow et al Rezoning Petition

Recommendation

The Planning Board is not prepared to recommend adoption of the petition or a specific modification to it at this time. The proposal is a thoughtful one and is an extension of a recommendation made by the Board itself in regard to the first Yanow petition filed in July of 1988. However the extension of the transition requirements, in the current petition, to all non-residential districts in the City has raised issues of impact and conflict with policies already incorporated into the Zoning Ordinance in so many varying situations that the Board cannot confidently make a recommendation with full knowledge of its consequences and the Board is prepared to continue its analysis to provide more certain and responsible recommendations to the City Council at a later date.

Findings

It is clear that in circumstances, as those that prompted the initial petition in July of 1988 where high density industrial districts abut low density residential ones, reasonable transitions should be mandated. However even the Planning Board's initial recommendation for the Industry B district (Yanow petition #1), upon further reflection prompted by the current petition, can be found to produce anomalous results in some circumstances (e.g. 35 foot commercial buildings along Main Street adjacent to a row of 70 foot or higher existing buildings). Most buildings in the commercial zones in the heart of Harvard Square would be required to have front yard setbacks where the existing circumstances and general policy has favored buildings to the lot line.

As a result of the scope of the petition many buildings will be made newly non-conforming in most non-residential districts in the City. Initial analysis indicates that transitions along district lines located in streets should be treated differently (and less stringently perhaps given the natural transition provided by the open space of the street) than the more critical transition desirable along rear and side property lines. Transition from the Residence C-3 district should perhaps not be required as it is in fact as much an institutional district as it is a residential district. And thoughtful measures should be devised to minimize the non-conforming impact on existing structures or to permit some variations in special circumstances (as perhaps through a carefully defined special permit process). The current proposal is one that deserves careful consideration and the Planning Board regrets that the analysis of the host of other important zoning matters before it and the Council have made it difficult to devote the time necessary to adequately assess the impact the current petition would have.

Respectfully Submitted for the Planning Board,

David Kennedy ^{LM}

David Kennedy, Vice Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition Requirements Between Non-Residential and Residential Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al' Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

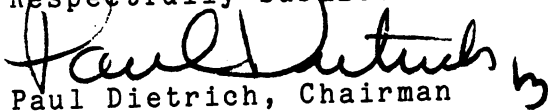
To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139


To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


Paul Dietrich, Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

Subject: Yanow, et al Rezoning Petition to Establish Transition
Requirements Between Non-Residential and Residential
Districts.

Date: May 11, 1989

The Planning Board has not had an opportunity to review in detail the implications of the above referenced petition which affects many commercial and industrial districts in a wide variety of circumstances. The Planning Board will make a recommendation on this important petition at its regular May 16, 1989 meeting and immediately thereafter forward its findings to City Council for its consideration.

Respectfully submitted for the Planning Board,


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

May 15, 1989

To the Honorable, the City Council:

Enclosed please find a copy of the Planning Board's report relative to the Yanow, et al, Rezoning Petition to Establish Transition Requirements between Non-Residential and Residential Districts.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Agenda Item No. 7

Re: enclosed planning Board report on the Yanow, et al rezoning petition to establish transition requirements between non-residential & residential districts; said report stating the Board has not had time to review the implications of the petition in detail but will forward their recommendation after their May 16, 1989 meeting.

In City Council,

May 15, 1989

Referred to the petition

195,427,584 = Cal no 20 Y^o

8,117,225 = ^{this petition.} 4.15 %

4

2/1/85 - J. L. on 10/22

2,485,47 seven.

108,464,400 - 55.88.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joseph E. Connarton
City Clerk

From William Sommers
Commissioner of Public Works

Subject Susan Yanow Petition (May 23, 1989)

Date May 22, 1989

Reference

RECEIVED
OFFICE OF CITY CLERK
1989 MAY 22 PM 4:55
CAMBRIDGE MA.

With respect to the data used on the Susan Yanow petition, would like to submit the following:

1. The initial calculations with respect to land area of the City subject to inclusionary zoning were made on February 1, 1985. These figures are shown below:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1996.79 acres
Land Area Subject to Inclusionary Zoning	2489.61 acres

2. However, on February 11, 1985 a revised letter documented analysis was made which identified a slight change in the resultant calculations as follows:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1868.44 acres
Land Area Subject to Inclusionary Zoning	2617.96 acrea

3. It is, therefore, our practice to use the revised figures of February 11, 1985 which, when applies to the present case result in the following calculations

- a. Square Footage of Petition Area (2617.96 acres times 43,460) or total area of City subject to inclusionary zoning 114,038,338
- b. Square Footage owned by Protestors (186.34 acres times 43,460) 8,117,225
- c. Percent of Petition Area Owned by Protestors 7.12%



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Birge Albright Date Feb. 8, 1985
From Joan Lastovica JL Reference
Subject Areas exempt from "Inclusionary Zoning" Ordinances

Would it be possible for you to provide information relative to statutes, procedural requirements, or other supportive facts for the exemption from proposed "inclusionary zoning" districts of the following areas in Cambridge ;

1. The Charles River, the Lechmere Canal, and the land and water of Fresh Pond;
2. Land zoned "open space";
3. Cemeteries, both public and private;
4. Public ways;
5. MDC parklands and parkways (roads);
6. city parks and playgrounds.

A reply by Monday 11 February would be very useful and appreciated.

My memo to the city manager of 1 February 1985 is enclosed for some background information. Thank you for your assistance with this request - my apologies for the short notice.

cc. Russell Higley



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date February 1, 1985

From Joan Lastovica, City Engineer

Reference

Subject Calculations of land for Inclusionary Zoning.

Pursuant to your request for calculations of land subject to Inclusionary Zoning and land owned by registered objectors, the following analysis and tables are presented for your consideration.

Conclusions are:

1. The land subject to Inclusionary Zoning equals 2489.61 acres.
2. Twenty percent (20%) of the land subject to Inclusionary Zoning therefore equals 497.92 acres.
3. As of 12.00 p. m. January 30, 1985, the land owned by registered objectors equals 566.22 acres.

Thus the land owned by registered objectors exceeds twenty percent (20%) of the land subject to Inclusionary Zoning.

The land area subject to Inclusionary Zoning was calculated by subtracting out water areas, zoned open space, cemeteries, public ways, MDC land area, and city parks and playgrounds. (See Table 1). These areas were excluded from the total acreage of the City as the areas are not developable at present, or without acts of the legislature. This may be a partial list of areas to be excluded from the analysis.

The land and water areas used in this analysis were determined by:

1. documents of record from the Engineering Department.
2. measured or scaled areas from plans on file, indicated by a plus/minus sign (+), and
3. historic information contained in other city records. The figures represent our best available estimates of these areas at present.

The land areas of registered objectors (see Table 2), were obtained by:

1. petitions filed by registered objectors at the City Clerk's Office.
2. matching registered objectors with block and lot numbers provided by the Assessors Office, and
3. tallying areas of land owned by registered objectors from the Assessors plats and City block/lot listings.

Due to time constraints it was necessary to first count those registered objectors with the largest land holdings in the City. Other registered objectors were counted until twelve o'clock (12) Noon Wednesday, January 30, 1985, at which time the twenty percent figure had been exceeded. Additional lists of registered objectors exist which have not yet been tallied.

Support documentation for the information provided in this report are available at your request.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City 4486.40

Water Area

Charles River 305.57
Fresh Pond 166.47
Lechmere Canal 2.07

Total Water Area 474.11

Zoned Open Space

Fresh Pond Land Area 158.32
Alewife Reservation 50.±
City Dump 74.81
Russell Field 11.±
Maple Avenue 0.13

Total Zoned Open Space 294.26

Cemeteries

Cambridge 64.25
Mt. Auburn 11.65

Total Cemeteries 75.90

Public Ways 675.40

MDC Land Area 322.59

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING 1996.79

LAND AREA SUBJECT TO INCLUSIONARY ZONING 2489.61

TWENTY PERCENT (20%) 497.92

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)
(PARTIAL LIST)

<u>OBJECTOR</u>	<u>ACRES</u>
Harvard University	210.02
MIT	199.14
Radcliffe	19.91
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/84 & 1/4/85	66.95
Petitions dated 12/17/84, 1/14/85 & 1/21/85 (partial list)	32.62
Total	566.22



PUBLIC CITY DEPT. OF CAMBRIDGE MASS.
FEB 11 10 36 AM '85 INTEROFFICE CORRESPONDENCE

To Joan Lastovica,
City Engineer

From Birge Albright BA

Subject Inclusionary Zoning

Date February 11, 1985

Reference

In response to your memo of February 8, G. L. c40A, §5 provides that if a written protest against a zoning change is filed, "signed by owners of twenty per cent 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", the change requires a three-fourths vote of the City Council.

Since §5 refers to 20% "of the area of the land proposed to be included in such change..." (my emphasis), I think it is clear that all water areas are to be excluded in making the computation.

My comments on the areas in your memo are as follows:

1. Charles River

G.L. c92, §37 makes it clear that the M.D.C. has jurisdiction over the Charles River.

2. Fresh Pond

Fresh Pond is part of the water supply for Cambridge. It is also a "great pond", i.e. larger than 20 acres, and, therefore, is subject to G.L. c91, §19, which restricts structure in great ponds.

3. Land Zoned "open space"

This land cannot be developed without a zoning change by the Council. In addition, if any of this land is held for "park purposes", it would be subject to the 49th Amendment of the Massachusetts Constitution, which provides that such land may not be used for other purposes except by a 2/3 vote of the Legislature. See Op. Atty. Gen., 6-6-73, p. 139.

4. Public Ways

G.L. c. 82, §32A provides that a public way may be discontinued only after notice and a public hearing.

5. MDC Parklands and Parkways

G.L. c. 92, §37 makes it clear that the MDC has jurisdiction over this land. In addition, "parklands" would be subject to the 49th Amendment of the Mass. Constitution. See #3 above.

6. City Parks and Playgrounds

I believe that the 49th Amendment applies here also.

7. Cemeteries

There are various laws to protect cemeteries. For example, G.L. c 272, §74 makes it a crime to desecrate a place of burial.

I hope that these authorities will be of some help to you.

BA:dmr



CITY OF CAMBRIDGE
OFFICE OF CITY CLERK
INTEROFFICE CORRESPONDENCE
MAR 22 11 50 AM '85
CAMBRIDGE, MASS.

Paul Healy
file

To Robert W. Healy
City Manager

Date March 4, 1985

From Joan Lastovica
City Engineer

JL

Reference

Subject Calculations of Land for Inclusionary Zoning

Final calculations for land owned by registered objectors are complete. This total equals 785.39 acres, (see table two).

The land owned by registered objectors (785.39 acres) equals thirty-one percent (31%) of the land area subject to inclusionary zoning (2489.61 acres), based on calculations in memo of 2/1/85. (attached).

March 4, 1985

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)

OBJECTOR	ACRES
Harvard University	199.20
MIT	199.14
Radcliffe	20.86
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/85 & 1/4/85	66.95
Petitions dated 12/17/84 , 1/14/85 1/21/85 & 1/19/85	232.62
Petitions dated 2/4/85 , 2/11/85 & 2/25/85	29.04
Total	<u>785.39</u>



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To : Mr. Robert W. Healy
City Manager

Date : February 11, 1985

From : Joan Lastovica JL.
City Engineer

Reference

Subject : Calculations of Land for Inclusionary Zoning

Based on further refinement, verification and updating of land areas calculated for inclusionary zoning, and land owned by registered objectors, (see memo dated February 1, 1985) the following re-calculated areas are presented for consideration.

These re-calculated areas do not significantly change the areas identified in memo of 2/1/85. The land owned by registered objectors tallied to date (777.56 acres), exceed twenty percent (20%) of land area subject to inclusionary zoning (2617.96 acres).

These re-calculated areas resulted as we were unable to verify the MDC Land Area of 322.59 acres, from either documents of records or the Commonwealth of Massachusetts. Therefore, using a conservative approach we scaled the MDC Land Areas off of plans on file, and determined these areas to be 186± acres. These areas are: MDC Rights-of-Ways, bank of the Charles River, and MDC Park lands. This figure does not include the Alewife Reservation. The Alewife Reservation is counted under Zoned Open Space.

Additionally, we added the Old Burying Ground Cemetery to the list, and updated the Public Ways area. These additions represent a 4.5 percent increase in the land area subject to inclusionary zoning, and a corresponding 4.5 percent increase in the twenty percent figure from 497.92 acres to 523.59 acres. See Table One A.

The land area owned by registered objectors reached 777.56 acres as of 12:00 PM, ~~Friday~~ February 11, 1985 with 47 more petitioners to count. See Table Two.

Mr. Robert W. Healy, City Manager
Re: Calculations of Land for
Inclusionary Zoning

February 11, 1985
Page 2

Conclusions

- 1) Re-calculated land area subject to inclusionary zoning equals 2617.96 acres
- 2) Twnety percent of this figures equals 523.59 acres
- 3) As of 12:00 PM, February 11, 1985, the land owned by registered objectors equals 777.56 acres
- 4) Land area owned by registered objectors exceeds 20 percent of land area subject to inclusionary zoning.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City..... 4486.40

Water Area

Charles River 305.57
Fresh Pond..... 166.47
Lechmere Canal..... 2.07

Total Water Area..... 474.11

Zoned Open Space

Fresh Pond Land Area..... 158.32
Alewife Reservation..... 50.+
City Dump 74.81
Russell Field 11.+
Maple Avenue..... 0.13

Total Zoned Open Space..... 294.26

Cemeteries

Cambridge 64.25
Mt. Auburn..... 11.65
Old Burying Ground..... 1.97

Total Cemeteries 77.87

Public Ways 681.67

MDC Land Area 186.+

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING..... 1868.44

LAND AREA SUBJECT TO INCLUSIONARY ZONING..... 2617.96

TWENTY PERCENT (20%) 523.59



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joseph E. Connarton
City Clerk

From William Sommers
Commissioner of Public Works

Subject Susan Yanow Petition (May 23, 1989)

Date May 22, 1989

Reference

MAY 22 PM 4:55
 CAMBRIDGE MA.
 TELETYPE UNIT

With respect to the data used on the Susan Yanow petition, would like to submit the following:

1. The initial calculations with respect to land area of the City subject to inclusionary zoning were made on February 1, 1985. These figures are shown below:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1996.79 acres
Land Area Subject to Inclusionary Zoning	2439.61 acres

2. However, on February 11, 1985 a revised letter documented analysis was made which identified a slight change in the resultant calculations as follows:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1868.44 acres
Land Area Subject to Inclusionary Zoning	2617.96 acree

3. It is, therefore, our practice to use the revised figures of February 11, 1985 which, when applies to the present case result in the following calculations

a. Square Footage of Petition Area (2617.96 acres times 43,460) or total area of City subject to inclusionary zoning	114,038,338
b. Square Footage owned by Protestors (186.34 acres times 43,460)	8,117,225
c. Percent of Petition Area Owned by Protestors	7.12%



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Birge Albright Date Feb. 8, 1985
From Joan Lastovica JL. Reference
Subject Areas exempt from "Inclusionary Zoning" Ordinances

Would it be possible for you to provide information relative to statutes, procedural requirements, or other supportive facts for the exemption from proposed "inclusionary zoning" districts of the following areas in Cambridge ;

1. The Charles River, the Lechmere Canal, and the land and water of Fresh Pond;
2. Land zoned "open space";
3. Cemeteries, both public and private;
4. Public ways;
5. MDC parklands and parkways (roads);
6. city parks and playgrounds.

A reply by Monday 11 February would be very useful and appreciated.

My memo to the city manager of 1 February 1985 is enclosed for some background information. Thank you for your assistance with this request - my apologies for the short notice.

cc. Russell Higley



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date February 1, 1985

From Joan Lastovica, City Engineer JLT

Reference

Subject Calculations of land for Inclusionary Zoning.

Pursuant to your request for calculations of land subject to Inclusionary Zoning and land owned by registered objectors, the following analysis and tables are presented for your consideration.

Conclusions are:

1. The land subject to Inclusionary Zoning equals 2489.61 acres.
2. Twenty percent (20%) of the land subject to Inclusionary Zoning therefore equals 497.92 acres.
3. As of 12.00 p. m. January 30, 1985, the land owned by registered objectors equals 566.22 acres.

Thus the land owned by registered objectors exceeds twenty percent (20%) of the land subject to Inclusionary Zoning.

The land area subject to Inclusionary Zoning was calculated by subtracting out water areas, zoned open space, cemeteries, public ways, MDC land area, and city parks and playgrounds. (See Table 1). These areas were excluded from the total acreage of the City as the areas are not developable at present, or without acts of the legislature. This may be a partial list of areas to be excluded from the analysis.

The land and water areas used in this analysis were determined by:

1. documents of record from the Engineering Department.
2. measured or scaled areas from plans on file, indicated by a plus/minus sign (\pm), and
3. historic information contained in other city records. The figures represent our best available estimates of these areas at present.

The land areas of registered objectors (see Table 2), were obtained by:

1. petitions filed by registered objectors at the City Clerk's Office.
2. matching registered objectors with block and lot numbers provided by the Assessors Office, and
3. tallying areas of land owned by registered objectors from the Assessors plats and City block/lot listings.

Due to time constraints it was necessary to first count those registered objectors with the largest land holdings in the City. Other registered objectors were counted until twelve o'clock (12) Noon Wednesday, January 30, 1985, at which time the twenty percent figure had been exceeded. Additional lists of registered objectors exist which have not yet been tallied.

Support documentation for the information provided in this report are available at your request.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City 4486.40

Water Area

Charles River 305.57
Fresh Pond 166.47
Lechmere Canal 2.07

Total Water Area 474.11

Zoned Open Space

Fresh Pond Land Area 158.32
Alewife Reservation 50.±
City Dump 74.81
Russell Field 11.±
Maple Avenue 0.13

Total Zoned Open Space 294.26

Cemeteries

Cambridge 64.25
Mt. Auburn 11.65

Total Cemeteries 75.90

Public Ways 675.40

MDC Land Area 322.59

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING 1996.79

LAND AREA SUBJECT TO INCLUSIONARY ZONING 2489.61

TWENTY PERCENT (20%) 497.92

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)
(PARTIAL LIST)

<u>OBJECTOR</u>	<u>ACRES</u>
Harvard University	210.02
MIT	199.14
Radcliffe	19.91
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/84 & 1/4/85	66.95
Petitions dated 12/17/84, 1/14/85 & 1/21/85 (partial list)	32.62
Total	566.22



PUBLIC WORKS DEPT. CITY OF CAMBRIDGE MASS.
FEB 11 10 36 AM '85 INTEROFFICE CORRESPONDENCE

To Joan Lastovica,
City Engineer

Date February 11, 1985

From Birge Albright BA Reference

Subject Inclusionary Zoning

In response to your memo of February 8, G. L. c40A, §5 provides that if a written protest against a zoning change is filed, "signed by owners of twenty per cent 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", the change requires a three-fourths vote of the City Council.

Since §5 refers to 20% "of the area of the land proposed to be included in such change..." (my emphasis), I think it is clear that all water areas are to be excluded in making the computation.

My comments on the areas in your memo are as follows:

1. Charles River

G.L. c92, §37 makes it clear that the M.D.C. has jurisdiction over the Charles River.

2. Fresh Pond

Fresh Pond is part of the water supply for Cambridge. It is also a "great pond", i.e. larger than 20 acres, and, therefore, is subject to G.L. c91, §19, which restricts structure in great ponds.

3. Land Zoned "open space"

This land cannot be developed without a zoning change by the Council. In addition, if any of this land is held for "park purposes", it would be subject to the 49th Amendment of the Massachusetts Constitution, which provides that such land may not be used for other purposes except by a 2/3 vote of the Legislature. See Op. Atty. Gen., 6-6-73, p. 139.

4. Public Ways

G.L. c. 82, §32A provides that a public way may be discontinued only after notice and a public hearing.

5. MDC Parklands and Parkways

G.L. c. 92, §37 makes it clear that the MDC has jurisdiction over this land. In addition, "parklands" would be subject to the 49th Amendment of the Mass. Constitution. See #3 above.

6. City Parks and Playgrounds

I believe that the 49th Amendment applies here also.

7. Cemeteries

There are various laws to protect cemeteries. For example, G.L. c 272, §74 makes it a crime to desecrate a place of burial.

I hope that these authorities will be of some help to you.

BA:dmr



CITY OF CAMBRIDGE
OFFICE OF CITY CLERK
INTEROFFICE CORRESPONDENCE
MAR 22 11 50 AM '85
CAMBRIDGE, MASS.

Paul Healy
file

To Robert W. Healy
City Manager

Date March 4, 1985

From Joan Lastovica
City Engineer

JL

Reference

Subject Calculations of Land for Inclusionary Zoning

Final calculations for land owned by registered objectors are complete. This total equals 785.39 acres, (see table two).

The land owned by registered objectors (785.39 acres) equals thirty-one percent (31%) of the land area subject to inclusionary zoning (2489.61 acres), based on calculations in memo of 2/1/85. (attached).

March 4, 1985

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)

OBJECTOR	ACRES
Harvard University	199.20
MIT	199.14
Radcliffe	20.86
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/85 & 1/4/85	66.95
Petitions dated 12/17/84 , 1/14/85 1/21/85 & 1/19/85	232.62
Petitions dated 2/4/85 , 2/11/85 & 2/25/85	29.04
Total	<u>785.39</u>



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To : Mr. Robert W. Healy
City Manager

Date : February 11, 1985

From : Joan Lastovica JL
City Engineer

Reference

Subject : Calculations of Land for Inclusionary Zoning

Based on further refinement, verification and updating of land areas calculated for inclusionary zoning, and land owned by registered objectors, (see memo dated February 1, 1985) the following re-calculated areas are presented for consideration.

These re-calculated areas do not significantly change the areas identified in memo of 2/1/85. The land owned by registered objectors tallied to date (777.56 acres), exceed twenty percent (20%) of land area subject to inclusionary zoning (2617.96 acres).

These re-calculated areas resulted as we were unable to verify the MDC Land Area of 322.59 acres, from either documents of records or the Commonwealth of Massachusetts. Therefore, using a conservative approach we scaled the MDC Land Areas off of plans on file, and determined these areas to be 186+ acres. These areas are: MDC Rights-of-Ways, bank of the Charles River, and MDC Park lands. This figure does not include the Alewife Reservation. The Alewife Reservation is counted under Zoned Open Space.

Additionally, we added the Old Burying Ground Cemetery to the list, and updated the Public Ways area. These additions represent a 4.5 percent increase in the land area subject to inclusionary zoning, and a corresponding 4.5 percent increase in the twenty percent figure from 497.92 acres to 523.59 acres. See Table One A.

The land area owned by registered objectors reached 777.56 acres as of 12:00 PM, ~~February~~ February 11, 1985 with 47 more petitioners to count. See Table Two.

Mr. Robert W. Healy, City Manager
Re: Calculations of Land for
Inclusionary Zoning

February 11, 1985
Page 2

Conclusions

- 1) Re-calculated land area subject to inclusionary zoning equals 2617.96 acres
- 2) Twncty percent of this figures equals 523.59 acres
- 3) As of 12:00 PM, February 11, 1985, the land owned by registered objectors equals 777.56 acres
- 4) Land area owned by registered objectors exceeds 20 percent of land area subject to inclusionary zoning.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City..... 4486.40

Water Area

Charles River 305.57
Fresh Pond..... 166.47
Lechmere Canal..... 2.07

Total Water Area..... 474.11

Zoned Open Space

Fresh Pond Land Area..... 158.32
Alewife Reservation..... 50.+
City Dump 74.81
Russell Field 11.+
Maple Avenue..... 0.13

Total Zoned Open Space..... 294.26

Cemeteries

Cambridge 64.25
Mt. Auburn..... 11.65
Old Burying Ground..... 1.97

Total Cemeteries 77.87

Public Ways 681.67

MDC Land Area 186.+

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING..... 1868.44

LAND AREA SUBJECT TO INCLUSIONARY ZONING..... 2617.96

TWENTY PERCENT (20%) 523.59



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joseph E. Connarton
City Clerk

From William Sommers
Commissioner of Public Works

Subject Susan Yanow Petition (May 23, 1989)

Date May 22, 1989

Reference

MAY 22 1989
 CAMBRIDGE MA.
 FILED IN 44-1111

With respect to the data used on the Susan Yanow petition, would like to submit the following:

1. The initial calculations with respect to land area of the City subject to inclusionary zoning were made on February 1, 1985. These figures are shown below:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1996.79 acres
Land Area Subject to Inclusionary Zoning	2439.61 acres

2. However, on February 11, 1985 a revised letter documented analysis was made which identified a slight change in the resultant calculations as follows:

Total Area of the City	4486.40 acres
Total Area Exempt from Inclusionary Zoning	1868.44 acres
Land Area Subject to Inclusionary Zoning	2617.96 acreea

3. It is, therefore, our practice to use the revised figures of February 11, 1985 which, when applies to the present case result in the following calculations

a. Square Footage of Petition Area (2617.96 acres times 43,460) or total area of City subject to inclusionary zoning	114,038,338
b. Square Footage owned by Protestors (186.34 acres times 43,460)	8,117,225
c. Percent of Petition Area Owned by Protestors	7.12%



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Birge Albright Date Feb. 8, 1985
From Joan Lastovica JL. Reference
Subject Areas exempt from "Inclusionary Zoning" Ordinances

Would it be possible for you to provide information relative to statutes, procedural requirements, or other supportive facts for the exemption from proposed "inclusionary zoning" districts of the following areas in Cambridge ;

1. The Charles River, the Lechmere Canal, and the land and water of Fresh Pond;
2. Land zoned "open space";
3. Cemeteries, both public and private;
4. Public ways;
5. MDC parklands and parkways (roads);
6. city parks and playgrounds.

A reply by Monday 11 February would be very useful and appreciated.

My memo to the city manager of 1 February 1985 is enclosed for some background information. Thank you for your assistance with this request - my apologies for the short notice.

cc. Russell Higley



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date February 1, 1985

From Joan Lastovica, City Engineer JLT

Reference

Subject Calculations of land for Inclusionary Zoning.

Pursuant to your request for calculations of land subject to Inclusionary Zoning and land owned by registered objectors, the following analysis and tables are presented for your consideration.

Conclusions are:

1. The land subject to Inclusionary Zoning equals 2489.61 acres.
2. Twenty percent (20%) of the land subject to Inclusionary Zoning therefore equals 497.92 acres.
3. As of 12.00 p. m. January 30, 1985, the land owned by registered objectors equals 566.22 acres.

Thus the land owned by registered objectors exceeds twenty percent (20%) of the land subject to Inclusionary Zoning.

The land area subject to Inclusionary Zoning was calculated by subtracting out water areas, zoned open space, cemeteries, public ways, MDC land area, and city parks and playgrounds. (See Table 1). These areas were excluded from the total acreage of the City as the areas are not developable at present, or without acts of the legislature. This may be a partial list of areas to be excluded from the analysis.

The land and water areas used in this analysis were determined by:

1. documents of record from the Engineering Department.
2. measured or scaled areas from plans on file, indicated by a plus/minus sign (\pm), and
3. historic information contained in other city records. The figures represent our best available estimates of these areas at present.

The land areas of registered objectors (see Table 2), were obtained by:

1. petitions filed by registered objectors at the City Clerk's Office.
2. matching registered objectors with block and lot numbers provided by the Assessors Office, and
3. tallying areas of land owned by registered objectors from the Assessors plats and City block/lot listings.

Due to time constraints it was necessary to first count those registered objectors with the largest land holdings in the City. Other registered objectors were counted until twelve o'clock (12) Noon Wednesday, January 30, 1985, at which time the twenty percent figure had been exceeded. Additional lists of registered objectors exist which have not yet been tallied.

Support documentation for the information provided in this report are available at your request.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City 4486.40

Water Area

Charles River 305.57

Fresh Pond 166.47

Lechmere Canal 2.07

Total Water Area 474.11

Zoned Open Space

Fresh Pond Land Area 158.32

Alewife Reservation 50.±

City Dump 74.81

Russell Field 11.±

Maple Avenue 0.13

Total Zoned Open Space 294.26

Cemeteries

Cambridge 64.25

Mt. Auburn 11.65

Total Cemeteries 75.90

Public Ways 675.40

MDC Land Area 322.59

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING 1996.79

LAND AREA SUBJECT TO INCLUSIONARY ZONING 2489.61

TWENTY PERCENT (20%) 497.92

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)
(PARTIAL LIST)

<u>OBJECTOR</u>	<u>ACRES</u>
Harvard University	210.02
MIT	199.14
Radcliffe	19.91
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/84 & 1/4/85	66.95
Petitions dated 12/17/84, 1/14/85 & 1/21/85 (partial list)	32.62
Total	566.22



PUBLIC WORKS DEPT.
CITY OF CAMBRIDGE MASS.
FEB 11 10 36 AM '85
CITY OF CAMBRIDGE
CORRESPONDENCE

To Joan Lastovica,
City Engineer

From Birge Albright BA

Subject Inclusionary Zoning

Date February 11, 1985

Reference

In response to your memo of February 8, G. L. c40A, §5 provides that if a written protest against a zoning change is filed, "signed by owners of twenty per cent 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", the change requires a three-fourths vote of the City Council.

Since §5 refers to 20% "of the area of the land proposed to be included in such change..." (my emphasis), I think it is clear that all water areas are to be excluded in making the computation.

My comments on the areas in your memo are as follows:

1. Charles River

G.L. c92, §37 makes it clear that the M.D.C. has jurisdiction over the Charles River.

2. Fresh Pond

Fresh Pond is part of the water supply for Cambridge. It is also a "great pond", i.e. larger than 20 acres, and, therefore, is subject to G.L. c91, §19, which restricts structure in great ponds.

3. Land Zoned "open space"

This land cannot be developed without a zoning change by the Council. In addition, if any of this land is held for "park purposes", it would be subject to the 49th Amendment of the Massachusetts Constitution, which provides that such land may not be used for other purposes except by a 2/3 vote of the Legislature. See Op. Atty. Gen., 6-6-73, p. 139.

4. Public Ways

G.L. c. 82 §32A provides that a public way may be discontinued only after notice and a public hearing.

5. MDC Parklands and Parkways

G.L. c. 92, §37 makes it clear that the MDC has jurisdiction over this land. In addition, "parklands" would be subject to the 49th Amendment of the Mass. Constitution. See #3 above.

6. City Parks and Playgrounds

I believe that the 49th Amendment applies here also.

7. Cemeteries

There are various laws to protect cemeteries. For example, G.L. c 272, §74 makes it a crime to desecrate a place of burial.

I hope that these authorities will be of some help to you.

BA:dmr



CITY OF CAMBRIDGE
OFFICE OF CITY CLERK
INTEROFFICE CORRESPONDENCE
MAR 22 11 50 AM '85
CAMBRIDGE, MASS.

Paul Healy
file

To Robert W. Healy
City Manager

Date March 4, 1985

From Joan Lastovica
City Engineer *JL*

Reference

Subject Calculations of Land for Inclusionary Zoning

Final calculations for land owned by registered objectors are complete. This total equals 785.39 acres, (see table two).

The land owned by registered objectors (785.39 acres) equals thirty-one percent (31%) of the land area subject to inclusionary zoning (2489.61 acres), based on calculations in memo of 2/1/85. (attached).

March 4, 1985

TABLE TWO
CALCULATIONS OF LAND OWNED BY REGISTERED OBJECTORS (in acres)

OBJECTOR	ACRES
Harvard University	199.20
MIT	199.14
Radcliffe	20.86
Commonwealth Gas Co.	3.75
Cambridge Electric Light Co.	33.83
Petitions dated 12/4/85 & 1/4/85	66.95
Petitions dated 12/17/84 , 1/14/85 1/21/85 & 1/19/85	232.62
Petitions dated 2/4/85 , 2/11/85 & 2/25/85	29.04
Total	<u>785.39</u>



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To : Mr. Robert W. Healy
City Manager

Date : February 11, 1985

From : Joan Lastovica
City Engineer J.L.

Reference

Subject : Calculations of Land for Inclusionary Zoning

Based on further refinement, verification and updating of land areas calculated for inclusionary zoning, and land owned by registered objectors, (see memo dated February 1, 1985) the following re-calculated areas are presented for consideration.

These re-calculated areas do not significantly change the areas identified in memo of 2/1/85. The land owned by registered objectors tallied to date (777.56 acres), exceed twenty percent (20%) of land area subject to inclusionary zoning (2617.96 acres).

These re-calculated areas resulted as we were unable to verify the MDC Land Area of 322.59 acres, from either documents of records or the Commonwealth of Massachusetts. Therefore, using a conservative approach we scaled the MDC Land Areas off of plans on file, and determined these areas to be 186+ acres. These areas are: MDC Rights-of-Ways, bank of the Charles River, and MDC Park lands. This figure does not include the Alewife Reservation. The Alewife Reservation is counted under Zoned Open Space.

Additionally, we added the Old Burying Ground Cemetery to the list, and updated the Public Ways area. These additions represent a 4.5 percent increase in the land area subject to inclusionary zoning, and a corresponding 4.5 percent increase in the twenty percent figure from 497.92 acres to 523.59 acres. See Table One A.

The land area owned by registered objectors reached 777.56 acres as of 12:00 PM, ~~February~~ 11, 1985 with 47 more petitioners to count. See Table Two.

Mr. Robert W. Healy, City Manager
Re: Calculations of Land for
Inclusionary Zoning

February 11, 1985
Page 2

Conclusions

- 1) Re-calculated land area subject to inclusionary zoning equals 2617.96 acres
- 2) Twncty percent of this figures equals 523.59 acres
- 3) As of 12:00 PM, February 11, 1985, the land owned by registered objectors equals 777.56 acres
- 4) Land area owned by registered objectors exceeds 20 percent of land area subject to inclusionary zoning.

TABLE ONE

CALCULATION OF LAND SUBJECT TO INCLUSIONARY ZONING (in acres)

Total area of the City..... 4486.40

Water Area

Charles River 305.57
Fresh Pond..... 166.47
Lechmere Canal..... 2.07

Total Water Area..... 474.11

Zoned Open Space

Fresh Pond Land Area..... 158.32
Alewife Reservation..... 50.±
City Dump 74.81
Russell Field 11.±
Maple Avenue..... 0.13

Total Zoned Open Space..... 294.26

Cemeteries

Cambridge 64.25
Mt. Auburn..... 11.65
Old Burying Ground..... 1.97

Total Cemeteries 77.87

Public Ways 681.67

MDC Land Area 186.±

City Parks & Playgrounds 154.53

TOTAL AREA EXEMPT FROM INCLUSIONARY ZONING..... 1868.44

LAND AREA SUBJECT TO INCLUSIONARY ZONING..... 2617.96

TWENTY PERCENT (20%) 523.59



Harvard Real Estate, Inc.

1350 Massachusetts Avenue
Cambridge, Massachusetts 02138
Telephone 617-495-2745

RECEIVED BY
OFFICE OF CITY CLERK

1989 MAY 26 AM 10:18

CAMBRIDGE MA.

May 23, 1989

Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Attn: Mr. Joseph Connarton
City Clerk

Dear City Councilors:

I understand that at the May 22 meeting of the Council, Kristin Demong's letter regarding our property at 2 Mt. Auburn Street was read without the attached letter from MHFA. I have, therefore, enclosed a copy of the letter and would like to have it added to the record.

I hope this will help to demonstrate our commitment to maintaining Putnam Square as residential senior citizen housing.

If you have any further questions please feel free to contact my office.

Sincerely,

Todd R. Watkins
Assistant to the President

Enclosure

TRW/al



THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS HOUSING FINANCE AGENCY
50 MILK STREET
BOSTON, MASSACHUSETTS 02109 • (617) 451-3480

BERNARD SINGER
Chairman

JOHN S. MARINI
Vice - Chairman

MARVIN M. SIFLINGER
Executive Director

ELEANOR G. WHITE
Deputy Director

February 7, 1989

Mr. Warren Peterson
Harvard Real Estate
17 South Street
Cambridge, MA 02138

RE: Putnam Square
MHFA# 69-011
Property Management Review

Dear Mr. Peterson:

Thank you and your staff for your assistance during the Property Management Review. Everyone was very helpful and cooperative. I found your maintenance and administrative procedures first-rate. The Exceptional Management Practices score you received reflects your commitment to providing outstanding management services to the residents at Putnam Square.

Once again, congratulations for a job well done.

Sincerely,

A handwritten signature in cursive script that reads "Marc Williams".

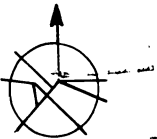
Marc Williams
Management Analyst

A handwritten signature in cursive script that reads "Larry R. Johnson".

Larry R. Johnson
Management Officer

/gmm

Enclosure



**The
Harvard
Square
Defense
Fund**

85 Sparks Street, Cambridge, Mass. 02138

RECEIVED
OFFICE OF CITY

1989 MAY 25 P

CAMBRIDGE

RECEIVED
MAY 24 1989

Ans'l.....

Monday 15 May 1989

To: **CAMBRIDGE CITY COUNCIL**
City Hall
Cambridge, MA 02139

Attn: **Mayor Alfred Vellucci**
Re: **The Yanow "Transition Requirements" Petition**

Dear Mayor Vellucci:

This letter affirms that the Board of the Harvard Square Defense Fund has voted its support for the Susan Yanow "transition requirements" zoning petition now pending before the Council.

One of the more serious overdevelopment problems facing Cambridge now is that of relatively unregulated commercial districts abutting lower-density residential districts; this is a fairly common occurrence, given the jigsaw puzzle that passes for our zoning map. The Yanow petition says, in effect, that construction on high-density commercial land near low-density housing must modify its shape and height to conform more closely to residential scale at the edge of the lot. This simple provision will provide protections not merely in Harvard Square, but also throughout the entire City. We think you can understand how valuable such a protection would have been for the residents of Sciarrapa Street., and how important the Yanow petition can be for other parts of East Cambridge, Cambridgeport, and North Cambridge.

We hope that you and the Council will give this petition the consideration it deserves, and act promptly to ensure its ordination.

Sincerely
The Harvard Square Defense Fund

Gladys Gifford

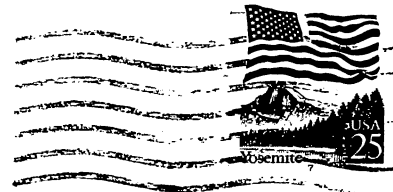
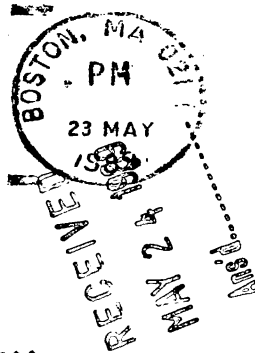
Ms Gladys Gifford
President

cc: Ms Susan Yanow



The
Harvard
Square
Defense
Fund

85 Sparks Street, Cambridge, Mass. 02138



CITY COUNCIL
CITY HALL
CAMBRIDGE, MA 02139

ATTN. MAYOR VELLOCCI



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Joseph E. Connarton
City Clerk

Date May 15, 1989

From William Sommers
Commissioner of Public Works

Reference

Subject Susan Yanow Petition (May 23, 1989)

I have the following statistics on the Susan Yanow petition with a closing date of May 23, 1989.

Square Footage of Petition Area	195,427,584
Square Footage owned by Prostestors	8,117,225
Percent of Petition Area Owned by Protestors	4.15%

RECEIVED BY
OFFICE OF CITY CLERK
1989 MAY 15 PM 4: 14
CAMBRIDGE MA.



WILSON-CAMBRIDGE REALTY TRUST

1989 MAY 15 PM 2:51

CAMBRIDGE MA.

*Yanow.
4.15.90*

, 1989

Members of City Council
City of Cambridge
City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

*it does not
meet 2090*

Protest Under MGL C.40A §5

The undersigned owner of land in the Industry B Zoning District in the City of Cambridge, hereby opposes the enactment of a zoning amendment adding a new subsection 5.43 creating a 45° bulk control plane on the residential/nonresidential zoning district boundaries sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988.

The undersigned believe that rezoning proposals should reflect studies of the specific areas involved and therefore they are generally opposed to "piecemeal" zoning efforts. The impacts of the proposed bulk control zoning amendment will be to make many existing buildings nonconforming and severely limit the orderly development of other properties affected by the proposed amendment.

WILSON-CAMBRIDGE REALTY TRUST

By *Michael J. [Signature]*



RECEIVED
WILSON-CAMBRIDGE REALTY TRUST

1989 MAY 15 PM 2:51

CAMBRIDGE MA.

May 15, 1989

Members of City Council
City of Cambridge
City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

Protest Under MGL C.40A §5

The undersigned owner of land in the Industry B Zoning District in the City of Cambridge, hereby opposes the enactment of a zoning amendment adding a new subsection 5.43 creating a 45° bulk control plane on the residential/nonresidential zoning district boundaries sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988.

The undersigned believe that rezoning proposals should reflect studies of the specific areas involved and therefore they are generally opposed to "piecemeal" zoning efforts. The impacts of the proposed bulk control zoning amendment will be to make many existing buildings nonconforming and severely limit the orderly development of other properties affected by the proposed amendment.

WILSON-CAMBRIDGE REALTY TRUST

By

A handwritten signature in cursive script, appearing to read 'Robert O. ...', written over a horizontal line.



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CAMBRIDGE MA
JAN 23 PM 3:50

NOTICE OF PUBLIC HEARING

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, February 21, 1989 at 7:30 p.m. at the Community Development Conference Room, third floor, City Hall Annex, 57 Inman Street, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts. Questions concerning the petition may be addressed to Lester Barber or Liza Malenfant at 498-9034.

1989 FEB 21 PM 3:47
CAMBRIDGE MA.

17 February 1989

William H. Walsh, Chairman
Committee on Ordinances
Cambridge City Hall
Massachusetts Avenue
Cambridge, MA. 02139

Dear Chairman William Walsh and
Members of the the Committee on Ordinances:

I am unable to appear personally on February 22, 1989 regarding the petition by Susan Yanow, et al, to amend the Zoning Ordinance. Instead, I offer this letter to express my concerns.

Although I am an advocate of reducing the size of commercial buildings where they abut residential zones, I am **opposed to Ms. Yanow's petition.** The 45 degree bulk control plane should not begin at grade, but rather at the height limit allowable in the residential area. **If a 45 degree bulk control plane begins at grade, then even a standard-shaped residential structure would not fit on a typical size lot abutting most residential zones!** This would discourage housing development.

I would be in favor of a 45 degree bulk control plane in transitional areas between residential and non-residential where the control plane begins at the maximum height limit allowed in the abutting residential zone.

I thank you for your attention to my concerns in this matter.

Sincerely,



Cora Beth Abel

GOODWIN, PROCTER & HOAR

(A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS)

COUNSELLORS AT LAW

EXCHANGE PLACE

BOSTON, MASSACHUSETTS 02109-2881

TELEPHONE (617) 570-1000

TELECOPIER (617) 523-1231

TELEX 94-0640

CABLE GOODPROCT, BOSTON

570-1440

May 4, 1989

Cambridge City Council
c/o Mr. Joseph Connarton, City Clerk
City of Cambridge
795 Massachusetts Avenue - Room 103
Cambridge, MA 02139

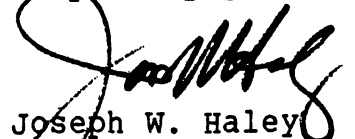
Dear Councillors:

On Monday, May 1, 1989, Polaroid Corporation, The Prudential Insurance Company of America, Massachusetts Institute of Technology, The Charles Stark Draper Laboratory, Inc., Tofias, Fleishman & Shapiro and Concorde Associates (the "Landowners") filed a formal protest under MGL C.40A §5 to oppose the enactment of a City-wide zoning amendment sponsored by Susan Yanow, et al and filed with the City Council on or about December 19, 1988. This amendment, if passed, would add a new subsection 5.43 to the Zoning Ordinance creating a 45° bulk control plane affecting, Office, Business and Industrial zones beginning at the residential/nonresidential zoning district boundaries.

The Landowners own property in the Industry B Zoning District which is currently the subject of two Interim Planning Overlay District petitions before the City Council and the Planning Board. The Landowners believe that rezoning proposals should reflect impact studies and careful analysis of the specific areas involved and therefore they are generally opposed to "piecemeal" rezoning efforts which would affect all properties on a City-wide basis.

The Landowners want to make the Cambridge City Council aware that the proposed bulk control zoning amendment would make many significant buildings existing in the Industry B District (as well as other existing buildings in other parts of the City) nonconforming and will severely limit the orderly development of other properties affected by the proposed amendment.

Very truly yours,


Joseph W. Haley
for the Landowners

JWH:hr

XP-3796/p

INSERT

MAP

HERE



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

March 2, 1989

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

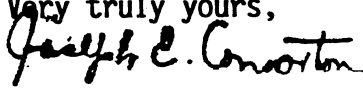
Dear Sir:

Enclosed you will find three copies of proposed amendments to the Zoning Ordinances of the City of Cambridge which were passed to a second reading at the City Council meeting held on February 27, 1989 as follows:

1. Petition of the Planning Board to amend the Zoning Ordinances by establishing the Monsignor O'Brien Interim Zoning District.
2. Petition of Susan Yanow to amend the Zoning Ordinances by adding a new subsection 5.43.
3. Petition of the Planning Board to amend the Zoning Ordinances by creating a Central Square Overlay District.

Would you kindly ~~review~~ these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton
City Clerk

JEC/dl

Encs. (3) First publication numbers 2430, 2431 and 2432.

c.c. Councillor William Walsh, Chairman, Committee on Ordinances.
Joseph Cellucci, Commissioner of Inspectional Services



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by establishing the Monsignor O'Brien Interim Zoning District in the area herein described having the following requirements:

1. All requirements of the Industry B zoning district shall apply except as modified and limited by the requirements of this Section's subsection 2-4 below;
 2. The floor area ratio applicable to any lot shall be limited to 2.0;
 3. The maximum height of any building shall be 85 feet;
 4. The Monsignor O'Brien Interim Zoning District shall be in effect through June 1, 1989.
- A. Amend the Zoning Ordinance of the City of Cambridge as described below by creating a new Section 3.16 - the Monsignor O'Brien Interim Zoning District in the area of East Cambridge as shown on the accompanying map, having the following requirements:

Section 3.16

1. All requirements of the Industry B zoning districts shall apply except as modified and limited by the requirements of this Section subsections 2-4 below;
2. The floor area ratio applicable on any lot shall be limited to 2.0;
3. The maximum height of any building shall be 85';
4. The Monsignor O'Brien Interim Zoning District shall be in effect through June 1, 1989.

B. Amend the Zoning Map of the City of Cambridge as follows:

- 1.0 Rezone an area currently zoned Industry B to Industry B with the Monsignor O'Brien Interim Zoning District Overlay circumscribed by a line said line beginning at a point said point being the intersection of the centerline of Monsignor O'Brien Highway with the centerline of the southwestern extension of the western side lot line of lot numbered 12 on Assessor's Plat numbered 1A,
- 1.1 Thence proceeding in a northwesterly direction along the centerline of Monsignor O'Brien Highway to a point of intersection with the northeastern extension of the centerline of Sciarappa Street,
- 1.2 Thence turning and proceeding in a southwestern direction along the centerline of Sciarappa Street to the southeastern extension of the northeastern side lot line of lot numbered 93 on Assessor's Plat numbered 22,
- 1.3 Thence turning and proceeding in a northwesterly direction along the southeastern extension of the northeastern side lot line and the northeastern side lot lines of lots numbered 93, 97A, 97, 22, 23, 24, 25, 26, and the northwestern extension of these lot lines to the northwestern side lot line of lot numbered 128 on Assessor's Plat numbered 22 for a distance of approximately 325 feet,
- 1.4 Thence turning and proceeding in a northeasterly direction and continuing in a generally northeasterly direction along the northwestern side lot line of lot numbered 128 and the Cambridge/Somerville City Limits to the northeastern side lot line of lot numbered 39 on Assessor's Plat numbered 1A,
- 1.5 Thence turning and proceeding in a southeasterly direction along the northeastern rear lot lines of lots numbered 39, 40, 26, 29, 19, 18, 43, 25, 92, 31, 9, and 6 on Assessor's Plat number 1A to the northeastern side lot line of lot numbered 6 on Assessor's Plat numbered 1A,
- 1.6 Thence turning and proceeding in a southwesterly direction along the southeastern side lot line of lot numbered 6 and the southwestern extension of the southeastern side line of lot numbered 6 on Assessor's Plat numbered 1A to the centerline of Monsignor O'Brien Highway, the point of origin.

1.01 Premises as shown on Assessor's Plat numbered 22:

All or parts of lots numbered 128, 109, 112, 18, 17, 16, 15, and 14, odd numbers 5-9 Sciarappa Street and even numbers 240-262 Monsignor O'Brien Highway.

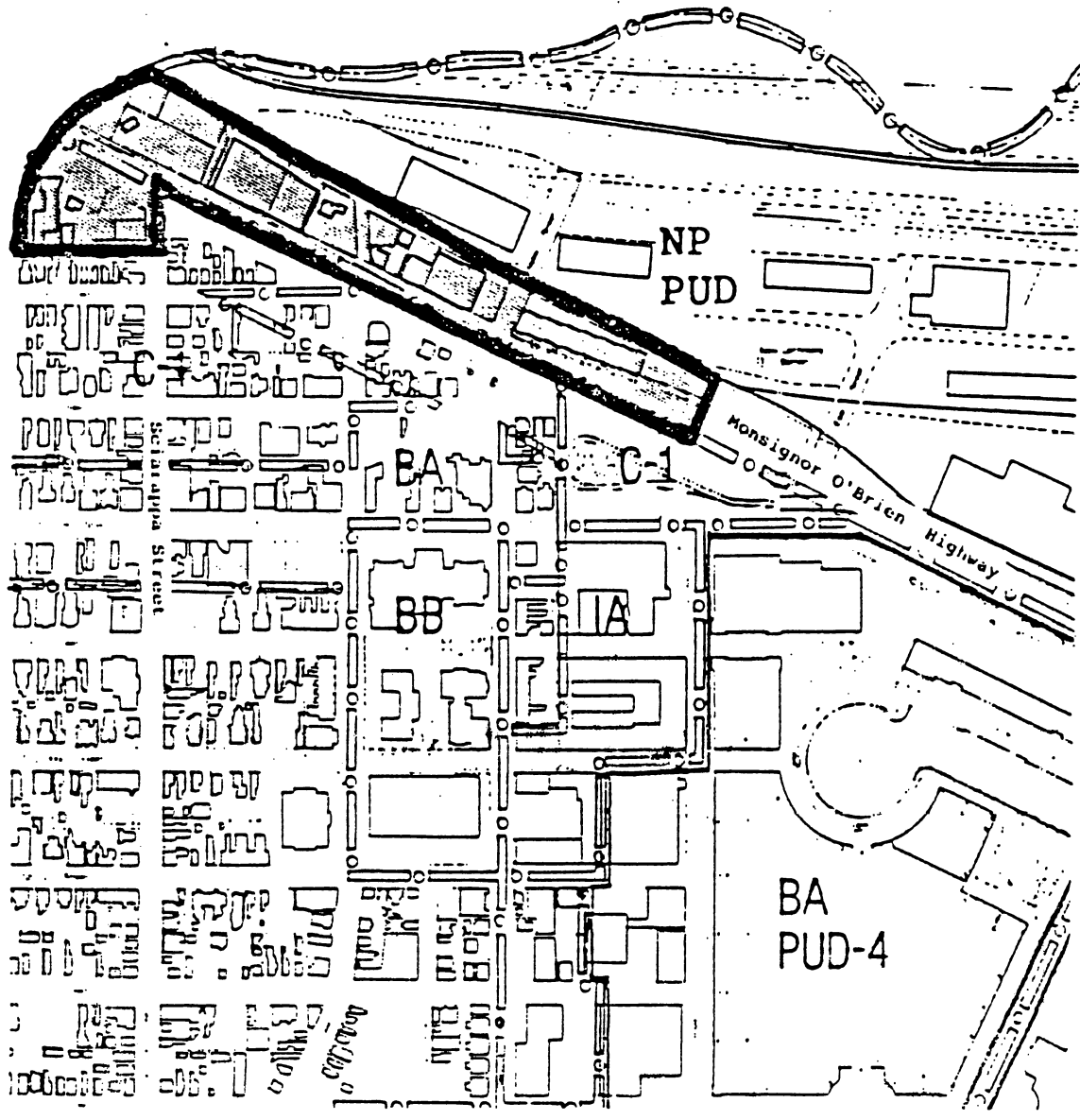
1.02 Premises as shown on Assessor's Plat number 1A:

All or parts of lots numbered 35, 39, 40, 37, 27, 26, 29, 19, 18, 43, 94, 95, 92, 31, 9, and 6, odd numbers 125-261 Monsignor O'Brien Highway.

Passed to second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk

MONSIGNOR O'BRIEN INTERIM ZONING DISTRICT





City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

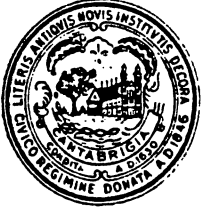
Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by creating the Central Square Overlay district and changing the applicable base zoning district designation in some areas from Business B to Residence C-3, or Residence C2A, Industry B to Business B, and Business B to Business A as shown on the accompanying map. The text changes would include amending Article 2.000 - Definitions by adding to the existing Fast Order Food establishments definition and inserting a definition for retail, bakery. The Central Square Overlay District would become an area of special planning concern with specific project proposals subject to development consultation procedures as outlined in the Section 11.40; the District would in addition reduce permitted FAR and establish height limits where none now exists.

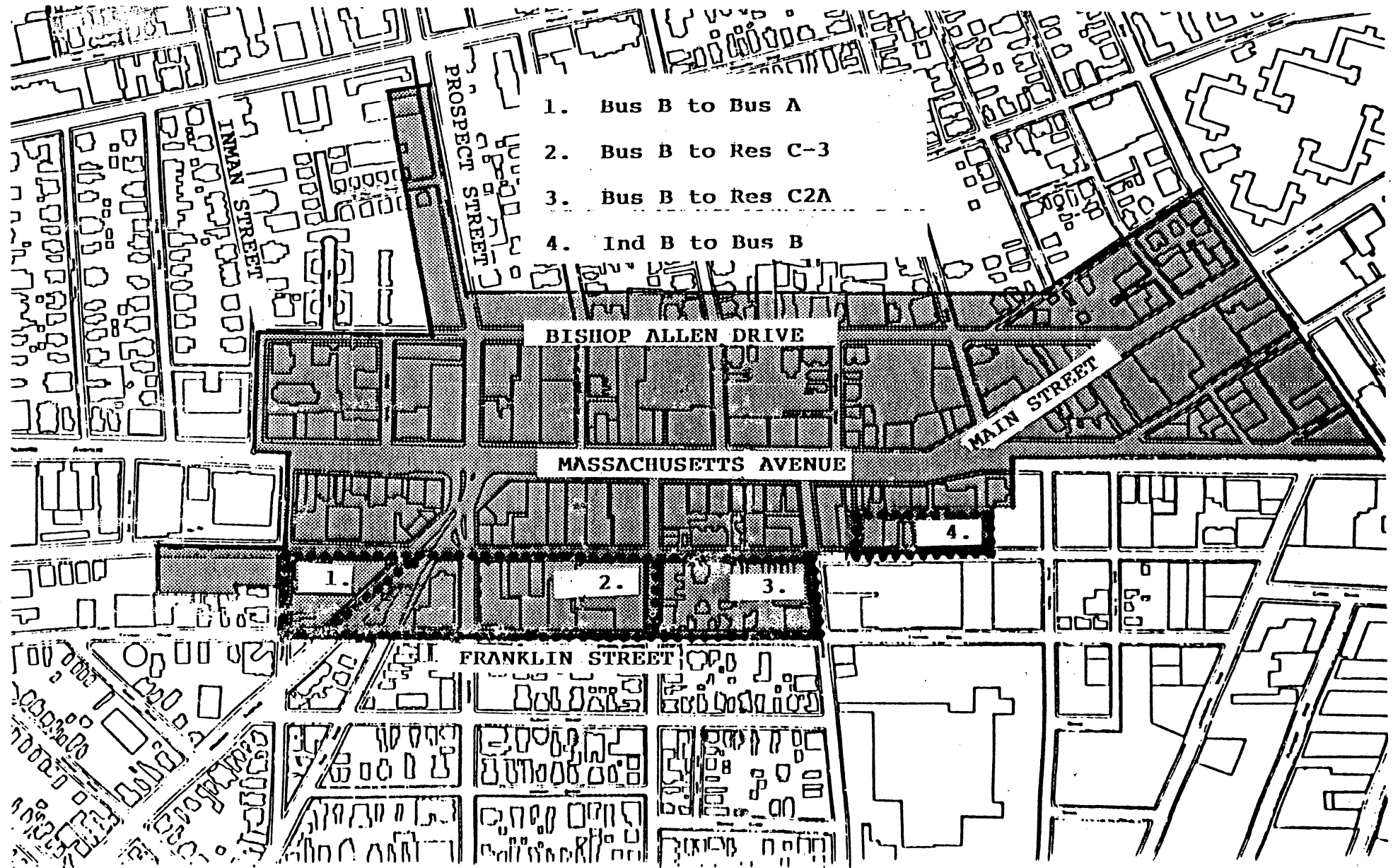
Passed to a second reading as amended at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk.

PROPOSED CENTRAL SQUARE OVERLAY DISTRICT





City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connorton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connerton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43** Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

Passed to a second reading at the City Council meeting held on February 27, 1989 and on or after March 13, 1989 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton
City Clerk



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-nine

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by adding to Section 5.40 Transition Requirements, a new subsection 5.43 reading as follows:

- "5.43** Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

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, February 22, 1989 at 6:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

RECEIVED BY
OFFICE OF CITY CLERK
1999 FEB -2 PM 1:18
CAMBRIDGE MA.

let flr brd.



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, February 22, 1989 at 6:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

RICKARD

Continued from page 1

Cambridge Inspectional Services Department said that zoning for the 3,000-square-foot lot, designated residential C-1 since the early 1940s, allows one unit per 1,200 square feet of land.

However, he said records at the inspectional services department provide no status on the number of units in the Fairmont street building.

Rickard, who did not attend Tuesday's hearing but was represented by her attorney, George Butler, first became involved in the Fairmont street building in December 1985 when she and Richard G. Reavis bought it for \$92,500, according to the Southern Middlesex Registry of Deeds.

Rickard testified in the initial hearings at the rent board last November when she lived in the building from late 1983 until summer 1985. According to the hearing examiner's initial report, Rickard converted the run-down property into a two-unit building and sold it to her subcontractors, Arthur Abbott and Victor Balk, for \$176,000 in fall 1985. The two men, who were not at Tuesday's hearing but were represented by legal counsel, are still co-owners of the property.

After selling the Fairmont street building to Abbott and Balk, both Rickard and Reavis had sold a partial interest in the property for \$60,000 to Anthony and Patricia Hanscom in November 1984, according to the registry of deeds. The Hanscoms turned around and sold their interest back to Rickard and Reavis for \$60,000 in April 1985.

The Hanscoms, who were not at Tuesday's hearing, testified that they owned one unit on the ground floor in 54 Fairmont St. during this six-month period. They also said they lived in the unit from November 1984 to early February 1985, and they added that there were two units in 54 Fairmont St. during that time.

According to the hearing examiner's initial report, Rickard testified that she sold the entire Fairmont street property to Abbott and Balk with 54 Fairmont St. having two separate units. Abbott, on the other hand, testified that he purchased the property from Rickard and Reavis with 54 Fairmont St. having only one unit, and that the two separate units had already been merged by the pair.

The Hanscom's testimony, when coupled with Abbott's previous testimony, suggests that the two units in 54 Fairmont St. were possibly merged between February 1985 and October 1985, when Abbott and Balk bought the entire Fairmont street building.

Tuesday's hearing was perhaps more notable for its legal procedures than for what was actually said by any of the new witnesses.

Lynn Weissberg, an attorney representing "tenant interests" in Cambridge, was denied the opportunity to question any witnesses by

the hearing examiner. Anton explained that the rent board's order in January to reopen the case was based on the condition that only Rickard could call additional witnesses.

"I think I should have been allowed to question all of the witnesses," Weissberg said after the hearing.

Weissberg, who has defended numerous tenants before the rent board over the past decade, said it was unprecedented that she was denied the opportunity to examine the witnesses "in the name of tenants at-large." She plans to send a letter to Rent Board Executive Director Margaret Drury asking that she reconsider her request to question the witnesses.

Anton himself faced tremendous pressure from the four attorneys representing Rickard, Abbott and Balk to remove himself from the case. Because of his previous recommendations that the rent board seek criminal complaints against Rickard for violating the removal permit ordinance.

"I have no personal interest in this case," Anton said. "And I have no personal interest in the outcome of this case."

Anton said he would weigh the evidence from the initial hearings and Tuesday's hearing, and then write up his recommendations to the rent board.

In the meantime, City Manager Robert Healy is still waiting for Rickard to respond to a letter he sent her in February, asking her to explain her involvement in the Fairmont street building and her ownership role in other rent-controlled properties since the early 1980s. Healy, the city's hiring authority, appointed Rickard to the board of zoning appeal in March 1986.

Healy's action came in response to a January letter sent to him by the Cambridge Tenants Union in which the activist group claims that Rickard has attempted to circumvent the city's rent control laws regarding 52-54 Fairmont St. and other regulated properties in the city.

The group has charged that Rickard is unfit to sit on the zoning board while her case is being heard at the rent board.

Emblem Club to meet

The regular meeting of the Cambridge Emblem Club No. 108 will be held March 3 at the Cambridge Lodge of Elks at 7:30 pm.

Election of Officers will be held. Revision of standing rules will be discussed. Henrietta McElhenry, chair of the ANNUAL Country Store, will present final plans. This is the club's final money-making function of the year, which will enable it to finalize charity appeals for this club year.

The Country Store will be held Friday, March 10, at 8 pm, at the Cambridge Lodge of Elks, 396 Harvard St. There will be many penny sale drawings, prizes, mystery prizes, door prizes, coffee and donuts.

At this meeting, installation plans will also be discussed.

MBTA

Continued from page 1

railroad tracks between MIT and Albany street.

There would be a station at Mass. avenue to serve the University Park complex and MIT, and another station near Putnam Avenue next to the Grand Junction rail right-of-way at the foot of Cambridgeport. MBTA officials are considering a plan that would move the proposed line slightly westward and closer to University Park.

Some Riverside and Cambridgeport residents say the proposed transit system will help offset the influx of traffic into their neighborhoods, especially south of Pacific avenue to the Charles River.

"You're going to have a traffic nightmare in lower

Cambridgeport," said Robert La Tremouille, a Riverside resident who has closely followed the MBTA's circumferential plans. "This (transit system) will alleviate that problem."

However, he said a subway station near Putnam avenue would hurt the nearby residential area because it could stimulate new commercial development, generating more traffic and congestion. He said the stop should be eliminated altogether.

The MBTA's proposed subway system would also extend from lower Cambridgeport across the Charles River to Boston University, and then continue to Ruggles station in Roxbury and the JFK/UMass stop.

The MBTA's meeting next Thursday will be held from 7 to 9 pm at the Transportation Building in Boston.

Salvadoran students speak

On Thursday, March 2, at 7:30 pm, two representatives of the student movement in El Salvador will speak at Harvard University, Emerson Hall 302.

Salomon Alfaro Estrada is a graduate student in psychology, the General Secretary of the Salvadoran Revolutionary Student Front (FERS) and a member of the Executive Committee of the Movement for Bread, Land, Work, and Liberty (MPLT). Rene Hernandez is the U.S. Representative of the General Association of Salvadoran University Students (AGEUS). The two are currently on a tour of the United States

discussing the current situation for students and others in El Salvador.

These student organizations are very much involved in Salvador's dynamic political situation.

Estrada has been active in the student movement since 1980. He has worked for an end to military occupation of the university and its reopening, and then for the autonomy of the university. He also led a medical and foodstuffs brigade during the 1986 earthquake. On November 16, 1988 he and another student were captured and held by the First Infantry

Brigade. Before being released, he was beaten and questioned by the soldiers.

Estrada and Hernandez will discuss the Salvadoran election situation and the February 15 bombing of the UNTS headquarters in San Salvador.

This appearance is being sponsored locally by the Harvard/Radcliffe Committee on Central America, the Student Central American Network (SCAN), and the Central America Solidarity Association (CASA). For more information contact Claudia Kulesch at 536-1198.

WMBR raises power output

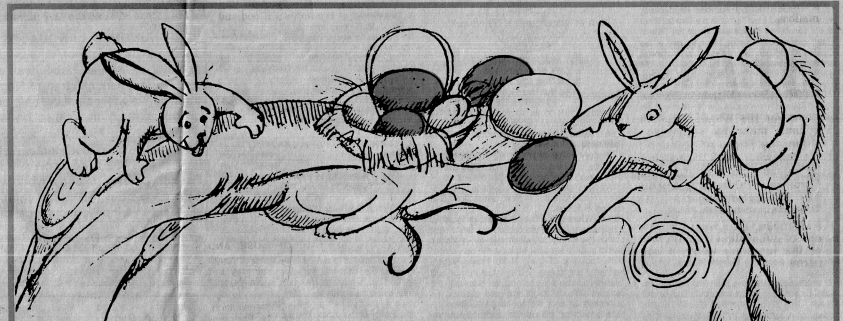
WMBR (FM) Radio has received permission from the Federal Communications Commission to raise its power output 80 percent, from 200 to 320 watts. The power increase will significantly improve the quality of the station's signal within the Route 128 area, WMBR's primary listening area, as well as extend the range of the signal beyond Route 495.

Todd Glickman, president of the Technology Broadcasting Corporation, said WMBR will begin broadcasting at the new power level at 10 pm on Thursday, March 2. The station began broadcasting at 10 watts in 1961 (then as WTBS), and raised its power to 200 watts in 1979.

WMBR is both an MIT student activity, as well as an MIT community station. Funding assistance for WMBR is provided by MIT in the form of an annual operating grant, and listener contributions provide funds for capital improvements.

Non-commercial WMBR broadcasts in stereo on 88.1 FM, providing a wide variety of programming. The all-volunteer staff includes MIT students, alumni and staff, as well as other members of the community.

WMBR is licensed to, owned, and operated by the Technology Broadcasting Corporation, whose members are appointed by the President of MIT.



HAPPY EASTER 1989

Hightail it down to the Mall at Assembly Square, only a few hops away, for an

EASTER VISIT and a WONDERFUL DAY

Tell your favorite bunny some of your most treasured secrets and get your very own STORY BOOKLET to COLOR!

Bring it back to the Mall with a wish and then hang it on our MAGICAL EASTER TREE! Just maybe your wish will come true. Let's hope so!

If you visit this Saturday March 4th YOU'LL GET YOUR OWN BOX OF CRAYONS FROM US to YOU!

EASTER BUNNY Arrives Sat. March 4th!

EASTER BUNNY Hours: Mon. - Sat. 10 am - 8 pm



THE MALL AT ASSEMBLY SQUARE

Middlesex Ave., at the junction of I-93 & M-Grath-O'Brien Highway, in Somerville. Take I-93 South to Exit 28, I-93 North to Exit 29 (formerly Exit 3). Look for the blue and yellow water tower. Jordan Marsh, K-Mart and over 70 other fine stores, restaurants and services. Open daily & Saturday 10 AM to 9:30 PM; Sunday Noon to 6 PM.

CLOSED EASTER SUNDAY, March 26th.

TONIGHT!

THURSDAY EVENING JAZZ NIGHT

Featuring

THE LOU SYLVESTRI TRIO

(With Vocalist)

NO COVER CHARGE!

FRIDAY NIGHT, MARCH 3rd

COMEDY NIGHT

Featuring

LARRY NORTON

BILL BAILEY

JAY CHABENEAU

With Emcee John Pizzi- \$5 Cover

SATURDAY NIGHT MARCH 4th

DANCING TO THE SWING AND JAZZ

of

THE LOU SYLVESTRI TRIO

(With Vocalist)

\$5 Cover

Sir Franco

Fine Italian Cuisine & Grill

321 Somerville Ave. and 16 Bow St. (Union Sq.) Somerville
Reservations: Call 623-3050

Plenty of Free Parking - Across the St. at the Somerset Bank



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

February 2, 1989

To Whom It May Concern:

Enclosed you will find a notice of a hearing scheduled before the Committee on Ordinances for Wednesday, February 22, 1989 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,
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, February 22, 1989 at 6:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

February 2, 1989

To Whom It May Concern:

Enclosed you will find a notice of a hearing scheduled before the Committee on Ordinances for Wednesday, February 22, 1989 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,
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, February 22, 1989 at 6:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

February 2, 1989

To Whom It May Concern:

Enclosed you will find a notice of a hearing scheduled before the Committee on Ordinances for Wednesday, February 22, 1989 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,
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, February 22, 1989 at 6:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

RESTAURANTS

Casa Romero is simply the best. Period

By JAY WEAVER

Casa Romero is the best Mexican restaurant in Greater Boston. Period.

It has been for years because there is so little competition in this category of "hate" Mexican cuisine. Sol Azteca in Brookline and Casa Mexico in Harvard Square come close, but they lack the charm, creativity and high prices that distinguish this seasoned Back Bay establishment.

Located in an alley off Gloucester street, Casa Romero manages to create a romantic hideaway within a basement setting. As you descend the narrow steps at the entrance past the wrought iron doors, you're likely to encounter a hostess wearing a full-length black leotard and red mini-skirt. With the grace of a fairy, she'll seat you in one of two quiet dining rooms.

Casa Romero is the type of restaurant that makes you forget the hurly-burly world outside. The rustic wood-paneled walls are accented with colorful tiles, weavings and Mexican masks; the tables are also embellished with playful tile

patterns and brass service plates. The menu features both familiar and innovative Mexican recipes. The traditional dishes include enchiladas with mole sauce and chile rellenos; the specials range from higiditos a la Mexicana, chicken livers in a tomato and green olive sauce, to puerco adobado, pork tenderloin marinated in oranges and smoked peppers.

We recommend that you focus on the specials; after all, that's what makes this place different and better than the small collection of Mexican restaurants in the Boston area. The menu is divided into soups and salads, from \$3.25 to \$6.25; appetizers, from \$3.25 to \$8.75; specials, from \$9 to \$18; traditional dishes, from \$8.75 to \$12.

Before ordering our meal, we shared a pair of Bohemian beers, a light Mexican lager, and some disappointingly thin and greasy tortilla chips. Fortunately, a rich and savory tomato-based salsa was served on the side.

We began our meal with the ensalada de nopalitos, \$3.75, a refreshing catch salad; the ceviche de Acapulco, \$4.50, a marinated

seafood cocktail; and the alitas de pollo al mole, \$4.75, marinated chicken wings cooked in a mole sauce.

Served in a cocktail glass, the ceviche consisted of filleted bits of white fish soaked in a pool of lemon juice, chopped tomatoes, onions, salt, pepper, cilantro and parsley. The combination was delightfully fresh and tangy and made for a strong counterpart to the marinated chicken wings in the chocolate-flavored mole sauce. The tasty wings were drenched in the slightly sweet, velvety confitment.

In an effort to sample at least four specials on the menu at one sitting, we ordered the mixed grill Leopoldo. Named after the former owner and celebrated chef, Leo Romero, the dish is a sampling of four different entrees: chicken, chicken livers, pork tenderloin and beef tenderloin in imaginative sauces. The combination serves two and is priced at \$35, a real value considering the size of the dishes.

We've listed the price of each entree here as it's listed on the menu.) The first grill item is the higiditos a la Mexicana, \$9, chicken livers smothered in a rich tomato, green olive and caper sauce. All liver should be prepared this way; it

would probably make converts out of all those children who grew up despising it.

The next item is the pollo al cilitro, \$14, an unusually tender slice of chicken breast grilled in sweet butter and topped with puerco coriander and green tomatoes (tomatillos). The salsa verde was light and subtle, the perfect complement to the delicate chicken breast. The medallion of beef, \$18, was cooked to a perfect medium rare and coated with a mildly spicy tomato-based salsa. It was exceptionally tender and flavorful.

The puerco adobado, \$15, pork tenderloin marinated in oranges and smoked green peppers, was the most interesting of the four items. The sauce had a gentle fruity fragrance that counterbalanced the unusually lean pork.

We capped our meal with a traditional Spanish fish, which had a slight hint of Cognac.

On balance, both the meal and service were nearly flawless. Our waiter was able to explain the ingredients in each special — a rare feat these days — and timed the presentation of each dish perfectly.

Casa Romero may be on the pricey side as Mexican cuisine goes, but at least it's authentic.

Jaquet to headline Oxfam jazz benefit

Legendary jazz saxophonist and Grammy Award nominee Illinois Jaquet will headline a showcase of top Harvard jazz musicians at the sixth annual "Jazz for Life" concert at Sanders Theater in Cambridge on Friday, February 3 at 8 p.m.

Harvard musicians founded "Jazz for Life" in 1983 to benefit Oxfam America and local social service organizations. Since its inception, "Jazz for Life" has attracted prominent jazz musicians to the Boston area, while raising thousands of dollars to fight hunger.

"The idea of supporting the homeless and hungry through a celebration of a truly American indigenous art form makes this a particularly special event," says Josh Reibel, Harvard student and co-organizer of the event. "Oxfam's involvement allows us to broaden our aims and unite American and global

relief efforts."

Among the many outstanding jazz performers featured in this year's concert are Don Braden, a Harvard alumnus who has performed with the Wynton Marsalis Quartet; Conerocket, a Boston-based vocal-jazz ensemble; the Harvard Jazz Band; and the Din and Tonics, a Harvard capella group.

Each year the concert attracts a standing-room-only crowd. Last year organizers raised \$5,000. This year they expect to raise \$10,000 for Oxfam America and Phillips Brooks House, Harvard's student-run public service organization.

Tickets will be available at Holyoke Ticket Center in Harvard Square, \$10 for general admission and \$6 for students. Tickets will also be available at the door the day of the concert. For more information contact Doug Townsend at 486-3156.



BUILDING PEACE IN THE MIDST OF WAR, a documentary about sister-city relationship between Cambridge and San Jose las Flores in El Salvador, will be shown on Sat. Feb. 4, at 7:30pm at St. Mary's Church, 134 Norfolk St., Central Sq. Admission is \$5. For more information, call 876-4545. (Photo by Van Hardy)

BOPPERS DELUXE

Blue Suede Boppers keep the flame of rock's roots

By DAVID GROSSER

Friday, Feb. 3 is the 30th anniversary of the plane crash that killed Buddy Holly, Ritchie Valens and J.P. "Big Boy" Richardson. Immortalized as "The Day the Music Died," the crash marked the end of the founding era of Rock and Roll. As the fans lamented, Elvis was in the army, Little Richard had left music for the ministry, Chuck Berry was in jail and now Buddy Holly... Rock and Roll ultimately did survive although its form has changed drastically since then. Elvis had enough trouble accepting the Beatles, what would he say about Guns and Roses? Yet, the "real stuff" popular from 1955-1962 lives on in the music of the Blue Suede Boppers, featuring Somerville residents Reebe Garofalo and Dick Lourie. For Boppers Garofalo and Lourie, keeping the awareness of Rock alive is a labor of love, a political passion and just plain fun.

The Blue Suede Boppers will perform at a 50's Rock dance to benefit the Cambridge El Salvador Sister City Project at St. Mary's Church in Central Square, Cambridge, on Saturday night, Feb. 4. The Boppers — drummer Garofalo, Sax player Lourie, Mitch Kossak on keyboards, bassist Pam Swift and guitarist Howie Farnover — play early rock of many different styles. Their playlist reads like a 50's party time Hall of Fame: Rockabilly classics by Carl Perkins ("Blue Suede Shoes"), Rhythm and Blues hits like the bluesy "Night Train" and Little Richard's frantic "Rip it Up." They also play New Orleans' distinctive style ranging from the Dixie Cups' dreamy "Goin' to the Chapel" to Shirley and Lee's rolling "Let's Get Back to Back." They also do classics from Bill Haley and the Comets ("Rock around the Clock") to Chuck Berry ("Johnny B. Goode") through Fats Domino ("Blueberry Hill") and Buddy Holly ("That'll Be the Day"). And, of course, the slow ones like Sam Cooke's "You Send Me" and the Dupree's "You Belong to Me" for those tender moments.

"On these days, there's no gym teacher chaperones to tell you to keep a "respectable distance" from your partner).

"We do this first of all because it's fun," says Dick. "We encourage dancing and singing along. Everyone can manage the Shooie Do's at least." "Since these tunes have been continually revived by movies like "Dirty Dancing" and "La Bamba," they're now part of the general culture," Reebe adds. "We get middle aged people, who listened to this music 30 years ago, out on the dance floor along with 13 year olds."

Despite their love for the music, the Boppers are definitely not traditionalists — they don't try to mimic the originals sound for sound, but rather fashion their own arrangements based on their particular strengths.

"We do everything that we can given the range of instruments and vocals that we have in the group," says Dick. And they draw on their experience with a wide range of other music: Dick and Mitch with jazz, Howie with bluegrass, to spice up the instrumental breaks. The

range of tunes they do play is a lot wider stylistically than that of any of the originators whose tunes they cover. The Diamonds ("The Stroll") never did material like Huey Smith and the Clowns, (New Orleans' premier party band), but the Boppers do.

Rock and Roll is their first love. Reebe began playing as a 15 year old with a band called the Formals in New Haven in 1969. An older brother, who sang with an a cappella group, "The Unknowns," ("spiky named" Reebe remarks) sparked his interest in music. He passed through the many different groups as styles changed, from wedding music to a psychedelic group, "The Mushrooms," during the late 1960's. Dick, by contrast, didn't take to rock immediately. Older, he graduated from college in 1969 and was drawn more to jazz. He originally learned the trumpet, which was not a prominent rock instrument at the time. He took up the guitar in the early 60's as folk music gained popularity and gravitated to rock partly because it draws on all other kinds of popular music — Blues, Jazz, Country, Gospel and, most importantly, Rhythm and Blues. "Dick took up the sax about seven years ago partly because it let him play rock and roll and roll instruments. Before forming the Boppers he played with a Motown style revue, "The Perfect Blend," in 1966 and 67. Dick also writes poetry. His interest in 50's Rhythm and Blues led to resuming his own high school experience in his poetry.

For both Reebe and Dick, rock has been important in forming their political views. "Rock grew out of Black music, from jazz and blues — and it was controversial in the 50's primarily for that reason," says Dick. "So, before there was a civil rights movement in the public eye, millions of white kids were identifying with Black music and embracing a product of black culture as something with real value. This became important but subtle changes." As a teenager, Reebe remembers that he has no use in the sophisticated analysis but "we knew that Little Richard's "Tutti Frutti" and Fats Domino's "Ain't That a Shame" were a hell of a lot more exciting than Pat Boone's versions of those tunes."

Reebe has gone on to use music to promote awareness of racial problems through "Rock Against Racism," a program he founded in the 1970's, which trained high school kids to make videotapes about music. "Pop music is always multicultural and it's a non-threatening way to get kids to think about racial issues in their own lives. Reebe is a member of the Human Services faculty at the UMass/Boston College of Public and Community Service and teaches a course on "Pop Music and Social Change."

While Reebe and Dick are pleased at the current interest in 50's music, they are aware that not everyone draws the same lessons from it that they do. In the 1970's, shows like Happy Days were popular primarily because they presented the 50's as a simpler, more contented time in contrast to the strife of the 1960's. That's not the 50's we knew, both of them say. They dislike the massive use of old rock and roll in advertising these days. Reebe says, "The California Raisins' doing 'I Heard it through the Grapevine,' takes music which was widely admired by both blacks and whites for its authenticity and

Continued on page 4

CASA ROMERO
30 Gloucester St. (basement), Boston
563-4341
HOURS: Dinner served Sun.-Thurs., 6-10:30 pm; Fri.-Sat., 5-11 pm.
CREDIT CARDS: American Express, MasterCard, Visa
HANDICAPPED ACCESS: None
PARKING: On-street

**ATTENTION
CAMBRIDGE & SOMERVILLE
RESIDENTS!**

**MR. CLEAN LAUNDRY
& DRY CLEANING**
featuring

SAME DAY PICK-UP & DELIVERY SERVICES.
Wash, Dry, Fold or Hang

50¢ lb.
Professional Dry Cleaning—One Day Service!
(Pick up and delivery \$1.00 each within our delivery area.)

**HIGH QUALITY
LOW PRICES
COIN-OP LAUNDRY**
Open 7 am to 10 pm, 7 days a week.

CALL: 625-2862
220 Somerville Ave., Somerville MA

Speciality drinks complement abundant appetizers and light fare. Featuring a variety of live entertainment and televised sporting events.

Cafe

16 Garden Street

(617) 547-4800

Open from 11:30 a.m. until 2:00 a.m.

Message by Women
EARLY BIRD SPECIAL
9 A.M. to 11 A.M.
SAVE \$5 with this ad
ROYAL Sauna
354-1800
199 Alewife Brook Parkway, Cambridge.

Insurance Highlights
A BOND OF TRUST

While insurance involves a contract between two parties (the insured and the insurance company), a bond is a contract among three parties. There is the bond company (the surety), the insured party (the obligee), and one who has an obligation to the insured party (the principal). Under a bond contract, if an event that is insured against occurs and the insured party stands to suffer a financial loss, the bonding company would make good in the event that the principal failed to do so. For example, if a bonded cleaning service (principal) destroyed a client's (obligee's) rug, the bonding company (surety) would make good on the rug if the cleaning service failed to do so. This bonding feature is one that raises consumer trust levels toward service companies.

When it comes to insurance needs you know you can trust the professionals at **STORER, DAMON & LUND INSURANCE**, 30 Brattle St., Cambridge. Whether you require liability protection, life insurance or other business or personal insurance requirements, the experience, professionalism and concerned approach of the staff at **STORER, DAMON & LUND INSURANCE** will provide you with the guidance you require. Call us today. Tel. 864-4850. Open 8:30-4:30 Mon.-Thurs., 8:30-4 Fri. and by appointment.

HINT: A bond also contains the promise that the principal will reimburse the surety for any payments arising out of the principal's failure.

Correction

Because of incorrect information supplied by the restaurant, the "Weekender" recently reported that the new Chili's Grill & Bar in Harvard Square offered two hours of free validated parking in the University Place garage. The restaurant does not honor any validated parking in the square and regrets any inconvenience caused by the confusion.

To advertise on the Restaurant Review page call 629-8200, ext. 110.

Plan your night out with the entertainment information in **The Weekender**

CITY OF CAMBRIDGE PURCHASING DEPARTMENT
BOARD OF LICENSE COMMISSIONERS
 Notice is hereby given under General Laws, Chapter 138, as amended that Corporate Music Productions, Inc. db/a Nightstage, San Marcus Manager, holder of an alcohol beverage and restaurant license at 823 Main Street has applied for approval of its managers, namely Herbert Chris Lutz and Joseph D. Murphy for restaurant portion of Nightstage, to be called Despire.
 The hearing on this application will be held on Tuesday afternoon, February 14, 1989, at two o'clock, in the Barbara Ackerman Room, Room 210, City Hall.
 James Thaddeus McDevitt
 Anthony G. Paolillo
 Thomas J. Pappalardo
 License Commission

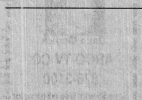
(C)Feb.2



PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE, MASSACHUSETTS

Notice is hereby given 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, February 1, 1989 at 8:00 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of Susan Yanow, et al to amend the text of the Zoning Ordinance of the City of Cambridge, Massachusetts and adding to section 5.41, Transition Requirements, a new subsection 5.41.3 which would read as follows:
 "Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district wall. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."
 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

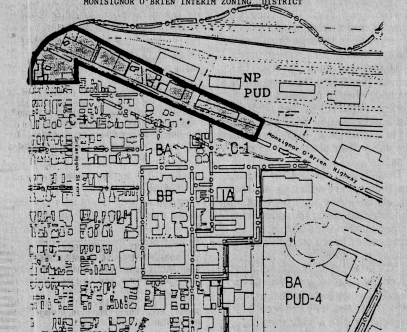
(C)Feb.2.9



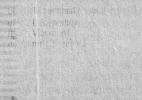
PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE, MASSACHUSETTS

Notice is hereby given 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, February 22, 1989 at 8:00 a.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the Zoning Ordinance of the City of Cambridge by establishing a new Monignor O'Brien Interim Zoning District as shown on the accompanying map, having the following requirements:
 1. All requirements of the existing Industrial B zone district shall apply except as modified and limited by the requirements of this Section's subsections 2.4 below:
 2. The floor area ratio applicable on any lot shall be limited to 2.0.
 3. The maximum height of any building shall be 65 feet.
 4. The Monignor O'Brien Interim Zoning District shall be in effect through June 1, 1989.
 The text changes would include amending Article 11.40 of the District Regulations and map of the City of Cambridge by creating the Central Square Overlay District and changing the applicable base zoning district designation in some areas from Business B to Residence C-3, or Residence C2A, Industrial B or Business B, and Business B to Office as shown on the accompanying map.
 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

MONIGNOR O'BRIEN INTERIM ZONING DISTRICT



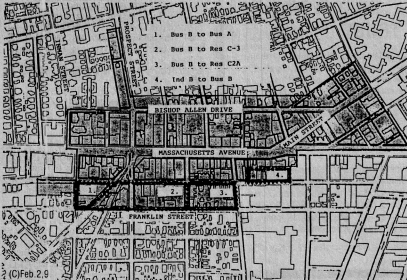
(C)Feb.2.9



PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE, MASSACHUSETTS

Notice is hereby given 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, February 22, 1989 at 8:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of the City of Cambridge Planning Board to amend the Zoning Ordinance and map of the City of Cambridge by creating the Central Square Overlay District and changing the applicable base zoning district designation in some areas from Business B to Residence C-3, or Residence C2A, Industrial B or Business B, and Business B to Office as shown on the accompanying map.
 The text changes would include amending Article 11.40 of the District Regulations and map of the City of Cambridge by creating the Central Square Overlay District and changing the applicable base zoning district designation in some areas from Business B to Residence C-3, or Residence C2A, Industrial B or Business B, and Business B to Office as shown on the accompanying map.
 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

PROPOSED CENTRAL SQUARE OVERLAY DISTRICT



(C)Feb.2.9

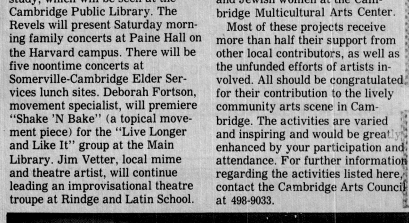
ARTS Grant recipients offer cultural activities

The citizens of Cambridge and beyond can look forward to enjoying a variety of cultural activities in the remaining months of winter and into the spring. Funded in part by the Massachusetts Arts Lottery as administered by the Cambridge Arts Council, the following are among the offerings taking place throughout our community.
 Community singing continues at the Longfellow Community School,

organized by Naomi Arenberg, Denise Bergman is planning an anthology of local community poets. Angela Bowen will present a reading at the Central Square Public Library for Black History Month.
 The Community Art Center at Newtone Court is beginning to work on a home-grown musical with the assistance of Tribal Rhythms. Concert Dance is providing a

masterclass with Bebe Miller for students at Cambridge Ridge and Latin School and the Dance Umbrella will bring two international dance companies into the schools. Sculptor Linda Dehart is creating a variable fabric installation for the children's area of the new Observatory Hill Branch Library.
 The Early Childhood Educational Exchange will present a traveling exhibit, "The Hundred Languages of Children," from Reggio Emilia in Italy, at Gallery 57 and Cambridge City Hall during February and March. The Fletcher Neighborhood Council is starting a community photography project after school. The Jefferson Park Writing and Art Center is working on a magazine featuring the work of their younger students. The Citystep Dance Theater, a project of the Harvard/Redcliffe Dance Company is rehearsing over 100 Cambridge school children for a gala Spring presentation. The Little Orchestra of Cambridge will present two more free concerts in East Cambridge. Music In Service to the Elderly will again visit Cambridge nursing homes for a series of solo concerts. Musica Sacra will perform at Youville Hospital. Ann Hollins is completing her presentation, "Women in Sculpture," a local study, which will be seen at the Cambridge Public Library. The Revels will present Saturday morning family concerts at Paine Hall on Harvard campus. There will be five nighttime concerts at Somerville-Cambridge Elder Service lunch sites. Deborah Fortson, movement specialist, will premiere "Shake 'n Bake" (a topical movement piece) by the "Live Longer and Like It!" group at the Main Library. Jim Vetter, local mime and theatre artist, will continue leading an improvisational theatre troupe at Rindge and Latin School.

Videmus will present a lifetime achievement concert at Sanders Theatre for noted local composer, T.J. Anderson. Carol Youmans will complete a Spanish language sound track for her award-winning documentary from El Salvador, "Winning Peace in a Time of War."
 A number of programs will be presented late in the spring in conjunction with the annual River Festival. Dorothy Shamovsky will herald the season with a temporary sculpture installation at Sennott Park, which will also be the site for a combined Area Four Community Schools Arts Festival in May. The Morse and Graham/Parks Community Schools will join forces for their own special event in the same season. "Tom the Neighborhood Artist" will attach the third annual series of "Sign Scenes" to parking signposts around the city. Beverly Burbank will create another special installation for Festival Day, this time in the Charles River. In June, The Underground Railway Theatre will premiere "Home is Where..." a new touring show about the realities of homelessness, and the Oral History Center will present the results of a new quilt project incorporating the work of Palestinian and Jewish women at the Cambridge Multicultural Arts Center.
 Most of these projects receive more than half their support from other local contributors, as well as the unfunded efforts of artists involved. All should be congratulated for their contribution to the lively community arts scene in Cambridge. The activities are varied and inspiring and would be greatly enhanced by your participation and attendance. For further information regarding the activities listed here, contact the Cambridge Arts Council at 498-9033.



Cambridge Arts Council members.

PUBLIC NOTICE COMMONWEALTH OF MASSACHUSETTS

Notice is hereby given that the Massachusetts Institute of Technology proposed to remodel, partially utilizing Federal funds, a portion of the 3rd floor in the E17 Building from a Cell Culture Center to a research laboratory. The purpose is to provide a fully equipped laboratory for the research of immunology, which will complement the Institute's existing Cancer Research Program.
 The proposed construction is the remodeling of 3800 assignable square feet on the 3rd floor of the E17 Building, located at 40 Ames Street, Cambridge, Massachusetts.
 The Massachusetts Institute of Technology has evaluated the environmental and community impacts of the proposed construction. The only predicted impact will consist of a negligible increase in local vehicular traffic during the course of the construction from April 1990 until June 1990. No significant environmental impacts are anticipated. All necessary state and federal licensing will be obtained prior to construction and occupancy.
 In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within 30 days after the return day or such other time as the Court, on motion with notice to the petitioner, may allow in accordance with Probate Rule 11514, which implements the National Environmental Policy Act of 1969, any individual or organization may be presented to this Court concerning the environmental implications of the proposed project. Communications should be addressed to the Office of Environmental Medical Services, Massachusetts Institute of Technology, and be received by May 1, 1989. The Federal grant application may be reviewed by the Environmental Department, Design Section, Massachusetts Institute of Technology, 50 Ames Street, during business hours.
 Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge, January 18, 1989.
 Paul J. Cavanaugh
 Register of Probate

(C)Feb.2

COMMONWEALTH OF MASSACHUSETTS THE PROBATE AND FAMILY COURT DEPARTMENT

PROBATE OF WILL WITHOUT SURETIES
 Middlesex Division Docket No. 89P2026E
 Estate of George W. Vickers also known as George Vickers late of Cambridge in the County of Middlesex
 NOTICE
 A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Mildred S. Vickers of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.
 If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court on or before 10:00 in the forenoon on April 28, 1989.
 In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within 30 days after the return day or such other time as the Court, on motion with notice to the petitioner, may allow in accordance with Probate Rule 11514, which implements the National Environmental Policy Act of 1969, any individual or organization may be presented to this Court concerning the environmental implications of the proposed project. Communications should be addressed to the Office of Environmental Medical Services, Massachusetts Institute of Technology, and be received by May 1, 1989. The Federal grant application may be reviewed by the Environmental Department, Design Section, Massachusetts Institute of Technology, 50 Ames Street, during business hours.
 Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge, the twenty-fourth day of January in the year of our Lord one thousand nine hundred and eighty-nine.
 Paul J. Cavanaugh
 Register of Probate

(C)Feb.2

COMMONWEALTH OF MASSACHUSETTS Middlesex ss. Probate Court No. 89D0041-D-1

Summons by Publication
 Theresa A. Levesque Plaintiff
 vs.
 Joseph J. E. Levesque Defendant
 To the above-named Defendant:
 A complaint has been presented to this Court by your spouse, Theresa A. Levesque, who seeks to dissolve the bonds of matrimony - for custody of and allowance for minor child.
 You are required to serve upon Kenneth J. Simmons, Esq., plaintiff's attorney, whose address is 161 Third St., E. Cambridge, MA 02141 your answer on or before April 24, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.
 Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge, January 18, 1989.
 Paul J. Cavanaugh
 Register of Probate

(C)Feb.2.16

COMMONWEALTH OF MASSACHUSETTS Middlesex ss. Probate Court No. 89D-145-D-1

SUMMONS BY PUBLICATION
 Cara Wheaton Plaintiff
 vs.
 Albert C. Wheaton Defendant
 To the above-named Defendant Albert Wheaton, a complaint has been presented to this Court by your spouse, Cara Wheaton, seeking Divorce.
 You are required to serve upon Ronald H. Rainer, Esq., Plaintiff's Attorney, whose office address is One Liberty Square, Boston, MA 02109 your answer on or before March 6, 1989. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.
 Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge, January 11, 1989.
 Paul J. Cavanaugh
 Register of Probate

(C)Jan.26, Feb.2.9

CONSOLIDATED REPORT OF CONDITION (Including Domestic and Foreign Subsidiaries)

Legal title of bank: Cambridge Community Bank, Cambridge, Middlesex County, MA 02138. State Bank No. 28-0750. Federal Reserve Institute ID: 0812. Date of business date: 12/31/88.

Dollar Amount in Thousands	Bil	Mil	Thou
ASSETS			
Cash and balances due from depository institutions:			
a. Noninterest-bearing balances and currency and coin			20,974
b. Interest-bearing balances			76,893
2. Securities:			
a. Federal funds sold and securities purchased under agreements to resell in domestic offices of the bank and in its Edge and Agreement Subsidiaries, and in IBFs:			
1. Federal funds sold			11,000
b. Securities purchased under agreements to resell			0
4. Loans and lease financing receivables:			
a. Loans and leases, net of unearned income			122,339
b. LESS: Allowance for loan and lease losses			1,200
c. LESS: Allocated transfer risk reserve			0
4. Loans and leases, net of unearned income, allowance, and reserve (item 4 a minus 4 b and 4 c)			121,139
5. Assets held in trading accounts			4,328
6. Premises and fixed assets (including capitalized leases)			0
7. Other real estate owned			0
8. Investments in unconsolidated subsidiaries and associated companies			0
9. Customers' liability to this bank on acceptance outstanding			0
10. Intangible assets			6,568
11. Other assets			239,915
12. Total assets (sum of items 1 through 11)			239,915
a. Loans deferred pursuant to 12 U.S.C. 1823 (i)			0
b. Total assets and losses deferred pursuant to 12 U.S.C. 1823 (i) (sum of items 12 a and 12 b)			0
LIABILITIES			
13. Deposits:			210,278
(1) Noninterest-bearing			54,549
(2) Interest-bearing			155,729
3. In foreign offices, Edge and Agreement Subsidiaries, and IBFs:			
(1) Noninterest-bearing			0
(2) Interest-bearing			0
14. Federal funds purchased and securities sold under agreement to repurchase in domestic offices of the bank and in its Edge and Agreement Subsidiaries, and in IBFs:			
a. Federal funds purchased			0
b. Securities sold under agreements to repurchase			9,416
15. Demand notes issued to the U.S. Treasury			0
16. Other borrowed money			0
17. Mortgage indebtedness and obligations under capitalized leases			0
18. Bank's liability on acceptances executed and outstanding			0
19. Notes and debentures subordinated to deposits			0
20. Other liabilities			2,656
21. Total liabilities (sum of items 13 through 20)			222,347
22. Limited-life preferred stock			0
EQUITY CAPITAL			
23. Perpetual preferred stock (No. of shares outstanding)			1,000,000
24. Common stock (No. of shares authorized)			653,488
b. Outstanding			654
25. Surplus			6,568
26. Undivided profits and capital reserves			12,881
27. Cumulative foreign currency translation adjustments			0
28. Total equity capital (sum of items 23 through 27)			17,568
a. Loans deferred pursuant to 12 U.S.C. 1823 (i)			0
b. Total equity capital and losses deferred pursuant to 12 U.S.C. 1823 (i) (sum of items 28 a and 28 b)			0
29. Total liabilities, limited-life preferred stock, and losses deferred pursuant to 12 U.S.C. 1823 (i) (sum of items 21, 22, and 28 b)			239,915
MEMORANDA , Amounts in Thousands of Dollars:			
1. Standby letters of credit, Total			4,495
1.a. Amount of Standby letters of credit			0
1.b. Contingent liability to others through participations			4,495
1.c. Contingent liability to others through participations			0
NOTE: This report must be signed by an authorized officer(s) and attested by not less than three directors of the bank.			
I, the undersigned officer(s), do hereby declare that this Report of Condition has been prepared in conformance with official instructions and is true to the best of my (our) knowledge and belief.			
Signature of Officer(s) Authorized to Sign Report Edward L. Robertson, III Name and Title of Officer(s) Authorized to Sign Report Edward L. Robertson, III Date January 29, 1989 Name and Title of Officer(s) Authorized to Sign Report Edward L. Robertson, III Date January 29, 1989 Name and Title of Officer(s) Authorized to Sign Report Edward L. Robertson, III Date January 29, 1989 Name and Title of Officer(s) Authorized to Sign Report Edward L. Robertson, III Date January 29, 1989			
Signature of Directors Lewis H. Clark Charles M. McLaughlin Charles H. Ehlers			
Signature Notary Public Joseph T. Keating			

DESIGN EXCELLENCE — Roy-Alan Hansen (left), Deputy Director of the Cambridge Arts Council, receives a Presidential Award for Design Excellence from Frank Hodsell, Chairman of the National Endowment for the Arts (center), and Frederick P. Salvucci, Secretary of Transportation commemorating the Art Council's program, "Arts on the Line." The National Endowment for the Arts administers the Presidential Awards process and Salvucci's commitment and leadership has made the art projects on the Red Line Northwest Extension possible.

Kenway paintings focus on Allston neighborhood

Hanoville, a small neighborhood section of Allston, Massachusetts, is dramatically depicted by the artist James Kenway in a series of oil paintings opening today at the Cambridge Arts Council's Gallery 57.
 "These paintings reveal the 'drama' that I find in the commonplace," says the artist in his work. "The exhibition consists of a series of paintings the artist has been working on for the past three years. Kenway selected the areas immediately surrounding the Twin Donuts coffee shop in Hanoville because it interested him. His material was gathered quickly during photographic shoots. The artist then transferred the idea to canvas, reworked and made additions from memory and imagination to create a composition which suits his preference.
 The result was described in a recent exhibition narrative. "The image is one of urgency...the 'sweet' colors hardly reflect the apparent nature of urban blight. These paintings show us life transformed by hope and humor."
 Kenway received his bachelor of fine arts degree in 1977 from Boston University School of Arts. He has held the post of artist in residence at the Noble and Greenough School in Dedham, and has been the recipient of many awards and honors in art exhibition throughout New England. A resident of Cambridge, he owns James Kenway Fine Painting, specializing in decorative interior home painting.
 The Gallery 57 exhibition (located at 57 Inman Street, 2nd floor) of Kenway's paintings will be on display through February 17.

Arts lottery deadline is March 13

The next funding cycle of the Massachusetts Arts Lottery has administered by the Cambridge Arts Council begins July 1, 1989 and lasts through December 31, 1989. The deadline for all proposals is Monday, March 13, 1989 and the preliminary recommendations will be decided by early April. All Massachusetts citizens or organizations of at least one year residency are eligible.
 The Cambridge Arts Lottery Council specifies that any event funded by a lottery grant must occur in Cambridge and benefit the citizens of the City. In the past, Arts Lottery funds (derived from a portion of the money raised by the Megabucks game and intended for community arts programs) have been used to fund small public art projects.
 A number of dance and drama projects for school enrichment and after-school programs, such as the Children's Dance Project and the Cambridge Youth Theatre, have also received funding. Individual artists have produced temporary installations for the Cambridge River Festival, or presented public concerts at the libraries, in nursing homes, or other underused venues.
 The Cambridge Arts Council encourages local artists and performers to submit their ideas for possible selection. For further information, contact Will Stackman, administrator for the Lottery program in Cambridge at the Arts Council 864-5150.



**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, February 22, 1989 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43** which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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)Feb.2,9



**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, February 22, 1989 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43 which would read as follows:**

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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)Feb.2,9



**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, February 22, 1989 at 6:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition of **Susan Yanow, et al to amend the text of the Zoning Ordinance by adding to section 5.40, Transition Requirements, a new subsection 5.43** which would read as follows:

"Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45 degree bulk control plane beginning at grade at the residential/non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent".

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

In City Council February 27, 1989

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, February 22, 1989 beginning at 7:45 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss the petition of the Susan Yanow, et al, to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43 with regard to Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45° bulk control plane beginning at the residential/non-residential district line.

The Chair asked the petitioner to come forward.

At this time, Robert Edbrooke of 20 Prescott St., stated that he was representing the petitioner, due to her having a previous commitment. He stated that the sole intent of the proposal addresses the issue of a 45° bulk control plane at grade at the residential/non-residential district line.

Speaking in favor of the proposal was Mr. John St. George.

The Chair asked if anyone wished to be heard in opposition to the petition.

No one responded.

The Chair noted that the City Clerk was in receipt of a communication from Cora Beth Abel of 12 Lee St. in opposition to the petition.

Vice-Mayor Wolf moved that the petition be referred to the full City Council without recommendation.

The motion - carried.

The hearing was adjourned at 7:50 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

In City Council February 27, 1989

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, February 22, 1989 beginning at 7:45 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss the petition of the Susan Yanow, et al, to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43 with regard to Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45^o bulk control plane beginning at the residential/non-residential district line.

The Chair asked the petitioner to come forward.

At this time, Robert Edbrooke of 20 Prescott St., stated that he was representing the petitioner, due to her having a previous commitment. He stated that the sole intent of the proposal addresses the issue of a 45^o bulk control plane at grade at the residential/non-residential district line.

Speaking in favor of the proposal was Mr. John St. George.

The Chair asked if anyone wished to be heard in opposition to the petition.

No one responded.

The Chair noted that the City Clerk was in receipt of a communication from Cora Beth Abel of 12 Lee St. in opposition to the petition.

Vice-Mayor Wolf moved that the petition be referred to the full City Council without recommendation.

The motion - carried.

The hearing was adjourned at 7:50 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

In City Council February 27, 1989

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, February 22, 1989 beginning at 7:45 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss the petition of the Susan Yanow, et al, to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43 with regard to Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45° bulk control plane beginning at the residential/non-residential district line.

The Chair asked the petitioner to come forward.

At this time, Robert Edbrooke of 20 Prescott St., stated that he was representing the petitioner, due to her having a previous commitment. He stated that the sole intent of the proposal addresses the issue of a 45° bulk control plane at grade at the residential/non-residential district line.

Speaking in favor of the proposal was Mr. John St. George.

The Chair asked if anyone wished to be heard in opposition to the petition.

No one responded.

The Chair noted that the City Clerk was in receipt of a communication from Cora Beth Abel of 12 Lee St. in opposition to the petition.

Vice-Mayor Wolf moved that the petition be referred to the full City Council without recommendation.

The motion - carried.

The hearing was adjourned at 7:50 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

In City Council February 27, 1989

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, February 22, 1989 beginning at 7:46 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss the petition of the Susan Yanow, et al, to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43 with regard to Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45° bulk control plane beginning at the residential/non-residential district line.

The Chair asked the petitioner to come forward.

At this time, Robert Edbrooke of 20 Prescott St., stated that he was representing the petitioner, due to her having a previous commitment. He stated that the sole intent of the proposal addresses the issue of a 45° bulk control plane at grade at the residential/non-residential district line.

Speaking in favor of the proposal was Mr. John St. George.

The Chair asked if anyone wished to be heard in opposition to the petition.

No one responded.

The Chair noted that the City Clerk was in receipt of a communication from Cora Beth Abel of 12 Lee St. in opposition to the petition.

Vice-Mayor Wolf moved that the petition be referred to the full City Council without recommendation.

The motion - carried.

The hearing was adjourned at 7:50 p.m.

For the Committee,

Councillor William H. Walsh
Chairman.

Comm. from Joseph E. Connarton, City Clerk, transmitting the report of Councillor William H. Walsh, Chairman, Committee on Ordinances Re: petition of Susan Yanow, et al to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements a new subsection 5.43 Re: Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45° bulk control plane beginning at the residential/non-residential district line.

In City Council,

February 27, 1989

City of Cambridge
ZONING PETITION

Sponsored by:
CAMBRIDGE CITIZENS FOR LIVEABLE NEIGHBORHOODS

BULK CONTROL PLANE

FINAL AS FILED / 5 DEC 88

WHEREAS Susan Yanow et al recently filed a Zoning Ordinance amendment petition (the "Industry A & B Transitions" petition), the intent of which was to provide better protections to residential districts abutting industrial districts where buildings of much greater height and bulk are permitted; and

WHEREAS the Planning Board, in its review of, and recommendations regarding, said Yanow Petition, supported the intent of this Petition; but

WHEREAS the Planning Board also recommended modification of the rules and language of said Petition to provide reasonable protections to abutting residential districts without severe consequences for adjacent industrial districts; and

WHEREAS the Planning Board's recommended modifications are thoughtful and constructive; but further

WHEREAS residential districts abutting any and all commercial districts, including Business and Office districts, may reasonably and appropriately benefit from similar protections;

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to protect the houses and apartments of all residential districts from the unwarranted impacts of much larger commercial construction in immediately adjacent non-residential districts of all types, by amending the Zoning Ordinance as follows:

A. Add to Section 5.40, Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade

at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

DEC 5 11 4: 11

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to better protect residential areas from the negative impacts of intrusive commercial construction next door by amending the Zoning Ordinance in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
✓ <u>Susan Yanow</u>	<u>Susan Yanow</u>	<u>221 Norfolk St</u>	<u>492-1032</u>
✓ <u>Dowd</u>	<u>R PHILIP DOWDS</u>	<u>48 BANKS ST</u>	<u>354-6004</u>
✓ <u>Gaylen Morgan</u>	<u>GAYLEN MORGAN</u>	<u>197 Lexington Ave</u>	<u>492-7079</u>
✓ <u>Edward N. Cyr</u>	<u>Edward N. Cyr</u>	<u>106 Dudley St.</u>	<u>661-3973</u>
✓ <u>Jay Manns</u>	<u>JAY MANNS</u>	<u>7 CORNELIUS WAY</u>	<u>661-7236</u>
✓ <u>Daniel E. Geary Jr.</u>	<u>DANIEL E. GEARY, JR.</u>	<u>40 BELLIS CIRCLE</u>	<u>354-3253</u>
✓ <u>Debra McManus</u>	<u>Debra McManus</u>	<u>19 Cornelius Way</u>	<u>864-2686</u>
✓ <u>Richard Cowan</u>	<u>Richard Cowan</u>	<u>117 Rindge Ave</u>	<u>497-0870</u>
✓ <u>Anne R. Toop</u>	<u>Anne R. Toop</u>	<u>694 Green St.</u>	<u>547-3834</u>
✓ <u>Robert Owen Edbrooke, Jr.</u>	<u>Robert Owen Edbrooke, Jr.</u>	<u>20 Prescott St #5</u>	<u>492-8267</u>
✓ <u>Priscilla J. McMillan</u>	<u>Priscilla J. McMillan</u>	<u>12 Hilliard St</u>	<u>547-6260</u>
✓ <u>John T. St-George</u>	<u>John T. St-George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
✓ <u>Patricia Lewis</u>	<u>Patricia Lewis</u>	<u>36 Holworthy St</u>	<u>864-3256</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I, the above signed, am a registered voter in the City of Cambridge, MA.

City of Cambridge
ZONING PETITION

Sponsored by:
CAMBRIDGE CITIZENS FOR LIVEABLE NEIGHBORHOODS

BULK CONTROL PLANE

FINAL AS FILED / 5 DEC 88

WHEREAS Susan Yanow et al recently filed a Zoning Ordinance amendment petition (the "Industry A & B Transitions" petition), the intent of which was to provide better protections to residential districts abutting industrial districts where buildings of much greater height and bulk are permitted; and

WHEREAS the Planning Board, in its review of, and recommendations regarding, said Yanow Petition, supported the intent of this Petition; but

WHEREAS the Planning Board also recommended modification of the rules and language of said Petition to provide reasonable protections to abutting residential districts without severe consequences for adjacent industrial districts; and

WHEREAS the Planning Board's recommended modifications are thoughtful and constructive; but further

WHEREAS residential districts abutting any and all commercial districts, including Business and Office districts, may reasonably and appropriately benefit from similar protections;

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to protect the houses and apartments of all residential districts from the unwarranted impacts of much larger commercial construction in immediately adjacent non-residential districts of all types, by amending the Zoning Ordinance as follows:

A. Add to Section 5.40, Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade

at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

BULK CONTROL PLANE PETITION

1988 DEC -5 PM 4:11

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to better protect residential areas from the negative impacts of intrusive commercial construction next door by amending the Zoning Ordinance in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
✓ <u>Susan Yanow</u>	<u>Susan Yanow</u>	<u>221 Norfolk St</u>	<u>492-1032</u>
✓ <u>Dorinda</u>	<u>R PHILIP ROWDS</u>	<u>48 BANKS ST</u>	<u>354-6004</u>
✓ <u>Gaylen Moran</u>	<u>GAYLEN MORAN</u>	<u>197 Lexington Ave</u>	<u>492-7079</u>
✓ <u>Edward N. Cyr</u>	<u>Edward N. Cyr</u>	<u>106 Dudley St.</u>	<u>661-3973</u>
— <u>Jay Mann</u>	<u>JAY MANN</u>	<u>7 CORNELIUS WAY</u>	<u>661-7236</u>
✓ <u>Daniel E. Gerry, Jr.</u>	<u>DANIEL E. GERRY, JR.</u>	<u>40 BELLIS CIRCLE</u>	<u>354-3253</u>
— <u>Debra McManus</u>	<u>Debra McManus</u>	<u>19 Cornelius Way</u>	<u>864-2686</u>
✓ <u>Richard Cowan</u>	<u>Richard Cowan</u>	<u>117 Rindge Ave</u>	<u>497-0870</u>
✓ <u>Anne R. Toop</u>	<u>Anne R. Toop</u>	<u>694 Green St.</u>	<u>547-3834</u>
✓ <u>Robert Owen Edbrooke, Jr.</u>	<u>Robert Owen Edbrooke, Jr.</u>	<u>20 Prescott St #5</u>	<u>492-8267</u>
✓ <u>Priscilla J. McMillan</u>	<u>Priscilla J. McMillan</u>	<u>12 Hilliard St</u>	<u>547-6260</u>
✓ <u>John T. St-George</u>	<u>John T. St-George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
✓ <u>Patricia Lewis</u>	<u>Patricia Lewis</u>	<u>36 Holworthy St</u>	<u>864-3256</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I, the above signed, am a registered voter in the City of Cambridge, MA.

City of Cambridge
ZONING PETITION

Sponsored by:
CAMBRIDGE CITIZENS FOR LIVEABLE NEIGHBORHOODS

BULK CONTROL PLANE

FINAL AS FILED / 5 DEC 88

WHEREAS Susan Yanow et al recently filed a Zoning Ordinance amendment petition (the "Industry A & B Transitions" petition), the intent of which was to provide better protections to residential districts abutting industrial districts where buildings of much greater height and bulk are permitted; and

WHEREAS the Planning Board, in its review of, and recommendations regarding, said Yanow Petition, supported the intent of this Petition; but

WHEREAS the Planning Board also recommended modification of the rules and language of said Petition to provide reasonable protections to abutting residential districts without severe consequences for adjacent industrial districts; and

WHEREAS the Planning Board's recommended modifications are thoughtful and constructive; but further

WHEREAS residential districts abutting any and all commercial districts, including Business and Office districts, may reasonably and appropriately benefit from similar protections;

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to protect the houses and apartments of all residential districts from the unwarranted impacts of much larger commercial construction in immediately adjacent non-residential districts of all types, by amending the Zoning Ordinance as follows:

A. Add to Section 5.40, Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade

at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

BULK CONTROL PLANE PETITION

2003 DEC -5 PM 4: 17

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to better protect residential areas from the negative impacts of intrusive commercial construction next door by amending the Zoning Ordinance in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
✓ <u>Susan Yanow</u>	<u>Susan Yanow</u>	<u>221 Norfolk St</u>	<u>492-1032</u>
✓ <u>Dodd</u>	<u>R PHILIP DOWDS</u>	<u>48 BANKS ST</u>	<u>354-6004</u>
✓ <u>Gaylen Moran</u>	<u>GAYLEN MORAN</u>	<u>197 Lexington Ave</u>	<u>492-7079</u>
✓ <u>Edward N. Cyr</u>	<u>Edward N. Cyr</u>	<u>106 Dudley St.</u>	<u>661-3973</u>
_____	<u>JAY MARMS</u>	<u>7 CORNELIUS WAY</u>	<u>661-7236</u>
✓ <u>[Signature]</u>	<u>DANIEL E. GERR, JR.</u>	<u>40 BELLIS CIRCLE</u>	<u>354-3253</u>
_____	<u>Debra McManus</u>	<u>19 Cornelius Way</u>	<u>864-2686</u>
✓ <u>Richard Cowan</u>	<u>Richard Cowan</u>	<u>117 Rindge Ave</u>	<u>497-0870</u>
✓ <u>Anne R. Toop</u>	<u>Anne R. Toop</u>	<u>694 Green St.</u>	<u>547-3834</u>
✓ <u>Robert Owen Edbrooke, Jr.</u>	<u>Robert Owen Edbrooke, Jr.</u>	<u>20 Prescott St #5</u>	<u>492-8267</u>
✓ <u>Priscilla J. McMillan</u>	<u>Priscilla J. McMillan</u>	<u>12 Hilliard St</u>	<u>547-6260</u>
✓ <u>John T. St-George</u>	<u>John T. St-George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
✓ <u>Patricia Lewis</u>	<u>Patricia Lewis</u>	<u>36 Holworthy St</u>	<u>864-3256</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I, the above signed, am a registered voter in the City of Cambridge, MA.

1988 DEC -5 PM 4:17

We the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to better protect residential areas from the negative impacts of intrusive commercial construction next door by amending the Zoning Ordinance in conformance with the Petition attached hereto.

Signature	Printed Name	Address	Phone
✓ <u>Susan Yanow</u>	<u>Susan Yanow</u>	<u>221 Norfolk St</u>	<u>492-1032</u>
✓ <u>R Philip Ponds</u>	<u>R PHILIP PONDS</u>	<u>48 BANKS ST</u>	<u>354-6004</u>
✓ <u>Gaylen Morgan</u>	<u>GAYLEN MORGAN</u>	<u>197 Lexington Ave</u>	<u>492-7079</u>
✓ <u>Edward N. Cyr</u>	<u>Edward N. Cyr</u>	<u>106 Dudley St.</u>	<u>661-3973</u>
— <u>Jay Mann</u>	<u>JAY MANN</u>	<u>7 Cornelius Way</u>	<u>661-7236</u>
✓ <u>Daniel E. Gery, Jr.</u>	<u>DANIEL E. GERY, Jr.</u>	<u>40 Bellis Circle</u>	<u>354-3253</u>
— <u>Debra McManus</u>	<u>Debra McManus</u>	<u>19 Cornelius Way</u>	<u>864-2686</u>
✓ <u>Richard Cowan</u>	<u>Richard Cowan</u>	<u>117 Rindge Ave</u>	<u>497-0870</u>
✓ <u>Anne R. Toop</u>	<u>Anne R. Toop</u>	<u>694 Green St.</u>	<u>547-3834</u>
✓ <u>Robert Owen Edbrooke, Jr.</u>	<u>Robert Owen Edbrooke, Jr.</u>	<u>20 Prescott St #5</u>	<u>492-8267</u>
✓ <u>Priscilla J. McMillan</u>	<u>Priscilla J. McMillan</u>	<u>12 Hilliard St</u>	<u>547-6260</u>
✓ <u>John T. St. George</u>	<u>John T. St. George</u>	<u>348 Windsor St.</u>	<u>547-4059</u>
✓ <u>Patricia Lewis</u>	<u>Patricia Lewis</u>	<u>36 Holworthy St</u>	<u>864-3256</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I, the above signed, am a registered voter in the City of Cambridge, MA.

City of Cambridge
ZONING PETITION

Sponsored by:
CAMBRIDGE CITIZENS FOR LIVEABLE NEIGHBORHOODS

BULK CONTROL PLANE

FINAL AS FILED / 5 DEC 88

WHEREAS Susan Yanow et al recently filed a Zoning Ordinance amendment petition (the "Industry A & B Transitions" petition), the intent of which was to provide better protections to residential districts abutting industrial districts where buildings of much greater height and bulk are permitted; and

WHEREAS the Planning Board, in its review of, and recommendations regarding, said Yanow Petition, supported the intent of this Petition; but

WHEREAS the Planning Board also recommended modification of the rules and language of said Petition to provide reasonable protections to abutting residential districts without severe consequences for adjacent industrial districts; and

WHEREAS the Planning Board's recommended modifications are thoughtful and constructive; but further

WHEREAS residential districts abutting any and all commercial districts, including Business and Office districts, may reasonably and appropriately benefit from similar protections;

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to protect the houses and apartments of all residential districts from the unwarranted impacts of much larger commercial construction in immediately adjacent non-residential districts of all types, by amending the Zoning Ordinance as follows:

A. Add to Section 5.40, Transition Requirements, a new subsection 5.43 reading as follows:

"5.43 Where any Office, Business, or Industrial zone abuts any residential district, any structure or portion thereof erected within said non-residential district shall be set back behind a 45° bulk control plane beginning at grade

at the residential / non-residential district line. Said structure may be built forward and above the bulk control plane only if it complies with the height and yard (setback) requirements of both the non-residential zone applicable to its lot, and also the residential zone immediately adjacent."

5. 0-112

Petition of Susan Yanow, et al, to amend the Zoning Ordinances by adding to Section 5.40, Transition Requirements, a new subsection 5.43 Re: Office, Business or Industrial zones abutting residential districts & that any structure or portion of a structure erected within said non-residential district be set back behind a 45° bulk control plane, beginning at the residential/non-residential district line.

In City Council,

December 12, 1988

Referred to the Planning Board and Ordinance Committee for hearing & report.

Copy sent to Planning Board & Ord. Comm. 12/20/88 dw