

CAMBRIDGEPORT PETITION WITH COMPROMISE AMENDMENT

Cambridge, June 1, 1977

To the Honorable, the City Council of the  
City of Cambridge:

The undersigned respectfully pray

that the Zoning Map accompanying the Zoning Ordinance of the City of  
Cambridge be amended as follows:

By striking out the designation Residence C-2 and substituting in place thereof  
the designation Residence C-1 insofar as it relates to the following described  
areas of land:

Premises of the following parcels as designated on Assessors' Plat #105; Even numbers 280 through 286 Franklin Street; Even numbers 26 through 62 River Street; Even numbers 188 through 210 Auburn Street; Odd numbers 9 through 27 Magazine Street; Odd numbers 193 through 209 Auburn Street; Odd numbers 27 through 47 William Street; and which includes all or parts of lots numbered 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 42, 43, 44, 45, 46, 47, 48, 49, 50, 83, 84, 102, 103, 104, 109, 110, 119, 120, 121, 122, 123 as shown on Assessors' Plat #105.

Premises of the following parcels as shown on Assessors' Plat #106; Even numbers 216 through 262 Franklin Street; Even numbers 14 through 24 Magazine Street; Even numbers 144 through 174 Auburn Street; Odd numbers 143 through 183 Auburn Street; Odd number 3 William Street; Odd numbers 53 through 79 Pearl Street; and which includes all or parts of lots numbered 21, 22, 23, 24, 25, 26, 28, 29, 30, 33, 42, 45, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56, 57, 58, 59, 60, 108, 120, 121 as shown on Assessors' Plat #106.

Premises of the following parcels as designated on Assessors' Plat #93; Even numbers 176 through 210 Franklin Street; Even numbers 52 through 80 Pearl Street; Even numbers 134 and 138 Auburn Street; Odd numbers 107 through 131 Auburn Street; Odd numbers 1 through 5 Salem Street; and which includes all or parts of lots numbered 5, 6, 32, 34, 35, 36, 42, 43, 44, 90, 97, 98, 100, 111, 112, 113, 114, 118, 119, 122, 123 as shown on Assessors' Plat #93.

Beginning at a point said point being the intersection of the centerline of Franklin Street and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street 240 feet more or less to a point said point begin the intersection of a line 100 feet distant from and parallel to the northwestern street line of Brookline Street and the centerline of Auburn Street.

Thence running northwesterly along the centerline of Auburn Street 230 feet more or less to a point said point being the intersection of the centerline of Auburn Street and the centerline of Salem Street;

Thence running southwesterly along the centerline of Salem Street 135 feet more or less to a point said point being the intersection of the centerline of Salem Street and the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extension 125 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extensions and the centerline of Pearl Street;

Thence running northeasterly along the centerline of Pearl Street 10 feet more or less to a point said point being the intersection of the centerline of Pearl Street and the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension 230 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension and the northwestern lot line of lot 121 as shown on Assessors' Plat #106;

Thence running northeasterly along the northwestern lot line of lot 121 as shown on Assessors' Plat #106 25 feet more or less to a point said point being the intersection of the northwestern lot line of lot 121 as shown on Assessors' Plat #106 and the southwestern lot lines of lots 26, 25, 24, 23 and 22 as shown on Assessors' Plat #106 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 26, 25, 24, 23 and 22 as shown on Assessors' Plat #106 and their extension 270 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 26, 25, 23 and 22 as shown on Assessors' Plat #106 and their extension and the centerline of Magazine Street;

Thence running southwesterly along the centerline of Magazine Street 110 feet more or less to a point said point being the intersection of the centerline of Magazine Street and the centerline of William Street;

Thence running northwesterly along the centerline of William Street 440 feet more or less to a point said point being the intersection of the centerline of William Street and the centerline of River Street;

Thence running easterly along the centerline of River Street 505 feet more or less to a point said point being the intersection of the centerline of River Street and the centerline of Franklin Street;

Thence running southeasterly along the centerline of Franklin Street 1040 feet more or less back to the point of origin and which comprises an area of 404,277 square feet more or less;

Further, by striking out the designation Business A and substituting in place thereof the designation Business A-1 insofar as it relates to the following designated areas of land;

Premises of the following parcels as designated on Assessors' Plat #97; Odd numbers 209 through 263 Brookline Street; Odd numbers 117 through 133 Allston Street; Even number 130 Allston Street. Even numbers 106 through 122 Hamilton Street. Odd numbers 113 through 117 Hamilton Street and which includes all or parts of lots numbered 32, 35, 52, 53, 54, 55, 56, 57, 58, 59, 73, 75, 107, 108, 111, 112 and 113 as designated on Assessors' Plat #97.

Premises of the following parcels as designated on Assessors' Plat #96; Even numbers 202 through 264 Brookline Street; Even numbers 92 through 104 Allston Street; Odd numbers 95 through 103 Allston Street; Even numbers 90 and 92 Hamilton Street; Odd numbers 85 and 101 Hamilton Street; Even number 110 Erie Street and which includes all or parts of lots numbered 25, 26, 31, 32, 52, 53, 56, 57, 58, 59, 60, 61, 75, 76, 77, 96, 99, 109, 111, 113, 114, 115, 116, 121, 122, 124 and 127 as designated on Assessors' Plat #96.

Premises of the following parcels as designated on Assessors' Plat #95; Even numbers 148 through 194 Brookline Street; Odd number 111 Erie Street and which includes all or parts of lots numbered 1, 2, 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 67, 68, 70, 71 and 75 as designated on Assessors' Plat #95.

Premises of the following parcels as designated on Assessors' Plat #94; Odd numbers 91 through 125 Brookline Street; Even numbers 6 through 16 Lopez Street; Odd numbers 7 and 9 Lopez Street; Even numbers 2 through 8 Watson Street and which includes all or parts of lots numbered 58, 59, 60, 80, 89, 90, 91, 92, 99, 100, 101, 155, 156, 170, 171, 177, 178 as designated on Assessors' Plat #94.

Premises of the following parcels as designated on Assessors' Plat #93; Odd numbers 41 through 89 Brookline Street; Even numbers 100 through 110 Auburn Street; Odd numbers 97 through 107 Auburn Street; Even numbers 170 and 176 Franklin Street; and which includes all or parts of lots numbered 20, 21, 22, 23, 24, 25, 26, 39, 40, 41, 42, 114, 115 as designated on Assessors' Plat #93;

And which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet distant from the southwestern streetline of Lopez Street and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street.

Thence running northeasterly along a line 100 feet distant from and parallel to the northwestern street line of Brookline Street 890 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and the centerline of Franklin Street;

Thence running southeasterly along the centerline of Franklin Street 120 feet more or less to a point said point being the intersection of the centerline of Franklin Street and the centerline of Brookline Street;

Thence running southwesterly along the centerline of Brookline Street 890 feet more or less to a point said point being the intersection of the centerline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Lopez Street;

Thence running northwesterly along a line 100 feet distant from and parallel to the southwestern streetline of Lopez Street 120 feet more or less back to the point of origin and which comprises an area of 106,800 square feet more or less;

And beginning at a point said point being the intersection of a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street;

Thence running northeasterly along a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street 575 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Erie Street;

Thence running southeasterly along a line 100 feet distant from and parallel to the southwestern streetline of Erie Street 120 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southwestern streetline of Erie Street and the centerline of Brookline Street;

Thence running southwesterly along the centerline of Brookline Street 355 feet more or less to a point said point being the intersection of the centerline of Brookline Street and the centerline of Allston street;

Thence running southeasterly along the centerline of Allston Street 120 feet more or less to a point said point being the intersection of the centerline of Allston Street and a line 100 feet distant from and parallel to the southeasterly streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street 220 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street and a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to the point of origin and which comprises an area of 95,400 square feet more or less.

By striking out the designation Business A and substituting the designation Business A-1 in place thereof insofar as it relates to the following designated areas of land:

Premises of the following parcels as designated on Assessors Plat #97; Even number 548 Putnam Avenue; Odd numbers 263 through 281 Brookline Street; Odd numbers 539 through 551 Putnam Avenue and which includes all or parts of lots numbered 34, 35, 82, 83, 84 and 111 as designated on Assessors' Plat #97;

Premises of the following parcels as designated on Assessors' Plat #96; Odd numbers 557 through 567 Putnam Avenue; Even numbers 562 through 566; Even numbers 262 through 280 Brookline Street and which includes all or parts of lots numbered 7, 8, 103, 104, 113, 119, 120, 121 as designated on Assessors' Plat #96;

And which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue;

Thence running southeasterly along a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street;

Thence running northeasterly along a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street and a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to a point said point being the point of origin and which comprises an area of 57,600 square feet more or less;

By striking out the designation Business A and substituting in place thereof the designation Business A-1 insofar as it relates to the following designated areas of land;

Premises of the following parcels as designated on Assessors' Plat #97; even numbers 256 through 274 Pearl Street; even number 504 Putnam Avenue; Odd numbers 507 through 513 Putnam Avenue; and which includes all or parts of lots numbered 7, 23, 93, 94 as shown on Assessors' Plat #97;

Premises of the following parcels as designated on Assessors' Plat #102; Odd numbers 255 through 271 Pearl Street; even number 492 Putnam Avenue; Odd number 489 Putnam Avenue; and which includes all or parts of lots numbered 17, 18, 38, 121, 122 as shown on Assessors' Plat #102 and which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet from and parallel to the southeastern streetline of Pearl Street and a line 100 feet from and parallel to the northeasterly streetline of Putnam Avenue;

Thence running southwesterly along a line 100 feet from and parallel to the southeastern streetline of Pearl Street 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the southeastern streetline of Pearl Street and a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue and a line 100 feet from and parallel to the northwestern streetline of Pearl Street;

Thence running northeasterly along a line 100 feet from and parallel to the northwestern streetline of Pearl Street 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the northwestern streetline of Pearl Street and a line 100 feet from and parallel to the northeastern streetline of Putnam Avenue;

Thence running southeasterly along a line 100 feet from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to a point said point being the point of origin; and which comprises an area of 57,600 square feet more or less.

By striking out the designation Residence C-3 and substituting in place thereof the designation Residence C-1 insofar as it relates to the following areas:

Premises of the following parcels as designated on Assessors' Plat #94. Odd numbers 137 through 160 Erie Street and which includes all or parts of lots numbered 152, 177, 183 and 184 as designated on Assessors' Plat #94.

And which is bounded and described as follows:

Beginning at a point said point being the intersection of the northwestern lot line of lot 152 as designated on Assessors' Plat #94 and the centerline of Erie Street;

Thence running southeasterly along the centerline of Erie Street 240 feet more or less to a point said point being the intersection of the centerline of Erie Street and the southeastern lot line of lot 184 as shown on Assessors' Plat #94 and its extension;

Thence running northeasterly along the southeastern lot line of lot 184 as designated on Assessors' Plat #94 and its extension 120 feet more or less to a point said point being the intersection of the southeastern lot line of lot 184 as designated on Assessors' Plat #94 and the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94.

Thence running northwesterly 240 feet more or less along the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94 to a point said point being the intersection of the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94 and the northwestern lot line of lot 152 as designated on Assessors' Plat #94.

Thence running along the northwestern lot line of lot 152 as designated on Assessors' Plat #94 120 feet back to the point of origin and which comprises an area of 28,880 square feet more or less.

Premises of the following parcels as designated on Assessors' Plat #97. Odd numbers 145 through 155 Hamilton Street and which includes all or parts of lots numbered 79, 114, 115 and 116 as designated on Assessors' Plat #97.

Beginning at a point said point being the intersection of the centerline of Hamilton Street and the southeastern lot line of lot 79 as designated on Assessors' Plat #97: and its extension

Thence running northeasterly along the southeastern lot line of lot 79 as designated on Assessors' Plat #97, and its extension 120 feet more or less to a point said point being the intersection of the southeastern lot line of lot 79 and the northeastern lot line of lot 79 as designated on Assessors' Plat #97;

Thence running northwesterly along the northeastern lot lines of lots 79, 116 and 114 as designated on Assessors' Plat #97, 115 feet more or less to a point said point being the intersection of the northeastern lot lines of lots 79, 116 and 114 as designated on Assessors' Plat #97 and a line 100' distant from and parallel to the southeastern streetline of Pearl Street;

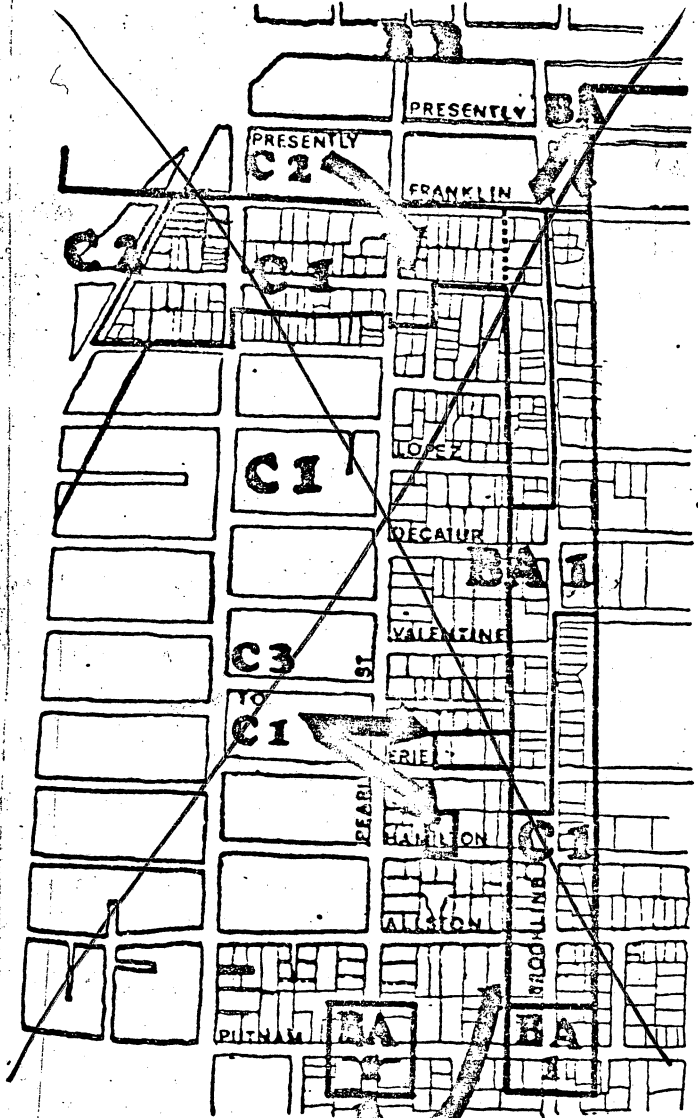
Thence running southwesterly along a line 100 feet distant from and parallel to the southeastern streetline of Pearl Street 120 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Pearl Street and the centerline of Hamilton Street;

Thence running southeasterly along the centerline of Hamilton Street 115 feet more or less to the point of origin and which comprises an area of 13,800 square feet more or less.



**PLANNING BOARD  
NOTICE OF PUBLIC HEARING**

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, January 18, 1977 at 7:30 P. M. in the City Council Chamber, City Hall, Cambridge, Mass. on a petition by William Joyce, Robert Quinton and Gale Munson to amend the map accompanying the text of the Zoning Ordinance of the City of Cambridge as shown on the attendant map.



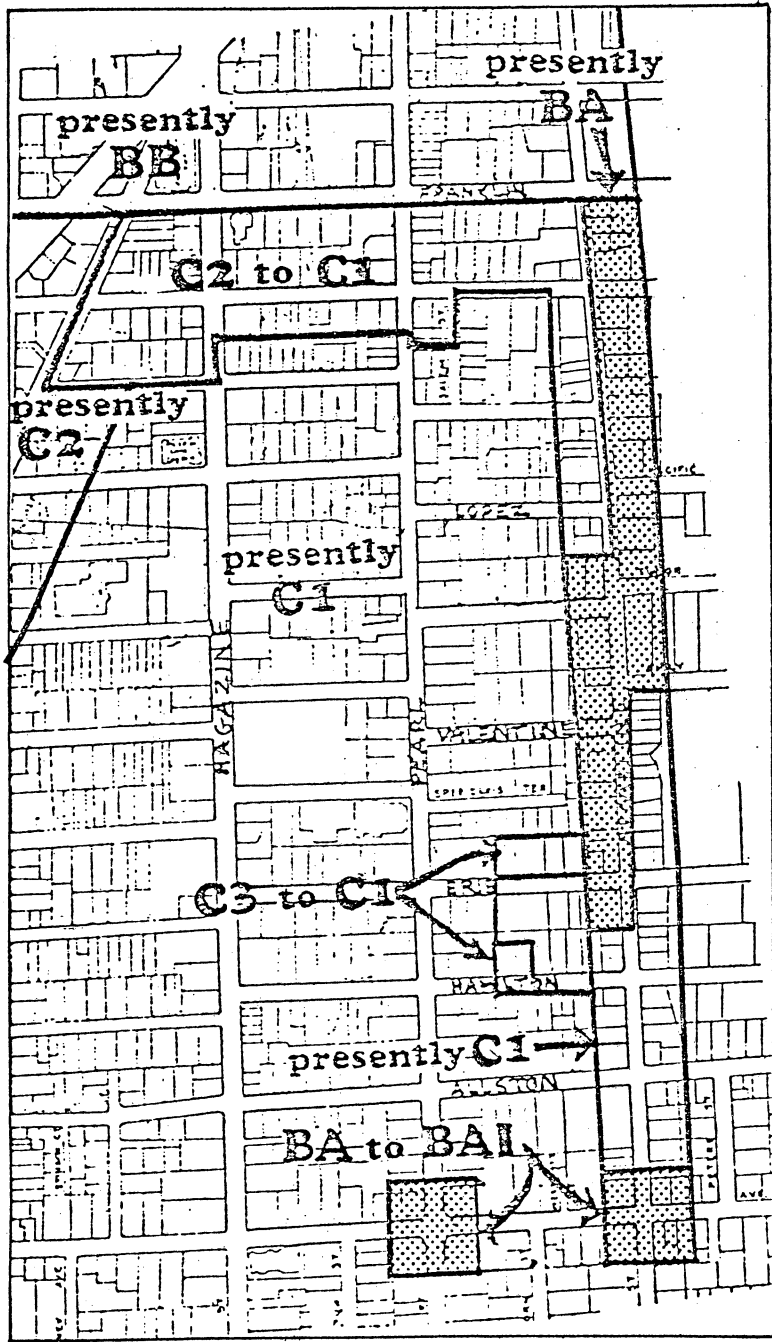
PRESENTLY **BA**

**Map indicates  
proposed rezoning**

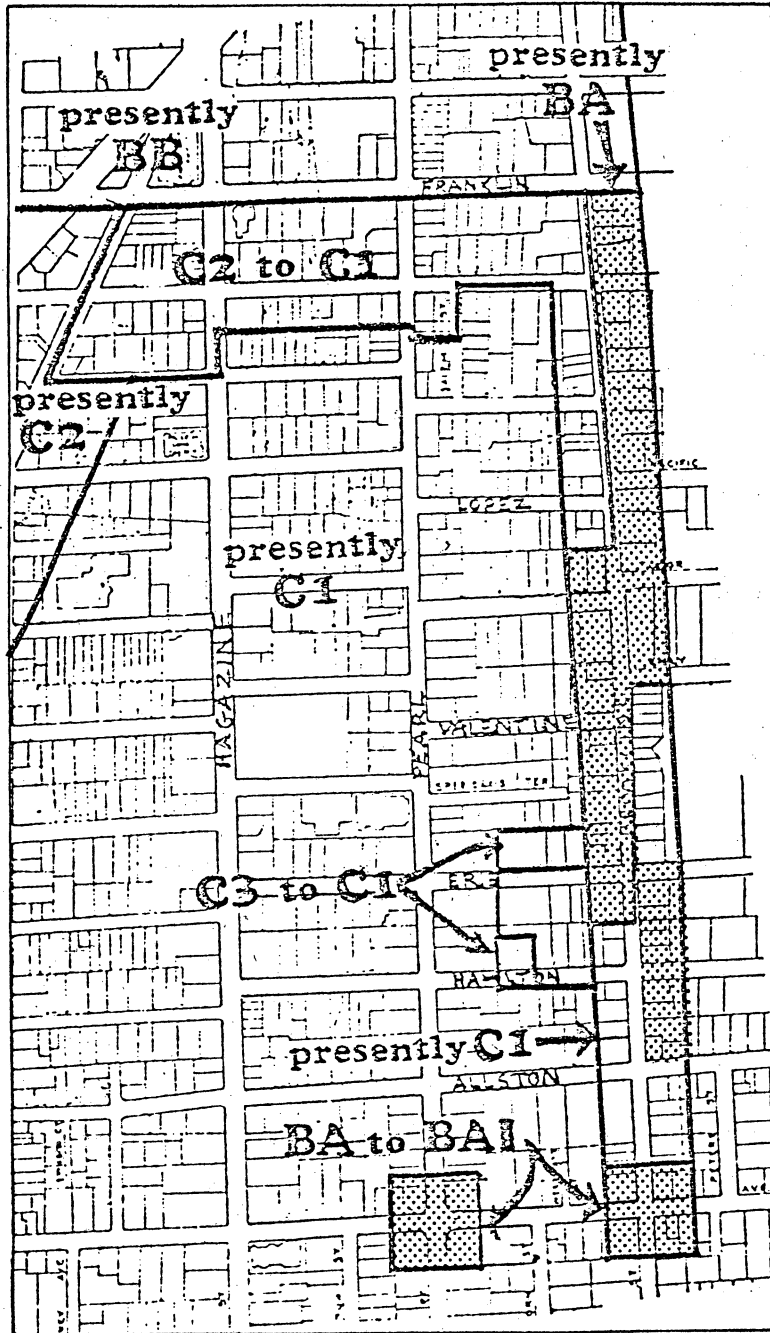
Legally correct copies of the petition are on file in the Office of the City Clerk. ~~Persons with questions regarding this petition may call Richard Horgan at 617-600-2447.~~  
(C) Dec 30, Jan 6

*Petition as  
amended by the  
City Council*

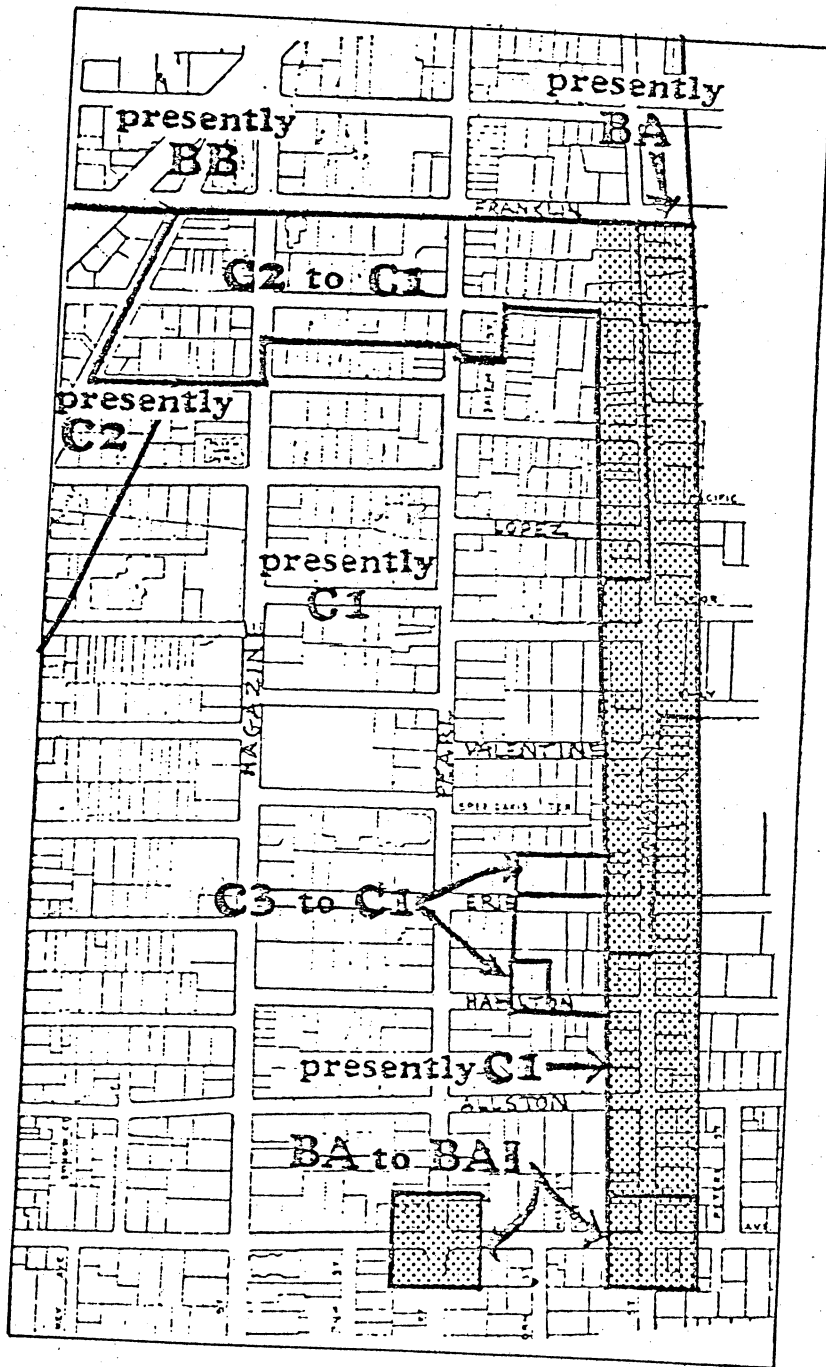
~~11/15~~



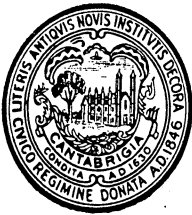
**Original Petition**



# Amendment I



# Amendment 2



CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

To Councillor David Clem

From Richard Horgan, Junior Planner

R.H.

Date June 2, 1977

Subjects Rezoning Petitions for the Cambridgeport Area.

Legal Opinion Concerning City Council Amendment of Rezoning Petitions.

Please find enclosed copies of the original Cambridgeport rezoning petition, the Cambridgeport rezoning petition with Amendment #1 (Myerson Tooth), the Cambridgeport petition with Amendment #2 (Brookline Street Business A-1), and the Cambridgeport petition with the Compromise Amendment as developed by the petitioners and the business community. The business community has agreed to withdraw its support from the opposition petition, which should reduce the amount of land owned by the petitioners in opposition below the requisite twenty (20) per cent necessary to maintain that petition's validity, contingent on the submission to the City Council and the subsequent adoption of the Compromise Amendment.

Also find enclosed a copy of a legal opinion rendered by the Law Department which states that amendment of an existing zoning petition by the City Council may occur without prior advertisement of that petition.

If you could inform me as to the expected hearing date before the City Council of the Cambridgeport petitions, this will enable me to send notices to all parties concerned as agreed upon.



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

MAY 25 9 50 AM '77  
CAMBRIDGE COMMUNITY  
DEVELOPMENT DEPT.

RUSSELL B. HIGLEY  
ACTING CITY SOLICITOR

EDWARD A. CUNNINGHAM  
ANDREW T. TRODDEN  
CHARLOTTE C. BURRAGE  
LEGAL COUNSEL

CHARLES A. WATSON  
LEGISLATIVE AGENT

May 18, 1977

Mr. Richard Horgan  
Junior Planner  
Community Development Department  
City Hall Annex  
57 Inman Street  
Cambridge, Massachusetts

Dear Mr. Horgan:

You have requested an opinion of this office relative to certain procedural matters involved in the passage of a city zoning ordinance. It is my understanding that you wish to know whether or not a proposed zoning ordinance may be amended while under debate before a meeting of the City Council without prior advertising of the said amended proposal in a manner consistent with the provisions of General Laws, Chapter 43, section 23.

As you are aware, Chapter 43, section 23 requires that every proposed ordinance or loan order shall be published at least once in a newspaper of the City prior to ordination.

It is my opinion that this provision of the General Laws and concurrent provisions of the City Ordinances do not prohibit debate of a proposed ordinance. Moreover, if as a result of debate, certain terms of the proposed ordinance are changed in some fashion, such alteration will not, as a general rule, invalidate passage of the ordinance, provided that substantive rights of all parties concerned are not jeopardized by the alteration.

Obviously the determination of what is and what is not a substantive right, must be ascertained on a case by case basis.

If I may be of assistance to you in this regard, please let me know.

Very truly yours,

*Russell B. Higley*  
Russell B. Higley R.S.  
City Solicitor

RBH:jl

6/13/77

CAMBRIDGEPORT PETITION WITH COMPROMISE AMENDMENT

Cambridge, ..... June 1, ..... 19 77

To the Honorable, the City Council of the  
City of Cambridge:

The undersigned respectfully pray

that the Zoning Map accompanying the Zoning Ordinance of the City of  
Cambridge be amended as follows:

By striking out the designation Residence C-2 and substituting in place thereof  
the designation Residence C-1 insofar as it relates to the following described  
areas of land:

Premises of the following parcels as designated on Assessors' Plat #105;  
Even numbers 280 through 286 Franklin Street; Even numbers 26 through  
62 River Street; Even numbers 188 through 210 Auburn Street; Odd numbers  
9 through 27 Magazine Street; Odd numbers 193 through 209 Auburn Street;  
Odd numbers 27 through 47 William Street; and which includes all or parts  
of lots numbered 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 42,  
43, 44, 45, 46, 47, 48, 49, 50, 83, 84, 102, 103, 104, 109, 110, 119, 120,  
121, 122, 123 as shown on Assessors' Plat #105.

Premises of the following parcels as shown on Assessors' Plat #106; Even  
numbers 216 through 262 Franklin Street; Even numbers 14 through 24 Maga-  
zine Street; Even numbers 144 through 174 Auburn Street; Odd numbers 143  
through 183 Auburn Street; Odd number 3 William Street; Odd numbers 53  
through 79 Pearl Street; and which includes all or parts of lots numbered 21,  
22, 23, 24, 25, 26, 28, 29, 30, 33, 42, 45, 46, 47, 48, 49, 50, 51, 52,  
54, 55, 56, 57, 58, 59, 60, 108, 120, 121 as shown on Assessors' Plat #106.

Premises of the following parcels as designated on Assessors' Plat #93; Even  
numbers 176 through 210 Franklin Street; Even numbers 52 through 80 Pearl  
Street; Even numbers 134 and 138 Auburn Street; Odd numbers 107 through  
131 Auburn Street; Odd numbers 1 through 5 Salem Street; and which includes  
all or parts of lots numbered 5, 6, 32, 34, 35, 36, 42, 43, 44, 90, 97, 98,  
100, 111, 112, 113, 114, 118, 119, 122, 123 as shown on Assessors' Plat  
#93.

Beginning at a point said point being the intersection of the centerline of  
Franklin Street and a line 100 feet distant from and parallel to the north-  
western streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to  
the northwestern streetline of Brookline Street 240 feet more or less to a point  
said point begin the intersection of a line 100 feet distant from and parallel to  
the northwestern street line of Brookline Street and the centerline of Auburn  
Street.

Thence running northwesterly along the centerline of Auburn Street 230 feet more or less to a point said point being the intersection of the centerline of Auburn Street and the centerline of Salem Street;

Thence running southwesterly along the centerline of Salem Street 135 feet more or less to a point said point being the intersection of the centerline of Salem Street and the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extension 125 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 5 and 6 as shown on Assessors' Plat #93 and their extensions and the centerline of Pearl Street;

Thence running northeasterly along the centerline of Pearl Street 10 feet more or less to a point said point being the intersection of the centerline of Pearl Street and the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension 230 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 120 and 121 as shown on Assessors' Plat #106 and their extension and the northwestern lot line of lot 121 as shown on Assessors' Plat #106;

Thence running northeasterly along the northwestern lot line of lot 121 as shown on Assessors' Plat #106 25 feet more or less to a point said point being the intersection of the northwestern lot line of lot 121 as shown on Assessors' Plat #106 and the southwestern lot lines of lots 26, 25, 24, 23 and 22 as shown on Assessors' Plat #106 and their extension;

Thence running northwesterly along the southwestern lot lines of lots 26, 25, 24, 23 and 22 as shown on Assessors' Plat #106 and their extension 270 feet more or less to a point said point being the intersection of the southwestern lot lines of lots 26, 25, 23 and 22 as shown on Assessors' Plat #106 and their extension and the centerline of Magazine Street;

Thence running southwesterly along the centerline of Magazine Street 110 feet more or less to a point said point being the intersection of the centerline of Magazine Street and the centerline of William Street;

Thence running northwesterly along the centerline of William Street 440 feet more or less to a point said point being the intersection of the centerline of William Street and the centerline of River Street;

Thence running easterly along the centerline of River Street 505 feet more or less to a point said point being the intersection of the centerline of River Street and the centerline of Franklin Street;

Thence running southeasterly along the centerline of Franklin Street 1040 feet more or less back to the point of origin and which comprises an area of 404,277 square feet more or less;

Further, by striking out the designation Business A and substituting in place thereof the designation Business A-1 insofar as it relates to the following designated areas of land;

Premises of the following parcels as designated on Assessors' Plat #97; Odd numbers 209 through 263 Brookline Street; Odd numbers 117 through 133 Allston Street; Even number 130 Allston Street. Even numbers 106 through 122 Hamilton Street. Odd numbers 113 through 117 Hamilton Street and which includes all or parts of lots numbered 32, 35, 52, 53, 54, 55, 56, 57, 58, 59, 73, 75, 107, 108, 111, 112 and 113 as designated on Assessors' Plat #97.

Premises of the following parcels as designated on Assessors' Plat #96; Even numbers 202 through 264 Brookline Street; Even numbers 92 through 104 Allston Street; Odd numbers 95 through 103 Allston Street; Even numbers 90 and 92 Hamilton Street; Odd numbers 85 and 101 Hamilton Street; Even number 110 Erie Street and which includes all or parts of lots numbered 25, 26, 31, 32, 52, 53, 56, 57, 58, 59, 60, 61, 75, 76, 77, 96, 99, 109, 111, 113, 114, 115, 116, 121, 122, 124 and 127 as designated on Assessors' Plat #96.

Premises of the following parcels as designated on Assessors' Plat #95; Even numbers 148 through 194 Brookline Street; Odd number 111 Erie Street and which includes all or parts of lots numbered 1, 2, 3, 4, 5, 6, 7, 13, 14, 15, 16, 17, 67, 68, 70, 71 and 75 as designated on Assessors' Plat #95.

Premises of the following parcels as designated on Assessors' Plat #94; Odd numbers 91 through 125 Brookline Street; Even numbers 6 through 16 Lopez Street; Odd numbers 7 and 9 Lopez Street; Even numbers 2 through 8 Watson Street and which includes all or parts of lots numbered 58, 59, 60, 80, 89, 90, 91, 92, 99, 100, 101, 155, 156, 170, 171, 177, 178 as designated on Assessors' Plat #94.

Premises of the following parcels as designated on Assessors' Plat #93; Odd numbers 41 through 89 Brookline Street; Even numbers 100 through 110 Auburn Street; Odd numbers 97 through 107 Auburn Street; Even numbers 170 and 176 Franklin Street; and which includes all or parts of lots numbered 20, 21, 22, 23, 24, 25, 26, 39, 40, 41, 42, 114, 115 as designated on Assessors' Plat #93;

And which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet distant from the southwestern streetline of Lopez Street and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street.

Thence running northeasterly along a line 100 feet distant from and parallel to the northwestern street line of Brookline Street 890 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and the centerline of Franklin Street;

Thence running southeasterly along the centerline of Franklin Street 120 feet more or less to a point said point being the intersection of the centerline of Franklin Street and the centerline of Brookline Street;

Thence running southwesterly along the centerline of Brookline Street 890 feet more or less to a point said point being the intersection of the centerline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Lopez Street;

Thence running northwesterly along a line 100 feet distant from and parallel to the southwestern streetline of Lopez Street 120 feet more or less back to the point of origin and which comprises an area of 106,800 square feet more or less;

And beginning at a point said point being the intersection of a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street;

Thence running northeasterly along a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street 575 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Erie Street;

Thence running southeasterly along a line 100 feet distant from and parallel to the southwestern streetline of Erie Street 120 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southwestern streetline of Erie Street and the centerline of Brookline Street;

Thence running southwesterly along the centerline of Brookline Street 355 feet more or less to a point said point being the intersection of the centerline of Brookline Street and the centerline of Allston street;

Thence running southeasterly along the centerline of Allston Street 120 feet more or less to a point said point being the intersection of the centerline of Allston Street and a line 100 feet distant from and parallel to the southeasterly streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street 220 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street and a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to the point of origin and which comprises an area of 95,400 square feet more or less.

By striking out the designation Business A and substituting the designation Business A-1 in place thereof insofar as it relates to the following designated areas of land:

Premises of the following parcels as designated on Assessors Plat #97; Even number 548 Putnam Avenue; Odd numbers 263 through 281 Brookline Street; Odd numbers 539 through 551 Putnam Avenue and which includes all or parts of lots numbered 34, 35, 82, 83, 84 and 111 as designated on Assessors' Plat #97;

Premises of the following parcels as designated on Assessors' Plat #96; Odd numbers 557 through 567 Putnam Avenue; Even numbers 562 through 566; Even numbers 262 through 280 Brookline Street and which includes all or parts of lots numbered 7, 8, 103, 104, 113, 119, 120, 121 as designated on Assessors' Plat #96;

And which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the northwestern streetline of Brookline Street and a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue;

Thence running southeasterly along a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southwestern streetline of Putnam Avenue and a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street;

Thence running northeasterly along a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street 240 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Brookline Street and a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet distant from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to a point said point being the point of origin and which comprises an area of 57,600 square feet more or less;

By striking out the designation Business A and substituting in place thereof the designation Business A-1 insofar as it relates to the following designated areas of land;

Premises of the following parcels as designated on Assessors' Plat #97; even numbers 256 through 274 Pearl Street; even number 504 Putnam Avenue; Odd numbers 507 through 513 Putnam Avenue; and which includes all or parts of lots numbered 7, 23, 93, 94 as shown on Assessors' Plat #97;

Premises of the following parcels as designated on Assessors' Plat #102; Odd numbers 255 through 271 Pearl Street; even number 492 Putnam Avenue; Odd number 489 Putnam Avenue; and which includes all or parts of lots numbered 17, 18, 38, 121, 122 as shown on Assessors' Plat #102 and which is bounded and described as follows:

Beginning at a point said point being the intersection of a line 100 feet from and parallel to the southeastern streetline of Pearl Street and, a line 100 feet from and parallel to the northeasterly streetline of Putnam Avenue;

Thence running southwesterly along a line 100 feet from and parallel to the southeastern streetline of Pearl Street 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the southeastern streetline of Pearl Street and a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue;

Thence running northwesterly along a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the southwestern streetline of Putnam Avenue and a line 100 feet from and parallel to the northwestern streetline of Pearl Street;

Thence running northeasterly along a line 100 feet from and parallel to the northwestern streetline of Pearl Street 240 feet more or less to a point said point being the intersection of a line 100 feet from and parallel to the northwestern streetline of Pearl Street and a line 100 feet from and parallel to the northeastern streetline of Putnam Avenue;

Thence running southeasterly along a line 100 feet from and parallel to the northeastern streetline of Putnam Avenue 240 feet more or less to a point said point being the point of origin; and which comprises an area of 57,600 square feet more or less.

By striking out the designation Residence C-3 and substituting in place thereof the designation Residence C-1 insofar as it relates to the following areas:

Premises of the following parcels as designated on Assessors' Plat #94. Odd numbers 137 through 160 Erie Street and which includes all or parts of lots numbered 152, 177, 183 and 184 as designated on Assessors' Plat #94.

And which is bounded and described as follows:

Beginning at a point said point being the intersection of the northwestern lot line of lot 152 as designated on Assessors' Plat #94 and the centerline of Erie Street;

Thence running southeasterly along the centerline of Erie Street 240 feet more or less to a point said point being the intersection of the centerline of Erie Street and the southeastern lot line of lot 184 as shown on Assessors' Plat #94 and its extension;

Thence running northeasterly along the southeastern lot line of lot 184 as designated on Assessors' Plat #94 and its extension 120 feet more or less to a point said point being the intersection of the southeastern lot line of lot 184 as designated on Assessors' Plat #94 and the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94.

Thence running northwesterly 240 feet more or less along the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94 to a point said point being the intersection of the northeastern lot lines of lots 184, 183, 177 and 152 as designated on Assessors' Plat #94 and the northwestern lot line of lot 152 as designated on Assessors' Plat #94.

Thence running along the northwestern lot line of lot 152 as designated on Assessors' Plat #94 120 feet back to the point of origin and which comprises an area of 28,880 square feet more or less.

Premises of the following parcels as designated on Assessors' Plat #97. Odd numbers 145 through 155 Hamilton Street and which includes all or parts of lots numbered 79, 114, 115 and 116 as designated on Assessors' Plat #97.

Beginning at a point said point being the intersection of the centerline of Hamilton Street and the southeastern lot line of lot 79 as designated on Assessors' Plat #97: and its extension

Thence running northeasterly along the southeastern lot line of lot 79 as designated on Assessors' Plat #97, and its extension 120 feet more or less to a point said point being the intersection of the southeastern lot line of lot 79 and the northeastern lot line of lot 79 as designated on Assessors' Plat #97;

Thence running northwesterly along the northeastern lot lines of lots 79, 116 and 114 as designated on Assessors' Plat #97, 115 feet more or less to a point said point being the intersection of the northeastern lot lines of lots 79, 116 and 114 as designated on Assessors' Plat #97 and a line 100' distant from and parallel to the southeastern streetline of Pearl Street;

Thence running southwesterly along a line 100 feet distant from and parallel to the southeastern streetline of Pearl Street 120 feet more or less to a point said point being the intersection of a line 100 feet distant from and parallel to the southeastern streetline of Pearl Street and the centerline of Hamilton Street;

Thence running southeasterly along the centerline of Hamilton Street 115 feet more or less to the point of origin and which comprises an area of 13,800 square feet more or less.

- Accorded -

- Petition -



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

RUSSELL B. HIGLEY  
ACTING CITY SOLICITOR

EDWARD A. CUNNINGHAM  
ANDREW T. TRODDEN  
CHARLOTTE C. BURRAGE  
LEGAL COUNSEL

CHARLES A. WATSON  
LEGISLATIVE AGENT

May 2, 1977

Councillor David Clem  
Ordinance Committee Chairman  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Dear Councillor Clem:

It has been brought to my attention that an opinion has been requested by the Ordinance Committee relative to certain zoning matters involved in the proposed construction of a building by the Myerson Tooth Corporation.

It is my understanding that the site of the proposed building would be in an area between Allston Street and Erie Street on the southeasterly side of Brookline Street. Said area would fall within a Business A District while the area directly across the street (the northwesterly side of Brookline Street) would be a Residence C-1 District.

The question presented is whether under the Zoning Ordinances of the City of Cambridge, as amended, a building may be erected in a Business A District such that if any portion of said building falls within fifty feet of the Residence C-1 boundary line the set back requirements of said building must conform to the adjacent residential district set back requirements.

As you are aware, Article VI, section 7 of the Zoning Ordinances of the City provides that, "in a...Business or Industrial district no building shall be erected nearer to the street line or established building line than is permitted in the adjacent Residence district within a distance of fifty feet from the Residence district boundary line, except where such building is separated by a street from the Residence district." (emphasis added)

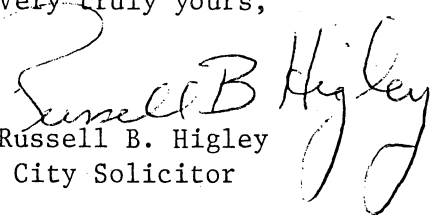
Councillor David Clem  
Ordinance Committee Chairman

May 2, 1977

It is my opinion that the exemption of Article VI, section 7, underlined above, would apply to the matter at issue. Because Brookline Street forms the boundary between a Residential C-1 District and a Business A District, any building constructed on the southeasterly side of Brookline Street (a Business A District) need not comply with the set back provisions applicable to the adjacent Residence C-1 District insofar as any portion of such building falls within fifty feet of the boundary line formed by Brookline Street.

If you have any further questions, please let me know.

Very truly yours,

  
Russell B. Higley  
City Solicitor

RBH:jl

cc: Mr. Charles Sprague

Dianne Roberts  
Attorney-At-Law  
Mintz, Levin, Cohn, Glovsky & Popeo, Esqs.  
One Center Plaza  
Boston, Massachusetts 02108



# CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

RUSSELL B. HIGLEY  
ACTING CITY SOLICITOR

EDWARD A. CUNNINGHAM  
ANDREW T. TRODDEN  
CHARLOTTE C. BURRAGE  
LEGAL COUNSEL

CHARLES A. WATSON  
LEGISLATIVE AGENT

June 6, 1977

Councillor David Clem  
Ordinance Committee Chairman  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

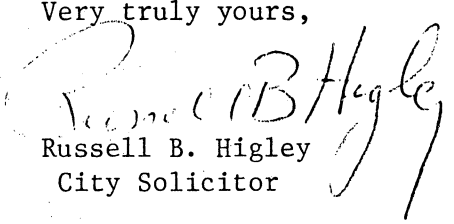
Dear Councillor Clem:

This letter will serve to clarify an opinion which this office sent to you dated May 2, 1977. You will recall that the opinion related to certain zoning matters involving the Myerson Tooth Corporation.

I should like to clarify the final paragraph of that opinion in which I stated that Brookline Street forms the boundary between a Residential C-1 District and a Business A District. To be more specific, it is the center line of Brookline Street which forms said boundary.

In all other particulars, the opinion stands as originally drafted.

Very truly yours,

  
Russell B. Higley  
City Solicitor

RBH:jl

cc: Mr. Charles Sprague

Dianne Roberts  
Attorney-At-Law  
Mintz, Levin, Cohn, Glovsky & Popeo, Esqs.  
One Center Plaza  
Boston, Massachusetts 02108



DAVID E. CLEM  
CITY COUNCILLOR

CITY OF CAMBRIDGE  
MASSACHUSETTS

June 10, 1977

To: City Council  
From: David Clem, Chairman Ordinance Committee  
Re: Brookline Street Zoning Petition

As Chairman of the Ordinance Committee, I was asked by the Committee to arrange a meeting with the originators of the Brookline Street down-zoning petition and the businessmen along Brookline Street. A series of meetings were held and Richard Horgan of the Community Development Department served as staff.

If you will recall, the original petition requested a change in zoning from C-2 to C-1 in the residential area near Williams Street (See map entitled Original Petition). It also called for a change from C-3 to C-1 on two parcels of land owned by MIT on Erie and Hamilton Streets. (This area was zoned upward to allow construction of the LBJ Elderly Housing Complex.) The balance of the petition requested a change from BA to BA-1 for major areas along Brookline Street. (See Map.) This latter request produced considerable disagreement at the public hearing and the first committee report took note of this opposition.

Of particular concern to the Committee was Meyerson's Tooth's opposition. The petitioner's indicated their desire not to penalize an existing business and an amendment was offered by the Chairman as requested by the Committee. Representatives from Meyerson Tooth met with the petitioners to discuss the amendment to the original petition. (See map entitled Amendment 1.) Meyerson Tooth agreed to withdraw their opposition and a second public meeting was held to discuss the Amended Petition. It should be noted that every property owner impacted by the Amended Petition was notified in writing.

At the second public meeting, additional business opposition was voiced. Well over 20% of the affected owners voiced opposition to the petition, even as amended. Again the petitioners met with representatives from MIT and the business community. As a result of that meeting the petition was amended so that all of the Brookline Street corridor was to be changed from BA to BA-1. (See map entitled Amendment 2.) It was certainly clear at this point that no one was opposed to downzoning the residential areas; rather, the issue was one of a suitable business residential mix along Brookline Street. Although it appeared at this public meeting that the majority of businessmen were amenable to the second compromise, all businessmen were requested by the chairman to formally lodge their positions with the City Clerk.

Several businessmen and property owners remained opposed to this compromise. Rather than force the issue with Council vote, the petitioners met again with representatives from the business community and agreed to a third compromise. (See map entitled Compromise Petition.) This compromise petition represents some down-zoning along Brookline Street (from BA to BA-1) and some up-zoning from (C-1 to BA and BA-1).

To the best of my knowledge all formal opposition of property owners has been withdrawn as a result of this compromise petition.

This process has been a unique model for neighborhood resident/business cooperation and the Council provided leadership in this direction. The petitioners and the businessmen are to be applauded for their diligent and good faith efforts.

I recommend that the Compromise Petition for Brookline Street be passed to a second reading with a final vote scheduled for June 20, 1977, at the regularly scheduled Council Meeting. I recommend further that the Community Development Department be requested to notify all concerned parties about the final vote on June 20.

DC:mt

Enclosure: Related Committee Reports and Communications

Comm. from C. David Clem transmitting a report from the Committee on Ordinances re: proposed re-zoning petition for the Cambridge ridgeport area.

See  
Demanded publication  
June 30, 1977  
- Chronicle -  
Ready for ordinance  
July 11, 1977  
7/14/77 No Action  
Taken -

6/13/77 Council passed  
Amended Petition for  
A second reading after  
Agreement was reached  
By all parties concerned  
Amended Petition set  
for hearing 6/27/77

In City Council,  
June 13, 1977

AT 8 PM  
Advt. Chronicle 4/23/77  
Advt. Monitor 4/16/77  
Amended Petition passed  
6/23/77 Chronicle -  
Hearing Notices sent  
Council schedule  
for this meeting  
6/27/77 Amended  
Zoning Published in Full