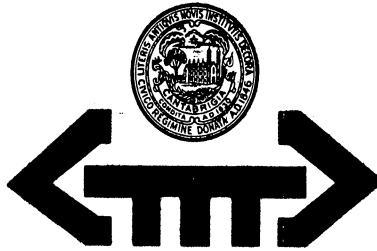


CITY OF CAMBRIDGE



MODEL CITIES ADMINISTRATION

CITY HALL,

CAMBRIDGE, MASSACHUSETTS 02139

TEL. (617) 868-8740

April 19, 1974

Mr. Daniel Richardson
Director
HUD Area Office
JFK Building
Government Center
Boston, Massachusetts

RE: 463 Massachusetts Ave

Dear Mr. Richardson:

Enclosed please find pertinent materials relative to the efforts of this agency and others to prevent the demolition of a Greek Revival structure located on the Massachusetts Avenue boundary of the Cambridge Model Neighborhood. The building, because of the prominence of and the priority given to the many Colonial and Revolutionary War structures still standing in "Old Cambridge," has not been nominated to the National Register. Support for the building's preservation has, however, as evidenced by the attached materials, been widespread throughout the city. The proposed demolition will make way for a new McDonald's hamburger restaurant.

Most recently, the city petitioned the courts for, and received a temporary restraining order against the building's demolition. That order, issued on March 26, 1974, and extended on April 5, 1974, is set to expire on April 24, 1974. The intent of the order was to allow the city a period of time during which it could present its case for acquisition of the property to the Massachusetts Historical Commission. Under state law, the local City Council's order to acquire the property by eminent domain required sanctioning by the State Commission. That approval was not granted because National Register criteria were employed. The state law utilized in the proceeding states only that attestation as to antiquarian interest must be evidenced. Because there has been only one other case of this sort in the state, the utilization of National Register criteria was a matter of convenience, given the lack of a state evaluative mechanism. What was convenience for the state has become an inconvenience for the citizenry of this city who are trying to retain a vestige of local history and antiquarian architecture.

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At the same time, however, the Commission did attest to the desirability of preserving the structure and urged that such be done.

When the city petitioned the state, this office undertook to proceed with investigating the possibility of acquiring the building under the provisions of the HUD Historic Preservation Guidelines. Thus the intent of this letter. At issue are the following concerns which, it is felt, can be answered by existing HUD programs:

1. Model Cities considers the acquisition and preservation of the structure to be a "special problem of eligibility." As such, we are looking to you to consult with the National Park Service to see if the building may qualify under the "certain circumstances" mentioned in HUD Guide MDP 6250 1A.

2. Utilizing another avenue of approach, one is beset by the problem that the building is not in a certified Urban Renewal Area. Acquisition of the property by the Redevelopment Authority would thus require HUD's concurrence with a locally initiated effort to amend the Renewal Plan.

Your concurrence in considering the matter will provide the argument for an extension of the restraining order such that sufficient time will be had to resolve the above concerns and effect the desired preservation through the appropriate implementation mechanisms.

We can understand the tax advantages to be had in the demolition of a commercial structure, together with the depreciation allowances new construction affords. The Environmental Protection Tax Act of 1973 would alleviate this tax discrimination against the preservation of historic properties utilized for commercial purposes. Unfortunately, Congress has not acted on the proposed legislation since it was first filed in 1972. A similar measure, the Historic Structures Tax Act of 1973, would provide similar incentives for preservation. However, neither legislative act has ever been the subject of a public hearing.

We would hope that our actions concerning this one building will serve to prod our own Congressional membership to assist not only our immediate interests, but the general state of preservation, so that in the future realistic preservation measures may be harnessed.

What is almost impossible to understand is a national corporation's desire to impose what we consider to be mediocre architectural standards, coupled with an almost blatant disregard of community sentiments in the neighborhood in which they want to locate. At a time when the Bi-centennial is fast approaching, this disregard is all the more disturbing.

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In short, because of the urgency and unusual nature of this request, we are hopeful that your office can give this matter the immediate attention we feel it warrants.

If additional information is needed to assist you in providing the requested timely response, we are at your disposal for such.

Thank you for your attention to this most pressing matter.

Very truly yours,

Francis X. Hayes, Director
Model Cities Program Operations
Department of Housing and Community Development

cc: McDonald's Corporation:
-Mr. Ray Kroc, Chairman of the Board
-Mr. Fred Turner, President
-Mr. Fred Adams

Senator Edward Kennedy
Senator Edward Brooke
Honorable T. P. O'Neill, Jr.
Honorable Thomas O'Neill, III
Honorable Michael Lopresti
Honorable John Toomey

Cambridge City Council
Cambridge Redevelopment Authority
Cambridge Historical Commission
Massachusetts Historical Commission
Central Square Businessmen's Association
Cambridge Chamber of Commerce
Douglass Street Tenants' Association

Boston Globe
Boston Herald American
Cambridge Chronicle
Harvard Crimson
Real Paper

Samantha Green--HUD

James Leo Sullivan, City Manager
J. L. Farrell, Assistant City Manager
Edward McCarthy, City Solicitor

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