



City of Cambridge

Application and Petition #5

IN CITY COUNCIL

September 11, 2000

ORDERED: That the Commissioner of Public Works be authorized to construct curb cuts over sidewalks in front of estates upon the streets as hereinafter named, the expense thereof to be charged to the appropriation for Public Works Department, Paving (Edgestones and Sidewalks). The entire cost of material and labor furnished to be repaid to the City by the owners of abutting estates.

Robert Dickey

770/790 Memorial Drive; and
157/165/173 Pleasant Street

In City Council September 11, 2000.
Adopted by the affirmative vote of nine members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "D. Margaret Drury". The signature is written in a cursive style with a large, looped "D" and "M".

D. Margaret Drury
City Clerk

08092000

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

00 AUG 8 PM 3 07

RECEIVED

AUG 15 2000

CAMBRIDGE HISTORICAL
COMMISSION

INSTRUCTIONS:

In order to obtain permission for a driveway cut or opening you must first get approval from the Department of Inspectional Services on the zoning requirements for off-street parking, including the cooperation of your immediate abutters.

To receive a review from Inspectional Services you must fill out Part I of the application. Be sure to draw your plot plan on Drawing 1, choosing the lot that represents your lot's position, i.e. corner or interior. You must also include a sketch of the proposed driveway, including dimensions, on Drawing 2. You may then calculate the cost of the driveway by using the formula based on your choice of surfaces. You must also include signed forms from abutters on the sides and rear of the property and from all property owners located across the street(s) from the property.

Once you have gathered this information on the application, it should be submitted to:

Zoning Officer
Inspectional Services
831 Massachusetts Avenue
Cambridge, MA 02139

If the application is approved by Inspectional Services, it will then be sent on to Traffic and Parking, the Historical Commission and the Department of Public Works. If approved by Public Works, the application and backup will be sent to the City Council for their approval. Once the City Council approves, the driveway curb cut can be installed. However, the full cost of the cut must be paid to Public Works before the work will start.

If, however, Inspectional Services denies your application you may then appeal to the Zoning Board of Appeals.

Note 1: Application is for four (4) new curb cuts located on Putnam Avenue and Pleasant Street. If the new curb cuts are granted as requested and without further limitations or restrictions, then the ownership will close the existing curb cut on Putnam Avenue and the existing curb cut on Pleasant Street (opposite Florence Street).

DATE:

8 / 8 / 00

PART I:

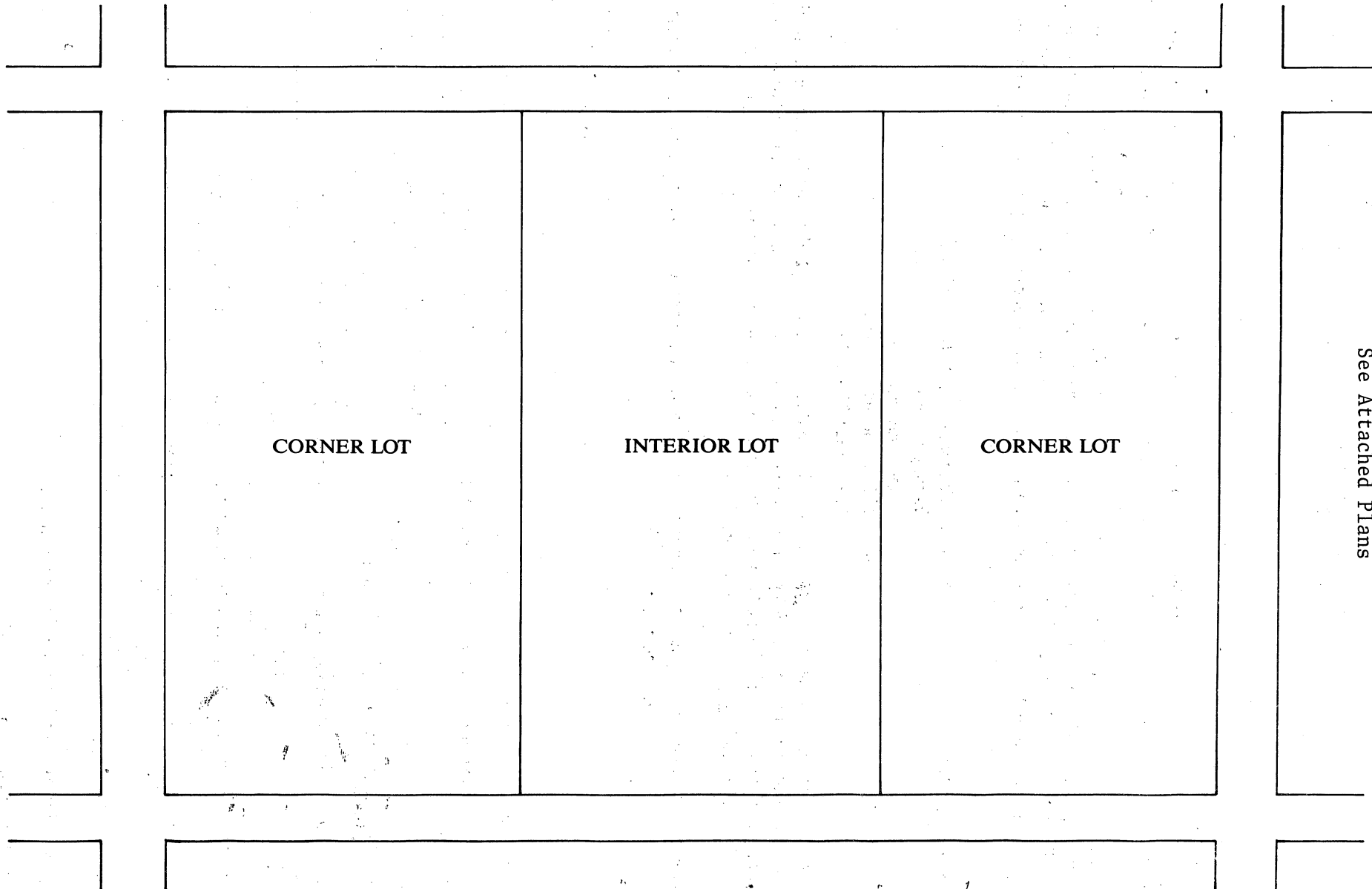
Address of proposed curb cut or off-street parking facility: <u>770/790 Memorial Drive and 157/165/173 Pleasant Street (see Note 1).</u>	
Frontage: <u>Putnam Avenue and Pleasant Street</u>	Block and Lot: <u>Map 128 / Lot 36, 38, 39, 40, 60</u>
Setback (distance from building to sidewalk): <u>See attached plans</u>	
Distance from proposed driveway to surrounding structures and property line: <u>See attached plans</u>	
Dimensions of proposed driveway: <u>See attached plans</u>	
Location of any trees, sign posts, fire hydrants, utility poles, etc., in direct vicinity of proposed driveway: <u>See attached plans</u>	

Note 2: On 7/19/00, an abutter notification package (see attached cover memorandum dated 7/19/00) was sent via certified mail to 35 abutters. To date, **8** abutters have responded (5 approvals and 3 disapprovals). The owner will make a strong effort to obtain additional approvals from abutters prior to the City Council hearing and will forward such forms to ISD.

- ☒ Plot plan is included
- ☒ Sketch of driveway with cost estimate is included
- ☒ All abutter's forms are included

DRAWING 1:

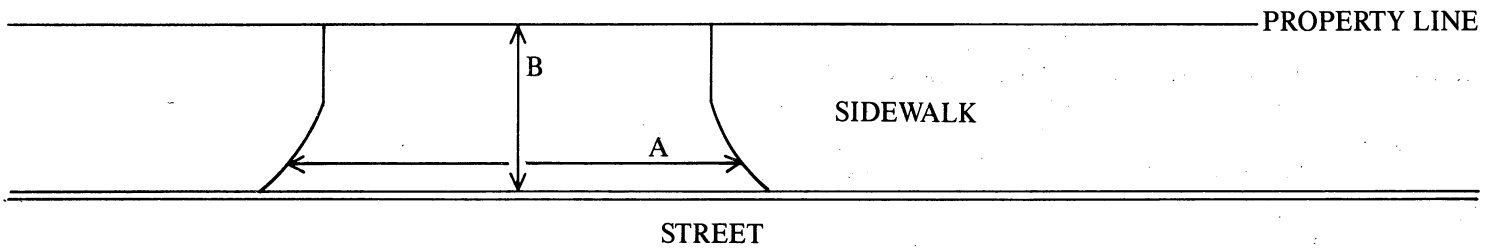
**PLEASE INDICATE LOCATION OF HOUSE AND DRIVEWAY.
BE SURE TO GIVE DIMENSIONS OF LOT.**



DRAWING 2:

SKETCH OF PROPOSED DRIVEWAY WITH COST ESTIMATE

CITY OF CAMBRIDGE



$$A = 30 \text{ FT.} \div 3 = 10 \text{ YARDS}$$

$$B = 10 \text{ FT.} \div 3 = 3.3 \text{ YARDS}$$

$$A \times B = 33 \text{ SQUARE YARDS} \times 4 \text{ curb cuts} = 132 \text{ square yards}$$

COST ESTIMATE:

BRICK: _____ SQUARE YARDS $\times$ \$70/SQUARE YARD = \$ _____

BRICK ON CONCRETE: _____ SQUARE YARDS $\times$ \$85/SQUARE YARD = \$ _____

CONCRETE: 132 SQUARE YARDS $\times$ \$40/SQUARE YARD = \$ 5,280

ASPHALT: _____ SQUARE FEET $\times$ 1 TON/40 SQUARE FEET $\times$ \$125/TON = \$ _____

DEPARTMENT OF PUBLIC WORKS SCHEDULED DATE FOR CONSTRUCTION:

/ /

DEPARTMENT OF PUBLIC WORKS STATED FEE: \$ _____

The undersigned agrees to pay the stated fee for the driveway installation in full within two (2) weeks of the estimated starting date of construction before the Department of Public Works shall proceed with construction:

Owner's signature: _____

Date: 8/8/00

Address: 784 Memorial Drive LLC c/o Spaulding & Slye, 255 State Street, Boston, MA 02109

Funds Received: \$ _____

Check Number: _____

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS

CITY OF CAMBRIDGE

PART II: INSPECTIONAL SERVICES DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Signature:

[Signature] 0-3-zone

Date: 8/15/00

Title: ZONING

PART III: TRAFFIC AND PARKING DEPARTMENT

☒ Application approved

☐ Application denied

Reason: carry sidewalk materials across driveways

Signature:

[Signature]

Date: 8/15/00

Title: Director

PART IV: HISTORICAL COMMISSION

☒ Application approved

☐ Application denied

Reason:

Signature:

[Signature]

Date: 8/15/00

Title: Designated Property Administrator

PART V: PUBLIC WORKS DEPARTMENT

☒ Application approved

☐ Application denied

Reason:

Per Review by City Engineer

Signature:

[Signature]

Date: 8/29/00

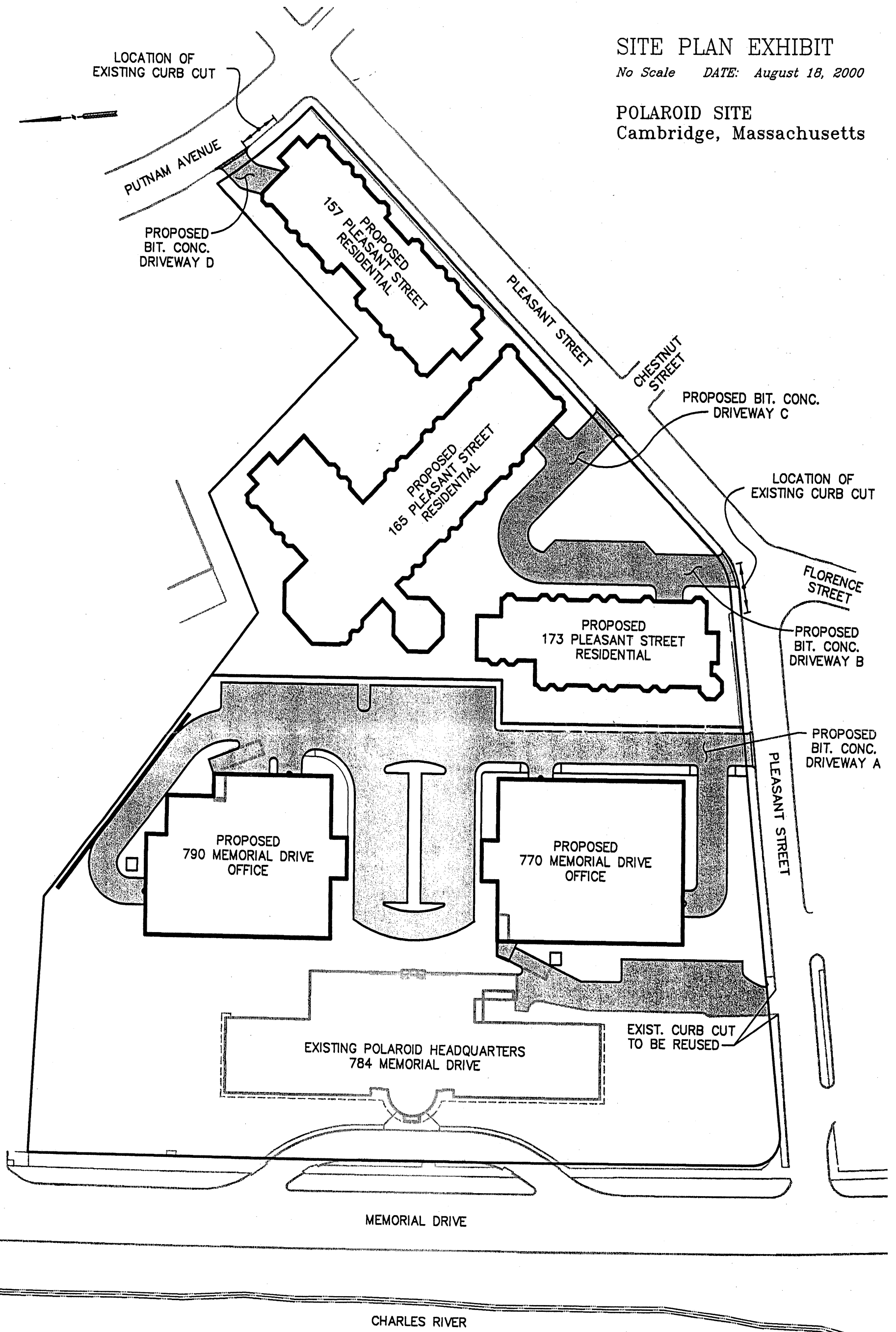
Title: Superintendent of Streets

* Reasonable attempts have been made to get approval from all divisions

SITE PLAN EXHIBIT

No Scale DATE: August 18, 2000

POLAROID SITE
Cambridge, Massachusetts



FOR:
784 Memorial Drive L.L.C.
c/o Spaulding & Slye
Boston, Massachusetts

BY:
Beals and Thomas, Inc.
Southborough, Massachusetts

BTI Dwg. No. 1110124
BTI File No. 1110075N.dwg

NOTES:

- 1) EXISTING PAVED AREAS NOT PROPOSED FOR REDEVELOPMENT SHALL BE LANDSCAPED.**
- 2) DRAINAGE SYSTEM FOR PROPOSED DRIVEWAY SHALL BE CONNECTED WITH PLEASANT ST. DRAIN CULVERT.**
- 3) 30' OF GRANITE CURBING TO BE REMOVED FROM PROPOSED CURB CUT IS TO BE RESET ACROSS EXISTING CURB CUT AT THE EAST.**
- 4) SLOPE TRANSITION FROM EDGE OF PAVEMENT TO EXISTING SIDEWALK SHALL BE GRADED OVER INITIAL 2-3 FEET TO MAINTAIN EXISTING SIDEWALK GRADES AT BACK OF RIGHT-OF-WAY.**
- 5) AN 8M PERMIT WITH THE MWRA WILL BE REQUIRED IN CONNECTION WITH THE CONSTRUCTION OF THIS DRIVEWAY.**
- 6) THE OWNER/APPLICANT WILL REQUEST THAT THE CITY OF CAMBRIDGE INSTALL A "NO LEFT TURN" SIGN OPPOSITE THE DRIVEWAY ON THE SOUTH SIDE OF PLEASANT STREET.**

A number line with two scales. The top scale is labeled 'METERS' and has markings at 0, 5, 10, and 15. The bottom scale is labeled 'FEET' and has markings at 0, 10, 20, 40, and 60. A purple line is drawn from the 15 mark on the meter scale to the 60 mark on the foot scale.

BTI Dwg. No. 1110126
BTI File. No. 1110075N.dwg

EXHIBIT-DRIVEWAYS-B & C
NEW PLEASANT STREET DRIVEWAYS
165 & 173 Pleasant Street
Cambridge, Massachusetts

SCALE: 1" = 20' DATE: August 18, 2000

FOR:

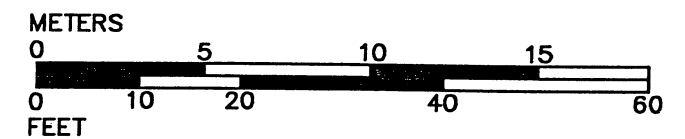
784 Memorial Drive L.L.C.
c/o Spaulding & Slye
Boston, Massachusetts

BY:

Beals and Thomas, Inc.
Southborough, Massachusetts

NOTES:

- 1) EXISTING PAVED AREAS NOT PROPOSED FOR REDEVELOPMENT SHALL BE LANDSCAPED.
- 2) DRAINAGE SYSTEM FOR PROPOSED DRIVEWAY SHALL BE CONNECTED WITH DRAIN PIPES ONSITE.
- 3) GRANITE CURBING TO BE REMOVED FROM PROPOSED CURB CUTS ARE TO BE RESET ACROSS EXISTING CURB CUT.
- 4) SLOPE TRANSITION FROM EDGE OF PAVEMENT TO EXISTING SIDEWALK SHALL BE GRADED OVER INITIAL 2-3 FEET TO MAINTAIN EXISTING SIDEWALK GRADES AT BACK OF RIGHT-OF-WAY.



PROPOSED
165 PLEASANT STREET
RESIDENTIAL

PROPOSED BIT CONC
DRIVEWAY C

PROPOSED BIT CONC
DRIVEWAY B

PROPOSED
173 PLEASANT STREET
RESIDENTIAL

REMOVE AND RESET
UTILITY POLE

REMOVE GRANITE CURB

RESET GRANITE CURB

RESET MH FRAME AND
COVER TO PROPOSED
DRIVEWAY GRADES

LAND COURT PLAN 403 J

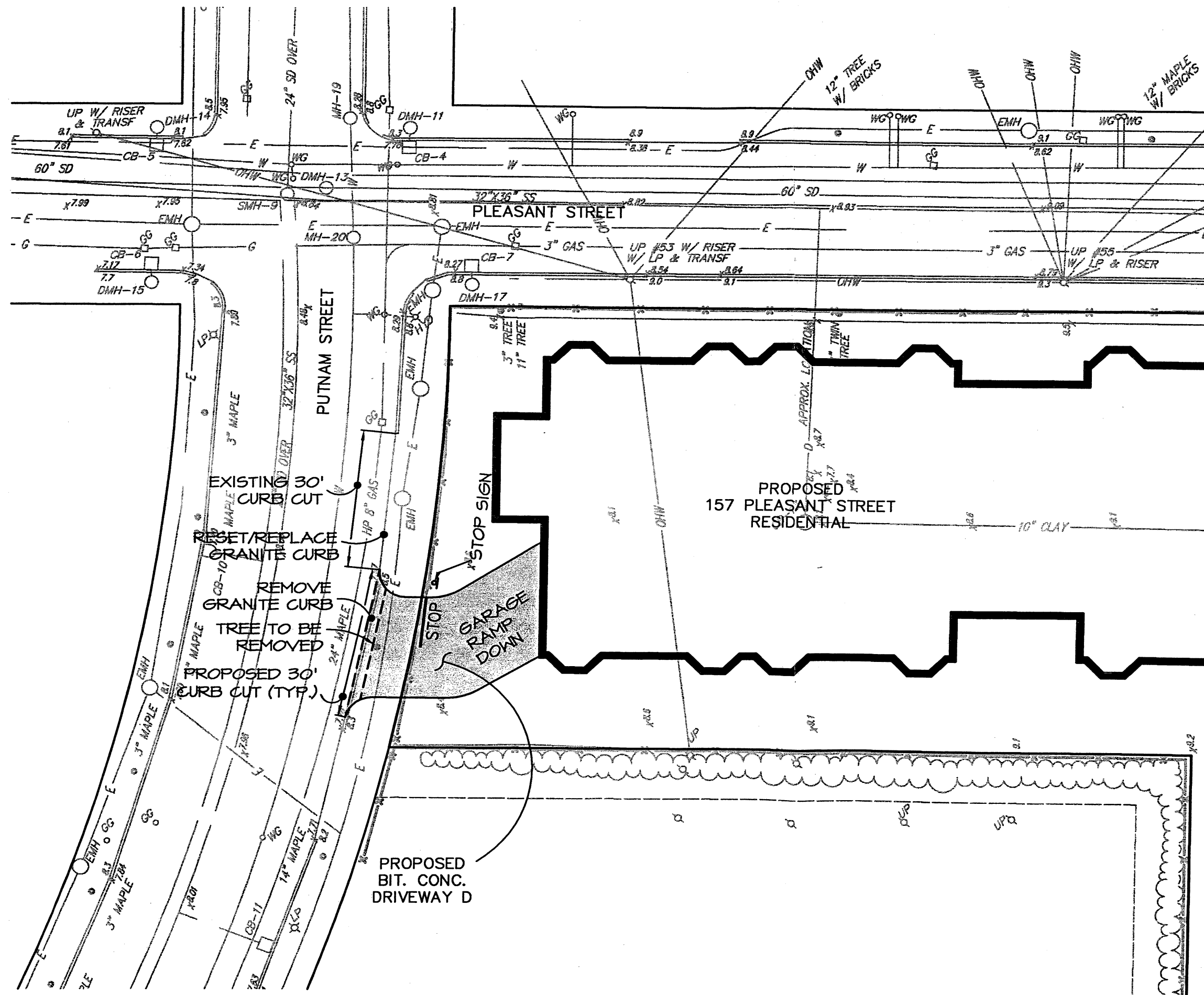


EXHIBIT-DRIVEWAY-D
NEW PUTNAM AVENUE DRIVEWAY
157 Pleasant Street
Cambridge, Massachusetts

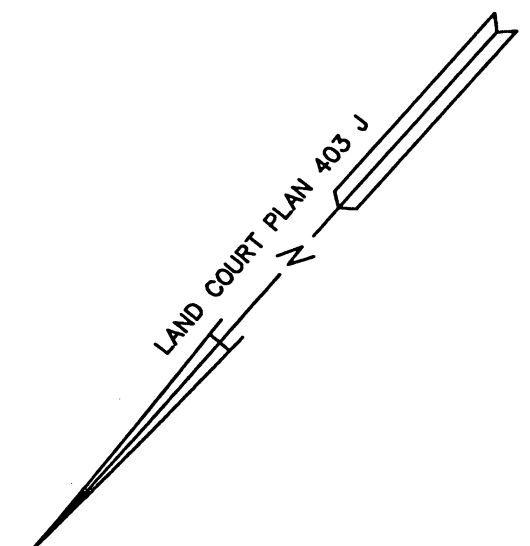
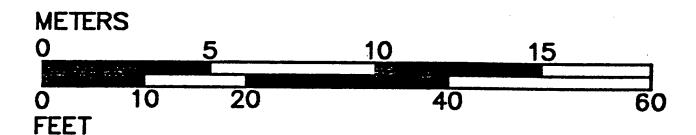
SCALE: 1" = 20' DATE: August 18, 2000

FOR:
784 Memorial Drive L.L.C.
c/o Spaulding & Slye
Boston, Massachusetts

BY:
Beals and Thomas, Inc.
Southborough, Massachusetts

NOTES:

- 1) EXISTING PAVED AREAS NOT PROPOSED FOR REDEVELOPMENT SHALL BE LANDSCAPED.
- 2) DRAINAGE SYSTEM FOR PROPOSED DRIVEWAY SHALL BE CONNECTED WITH DRAIN PIPES ONSITE.
- 3) 30' OF GRANITE CURBING TO BE REMOVED FROM PROPOSED CURB CUT IS TO BE RESET ACROSS EXISTING CURB CUT.
- 4) SLOPE TRANSITION FROM EDGE OF PAVEMENT TO EXISTING SIDEWALK SHALL BE GRADED OVER INITIAL 2-3 FEET TO MAINTAIN EXISTING SIDEWALK GRADES AT BACK OF RIGHT-OF-WAY.
- 5) REMOVAL OF EXISTING STREET TREE WILL REQUIRE HEARING WITH THE CITY ARBORIST. TEN NEW TREES SHALL BE PLANTED ON WEST SIDE OF PLEASANT STREET.



784 Memorial Drive L.L.C.

c/o Spaulding & Slye
255 State Street
Boston, MA 02109

To: Abutters of Polaroid Site
Memorial Drive, Cambridge

Re: Application for Driveway Cuts and Openings
City of Cambridge

Date: July 19, 2000

As the owner of the Polaroid site, 784 Memorial Drive LLC is preparing to resubmit an application to the City of Cambridge for four (4) new curb cuts. These are the same curb cuts shown on the master plan approved by the Planning Board in March of 2000. Three new curb cuts are proposed on Pleasant Street, one of which will replace the existing curb cut opposite Florence Street. The fourth proposed curb cut will replace the existing curb cut on Putnam Avenue.

The curb cut relocations are shown on the four enclosed plans:

1. **Site Plan Exhibit** - This shows the entire six acre site with the approved master plan (Special Permit issued by the Planning Board on 4/3/2000) and the location of the new curb cuts at Driveways A, B and C (all on Pleasant Street) and Driveway D (Putnam Avenue). All driveways will provide two-way access, however, Driveway A will exclusively serve the office project and Driveways B, C and D will exclusively serve the residential project.
2. **Exhibit Driveway A** - This engineered plan shows a new driveway on Pleasant Street which will be the primary access to the office project.
3. **Exhibit Driveway B & C** - This engineered plan shows the new driveways on Pleasant Street opposite Chestnut Street and Florence Street, the second of which will replace the existing driveway opposite Florence Street.
4. **Exhibit Driveway D** - This engineered plan shows a new driveway on Putnam Avenue which will replace the existing driveway located 30' to the southeast, closer to the intersection of Pleasant Street.

Also enclosed is an Abutter's form. Please indicate your approval or disapproval of the proposed new and relocated curb cuts as indicated on this Abutter's Form and return the form by Friday, July 28th, 2000 using the enclosed stamped, addressed envelope. Be sure to include your name and the address of the property on the Abutter's Form.

If you have any questions about this Abutter's Form, please contact the Inspectional Services Department at (617) 349-6100. If you have any questions regarding the project and the proposed driveways, please feel free to contact Rob Dickey or Daniel St. Clair of Spaulding & Slye at (617) 523-8000. The abutters who participated in the litigation regarding this site have signed a settlement agreement which supports these curb cuts. As a result of the settlement, the litigation has been terminated.

Thank you for your cooperation.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

Exhibit B

Abutters on Pleasant Street and Putnam Avenue

Block and Lot Number	Street Location and Deed Reference	Owner and Mailing Address
127-164	368 Putnam Avenue Book 197626, Page 38	Alejandro C. Lee and Gardenia E. Lee 366 Putnam Avenue Cambridge, MA 02139-4624
127-169 382 U49/001	143 Pleasant Street Volume 49, Page 1	Floyd D. Richardson, Jr. Donna J. Richardson 143 Pleasant Street #382 Cambridge, MA 02139
127-169 1B2 U48/138	143 Pleasant Street Volume 48, Page 138	John F. Doherty 143 Pleasant Street #1B2 Cambridge, MA 02139
127-169 384 U49/004	143 Pleasant Street Volume 49, Page 4	Marion Biolotta Case 143 Pleasant Street #384 Cambridge, MA 02139
127-169 2A U49/146	143 Pleasant Street Volume 49, Page 146	Samuel E. Yarden Nona B. Yarden 143 Pleasant Street #2A Cambridge, MA 02139
127-169 2C U48/144	143 Pleasant Street Volume 48, Page 144	Melissa A. Smith 143 Pleasant Street #2C Cambridge, MA 02139
127-169 3A U49/096	143 Pleasant Street Volume 49, Page 96	Margaret Lampert 143 Pleasant Street #3A Cambridge, MA 02139
127-169 380 C22/010	143 Pleasant Street Volume 49, Page 109; C22/10	Jun Yang Li Su
127-169 3C U52/169	143 Pleasant Street Volume 52, Page 169	Kerry B. Herman 143 Pleasant Street #3C Cambridge, MA 02139
127-169 3D U49/025	143 Pleasant Street Volume 49, Page 25	Katerina Dobes 143 Pleasant Street #3D Cambridge, MA 02139
127-169 4A U50/166	143 Pleasant Street Volume 50, Page 166	Janet Polli 143 Pleasant Street #4A Cambridge, MA 02139
127-169 4B U50/094	143 Pleasant Street Volume 50, Page 94	Donna M. Clarke 143 Pleasant Street #4B Cambridge, MA 02139

127-169 1A U52/136	143 Pleasant Street Volume 52, Page 136	Lisa Biblo 143 Pleasant Street #1A Cambridge, MA 02139
127-169 1B1 U50/139	143 Pleasant Street Volume 63, Page 198 1/26/99	Craig Lavalley Robert Giguere Richard Giguere 143 Pleasant Street #1B1 Cambridge, MA 02139
127-169 3B U42/143	143 Pleasant Street Volume 52, Page 143	Gordon A. Fellman 143 Pleasant Street #3B Cambridge, MA 02139
127-169 386 U49/043	143 Pleasant Street Volume 49, Page 43	Seifu B. Nuru 143 Pleasant Street #386 Cambridge, MA 02139
127-110 139	133-141 Pleasant Street Book 24462, Page 320	Daniel M. Gauger 133-141 Pleasant Street #139 Cambridge, MA 02139
127-110 133	133-141 Pleasant Street Book 24424, Page 326	Terrance Wong 133-141 Pleasant Street #133 Cambridge, MA 02139
127-110 137	133-141 Pleasant Street Book 24378, Page 272	Charles Phred Churchill Emily Scott 133-141 Pleasant Street #137 Cambridge, MA 02139
127-110 141	133-141 Pleasant Street Book 24835, Page 501	Elizabeth P. Grob Charles E. Gagnon 133-141 Pleasant Street #141 Cambridge, MA 02139
127-110 135	133-141 Pleasant Street Book 24388, Page 177	Martha Bestebeurtje 133-141 Pleasant Street #135 Cambridge, MA 02139
101-155	148 Pleasant Street Book 12756, Page 637	Daphne A. Ehrlich 148 Pleasant Street Cambridge, MA 02139
101-177	162 Pleasant Street Book 22257, Page 72	Peter J. Desnoyers Elizabeth L. Glaser 162 Pleasant Street Cambridge, MA 02139-4606
101-178	160 Pleasant Street Book 14168, Page 307	Theodore R. Yonge Rose G. Yonge 158 Pleasant Street Cambridge, MA 02139
101-179	158 Pleasant Street Book 9701, Page 298	Theodore R. Yonge Rose G. Yonge 158 Pleasant Street Cambridge, MA 02139

101-180	156 Pleasant Street Book 28421, Page 461	Richard F. Van Stry Lisa J. Van Stry 150 George Street Medford, MA 02155
101-185	154 Pleasant Street Book 20496, Page 487	Joseph Shochat Geraldine Shochat 154 Pleasant Street Cambridge, MA 02139-4606
101-187	152 Pleasant Street Book 19872, Page 55	James Gutensohn Joanne M. Kauffman 152 Pleasant Street Cambridge, MA 02138 ⁹
101-131	164 Pleasant street Book 29651, Page 340	Melvin L. Taymor 14 Eliot Memorial Road Newton, MA 02458
101-130	249-251 Chestnut Street Book 16789, Page 494	William J. Van Stry, Jr. 249 Chestnut Street Cambridge, MA 02139-4622
101-186	395 Putnam Avenue Book 19659, Page 209	Mark H. Ince John R. Webb Paul Scott Lloyd C. Corbin Trs. of Putnam Realty Trust 395 Putnam Avenue Cambridge, MA 02139
100-24	176 Pleasant Street Book 14019, Page 422	Renee Hecht-Sperber 176 Pleasant Street Cambridge, MA 02139-4634
100-25	174 Pleasant Street Book 19360, Page 207	Mario Davila Sarah Slive Seymour Slive Zoya S. Slive 174 Pleasant Street Cambridge, MA 02139-4634
100-26	170 Pleasant Street Book 13491, Page 166	Anastasia Manolas 172 Pleasant Street Cambridge, MA 02139-4634
100-75	248 Chestnut Street Book 26407, Page 245	Michael R. Reddington 129 Gun Hill Road Milton, MA 02186

SPAULDING & SLYE

COLLIERS
INTERNATIONAL

To: Abutters of Polaroid Site
Memorial Drive, Cambridge

Re: Application for Driveway Cuts and Openings
City of Cambridge

Date: August 14, 2000

On July 19, 2000, the owners of the above referenced property sent plans of four proposed curb cuts for the site. These are the same curb cuts shown on the master plan approved by the Planning Board in March of 2000. Three new curb cuts are proposed on Pleasant Street, one of which will replace the existing curb cut opposite Florence Street. The fourth proposed curb cut will replace the existing curb cut on Putnam Avenue. Also enclosed was an Abutter's form requesting your approval or disapproval of the proposed new and relocated curb cuts as indicated on this Abutter's Form along with a stamped, addressed envelope.

As of this writing, we have not yet received your response. Please use the enclosed form, or the original form sent in July, to indicate your approval or disapproval of the proposed curb cuts. Please return the form to Daniel St. Clair at Spaulding & Slye at your earliest convenience.

If you have any questions about this Abutter's Form, please contact the Inspectional Services Department at (617) 349-6100. If you have any questions regarding the project and the proposed driveways, please feel free to contact Rob Dickey or Daniel St. Clair of Spaulding & Slye at (617) 523-8000. The abutters who participated in the litigation regarding this site have signed a settlement agreement which supports these curb cuts. As a result of the settlement, the litigation has been terminated.

Thank you for your cooperation.

Integrated Real Estate Services

255 State Street
Boston, MA 02109
617-523-8000
Fax: 617-531-4280
www.SpauldSlye.com

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 139 Pleasant St., Cambridge,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 784 Memorial Drive LLC
development along Pleasant St.

Signed: Daniel Granger [Signature] Date: 7/22/2000

Address: 139 Pleasant St.
Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

366 Putnam Ave Cambridge MA 02139



approval

Cambridge, Massachusetts, I do hereby declare



disapproval

of the installment of:

Off-Street Parking Facility located at

PLEASANT STREET & PUTNAM STREET.

Signed:

Stephen Lee

Date:

7/24/00

Address:

366 Putnam Ave, Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 143 Pleasant Street 2A, Cambridge MA 02139

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 784 Memorial Drive

Signed: Elic Yarden Date: July 25, 2000

Address: 143 Pleasant Street, Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 173 Pleasant St Unit 4B Cambridge,

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: Dm Clark Date: 1/28/00

Address: 143 Pleasant St 4B

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 143 PLEASANT ST. #2C, CAMBRIDGE, MA 02139,

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: MELISSA SMITH Date: 7/27/2000

Address: 143 PLEASANT ST. #2C
CAMBRIDGE, MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of UNIT 2C

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

~~Off Street Parking Facility~~ located at WEB CUTS - POLAROID SITE

Signed: MELISSA SMITH Date: AUG. 16, 2000

Address: 143 PLEASANT ST. #2C, CAMBRIDGE, MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of Apt. 3B, 143 Pleasant St., owned by Gordon Fellman

☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at 78th Memorial Drive LLC project

Signed: Gordon Fellman

Date: 8/11/00

Address: 143 Pleasant St. # 3B Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of 152 Pleasant St,

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at Pleasant St opposite Florence St

Signed: Jim Gutierrez Date: 8/17/00

Address: 152 Pleasant

Cambridge, MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 174 Pleasant Street,

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at Poleoid site @ Memorial Drive

Signed: Gersh Silverman Date: 8.18.00

Address: 174 Pleasant Street Cambridge, MA

02139

Attn: Daniel St. Clair

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 156 Pleasant St. Cambridge☒ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Curb cuts

Off-Street Parking Facility located at _____

Signed:

Lisa VanStray

Date:

8/30/00

Address:

150 George St
Medford, MA 02155

In the future, Please do not send
material Registered. It is a
major problem for me to get
them at the post office. Regular
mail is fine.

Thank you,
Lisa VanStray

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

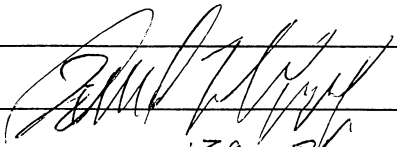
As owner or agent of 139 Pleasant St., Cambridge,

☒ approval

Cambridge, Massachusetts, I do hereby declare ☐ disapproval

of the installment of:

Off-Street Parking Facility located at Polaroid Site, Memorial Dr., Cambridge

Signed: 

Date: 8/20/00

Address: 139 Pleasant St., Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

Pitnam Realty Trust
Capital Hall 395 Pitnam St. Cambr.



approval

Cambridge, Massachusetts, I do hereby declare



disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed:

John R. Webb

Date:

08/25/2011

Address:

395 Pitnam Ave Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

176 Pleasant Street

☒

approval

Cambridge, Massachusetts, I do hereby declare

☐

disapproval

of the installment of:

Off-Street Parking Facility located at

784 Memorial Drive

Signed:

Quell Barber

Date:

8/6/2000

Address:

176 Pleasant Street

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☐ disapproval

of the installment of:

Off-Street Parking Facility located at _____

Signed: _____ Date: _____

Address: _____

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

784 Memorial Drive L.L.C.

To Whom It May Concern:

As owner or agent of 164 Pleasant ST,
Resident.

☐ approval

Cambridge, Massachusetts, I do hereby declare ☒ disapproval

of the installment of: Proposed Bit. Conc. Driveway C.

~~Off-Street Parking Facility~~ located at OPPOSITE The Corner Of

Pleasant & Chestnut (Between 165-173 Pleasant)

Signed: John T Berry

Date: 7/25/00

Address: 164 Pleasant ST Cambridge MA 02139

(John T Berry) (Owners Agent. - Resident.)

(617) 491-1318

This outlets to an already overly congested area

chestnut st is two (2) way but only
accommodates (1) one way passage

This is contrary to all assurances we
have received concerning traffic impact
in this area

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 154 PLEASANT ST.

☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at FLORENCE ST OR CHESTNUT ONE WAY
OR IT WILL BE ONE BIG MESS WHEN WORK DAY OVER

Signed: Joseph Shuehat Date: JULY 28, 2000

Address: 154 PLEASANT ST. CAMB. MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 133 Pleasant St.

☐ approval

Cambridge, Massachusetts, I do hereby declare ☒ disapproval

of the installment of:

Off-Street Parking Facility located at Memorial Drive

Signed: Tommy Wg Date: 7/28/00

Address: 133 Pleasant St.

Driveway D- object to removal of tree

Driveway B (opposite Florence St.)

This object is on corner of Pleasant St. Cars on Pleasant St heading towards Memorial drive cannot see cars exiting site due to curve in road, creating a hazard. Similarly, cars exiting at this location cannot see traffic coming from the left due to curve in road.

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of

Unit 3A 143 pleasant st

☐

approval

Cambridge, Massachusetts, I do hereby declare

☒

disapproval

of the installment of:

Off-Street Parking Facility located at

Putnam Ave

Signed:

MPTC

Date:

8/16/00

Address:

143 pleasant st Apt 3A
Cambridge, MA 02139

DID NOT GET THIS
LETTER TILL 8/1/00

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of 143 Pleasant St. , Apt 4A,

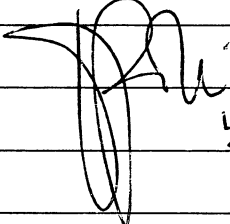
☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at Pleasant St.

Signed: 

Date: 8/4/00

Address: ~~473 Lodge Freeway Rd~~ 143 Pleasant St Apt 4A

Cambridge MA 02139

CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS AND OPENINGS
ABUTTOR'S FORM

To Whom It May Concern:

As owner or agent of _____,

☐ approval

Cambridge, Massachusetts, I do hereby declare

☒ disapproval

of the installment of:

Off-Street Parking Facility located at

Pleasant Street, Putnam Ave

Signed:

Daphne Abouf

Date:

Address:

148 Pleasant St, Cambridge, MA 02139

Although the project has been reduced, I continue to feel the construction will have serious adverse effects on the neighborhood -

SPAULDING & SLYE

**COLLIERS
INTERNATIONAL**

August 28, 2000

Mr. Larry Acosta
City Arborist
Cambridge Department of Public Works
147 Hampshire Street
Cambridge, MA 02139

**RE: Tree Removal Related to New Curb Cut on Putnam Avenue
New Office Buildings and Residences at 784 Memorial Drive
Cambridge, Massachusetts**

Dear Mr. Acosta:

On behalf of owner of the above referenced project, 784 Memorial Drive LLC, Spaulding & Slye has applied for new curb cuts related to the approved development plans. A copy of this application is attached for your review. We are scheduled to appear in front of City Council on Monday, September 11th for final review of this application.

This application follows the resolution of two critical aspects of this project. In April of this year, the Planning Board granted an IPOP Special Permit for the development of two office buildings totaling 94,212 SF and 120 units of housing on this site. In June, a Settlement Agreement was reached between the owners and certain neighborhood residents and abutters relative to two previous lawsuits related to the development. As a result, the owner is moving forward to commence construction in September of this year with the support of neighborhood residents and abutters.

As you know, the relocated curb cut on Putnam Avenue requires the removal of a Norway Maple. The removal of this tree was approved by your office under the following conditions:

- the tree will be removed at the owner's expense
- the tree will not be removed until approval of the new curb cut is granted
- the tree removal will be performed in a safe and timely fashion involving the necessary permits and a police detail
- a plan detailing the planting of ten 3 - 3 1/2" caliper trees will be submitted with a maintenance agreement for no less than five years along with a planting schedule

Integrated Real Estate Services

255 State Street
Boston, MA 02109
617-523-8000
Fax: 617-531-4280
www.SpauldSlye.com

SPAULDING & SLYE

**COLLIERS
INTERNATIONAL**

Mr. Larry Acosta
August 28, 2000
Page 2

As agent to the owner, Spaulding & Slye confirms that it will meet the above referenced conditions in cooperation with the City of Cambridge. Currently, we are preparing a detailed planting plan, schedule and terms of a five year maintenance agreement for your review. Attached, please see a proposed layout of the ten new street trees on Pleasant Street. Upon City Council approval of the curb cuts and your approval of the conditions listed above, we will confirm the schedule for this work prior to proceeding with the tree removal.

Please call me or Daniel St. Clair (Project Manager) if you have any questions or require any additional information.

Sincerely,



Robert M. Dickey
Senior Vice President

Enclosures

cc: Daniel St. Clair, Spaulding & Slye
Rob Tuchmann, Hale and Dorr *W/O ENCLOSURES*

DS/Polaroid/Tree Replacement Letter 8.28.00



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

2000 AUG 18 A 10:05

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 16, 2000

Dear Neighborhood Representative:

This office is in receipt of a copy of an application from Robert Dickey, requesting a curb cut *at the premises numbered 770/790 Memorial Drive and 157/165/173 Pleasant Street, Cambridge, Massachusetts*. The City Council has directed that all curb cut petitions be submitted to the appropriate Neighborhood Associations for the locality where the curb cut would be made, so that the association may have an opportunity for review, prior to action by the City Council.

Please indicate by return mail your approval or disapproval of the petition within twenty one days from the date of this letter. If the response is "disapproval" please state reasons. Be sure to sign the form and include a daytime phone number. I have enclosed a self-addressed stamped envelope to facilitate your reply.

As soon as this office has received both the completed application and your neighborhood association response, I will place the petition on the agenda for the next City Council meeting. If I do not receive a response from your neighborhood organization by twenty one days from the date of this letter, I will place the petition on the agenda for the next City Council meeting.

If your neighborhood association cannot complete its review by twenty one days from today, you may extend the reply time another seven days by requesting an extension by letter to me with a copy to the petitioner. However, I urge you to make every effort to complete your review as soon as possible.

Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
D. Margaret Drury
City Clerk

Name of Neighborhood Association: **Hastings Square Committee - Geneva Malenfant**

hereby approve disapprove of said driveway petition.

Comments: This application does not fall within our area of jurisdiction.

Signature of authorized association representative *Genevieve Malenfant*

Daytime telephone no. 491-3260

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

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CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 16, 2000

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If your neighborhood association cannot complete its review by twenty one days from today, you may extend the reply time another seven days by requesting an extension by letter to me with a copy to the petitioner. However, I urge you to make every effort to complete your review as soon as possible.

Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury

D. Margaret Drury
City Clerk

Name of Neighborhood Association: **Ward Five Committee - Laurie Taymore-Berry**

hereby _____ approve ☒ disapprove of said driveway petition.

Comments: *Specifically, the curb cut opposite Chestnut St. does not comply with previously made assurances to minimize traffic and parking problems on Pleasant St.*

Signature of authorized association representative *Laurie Taymore-Berry*

Daytime telephone no. 491-1318

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

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CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 16, 2000

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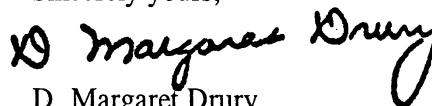
Please indicate by return mail your approval or disapproval of the petition within twenty one days from the date of this letter. If the response is "disapproval" please state reasons. Be sure to sign the form and include a daytime phone number. I have enclosed a self-addressed stamped envelope to facilitate your reply.

As soon as this office has received both the completed application and your neighborhood association response, I will place the petition on the agenda for the next City Council meeting. If I do not receive a response from your neighborhood organization by twenty one days from the date of this letter, I will place the petition on the agenda for the next City Council meeting.

If your neighborhood association cannot complete its review by twenty one days from today, you may extend the reply time another seven days by requesting an extension by letter to me with a copy to the petitioner. However, I urge you to make every effort to complete your review as soon as possible.

Thank you for your cooperation.

Sincerely yours,


D. Margaret Drury
City Clerk

Name of Neighborhood Association: **Friends of Magazine Beach – Fred Woods**

hereby _____ approve _____ disapprove of said driveway petition.

Comments: _____

Signature of authorized association representative _____

Daytime telephone no. _____

cc: Petitioner



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

August 16, 2000

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Thank you for your cooperation.

Sincerely yours,

D. Margaret Drury
City Clerk

Name of Neighborhood Association: Cambridgeport Neighborhood Initiative - Stash Horowitz

hereby ☒ approve ☐ disapprove of said driveway petition.

Comments: **AS PART OF A SETTLEMENT AGREEMENT WITH 784 MEMORIAL DRIVE LLC IN TWO MIDDLESEX SUPERIOR COURT CASES, THE CNI SUPPORTS THIS CURB CUT APPLICATION, PER SETTLEMENT DEC C, 1(C) - SEE ATTACHED AGREEMENT PAGE 2**

Signature of authorized association representative

Stash Horowitz, Co-Chair

CAMBRIDGEPORT NEIGHBORHOOD INITIATIVE (CNI)

Daytime telephone no. **491-1534**

cc: Petitioner

SETTLEMENT AGREEMENT

This Settlement Agreement is entered into this 21st day of June, 2000 with respect to the redevelopment and use of the vacant land behind 784 Memorial Drive between Pleasant Street and Putnam Avenue, Cambridge, Massachusetts.

A. Parties

1. (a) 784 Memorial Drive LLC is a Delaware limited liability company ("784 Mem Drive") whose members are Polaroid Corporation, a Delaware corporation, and Spaulding and Slye Memorial Drive LLC, a Delaware limited liability company, on the one hand, and (b) Elizabeth Glaser, Peter Desnoyers, Elie Yarden, Daphne Abeel, Gordon Fellman and Stash Horowitz and John Moot (the "Garage Litigation Plaintiffs"), and Elizabeth Glaser, Peter Desnoyers, Elie Yarden, Daphne Abeel, Gordon Fellman and Stash Horowitz, Laurie Taymor-Berry, John Berry and Maureen Van Stry (the "IPOP Plaintiffs"), and Cambridgeport Neighborhood Initiative, an unincorporated neighborhood association in Cambridge, Massachusetts ("CNI"), on the other hand. The Garage Litigation Plaintiffs and the IPOP Plaintiffs are sometimes referred to together as the "Neighborhood Groups".

2. 784 Mem Drive is the owner of the land beneath 784 Memorial Drive and the vacant land behind that building between Putnam Avenue and Pleasant Street, Cambridge, Massachusetts (the "Site").

B. Background

1. 784 Mem Drive undertook the renovation and expansion of the building at 784 Memorial Drive, which project has been completed. The building is leased to and occupied by Polaroid Corporation.

2. 784 Mem Drive thereafter proposed the development of the site for two office buildings and a garage structure containing 577 cars. This project was commenced by 784 Mem Drive obtaining a building permit for the garage and commencing construction. The Garage Plaintiffs challenged the validity of the building permit in Superior Court in an action entitled: Elie Yarden, et al vs. Bersani, Middlesex Superior Court No. 99-103C. This case is still pending and discovery is scheduled to recommence shortly.

3. 784 Mem Drive subsequently filed for the Site an Interim Planning Overlay Project ("IPOP") Special Permit from the Cambridge Planning Board for the construction of two smaller office buildings with parking beneath each and the construction of 120 units of housing, also with parking beneath (the "Project"). Following public hearings, a Special Permit was issued by the Cambridge Planning

Board on April 3, 2000. The IPOP Plaintiffs subsequently brought suit challenging the validity of the Special Permit in a case entitled: Elizabeth Glaser, et al vs. Brown, Middlesex Superior Court No. 00-1955C. This case is also currently pending and discovery may commence shortly.

C. Settlement

1. 784 Mem Drive and the Neighborhood Groups desire to settle and compromise their disputes. Therefore, in consideration of the mutual agreements contained in this Settlement Agreement, the parties agree as follows:

1. Following execution of this Settlement Agreement, the Neighborhood Groups agree to:
 - (a) Dismiss with prejudice the litigation regarding the Garage;
 - (b) Dismiss with prejudice the litigation regarding the IPOP Special Permit;
 - (c) Support the request to be made by 784 Mem Drive to the Cambridge City Council to modify the curb cuts on Putnam Avenue and Pleasant Street in accordance with the development plan approved by the Cambridge Planning Board;
 - (d) Support the request to the Metropolitan District Commission ("MDC") for a traffic light at the intersection of Memorial Drive and Pleasant Street; and
 - (e) Work cooperatively with 784 Mem Drive on any other issues requested by 784 Mem Drive regarding permitting, design, construction or use of the Project as authorized by the IPOP Special Permit.
 - (f) Refrain from bringing suit against 784 Mem Drive or the City of Cambridge in connection with any steps taken to develop the Project in accordance with the plan authorized by the IPOP Special Permit.
2. Following execution of this Settlement Agreement, 784 Mem Drive agrees to:
 - (a) Pursue promptly and with diligence and pay for the installation of a traffic light at the intersection of Memorial Drive and Pleasant Street and specifically request that such light (as well as those at Western Avenue and River Street) include a pedestrian crossing phase;

- (b) Grant a pedestrian easement to a legal entity designated by the CNI solely for pedestrian access between Pleasant Street and the shopping area being developed by Bread and Circus to the north of the development;
- (c) Support a request by the Neighborhood Groups and/or CNI to the City of Cambridge for the installation of a stop sign at Putnam Avenue and Pleasant Street; provided, however, that if the City agrees to install a traffic signal at this intersection within five years after the date of this agreement, the cost of such signal shall be paid by 784 Mem Drive;
- (d) Obtain construction financing for the residential component of the Project, obtain a building permit for the residential units and commence work on their construction prior to requesting a certificate of occupancy for the second office building on the Site;
- (e) Pay Bracken and Baram \$10,000 to defray a portion of the Neighborhood Group's legal fees.
- (f) 784 Mem Drive agrees to arrange for and pay for a state police officer at the intersection of Memorial Drive and Pleasant Street from 7- 9 a.m. and 4-7 p.m. weekdays commencing with the issuance of the first certificate of occupancy, until a traffic light is installed at that intersection.

D. Procedural Matters

1. Contemporaneously with the execution of this Settlement Agreement, 784 Mem Drive shall record with the Middlesex South District Registry of Deeds a covenant authorizing any five unrelated persons each of whom own either a residential property or a residential condominium unit abutting or across the street from the site on either Putnam Avenue or Pleasant Street together to enforce in Superior Court the terms of this Settlement Agreement and the fourteen conditions contained in the IPOP Special Permit.

2. 784 Mem Drive agrees neither to pursue nor accept an amendment to the IPOP Special Permit which changes the use of the site for 120 residential units.

3. Within thirty days of the execution of this Settlement Agreement, 784 Mem Drive shall pay Bracken and Baram.

4. Contemporaneously with the execution of this Settlement Agreement, the Neighborhood Groups shall dismiss with prejudice the litigation regarding the parking garage and the litigation regarding the IPOP Permit by notice or stipulation filed with the Court and 784 Mem Drive shall surrender to the Cambridge Building Department the building permit for the garage.

5. 784 Mem Drive shall promptly and with diligence (a) pursue the approvals necessary from MEPA and the MDC for approval of the traffic light at Memorial Drive and Pleasant Street including submission of the ENF and traffic study by July 14, 2000 and (b) pursue from the Cambridge City Council the approvals to alter the curb cuts at the site in accordance with the development plan approved by the Planning Board. 784 Mem Drive shall insert in all commercial leases a provision that tenants are prohibited from making left turns onto Pleasant Street from the commercial curb cuts during the hours of 7-9 a.m. and 4-7 p.m. weekdays. It will cause the City to post signs to that effect.

6. Should the curb cut approval be obtained by December 31, 2000 but the MDC does not agree to permit the installation of the traffic light, 784 Mem Drive shall (a) be obligated to reapply to the MDC on July 1, 2001 and also pursue such application with diligence and support any efforts by the Neighborhood Groups to obtain such approval until December 31, 2001, and (b) if then so permitted or approved, shall pay for its installation and (c) shall arrange for and pay for a state police officer at the intersection of Memorial Drive and Pleasant Street from 7-9 a.m. and 4-7 p.m. weekdays until a traffic light is installed at that intersection.

7. Should the MDC approval be obtained by December 31, 2000 but not the curb cut approvals, the Neighborhood Groups will work cooperatively, promptly and diligently with 784 Mem Drive to secure City Council approval of alternate locations.

8. Should any party to this Agreement violate the provisions of this Settlement Agreement, the party aggrieved by such action may notify such breaching party and all the other parties in writing and, upon such notification, all parties shall within ten days at a time and place specified in such notice meet and discuss such violation and work cooperatively to resolve their disputes. If such negotiation does not resolve outstanding differences within thirty days of such meeting and such breach remains uncured, any non-breaching party to this Agreement may notify the others in writing and, if such notification is given, this Agreement shall terminate and be of no further force or effect.

9. At the request of 784 Mem Drive, any party shall provide 784 Mem Drive or such entity designated by it with a certificate certifying as to the status of this Settlement Agreement and the compliance of 784 Mem Drive to its terms specifying in detail any matters to which it believes 784 Mem Drive is in default. The Neighborhood Groups shall be estopped from alleging any default then exists which was not specified in such certificate.

10. This Settlement Agreement shall be binding upon the parties hereto and their respective successors and assigns as owners of their respective properties. In

that regard, it shall be deemed to touch and concern their respective properties and run with their land.

11. It is the intention of the parties that the provisions of the IPOP Special Permit, this Agreement and the recorded covenant shall be cumulative.

E. Notices

1. Notices shall be given by certified mail, return receipt requested and simultaneously by regular mail or delivery by a recognized courier service and shall be deemed effective three days after dispatched.

2. Notices provided to 784 Mem Drive shall be effective if sent to:

a. 784 Memorial Drive LLC
c/o Spaulding and Slye Company
255 State Street
Boston, MA 02109

and to

b. Polaroid Corporation
784 Memorial Drive
Cambridge, MA 02138
Attention: Director of Real Estate

3. Notices for the other parties shall be effective if sent to:

a. Cambridgeport Neighborhood Initiative
c/o Elie Yarden
143 Pleasant Street, Unit 2A
Cambridge, MA 02139

- b. Stash Horowitz
12 Florence Street
Cambridge, MA 02139
- c. Elie Yarden
143 Pleasant Street, Unit 2A
Cambridge, MA 02139
- d. Elizabeth Glaser and
Peter Desnoyers
162 Pleasant Street
Cambridge, MA 02139
- e. Daphne Abeel
148 Pleasant Street
Cambridge, MA 02139
- f. Gordon Fellman
143 Pleasant Street, Unit 3C
Cambridge, MA 02139
- g. John Moot
44 Coolidge Hill Avenue *Road*
Cambridge, MA 02139 *5* *Off*
- h. Laurie Taymor-Berry
John Berry
164 Pleasant Street
Cambridge, MA 02139
- i. Maureen Van Stry
251 Chestnut Street
Cambridge, MA 02139

EXECUTED as a sealed instrument.

784 Memorial Drive LLC

By: Polaroid Corporation

By: Benjamin C. Byrnes

Spaulding and Slye Memorial Drive LLC

By: David A. Nerby

Stash Horowitz
Stash Horowitz

Elie Yarden
Elie Yarden

Elizabeth Glaser
Elizabeth Glaser

Peter Desnoyers
Peter Desnoyers

Daphne A. Aheel / D.A.
Daphne Aheel Aheel / D.A.

Gordon Fellman
Gordon Fellman

JOINDER

Cambridgeport Neighborhood Initiative joins in this Settlement Agreement solely for the purpose of agreeing with the provisions of Sections C1 (c) through (f) and those provisions to which specific reference is made to CNI.

Cambridgeport Neighborhood Initiative

By:

Eric Yarden

COVENANT

This Covenant is given by 784 Memorial Drive LLC, a Delaware limited liability company ("784 Mem") for the benefit of certain owners of properties on Putnam Avenue and Pleasant Street, Cambridge, Massachusetts identified on Exhibit A attached hereto (the "Abutters").

A. Background

1. 784 Mem is the owner of a parcel of land bounded by Memorial Drive, Pleasant Street, Putnam Avenue and land of others in Cambridge, Massachusetts as more particularly described on Exhibit B attached hereto.

2. 784 Mem has ^{been} ~~proposed~~ granted an IPOP special permit for the construction of two office buildings with 237 parking spaces and 120 units of residential housing and associated 120 parking spaces on the land owned by 784 Mem (the "Site"). Pursuant to the Cambridge Zoning Ordinance, an IPOP Special Permit was granted by the Cambridge Planning Board on March 28, 2000, a copy of which is attached hereto as Exhibit C and a notice of which is to be filed with the Middlesex South Registry of Deeds.

3. Certain of the Abutters and other interested parties appealed the Planning Board decision to the Middlesex Superior Court.

4. 784 Mem Drive and the plaintiffs to that litigation have agreed to compromise their disputes and have entered into a Settlement Agreement dated June 21, 2000, a copy of which is attached hereto as Exhibit D. One of the provisions of the Settlement Agreement is that 784 Mem grant and record this Covenant for the benefit of the Abutters.

B. Covenant

1. 784 Mem acknowledges that the fourteen conditions and limitations enumerated in the IPOP Special Permit and the terms and agreements set forth in the Settlement Agreement are for the benefit of the Abutters, amongst others.

2. Should 784 Mem violate any of the conditions and limitations set forth in the IPOP Special Permit or, should 784 Mem violate any of the provisions of the Settlement Agreement and such breach is not resolved in accordance with Section D 8 of the Settlement Agreement, then any five unrelated persons, each of whom either is an Abutter or the successor or assignee of an Abutter as an owner of a residential property or residential condominium unit abutting or across the street from the Site on either Putnam Avenue or Pleasant Street, may together enforce in Middlesex Superior Court in Cambridge against 784 Mem the terms of the Settlement Agreement or the fourteen

conditions and limitations contained in the IPOP Special Permit. In any complaint brought hereunder, each plaintiff shall establish ~~with copies of~~ by reference to identified recorded documents from in the Registry of Deeds that he or she is either an Abutter or a successor or assign of an Abutter.

3. This Covenant shall be binding upon 784 Mem and its successors and assigns and run with the land described in Exhibit B.

EXECUTED as a sealed instrument this _____ day of July, 2000.

784 Memorial Drive LLC

By: Polaroid Corporation, Member

By: _____
Name:
Title: Vice President and
Treasurer

784 Memorial Drive LLC

By: Spaulding and Slye Real Estate Services
Company, Inc., Member

By: _____
Name: James B. Karman,
President

By: _____
Name: David A. Neskey,
Treasurer

COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

July _____, 2000

Then personally appeared the above-named James B. Karman, President of Spaulding and Slye Real Estate Services Company, Inc., a Member of Spaulding and Slye Memorial Drive LLC, in turn a Member of 784 Memorial Drive LLC, who acknowledged the foregoing to be the free act and deed of such corporation, before me

Notary Public

John Berry
164 Pleasant St.
Cambridge MA 02139
(617) 491-1318

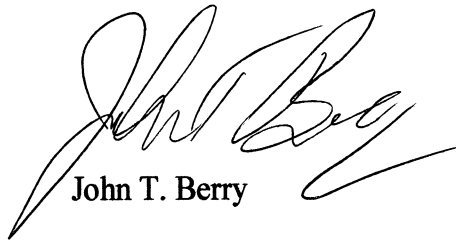
Cambridge City Council
& Planning Board
Cambridge MA

2000 SEP -6 P 4:43

9/6/00

To All Parties Concerned:

Given, that my concerns will be met by the latest agreements involved in this project. I hereby withdraw my previous objections to the curb cuts on Pleasant St.



John T. Berry

SEPTEMBER 6, 2000

Via hand delivery
Margaret Drury, City Clerk
Cambridge City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

SEP 6 2000 10:43

CITY OF CAMBRIDGE

To whom it may concern:

I have recently learned the details of the Settlement Agreement between 784 Memorial Drive LLC (Polaroid Corp. and Spaulding & Slye) and certain neighbors and abutters who sued them. I have learned which curb cuts will be used for residential use only, and which for commercial use only, and that all commercial traffic will, by agreement, avoid using our neighborhood streets during peak morning and peak afternoon traffic hours.

I have a copy of this Settlement Agreement, dated June 21, 2000, signed by some of my neighbors, and by a representative of the neighborhood group, the CNI

I withdraw my disapproval of said driveway petition, requesting curb cuts at the premises 770/790 Memorial Drive, 157/165/173 Pleasant St.

Joseph Shochat
154 PLEASANT ST.
CAMB. MA. 02139

DAPHNE ABEEL
148 PLEASANT STREET
CAMBRIDGE, MA 02139

September 7, 2000

To the City Clerk:

2000 SEP -7 P 11:04

Regarding Clark Cuts on Pleasant St.
and Putnam Ave. in connection
with development of 784
Memorial Drive.

I withdraw my objections
pursuant to The settlement
between Spalding + Slys and
the neighborhood -

Daphne Abeel
148 Pleasant Street
Cambridge, MA
02139

Applications and Petitions #5

H 103

An application was received from
Robert Dickey, requesting a curb
cut at the premises numbered
770/790 Memorial Drive.

In City Council September 11, 2000.

ORDER ADOPTED