

# Cambridge Citizens for Liveable Neighborhoods<sup>Inc.</sup>

P.O. Box 19, Cambridge, MA 02238 / (617) 354-5670

CITY CLERK  
SEP 18 PM 2:23  
CAMBRIDGE MA.



6 September 91

To: City Council

Re: Enforcement of Parking Freeze in Cambridge

I am writing you on behalf of the Board of Directors, Cambridge Citizens for Liveable Neighborhoods to bring to your attention the failure of the City Manager's office to fulfill the Memorandum of Agreement on the parking freeze, and the Ordinance enacting it.

Enclosed you will find two documents. The first is a one page summary of the terms of the Memorandum of Agreement (between plaintiffs, the City of Cambridge and DEP, State of Massachusetts). The second is a partial and illustory listing of enforcement actions that the City of Cambridge has long since displayed its unwillingness to take.

We believe you should know that no amount of citizen appeals has or likely ever will move the City Manager to take Clean Air responsibilities seriously. We believe you should know that we are committed to rectifying this situation with all the vigor we have previously displayed.

An entire year and more has passed since the agreement was concluded. It is more than reasonable to conclude that the enforcement actions required by that agreement are so late as to subvert the integrity of the MOA. In addition, the six month deadline for a Cambridge proposal to the SIP process passed last February, and it can only be concluded that the City of Cambridge has no intention of ever fulfilling its oath in this regard. Only your authority, asserted plainly and promptly, has any relevance at this time unless we are to return to the judiciary for redress.

Sincerely yours,

Daniel E. Geer, Sc.D.  
President & Co-Chair

cc: Dan Greenbaum, DEP  
Ray Miyares  
Conservation Law Foundation

CITY CLERK

I. Enforcement provisions in the Memorandum of Agreement between the Massachusetts Department of Environmental Protection and the City of Cambridge, 10 August 1990, and Cambridge Ordinance 1112, duly enacted 26 November 1990.

A. Inspection

1. Requirement: To inspect all facilities approved prior to this agreement.  
Performance: Not done.
2. Requirement: To inspect all facilities approved subsequent to this agreement.  
Performance: Not done.
3. Requirement: To inspect any facilities operating without approvals.  
Performance: Not done.
4. Requirement: To inspect any facility listed in Addendum A to the MOA within thirty days.  
Performance: Not done.
5. Requirement: The Parking Freeze enforcement strategy developed by the City as required by the MOA specifies a minimum of five inspections per month.  
Performance: Only one inspection has been completed in the last eleven months.

B. Enforcement

- Requirement: To take enforcement actions to enjoin violations found by such inspections and secure other relief to ensure compliance with the Parking Freeze.
- Performance: Not done.

C. Penalties for failure on the part of the City of Cambridge to conform to the provisions of the MOA.

1. Suspension of the authority to issue permits and exclusions.
2. For each day of noncompliance, a fine of \$500.00 per day.

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II. Partial listing of outstanding presumptive enforcement actions indicated as of 6 September 91.

- A. Marino's Restaurant, North Massachusetts Avenue  
issue: renting parking lots from adjacent businesses
  
- B. Old Charlesbank Trust lot, CRA land next to gas station at Ames St. and Broadway  
issue: used as "Temporary Parking for Cambridge Hospital" (signs in place)
  
- C. CRA lot west of Ames St. between Main St. and Broadway  
issue: MIT using this lot, use which began with the closing of the lot at the corner of Ames and Main for construction; the spaces in that lot were in active use at the time the City Solicitor's Office ruled that those spaces could be added into the parking bank and that those same spaces could be, at the same time, given to MIT's developer of choice for the University Park development in Cambridgeport
  
- D. Burger King, Concord Ave. at Smith Pl.  
issue: recent extensive enlargement of parking at rear of building without additional permits
  
- E. Eliot Street Block, between JFK and Bennet  
issue: conversion of burned out three deckers to flat lot parking after demolition of buildings
  
- F. Binney St. Garage, One Kendall Square  
issue: advertising commercial parking "Cheapest parking in East Cambridge" while operating with an exemption
  
- G. University Park, between Franklin, Green, Franklin & Sidney  
issue: extensive flat lot parking
  
- H. Cambridge Center North Garage, Kendall Square area between Camp, Dresser and McKie and Open Software Foundation  
issue: obtained an exemption for 500 spaces yet is being operated in its entirety as a

commercial parking facility.

- I. Broadway Super Market, Broadway at Felton St.  
issue: no longer in operation as a supermarket but parking still in use
- J. City lot at Danehy Park, Sherman Street at Brickyard block  
issue: free parking intended for recreation at park is regularly used by visitors and employees associated with firms located in the Brickyard block

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CONSENT COMMUNICATIONS

5.

0-38

Communication received from Daniel E. Geer, President and Co-Chair, relative to the Memorandum of Agreement on the Parking Freeze Ordinance.

In City Council,

September 23, 1991.

*Referred to the  
City manager for  
a report.  
Copy sent to City Mgr.  
9/25/91 @*