

NORTH CAMBRIDGE STABILIZATION COMMITTEE

2.

6 Saint Gerard Terrace
Cambridge, MA 02140
23 April, 1996

Cambridge City Council
Cambridge City Hall
Cambridge, MA 02139

Dear Councilors:

On behalf of the North Cambridge Stabilization Committee (NCSC), I would like to express the Committee's desire that the City conduct an *independent* legal analysis of the validity of the Planned Unit Development (PUD) permit for the office park proposed for the W.R. Grace site in North Cambridge. This PUD permit was granted in 1987, almost seven years ago, and it is questionable whether there has been any action on the permit to extend its validity.

At issue is whether the construction of One Alewife Center constitutes a start to the building of the PUD permitted by the City. PUDs must be acted on within twelve months of being granted or they expire. If this construction tolled the PUD permit, then the permit may still be valid. If this construction did not toll the PUD permit, then the permit has expired. For a variety of reasons, there are very strong arguments that the construction of One Alewife Center did *not* toll the PUD permit and that the PUD permit for Alewife is now invalid.

That an independent expert conduct this legal analysis is vital to ensuring that the analysis be accepted as an impartial decision by all parties in this development debate. To have the City's Law Department, which serves on behalf of the City Manager and the City Council, render a decision on this issue would deprive the opinion of the necessary aura of impartiality and subject it to claims of political partisanship regardless of the actual quality of the Department's legal analysis.

The NCSC would also like the City to explain how the Alewife office park's proposed subterranean parking garages, with their hundreds and hundreds of spaces, impact on Cambridge's parking space "bank." Similarly, the Committee would like to know how the developer's parking proposal meets Cambridge regulations regarding parking space limitations.

I would be happy to discuss these PUD permitting issues, parking bank concerns or any other North Cambridge issues with the Council at any time. I may be reached at 354-8353.

Sincerely,



Craig A Kelley
Chair

cc: City Manager
Community Development Department
Lisa Birk, Co-Chair Alewife Study Group

Consent Communication #2

5-253

Communication was received from
Craig A. Kelley, Chair, North
Cambridge Stabilization Committee,
transmitting a request that the
City conduct an independent legal analysis
of the validity of the Planned Unit
Development permit for the office park
proposed for the W.R. Grace site
in North Cambridge.

In City Council May 6, 1996

Placed on file