

City Clerk Joeseeph E. Connarton
Cambridge City Hall
Cambridge, MA 02139

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1990 AUG -6 PM 4: 56

August 6, 1990

CAMBRIDGE MA.

Esteemed Member of the Cambridge community:

You, as a member of Cambridge government, are the last resort we have to resolve a dispute between The Associated Tenants of 115 Mt. Auburn Street and the developer of 1 Mifflin Place. Please take time now to read the statement of our grievances along with our attached signatures.

This is the same statement received a month ago by Jim McCaffery of Mead Consulting (451-3456, 286 Congress St., Boston 02210), who is the developer's representative, and Benny Bastenelli of Suffolk Construction (445-3500, 65 Allerton St., Boston 02119), who is the project manager of the site. We first took our petition to these gentlemen in the hopes of avoiding unnecessary involvement of the council's time. Unfortunately these spokesmen have been impervious to our repeated request for postponed weekend hours, and unable or unwilling to schedule a timely meeting to discuss a compromise. Weekend by weekend we get more impatient at their intransigent neglect of our local community's sensitivities and less hopeful that they will ever match our good faith efforts to reconcile eachother's needs.

Until the developer stops avoiding a sensible dialogue aimed at a written compromise on work hours, there is no alternative but raising this matter in the appropriate public forum, which we think is the next City Council, or Licensing Board meeting. We request our case be placed on the calendar, and furthermore that their construction permit be temporarily curtailed to exclude the hours from 7 - 10 AM on Saturdays, until both parties present their case to the appropriate officials.

We thank you for keeping Cambridge livable.



The Associated Tenants of 115 Mt. Auburn Street
Charlie Zender, Respresentative
115 Mt. Auburn St. #3
Cambridge, MA 02138
495-7381/876-3114

cc: Mayor Alice K. Wolf
City Manager Robert W. Healy
City Clerk Joeseeph E. Connarton
Councillor Ed Cyr
Councillor Francis H. Duehay
Councillor Jonathan Meyers
Councillor Kenneth Reeves
Councillor Sheila T. Russell
Councillor Walter J. Sullivan
Councillor Timothy J. Toomey Jr.
Councillor William H. Walsh
Jim McCaffery, Mead Consulting
Benny Bastenelli, Suffolk Construction

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OFFICE OF CITY CLERK

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CAMBRIDGE MA.

July 12, 1990

Cambridge City Council
Cambridge, MA 02139

Dear Council Members:

We write to you as concerned voters and residents of 115 Mt. Auburn Street. You may know the construction project known as the 1 Mifflin Place development abuts our building of 36 apartments. For the next ten months the hard-hats and their equipment will be next door to us from morning until evening, six days a week, without a break. The noise from devices such as jack-hammers, pile drivers, riveters, and tractors promptly starts each morning by 7 AM, the earliest allowed under their permit. They always assemble the various dumpsters, concrete-trucks, and other daily supply needs a little earlier so although the work begins at 7 AM, the noise begins no later than 6:45 AM.

We are very upset at this restriction to our resting hours, but prepared to live with it during the week while most of us need to be at work by 9 AM. The only bright side is we are saved the need to use an alarm clock. What especially tests our patience is Saturday morning. Can you imagine our displeasure when, after a tiring work week (perhaps culminating in a merry Friday evening out), our deep slumber is disturbed because the jackhammer has to be at work on Saturday at 7 AM? The noise level can easily exceed 60 decibels inside the dwelling, the legal threshold you propose in the street music ordinance, for periods sustained up to nine hours. In addition to specifying late night decibel limits, any self-consistent ordinance should include provisions for the noise levels during morning rest hours.

We are not talking about loud music, though, but continuous violent noise, irritating to one and all. Some of us celebrate the Sabbath on Saturday, but must be resting elsewhere due to the din. We think the only solution to the trauma caused by the racket is a compromise by the construction company which postpones their hours of operation on Saturdays from the current 7 AM to 10 AM on Saturday morning. This would be closer to the burden we tenants acquiesced to bear during the review stages of the project a few years ago. Usually a business considers it most economical to employ their workers for 8 labor hours plus 1 lunch hour = 9 hours per day. We suggest any time needed to keep construction on schedule can be filled in between 3:30 PM and 5 PM during the week. Keeping the crew on on the site an hour later while most of us are still away at work, in return for quiet mornings, would curb our mutual interference. We are willing to discuss this aspect.

The bottom line here is the peace and well-being of Cambridge residents whom your ordinance/licensing board wishes to consider and protect. The permit granted to the builders is a privilege, not an entitlement. It was granted without an effort on the part of the builders to minimize the effects on the surrounding community. We insist their permit should be modified since the attached petition shows their operation constitutes an unreasonable infringement on our residences' previous quality of life. We are not standing in the path of progress, but in earshot of bedlam worse than any airport. Please make our voice heard, our goodwill reciprocated, and our dwellings habitable on Saturday mornings by enacting our proposed amendment to the construction permit.

The Associated Tenants of 115 Mt. Auburn Street

We the undersigned residents of 115 Mt. Auburn St.
 agree the noise caused by construction at 1 Mifflin
 Place degrades the quality of our life and violates the
 peace. Noise levels being unbearable enough on
 weekdays, all we demand is that we be entitled to
 absolute quiet on the weekends, specifically we ask
 that no construction apparatus be used until 10 a.m.
 on Saturdays and that Sundays remain inviolable!

Name	Apt.	Comments
Chaz Zunder	3	COMPARED to this noise, late night street music is MUSAK
Patricia A. Reck	21	
Geoffrey S. Knauth	65	
Timothy C. Harin	44	
John P. Parker	32	
St. John's	5	
Lan Macdonald	44	
Joan Herz	61	
JOHN A. GRIFFIN	54	
M. M. G. T.	24	
XXXXXXXXXX	XXXXXX	XXXXXXXXXX
Leta Letton	5	
Michael Moore	45	
Diana Lobel	52	and could they PLEASE not violate the "not-before-noon" LAW! (setting up noise also wakes us up)

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NAME	APT	Comments
LeSlie T. Hle	51	
Mark Schmaier	23	
Manuel E. Rosado-Jones	31	
C. J. Whack	4	
W. Kenney	64	
D. Pym	42	
Barbara Rhind	55	What happened to construction before <u>7 am</u> / no notice on #20 shut off!!
David Bull	53	

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5.

843
Comm. from Charlie Zender, Representative
of the Associated Tenants of 115 Mt.
Auburn Street, relative to a dispute with
the association and the developer of 1
Mifflin Place.

In City Council,

Sept. 10, 1990

Referred to the
City manager
for report in
two weeks on
motion of Councillor
Buckley
Copy sent to C. mgr
9/12/90 *aw*