

6:40 PM

City of Cambridge

MASSACHUSETTS

In City Council

August 3

1981

Agenda #8

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy	✓			
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay	✓			

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✓

*CWIS
SP
AP*



City of Cambridge

15.

IN CITY COUNCIL

August 3, 1981

COUNCILLOR WALTER SULLIVAN

WHEREAS: This City Council on June 29, 1981 adopted the following order:

ORDERED: That the Wellington-Harrington Urban Renewal Plan be and hereby is amended on Tract 4 by changing Industry B to Residence C-1 and that twenty-five percent (25%) of the houses to be constructed on said tract be sold for under \$50,000 and seventy-five percent (75%) of the houses be sold for over \$50,000. And;

WHEREAS: This City Council was in receipt of a communication dated July 31, 1981 from the Cambridge Redevelopment Authority indicating that the above order was inconsistent with HUD regulations and should be amended; therefore be it

ORDERED: That the order adopted by the City Council at its meeting of June 29, 1981 is hereby amended to read as follows:

That the Wellington-Harrington Urban Renewal Plan be and hereby is amended on Tract 4 by changing the Project Area Map from Industrial to Residential.

In City Council August 3, 1981
Adopted by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", is written over a rectangular stamp. The stamp contains some illegible text, possibly a date or official title.



Cambridge Redevelopment Authority

336 MAIN STREET • CAMBRIDGE, MASSACHUSETTS 02142 • PHONE (617) 492-6800

July 31, 1981

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, Massachusetts 02139

Re: Proposed Council Action on Urban Renewal Plan Amendments
Wellington-Harrington Urban Renewal Area
Project No. Mass. R-108 / Tract Number 4

Dear Mr. Healy:

This is a request for approval of the original form of an urban renewal plan change for the Wellington-Harrington Urban Renewal Project. Adoption of the change by the City Council would make the present plan consistent with the present zoning (Residence C-1) and with the proposed zoning (Residence C-1A).

On June 29, 1981, the Council amended the original form of plan change requested by the Authority to include restrictions on sale price in the change of the plan from Industrial B to Residence C-1. Since that meeting, the Authority has conducted a legal review and has met with representatives of the Department of Housing and Urban Development (HUD) who have stated that the Council's June 29 action violates HUD regulations.

To be consistent with HUD regulations, the Authority suggests that an amended vote be approved as follows:

"That the Wellington-Harrington Urban Renewal Plan be and hereby is amended on Tract 4 by changing the Project Area Map from Industrial to Residential."

It should be noted that the developer must comply with the provisions of the urban renewal plan and applicable zoning. In connection with this matter, it is our understanding that the Community Development Department has prepared a proposed C-1A Zoning District in response to the City Council Order passed unanimously on June 29, 1981. Therefore, if the plan is amended as originally proposed and the C-1A zoning similarly approved, the Council will have achieved its expressed goal.

The development of Tract 4 is in response to the request of the neighborhood for new owner-occupied housing construction. It also will revitalize the residential neighborhood located between the Wellington-Harrington and East Cambridge neighborhoods.

The Authority has designated the Wellington-Harrington Development Corporation (WHDC), the developer of Linwood Court, Close Building and Harwell Homes, to build the housing.

Your cooperation in transmitting this request to the Council for its August 3, 1981 meeting will be appreciated.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Joseph F. Tulimieri". The signature is stylized with a large initial "J" and a cursive script.

Joseph F. Tulimieri
Deputy Executive Director

JFT:ehb
Enclosures

xc: Paul Healy



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
BOSTON AREA OFFICE
BULFINCH BUILDING, 15 NEW CHARDON STREET
BOSTON, MASSACHUSETTS 02114

JUL 31 1981

REGION I

IN REPLY REFER TO:

Mr. Joseph F. Tulimieri
Deputy Executive Director
Cambridge Redevelopment Authority
336 Main Street
Cambridge, MA 02142

JUL 31 1981

RFR	TJT	PWS	HLB
JFT	RSR	AJC	GRT
RJP	NG	FJC	PPR
JJI	JPY	ALF	
DPG	KJE	JPC	
EMS	MED		
TMT	SSL		DEV
JMK			DES

Dear Mr. Tulimieri:

Subject: Proposed Amendment No. 4 to Wellington-Harrington
Urban Renewal Plan - Mass R-108

Please be advised that pursuant to your letter of July 24, 1981 to Marvin Siflinger directed to the attention of William Mattos and James Dilday, this office has reviewed the proposed Amendment No. 4 to the Wellington-Harrington Urban Renewal Plan. The amendment proposes to change, "A portion of the area to the east of Portland Street from Industry B to Residence C-1." The Cambridge City Council at a public hearing on June 29, 1981 considered said amendment and by a vote of 8-1 voted as follows:

That the Wellington-Harrington Urban Renewal Plan be and hereby is amended on Track [sic] 4 by changing Industry B to Residence C-1 and that twenty-five percent (25%) of the houses to be constructed on said Track [sic] be sold for under \$50,000 and seventy-five percent (75%) of the houses be sold for over \$50,000.

HUD Handbook RHA 7207.1 at Chapter 4, section 2, page 4 in speaking of Urban Renewal Plans states, "Unless required by state or local law, the plan shall not include controls on rentals, sale prices, income limits, construction methods or materials, or financing methods." Since the City Council approved amendment includes restrictions on the sales price of houses in tract 4, the amendment is in direct contradiction of the above-cited Handbook language unless it can be shown that state or local law requires such a price restriction. Accordingly, it is the opinion of this office that said price restrictions are prohibited unless required by state or local law.

Also be advised that the same Handbook at chapter 4, section 2, page 3 states, "Residential uses will not be permitted in areas acquired and planned for industrial redevelopment." If Tract 4 was acquired and planned for industrial development then the amendment itself changing the tract from industry B to Residence C-1 is also prohibited by the Handbook.

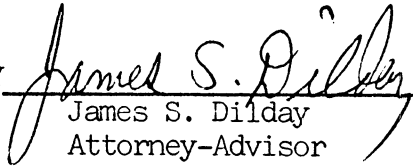
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Please contact me if I may be of further assistance to you in this matter.

Sincerely,

WILLIAM S. POOLE
AREA COUNSEL

BY


James S. Dilday
Attorney-Advisor

cc: William Mattos

FOLEY, HOAG & ELIOT

10 POST OFFICE SQUARE

BOSTON, MASSACHUSETTS 02109

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CABLE ADDRESS "FOLEYHOAG"

TELECOPIER (617) 482-7347

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1920 N STREET N.W.

WASHINGTON, D. C. 20036

TELEPHONE: (202) 785-8800

HENRY E. FOLEY 1902-1979

GARRETT S. HOAG
LEWIS H. WEINSTEIN
FERNAND A. SOUVEREAU
HERBERT L. BERMAN
HANS F. LOEBER
JEROME PRESTON, JR.
M. KENNETH FISH
LAURENCE S. FORDHAM
LOYD M. STARRETT
DAVID L. WELTMAN
VERNE W. VANCE, JR.
NORMAN H. WOLFE
HANSOM S. REYNOLDS
DAVID S. ELLIS
DAVID W. WALKER
MARK F. CLARK
HENRY M. KELLEHER
JOHN D. PATTERSON, JR.
JAMES K. BROWN
ROBERT L. BIRNBAUM
WILLIAM J. CHEESEMAN
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PETER B. ELLIS

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SANDRA SHAPIRO
J. HAROLD FLANNERY
PAUL V. LYONS
DEBORAH A. WILLARD
CHARLES J. BEARD
SCOTT C. MORIARTY
GEORGE L. CUSHING
RICHARD A. FISHER
KENNETH T. LOPATKA
DEBORAH B. BREZNAY
RICHARD W. BENKA
WILLIAM L. GARDNER
ARTHUR G. TELEGEN
THOMAS M. S. HENNES
STEPHEN B. DEUTSCH
DONALD R. WARE
PETER M. ROSENBLUM

JOSEPH W. AMBASH
JEFFREY N. BARR
LAURIE BURT
STEPHANIE D. CANTOR
RALPH A. CHILD
JOSEPH J. CHRISTIAN
PETER A. FINE
KEVIN J. FITZGERALD
ROBERT D. GOLDSTEIN
MARC D. GREENBAUM
DEAN F. HANLEY
STEVEN E. HENGEN
TERRY S. KOGAN
BRIAN W. LACLAIR
HARRY F. LEE
SANCROFT LITTLEFIELD, JR.
SANDRA L. LYNCH
OLIVER C. MITCHELL, JR.
PAUL D. MOORE

PAUL R. MURPHY
DUNCAN S. NEVENS
DANIEL C. PERRY
STEVEN W. PHILLIPS
DAVID R. PIERSON
JACOB N. POLATIN
JAMES V. RYAN
PHOEBE SALTER
THEODORE P. SETO
MELVIN R. SHUMAN
MARTHA S. SOSMAN
IAN W. STARR
ROBERT W. SWEET, JR.
MARC R. TEWIN
CHARLES E. WEINSTEIN
BRANDON F. WHITE
TONI G. WOLFMAN

July 23, 1981

Mr. Joseph F. Tulimieri, Deputy Executive Director
Cambridge Redevelopment Authority
336 Main Street
Cambridge, Massachusetts 02142

Re: Proposed Amendment No. 4
Wellington-Harrington Urban Renewal Plan
Project No. Mass. R-108

Dear Mr. Tulimieri:

You have requested our review and comments on proposed Amendment No. 4 to the Urban Renewal Plan for the above-described Project. This Amendment, permitting residential development on a portion of the Project Area to the east of Portland Street, was adopted by the Redevelopment Authority at a special meeting on April 2, 1981, subject to HUD concurrence and to various local reviews and approvals. These reviews and approvals include favorable actions by (1) the Wellington-Harrington Citizens Committee; (2) the Cambridge Planning Board; (3) the Cambridge City Council; and (4) the Department of Community Affairs.

Pursuant to Article XI of the Plan, the Wellington-Harrington Citizens Committee has given its advice and counsel on the Amendment which it approved by letter, dated April 2, 1981. By resolution passed on May 5, 1981, the Cambridge Planning Board found Amendment No. 4 to be based upon a local survey and to conform to a comprehensive plan for the locality as a whole.

At a public hearing on June 29, 1981, Amendment No. 4 was considered by the Cambridge City Council. By a vote of 8-1, the City Council voted as follows:

Mr. Joseph F. Tulimieri, Deputy Executive Director
July 23, 1981
Page Two

"That the Wellington-Harrington Urban Renewal Plan be and hereby is amended on Track [sic] 4 by changing Industry B to Residence C-1 and that twenty-five percent (25%) of the houses to be constructed on said Track [sic] be sold for under \$50,000 and seventy-five percent (75%) of the houses be sold for over \$50,000."

It appears that the inclusion in the Plan of restrictions on sales prices for housing to be constructed on Tract 4 of the Project Area, as voted by the City Council, is prohibited by the HUD Urban Renewal Handbook, RHM 7207.1, Chapter 4, Section 2, page 4 (3/69). In view of the inconsistency between the City Council's version of Amendment No. 4 and the HUD Handbook and given the probability that the City Council's restriction will make the site less marketable, we believe it is important for the Authority to submit this matter to HUD for its advice before seeking DCA review of Amendment No. 4.

Very truly yours,

Sandra Shapiro
Sandra Shapiro

SS/kam

WELLINGTON - HARRINGTON
NEIGHBORHOOD IMPROVEMENT AREA
CAMBRIDGE REDEVELOPMENT AUTHORITY

NEIGHBORHOOD RENEWAL PLAN
AMENDMENT NO. 4

APRIL 2, 1981

Whereas, the Cambridge Redevelopment Authority desires, after obtaining the advice and counsel of the Wellington-Harrington Citizens Committee, to modify as hereinafter set forth certain provisions of the urban renewal plan known as the "Neighborhood Renewal Plan, Wellington-Harrington Project, No. Mass. R-108, dated April 22, 1965";

Now, therefore, said Plan is hereby modified as follows:

1. The maps identified in Article I and referred to elsewhere in the Plan and annexed as exhibits thereto are hereby revised to reflect changes in accordance with paragraphs 2 and 3, hereof, and the following revised maps, copies of which are annexed to this Amendment No. 4, are substituted in lieu thereof, respectively, so that any and all references to such map identified in Article I shall hereafter mean the revised maps hereby substituted in lieu thereof.

Land Use Plan, dated April 22, 1965 and revised April 2, 1981.

Zoning Changes, dated April 22, 1965 and revised April 2, 1981.

2. Article V(d) of the Plan is amended to read in relevant part as follows:

"(d) The site designated 2 on the Project Area Map "A", Wellington-Harrington Renewal Area (Mass. R-108), Cambridge Redevelopment Authority", prepared by the Cambridge Planning Board and dated April 22, 1965 shall be further restricted as follows unless developed for a residential use:"

3. Article VII of the Plan is amended to read as follows:

"Area 7. A portion of the area to the east of Portland Street from Industry B to Residence C-1."



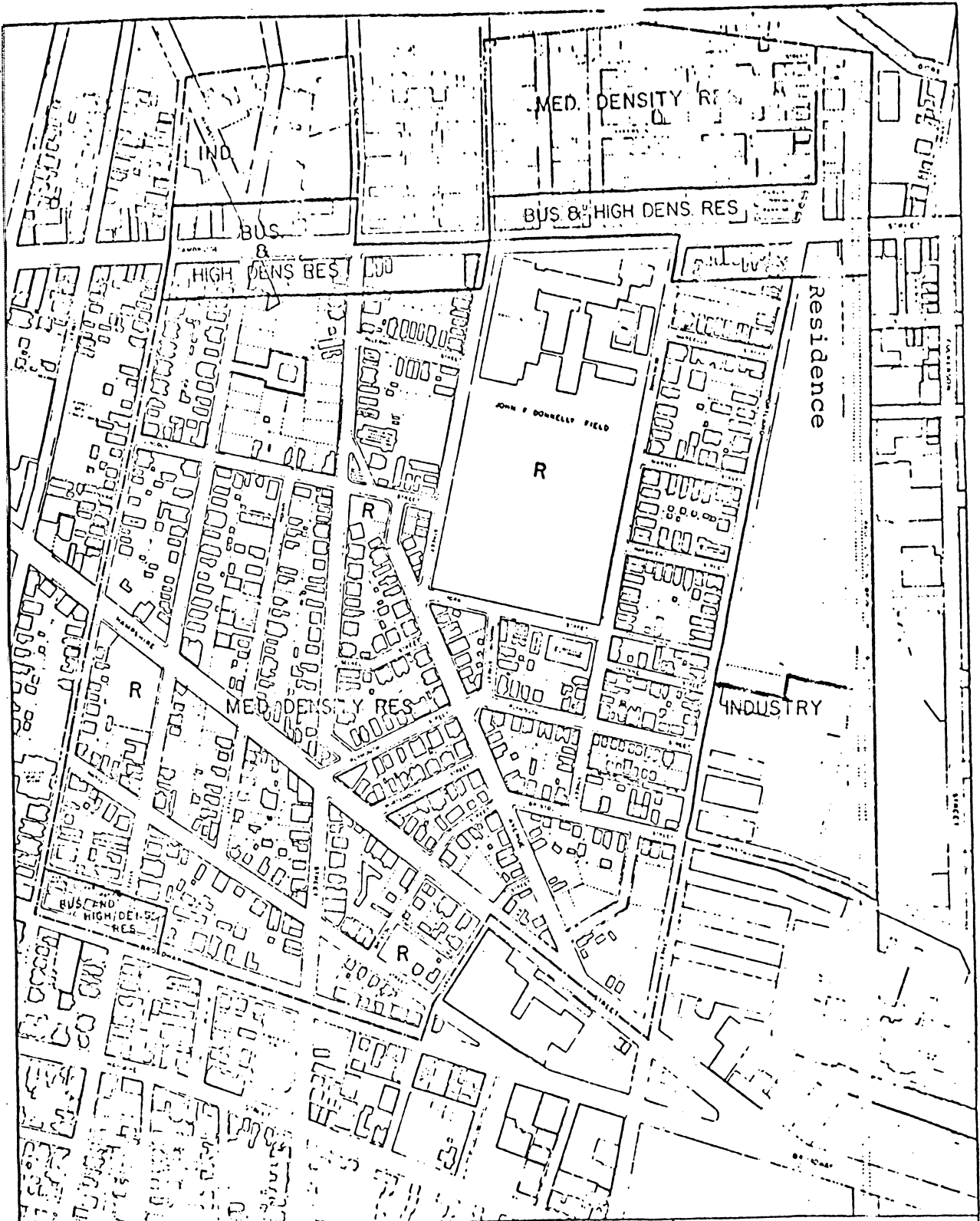
ZONING CHANGES

As Amended April 2, 1981

Mass. R-103
Wellington-Harrington
Urban Renewal Area

CAMBRIDGE REDEVELOPMENT AUTHORITY
CAMBRIDGE, MIDDLESEX COUNTY, MASS.
APPROVED BY THE
CAMBRIDGE PLANNING BOARD

DATE: 11/22/65 CODE NO. 214
BY: [Signature] R



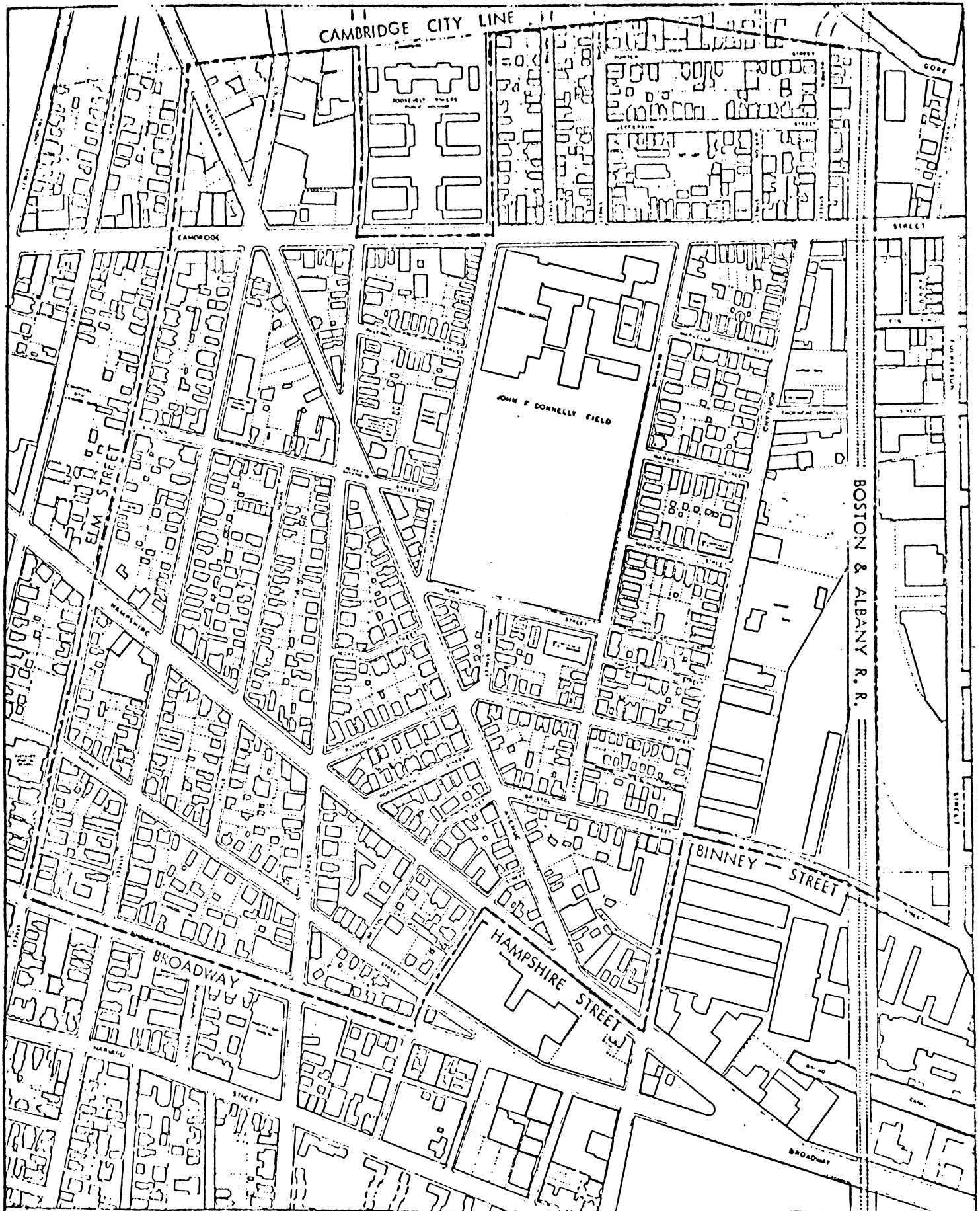
As Amended April 2, 1981

R PUBLIC OPEN SPACE
 ——— PROJECT AREA BOUNDARY

LAND USE PLAN

WELLINGTON/HARRINGTON URBAN RENEWAL AREA
 MASS R-100
 CAMBRIDGE REDEVELOPMENT AUTHORITY
 CAMBRIDGE, MIDDLESEX COUNTY, MASS
 PREPARED BY
 CAMBRIDGE PLANNING BOARD

DATE: 1981 SCALE: NO. 100
 APRIL 22, 1981



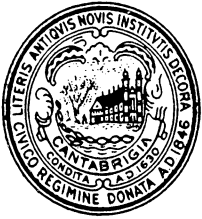
----- Project Area Boundaries

WELLINGTON-HARRINGTON
URBAN RENEWAL AREA

CAMBRIDGE REDEVELOPMENT AUTHORITY
CAMBRIDGE, MIDDLESEX COUNTY, MASS.
PREPARED BY THE
CAMBRIDGE PLANNING BOARD



CODE NO



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

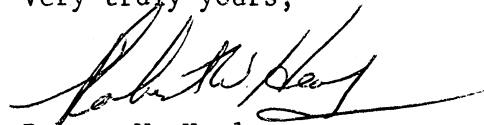
EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 3, 1981

To the Honorable, the City Council:

I transmit herewith communication from the Cambridge
Redevelopment Authority relative to Urban Renewal Plan
Amendments, Wellington Harrington Urban Renewal Area,
Project No. Mass. R-108/Tract Number 4.

Very truly yours,



Robert W. Healy
City Manager

RWH/b

Agenda # 8

S-407

Cambridge Redevelopment Authority re:
Urban Renewal Plan Amendments,
Wellington Harrington Urban Renewal
Area.

In City Council

August 3, 1981

8/3/81

Order

Adopted

Amending

6/29/81

Order

Roll Call

9-0-0

Three copies of this order
sent to Cambridge Redevelopment
Authority 8/7/81