

# City of Cambridge

ADDITIONAL PROTESTS TO THE INCLUSIONARY ZONING PETITIONS RECEIVED AT THE CITY COUNCIL MEETING HELD ON FEBRUARY 11, 1985.

1. Walter L. Milne, Assistant to the President, recording MIT in opposition.
2. Robert E. Marlow, Trustee of REM Realty Trust, owner of the premises numbered 1900-1902, 1904-1910 Massachusetts Avenue, 5 Walden Street and 2076 Mass. Ave.
3. Thomas J. Costagliolo, owner of the premises numbered 608-610 Green Street, 50 Roberts Road, 112 Inman Street and 237 Hampshire Street.
4. Thomas J. Costagliolo, Trustee, Dana Realty Trust, owner of the premises numbered 46A and 46B Dana Street.
5. Robert Wolff, owner of the premises numbered 19 Huron Avenue.
6. Molly Beals Millman, owner of the premises numbered 17 Royal Avenue.



OFFICE OF THE PRESIDENT

CAMBRIDGE, MASSACHUSETTS 02139

February 4, 1985

Mr. Paul Healy  
Cambridge City Clerk  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02138

RE: Inclusionary Zoning

Dear Mr. Healy:

It is our understanding that the inclusionary amendments to the zoning ordinance, as presently construed, would cover all sites of potential commercial and residential use within the city and, in addition, any educational buildings at MIT -- such as lecture halls and laboratories -- and require MIT, therefore, to build or fund subsidized housing.

MIT's legal counsel has informed us that in their opinion these proposed amendments do not fall within the special zoning powers granted to Cambridge by Chapter 565 of the Acts of 1979 to regulate educational uses, nor do they comply with section 9 of the Zoning Act, and therefore constitute an impermissible application of the City's zoning ordinance as it applies to all development within the city.

It is the further view of MIT counsel that as the proposal goes beyond the regulation of the use of property, it represents a tax on properties granted tax-exemption by the Commonwealth and constitutes an unauthorized and illegal tax by the City.

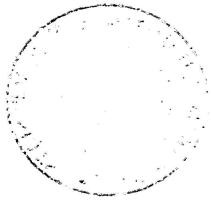
For these reasons, MIT must ask to be recorded in opposition to the proposed inclusionary zone amendments.

Sincerely yours,

Walter L. Milne  
Assistant to the President

cc: P.E.Gray  
D.S.Saxon  
R.Healy  
K.Spiegelman

Comm. from Walter L. Milne, Asst. to the President, M.I.T. Re: opinion of M.I.T.'s legal counsel with regard to Inclusionary Zoning.



In City Council,

February 11, 1985

*2/11/85*

*Referred to the  
Petitions*

*Received at Postroom 2/4/1985  
at 9:57 PM by Mrs. F. Brady City Clerk*

4410 CITY OF CAMBRIDGE, MASSACHUSETTS

MR. PAUL HEALY  
CITY CLERK  
CITY OF CAMBRIDGE  
795 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS

RECEIVED BY  
OFFICE OF CITY CLERK  
FEB 11 10 36 AM '85  
CAMBRIDGE, MASS.

DEAR MR. HEALY:

THE CAMBRIDGE LAND OWNERS LISTED BELOW OPPOSE THE CHANGES TO THE CAMBRIDGE ZONING ORDINANCE PROPOSED BY COUNCILLOR DAVID SULLIVAN AND WILLIAM S. NOBLE AND OTHERS CONCERNING LOW-AND MODERATE-INCOME HOUS-HOLD INCLUSIONARY ZONING REQUIREMENTS FOR RESIDENTIAL, COMMERCIAL AND INSTITUTIONAL DEVELOPMENT. WE ARE OWNERS OF REAL ESTATE IN THE CITY OF CAMBRIDGE WHO WILL BE AFFECTED BY THIS CHANGE TO THE CITY'S ZONING ORDINANCE WHICH ENDEAVORS TO CREATE THE NEW SECTION 11.90.

WE DO HEREBY FILE A WRITTEN PROTEST PERSUANT TO CHAPTER 40A, SECTION 5 OF THE MASSACHUSETTS GENERAL LAWS, AND HAVE INCLUDED THE SIGNATURES OF MORE THAN 20% IN LAND AREA OF THE AFFECTED PROPERTY OWNERS. 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. THIS WOULD MEAN SIX COUNCILORS. HOWEVER, THE STATUTE GOES ON TO SAY THAT IF THERE IS FILED WITH THE CITY CLERK, PRIOR TO FINAL APPROVAL OF THE ORDINANCE, A WRITTEN PROTEST, STATING THE REASONS FOR THE PROTEST, SIGNED BY "THE OWNERS OF TWENTY PERCENT OR MORE OF THE AREA OF THE LAND PROPOSED TO BE INCLUDED OR OF THE AREA OF THE LAND IMMEDIATELY ADJACENT EXTENDING THREE HUNDRED FEET THEREFROM", THEN A THREE-FOURTHS VOTE (7 COUNCILORS) WOULD BE NECESSARY FOR THE ORDINANCE TO BE ENACTED. WE NOW SO FILE SUCH A PROTEST.

THE PROPERTY OWNERS LISTED BELOW OPPOSE THIS PROPOSED ORDINANCE BECAUSE IT DOES NOT SERVE THE BEST INTERESTS OF THE CITY OF CAMBRIDGE OR THE PEOPLE WHO LIVE AND WORK HERE.

PLEASE PLACE THIS WRITTEN PROTEST INTO THE OFFICIAL RECORDS OF THE CITY.

NAME OF  
OWNER OR AGENT

PROPERTY  
ADDRESS(ES)

ROBERT E. MARLOW Trustee REB Realty Trust  
1900-1902 Mass Ave Camb 1904. 1910 Mass Ave  
5 Warden Street Camb  
2076 Mass Ave Camb  
Robert E. Marlow Trustee  
REB Realty Trust

*Cambridge Formal Wear*

1910 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASS. 02140



*Paul Peedy  
795 Mass Ave  
Lomb, Mass  
02139*

Comm. from Paul E. Healy, City Clerk, transmitting a written protest from a property owner to the petitions of both the City Council & William S. Noble, Re: Inclusionary Zoning.

In City Council,

February 11, 1985

*2/11/85*  
*Referred*  
*to the*  
*PETITIONS*

RECEIVED BY  
OFFICE OF CITY CLERK

FEB 4 4 25 PM '85

CAMBRIDGE, MASS.

02139

MR. PAUL HEALY  
CITY CLERK  
CITY OF CAMBRIDGE  
795 MASSACHUSETTS AVENUE  
CAMBRIDGE, MASSACHUSETTS

DEAR MR. HEALY:

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PLEASE PLACE THIS WRITTEN PROTEST INTO THE OFFICIAL RECORDS OF THE CITY.

NAME OF  
OWNER OR AGENT

PROPERTY  
ADDRESS(ES)

<i>Thomas J. Costello</i>	<i>608-610 GREEN ST.</i>
	<i>50 ROBERTS ROAD *</i>
	<i>112 INMAN ST. *</i>
	<i>237 HAMPSHIRE ST. *</i>
<i>Thomas J. Costello</i>	<i>46A &amp; B DANA ST. *</i>
<i>Trustee Dana Realty</i>	<i>(formerly part of</i>
<i>Trust</i>	<i>407 Broadway)</i>
	<i>* (UNDER CONSTRUCTION)</i>

RECEIVED BY  
OFFICE OF CITY CLERK

FEB 6 10 07 AM '85

CAMBRIDGE, MASS.

January 24, 1985

Deputy City Clerk Joseph Connarton  
City Hall  
795 Massachusetts Avenue  
Cambridge, MA. 02138

Dear Mr. Connarton:

As a property owner in Cambridge (19 Huron Avenue), I wish to express my unqualified opposition to both inclusionary zoning and linkage proposals currently before the City Council requiring property developers to either construct or contribute financially toward the construction of low and moderate income housing in the city or to purchase land where such construction could take place.

Sincerely yours,

  
Robert Wolff

RECEIVED BY  
OFFICE OF CITY CLERK

FEB 7 1 26 PM '85

CAMBRIDGE, MASS.

January 24, 1985

Deputy City Clerk Joseph Connarton  
City Hall  
795 Massachusetts Avenue  
Cambridge, MA. 02138

Dear Mr. Connarton:

As a property owner in Cambridge (17 Royal Avenue), I wish to express my unqualified opposition to both inclusionary zoning and linkage proposals currently before the Cambridge City Council requiring property developers to either construct or contribute financially toward the construction of low and moderate income housing in the city, or to purchase land where such construction could take place.

Sincerely yours,

Molly Beals Millman

*Molly Beals Millman*

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Comm. from Paul E. Healy, City Clerk, transmitting sundry written protests to the petitions of the City Council and William S. Noble,  
Re: Inclusionary Zoning.

In City Council,

February 11, 1985

2/11/85

Referred to  
the  
PETITIONS