

ENOUGH ROOM
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The Honorable City Council
City of Cambridge
795 Mass Avenue
Cambridge MA 02139

2002 SEP -4 P 2:56
September 4, 2002
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
Re: Planning Board integrity

This regards an apparent conflict of interest by three members of the Cambridge Planning Board. According to testimony at the July 29, 2002 City Council meeting two members of the Planning Board have a conflict of interest with respect to matters before the board concerning Harvard University.

(1) Larissa Brown allegedly conducts meetings in Allston concerning building projects by Harvard and residents of the City of Boston. It is reported that Harvard gave \$200,000 to the Boston Redevelopment Agency to fund those hearings; that Larissa Brown is paid with those funds. Because Harvard has an interest in the hearings and their outcome, paying the hearing officer through the BRA suggests an overt conflict. Being paid by funds from Harvard creates an appearance of conflict in her role as a member of the Planning Board. At the September 3, 2002 meeting of the Planning Board, during the hearing on an Amendment to the petition for a project at 1737 and 1730 Cambridge Street, by the President and Fellows of Harvard College for a Center for Government and International Studies Brown stated that she was given an assurance by the City Attorney that there is no conflict.

(2) It is reported that the partner of Mr. Hugh Russell, in his architectural firm, has a building contract with Harvard. This too suggests an overt conflict of interest. At the hearing on September 3, 2002, Russell admitted that he received \$200 in payment for professional services to Harvard during the past few years. He stated that he was told by the City Manager that there is no conflict.

(3) Also at the September 3, 2002 meeting, Planning Board member Florence Darwin stated that she is a part time employee, an instructor at Harvard. She admonished those who did not uncover her conflict. It was reported that she revealed her association with Harvard when she was nominated by the City Manager for the "unpaid position" as she described it. She also hinted that many members of the audience are graduates of Harvard and/or work for the University. This suggests that she thinks it is a conflict for any of those persons to vote on Harvard matters before the Planning Board also.

This apparent conflict between three members of the Planning Board with regard to matters involving Harvard, raises a serious rift in the integrity of decisions by that board regarding matters heard by it, going back at least as far as the beginning of the appointment of these three persons.

Letter to City Council from R Bercaw September 4, 2002

The City Council should investigate all of the approvals by the Planning Board made when these three members voted for or against any project or petition by the President and Fellows of Harvard College. These approvals should be revisited and declared revoked in appropriate cases.

The City Council holds the ultimate permit granting authority. In order to re-establish the integrity of the approval process within this City, the Council must exercise its authority over the flawed process and order a rehearing of all matters which these three members voted upon since their appointments.

The hearings that they participated in with Harvard as a party, since the beginning of their economic relationships with Harvard, should negate the decisions made by the Planning Board. The decisions should be revoked and the matters should be reheard without those three members.

The knowledge and expertise of the City Manager and the City Attorney concerning ethical matters is not questioned. But the State Ethics Commission is the governmental body charged by law to make such determinations.

Roy Bercaw

5-267

Consent Communication #13

A communication was received from Roy Bercaw, regarding the Planning Board.

In City Council September 9, 2002

PLACED ON FILE.