COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) **Civil Action**
No. 161598

Pursuant toMass. G.L. c. 240, §15.
Plaintiff: **Sam Moy**
NOTICE

Concerning property at: **231 Concord Avenue, Cambridge, Middlesex County,** and said Commonwealth; bounded and described as follows:

Southwesterly by Concord Avenue fifty (50) feet;

Northwesterly by land heretofore conveyed by Agries A. Dardis to Leslie R. Brown March 30, 1906, by deed recorded with Middlesex South District Deeds, Book 3358, page 120, one hundred (100) feet;

Northeasterly by land so conveyed to Brown, fifty (50) feet;

Southeasterly by land now or late of Joseph Earles being Lot 4 on Plan hereinafter referred to, one hundred (100) feet;

Containing 5,000 square feet.

Return Day: December 9, 1991

To: **Lee Ming,** deceased, formerly of Boston, Suffolk County, and said Commonwealth; or his heirs, devisees or legal representatives.

This action concerns an undischarged mortgage given by Hing Tank, to Lee Ming, dated December 20, 1947, and duly recorded in the Middlesex South Registry of Deeds, Book 7247, Page 23; you may be an interested party.

To object or defend you (or your attorney) must file a written appearance and an answer under oath setting forth your objections or defense in the Office of the Recorder of said Court in Boston or the local Registry of Deeds on or before the above return day.

Otherwise a default will be recorded and the complaint will be taken as confessed, and you will be forever barred from contesting said complaint or from having or enforcing any claim or claims adverse to the plaintiff in the above described land arising out of said mortgage.

Witness, John E. Fenton, Jr., Chief Justice of the Land Court, the twenty-fifth day of October, 1991.

Attest with Seal of said Court
A true copy attest:
Charles W. Trombly, Jr.
Recorder
Counsel for Plaintiff:
Mary M. Collins, Esq.,
Law Offices of John E. Fedele, P.C.,
990 Washington Street
Dedham, MA

(C)Nov.7

LEGAL NOTICE
COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

Pursuant to M.G.L. c. 21E, Section 14(a) and the Massachusetts Contingency Plan 310 CMR 40.00), the Department of Environmental Protection announces that a Preliminary Assessment and/or Limited Site Investigation has been performed at the following location: **#3-0089 Shell Station, 603 Concord Ave., Cambridge, MA.**

This investigation has confirmed that a release of oil and/or hazardous materials has occurred at this location. Therefore, the Department has identified it as a confirmed disposal site. The Department has also determined that this site is a non-priority disposal site (as defined by M.G.L. c. 21E, Section 2). M.G.L. c. 21E, Section 3A (f)(3) requires that, if feasible, permanent solutions be implemented at disposal sites. If a permanent solution is not feasible, then a temporary solution must be implemented, and a plan for achieving a permanent solution must be developed.

This site has also been granted a Waiver of Approvals by DEP. Waiver sites are non-priority disposal sites which have been granted a Waiver of Approvals by the Department, pursuant to 310 CMR 40.537. This waiver allows the person granted it to conduct remedial response actions at the disposal site without prior Department approval of these actions.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice of and involvement in decisions regarding response actions at disposal sites, including:

The Chief Municipal Official and Board of Health of the community in which the site is located will be provided with notices of the results of investigations, plans for remedial responses, and field work involving the use of heavy construction equipment and/or protective clothing (310 CMR 40.202).

Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, a plan for involving the public in decisions regarding response actions at the site will be prepared and presented at a public meeting. This plan will be revised based on comments received, and will be implemented over the course of the response action (310 CMR 40.203).

For information on how to make an appointment to review the files and obtain more information on the confirmed disposal site referenced above, and the opportunities for public involvement during its remediation, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 5 Commonwealth Avenue, Woburn, MA 01801 (Telephone: 617/935-2160).

(C)Nov.7

ORDINANCE NO. 1127.
Final publication number 2562.
First publication in the Chronicle
on October 24, 1991.
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety-one
AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently **zoned Business C-1 to Business A-2** in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southeasterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet:

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat #184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the projection of the centerline of Norris Street;

1.22 Thence turning and proceeding in a northeasterly direction along the projection and centerline of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2..01 Premises shown on Assessor's Plat #183; Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192; Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191; Lots #65, #103, #102, #112, #86, #65, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189; Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184; Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B. And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191: Lots #96 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 5-12 Harvey Street;

C. And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line for the easterly projection of the southerly sideline of Alberta Terrace, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183: Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #17; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Attest:- Joseph E. Connarton
City Clerk
Robert W. Healy
City Manager

(C)Nov.7

Final Publication Number 2561
First publication in the Chronicle
on October 24, 1991
CITY OF CAMBRIDGE
IN CITY COUNCIL
October 21, 1991

Ordered: That $1,650,000 is appropriated for **the acquisition of real estate for establishment of a senior center** and other municipal purposes, and that to meet this appropriation the Treasurer with the approval of the City Manager is authorized to borrow $1,650,000 under G.L. c. 44 s.7(3).

In City Council November 4, 1991.

Adopted by a yea and nay vote:- Yeas 8; Nays 0; Absent 1.

Attest:- Joseph E. Connarton, City Clerk

(C)Nov.7

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
No. 90P2716A

NOTICE OF
APPOINTMENT OF ADMINISTRATOR
Estate of Anna Mills
Died August 27, 1991
late of Cambridge
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Frank W. Mills** of Webster in the County of Worcester person be appointed Administrator of the Estate of said deceased without surety on his bond.

If you desire to object to the allowance of said petition, you or your Attorney should file a written appearance in said Court at Cambridge on or before December 5, 1991.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge the 24th day of October in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate Court

(C)Nov.7

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 91P4669GI
NOTICE OF GUARDIANSHIP
MENTALLY ILL WITH SURETIES
NOTICE

To **Helen Mills** of Cambridge in said County Middlesex and has apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Helen Mills is a mentally ill person and praying that **Susan F. Warner** of Boston in the County of Suffolk or some other suitable person be appointed her guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before November 26, 1991.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the twenty fifth of October, in the year of our Lord one thousand nine hundred and ninety one.

Donna M. Lambert
Register of Probate

(C)Nov.7

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) **Case No. 170081**

To **Carl E. Pilgrim** of Cambridge, Middlesex County and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Central Cooperative Bank, a duly existing corporation having a usual place of business in Somerville, Middlesex County and said Commonwealth claiming to be the holder of mortgage covering real property in said Cambridge **39-41 Jay Street** given by Carl E. Pilgrim to Plaintiff, dated April 20, 1989, recorded with Middlesex County Registry of Deeds, Book 19772, Page 398, and equity line dated April 20, 1989 with Middlesex County Registry of Deeds Book 19772, Page 406, had filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 16th day of December 1991, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 1st day of November 1991.

Charles W. Trombly, Jr.
Recorder

(C)Nov.7

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 91P4903
Estate of John P. White
also known as **John P. White, Senior**
died Sept. 7, 1991
late of Cambridge
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Joseph A. Amoroso, Junior** of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on November 20, 1991.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-third day of September in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate

(C)Nov.7

ORDINANCE NO. 1129
Final publication number 2564.
First publication in the Chronicle
on October 24, 1991.
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety-one
AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.118 entitled **"Statements of Financial Interests by Certain City Officials and Persons Conducting Business with the City."**

In City Council November 4, 1991

Passed to be ordained as amended by a yea and nay vote:- Yeas 7; Nays 1; Absent 1.

Attest:- Joseph E. Connarton
City Clerk
Robert W. Healy
City Manager

Note: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Attest:- Joseph E. Connarton, City Clerk

(C)Nov.7

MORTGAGEE'S SALE OF REAL ESTATE

For breach of the conditions set forth in a certain mortgage deed running from **Sung Y. Lee** a/k/a **Sung Lee** to Raytheon Employees Credit Union, 600 Main Street, Waltham, Massachusetts, dated July 24, 1987 and recorded with Middlesex South District Registry of Deeds in Book 18409, Page 440 by virtue of Power of Sale contained in said mortgage, Raytheon Employees Credit Union, holder of the mortgage, for the purpose of foreclosing said mortgage, default having been made in the conditions thereof, will sell the premises which are situate at **29 Concord Avenue, Unit 610, Cambridge, Middlesex County, Massachusetts,** and described in said mortgage at Public Auction on Friday, December 6, 1991, 11:00 a.m.

A condominium unit numbered 610, in the Condominium known as the Twenty Nine Concord Avenue Condominium (the "Condominium"), situated at and with a post office address of 29 Concord Avenue, Cambridge, Massachusetts, created by a Master Deed dated May 15, 1979 and recorded with Middlesex South Registry of Deeds in Book 13726, Page 47, as amended by instruments of record, ("Master Deed") in accordance with and subject to the provisions of Massachusetts General Laws, Chapter 183A as amended ("Chapter 183A"). The Unit is more particularly described in the Master Deed, and as shown on the plans recorded simultaneously with the Master Deed, and is hereby conveyed together with the Unit Owner's undivided interest in the common areas and facilities of the condominium (the "common areas and facilities") as set forth in the Master Deed and together with any other rights set forth in the Master Deed or the Unit Deed, including exclusive easements to parking spaces and storage spaces, if any.

The Unit and such undivided .009334 percentage interest in the common areas and facilities are conveyed with the benefit of and subject to the rights, easements, restrictions, covenants, agreements, obligations, conditions and other provisions referred to or set forth in the Master Deed, the provisions of the instrument establishing the unit owner's organization formed in accordance with Section 10 of Chapter 183A, (the "Condominium Trust"), the Bylaws contained therein and any rules and regulations promulgated pursuant thereto, insofar as the same are now in force and applicable.

Being the same premises conveyed to Mortgagor by deed of Thomas C. Levi dated June 28, 1985, and recorded Middlesex South District Deeds in Book 16256, Page 101.

Terms of Sale: The above-described premises will be sold subject to and with the benefit of all restrictions, covenants, easements and other encumbrances recorded prior to the mortgage as now in force and applicable and, if applicable, any rights of redemption held by the Internal Revenue Service. Said sale will be made subject to all tenancies and/or rights of parties in possession. Said sale will be made also subject to any and all real estate taxes, real estate tax titles and all other municipal liens and assessments, if any; a deposit of Ten Thousand ($10,000.00) Dollars shall be paid in cash or by bank or certified check by the purchaser at the time and place of the sale. The auctioneer will pre-qualify all bidders by requiring the showing of the deposit prior to the start of bidding. The balance of the sale price shall be paid in cash or by bank or certified check in thirty (30) days thereafter, to be deposited in escrow with Robert N. Lupo, Esq., 721 Main Street, Waltham, Massachusetts, 02154, pending approval of said sale by the Land Court Department of the Trial Court of the Commonwealth of Massachusetts.

Other terms and conditions, if any, to be announced at the time of the sale.

Dated this 5th day of November, 1991.

Raytheon Employees Credit Union
By its attorney,
Robert N. Lupo, Esq.
Lupo & Lupo
721 Main Street
Waltham, MA 02154
(617) 893-7888

(C)Nov.7,14,21

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Lynette Saxe, a/k/a Lynette Laveau,** to Citicorp Mortgage, Inc. dated April 22, 1988, and recorded with Middlesex South Registry of Deeds at Book 19010, Page 536, as confirmed by a Confirmation Mortgage, dated April 22, 1988 and recorded with said Deeds at Book 19091, Page 389, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at public auction at 10:00 A.M. on the 5th day of December, 1991, on the premises now known and numbered as **11 Suffolk Street, Cambridge, Massachusetts,** all and singular the premises described in said mortgage,to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, now numbered 11 Suffolk Street, being Lot E on a plan entitled, "Plan of Premises in Cambridge(part), belonging to Cambridge Homes for Aged People", made by W.A. Mason & Son, Surveyors, dated February 6, 1905, and recorded with Middlesex South District Deeds in Plan Book 154, Plan 3, more fully bounded and described as follows:

Beginning at a point in the Northerly line of Suffolk Street, One Hundred eighty-one (181) feet Westerly from the Westerly side of Columbia Street, then running

Northeasterly forty-five (45) feet to land now or formerly of Julia Ott; then running

Northwesterly along the land now or formerly of said Julia Ott, forty (40) feet; then running

Southerly forty-five (45) feet to said Suffolk Street; then running

Southeasterly along said Suffolk Street, forty (40) feet to the point of beginning.

Containing 1,800 square feet of land, more or less, or however otherwise said premises may be bounded, measured or described, or be any or all said measurements, more or less.

The above described premises are conveyed subject to and with the benefit of easements and restrictions of record insofar as the same are now in force and applicable.

Being all and the same premises conveyed by deed of Chandra A. Prabha to Lynette Saxe, dated November 22, 1978, and recorded with said Deeds in Book 13594, Page 480.

In the event of any typographical errors in the publication of this notice, the description in the mortgage shall control.

The above-described premises shall also be sold subject to, and with the benefit of, all restrictions, easements, rights of others, unpaid taxes, outstanding tax titles, assessments, liens or claims in the nature of liens, municipal liens, and existing encumbrances of record created prior to the mortgage, if any there be.

Terms of Sale: The amount of Five Thousand and no/100 ($5,000.00) Dollars is to be paid in cash or certified and/or cashier's check by the purchaser at the time and place of sale. The balance of the purchase price is to be paid upon delivery of the deed within twenty (20) days of the date of sale. Other terms, if any, shall be announced at the sale.

Dated: October 30, 1991

Signed: Citicorp Mortgage, Inc.,
Mortgagee and Present Holder
By its attorney,
John T. Smolak
Warner & Stackpole
75 State Street
Boston, Massachusetts 02109
(617) 951-9000

(C)Nov.7,14,21

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public **Meeting, Thursday, November 21, 1991** in Room 200, City Hall, Cambridge, Massachusetts, the following cases will be heard:

7:00 P.M. Case 6355

8 Follen Street, Dr. William A. Haseltine - David B. Connolly, Attorney - Residence A-1 Zone - Variance: To construct a Porte Cochere on existing fence and driveway. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:15 P.M. Case 6356

116 Kinnaird Street, Garu S. Matsko - Residence C-1 Zone - Variance: To construct access to existing roof deck replacing bulkhead. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:30 P.M. Case 6357

361 Mt. Auburn Street, Eva S. Moseley - Residence A-1 Zone - Variance: To construct bow window in the kitchen. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:45 P.M. Case 6358

230 Garden Street, Joyce London-Alexander - Residence B Zone - Variance: To construct a new single car garage, construct new second story and a new wooden deck to a single story residence. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Sec. 5.11 (Minimum Lot Size). Sec. 5.14, 5.24,3 (Corner Lots). Art. 4.000, Sec. 4.21 (C,H) (Accessory Uses).

8:00 P.M. Case 6359

78 Bolton Street, Sylvia V. Weston - Residence C-2 Zone - Variance: To construct addition to the side of existing dwelling. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:15 P.M. Case 6360

23 Sidney Street, Forest City Development - Jack Dobson, Project Manager - CRDD - Special Permit: To conduct a fast food establishment. Art. 15.000, Sec. 15.213 (3) (CRDD). Art. 11.000, Sec. 11.30 (Fast Order Food Establishment).

8:30 P.M. Case 6361

107-109 Museum Street, Pirooz Vakili & Chantal L.A. Fujiwara - Residence C-1 Zone - Appeal: The decision of the Building Department to grant a permit for construction of roof deck. Art. 10.000, Sec. 10.20 (Appeal).

8:45 P.M. Case 6362

19-35 Mt. Vernon Street, Mt. Vernon Street Development Trust - David Aposhian, Tr. - Residence C-1 Zone - Variance: To increase the floor area ratio only in below grade basement/cellar within building envelope. Provide eleven compact parking spaces. Art. 11.000, Sec. 11.152 (Maximum Floor Area/Townhouse Ordinance). Art. 6.000, Sec. 6.34 (Parking Allocation).

9:00 P.M. Case 6363

52 Mt. Auburn Street, President & Fellows of Harvard College - Kristin S. DeMong - Residence C-1 Zone - Variance: To construct a new building that will exceed the floor area ratio. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

(C)Nov.7,14

ORDINANCE NO. 1128
Final publication number 2563.
First publication in the Chronicle
on October 24, 1991.
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety-one
AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.117 entitled **"Code of Conduct for City Officials and Employees."**

In City Council November 4, 1991.

Passed to be ordained as amended by a yea and nay vote:- Yeas 8; Nays 0; Absent 0; Present 1.

Attest:- Joseph E. Connarton
City Clerk
Robert W. Healy
City Manager

Note: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Attest:- Joseph E. Connarton
City Clerk

(C)Nov.7

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, November 21, 1991 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

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See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item'" and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

(C)Nov.7 Barbara L. Duffy
Purchasing Agent

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) **Case No. 169737**

To **Samuel Yanes** of Cambridge, Middlesex County, Massachusetts, **Candix L. Yanes** of Cambridge, Middlesex County, Massachusetts and all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Boston Safe Deposit and Trust Company, a duly existing corporation having a usual place of business in Boston, Suffolk County, Massachusetts; claiming to be the holder of a mortgage covering real property in Cambridge, Middlesex County at **50 Garden Street** given by Samuel Yanes and Candix L. Yanes to Boston Safe Deposit and Trust Company, dated June 2, 1983, recorded with Middlesex Registry of Deeds (Southern District) at Book 15043, Page 464, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 16th day of December, 1991, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 29th day of October, 1991.

Charles W. Trombly, Jr.
Recorder

(C)Nov.7

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
No. 91P4143E

NOTICE OF
PROBATE OF WILL ADMINISTRATION
WITH THE WILL ANNEXED WITH SURETIES
Estate of **Janet M. Genettis**
died May 23, 1989
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Andrew J. Genettis** of Cambridge in the County of Middlesex be appointed administrator with the will annexed, with surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on December 10, 1991.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the 29th day of October in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate

(C)Nov.7

EATS

Capucino's offers refuge from a busy life

By DAVID TRUEBLOOD

Sure you're great friends, but the job pressure is relentless, and who has time to get together for a purely social occasion these days, anyway?

The cure for professional overload can be found at Capucino's at 1812 Mass. Ave. in Porter Square.

Make a date for an evening meal and spend a couple of hours catching up over good North Italian food, soothed by relaxed, professional servers, in a remarkably authentic Mediterranean atmosphere.

The no-stress evening actually starts outside. Capucino's offers free valet parking. Inside, the restaurant rambles back through large, low-ceilinged rooms, paved with rough old brick and decorated in a warm and subdued style.

The menu is somewhat intimidating. It resembles a textbook, a history of Italian cuisine, perhaps, offering more selections than the frazzled diner may want to deal with. And daily specials add to the burden of choice. But relax. Order a couple of glasses of crisp chianti, appropriately priced at $3.75 to $4.50 a serving. Then ask your server for suggestions. Ours was helpful and knowledgeable about what was good that evening.

From the maze of offerings, we chose mozzarella sticks for $4.50 and cozze alla Pavarotti — mussels poached in white wine and then sauteed in garlic butter — for $4.95.

The sticks are a hearty beginning, an ample bunch of warm deep-fried cheese fingers rolled in crumb coating and served toasted and brown, with aside of salsa rossa. A bit on the bland side, but good. The mussels were better, fresh-tasting and meaty with a strong shot of garlic.

For the main course, we sampled the gamberi fra diavolo for $13.95, shrimp cooked with tomatoes, garlic and basil, spiked with shallots and white wine, and vitello alla patricio, veal medallions sauteed with mushrooms, prosciutto and brandy and served in a cream sauce also for $13.95.

The fra diavolo is tame by Sicilian standards, but full of flavor and well balanced. The tomatoes are just an accent, leaving the taste of fresh shrimp in happy evidence, set off by the deep and dusky tang of basil. The veal was very tender, sparked by the salty savor of prosciutto and smoothed out by a light, not-too-rich brandy cream sauce.

Our waitress was an important part of the success of this meal. Always available but never intrusive, friendly but discreet. And the details all show careful attention. The bread is good, tables are far enough apart to permit private conversation and the lighting is subdued and mellow.

Dessert again offers more choices than anyone really needs, but at least it guarantees something for every taste. We went with a raspberry cake

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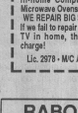
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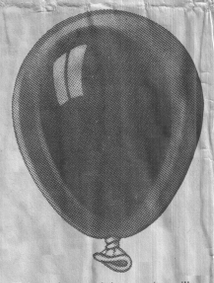

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MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Ronald Papierski and Shizuko Papierski, to East Cambridge Savings Bank** dated September 10, 1984, recorded with Middlesex South District Registry of Deeds, Book 15775, Page 298, of which mortgage the undersigned is the present Holder, for breach of the conditions of said mortgage and for the purpose of foreclosure, the same will be sold at Public Auction at 11:00 o'clock, A.M. on the 4th day of December, 1991, **at 101-103 Brookline Street, Cambridge, MA,** all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in Cambridge and numbered 101-103 Brookline Street, bounded and described as follows:

Beginning at a point on the Northeasterly side of Brookline Street distant 53.55 feet Northeasterly from Lopez Street, thence running

Northeasterly on said Brookline Street, 46.45 feet to land now or late of Rollins; thence turning and running

Northwesterly on said land of Rollins, 96 feet and 5 inches; thence turning and running

Southwesterly 50 feet to land now or late of Adams; thence turning and running

Southeasterly 100 feet to the point of beginning on said Brookline Street.

Be any or all of said measurements more or less, or however otherwise bounded and described.

Containing 4654 square feet, more or less.

Subject to and with the benefit of all rights, easements and restrictions of record, if any there be, insofar as the same may be now in force and applicable.

For Mortgagors' title see Deed at Book 13247, Page 339.

Terms of Sale: Subject to and with the benefit of all restrictions, encumbrances, easements, improvements, outstanding tax titles, water and sewer charges, municipal or other public taxes, assessments, liens or claims in the nature of liens, building and zoning by-laws, rights of tenants and parties in possession, if any there be.

Execution of a Memorandum of Terms and Conditions for Purchase at Mortgagee's Foreclosure Sale and Deposit of $6,600.00 Dollars, will be required to be paid in cash, certified or bank check at the time and place of the sale, payable to said Holder. The balance of the Purchase Price shall be paid, in similar funds, to said Holder and a good and sufficient Foreclosure Deed conveying all Seller's, right, title and interest to the premises shall be delivered to the Buyer within twenty-five (25) days of purchase at the office of East Cambridge Savings Bank, 292 Cambridge Street, Cambridge, MA

The purchaser shall be responsible for all documentary recording stamps and recording fees.

Other terms, if any, to be announced at the sale.

East Cambridge Savings Bank
292 Cambridge Street
Cambridge, MA
354-7700
Current Holder of said Mortgage
By its attorney
Michael J. Murphy
Frisoli & Associates
43 Thorndike Street
Cambridge, MA
494-0200

(C)Oct.31,Nov.7,14

NOTICE OF SALE TO RICHARD MONAGHAN 285 HARVARD STREET CAMBRIDGE, MA 02139

B&B Towing of 41 Mooney Street, Cambridge, MA 02138 has in its possession a **1987 Volkswagon Golf, Vehicle I.D. No. 1VWBA9170HV015499, and last registered in 1990 as 221-ILO MA.**

This vehicle has been in the possession of B&B Towing since November 14, 1990, and has not been claimed after due notice.

This vehicle will be sold at public sale at B&B Towing, 41 Mooney Street, Cambridge, MA 02138, on November 15, 1991.

(C)Oct.24,31,Nov.7

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage (the "Mortgage") given by **Daniel Sabatino and Mark Profita to BayBank Middlesex** dated June 13, 1988 and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 19115, Page 568, of which Mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing, the same will be sold at public auction commencing at 10:00 a.m. on the 25th day of November, 1991 upon the mortgaged premises (the "Mortgaged Premises"), being a portion of the premises described in said Mortgage, to wit:

A certain parcel of land with the buildings thereon situated in Cambridge being shown as Lot A on a plan entitled, "Subdivision of Land in Cambridge," dated July 22, 1955, by Edward Smith, Engineer, duly recorded with Middlesex South District Registry of Deeds in Book 8533, Page 407, bounded and described as follows:

Southeasterly: By May Street, Sixty-Seven (67) feet;

Southwesterly: By Lot B on said Plan, Sixty-Seven and 20/100 (67.20) feet;

Northwesterly: By land of owners unknown, Sixty-Five and 24/100 (65.24) feet more or less;

Northeasterly: By land of owners unknown, Sixty-Two (62) feet.

Containing 4,324 square feet of land according to said plan.

Said premises are also shown as part of Lots 32 and 33 on a plan entitled "Plan of Auburn in Watertown, John Low, Surveyor, May 1848," duly recorded with said Deeds, Plan Book 9B, Plan 81.

The above-described premises were subjected to the provisions of Massachusetts General Laws Chapter 183A, in connection with the establishment of the "May Street Condominium" as provided in a certain Master Deed (the "Master Deed") dated June 29, 1989, which Master Deed was recorded with the Middlesex (Southern District) Registry of Deeds at Book 19909, Page 474, which Master Deed created three condominium units.

The following condominium units were created pursuant to the Master Deed: 40, 42 and 44.

The Mortgaged Premises consist of the portion of the property described in the Mortgage, excepting and excluding so much as has been released of public record. Unit 40 has been released of public record and is not included as part of this sale.

Only Units 42 and 44 will be sold at the public auction.

The Mortgaged Premises are to be sold subject to and with the benefit of the following, if any, having priority over the Mortgage: all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, the provisions of Chapter 183A of the Massachusetts General Laws, unpaid condominium fees, expenses, of charges, rights of tenants and parties in possession, existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising. The Mortgaged Premises are also sold subject to the right of redemption of the United States of America, if any there be.

Units 42 and 44 will be offered for sale in the following order and at the times stated below:

1. Unit 42, May Street Condominium, May Street, Cambridge, Massachusetts, which is a portion of the Mortgaged Premises, will be offered for sale at public auction, on the Mortgaged Premises, May Street Condominium, May Street, Cambridge, Massachusetts at 10:00 a.m. on November 25, 1991.

2. Unit 44, May Street Condominium, May Street, Cambridge, Massachusetts, which is a portion of the Mortgaged Premises, will be offered for sale at public auction, on the Mortgaged Premises, May Street Condominium, May Street, Cambridge, Massachusetts at 10:15 a.m. on November 25, 1991.

Terms of Sale: A deposit of Seven Thousand Five Hundred Dollars and 00 Cents ($7,500.00) for each Unit, shall be required to be made to the mortgagee in cash, by certified check or by bank cashier's check at the time and place of the sale. The balance of the purchase price is to be paid to the mortgagee in cash, by certified check or by bank cashier's check in or within thirty (30) days from the date of the sale. The deed shall be delivered within ten (10) days after the date of the approval of the sale by the Land Court. In the event that approval of the sale is not obtained from the Land Court within ninety (90) days after the delivery of the balance of the purchase price to the Mortgagee (or such longer time as the parties may agree), the entire purchase price shall be returned to the purchaser without interest.

Other terms if any, to be announced at the sale.

October 17, 1991

BayBank Middlesex
Present Holder of said Mortgage,
By its Attorneys,
Riemer & Braunstein
David A. Ephraim
Three Center Plaza
Boston, Massachusetts 02108
(617) 523-9000

(C)Oct.24,31,Nov.7,14

CITY OF CAMBRIDGE TRAFFIC AND PARKING

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation.

REGULATION NO. 9-34

Regulation No. 66-1 Schedule 10 "Parking Time Limited On Certain Sides Of Certain Streets" is hereby amended by adding the following:

Fulkerson Street, east side, Binney Street to Bant Street, 8A-6P, 2 Hr. Except Sat. & Sun.

This regulation shall take effect 10 Nov. 1991.
Promulgated Date: Oct. 18, 1991

George Teso
Traffic Director

(C)Oct.24,31,Nov.7

NOTICE OF SALE TO JONATHAN ROMIG 271 HURON AVE CAMBRIDGE, MASSACHUSETTS 02138

B&B Towing of 41 Mooney Street, Cambridge, MA 02138 has in its possession a **1985 Ford Escot, Vehicle I.D. No. 1FABP3091FT198029, and last registered to you in 1990.**

This vehicle has been in the possession of B&B Towing since December 17, 1990, and has not been claimed after due notice.

This vehicle will be sold at public sale at B&B Towing, 41 Mooney Street, Cambridge, MA 02138, on November 14, 1991.

(C)Oct.24,31,Nov.7

NOTICE OF SALE MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Robert A. Jones, K. George Najarian and David E. Clem,** Trustees of Concord Avenue Realty Trust u/d/t dated March 1, 1981, filed with the Middlesex South Registry District of the Land Court as **Document No. 609172** and amended by a First Amendment dated May 19, 1982 filed with said Registry District as Document No. 623152, to Insurance Company of North America, said mortgage dated June 12, 1984 and filed with the Middlesex South Registry District of the Land Court as (i) Document No. 662018 as noted on Certificate of Title No. 163028, (ii) Document No. 662018, as noted on Certificate of Title No. 165423, and (iii) Document No. 662018, as noted on Certificate of Title No. 165632, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at public auction on the terms and conditions hereinafter set forth at 11:00 o'clock a.m. on the twenty-sixth (26th) day of November, 1991, upon the mortgaged premises at **725 Concord Avenue, Cambridge, Massachusetts,** all and singular the premises described in said mortgage, to wit:

Parcel One: That certain parcel of land located in Cambridge, Massachusetts, in the County of Middlesex and said Commonwealth, bounded and described as follows:

Southwesterly: by Concord Avenue, fifty feet;

Northwesterly: by Lot B24 as shown on plan hereinafter mentioned, one hundred eighty-nine and 74/100 feet;

Northeasterly: by the Southwesterly line of a fifty foot Way as shown on said plan, fifty and 10/100 feet; and

Southeasterly: by land now or formerly of Jean D. Balkin, one hundred eighty-six and 66/100 feet.

Said parcel is shown as Lot 3 on said plan (Plan No. 7191R).

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 480, Page 589, with Certificate 72014.

Parcel Two: That certain parcel of land situated in said Cambridge, bounded and described as follows:

Southwesterly: by Concord Avenue, one hundred and thirty-five feet;

Northwesterly: by the Southeasterly line of a twenty-six foot Way as shown on plan hereinafter mentioned, one hundred sixty-five and 11/100 feet;

Northerly: by the Southerly curving line forming the junction of said twenty-six foot Way and a fifty foot Way shown on said plan, fifty-one and 29/100 feet;

Northeasterly: by the Southwesterly line of said fifty foot Way, one hundred sixteen and 24/100 feet; and

Southeasterly: by land now or formerly of Jean D. Balkin one hundred eighty-nine and 74/100 feet.

Said parcel is shown as Lot B24 on said plan (Plan No. 7191P).

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 462, Page 433, with Certificate 69277.

Parcel One and Parcel Two are the same premises described in Certificate of Title Number 163028 filed in said Registry District in Book 945, Page 78, and are conveyed subject to and with the benefit of the rights and easements therein set forth or referred to.

Parcel Three: That certain parcel of land located in Cambridge in the County of Middlesex and said Commonwealth, bounded and described as follows:

Southwesterly: by the Northeasterly line of a fifty foot Way as shown on plan hereinafter mentioned, three hundred and fifty-seven feet;

Northwesterly: by land now or formerly of Dorothy B. Makin, one hundred four and 19/100 feet;

Northeasterly: by said Makin land, three hundred and fifty-seven feet; and

Southeasterly: by Lot B2 on said plan, one hundred four and 19/100 feet.

Said parcel is shown as Lot B14 on said plan (Plan No. 7191J).

All of said boundaries are determined by the Court to be located as shown on a subdivision plan, as approved by the Land Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 362, Page 425, with Certificate 54200.

Said Parcel Three is the same premises described in Certificate of Title Number 165423 filed in said Registry District in Book 957, Page 73 and is conveyed subject to and with the benefit of the rights and easements therein set forth or referred to.

Parcel Four: That certain parcel of land located in Cambridge in the County of Middlesex and said Commonwealth, bounded and described as follows:

Southwesterly: by Lot 27 as shown on plan hereinafter mentioned, sixty-three and 34/100 feet;

Northwesterly: by Lot 25 on said plan, eight and 50/100 feet;

Northeasterly: by Lot B14 on said plan, three hundred and fifty-seven feet;

Southeasterly: by Lots B2 and 13 on said plan, fifty and 01/100 feet;

Southwesterly: by Lot 13 and by Lots 14, B27, 3 and B24 on said plan, two hundred ninety-six and 26/100 feet; and

Southerly: by said Lot B24, nineteen and 24/100 feet.

Said parcel is shown as Lot 28 on said plan (Plan No. 7191J).

Parcel Five: That certain parcel of land situated in said Cambridge, bounded and described as follows:

Easterly: by the Westerly line of Smith Place, thirty-one and 63/100 feet;

Southwesterly: by Lots 29 and 7 as shown on said plan hereinafter mentioned, four hundred fifty-eight and 44/100 feet;

Northwesterly: by Lot 25 on said plan, forty and 06/100 feet;

Northeasterly: by land now or formerly of Horn Brothers Incorporated and by Lots 16 and 17 on said plan, three hundred seventy-seven and 63/100 feet;

Southeasterly: twenty and 09/100 feet; and

Northeasterly: sixty-six and 25/100 feet by Lot B8 on said plan.

Said parcel is shown as Lot 30 on said plan (Plan No. 7191-3).

All of the boundaries of Parcel Four and Parcel Five are determined by the Court to be located as shown on a subdivision plan, as approved by the Court, filed in the Land Registration Office, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 643, Page 197, with Certificate 102747.

Said parcels Four and Five are the same premises described in Certificate of Title No. 165632 filed in said Registry District in Book 958, Page 82, and are conveyed subject to and with the benefit of the rights and easements therein set forth or referred to.

The real property covered by said mortgage will be sold subject to any and all restrictions, easements, covenants, conditions, unpaid real estate taxes, tax titles, municipal liens and assessments and existing encumbrances of record created prior to said mortgage, if any thereon.

The real property covered by said mortgage also will be sold subject to all leases and tenancies having priority over said mortgage, to tenancies or occupancies by persons on the premises now and at the time of said auction which tenancies or occupancies are subject to said mortgage, and to all laws and ordinances including, without limitation, all building, zoning and environmental laws and ordinances.

Terms of Sale: Two Hundred Fifty Thousand Dollars ($250,000) of the purchase price shall be paid as a deposit by a certified check or bank treasurer's check at the time and place of the sale by the purchaser and the balance of the purchase price shall be paid by a certified check or bank treasurer's check within forty-five (45) days from the date of the sale. The deposit paid at the time of the sale shall be forfeited if the purchaser does not comply strictly with the terms of the sale. Other conditions will be announced at the sale.

Insurance Company of North America,
present holder of the mortgage
By: James M. Clary III, Esquire
Nutter, McClennen & Fish,
One International Place
Boston, MA 02110-2699
(617) 439-2000
Its Attorneys for Insurance Company of North America

(C)Oct.31,Nov.7,14

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Gregory J. Rudolph to Citicorp Mortgage, Inc.,** dated May 12, 1989, recorded with Middlesex County (Southern District) Registry of Deeds, Book 19820, Page 195, of which mortgage the undersigned is the present holder, for breach of conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 10:00 A.M. on November 21, 1991, on the mortgaged premises as below described, being known as Unit PH South, also known as the penthouse south unit, 931 Massachusetts Avenue Condominium, 931 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, all and singular the premises described in said mortgage, to wit:

Unit(s) No(s). PH South In 931 Massachusetts Avenue Condominium established pursuant to Master Deed dated February 7, 1989, recorded with the Middlesex South Registry of Deeds in Book 19639, Page 321, and all right, title and interest of the Borrower in and to Parking Space(s) No(s). 14115, together with an undivided 5.7567 percent interest in the common areas and facilities of the Condominium, which percent interest includes the percent interest attributable to the Parking Space(s) referred to hereinabove, all as more particularly set forth in Exhibit C to the Master Deed. Meaning and intending to grant hereby with mortgage covenants the Unit(s) and Parking Space(s) conveyed to Borrower by Grantor by deed of Grantor recorded herewith.

The above premises will be sold subject to all outstanding tax titles, municipal or other public taxes, assessments, betterments, or liens, if any.

Terms of Sale: Ten Thousand ($10,000.00) Dollars will be required to be paid in cash or by Bank Cashiers Check or Bank Treasurers Check or Certified Check upon delivery of the deed within twenty (20) days of the date of sale. Other terms will be announced at the sale.

Dated: October 21, 1991

Citicorp Mortgage, Inc.
Present Holder of said Mortgage
By its Attorney
Donald H. Carvin
44 Adams Street
P.O. Box 9074
Braintree, MA 02184
(617) 848-4140
(T34501)

(C)Oct. 31,Nov, 7, 14

PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE MASSACHUSETTS OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, November 20, 1991 at 6:15 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **the City Council** to amend the text of the Zoning Ordinances of the City of Cambridge in Section 8.20 - Non Conformance. The amendment would substantially **revise Section 8.22** to permit the change, extension, or alteration of a pre-existing nonconforming structure without a special permit from the Board of Zoning Appeal, in cases where proposed changes, extensions or alterations would be in conformity with the existing zoning.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee
Councillor Francis H. Duehay
Chairman

(C)Oct.31,Nov.7

PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE MASSACHUSETTS OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, November 20, 1991 at 7:45 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **Paul M. Doty,** et al to amend the Zoning Map of the City of Cambridge by rezoning an area of Kirkland Place **from Residential C-3 to Residential A-2** as shown on the Assessors' Plat #145, Lots numbered 39 and 45, odd numbers 11 through 13 Kirkland Place.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Francis H. Duehay
Chairman

(C)Oct.31,Nov.7

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Debra A. Granger** to Citicorp Homeowners, Inc., now known as Citicorp Mortgage, Inc., dated December 19, 1986, recorded with Middlesex County (Southern District) Registry of Deeds, Book 17696, Page 160, of which mortgage the undersigned is the present holder, for breach of conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 a.m. on November 21, 1991, on the mortgaged premises as below described, being known as **276 Pearl Street, Unit D, Putnam Village Condominium, Cambridge, Middlesex County, Massachusetts,** all and singular the premises described in said mortgage, to wit:

Condominium Unit D in the Putnam Village Condominium ("the Condominium"), situated at and with a post office address of Unit D, 276 Pearl Street, Cambridge, Middlesex County, Massachusetts, created by Master Deed recorded with Middlesex South Registry of Deeds in Book 14142 Page 548, as amended by instruments of record, if any, ("Master Deed") in accordance with and subject to the provisions of Massachusetts General Laws, Chapter 183A, as amended ("Chapter 183A"). The Unit is more particularly described in the Master Deed, as shown on the plans recorded simultaneously with the Master Deed, and is hereby conveyed together with the Unit Owner's undivided interest in the common areas and facilities (the "common areas and facilities") as set forth in the Master Deed and together with any other rights set forth in the Master Deed or the Unit Deed, including the exclusive easements to parking spaces and storage spaces, if any.

The Unit and such undivided 9.2% percent interest in the common areas and facilities are conveyed with the benefit of and subject to the rights, easements, restrictions, covenants, agreements, obligations, conditions, and other provisions referred to or set forth in the Master Deed, the provisions of the instrument establishing the Unit Owner's organization formed in accordance with Section 10 of Chapter 183A, the By-Laws contained therein and any rules and regulations promulgated thereunder, insofar as the same are now in force and applicable.

Being the same premises conveyed to Mortgagor by Deed recorded herewith.

The above premises will be sold subject to all outstanding tax titles, municipal or other public taxes, assessments, betterments, or liens, if any.

Terms of Sale: Ten Thousand ($10,000.00) Dollars will be required to be paid in cash or by Bank Cashiers Check or Bank Treasurers Check or Certified Check by the Purchaser at the time and place of sale as earnest money. The balance of the purchase price is to be paid in cash or by Bank Cashiers Check or Bank Treasurers Check or Certified Check upon delivery of the deed within twenty (20) days of the date of sale. Other terms will be announced at the sale.

Dated: October 21, 1991

Citicorp Mortgage, Inc.
Present Holder of said Mortgage
By its Attorney
Donald H. Carvin

(C)Oct.31,Nov.7,14

GET A JOB!
Check out our Employment Opportunities pages to find that perfect job you've been looking for.

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 91C0439
NOTICE OF CHANGE OF NAME

To all persons interested in the petition hereinafter described.

A petition has been presented to said Court by **Charlene D. Venturini, Armanda Maria Stefania Casadio,** and **Claudio Charles Casadio,** minors, by Charlene D. Venturini, their mother and next friend, of Cambridge in said County, praying that their names may be changed as follows:

Armanda Maria Stefania Casadio to Armanda Maria Stefania Venturini and Claudio Charles Casadio to Claudio Charles Venturini.

If you desire to object thereto you or your attorney must file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 31st day of December, 1991, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court, this 1st day of November, 1991.

Donna M. Lambert
Register of Probate

(C)Nov.7

NEED HELP?
Call 628-1800 by 4PM Tuesday to place your Help Wanted ad, and reach all of Cambridge, Somerville, Watertown and Medford.

GET AWAY FROM IT ALL!
Check out our Real Estate classified listings for vacation properties to buy or rent.

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 91P4611GPI
NOTICE OF GUARDIANSHIP WITH SURETIES
NOTICE

To **Manuel Correia** of Cambridge in said County, Middlesex, and heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Manuel Correia is a person unable to make or communicate informed decisions due to physical incapacity or illness and praying that **Edward Correia** of Cambridge in the County of Middlesex or some other suitable person be appointed his guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before November 21, 1991.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the twenty fourth day of October, in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate Court

(C)Nov.7

PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE MASSACHUSETTS OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, November 20, 1991 at 7:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **Robert Skeletoff, et al,** to amend the Zoning Map of the City of Cambridge by rezoning an area of North Massachusetts Avenue

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE, 02139

OFFICE OF THE CITY MANAGER
1 OCT 33 AM 10: 15

October 29, 1991

To the Honorable, the City Council:

SUBJECT: Planning Board Recommendation on the Herman, et al Rezoning Petition.

Recommendation **The Planning Board recommends adoption of the petition as filed with one modification: namely, that for the area bounded by Massachusetts Avenue, Harvey Street, Cedar Street, and Alberta Terrace, being lots 86 and 112 on Assessor's Plat 191, the zoning designation be Business A-2 throughout.** The Petition as filed proposes that this block be rezoned to Business A-2 along Massachusetts Avenue and Residence B for the remainder of the Block.

Findings

1. The area subject to this petition (known as Trolley Square) was rezoned as part of the North Massachusetts Avenue Rezoning (the Laverty Petition) in 1986. At that time the area was a Business B district, with a floor area ratio of 4.0 and with no imposed height limit. The Laverty Petition, with the rezoning of the area to the newly created Business C-1 district, capped the height at 50 feet, reduced the commercial floor area ratio to 2.75, and retained the 3.0 floor area ratio for residential uses that existed in the Business B district.

2. The Laverty Petition rezoned the areas along Massachusetts Avenue on either side of Trolley Square to a Business A-2 district, with a floor area ratio of 1.0 for commercial uses, 1.75 for housing uses and a height limit of 45 feet. Like the Business C-1 district, the Business A2 district was specifically created for North Massachusetts Avenue.

3. With the exception of a large apartment building at 2353 Massachusetts Avenue constructed when the area was zoned Business B and which building exceeds the residential density permitted in that district (an FAR of 3.0 for residential uses), and the apartment building at 2456 Massachusetts Avenue granted a special permit from the

Planning Board under the limitations of the current Business C-1 district and which building was constructed at the maximum residential density permitted in that district (an FAR of 3.0), the development pattern of Trolley Square is not significantly different from that occurring over that portion of the Avenue currently zoned Business A-2.

4. Trolley Square, like Porter Square, was zoned Business B in the 1943 Zoning Ordinance. At that time both areas were served by rail transportation and were expected to serve as commercial nodes in the manner of Harvard Square and Central Square. Porter Square was downzoned in 1977, reflecting the City's determination that Porter Square was not an appropriate location for a high density commercial node like Harvard Square, notwithstanding the rail and transit service that continues to serve it to this day. In the rezoning of Trolley Square to Business C-1 a decade later, greater densities and heights were allowed than in the earlier rezoning of Porter Square even though Trolley Square is served neither by rail nor transit and is even less suitable as a dense regional commercial node.

5. Trolley Square is not an appropriate location for high density commercial development as is allowed under the current Business C-1 zoning designation. Its physical circumstances and transportation services are not comparable to Porter Square where a somewhat more dense pattern of development is reasonable to serve a somewhat broader regional clientele. Rather, Trolley Square is more comparable to the Massachusetts Avenue corridor beyond Porter Square in Agassiz and North Cambridge where only bus lines provide public transit service and where the policy intent of the city is to maintain the existing small scaled development pattern that is appropriate to a commercial area serving, and immediately abutting, residential neighborhoods.

6. The area proposed to be rezoned from Business C-1 to Residence B along Cameron Avenue is, in Cambridge, almost exclusively residentially used with the exception of one lot containing an industrial building and a lot containing a utility substation. This side of Cameron Avenue is fully developed in a pattern identical to that found on the opposite side of the street, which is presently zoned Residence B. The rezoning to residential use as proposed in the petition is appropriate, although the Board does recognize the hardship imposed on the one industrial use which will be made nonconforming; it is hoped that this nonconforming issue, recurring in many rezoning proposals, can be addressed in a more comprehensive way citywide. However, the character of this area is so predominantly residential that the appropriate public policy is to secure that residential use with the recommended rezoning to Residence B.

7. The second area in the petition proposed to be rezoned to Residence B is a portion of the block, now used for retail and office development and the accessory parking serving those uses, that is bounded by Massachusetts Avenue, Harvey Street, Cedar Street and Alberta Terrace. The petition would retain the commercial use designation along Massachusetts Avenue and rezone the rear parking lot to residential use. While a reasonable case can be made that the residential nature of those portions of Alberta Terrace and Cedar Street fronting on the parking lot justify a residential zoning designation, the Board finds that such a rezoning would unnecessarily burden much of the site with a nonconforming status.

As an alternative, significantly downzoning the whole site to Business A2, rather than only along Massachusetts Avenue as proposed in the petition, would limit the amount of additional development that could occur on the block. In fact, commercial development would be limited to an additional 7,000 square feet, thirty percent more than is present now on the site. That scale of additional new commercial development would not unreasonably burden the abutting residential neighborhood either visually or in the form of additional traffic on residential streets.

In such an alternate rezoning scheme the neighborhood would secure the protection of reduced traffic impact and lower scale and density of development that would be achieved through the petition's proposed residential rezoning while the property owner would not be forced to suffer the inconvenience of nonconforming status for a lot whose use, almost all agree, will not change at any time in the foreseeable future. It is worth noting that the block has in fact been zoned for commercial use since the inception of zoning in Cambridge in 1924. Rezoning the entire block to Business A2 would permit the construction of up to 25 units of housing in addition to the commercial construction allowed on the block.

For the above reasons, for this block on Massachusetts Avenue, the Planning Board is making its only recommended modification to the petition as filed and as indicated above, recommends that this Massachusetts Avenue block be rezoned to a single Business A2 zoning designation.

Public Hearing

A public hearing was held on the petition on October 1, 1991. An on site tour of the proposed rezoning area was conducted by the Planning Board, and attended by several members of the general public and several affected property owners, on October 19, 1991.

At the public hearing the petitioners and proponents of the rezoning proposal made the following points:

* The rezoning of Trolley Square was noted in the North Cambridge Neighborhood Study as a major priority of the North Cambridge community.
* Five years have elapsed since the area has been rezoned as part of the comprehensive rezoning of North Massachusetts Avenue in 1986. It is, therefore, appropriate to review the consequences of that rezoning and suggest more appropriate zoning regulations.
* The current zoning allows development at a greater density than the zoning controlling development in Porter Square. Trolley Square is not the same as Porter Square and cannot absorb such high density development. Rather Trolley Square is most like Massachusetts Avenue beyond Porter Square and should be zoned similarly.
* A traffic study commissioned by the City indicates that at full development in Trolley Square under the existing zoning many key intersections would be seriously degraded.
* The heights and densities permitted in the existing zoning are excessive and would induce negative side affects in the neighborhoods, particularly related to increased traffic on local streets.
* The areas proposed to be rezoned to Residence B are either solidly residential themselves or located well within an area otherwise developed residentially.

Those opposed to the petition made the following points.

* The area under consideration for rezoning was significantly downzoned not more than five years ago as part of the North Massachusetts Avenue comprehensive rezoning adopted in 1986; there is no justification for returning to this limited area for further downzoning after such a short period of time.
* All property owners suffered considerable loss in value in the previous rezoning, which was supported by an extensive planning study. Those same property owners will suffer an even more severe loss of value should this proposal be adopted. The proposal, furthermore, was not part of a comprehensive planning study and was not made in consultation with the property owners who are most affected.
* Traffic analysis done by the Traffic and Parking Department for proposed developments in the district which have sought an allocation of parking from the Interim Parking Control Committee has indicated that additional development in the area will not result in traffic congestion.

* For some property owners located in the areas to be rezoned to Residence B, an additional burden must be born because nonresidential property will be made nonconforming.

Respectfully submitted for the Planning Board,

Paul Dietrich

Paul Dietrich, Chairman

DIMENSIONAL COMPARISON
BUSINESS A-2 AND BUSINESS C-1

	Business A-2 (proposed)	**Business C-1** (existing)
Uses	Residential, office retail, institutional	Similar
FAR	1.0/1.75 residential*	2.75/3.0 residential*
Height	45 feet**	50 ft./60 ft. if average is 50 ft.**
Setbacks	5f/10s/20r**	0f/0s/20r**

* In the Business A2 district the commercial FAR is limited to 1.0. An additional FAR of 0.75 is permitted for residential uses. In the Business C-1 district commercial FAR is limited to 2.75.

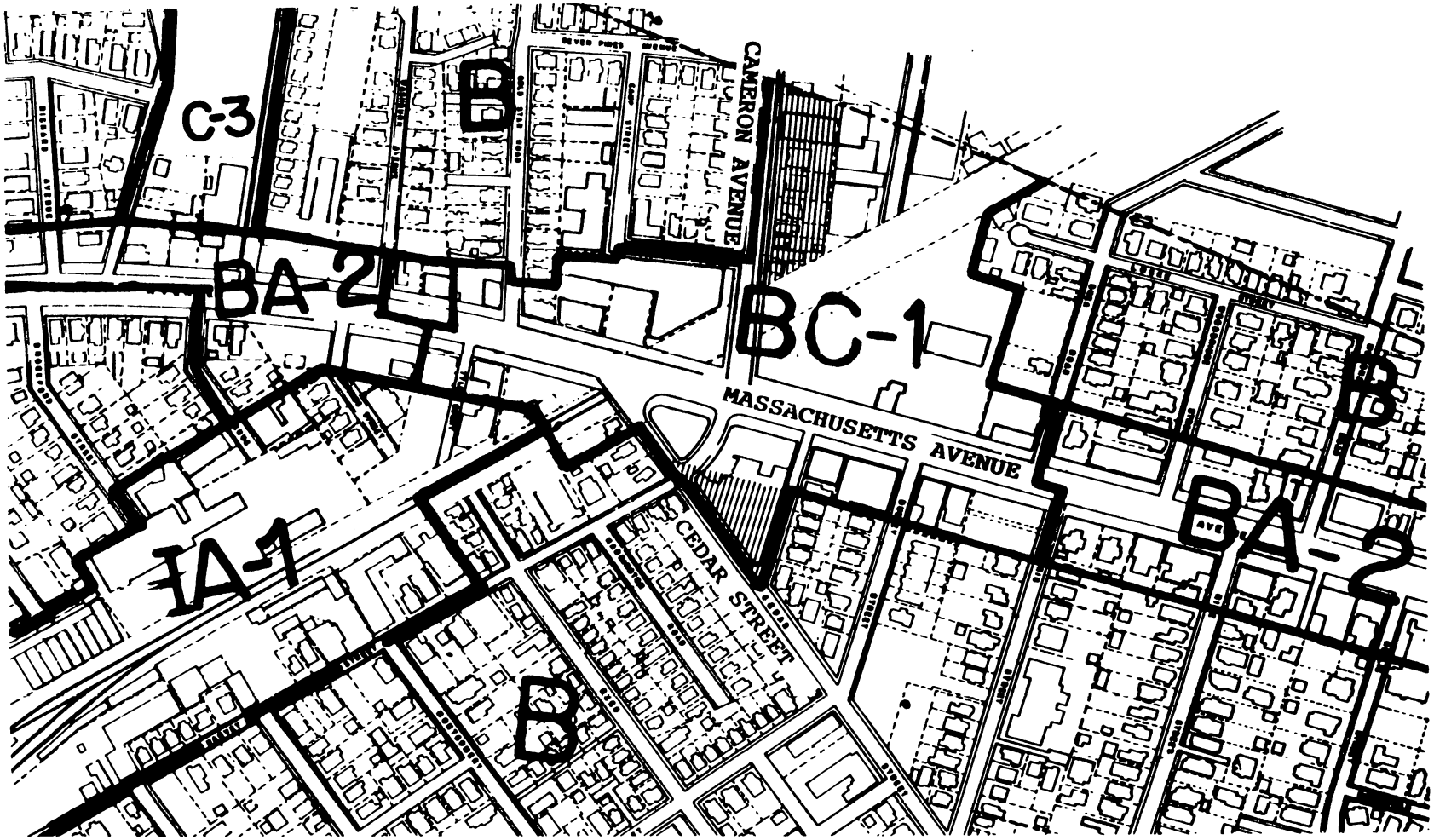
** Heights and setbacks are modified depending on conditions on adjacent lots and relationship to residential districts.

	Residence B
Uses	One family, two family, and townhouse dwellings; conversion of existing dwelling to multifamily use; limited institutional use on nonresidential lots
FAR	0.5, slightly higher for townhouse developments
Height	35 feet, 40 feet for townhouses
Setbacks	15 front/7'6" side/20 rear

Herman, et al Rezoning Petiton (9/91)

1. Area currently Business C-1 (BC-1), excluding 2465-2475 Massachusetts Avenue, proposed to be rezoned to Business A-2.

2. Shaded area proposed to be rezoned to Residence B.



NOTE: SHADED AREA ABUTTING CEDAR STREET RECOMMENDED TO BE ZONED BUSINESS A2 BY THE PLANNING BOARD.

11.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

November 4, 1991

To The Honorable, The City Council:

I am hereby transmitting the Planning Board's recommendation on the Herman, et al Rezoning Petition, for your consideration.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachments

CONSENT AGENDA # 11

Planning Board's recommendation on the petition of Irene Herman, et al.

In City Council,

November 4, 1991

11/4/91 Placed on file

TO PLAINTIFF'S ATTORNEY: PLEASE CIRCLE TYPE OF ACTION INVOLVED: — TORT — MOTOR VEHICLE TORT — CONTRACT — EQUITABLE RELIEF — OTHER

COMMONWEALTH OF MASSACHUSETTS

SUPERIOR COURT DEPARTMENT OF THE TRIAL COURT CIVIL ACTION

MIDDLESEX, ss
[seal]

No. 91-8661

JOHN L. DANEHY, TRUSTEE, Plaintiff(s)

v.

CITY OF CAMBRIDGE, Defendant(s)

RECEIVED BY OFFICE OF CITY CLERK 1991 DEC 23 AM 8:55 CAMBRIDGE MA.

A TRUE COPY ATTEST
J. Sheridan
CONSTABLE OF BOSTON

NOTICE TO DEFENDANT — You need not appear personally in court to answer the complaint, but if you claim to have a defense, either you or your attorney must serve a copy of your written answer within 20 days as specified herein and also file the original in the Clerk's Office.

SUMMONS

To the above-named Defendant:

You are hereby summoned and required to serve upon Walter K. McDonough, plaintiff's attorney, whose address is Hinckley, Allen, Snyder & Comen, One Financial Center Boston, MA 02111-2625, an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You are also required to file your answer to the complaint in the office of the Clerk of this court at Cambridge either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of the plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, Thomas R. Morse Jr., Esquire, at Robert L. Steadman Chief Justice

the 20th day of December, in the year of our Lord one thousand nine hundred and ninety-one

Edward J. Sullivan
Clerk

NOTES.

1. This summons is issued pursuant to Rule 4 of the Massachusetts Rules of Civil Procedure.
2. When more than one defendant is involved, the names of all defendants should appear in the caption. If a separate summons is used for each defendant, each should be addressed to the particular defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify and return that on .....

19 .....,I served a copy of the within summons, together with a copy of the complaint in this action, upon the within-named defendant, in the following manner (See Mass. R. Civ. P. 4 (d) (1-5):

.....

.....

.....

.....

Dated: ..... 19 .....

N.B. TO PROCESS SERVER:
PLEASE PLACE DATE YOU MAKE SERVICE ON DEFENDANT IN THIS BOX ON THE ORIGINAL AND ON COPY SERVED ON DEFENDANT.

(_____)
(12-23- 19 91)
(_____)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX ss.

SUPERIOR COURT
DEPARTMENT
OF THE
TRIAL COURT
CIVIL ACTION

No.

JOHN L. DANEHY, TRUSTEE, Plff.

v.

CITY OF CAMBRIDGE, Deft.

SUMMONS
(Mass. R. Civ. P. 4)

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO.

91-8661

JOHN L. DANEHY, TRUSTEE
Plaintiff,

v.

CITY OF CAMBRIDGE,
Defendant.

MOTION FOR APPOINTMENT
OF SPECIAL PROCESS SERVER

Pursuant to Mass. R. Civ. P. 4(c), Plaintiff, John L. Danehy, respectfully requests that this Court appoint Blaustein & Witten, Constables, qualified and knowledgeable persons in the service of process, and/or any of its employees or servants as process server in the above entitled action.

The undersigned counsel swears to the best of his knowledge and belief, the person to be so appointed is at least 18 years of age and is not a party in this action.

1991 Dec. 20
Motion filed in court
and allowed
(Volterra J.)
Attn Entitled
Deputy asst clerk

JOHN L. DANEHY, TRUSTEE
By his Attorney,

Walter K. McDonough
BBO# 550430
HINCKLEY, ALLEN, SNYDER & COMEN
One Financial Center
Boston, Massachusetts 02111
(617) 345-9000

DEC 20 1991
CLERK

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 91-8661

JOHN L. DANEHY, TRUSTEE
Plaintiff

v.

CITY OF CAMBRIDGE,
Defendant

COMPLAINT

I. INTRODUCTION

Plaintiff John L. Danehy, Trustee, pursuant to M.G.L. c. 231A, §1, seeks a declaration that an amendment to the City of Cambridge zoning ordinance, adopted by the Cambridge City Council on November 4, 1991, is invalid due to the arbitrary and capricious nature of the decision, and the fact that adoption of this ordinance constitutes spot zoning.

II. PARTIES

1. Plaintiff John L. Danehy ("Mr. Danehy") is an individual with a residence at 2294 Massachusetts Avenue, Cambridge. Mr. Danehy is the duly appointed Trustee of the Junction Realty Trust, which is the owner of certain real property located at 2400 Massachusetts Avenue, Cambridge, Massachusetts (the "Property").

3. The City of Cambridge ("Cambridge" or "City") is a body

politic and corporate, incorporated under the laws of The Commonwealth of Massachusetts.

III. BACKGROUND FACTS

4. The Property is located in what is commonly known as the Trolley Square area of Cambridge.

5. On or about June, 1985, a local citizens group submitted a petition to the Cambridge City Council requesting an amendment to the Cambridge zoning ordinances, to establish a new series of zoning districts relative to the northern section of Massachusetts Avenue, including Trolley Square. The petitioners also sought to establish a new Massachusetts Avenue Overlay District in this area.

6. At this time, the Cambridge City Council requested the Cambridge Community Development Department to prepare, in conjunction with area residents and business representatives, a comprehensive land use and zoning study of the northern Massachusetts Avenue corridor for the area from the Cambridge Common to the Arlington line.

7. An urban design and land use study of the northern Massachusetts Avenue corridor was subsequently prepared for the Community Development Department by the consulting firm of Wallace, Floyd and Associates, with the assistance and input of an advisory committee of area residents and business owners (the "Comprehensive Land Use Study").

8. A fundamental conclusion of the Comprehensive Land Use Study was that the Trolley Square area constituted a distinct commercial node along Massachusetts Avenue, and that it should be zoned accordingly.

9. The Comprehensive Land Use Study served as the basis for a design guidelines handbook concerning development along northern Massachusetts Avenue, and for a revised rezoning petition for this area.

10. The Cambridge Planning Board subsequently recommended that the City Council adopt the revised rezoning petition; in doing so, the Planning Board stated that the petition was "a comprehensive document which makes many detailed changes in the zoning regulations along Massachusetts Avenue. Its basic objectives however seem clear and reflect a reasonable compromise between the desires of the closely abutting neighborhoods to minimize the negative impacts of additional development along the Avenue and the objectives of property owners to achieve a reasonable level of development and economic return on their property."

11. On or about October, 1986, the Cambridge City Council approved and adopted this comprehensive rezoning petition (the "1986 Comprehensive Rezoning"). As part of this comprehensive rezoning, the zoning designation for the Trolley Square area of Massachusetts Avenue, including the Property, was changed from

Business B to Business C-1. The 1986 Comprehensive Rezoning also established a new Massachusetts Avenue Overlay District.

12. Prior to the 1986 Comprehensive Rezoning, property in the Trolley Square area located in the Business B zoning district was subject to a floor area ratio of 4.0 for commercial development, with no imposed height or yard setback restrictions for such development.

13. The 1986 Comprehensive Rezoning of the Trolley Square area to Business C-1 reduced the commercial floor area ratio to 2.75, and imposed height limitations on buildings.

14. In or about 1990, in reliance on the zoning regulations that were applicable to the Property after the 1986 Comprehensive Rezoning, Mr. Danehy invested over $50,000 in planning a multi-million dollar development project at the Property, and in April, 1991 he proceeded to obtain a permit for commercial parking for the project, which project was a permitted use of the Property under the 1986 Comprehensive Rezoning.

15. In 1990, the North Cambridge Neighborhood Study Committee, another local citizens group, in conjunction with the Cambridge Community Development Department, prepared a report on the North Cambridge area, entitled the North Cambridge Neighborhood Study (the "1990 Study"). In the 1990 Study, the North Cambridge Study Committee recommended, inter alia, that the zoning designation of the Trolley Square area be changed from a

Business C-1 zoning district to a Business A-2 zoning district.

16. The Cambridge Community Development Department, which had participated in all facets of the 1986 Comprehensive Rezoning, however, expressly refused to endorse this recommendation to downzone Trolley Square "because Trolley Square was part of a comprehensive rezoning effort which was completed" just a few years earlier.

17. On July 24, 1991, Ms. Irene Herman and others filed a petition with the Cambridge City Council, to change the zoning designation of a portion of the Trolley Square area of Massachusetts Avenue from Business C-1 to Business A-2, a change that would greatly decrease the permitted density of commercial development in the area (the "Herman Petition").

18. The Herman Petition also proposed to change the zoning designation of a significant portion of the Property, as well as a number of other corner lots in the Trolley Square area, from Business C-1 to Residence B.

19. On or about October, 1991, a group of property owners with title to more than forty-two (42%) percent of the land in the Trolley Square area being rezoned, submitted a written protest to the Cambridge City Council, pursuant to M.G.L. c. 40A, § 5, stating their opposition to the Herman Petition.

20. On October 29, 1991, the Cambridge Planning Board endorsed the provisions of the Herman Petition concerning the

change in the zoning designation of a portion of the Trolley Square area, from Business C-1 to Business A-2. The Planning Board expressly refused, however, to endorse the rezoning of a substantial portion of the Property from Business C-1 to Residence B, finding "that such a rezoning would unnecessarily burden much of the site with a nonconforming status."

21. The Cambridge City Council adopted the Herman Petition in its entirety on November 4, 1991.

22. The different characteristics of Business A-2 district from the Business C-1 district include the following: (i) the commercial floor area ratio ("FAR") is restricted to 1.0; and (ii) front and side yard setback limitations exist that were not applicable in the former Business C-1 district.

23. All properties within the Trolley Square area were not included in the Herman Petition, and certain of the properties in the Trolley Square area retained the Business C-1 zoning designation.

24. In addition, a portion of the Property, which has always been commercially zoned since the inception of zoning in Cambridge, was changed to the Residence-B zoning designation, and is now zoned differently from the other portion of the Property.

25. As a direct and proximate result of the decision adopting the Herman Petition, the market value of commercial lots in the portion of the Trolley Square area affected by this ordinance has been sharply reduced.

26. As a direct and proximate result of the decision adopting the Herman Petition, Mr. Danehy is precluded from proceeding with the planned development of the Property, which was a permitted use of the Property under the 1986 Comprehensive Rezoning.

27. Between the time of the 1986 Comprehensive Rezoning and the adoption of the Herman Petition in 1991, there has been no significant change in the physical, social, or commercial nature of the Trolley Square area.

III. CAUSES OF ACTION

COUNT I -- Declaratory Judgment

28. Mr. Danehy repeats and realleges the allegations of Paragraphs 1 through 27, above, as if each were separately and specifically set forth herein.

29. Mr. Danehy and the City have a real dispute as to the validity of the decision adopting the Herman Petition and changing the zoning designation of the Property, since that decision has substantially limited the permissible uses of the Property and, accordingly, substantially decreased the value of the Property.

30. This Court has the power to make a binding declaration as to the validity of the City's actions in adopting the zoning revision on November 4, 1991.

31. The City's decision to adopt the zoning revision as set forth in the Herman Petition was arbitrary and capricious, in that there has been no change in the characteristics of the Trolley Square area since the 1986 Comprehensive Rezoning nor was a comprehensive plan for the area prepared, which would have justified the adoption of the Herman Petition.

32. In addition, the City's decision to adopt the zoning revision as set forth in the Herman Petition was arbitrary and capricious, in that similarly situated parcels within the same area received different zoning designations pursuant to that decision.

WHEREFORE, Mr. Danehy requests that the Court grant the following relief:

(1) That this Court make a declaration, pursuant to M.G.L. c. 231A, §1, that the action of the Cambridge City Council in changing the zoning designation a portion of real properties in the Trolley Square area from Business C-1 to Business A-2 was arbitrary and capricious, constituted illegal spot zoning and that this zoning ordinance is accordingly invalid;

(2) That this Court further declare that the rezoning of a portion of the Property, and other similarly situated property in Trolley Square, from Business C-1 to Residence B was arbitrary and capricious, constituted illegal spot zoning, and is therefore

invalid; and

(3) For such other and further relief as this Court deems just and proper.

Respectfully submitted,

JOHN L. DANEHY, Trustee

By his attorneys,

Robert F. Sylvia
BBO #491060
Walter K. McDonough
BBO #550430
Hinckley, Allen, Snyder & Comen
One Financial Center
Boston, Massachusetts 02111
(617) 345-9000

Dated: December 20, 1991

WP:McDONOUGH:DA036689:052507: .AA1 R4

CIVIL ACTION COVER SHEET

Trial Court of Massachusetts
SUPERIOR COURT DEPARTMENT
MIDDLESEX Division

DOCKET NUMBER

PLAINTIFF(S) John L. Danehy

DEFENDANT(S) City of Cambridge

ATTORNEY(S) FIRM NAME, ADDRESS AND TEL.) 345-9000
Robert F. Sylvia, Esq.
Hinckley, Allen, Snyder & Comen
One Financial Ctr., Boston, MA 02111
Board of Bar Overseers # (Required) 491050

ATTORNEY(S) (if known)

ORIGIN CODE AND TRACK DESIGNATION

Place an ☒ in one box only:

☒ 1. F01 Original Complaint
☐ 2. F02 Removal to Sup. Ct. c 231, s. 104 (F)
☐ 3. F03 Retransfer to Sup. Ct. c 231, s. 102C (X)
☐ 4. F04 District Ct. Appeal c231, s. 97 (X)
☐ 5. F05 Reactivated after Rescript; Relief from judgment/order (Mass. R Civ. P. 60 (X)
☐ 6. E10 Summary process appeal (X)

TYPE OF ACTION AND TRACK DESIGNATION (See Reverse Side)

CODE NO.	TYPE OF ACTION (specify)	TRACK	IS THIS A JURY CASE?
013	Declaratory Judgment	(F)	☐ Yes ☒ No

1. PLEASE GIVE A CONCISE STATEMENT OF THE FACTS: (Required in ALL Types of Actions)

Plaintiff seeks a declaration that a zoning ordinance adopted by the Defendant City is invalid since the decision adopting that ordinance was arbitrary and capricious.

2. IN A CONTRACT ACTION (CODE A) OR A TORT ACTION (CODE B) STATE, WITH PARTICULARITY, MONEY DAMAGES WHICH WOULD WARRANT A REASONABLE LIKELIHOOD THAT RECOVERY WOULD EXCEED $25,000:

3. PLEASE IDENTIFY, BY CASE NUMBER, NAME AND DIVISION, ANY RELATED ACTION PENDING IN THE SUPERIOR COURT DEPARTMENT.

None

SIGNATURE OF ATTORNEY OF RECORD OR PLAINTIFF [signature]

DATE 12/20/91

OFFICE USE ONLY - DO NOT WRITE BELOW THIS LINE

DISPOSITION

A. Judgment Entered
☐ 1. Before jury trial or non-jury hearing
☐ 2. During jury trial or non-jury hearing
☐ 3. After jury verdict
☐ 4. After court finding
☐ 5. After post trial motion

B. No Judgment Entered
☐ 6. Transferred to District Court under G.L. c.231, s.102C.
Disposition Date _____

RECEIVED
BY:
DATE

DISPOSITION ENTERED
BY:
DATE

CIVIL ACTION COVER SHEET

INSTRUCTIONS

TYPE OF ACTION AND TRACK DESIGNATION (See Reverse Side)

(A) = Average (F) = Fast (X) = Accelerated

Select only one of the following Types of Actions:

CONTRACT

A01 Service, labor and materials	(F)
A02 Goods sold and delivered	(F)
A03 Commercial Paper	(F)
A08 Sale or lease of real estate	(F)
A99 Other (specify)	(F)

TORT

B03 Motor vehicle negligence - personal injury/property damage	(F)
B04 Other negligence - personal injury/property damage	(F)
B05 Products liability	(A)
B06 Malpractice - medical	(A)
B07 Malpractice - other (specify)	(A)
B08 Wrongful death, G.L.c.229, s2A	(A)
B15 Defamation (libel-slander)	(A)
B19 Asbestos	(A)
B99 Other (specify)	(F)

REAL PROPERTY

C01 Land taking (eminent domain)	(F)
C02 Zoning appeal, G.L. c.40A	(F)
C03 Dispute concerning title	(F)
C04 Foreclosure of mortgage	(X)
C99 Other (specify)	(F)

EQUITABLE REMEDIES

D01 Specific performance of contract	(A)
D02 Reach and apply, G.L. c.214, s.3(6)-(9)	(F)
D06 Contribution or indemnification	(F)
D07 Imposition of trust	(A)
D08 Minority stockholder's suit	(A)
D10 Accounting	(A)
D12 Dissolution of partnership	(F)
D13 Declaratory judgment, G.L.c.231A	(A)
D99 Other (specify)	(F)

MISCELLANEOUS

E02 Appeal from administrative agency, G.L. c.30A	(X)
E03 Action against Commonwealth or municipality, G.L. c.258	(A)
E04 Taxpayer suit,G.L. c.40 s.53	(A)
E05 Confirmation of arbitration awards, G.L. c.251	(X)
E06 Massachusetts Antitrust Act G.L. c.93	(A)
E07 c.112, s.12S (Mary Moe)	(
E08 Appointment of receiver	(
E09 General contractor's surety bond, G.L. c.149, §29, 29a	(
E11 Workman's Compensation	(X)
E13 Labor Dispute	(
E14 Chapter 123A Petition-SDP	(
E15 Abuse Petition, G.L. c.209A	(
E16 Auto Surcharge Appeal	(X)
E17 Civil Rights Act, G.L. c.12, §.11H-1	(A)
E99 Other (specify)	(

TRANSFER YOUR SELECTION TO THE FACE SHEET.

EXAMPLE:

CODE NO.	TYPE OF ACTION (specify)	TRACK	IS THIS A JURY CASE?
B03	Motor Vehicle Negligence - Personal Injury	(F)	☒ Yes ☐ No

SUPERIOR COURT RULE 29

DUTY OF THE PLAINTIFF. The plaintiff or his counsel shall set forth, on the face sheet, a statement specifying in full and itemized detail the facts upon which the plaintiff then relies as constituting money damages. A copy of such civil action cover sheet, including the statement as to the damages, shall be served on the defendant together with the complaint. If a statement of money damages, where appropriate is not filed, the Clerk-Magistrate shall transfer the action as provided in Rule 29(5)(C).

DUTY OF THE DEFENDANT. Should the defendant believe the statement of damages filed by the plaintiff in any respect inadequate, he or his counsel may file with the answer a statement specifying in reasonable detail the potential damages which may result should the plaintiff prevail. Such statement, if any, shall be served with the answer.

A CIVIL ACTION COVER SHEET MUST BE FILED WITH EACH COMPLAINT.

FAILURE TO COMPLETE THIS COVER SHEET THOROUGHLY AND ACCURATELY MAY RESULT IN DISMISSAL OF THIS ACTION.

PETITION OF Irene M. Herman

re: Northern Mass. Ave. July 24, 1991

Petition filed with the City Clerk ~~Aug. 7, 1991~~ (Charter Right)

(all hearings to be completed 65 days from In City Council date)

24 days Aug.
30 days Sept
11 days Oct
65 days = October 11, 1991 = all hearings

In City Council Aug 7, 1991

Referred to the Planning Board for report Aug 21, 1991

Planning Board Hearing Oct 1, 1991

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be Jan 8, 1992.)

Oct 21 days
Nov 30 days
Dec 31 days
Jan 8 days
90 = Jan 8, 1992

City Council hearing published Chronicle on Sept 26, 1991
and Oct. 3, 1991

Hearing before the Ordinance Committee Oct. 10, 1991 at 4 p.m.

Reported to the City Council Oct. 21, 1991

Passed to a second reading on Oct. 21, 1991

published in Chronicle on Oct. 24, 1991

Planning Board report received on Nov. 4, 1991

Ready for ordination on Nov. 4, 1991

Passed to be ordained on Nov. 4, 1991

published in Chronicle on Nov. 7, 1991

COMPLETION DATE Jan. 8, 1992

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council Nov. 4 1991

C. Cyr - Question Comes on Passage to be adopted
Re: Human Relations

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mr. Kenneth E. Reeves	✓ (2)		✗ 1		
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan				✓	
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh				✓	
Mayor Alice K. Wolf	✓				
	7	0	0	2	

C. Duehay
MS
AK

11/14/91

Russell B. Higley

CITY SOLICITOR

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

November 13, 1991

Dear Sir:

Enclosed you will find a copy of a proposed **amendment to the Zoning Ordinances** of the City of Cambridge which was passed to be ordained at the City Council meeting held on November 4, 1991 on the petition of **Irene Herman.**

Enclosed also you will find copies of two proposed amendments to the Municipal Code of the City of Cambridge which were passed to be ordained as amended at the City Council meeting held on November 4, 1991 as follows:

1. **2.117 Code of Conduct for City Officials and Employees.**

2. **2.118 Statements of Financial Interests by Certain City Officials and Persons Conducting Business with the City.**

Would you kindly review these proposed amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton

Joseph E. Connarton
City Clerk

JEC/dl
Encs. Ordinance Numbers 1127, 1128 and 1129
c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

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Joseph E. Connarton
City Clerk

JEC/dl
Encs. Ordinance Numbers 1127, 1128 and 1129
c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.

ORDINANCE NO. 1127.

Final publication number 2562. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B **And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:**

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

ORDINANCE NO. 1128.

Final publication number 2563. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.117 entitled "Code of Conduct for City Officials and Employees."

In City Council November 4, 1991.
Passed to be ordained as amended by a yea and nay vote:- Yeas 8; Nays 0; Absent 0; Present 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton
City Clerk

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge, as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amendment by adding at the end thereof a new Chapter 2.117 entitled **"CODE OF CONDUCT FOR CITY OFFICIALS AND EMPLOYEES."**

CHAPTER 2.117
CODE OF CONDUCT FOR CITY OFFICIALS AND EMPLOYEES

Section 2.117.010. Introduction. This chapter establishes standards of conduct for officials and employees of the City of Cambridge, in addition to those established by chapter 268A, of the Massachusetts General Laws.

Section 2.117.020. Definitions. Whenever used in this chapter, the following terms shall have the following meanings:

(a) "Agency" means the City Council, any committee or other subdivision thereof, any City department or other administrative unit, commission, board, or other division of the government of the City.

(b) "City" means the City of Cambridge.

(c) "City contractor" means any person (including its agents or employees acting within the scope of their employment) who is paid from the City treasury or pursuant to City Ordinance, for goods or services provided to any City agency, regardless of the nature of the relationship of such person to the City for purposes other than this chapter.

(d) "Contract management authority" means supervisory responsibility for the formulation, execution or performance of a City contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

(e) "Economic interest" means a financial interest, whether vested or contingent, legal or beneficial, with a present fair market value greater than two hundred and fifty dollars ($250.00) which is distinguishable from that of the public generally.

(f) "Employee" means an individual, other than a "Municipal Official," who is employed by the City or any City agency, whether part-time or full-time.

(g) "Gift" means a delivery of goods, payment, entertainment, subscription, advance, services or anything of value, unless consideration of equal or greater value is received. If items are furnished or services are rendered for less than the fair market value, the difference between the fair market value and the price shall be treated as a gift. "Gift" shall not include a political contribution reported as required by law, a commercially reasonable loan made in the ordinary course of business, anything of value received by inheritance or a gift received from a relative of the recipient municipal official or employee within the third degree of consanguinity of the reporting person or of the reporting person's spouse or from the spouse of any such relative;

(h) "Municipal Official" means

(i) any individual holding any one of the following position in the government of the City of Cambridge, whether by election or appointment: mayor; councillor; city manager; deputy city manager; assistant city manager; city clerk; auditor; city solicitor; school committee member; school superintendent; police commissioner; chief of police; chief of fire department;

(ii) the members of boards and commissions, and the executive or administrative head or heads of such boards or commissions, whether elected or appointed, compensated or uncompensated, of a municipal body or bodies with executive, regulatory, or permitting authority; or

(iii) any Category I - IV employee as defined by section 2.62.010 of the Cambridge Code;

(i) "Person" means a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons.

(j) "Relative" means a person who is related to a municipal official or employee as spouse, as a descendent of any grandparent of such official or employee whether by the whole-or half-blood or by adoption, or as spouse of any of the foregoing.

Section 2.117.030. Fiduciary duty. Municipal officials shall at all times in the performance of, and within the scope of, their public duties owe a fiduciary duty to the City.

Section 2.117.040. Improper influence. No municipal official or employee shall make, participate in making or in any way attempt to use such municipal official's or such employee's position, influence or power, to influence or effect any City governmental decision or action in which such municipal official or employee knows or has reason to know that such official or employee has any economic interest. Nothing in this section shall be interpreted so as to preclude the Members of the City Council from voting on City Council Salary appropriations.

Section 2.117.050. City-owned Property. No municipal official, employee or city contractor shall permit the City-owned property under their control to be used in any manner that is inconsistent with any written policy governing the use of said property.

Section 2.117.060. Use or Disclosure of Confidential Information. No current or former municipal official or employee shall use or disclose, other than in the performance of his official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his position or employment. For purposes of this section, "confidential information" means any information that is not generally available to the general public or could not be obtained from public records pursuant to the Massachusetts Public Records Act, as amended.

Section 2.117.070. Employment of Relatives.

(a) No municipal official or employee shall after the date of adoption of this chapter hire or advocate for employment, in any City agency in which said official or employee serves or over which he exercised authority, supervision, or control, any person

(i) who is a relative of said municipal official or employee, or

(ii) in exchange for or in consideration of the employment of any of said municipal official's or employee's relatives by any other official or employee.

(b) No municipal official or employee shall use or permit the use of his position to assist any relative in securing employment or contracts with persons over whom the employee or municipal official exercises contract management authority.

Section 2.117.080. Prohibited Acts by City Councillor. City Councillors shall not make loans, gifts of value equal to or exceeding two hundred fifty dollars, offers of employment except when consistent with the discharge of their official duty as Councillor, offers of future employment, or of business or investment opportunities to the City Manager, to Assistant City Managers, to heads of City departments or agencies, to the City Solicitor and Assistant Solicitors or to members of boards or commissions involved in the granting of variances, permits, licenses or other such discretionary, or adjudicatory functions.

Section 2.117.090. Prohibited Acts by School Committee Members. School Committee members shall not make loans, gifts of value equal to or exceeding two hundred fifty dollars, offers of employment or future employment, except within the discharge of their official capacity as a School Committee, or of business or investment opportunities to the Superintendent, Assistant Superintendents, the Executive Director of Management Services, the Executive Director of Human Resources or Personnel Director, the Affirmative Action Officer, the Headmaster of Cambridge Rindge and Latin School and elementary school principals.

Section 2.117.100. Advisory Opinions.

(a) Any employee or municipal official shall be entitled to the opinion of the City Solicitor upon any question arising under this chapter relating to the duties, responsibilities and interests of such person. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the City Manager who shall in turn request in confidence such opinion of the City Solicitor on behalf of such person, and all members of boards or commissions and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The City Solicitor shall file such opinion in writing with the City Clerk and such opinion shall be a matter or public record; however, no opinion will be rendered by the City Solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this ordinance.

(b) Any person who acts in reliance on an opinion of the City Solicitor shall be exempt from the penalties provided herein if that person has made a good faith disclosure of all material facts related to the opinion.

Section 2.117.110. Penalties.

(a) Any employee or municipal official who violates this chapter shall be subject to appropriate discipline, including suspension, termination or censure, consistent with any requirements of the state civil service law and the city charter, as well as to civil or criminal prosecution under any other applicable state laws.

(b) A knowing violation of this chapter shall constitute a misdemeanor, and shall be punishable by a fine of not more than $300 per offense.

(c) All City contracts shall include therein a clause for allowing for termination in the event of a violation of this chapter in connection with the awarding, administration or performance of the contract.

(d) A violation of this chapter in connection with the issuance of any permit, license, ruling determination, or other official action shall be grounds for revocation thereof subject to and in accordance with applicable state and federal laws.

(e) Ten taxpayers of the City ("the Taxpayers") shall have legal standing to institute a civil action to recover damages on behalf of the City or to implement any other remedy provided for in this chapter only in accordance with the following:

(i) the Taxpayers shall first submit to the City Solicitor a written notice of the intention of the Taxpayers to bring such action with a statement of the grounds therefor;

(ii) within sixty (60) days of the receipt thereof the City Solicitor shall submit to the Taxpayers a written response thereto;

(iii) thereafter the Taxpayers may institute such civil action unless

(i) in his response the City Solicitor has stated that in his opinion there are no grounds for the institution of such action, with a statement of the reasons for such opinion; or

(ii) in his response the City Solicitor has stated that the City itself intends to institute the proposed action and the City does in fact institute such action with 120 days of the issuance of the City Solicitor's written response to the Taxpayers.

Section 2.117.130. Other Remedies. The City or any City agency may maintain an action for injunctive relief to enforce any provision of this chapter, and for an accounting for any economic benefit received by any person in violation of this chapter or other law, and may recover damages for violation of this chapter.

Section 2.117.140. Relationship with Other Laws. If this chapter and any state law apply to the same subject the provision of broadest or most strict coverage shall control.

The effective date of this ordinance shall be January 1, 1992.

ORDINANCE NO. 1129

Final publication number 2564. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.118 entitled "Statements of Financial Interests by Certain City Officials and Persons Conducting Business with the City."

In City Council November 4, 1991.

Passed to be ordained as amended by a yea and nay vote:-

Yeas 7; Nays 1; Absent 1.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Municipal Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.118 entitled **"STATEMENTS OF FINANCIAL INTERESTS BY CERTAIN CITY OFFICIALS AND PERSONS CONDUCTING BUSINESS WITH THE CITY"** which reads as follows:

CHAPTER 2.118

STATEMENTS OF FINANCIAL INTERESTS BY CERTAIN CITY OFFICIALS AND PERSONS CONDUCTING BUSINESS WITH THE CITY

SECTION 2.118.010. Definitions. As used in this chapter, unless the context requires otherwise,

(a) "amount" means a category of value, rather than an exact dollar figure, as follows: greater than $1000 but not more than $2500; greater than $2500 but not more than $5000; greater than $5000 but not more than $10,000; greater than $10,000 but not more than $25,000; greater than $25,000 but not more than $50,000; greater than $50,000 but not more than $100,000; greater than $100,000;

(b) "business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, receivership, business or real estate trust, or any other legal entity organized for profit, non-profit or charitable purposes;

(c) "business with which a person is associated" means any business in which the reporting person or a family member is an employee, a general partner, limited partner, proprietor, officer, director, trustee or serves in any managerial capacity; and any business more than one percent of any class of outstanding equity of which is beneficially owned in the aggregate by the reporting person and/or family members;

(d) "doing business" is the purchase, lease or sale of goods or services in any transaction with the City or any department, agency, commission or other part thereof.

(e) "candidate" means any individual who seeks nomination or election to the office of City Councillor or School Committee member. For the purposes of this chapter, an individual shall be deemed to be seeking nomination or election to an office if such individual has (l) received a political contribution or made an expenditure, or has given such individual's consent for any person or committee to receive a political contribution or make an expenditure, for the purpose of influencing such individual's nomination or election to such office, whether or not the specific municipal office for which such individual will seek nomination or election is known at the time the political contribution is received or the expenditure is made, or (2) taken action necessary under the law to qualify such individual for nomination or election to such office;

(f) "election commission" means the Election Commission of the City of Cambridge.

(g) "equity" means any stock, interests in capital or profits and losses or similar ownership interest in a business;

(h) "family member" means a spouse, any dependent children residing in the reporting person's household, or a sibling;

(i) "gift" means a delivery of goods, payment, entertainment, subscription, advance, services or anything of value, unless consideration of equal or greater value is received. If items are furnished or services are rendered for less than the fair market value, the difference between the fair market value and the price shall be treated as a gift. "Gift" shall not include a political contribution reported as required by law, a commercially reasonable loan made in the ordinary course of business, anything of value received by inheritance or a gift received from a family member or from a relative within the third degree of consanguinity of the reporting person or of the reporting person's spouse or from the spouse of any such relative;

(j) "legislative agent" means any person who for compensation or reward does any act to promote, oppose or influence legislation or any other matter before the City Council or

School Committee, or to influence the decision of any member of the city administration where such decision concerns legislation or the adoption, defeat or postponement of a standard rate, rule or regulation pursuant thereto. The term shall include persons who, as any part of their usual employment and not simply incidental thereto, attempt to promote, opposes or influence such matters, whether or not any compensation in addition to the salary for such employment is received for such services;

(k) "municipal body" means any agency, authority, board, bureau, commission, committee, council, department, division, school department, or other legal entity within the government of the City of Cambridge:

(l) "municipal official" means

(i) Any individual holding any one of the following positions in the government of the City of Cambridge, whether by election or appointment: mayor; councillor; city manager; deputy city manager; assistant city manager; city clerk; auditor; city solicitor; school committee member; school superintendent; assistant superintendent and principals; police commissioner; chief of police; chief of fire department;

(ii) The members of board and commissions, and the executive or administrative head or heads of such boards or commissions, whether elected or appointed, compensated or uncompensated, of a municipal body or bodies with executive regulatory, or permitting authority; or

(iii) Any Category I - IV employee as defined by Section 2.62.010 of the Cambridge Code;

(m) "person" means a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons;

(n) "political contribution" means a contribution or money or anything of value to an individual, candidate, or political committee, or person acting on behalf of any individual, candidate, or political committee, for the purpose of influencing the nomination or election of said individual or candidate, or for the purpose of promoting or opposing a charter change, referendum question, or other question submitted to the voters, and shall include any of the following:

(1) gift, subscription, loan, advance, deposit of money, or thing of value, except a loan of money to a candidate by a national or state bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business;

(2) transfer of money or anything of value between political committees;

(3) payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee;

(4) purchase from an individual, candidate or political committee, whether through the device of tickets, advertisements, or otherwise, for fund-raising activities, including testimonials, held on behalf of said individual, candidate, or political committee, to the extent that the purchase price exceeds the actual cost of the goods sold or services rendered;

(5) discount or rebate not available to other candidates for the same office and the general public; and

(6) the forgiveness of indebtedness or payment of indebtedness by another person, but shall not include the rendering of services by speakers, editors, writers, poll watchers, poll checkers or others, nor the payment by those rendering such services or such personal expenses as may be incidental thereto, nor the exercise of ordinary hospitality;

(o) "reporting person" means any person required to file a statement of interests pursuant to Section 2.118.030.

SECTION 2.118.020. Administration. The Election Commission shall:

(a) on or before March first of each year request from the City Manager a list of the names and positions of all municipal officials certified as to correctness and completeness, and the City Manager shall furnish such a list within 60 days of receipt of such request;

(b) upon receipt of a statement of interests filed pursuant to this chapter, issue to the person filing such statement a receipt verifying the fact that a statement of interests has been filed and a receipted copy of such statement;

(c) make the list of municipal officials and statements of interests filed with the Election Commission pursuant to this chapter available upon written request of any individual for public inspection and copying during regular office hours and make photocopying facilities available at a charge not to exceed the actual cost; the Election Commission shall forward a copy of said request to the individual whose statement has been examined; provided, however, that such requests from the Attorney General of the Commonwealth of Massachusetts, the District Attorney of Middlesex County, or the State Ethics Commission shall be confidential;

(d) compile and maintain an alphabetical index of all filed statements of interests to facilitate public access to the statements;

(e) inspect all filed statements of interests to ascertain whether any reporting person has failed to file a statement as required by law or has filed a statement which is deficient on its face. After inspection, the Election Commission shall list all reporting persons who have failed to file a statement of interests and all reporting persons who have filed a statement of interest which is deficient on its face;

(f) notify each delinquent reporting person that a statement of interests has not been filed or that such a statement which has been filed is deficient. Such notice shall be in writing and shall state in detail each deficiency and the penalties for failure to file a correct statement of interests pursuant to this chapter;

(g) preserve all statements filed with it for six years from the date of receipt.

SECTION 2.118.030. Statement of Interests.

(a) Every candidate shall file a statement of interests for the preceding calendar year with the Election Commission on or before the date on which nomination papers for such candidate must be submitted to the Election Commission unless the candidate neither files nominating papers nor conducts a sticker or write in campaign. In the event that the candidate does not file valid nomination papers with the Election Commission on or before the date required by law but subsequently conducts a sticker or write-in campaign, said candidate shall file the required statement of interests with the Election Commission no later than fifteen days prior to the date of the election at which he is to be a candidate.

(b) Every municipal official shall file a statement of interests for the preceding year with the Election Commission:

(1) on or before June first of each year that such person is a municipal official or within thirty days of becoming a municipal official, whichever is later, and

(2) on or before June first of the year after such person ceases to be a municipal official; provided, however, that no former municipal official shall be required to file a statement of interests for any year in which such former municipal official was a municipal official for less than (30) days.

(c) Every statement of interests shall be filed on the form prescribed hereby and shall be signed under penalty of perjury by the reporting person.

(d) Every reporting person shall disclose, to the best of such reporting person's knowledge, the following information for such reporting person and every family member for the preceding calendar year;

(i) the name and address of and the nature of association with any business from which income in excess of ($1,000.00) one thousand dollars is received if that business does any business with, has matters pending before or is subject to regulation, supervision or oversight by the agency, department, board, election commission or other part of the city which employs the reporting person, or over which he or she has administrative or legislative control;

(ii) the name of all businesses transacting business in Cambridge as to which more than one percent of the beneficial ownership of which is held directly or indirectly by a family member;

(iii) the name and address of each creditor, located within, or doing business with the City of Cambridge, to which more than one thousand dollars was owed on December 31 of the reporting year, and the original amount, the amount outstanding, the terms of repayment, and the general nature of the security pledged for each obligation; provided, however, that mortgages on the person's primary residence, obligations arising out of retail installment transactions, educational loans, medical and dental expenses, debt incurred in the ordinary course of an active ongoing business, and any obligation to make alimony or support payments shall not be reported; provided, further, that such information need not be reported if the creditor is a relative within the third degree of consanguinity or affinity;

(iv) the name and address of the source, and the cash value of any reimbursement for expense aggregating more than one hundred dollars in the calendar year if the recipient is a member of a municipal body and the source of such reimbursement is a person having an interest that is distinguishable from the public generally in legislation, legislative

action, administrative action, or a matter before that municipal body;

(v) the name and address of the donor, and the fair market value, as best determinable, of any gifts aggregating more than one hundred dollars in the reporting year, if the recipient is a member of a municipal body and the source of such gift(s) is a person having a direct interest in legislation, legislative action, or a matter before that municipal body;

(vi) the description, as appearing on the most recent tax bill of all real property in which direct or indirect financial interest was held, which has an assessed value greater than one thousand dollars; and, if the property was transferred during the year, the name and address of the person furnishing consideration to the reporting person or receiving it from him in respect to such transfer;

(vii) the name and address of the source, and the fair market value, of any honoraria aggregating more than one hundred dollars if the source of such honoraria is a legislative agent; or if the recipient is a member of a municipal body and the source of such honoraria is a person having a direct interest in legislation, legislative action, or a matter before that municipal body;

(viii) the name and address of any creditor who has voluntarily forgiven an indebtedness of over one thousand dollars, and the amount forgiven; provided, however, that no such information need be reported if the creditor is a relative within the third degree of consanguinity or affinity of the reporting person, or the spouse of such a relative;

(ix) the name and address of any business from which the reporting person is taking a leave of absence;

(x) the identity of any equity in a business to which the reporting person is associated which has been transferred to a member of the reporting person's family; provided, however, that a family member who transfers equity to the reporting person need not report such an intrafamily transfer;

(xi) the date, nature, amount or value of any commercial or business transaction equal to or exceeding two hundred fifty dollars with any municipal official and the official.

Nothing in this section shall be construed to require the disclosure of information which is privileged by the law.

Failure of a reporting person to file a statement of interests within ten (10) days after receiving notice as provided in Section 2.118.040(a) of this chapter or the filing of an incomplete statement of interests after receipt of such a notice, is a violation of this chapter and the commission may initiate appropriate proceedings pursuant to the provisions of Section 2.118.040 of this chapter.

SECTION 2.118.040. Enforcement.

(a) The Election Commission shall determine whether any reporting person has failed to file a statement of interests or has filed a deficient statement. If the Election Commission determines that reporting person has failed to file a statement of interests, or that any such statement filed with the Election Commission does not conform with the requirements of Section 2.118.030 (d), then the Election Commission shall notify the delinquent in writing. Such notice shall state in detail each deficiency and the penalties for failure to file a correct statement of interests pursuant to this chapter.

(b) If within ten days of the sending of a notice as prescribed by subsection (a), a statement complying with the requirements of this chapter is not received, after further notice affording the delinquent to be heard, if the Election Commission determines that the delinquent has violated the provisions of this chapter, the Election Commission may assess a fine of not more than three hundred dollars for each day after said ten days that such violation has continued. The City may commence a civil action in the Superior Court to collect any such fine. The Election Commission shall also report the failure to file to the Attorney General and the District Attorney for Middlesex County.

(c) Every person who filed a false statement of interests under this chapter shall be punished by a fine of not more than three hundred dollars ($300) for each offense. Every failure to disclose truthfully any matter required to be disclosed hereunder shall constitute a separate offense.

(d) In addition to the penalties provided hereunder, any municipal official who violates this chapter shall be subject to appropriate discipline, including suspension, termination or censure, consistent with any requirements of the state civil service law and the City charter and ordinances.

The effective date of this ordinance shall be January 1, 1992.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

NOVEMBER 7, 1991

Department of Community Affairs
Commonwealth of Massachusetts
100 Cambridge Street
Room 904
Boston, MA 02202

Dear Sir:

Enclosed you will find a copy of an amendment to the Zoning Ordinances of the City of Cambridge which was passed to be ordained at the City Council meeting held on Monday, November 4, 1991 to rezone land in the Northern Massachusetts Avenue area on the petition by Irene M. Herman, et al.

This amendment is being sent to you pursuant to the provisions of Chapter 808 of the Acts of 1975.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton

Joseph E. Connarton
City Clerk

JEC/dl

Enc. (1) Ordinance # 1127

c.c. Les Barber
Office of the Attorney General

ORDINANCE NO. 1127.

Final publication number 2562. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

ORDINANCE NO. 1127.

Final publication number 2562. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat #184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119 #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Far Oaks Street, 5-7 Cameron Avenue.

B **And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:**

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerliine of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C **And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:**

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

ORDINANCE NO. 1127.

Final publication number 2562. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

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2.00 Said area includes all or parts of the following parcels of land:

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Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

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Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

ORDINANCE NO. 1127.

Final publication number 2562. First publication in the Chronicle on October 24, 1991.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

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1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

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1.02 Thence prceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

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1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

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1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

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1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

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1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

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1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

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2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

In City Council November 4, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 7; Nays 0; Absent 0; Present 2.

Robert W. Healy, City Manager.

ATTEST:- Joseph E. Connarton
City Clerk

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council Nov. 4 1991

C. Walsh - Motion To Table For Two weeks

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr		✓			
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers		✓			
Mr. Kenneth E. Reeves				✓	
Mrs. Sheila T. Russell		✓			
Mr. Walter J. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.		✓			
Mr. William H. Walsh	✓				
Mayor Alice K. Wolf		✓			
	2	6		1	

CAMBRIDGE DEPARTMENT OF PUBLIC THE WORKS

1991 OCT 30 AM 11:58

David A. Haley
Commissioner

147 Hampshire Street
Cambridge
Massachusetts 02139
617-349-4800

TO: Joseph E. Connarton
City Clerk

FROM: David A. Haley
Commissioner

DATE: October 29, 1991

RE: Petition of Irene M. Herman
(Northern Massachusetts Avenue)

My staff has tallied the petition area and area of land owned by protesters. The results are as follows:

Total Petition Area	349,909 square feet
Area Owned By Protesters Certified By Assessors' Office	148,414.5 square feet
Percent of Land Owned By Certified Protesters	42.42%

Please let me know if you need any additional information.

enc.

Herman Petition
North 29-Oct-91
Cambridge

BLOCK	LOT	AREA (s.f.)	
Petition Area:			
183		181937	
184		59806	
189		28304	
191		57685	
192		22177	
TOTAL PETITION AREA (SF)		349909	
Protesters' Area:			
			Abutter
183	8 & 7	1842.5	
183	10	2657	
183	14	5414	
183	119 & 120	15226	
191	4	7591	
183	74,75,75	11420	
183	114,118	8910	
183	115	9775	
192	166	1575	
192	167	4865	
192	39	5562	
192	37	N/A	
192	38	5940	
191	65	10650	
191	103	4204	
191	112,86	27717	
184	172	9937	
189	101		2786
184	159,160,189	15129	
TOTAL AREA (SF) PROTESTERS		148414.5	
Percent Owned By Protesters		42.42%	

filename: Herman (Sue VIII) 10/29/91

CITY OF CAMBRIDGE

1991 OCT 21 PM 4:29 **ASSESSING DEPARTMENT**

INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk

FROM: Sally Powers, Director of Assessment

SUBJECT: Written Protest To The Northern Mass. Ave. Area

DATE: October 21, 1991

In reply to your memo dated October 15, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 15, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON JEC
CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE NORTHERN MASS. AVENUE AREA - IRENE HERMAN PETITION.

Enclosed you will find two copies of the written protest received by this office regarding the rezoning petition for the Northern Mass. Avenue area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.

COMEnergy

COM/Energy Services Company
One Main Street
Post Office Box 9150
Cambridge, Massachusetts 02142-9150
Telephone (617) 225-4000

CERTIFIED MAIL #848692760

October 8, 1991

Planning Board
City of Cambridge
City Hall Annex
57 Inman Street
Cambridge, MA 02139

RE: North Cambridge Rezoning

Dear Board Members:

I am writing on behalf of Commonwealth Gas Company ('the Company' herein), in response to the petition of Irene M. Herman, to amend the zoning of an area off North Massachusetts Avenue in Cambridge. Included within the area proposed to be re-zoned is a parcel owned by the Company, comprising approximately 2,107 square feet, and being located at 14 Cameron Avenue.

The Company cannot support this petition. The Company's position in this matter is not based on the impact of the re-zoning on any plans for development of this parcel, as the Company has no such plans, but rather on the Company's mandate (as a regulated public utility) to preserve the value of its assets for the benefit of its ratepayers and shareholders. The Company has a regulator station located on this site, a use which the Company intends to continue for the foreseeable future. While it is acknowledged that any re-zoning can not impact current operations (which pre-date the zoning regulations), we feel that the current proposal has a particularly detrimental impact on the value of this parcel.

In sum, we urge that the Board not adopt the proposed plan. We look forward to the hearing this evening, and would welcome any questions you may have concerning the Company's position at that time.

Very truly yours,

Timothy N. Cronin - CMG

Timothy N. Cronin
Corporate Attorney

CESV

cc: Cambridge City Council (Certified Mail #P007848108)

LETTERS OF OPPOSITION FROM PROPERTY OWNERS IN TROLLEY SQUARE TO IRENE M. HERMAN PETITION TO DOWN-ZONE THEIR PROPERTIES.

CAMERON AVE	OWNER	LOT SIZE	CITY ENGINEER'S REFERENCE PLAN	LOT
10	DeMella	1,845	183	8 & 7
16	Mikulka	2,657	183	10
32	DeSalvo	5,414	183	14
40	Szafarz	15,226	183	119 & 120
CEDAR ST.				
1	Lynch Vets	7,591	191	4
ELMWOOD ST.				
88-102	M W CARR CO	11,420	183	74,73,75
95	Mingolelli	8,920	183	114,118
99	Mingolelli	9,775	183	115
MASS AVE				
2344	Stasiak	1,575	192	166
2350	Stasiak	4,865	192	167
2360	N.CAM COOP BANK	14,821	192	39,37
2366	Batmasian	5,940	192	38
2368	Batmasian	10,650	192	65
2390	Mendelsohn	4,204	191	103
2394	Danehy	19,894	191	112,86
2419	Lost Exit	26,771	184	106,171
2443	Patel	9,937	184	172
2448	Boyle	22,348	189	100
2464R	Boyle	2,786	189	101
2464	Camb.Office	25,699	189	57,96
2475	MODERN CONTINENTAL	16,646	184	159,160,189
		228,984 S.F.		

****

NOTE: THE FOLLOWING ALREADY HAVE FILED THEIR PROTEST WITH THE CITY

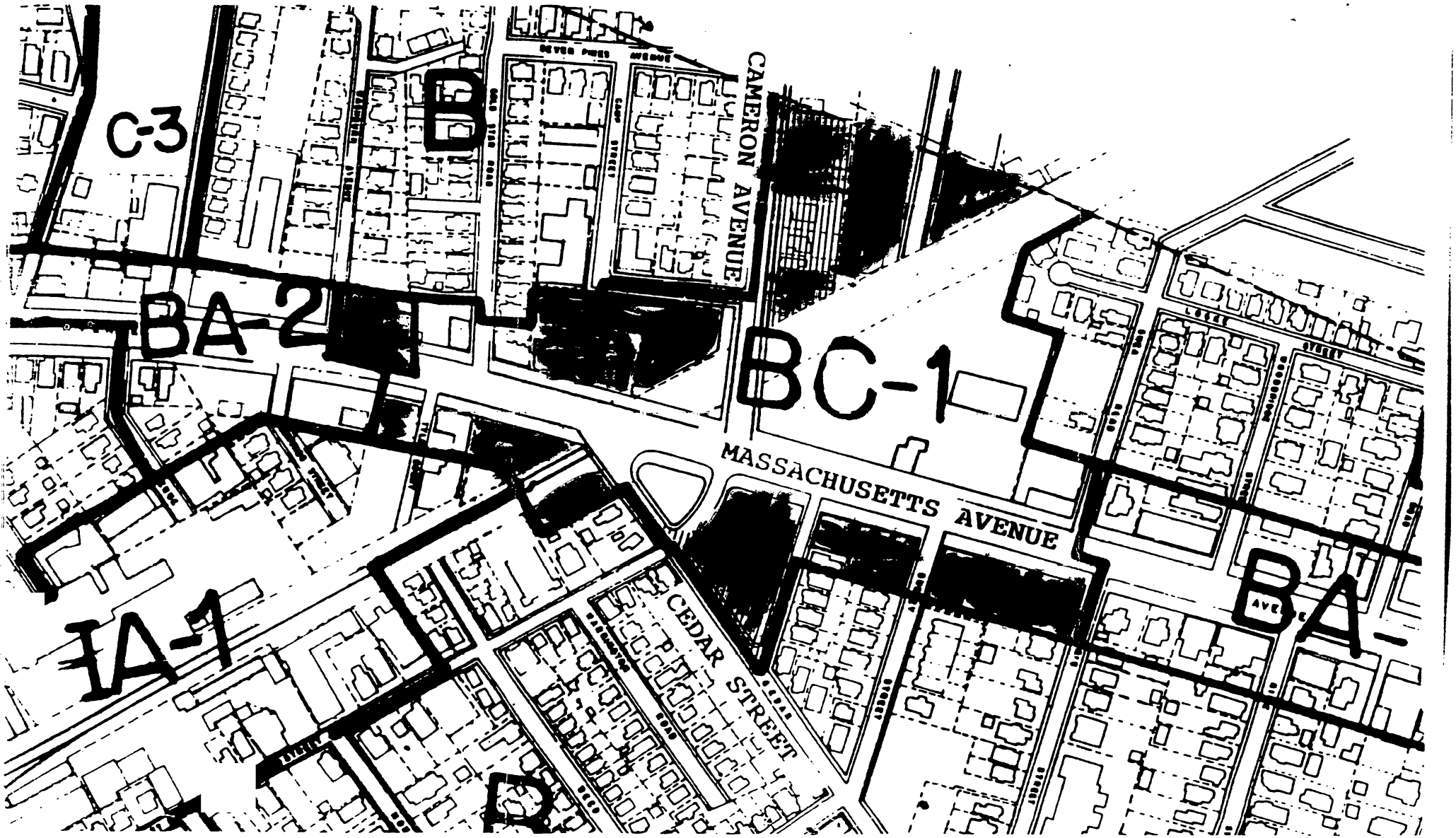
14 CAMERON AVE	COM GAS	2,107	183	9
2427 MASS AVE	MARY V. LYONS	8,000	184	107

Herman, et al Rezoning Petiton (9/91)

1. Area currently Business C-1 (BC-1), excluding 2465-2475 Massachusetts Avenue, proposed to be rezoned to Business A-2.

1991 OCT 15 AM 9 47

2. Shaded area proposed to be rezoned to Residence B.



1991 OCT 15 AM 9 48

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME Joseph A Demella Michael J. Demella

10 Cameron Ave. Cambridge, Mass
1,845 S.F.

ADDRESS

1991 OCT 15 AM 9:48

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME James R.Mikulka Karen Murphy Mikulka

16 Cameron Ave, Cambridge, Ma.
2,657 S.F.

ADDRESS

PM OCT 15 AM 9 48

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Sam J. DeSalvo Rose J. DeSalvo

NAME Sam J. DeSalvo Rose J. DeSalvo

32 Cameron Ave. Cambridge, Mass.

5,414 S.F.

ADDRESS

1991 OCT 15 AM 9:48

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Cort D Szafarz Trustee

NAME Cort D. Szafarz Trustee
Damon Realty Trust
40 Cameron Ave. Cambridge
10,886 S.F. & 4,340 S.F. =TOTAL 15,226S.F.

ADDRESS

1991 OCT 15 AM 9:48

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Joseph L O'Hare J

NAME Commander
Eugene Lynch Post
1 Cedar Street
Cambridge, Mass.
7,591 S.F.

ADDRESS

CARR®
SINCE 1869
An Employee Owned Company

M. W. CARR & CO., INC. 373 Highland Avenue Somerville, MA 02144
617 - 623 - 0300 FAX: 617 - 623 - 5130

October 10, 1991

Mr. Joseph E. Connarton
City Clerk- City Hall
City Of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:48
CAMBRIDGE MA.

Dear Mr. Connarton:

We are opposed to the Irene M. Herman petition to re-zone (Trolley Square) Massachusetts Avenue, Cedar Street and Cameron Avenue, North Cambridge, Massachusetts.

Joseph H Feltz

Joseph H. Feltz
88-102 Elmwood St.
Cambridge, MA
11,420 S.F.

JHF/ebh

547 C800

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:48
CAMBRIDGE MA.

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Richard J Mingolelli

NAME Richard J Mingolelli
Dick's Auto Body Inc.
95 Elmwood Street, Cambridge
8,920 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME Richard Mingolelli
99 Elmwood St, Cambridge
9,775 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Andrew Stasiak Valerie Stasiak

NAME Andrew Stasiak Valerie Stasiak

2344 Mass. Ave. Cambridge, Ma.
1,575 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Andrew D. Stasiak Trustee

NAME Andrew D. Stasiak, Trustee
of Mass Cam Realty Trust

2350 Mass. Ave. Cambridge, Ma.
4,865 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

James F. Culhane

NAME North Cambridge Cooperative Bank
2360 Mass. Ave.
Cambridge, Mass.
14,821 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

James H. Batmasian Marta Batmasian

2366 Mass. Ave, Cambridge, Ma.

5,940 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME James H. Batmasian

2368 Mass. Ave. Cambridge, Mass.

10,650 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Ruth Mendelsohn by
Alvin B Mendelsohn
NAME Ruth Mendelsohn, Trustee
of the Jarmen Trust

2390 Mass. Ave, Cambridge, Mass.
4,204 S.F.
ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME John L. Danehy Thomas W. Danehy
Trustees of Junction Realty Trust

2394-2400 Mass. Ave. Cambridge, Mass.
19,894 S.F.
ADDRESS

Rounder Records

20 YEARS OF QUALITY ALTERNATIVE MUSIC

October 8, 1991

Mr. Joseph E. Connarton
City Clerk
City of Cambridge
795 Massachusetts Ave.
Cambridge MA 02139

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Dear Mr. Connarton:

We write you as two of the three general partners of LOST EXIT PARTNERSHIP (our third partner is away on business).

We own the property at 2419 Massachusetts Avenue that is used as principal offices and warehouse for Rounder Records. We also own two adjacent properties on Camp Street and one on Harvey Street.

We are opposed to the Irene M. Herman petition to rezone the Trolley Square area which would include, among other properties, at least our main property at the address given above.

Thank you.

William G. Nowlin, Jr.

Marian Leighton Levy

ROUNDER

HEARTBEAT

PHILO

VARRICK



The Rounder Records Group ▪ One Camp Street, Cambridge, Massachusetts 02140 USA
Tel. (617) 354-0700 ▪ FAX (617) 491-1970

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Kisharkumar N. Patel

NAME KISHORKUMAR N. PATEL

2443 MASS. AVE. CAMBRIDGE, MA
9,937 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Edward J. Boyle Jr.

NAME Edward J. Boyle, Jr Terrance A. Boyle
Trustees of Boyle Nominee Trust

Terrence A. Boyle

2464R Mass. Ave, Cambridge, Ma
ADDRESS 2,786 S.F.

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

Edward J. Boyle Jr. (President)

NAME T.J.Hartnett Beverage Co.Inc

2448-2450 Mass. Ave
Cambridge, Mass.
22,348 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

NAME Modern Continental Enterprises, Inc

2475 Mass. Ave, Cambridge, Ma.

16,646 S.F.

ADDRESS

RECEIVED BY
OFFICE OF CITY CLERK
1991 OCT 15 AM 9:49
CAMBRIDGE MA.

Mr. Joseph E. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mr. Connarton:

I/WE ARE OPPOSED TO THE IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE, MASSACHUSETTS.

John A. Brown

NAME Cambridge Office Associates

2464 Mass. Ave. Camb.

25,699 S.F.

ADDRESS

C. C. 106

City of Cambridge

October 21, 1991

The Committee on Ordinances conducted a public hearing on Thursday, October 10, 1991 beginning at 5:43 P.M. in the Sullivan Chamber, City Hall for the purpose of receiving public testimony relative to a proposed amendment to the Zoning Ordinances as submitted by Irene M. Herman, et al regarding the rezoning of land in the Northern Massachusetts Avenue area. Members present were: Councillor Francis Duehay, Councillor Jonathan Myers, Councillor Walter Sullivan, Councillor Ed Cyr, Councillor Sheila Russell, Councillor William Walsh, Mayor Alice Wolf, Vice Mayor Kenneth Reeves and City Clerk Joseph Connarton.

Councillor Duehay opened the hearing and outlined the process by which testimony will be taken with proponents being heard first and opponents being heard second.

The Committee then heard from Robert Sheketoff, 13 1/2 Cedar Street, Cambridge who stated that he was also a petitioner and favored the adoption of the proposed amendment in order to preserve the existing neighborhood from future large scale development.

The Committee then heard from Irene Herman, 21 Cedar Street, Cambridge who also spoke in strong support of the proposed amendment stating she was the lead petitioner and is very concerned with potential for over development in the North Cambridge area.

Also speaking in strong support of the petition were; Jeanne Fong, 13 1/2 Cedar Street, Cambridge, Kathleen Lemo, 2 Notre Dame Avenue, Cambridge, Michael Brandon, 27 Seven Pines Avenue, Cambridge, Philip Dowds, 48 Banks Street, Cambridge and Don McMath, 97 Pemberton Street, Cambridge, Chairman of the North Cambridge Stablization Committee, all of whom indicated that further studies of the planning aspect for North Cambridge needs to be done, that Trolley Square needs to be down zoned because the traffic patterns just can't accommodate large development and that the North Cambridge Stabilization Committee voted unanimously to support this petition.

The Committee then heard from Henry Szafarz, 36 Cameron Avenue, Cambridge who spoke in opposition to the petition and stated that he had not been represented in the process of developing this proposed amendment and as a

property owner, he is directly effected by the petition. He further stated that he believed that when he fought in World War II he was fighting for democracy and this was not democracy.

The Committee then heard from John Brown, 2464 Massachusetts Avenue, Cambridge, who spoke in opposition to the petition stating that he had been a general partner of the building located at this location since 1982 and that he had bought it with the expectation of developing said property. He further stated that his property went through a major down zoning in 1986 and it was at that time the F.A.R. was reduced. Furthermore, he stated that it was his understanding that the petition before the Committee was not endorsed by the Community Development Department and this location has been historically a business area. Finally he stated that he had just received his tax bill in the morning mail and that his taxes are up 13.5% from last year.

The Committee then heard from John L. Danehy, 2400 Massachusetts Avenue, Cambridge who spoke in opposition to the petition stated that although he sat through all the testimony given, he still did not hear why anyone thought this area should be down zoned. Furthermore, he stated that over 90% of the effected property owners are opposed to the petition saying that this proposal was being submitted to satisfy a very few people. He also stated that he tried to meet with members of the Stabilization Committee but they refuse to meet. Finally he stated that he believed this was spot zoning and an injustice to the property owners.

The Committee then heard from Louis Franklin, 30 Cameron Avenue, Cambridge who spoke in opposition to the petition stating that it was unfair to the property owners. Furthermore, he stated that he currently resides in a four family house, but should it be demolished or torn down under the proposed petition only a two family could be built.

Councillor Walsh questioned the status of any negotiations with the Massachusetts Bay Transportation Authority relative to the so-called car barns.

City of Cambridge

He further stated he believed that some discussion had taken place relative to senior citizen housing being built on this site.

At this time the Committee heard from Mr. Les Barber of the Community Development Department who stated he was unsure about those negotiations but would look into it.

Councillor Walsh moved that the petition remain in Committee pending a report from Community Development.

The motion failed on a roll call vote of 2-5-2-0.

Mayor Wolf moved that the petition be referred to the full City Council without recommendation.

The motion carried.

The hearing adjourned at 6:20 P.M.

For the Committee,

s/Francis H. Duehay

Councillor Francis H. Duehay
Chairman

COMMITTEE REPORTS

3.

Report received from Councillor Duehay, Chairman of the Ordinance Committee, for a hearing held on Thursday, October 10, 1991 relative to a proposed amendment to the Zoning Ordinances of the City of Cambridge to rezone land in the Northern Massachusetts Avenue area on the petition submitted by Irene M. Herman, et al.

In City Council,

October 21, 1991

Report accepted
Passed to a
second reading

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council Dec. 10, 1991

C. Walsh Motion to Remain In Committee

Petition of Irene Herman et al

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr		✓			
Mr. Francis H. Duehay		✓			
Mr. Jonathan S. Myers		✓			
Mr. Kenneth E. Reeves			✓		
Mrs. Sheila T. Russell		✓			
Mr. Walter J. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.			✓		
Mr. William H. Walsh	✓				
Mayor Alice K. Wolf		✓			
	2	5	2		

Failed of Adoption

C. C. 106

PUBLIC NOTICE

RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, October 10, 1991 at 4:00 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Irene M. Herman, et al to amend the Zoning Map of the City of Cambridge by rezoning an area of North Massachusetts Avenue from the existing Business C-1 to Business A-2 and Residence B. This change would reduce the Floor Area Ratio from 3.0 to 1.75, of which up to 1.0 could be nonresidential uses in the portion to be rezoned to Business A-2, and to .6 in the portion to be rezoned to Residence B; the maximum height allowed would decrease from 50 feet to 45 feet and 35 feet respectively. Both of the Business Districts have further height restrictions when abutting residential districts. The rezoning area is shown on the accompanying map.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

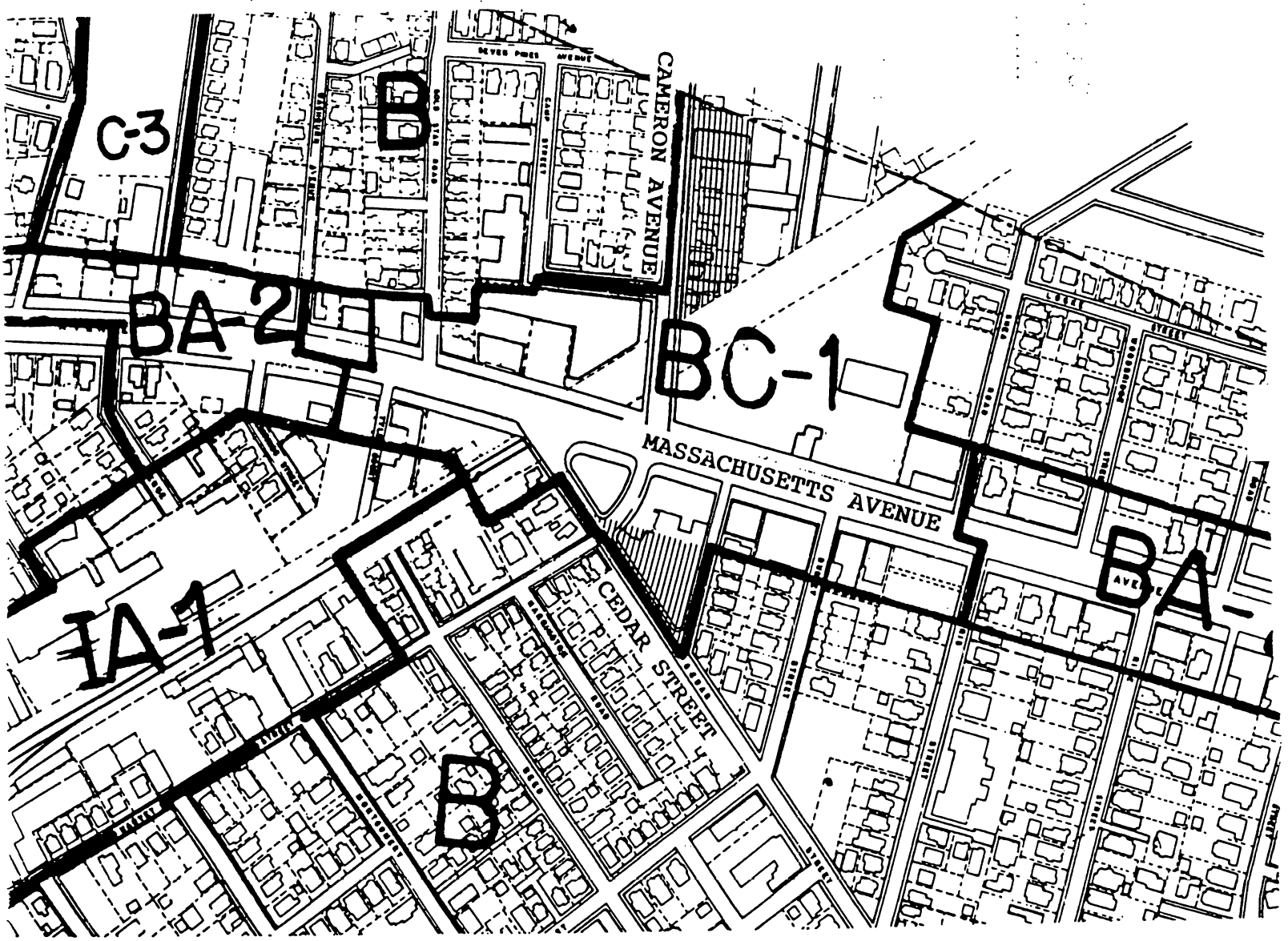
For the Committee,

Councillor Francis H. Duehay,
Chairman

Herman, et al Rezoning Petiton (9/91)

1. Area currently Business C-1 (BC-1), excluding 2465-2475 Massachusetts Avenue, proposed to be rezoned to Business A-2.

2. Shaded area proposed to be rezoned to Residence B.



1991 SEP 24 AM 9:57

CITY OF CAMBRIDGE

ASSESSING DEPARTMENT

INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk

FROM: Sally Powers, Director of Assessment

SUBJECT: Written protest - Northern Mass. Ave.-Irene Herman

Date: October 3, 1991

In reply to your memo dated October 3, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.

1991 OCT -3 PM 1:37

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 3, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON
CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE NORTHERN MASS. AVENUE AREA - IRENE HERMAN PETITION.

Enclosed you will find two copies of the written protest received by this office regarding the rezoning petition for the Northern Mass. Avenue area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.

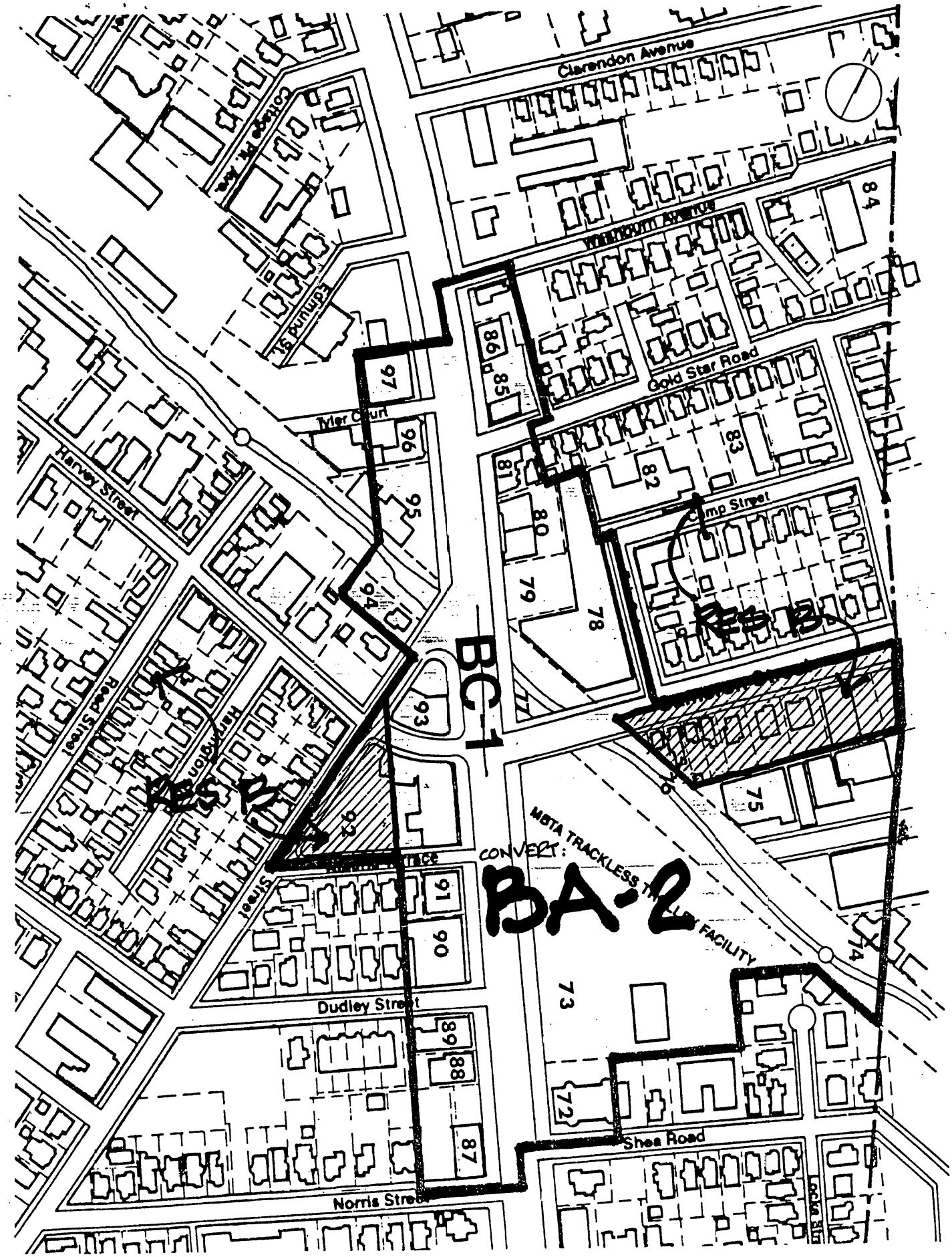
Joseph Connaughton
City Clerk

To Whom It May Concern:

I will be unable to attend the meeting October 10, 1991 regarding the rezoning of Mass. Ave. North Cambridge. I would like to go on record as opposing this. I do not want this area rezoned.

Sincerely,
Mary Lyons

Property at 2427 Mass. Ave.
North Cambridge


Clarendon Avenue
Washburn Avenue
Gold Star Road
Camp Street
Tyler Court
Harvey Street
Reed Street
Harrington Street
Dudley Street
Norris Street
Shea Road
Cottage Pk. Ave.
Edmund St.
BC-1
RES B
RES B
CONVERT:
BA-2
MBTA TRACKLESS TROLLEY FACILITY
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COMMITTEE ON ORDINANCES

SPEAKER LIST

IRENE M. HERMAN ET AL

IN OPPOSITION

NAME	ADDRESS
Thomas W Donnelly	19 Richard Ct
HENRY SZAFARZ	36 CAMERON
John A. Brown	2464 Mass. Ave.
John L. DANEHY	2400 MASS AVE
LOUIS R FRANKLIN	30 CAMERON AVE.

COMMITTEE ON ORDINANCES

SPEAKER LIST

IRENE M. HERMAN ET AL

IN FAVOR

NAME	ADDRESS
Robert Shekotoff	13½ Cedar St.
Irene Herman	21 Cedar St.
Jeanne Fong	13½ Cedar St
~~Kathleen~~ Lemo	2 Notre Dame Ave
Michael Brandon	27 Seven Pines Ave

13

5:43 p.m. Harman Petition

Robert Shebesta 13½ Cedar	Petition ✓
Irene Harman 21 Cedar St.	Very concerned w/ over development.
Jeanne Fong 13½ Cedar	Supports petition
Kathleen Lemo 2 Notre Dame Ave	" "
	Very concerned w/ over development. Public safety
Michael Brandon 27 Seven Pines	Supports petition Cobblers Square must be downzoned Streets could accommodate full development.

Philip Dowds
48 Banks St.
CCLN

Supports petition
Further study on planning aspect needs to be done.

Don McMath
97 Pemberton St.
North Cant. Stabilization.

Supports petition
Unanimous vote of committee

Henry Szafarz
36 Cameron Ave

Opposed to petition
I have not been represented in this process
Owned this property for 10 years.
Fought in WW II for democracy.

Delay any action

John Brown
2464 Mass. Ave.
General Partner

Owned building since 1982 w/ expectation of what would be built. Major down-zoning occurred in 1986 FAR reduced.

(17)

Plan is not endorsed by Community Development. Historically this has been a business area.

Tax up 135% on our property for my Child today.

John L. Danehy

Have not heard why this area should be down zoned.

Over 90% of property owners are opposed to petition.

This is being done only to satisfy a very few people.

Fall of 1990 Planning Board statement was in opposition.

We offered to meet w/ Stabilization Committee, they would not meet

This is spot zoning.
This is an injustice to the property owners.

Louis Franklin
30 Cameron Ave

opposed to petition, unfair to residents and business.
My 4 family will be downzoned to 2

Les Barber

Unsure of planning / MBTA negotiation for this site

* C. Walsh

Remain in Committee until senior citizen building issue is clarified.
Failed Roll Call

A Mayor

Ref to full C/C w/o recommendation
V/V

Adj: 6:20 P.M.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

October 23, 1991

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Sir:

Enclosed you will find a copy of a proposed amendment to the Zoning Ordinances of the City of Cambridge which was passed to a second reading at the City Council meeting held on October 21, 1991 to **rezone land in the Northern Massachusetts Avenue area.**

Enclosed also you will find three proposed amendments to the Municipal Code of the City of Cambridge which were also passed to a second reading at the City Council meeting held on October 21, 1991 as follows:

1. **State Sanitary Code**

2. **Code of Conduct for City Officials and Employees**

3. **Statements of Financial Interests by Certain City Officials and Persons Conducting Business with the City.**

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Thank you for your cooperation in this matter.

Very truly yours,

John E. Flynn
Deputy City Clerk

JEF/dl

Encs. First publication numbers 2556, 2557, 2558 and 2559

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.

FIRST PUBLICATION NO. 2556.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B. And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

Passed to a second reading at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTESTL- John E. Flynn, Deputy City Clerk.

FIRST PUBLICATION NO. 2557.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 8 (Health and Safety) of the Cambridge Municipal Code is hereby amended by adding thereto the following new Chapter 8.60 (Enforcement of State Sanitary Code):

Chapter 8.60

ENFORCEMENT OF STATE SANITARY CODE

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newpaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Passed to a second reading at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTEST:- John E. Flynn, Deputy City Clerk.

City of Cambridge

In the Year One Thousand, Nine Hundred and Ninety-One

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

That Title 8 (Health and Safety) of the Cambridge Municipal Code is hereby amended by adding thereto the following new Chapter 8.60 (Enforcement of State Sanitary Code):

Chapter 8.60

ENFORCEMENT OF STATE SANITARY CODE

Sections

8.60.010	Declaration of Emergency
8.60.020	Definitions
8.60.030	Administrative Citations; Issuance
8.60.040	Repairs
8.60.050	Extensions
8.60.060	Fines for Failure to Repair
8.60.070	Appeals of Fines
8.60.080	Failure to Pay Fine
8.60.090	Effect of Fines in Subsequent Actions
8.60.100	Revenues Generated
8.60.110	Regulations
8.60.120	Construction
8.60.130	Severability
8.60.140	Effective Date

8.60.010 Declaration of Emergency

A serious public emergency exists in the City of Cambridge with respect to residential premises which are in violation of the State Sanitary Code, causing many citizens to live in unsafe conditions. The legal remedies available to the Inspectional Services Department in enforcing this code, as well as other applicable state laws and regulations, are insufficient to encourage timely repair of rental properties. Owners often avoid repairing sub-standard properties, thereby endangering the lives, safety, and property of tenants and severely limiting the ability of many people to remain in their homes safely.

In order to provide the Inspectional Services Department with the remedies necessary to effectively carry out its mandate under state law, to guarantee tenants of the City of Cambridge housing which complies with the State Sanitary Code and other applicable laws and regulations, and to encourage owners to maintain the buildings they own in compliance with this code, laws and regulations, the Cambridge City Council, in the exercise of its powers under Section 6 of the Home Rule Amendment, hereby enacts this ordinance under which administrative citations are issued to owners who violate the State Sanitary Code.

8.60.020 Definitions

(A) "Administrative Citation" means a notice issued to an owner by the Inspectional Services Department, pursuant to this Chapter, which provides a statement of the terms under which the owner may be fined for failure to remedy violations of the State Sanitary Code and a statement of the owner's right to appeal the issuance of the administrative citation and/or fine.

(B) "Dwelling" means every building or shelter including but not limited to rooming houses and temporary housing used or intended for human habitation and every other structure or condition located within the same lot line whose existence causes or is likely to effect noncompliance with the provisions of 105 CMR 410.000.

(C) "Dwelling Unit" means the room or group of rooms within a dwelling used or intended for use by one family or household for living, sleeping, cooking and eating. Dwelling unit shall also mean a condominium unit.

(D) "Inspectional Services Department" means the legally designated health authority for the City of Cambridge, authorized by Chapter 84 of the Acts and Resolves of 1983, to enforce the State Sanitary Code through the inspection of rental units for violations of the code and the implementation of mechanisms to ensure compliance with repair orders.

(E) "Occupant" means every person over one year of age living or sleeping in a dwelling or dwelling unit.

(F) "Owner" means every person who alone or severally with others (a) has legal title to any rental unit, or parcel of land, vacant or otherwise, including a mobile home park; or (b) has care, charge or control of any dwelling, rental unit, mobile dwelling unit or parcel of land, vacant or otherwise, including a mobile home park, in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (c) mortgagee in possession; or (d) agent, trustee or other person appointed by the courts; (e) any officer or trustee of the association of unit owners of a condominium; (f) a bank or other lending institution in possession as a result of foreclosure; or (g) any person who operates a rooming house. The term "owner" includes landlords and lessors.

(G) "State Sanitary Code" means the State Sanitary Code, Code of Massachusetts Regulations codified at 105 CMR 400.00 - 419.00, adopted under the authority of Massachusetts General Laws, Chapter 111, §3 and §127A as it may be amended from time to time.

8.60.030 Administrative Citations; Issuance

(A) Whenever the Inspectional Services Department finds any violation of any provision of the State Sanitary Code it shall issue, in addition to its order to make repairs, an administrative citation against the owner according to the procedures set out in this Chapter.

(B) The administrative citation shall incorporate by reference the order to make repairs and shall contain the following information:

(1) the date of the inspection;

(2) the amount of fine which shall be assessed against the owner if the violation or violations are not remedied within the time set out in the order to make repairs as well as the rate at which the fine shall escalate pursuant to Section 8.60.080 (B) of this Chapter;

(3) the manner in which the owner may pay any fine assessed in accordance with the provisions of this Chapter; and

(4) a description of the owner's appeal rights with respect to the issuance of the administrative citation and of any fine.

(C) The administrative citation shall be served on the owner, along with any orders to make repairs, in accordance with the provisions of the State Sanitary Code;

(D) A copy of the administrative citation shall also be served on the occupants of the dwelling or dwelling unit in which violations have been found and shall be posted in the common areas of the dwelling. If violations of the State Sanitary Code are found in the common areas of any dwelling, a copy of the administrative citation shall be served on each and every tenant of the dwelling.

(E) A copy of the administrative citation shall be retained by the Inspectional Services Department and be available for public inspection and copying.

8.60.040 Repairs

(A) An owner shall make any and all repairs necessary to remedy any violations found by the Inspectional Services Department within the time stated on the order to make repairs, unless he or she requests a hearing pursuant to the hearing regulations of the State Sanitary Code.

(B) The Inspectional Services Department shall, within five days after the dates for compliance specified in an order to repair issued pursuant to 105 CMR 410.830, make an on-site inspection to determine whether there has been compliance with its order. This inspection shall be made within 24 hours of the dates for compliance specified in an order, however, if one or more of the violations or conditions cited in the order to repair are determined to be conditions which may endanger the health or safety, and well being of the occupant(s) as defined in 105 CMR 410.750. An inspection under 105 CMR 410.830 shall comply with the requirements of 105 CMR 410.822.

(c) If, upon re-inspection, it is determined that the Owner has remedied the violations cited in the order to make repairs, the administrative citation shall note this finding and shall be filed with the Inspectional Services Department.

(D) Copies of the administrative citation indicating that the violation has been remedied and no fine has been assessed shall be served on the same individuals who received notice of the initial administrative citation. This notice shall be served within five days of the re-inspection.

(E) If, upon re-inspection, it is determined that the owner has failed to remedy the violations cited, this shall be noted on the administrative citation and a fine shall be assessed against the owner in accordance with the terms of Section 8.60.060. of this Chapter.

(F) Copies of the administrative citation noting the assessment of a fine for failure to remedy the violations cited shall be served on the same individuals who received notice of the initial administrative citation within five days of the fine being assessed against the owner.

8.60.050 Extensions

(A) An owner who has made a good faith effort to remedy any violations cited in an order to make repairs and an administrative citation may apply to the Inspectional Services Department for an extension of the time set for making repairs by requesting a hearing under the hearing provisions of the State Sanitary Code.

(B) A good faith effort shall be found to exist only if the owner provides evidence that the repairs cannot be completed within the required time. Such evidence shall be in the form of at least

two written estimates from outside professionals, one of which the owner has accepted in writing, stating when the repairs will be made.

(C) In any case where an extension has been granted for the remedying of any violation, a new date shall be set by the Inspectional Services Department by which the owner shall remedy the violation and a re-inspection shall take place in accordance with Section 8.60.040 (C) through (F) of this Chapter.

(D) No extensions shall be granted in any case where an owner has received a fine for the same or similar violations within the twelve month period immediately preceding issuance of the current administrative citation.

(E) In no event shall the time allowed for repairs including any extensions be greater than sixty days from the date of the issuance of the order to make repairs.

8.60.060 Fines for Failure to Repair

(A) If an owner fails to remedy a violation cited in an order to make repairs within the allotted time, or fails to remedy the violation within the time set out in any extension granted under Section 8.60.050 of this Chapter, or fails to file a timely appeal, a fine shall be assessed against the owner.

(B) Notice of the assessment of a fine shall be served on the owner in accordance with the notice provisions of the State Sanitary Code.

(C) Notice of the fine shall be served on the same individuals who received notice of the initial administrative citation.

(D) The amount of the fine shall be set according to the following schedule:

(1) $100.00 per day for each violation referred to in 105 CMR 410.830 (A) and required to be corrected within twenty-four hours; or

(2) $50.00 per day for each violation referred to in 105 CMR 401.830 (B) and required to be repaired in an amount of time determined by the Inspectional Service Department but, in any event, no more than thirty days.

8.60.070 Appeals of Fines

(A) An owner or occupant who is aggrieved by the issuance of a fine or by the failure of the Inspectional Services Department to fine an owner pursuant to this Chapter may appeal to the Inspectional Services Department according to the following procedures:

(1) An appeal shall be filed within ten days of the date of the action appealed from;

(2) The appeal shall be in writing and shall state, in detail, the grounds for the appeal;

(B) The filing of a timely appeal shall stay the effect of the fine but shall not stay the owner's obligation to repair any violations cited.

(C) A hearing shall be held on the appeal following the same procedures available in an appeal of the issuance of an order to make repairs which are set out in 105 CMR §§ 410.850 and 410.860, except that any appeal to court shall be governed by the provisions of Massachusetts General Laws, Chapter 30A.

(D) Nothing in this section shall be construed to affect or impair the right to appeal the issuance of an order to make repairs.

8.60.080 Failure to Pay Fines

(A) Notice of a fine which has been issued pursuant to Section 8.60.060 of this Chapter shall be served on the owner and on the occupants who receive notice of the initial administrative citation.

(B) In addition, the owner shall be given notice that the fine shall automatically double if any violation cited in the administrative citation is not remedied within two weeks of service of the notice of the fine and shall automatically triple if any violation is not remedied within one month of service of the notice of the fine.

(C) A property tax lien shall be taken by the City of Cambridge against the owner if the tripled fine is not paid within six months of service of the notice of the fine or the issuance of the next property tax bill, whichever is later, and the owner shall be notified of this action prior to its being taken.

(D) Any person aggrieved by the failure of the City of Cambridge to take such enforcement action, may seek injunctive relief in the district or superior court pursuant to Massachusetts General Laws, Chapter 214 and 218, §19C to require action by the City of Cambridge in accordance with its enforcement obligations under this section.

8.60.090 Effect of Fine In Subsequent Court Actions

(A) A copy of the administrative citation indicating that a fine has been issued as a result of the owner's failure to remedy a violation cited in the administrative citation shall be prima facie evidence of a violation of Massachusetts General Laws, Chapter 111, §127A et seq. and Chapter 239, §8A in any legal action by or against the owner.

8.60.100 Revenues Generated

(A) Each fiscal year the City Manager shall determine an accounting of the revenues generated by the implementation of this ordinance in excess of the cost of administration and shall make a recommendation in the budget presented to the City Council for an appropriation of said funds to the appropriate city department or agency so that said revenues will be directed toward the repair or rehabilitation of deteriorated dwellings or dwelling units in the city.

8.60.110 Regulations

The Commissioner of Inspectional Services shall promulgate regulations consistent with the terms of this Chapter and any applicable state laws and regulations.

8.60.120 Construction

Nothing in this Chapter shall be construed to conflict with the provisions of Massachusetts General Laws, Chapter 111, § 127A, et seq. governing the authority and conduct of the Inspectional Services Department or with any other law or regulation governing the rights and obligations of owners and tenants in the Commonwealth Of Massachusetts.

8.60.130 Severability

The provisions of this Chapter are severable. If any section or sections are declared invalid by a court of competent jurisdiction, the invalidity shall not affect the validity of any remaining section or sections.

8.60.140 Effective Date

The provisions of this Chapter shall take effect three months from the date of its enactment.

Ordinance #3\HealthPo.bd\Sanitar.cod

Draft - October 22, 1991

FIRST PUBLICATION NO. 2558

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.117 entitled "Code of Conduct for City Officials and Employees."

Passed to a second reading as amended at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTEST:- John E. Flynn, Deputy City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- John E. Flynn, Deputy City Clerk.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge, as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amendment by adding at the end thereof a new Chapter 2.117 entitled **"CODE OF CONDUCT FOR CITY OFFICIALS AND EMPLOYEES."**

CHAPTER 2.117
CODE OF CONDUCT FOR CITY OFFICIALS AND EMPLOYEES

Section 2.117.010. Introduction. This chapter establishes standards of conduct for officials and employees of the City of Cambridge, in addition to those established by chapter 268A, of the Massachusetts General Laws.

Section 2.117.020. Definitions. Whenever used in this chapter, the following terms shall have the following meanings:

(a) "Agency" means the City Council, any committee or other subdivision thereof, any City department or other administrative unit, commission, board, or other division of the government of the City.

(b) "City" means the City of Cambridge.

(c) "City contractor" means any person (including its agents or employees acting within the scope of their employment) who is paid from the City treasury or pursuant to City Ordinance, for goods or services provided to any City agency, regardless of the nature of the relationship of such person to the City for purposes other than this chapter.

(d) "Contract management authority" means supervisory responsibility for the formulation, execution or performance of a City contract, including without limitation the preparation of specifications, evaluation of bids or proposals, negotiation of contract terms or supervision of performance.

(e) "Economic interest" means a financial interest, whether vested or contingent, legal or beneficial, with a present fair market value greater than two hundred and fifty dollars ($250.00) which is distinguishable from that of the public generally.

(f) "Employee" means an individual, other than a "Municipal Official," who is employed by the City or any City agency, whether part-time or full-time.

(g) "Gift" means a delivery of goods, payment, entertainment, subscription, advance, services or anything of value, unless consideration of equal or greater value is received. If items are furnished or services are rendered for less than the fair market value, the difference between the fair market value and the price shall be treated as a gift. "Gift" shall not include a political contribution reported as required by law, a commercially reasonable loan made in the ordinary course of business, anything of value received by inheritance or a gift received from a family member or from a relative within the third degree of consanguinity of the reporting person or of the reporting person's spouse or from the spouse of any such relative;

(h) "Municipal Official" means

(i) any individual holding any one of the following position in the government of the City of Cambridge, whether by election or appointment: mayor; councillor; city manager; deputy city manager; assistant city manager; city clerk; auditor; city solicitor; school committee member; school superintendent; police commissioner; chief of police; chief of fire department;

(ii) the members of boards and commissions, and the executive or administrative head or heads of such boards or commissions, whether elected or appointed, compensated or uncompensated, of a municipal body or bodies with executive, regulatory, or permitting authority; or

(iii) any Category I - IV employee as defined by section 2.62.010 of the Cambridge Code;

(i) "Person" means a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons.

(j) "Relative" means a person who is related to an official or employee as spouse, as a descendent of any grandparent of such official or employee whether by the whole-or half-blood or by adoption, or as spouse of any of the foregoing.

Section 2.117.030. Fiduciary duty. Municipal officials shall at all times in the performance of, and within the scope of their public duties owe a fiduciary duty to the City.

Section 2.117.040. Improper influence. No municipal official or employee shall make, participate in making or in any way attempt to use such municipal official's or such employee's position, influence or power, to influence or effect any City governmental decision or action in which such municipal official or employee knows or has reason to know that such official or employee has any economic interest. Nothing in this section shall be interpreted so as to preclude the Members of the City Council from voting on City Council Salary appropriations.

Section 2.117.050. City-owned Property. No municipal official, employee or city contractor shall permit the City-owned property under their control to be used in any manner that is inconsistent with any written policy governing the use of said policy.

Section 2.117.060. Use or Disclosure of Confidential Information. No current or former municipal official or employee shall use or disclose, other than in the performance of his official duties and responsibilities, or as may be required by law, confidential information gained in the course of or by reason of his position or employment. For purposes of this section, "confidential information" means any information that is not generally available to the general public or could not be obtained from public records pursuant to the Massachusetts Public Records Act, as amended.

Section 2.117.070. Employment of Relatives.

(a) No municipal official or employee shall after the date of adoption of this chapter hire or advocate for employment, in any City agency in which said official or employee serves or over which he exercised authority, supervision, or control, any person

(i) who is a relative of said municipal official or employee, or

(ii) in exchange for or in consideration of the employment of any of said municipal official's or employee's relatives by any other official or employee.

(b) No municipal official or employee shall use or permit the use of his position to assist any relative in securing employment or contracts with persons over whom the employee or municipal official exercises contract management authority.

Section 2.117.080. Prohibited Acts by City Councillor. City Councillor shall not make loans, gifts of value equal to or exceeding two hundred fifty dollars, offers of employment except when consistent with the discharge of their official duty as Councillor, offers of future employment, or of business or investment opportunities to the City Manager, to Assistant City managers, to heads of City departments or agencies, to the City Solicitor and Assistant Solicitors or to members of boards of commissions involved in the granting of variances, permits, licenses or other such discretionary, or adjudicatory functions.

Section 2.117.090. Prohibited Acts by School Committee Members. School Committee members shall not make loans, gifts of value equal to or exceeding two hundred fifty dollars, offers of employment or future employment, except within the discharge of their official capacity as a School Committee, or of business or investment opportunities to the Superintendent, Assistant Superintendents, the Executive Director of Management Services, the Executive Director of Human Resources or Personnel Director, the Affirmative Action officer, the Headmaster of Cambridge Rindge and Latin School and elementary school principals.

Section 2.117.100. Advisory Opinions.

(a) Any city employee or municipal official shall be entitled to the opinion of the City Solicitor upon any question arising under this chapter relating to the duties, responsibilities and interests of such person. All requests for such opinions by a subordinate municipal employee shall be made in confidence directly to the City Manager who shall in turn request in confidence such opinion of the City Solicitor on behalf of such person, and all members of boards or commissions and chief officers or heads of municipal agencies may make direct confidential requests for such opinions on their own account. The City Solicitor shall file such opinion in writing with the City Clerk and such opinion shall be a matter or public record; however, no opinion will be rendered by the City Solicitor except upon the submission of detailed existing facts which raise a question of actual or prospective violation of any provision of this ordinance.

(b) Any person who acts in reliance on an opinion of the City Solicitor shall be exempt from the penalties provided herein if that person has made a good faith disclosure of all material facts related to the opinion.

Section 2.117.110. Penalties.

(a) Any employee or municipal official who violates this chapter shall be subject to appropriate discipline, including suspension, termination or censure, consistent with any requirements of the state civil service law and the city charter, as well as to civil or criminal prosecution under any other applicable state laws.

(b) A knowing violation of this chapter shall constitute a misdemeanor, and shall be punishable by a fine of not more than $300 per offense.

(c) All City contracts shall include therein a clause for allowing for termination in the event of a violation of this chapter in connection with the awarding, administration or performance of the contract.

(d) A violation of this chapter in connection with the issuance of any permit, license, ruling determination, or other official action shall be grounds for revocation thereof subject to and in accordance with applicable state and federal laws.

(e) Ten taxpayers of the City ("the Taxpayers") shall have legal standing to institute a civil action to recover damages on behalf of the City or to implement any other remedy provided for in this chapter only in accordance with the following:

(i) the Taxpayers shall first submit to the City Solicitor a written notice of the intention of the Taxpayers to bring such action with a statement of the grounds therefor;

(ii) within sixty (60) days of the receipt thereof the City Solicitor shall submit to the Taxpayers a written response thereto;

(iii) thereafter the Taxpayers may institute such civil action unless

(i) in his response the City Solicitor has stated that in his opinion there are no grounds for the institution of such action, with a statement of the reasons for such opinion; or

(ii) in his response the City Solicitor has stated that the City itself intends to institute the proposed action and the City does in fact institute such action with 120 days of the issuance of the City Solicitor's written response to the Taxpayers.

Section 2.117.130. Other Remedies. The City or any City agency may maintain an action for injunctive relief to enforce any provision of this chapter, and for an accounting for any economic benefit received by any person in violation of this chapter or other law, and may recover damages for violation of this chapter.

Section 2.117.140. Relationship with Other Laws. If this chapter and any state law apply to the same subject the provision of broadest or most strict coverage shall control.

FIRST PUBLICATION NO. 2559.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.118 entitled "Statements of Financial Interests by Certain City Officials and Persons Conducting Business with the City."

Passed to a second reading as amended at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTEST:- John E. Flynn, Deputy City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- John E. Flynn, Deputy City Clerk.

C. C. 106

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title 2 entitled "Administration and Personnel" of the Cambridge Municipal Code is hereby amended by adding at the end thereof a new Chapter 2.118 entitled **"STATEMENTS OF FINANCIAL INTERESTS BY CERTAIN CITY OFFICIALS AND PERSONS CONDUCTING BUSINESS WITH THE CITY"** which reads as follows:

CHAPTER 2.118

STATEMENTS OF FINANCIAL INTERESTS BY CERTAIN CITY OFFICIALS AND PERSONS CONDUCTING BUSINESS WITH THE CITY

SECTION 2.118.010. Definitions. As used in this chapter, unless the context requires otherwise,

(a) "amount" means a category of value, rather than an exact dollar figure, as follows: greater than $1000 but not more than $2500; greater than $2500 but not more than $5000; greater than $5000 but not more than $10,000; greater than $10,000 but not more than $25,000; greater than $25,000 but not more than $50,000; greater than $50,000 but not more than $100,000; greater than $100,000;

(b) "business" means any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, receivership, business or real estate trust, or any other legal entity organized for profit, non-profit or charitable purposes;

(c) "business with which a person is associated" means any business in which the reporting person or a family member is an employee, a general partner, limited partner, proprietor, officer, director, trustee or serves in any managerial capacity; and any business more than one percent of any class of outstanding equity of which is beneficially owned in the aggregate by the reporting person and/or family members;

(d) "doing business" is the purchase, lease or sale of goods or services in any transaction with the City or any department, agency, commission or other part thereof.

(e) "candidate" means any individual who seeks nomination or election to the office of City Councillor or School Committee member. For the purposes of this chapter, an individual shall be deemed to be seeking nomination or election to an office if such individual has (l) received a political contribution or made an expenditure, or has given such individual's consent for any person or committee to receive a political contribution or make an expenditure, for the purpose of influencing such individual's nomination or election to such office, whether or not the specific municipal office for which such individual will seek nomination or election is known at the time the political contribution is received or the expenditure is made, or (2) taken action necessary under the law to qualify such individual for nomination or election to such office;

(f) "city clerk" means the City Clerk of the City of Cambridge.

(g) "equity" means any stock, interests in capital or profits and losses or similar ownership interest in a business;

(h) "family member" means a spouse, any dependent children residing in the reporting person's household, or a sibling;

(i) "gift" means a delivery of goods, payment, entertainment, subscription, advance services or anything of value, unless consideration of equal or greater value is received. If items are furnished or services are rendered for less than the fair market value, the difference between the fair market value and the price shall be treated as a gift. "Gift" shall not include a political contribution reported as required by law, a commercially reasonable loan made in the ordinary course of business, anything of value received by inheritance or a gift received from a family member or from a relative within the third degree of consanguinity of the reporting person or of the reporting person's spouse or from the spouse of any such relative;

(j) "legislative agent" means any person who for compensation or reward does any act to promote, oppose or influence legislation or any other matter before the City Council or

School Committee, or to influence the decision of any member of the city administration where such decision concerns legislation or the adoption, defeat or postponement of a standard rate, rule or regulation pursuant thereto. The term shall include persons who, as any part of their usual employment and not simply incidental thereto, attempt to promote, opposes or influence such matters, whether or not any compensation in addition to the salary for such employment is received for such services;

(k) "municipal body" means any agency, authority, board, bureau, commission, committee, council, department, division, school department, or other legal entity within the government of the City of Cambridge:

(l) "municipal official" means

(i) Any individual holding any one of the following positions in the government of the City of Cambridge, whether by election or appointment: mayor; councillor; city manager; deputy city manager; assistant city manager; city clerk; auditor; city solicitor; school committee member; school superintendent; police commissioner; chief of police; chief of fire department;

(ii) The members of board and commissions, and the executive or administrative head or heads of such boards or commissions, whether elected or appointed, compensated or uncompensated, of a municipal body or bodies with executive regulatory, or permitting authority; or

(iii) Any Category I - IV employee as defined by Section 2.62.010 of the Cambridge Code;

(m) "person" means a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons;

(n) "political contribution" means a contribution or money or anything of value to an individual, candidate, or political committee, or person acting on behalf of any individual, candidate, or political committee, for the purpose of influencing the nomination or election of said individual or candidate, or for the purpose of promoting or opposing a charter change, referendum question, or other question submitted to the voters, and shall include any:

(1) gift, subscription, loan, advance, deposit of money, or thing of value, except a loan of money to a candidate by a national or state bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business;

(2) transfer or money or anything of value between political committees;

(3) payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee;

(4) purchase from an individual, candidate or political committee, whether through the device of tickets, advertisements, or otherwise, for fund-raising activities, including testimonials, held on behalf of said individual, candidate, or political committee, to the extent that the purchase price exceeds the actual cost of the goods sold or services rendered;

(5) discount or rebate not available to other candidates for the same office and the general public; and

(6) the forgiveness of indebtedness or payment of indebtedness by another person, but shall not include the rendering of services by speakers, editors, writers, poll watchers, poll checkers or others, nor the payment by those rendering such services or such personal expenses as may be incidental thereto, nor the exercise of ordinary hospitality;

(o) "reporting person" means any person required to file a statement of interests pursuant to Section 2.118.030.

SECTION 2.118.020. Administration. The City Clerk shall:

(a) on or before March first of each year request from the City manager a list of the names and positions of all municipal officials certified as to correctness and completeness, and the city manager shall furnish such a list within 60 days of receipt of such request;

(b) upon receipt of a statement of interests filed pursuant to this chapter, issue to the person filing such statement a receipt verifying the fact that a statement of interests has been filed and a receipted copy of such statement;

(c) make the list of municipal officials and statements of interests filed with the City Clerk pursuant to this chapter available upon written request of any individual for public inspection and copying during regular office hours and make photocopying facilities available at a charge not to exceed the actual cost; the City Clerk shall forward a copy of said request to the individual whose statement has been examined; provided, however, that such requests from the Attorney General of the Commonwealth of Massachusetts, the District Attorney of Middlesex County, or the State Ethics Commission shall be confidential;

(d) compile and maintain an alphabetical index of all filed statements of interests to facilitate public access to the statements;

(e) inspect all filed statements of interests to ascertain whether any reporting person has failed to file a statement as required by law or has filed a statement which is deficient on its face. After inspection, the City Clerk shall list all reporting persons who have failed to file a statement of interests and all reporting persons who have filed a statement of interest which is deficient on its face;

(f) notify each delinquent reporting person that a statement of interests has not been filed or that such a statement which has been filed is deficient. Such notice shall be in writing and shall state in detail each deficiency and the penalties for failure to file a correct statement of interests pursuant to this chapter;

(g) preserve all statements filed with it for six years from the date of receipt.

SECTION 2.118.030. Statement of Interests.

(a) Every candidate shall file a statement of interests for the preceding calendar year with the City Clerk on or before the date on which nomination papers for such candidate must be submitted to the Election Commission unless the candidate neither files nominating papers nor conducts a sticker or write in campaign. In the event that the candidate does not file valid nomination papers with the Election Commission on or before the date required by law but subsequently conducts a sticker or write-in campaign, said candidate shall file the required statement of interests with the City Clerk no later than fifteen days prior to the date of the election at which he is to be a candidate.

(b) Every municipal official shall file a statement of interests for the preceding year with the City Clerk:

(1) on or before June first of each year that such person is a municipal official or within thirty days of becoming a municipal official, whichever is later, and

(2) on or before June first of the year after such person ceases to be a municipal official; provided, however, that no former municipal official shall be required to file a statement of interests for any year in which such former municipal official was a municipal official for less than (30) days.

(c) Every statement of interests shall be filed on the form prescribed hereby and shall be signed under penalty or perjury by the reporting person.

(d) Every reporting person shall disclose, to the best of such reporting person's knowledge, the following information for such reporting person and every family member for the preceding calendar year;

(i) the name and address of and the nature of association with any business from which income in excess of ($1,000.00) one thousand dollars is received if that business does any business with, has matters pending before or is subject to regulation, supervision or oversight by the agency, department, board, city clerk or other part of the city which employs the reporting person, or over which he or she has administrative or legislative control;

(ii) the name of all businesses transacting business in Cambridge as to which more than one percent of the beneficial ownership of which is held directly or indirectly by a family member;

(iii) the name and address of each creditor, located within, or doing business with the City of Cambridge, to which more than one thousand dollars was owned on December 31 of the reporting year, and the original amount, the amount outstanding, the terms of repayment, and the general nature of the security pledged for each obligation; provided, however, that mortgages on the person's primary residence, obligations arising out of retail installment transactions, educational loans, medical and dental expenses, debt incurred in the ordinary course of an active ongoing business, and any obligation to make alimony or support payments shall not be reported; provided, further, that such information need not be reported if the creditor is a relative within the third degree of consanguinity or affinity;

(iv) the name and address of the source, and the case value of any reimbursement for expense aggregating more than one hundred dollars in the calendar year if the recipient is a member of a municipal body and the source of such reimbursement is a person having an interest that is distinguishable from the public generally in legislation, legislative action, administrative action, or a matter before that municipal body;

(v) the name and address of the donor, and the fair market value, as best determinable, of any gifts aggregating more than one hundred dollars in the reporting year, if the recipient is a member of a municipal body and the source of such gift(s) is a person having a direct interest in legislation, legislative action, or a matter before that municipal body;

(vi) the description, as appearing on the most recent tax bill of all real property located within the boundaries of the City of Cambridge, in which direct or indirect financial interest was held, which has an assessed value greater than one thousand dollars; and, if the property was transferred during the year, the name and address of the person furnishing consideration to the reporting person or receiving it from him in respect to such transfer;

(vii) the name and address of the source, and the fair market value, of any honoraria aggregating more than one hundred dollars if the sources of such honoraria is a legislative agent; or if the recipient is a member of a municipal body and the source of such honoraria is a person having a direct interest in legislation, legislative action, or a matter before that municipal body;

(viii) the name and address of any creditor who has forgiven an indebtedness of over one thousand dollars, and the amount forgiven; provided, however, that no such information need be reported if the creditor is a relative within the third degree of consanguinity or affinity of the reporting person, or the spouse of such a relative;

(ix) the name and address of any business from which the reporting person is taking a leave of absence;

(x) the identity of any equity in a business to which the reporting person is associated which has been transferred to a member of the reporting person's family; provided, however, that a family member who transfers equity to the reporting person need not report such an intrafamily transfer;

(xi) the date, nature, amount or value of any commercial or business transaction equal to or exceeding two hundred fifty dollars with any municipal official and the official.

Nothing in this section shall be construed to require the disclosure of information which is privileged by the law.

Failure of a reporting person to file a statement of interests within ten (10) days after receiving notice as provided in Section 2.118.040(a) of this chapter or the filing of an incomplete statement of interests after receipt of such a notice, is a violation of this chapter and the commission may initiate appropriate proceedings pursuant to the provisions of Section 2.118.040 of this chapter.

SECTION 2.118.040. Enforcement.

(a) The City Clerk shall determine whether any reporting person has failed to file a statement of interests or has filed a deficient statement. If the City Clerk determines that reporting person has failed to file a statement of interests, or that any such statement filed with the City Clerk does not conform with the requirements of Section 2.118.030 (d), then the City Clerk shall notify the delinquent in writing. Such notice shall state in detail each deficiency and the penalties for failure to file a correct statement of interests pursuant to this chapter.

(b) If within ten days of the sending of a notice as prescribed by subsection (a), a statement complying with the requirements of this chapter is not received, after further notice affording the delinquent to be heard, if the City Clerk determines that the delinquent has violated the provisions of this chapter, the City Clerk may assess a fine of not more than three hundred dollars for each day after said ten days that such violation has continued. The City may commence a civil action in the Superior Court to collect any such fine. The City Clerk shall also report the failure to file to the Attorney General and the District Attorney for Middlesex County.

(c) Every person who filed a false statement of interests under this chapter shall be punished by a fine of not more than three hundred dollars ($300) for each offense. Every failure to disclose truthfully any matter required to be disclosed hereunder shall constitute a separate offense.

(d) In addition to the penalties provided hereunder, any municipal official who violates this chapter shall be subject to appropriate discipline, including suspension, termination or censure, consistent with any requirements of the state civil service law and the City charter and ordinances.

FIRST PUBLICATION NO. 2556.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street:

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C **And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:**

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

Passed to a second reading at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTESTL- John E. Flynn, Deputy City Clerk.

FIRST PUBLICATION NO. 2556.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-one

AN ORDINANCE

In amendment to the ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinance of the City of Cambridge be amended to rezone an area currently zoned Business C-1 to Business A-2 in the area as defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

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1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

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Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

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1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

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1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

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2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

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Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

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B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

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1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

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1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

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Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C **And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:**

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1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

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Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

Passed to a second reading at the City Council meeting held on October 21, 1991 and on or after November 4, 1991 the question comes on passing to be ordained.

ATTESTL- John E. Flynn, Deputy City Clerk.

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council _____ 199

C. Cyr - Committee Report #3 -

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mr. Kenneth E. Reeves	✓				
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Mayor Alice K. Wolf	✓				
	9	0	0	0	

C.Cyr
MS
RF

Northern Mass Ave Stabilization Petition

We the undersigned respectfully petition the honorable, the City Council of the City of Cambridge, to help protect the residential neighborhoods of North Cambridge from inappropriate commercial development along Massachusetts Avenue by amending the Zoning Ordinance in conformance with the petition attached hereto.

Signature	PRINTED NAME	ADDRESS	PHONE
allset Robert Sheketoff	ROBERT SHEKETOFF	13 1/2 Cedar St. Cambridge	876-1585
allset Irene M. Herman	Irene M. Herman	21 Cedar St. Cambridge	354-1685
allset Madeline M Rosatto	MADELINE M. ROSATTO	13 Cedar St.	354-2582
allset Jeanne Fong	Jeanne Fong	13½ Cedar St.	876-1585
allset Nathaniel B. Cary	Nathaniel B. Cary	24-1 Alberta Ter., Camb.	354-4066
Paula Lenzi	Paula Lenzi	24-2 Alberta Ter. Camb.	576-1540
allset Paula Lenzi	Paula Lenzi	30 Dover St. Camb.	" "
allset Stephanie J. Swift	STEPHANIE J. SWIFT	22 ALBERTA TER, Camb	868-5627
~~Robert Sheketoff~~	~~ROBERT SHEKETOFF~~	~~13½ Cedar St. CAMB~~	~~876-1585~~
allset ~~Kathleen Kenney~~	KATHLEEN E. LEHAN	TWO NOTRE DAME AVE. CAMB	864-5983
allset Rhys Winston	Rhys Winston	2 Notre Dame Ave.	864-5983
allset Nancy Winston	Nancy Winston	61 Harvey "	864-5934
Meredith Dunn-Esley	MEREDITH DUNN-ESLEY	23 CEDAR ST.	661-0867
allset Physllis G. McCabe	Physllis A. McCabe	11 Cedar St.	864-3023
allset Margaret A. McCaffrey	MARGARET A. McCAFFREY	27 Cedar St.	547-1332
allset ~~Joseph Costello~~	JOSEPH COSTELLO	17 GOLDSTAR RD.	~~864-6678~~
allset Michael J. Brandon	MICHAEL J. BRANDON	27 SEVEN PINES AVE.	864-3520
allset Joseph M. Costello	JOSEPH M. COSTELLO	17 GOLDSTAR RD.	864-6678
allset Robert M. Chester	ROBERT M. CHESTER	24 CAMP ST.	497-1575
Lynn Sivel Chester	Lynn Sivel Chester	24 Camp St.	497-1575
allset Victoria Tane Brandon	Victoria Tane Brandon	27 Seven Pines Ave	864-3520

allset = Registered voters

I, the above-signed, am a registered voter in the City of Cambridge.

WHEREAS a certain portion of northern Massachusetts Avenue, sometimes called Trolley Square, is presently zoned Business C-1; and

WHEREAS this zoning is (a) inconsistent with the zoning of like portions of Massachusetts Avenue adjacent in either direction, and (b) more permissive than the zoning applicable to Porter Square, a major commercial node with subway service; and

WHEREAS the "Business C-1" classification is found nowhere else in the City of Cambridge, which suggests a lack of urban planning policies or principles justifying this kind of zoning peculiarity; and

WHEREAS Business C-1 zoning will encourage overdevelopment of the aforementioned portion, with serious negative consequences for both the abutting neighborhood and the City as a whole; and

WHEREAS Cambridge residential streets in general enjoy greater liveability when the zoning boundary between residential and adjacent commercial use runs through the middle of the block, rather than down the middle of the street, as is acknowledged and demonstrated by most of the rest of the zoning along northern Massachusetts Avenue; and

WHEREAS the recent NORTH CAMBRIDGE NEIGHBORHOOD STUDY (undated) reports that the Neighborhood Study Committee "strongly recommends that Trolley Square be rezoned so that the development potential is comparable to the rest of Massachusetts Avenue" (p. 51); and

WHEREAS the City Manager's transmittal (10 Oct 91) of this STUDY to the City Council states that "it should be used by public agencies to help guide land-use policy . . . in North Cambridge in the 1990's;"

NOW THEREFORE, we the Undersigned respectfully petition the Honorable, the City Council of the City of Cambridge, to amend the Zoning Ordinance and Map by doing the following:

A Rezone an area currently zoned Business C-1 to Business A-2, said area defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the southerly sideline of the Massachusetts Bay Transit Authority (MBTA) right of way, Assessor's Plat #183;

1.02 Thence proceeding in a northwesterly direction along the southerly sideline of the MBTA right of way for approximately 110 feet to its intersection with the southeasterly sideline of lot #124 on Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for approximately 115 feet along the southeasterly sideline of lot #124 to its intersection with the northeasterly sideline of lot #124 on Assessor's Plat #183;

1991 JUL 24 AM 9:35

1.04 Thence turning and proceeding in a southeasterly direction along the northeasterly lot line of lot #124, Assessor's Plat #183 and the southwesterly sidelines of lots #88 and #90 to its intersection with the southeasterly sideline of lot #90, Assessor's Plat #183, a distance of 100 feet;

1.05 Thence turning and proceeding in a southwesterly direction along the southwesterly extension of the southeasterly lot line of lot #90, Assessor's Plat #183 and continuing along the northwesterly lot lines of lots #123, #101, and #102 to its intersection with the northeasterly sideline of lot #103, Assessor's Plat #183 a distance of approximately 200 feet;

1.06 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lot #103, Assessor's Plat #183 for approximately 140 feet to its intersection with the centerline of Shea Road;

1.07 Thence turning and proceeding in a southwesterly direction along the centerline of Shea Road for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue;

1.08 Thence turning and proceeding in a southeasterly direction for approximately 70 feet along the centerline of Massachusetts Avenue to its intersection with the projection of the centerline of Norris Street;

1.09 Thence turning and proceeding in a southwesterly direction along the centerline and its projection of Norris Street for approximately 150 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, Assessor's Plat #192;

1.10 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue to its intersection with the centerline of Alberta Terrace, Assessor's Plat #191;

1.11 Thence turning and proceeding in a southwesterly direction along the centerline of Alberta Terrace for approximately 200 feet to its intersection with the centerline of Cedar Street;

1.12 Thence turning and proceeding in a northerly direction along the centerline of Cedar Street for approximately 400 feet to its intersection with the easterly projection of the southerly sideline of lot #4, Assessor's Plat #191;

1.13 Thence turning and proceeding in a northwesterly direction along the southerly sideline of lot #4, Assessor's Plat #191, for approximately 150 feet to its intersection with the rear lot line of lot #4, Assessor's Plat #191;

1.14 Thence turning and proceeding in a northeasterly direction along the rear lot line of lot #4 and its projection for approximately 130 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue;

1.15 Thence turning and proceeding in a northwesterly direction along a line 100 feet distant from and parallel to the southwesterly sideline of

Massachusetts Avenue to its intersection with a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, Assessor's Plat #189;

1.16 Thence turning and proceeding along a line 50 feet distant from and parallel to the northwesterly sideline of Tyler Court, in a northeasterly direction for approximately 150 feet to its intersection with the centerline of Massachusetts Avenue, Assessor's Plat #189;

1.17 Thence proceeding in a northeasterly direction along a line perpendicular to the northeasterly sideline of Massachusetts Avenue, intersecting the northeasterly sideline of Massachusetts Avenue at a point 120 feet distant from the northwesterly sideline of Gold Star Road, and continuing to its intersection with a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue, a distance of approximately 150 feet, Assessor's Plat #184;

1.18 Thence turning and proceeding in a southeasterly direction along a line 100 feet distant from and parallel to the northeasterly sideline of Massachusetts Avenue for approximately 144 feet to its intersection with the centerline of Gold Star Road;

1.19 Thence turning and proceeding in a southwesterly direction along the centerline of Gold Star Road to a point of intersection with the northwesterly extension of the southwesterly sideline of lot #110 on Assessor's Plat#184 for a distance of approximately 20 feet;

1.20 Thence turning and proceeding in a southeasterly direction along the northwest extension of and the southwest side lot line of lot #110 on Assessor's Plat #184 for a distance of approximately 75 feet to its intersection with the northwesterly sideline of lot #172 on Assessor's Plat #184;

1.21 Thence turning and proceeding in a northeasterly direction along the northeasterly sideline of lots #171 and #172 to its intersection with the northwesterly sideline of said lot #171, a distance of approximately 50 feet;

1.22 Thence turning and proceeding in a southeasterly direction along the northeasterly sideline of lots #172 and #171 for approximately 110 feet to its intersection with the projection of the centerline of Camp Street;

1.23 Thence turning and proceeding in a northeasterly direction along the centerline projection and centerline of Camp Street to its intersection with the centerline of Fair Oaks Street, a distance of 20 feet;

1.24 Thence turning and proceeding in a southeasterly direction along the centerline of Fair Oaks Street for approximately 250 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.25 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for approximately 360 feet to its intersection with the Cambridge/Somerville boundary line;

1.26 Thence turning and proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 540 feet to the intersection with the southerly sideline of the MBTA right of way, the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8, #7, #115, #114, #120, #73, #75, #74, #19, #20, #94, #103; inclusive of 2353-2401 Massachusetts Avenue, 10-44 Cameron Avenue, 87-103 Elmwood Street, 88-102 Elmwood Street;

2.02 Premises shown on Assessor's Plat #192:

Lots #166, #137, #135, #38, #39; inclusive of 2344-2366 Massachusetts Avenue, 7-11 Norris Street, 4-8 Dudley Street;

2.03 Premises shown on Assessor's Plat #191:

Lots #65, #103, #102, #112, #86, #85, #4; inclusive of 2368-2480 Massachusetts Avenue, 1-7 Dudley Street, 6-12 Alberta Terrace, 6-12 Harvey Street, 1-7 Harvey Street, 2-14 Cedar Street;

2.04 Premises shown on Assessor's Plat #189

Lots #98, #92, #57, #75, #76, #77; inclusive of 2440-2474 Massachusetts Avenue, 18-26 Edmunds Street;

2.05 Premises shown on Assessor's Plat #184:

Lots #160, #189, #193, #109, #172, #171, #107, #106, #155, #188; inclusive of 2409-2467 Massachusetts Avenue, 1-3 Gold Star Road Place, 2-4 Fair Oaks Street, 5-7 Cameron Avenue.

B And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, with the centerline of Alberta Terrace, Assessor's Plat #191;

1.02 Thence proceeding northwesterly along a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue for a distance of approximately 183 feet to its intersection with the centerline of Harvey Street, Assessor's Plat #191;

1.03 Thence turning and proceeding in a westerly direction along the centerline of Harvey Street for a distance of approximately 45 feet to its intersection with the centerline of Cedar Street, Assessor's Plat #191;

1.04 Thence turning and proceeding in a southerly direction along the centerline of Cedar Street for a distance of approximately 262 feet to its intersection with the centerline of Alberta Terrace;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Alberta Terrace for a distance of approximately 202 feet to its intersection with a line 100 feet distant from and parallel to the southwesterly sideline of Massachusetts Avenue, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #191:

Lots #86 and #112; inclusive of 2392-2406 Massachusetts Avenue, and 6-12 Harvey Street.

C And further, rezone a portion of the area described above in Part A from its current or amended classification to the zone of Residence B, said portion defined as follows:

1.01 An area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the Cambridge/Somerville boundary line and the centerline of Cameron Avenue, Assessor's Plat #183;

1.02 Thence proceeding in a southerly direction along the Cambridge/Somerville boundary line for a distance of approximately 138 feet to its intersection with the rear lot line of lot #119, Assessor's Plat #183;

1.03 Thence turning and proceeding in a southwesterly direction for a distance of approximately 295 feet along a straight line terminating at the intersection of the rear lot line of lot #115, Assessor's Plat #183, with the northerly sideline of the Massachusetts Bay Transit Authority right of way;

1.04 Thence turning and proceeding in a northwesterly direction along the northerly sideline of the Massachusetts Bay Transit Authority right of way for a distance of approximately 157 feet to its intersection with the centerline of Cameron Avenue, Assessor's Plat #183;

1.05 Thence turning and proceeding in a northeasterly direction along the centerline of Cameron Avenue for a distance of approximately 427 feet to its intersection with the Cambridge/Somerville boundary line, said intersection being the point of origin.

2.00 Said area includes all or parts of the following parcels of land:

2.01 Premises shown on Assessor's Plat #183:

Lots #1, #119, #14, #13, #12, #11, #10, #9, #8 and #7; inclusive of 10-44 Cameron Avenue.

Cal #3

CONSENT COMM. # 24

Petition of Irene M. Herman, et al, to amend the Zoning Ordinances in the Northern Mass. Ave. area.

In City Council,

August 7, 1991

Charter Right
Exercised by
Councillor Sullivan
Copies sent to Ord Comm &
P B for hearing & report.
8/21/91 cc
9/18/91 ~~Order~~ Referred to
Ord. Comm. & Planning
Board.

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate and Family Court
No. 91P3933A
NOTICE OF ADMINISTRATION WITHOUT SURETIES
Estate of **Francis T. Desmond**
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Daniel J. Desmond** of Tewksbury in the County of Middlesex be appointed Administrator of the estate of said deceased without surety on his bond.

If you desire to object to the allowance of said petition, you or your Attorney should file a written appearance in said Court at Cambridge on or before October 21, 1991.

Witness, Sheila E. McGovern, Esquire First Judge of said Court at Cambridge the sixteenth (16) day of September in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate Court

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Innocent Egbuto d/b/a Amacco Biz-Concerns** has applied for a Used Car Dealer license, Class II at 70 Bishop Richard E. Alleyne (office only).

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Cambridge Pier, Inc., John F. Gomes, manager** has applied for a transfer of its all alcoholic beverages as restaurant license, 2 a.m. closing at 1172-1176 Cambridge Street to **J & E Restaurant, Inc.** d/b/a Cambridge Pier, **Margaret Curran, manager** at said address. This location is in a capped area.

The premises are described as follows: one room restaurant, one room kitchen and one room bar on the first floor. Basement storage.

The officers and directors of **J & E Restaurant, Inc.** are: Theresa Lane, President and Director; Jose Gonzalez, Treasurer and Director; Margaret Curran, Clerk and Director.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **The Lighthouse, Inc.** d/b/a **Harvard Square Sports Club, David Purvis, manager,** holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing at 59 John F. Kennedy Street applied for a change of manager and d/b/a.

Change of manager from David Purvis to **James McHugh.**

Change of d/b/a from Harvard Square Sports Club to **Sports Cafe.**

This applicant has also applied for its Entertainment license be extended to include a karioke in addition to 2 dart boards already licensed.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
Lincense Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 148, that **Charlotte Forsythe** has applied for a parking garage for 4 cars and the keeping and storage of 40 gallons of gasoline in tanks of cars only at **6 Prentiss Street.**

This applicant has also applied for a lodging house license for 19 rooms at said address, **Briar Rose Forsythe Fandettl, resident manager.**

The hearing for these applications will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor hearing room, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Inst. 1770 Hasty Pudding Silver-Deibel Corp., Inc.** d/b/a **Upstairs at the Pudding, Mary Catherine Deibel, manager** has applied for a transfer of the second half of its all alcoholic beverages as restaurant license, at 10-12 Holyoke Street to **Upstairs at the Pudding Associates, a Massachusetts Limited Partnership,** Mary Catherine Deibel, manager at 10 Holyoke Street. This location is in a capped area.

The applicant has also applied for a change of premises description and an increase in capacity. Increase of capacity from 74 to 155.

The premises are described as follows: Top floor restaurant with full kitchen, office and foyer area & terrace. Middle floor bar-function room with waiting area.

Upstairs at the Pudding Associates, a Massachusetts Limited Partnership: Mary Catherine Deibel, President and sole general partner.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 166902

To **James E. Whalen** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Jonathan G. Davis, Trustee of River Court Development Trust under Declaration of Trust dated September 8, 1986, recorded with Middlesex South District Registry of Deeds in Book 17513, Page 136 claiming to be the holder of a mortgage covering real property in **Unit No. 213, River Court Condom[illegible]10 Rogers Street, Cambridge, Massac[illegible]** James E. Whalen to Plaintiff, Jonathan G. Davis, Trustee of River Court Development Trust, dated September 29, 1989, recorded with Middlesex South District Registry of Deeds in Book 20117, Page 593 has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 21st day of October 1991, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 4th day of September, 1991.

Charles W. Trombly, Jr.
Recorder

(C)Sept.26

"The Annual Report (Federal Tax Form 990PP for fiscal year ending June 30, 1991) of the **William A. and Edna C. Silverman** Charitable Fund is available for inspection at the office of the Agent, Cambridge Trust Company, 1336 Massachusetts Avenue, Cambridge, Massachusetts, during regular business hours within 180 days from the date of this notice."
(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate and Family Court
No. 91P4053E
NOTICE OF PROBATE OF WILL
Estate of **Christine J. Genettis**
also known as **Judi Genettis**
and **Christine Judy Genettis**
died on August 6, 1991
late of **Cambridge**
In the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Andrew J. Genettis** of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on October 3, 1991.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the fifth day of September in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Docket No. 91P4046EF

To all persons interested in the estate of **Elizabeth A. Curtis** late of Rochester in the County of Strafford and State of New Hampshire, deceased

A petition has been presented to said Court, with certain papers purporting to be copies of the last will of said deceased, and of the probate thereof in said State of New Hampshire duly authenticated, by **Greely S. Curtis** of Bala Cynwyd, in the Commonwealth of Pennsylvania and **Ann C. Corte** of Dover, in the State of New Hampshire, praying that the copy of said will may be filed and recorded in the Registry of Probate in said County of Middlesex, and that they be appointed executors thereunder without surety on their bond.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the twenty ninth day of October 1991, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this eleventh day of September 1991.

Donna M. Lambert
Register

(C)Sept.26,Oct.3,10

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
ADMINISTRATION WITH SURETIES
Middlesex Division Docket No. 91P3099A

Estate of **Florence Penta**
died June 17, 1991
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Kevin M. Burke** of Quincy in the County of Norfolk or some other suitable person be appointed administrator of the estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on October 7, 1991.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the fifth day of September in the year of our Lord one thousand nine hundred and ninety one.

Donna M. Lambert
Register of Probate

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
PROBATE OF WILL ADMINISTRATION WITH THE WILL ANNEXED WITHOUT SURETIES
Middlesex Division Docket No. 91P3038E

Estate of **Harry Schaack**
also known as **Harry Colford van Schaack**
died April 27, 1991
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Christopher Colford van Schaack** of Edinburgh in the Country of Scotland be appointed administrator with the will annexed of said estate without surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on October 10, 1991.

In addition you must file a written affidavit of objections to the petition stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the ninth day of September in the year of our Lord one thousand nine hundred and ninety one.

Donna M. Lambert
Register of Probate

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Giannino, Inc.** d/b/a **Giannino's, Michelle Nagle, manager,** holder of an all alcoholic beverages as a restaurant license, at 20 University Road (Charles Square) has applied for a change of manager from Michelle Nagle to **Cynthia P. Overgaag.**

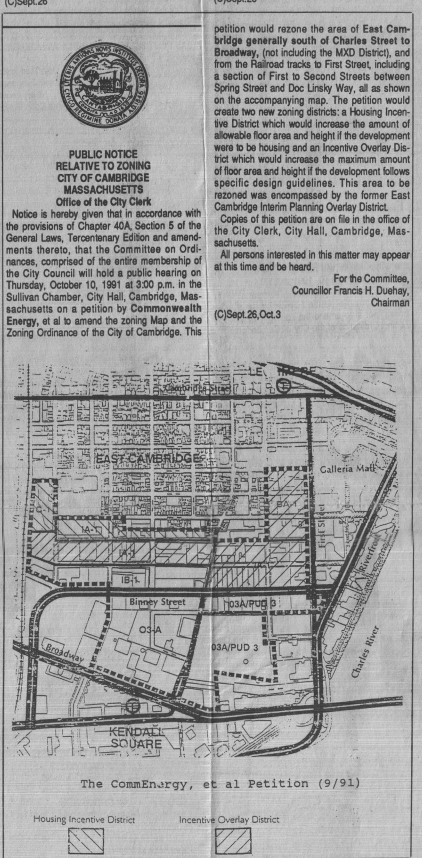
The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
Lincense Commission

(C)Sept.26

MASSACHUSETTS BOARD OF BAR OVERSEERS REINSTATEMENT HEARING

The Board of Bar Overseers will hold a hearing on the petition of **Myer J. Cohen** of Cambridge, whose practice was formerly located in Boston and has been suspended from the practice of law since 7 May 1986, for reinstatement to the bar of the Commonwealth on Wednesday, 2 October 1991, at 2:00 p.m. at the offices of the Board of Bar Overseers at 75 Federal Street, Boston, Massachusetts. Parties interested in attending and/or offering testimony should contact the Board Counsel at (617) 357-1860 in advance of the hearing date.
(C)Sept.26



PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

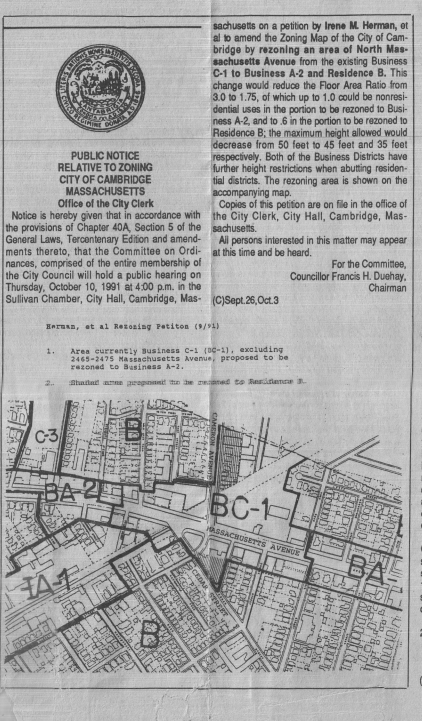
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, October 10, 1991 at 4:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **Commonwealth Energy,** et al to amend the zoning Map and the Zoning Ordinance of the City of Cambridge. This petition would rezone the area of **East Cambridge generally south of Charles Street to Broadway,** (not including the MXD District), and from the Railroad tracks to First Street, including a section of First to Second Streets between Spring Street and Doc Linsky Way, all as shown on the accompanying map. The petition would create two new zoning districts: a Housing Incentive District which would increase the amount of allowable floor area and height if the development were to be housing and an Incentive Overlay District which would increase the maximum amount of floor area and height if the development follows specific design guidelines. This area to be rezoned was encompassed by the former East Cambridge Interim Planning Overlay District.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Francis H. Duehay,
Chairman

(C)Sept.26,Oct.3



Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, October 10, 1991 at 4:00 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by **Irene M. Herman,** et al to amend the Zoning Map of the City of Cambridge by **rezoning an area of North Massachusetts Avenue** from the existing Business **C-1 to Business A-2 and Residence B.** This change would reduce the Floor Area Ratio from 3.0 to 1.75, of which up to 1.0 could be nonresidential uses in the portion to be rezoned to Business **A-2** and to .6 in the portion to be rezoned to Residence B; the maximum height allowed would decrease from 50 feet to 45 feet and 35 feet respectively. Both of the Business Districts have further height restrictions when abutting residential districts. The rezoning area is shown on the accompanying map.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Francis H. Duehay,
Chairman

(C)Sept.26,Oct.3

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, October 10, 1991 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

Rental of Electric Obese Bed
Personal Property Software Upgrade
Hepatitis B Test Kits
Service Contract for Eye Laser

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for "Designate Item" " and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)Sept.26

NOTICE OF NON-DISCRIMINATORY POLICY AS TO STUDENTS

The **Women's Job Counseling Center** admits students of any race, color, national or ethnic origin to all rights, privileges, programs and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national or ethnic origin in the admissions policies, scholarship and loan programs.
(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 91P4306A
ADMINISTRATION WITH SURETIES

Estate of **Charles Harold Cummings**
died June 14, 1983
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that **Jane Elizabeth Kuban** of Rockland in the County of Plymouth or some other suitable person be appointed administrator of the estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on October 11, 1991.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the eleventh day of September in the year of our Lord one thousand nine hundred and ninety one.

Donna M. Lambert
Register of Probate

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 167735

To **Webb F. Elkins;** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

The Boston Five Cents Savings Bank FSB claiming to be the holder of a mortgage covering real property in Cambridge, MA now known as and numbered Unit **509, Thomas Graves' Landing Condominium, 4 Canal Park, Cambridge, MA,** given by Webb F. Elkins to The Boston Five Cents Savings Bank FSB dated May 20, 1988, recorded at the Middlesex County (Southern District) Registry of Deeds at Book 19062, Page 14, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 4th day of November 1991, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 19th day of September 1991.

Charles W. Trombly, Jr.
Recorder

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND
FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 91P3591GI
NOTICE OF GUARDIANSHIP
MENTALLY ILL WITH SURETIES
NOTICE

To **Gail Sousa** of Cambridge in said County Middlesex and heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Gail Sousa is a mentally ill person and praying that **Ann Marie** Sousa of Tewksbury in the County of Middlesex or some other suitable person be appointed his guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before October 7, 1991.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the ninth of September, in the year of our Lord one thousand nine hundred and ninety-one.

Donna M. Lambert
Register of Probate Court

(C)Sept.26

OFFICIAL NOTICE

The loss has been reported to us of the following warehouse warrant:
Warrent No. 016859
Dated in Rotterdam August 8, 1989
Parcel Details: 2 Drums "Chromium Sponge", 400 Kgs. Nett, 418 Kgs. Gross

Anyone claiming to be entitled to these goods is invited to enter protest by means of summons against the delivery of these goods.

J. Oosterom & Zoon B.V.
Rijnhaven Z.Z. No. 7
3072 AJ Rotterdam, Netherlands
Tel. 010-4845716
Fax 010-4845608.

(C)Sept.12,26

COMMONWEALTH OF MASSACHUSETTS
Middlesex County, ss. Probate Court
No. 91D3075 D1
Summons by Publication
Julie Zhenju Yang Plaintiff
vs.
Jifen Lin Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Julie Zhenju Yang, seeking a divorce from the bonds of matrimony.

You are required to serve upon Steven L. Komstein, plaintiff's attorney, whose address is 131 State Street, Boston, MA 02109 your answer on or before November 4, 1991. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

August 28, 1991 Donna M. Lambert
Register of Probate

(C)Sept.12,19,26

COMMONWEALTH OF MASSACHUSETTS
SHERIFF'S SALE
Middlesex,ss., 32182
July 18, A.D. 1991

Taken on execution and will be sold by public auction, on Wednesday, the twenty-third day of October A.D. 1991, at ten o'clock a.m., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right, title and interest that **Richard Harris** of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the eighteenth day of July A.D. 1991, at nine o'clock and no minutes, a.m. being the time when the same was taken on execution in and to the following described real estate, to wit:

The land with the building thereon located in Cambridge, Middlesex County, Massachusetts shown as **Lots 2A, 1C, and 1D on a "Subdivision Plan, Cambridge, Mass.,"** dated July 20, 1989,Wendell H. Mason, Prof. Land Surveyor, said Plan recorded with Middlesex South Registry of Deeds, Book 20063, Page 307.

This is now referred to as Lot 2A-1 in Book 20508, Page 007.

Terms: Cash.

Richard A. Parella
Deputy Sheriff

(C)Sept.12,19,26

LEGAL NOTICE
U-Haul Company
Self-Storage Facility Sale

Self-Storage Facility Operator's Sale for non-payment of storage Charges pursuant to the power of sale contained in M.G.L., Chapter 105A, Section 4. The following property will be sold at Public Auction at 1:00 P.M., Friday, October 11, 1991 on the premises of Central Square Moving & Storage Center, 844 Main Street, Cambridge, Massachusetts 02139. All Household Furniture, Trunks, Books, Tools, Appliances, Clothes, Antiques, Collectables, Bric-A-Brac miscellany held for the accounts of: **Silvia Quiroga,** Rm #112; **Henry Clark,** Rm #143; **Fuad Khan,** Rm #222; **Lucas Sasja,** Rm #244; **Karon Falls,** Rm #250; **Kim Bennet,** Rm #291; **Domenica Corolla,** Rm #338; **Carol Zubkov,** Rm #398; **Voice Processing Corp,** Rm #408; **Christopher Morgan,** Rm #414. Sale per order of U-Haul Company of Boston, Inc.

Terms: Cash. Wm. F. Moon & Co., Auctioneers, No. Attle., Mass. 01501.
(C)Sept.19,26

ATTENTION:
HEIRS OF ETHEL N. EMERY AND/OR OF WILLIAM STANLEY EMERY (D. 3/15/71) LATE OF 17 CONCORD AVENUE, CAMBRIDGE, MA

Notice is hereby given that valuable property left at the Museum of Fine Arts, Boston, in 1928 by Mrs. William Stanley Emery will be disposed of on or about November 1, 1991. Any person having claim to said property please contact the Department of American Decorative Arts, 617-267-9438 prior to the above mentioned date.
(C)Sept.19,26,Oct.3

ATTENTION;
DONNA OLSON
last known of Commonwealth Ave., Allston, MA and/or heirs:

Notice is hereby given that valuable property left at the Museum of Fine Arts, Boston by the above person in June 1953 will be disposed of on or about November 1, 1991. Any person having claim to said property please contact the Department of American Decorative Arts, 617-267-9438 prior to the above mentioned date.
(C)Sept.19,26,Oct.3

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public Meeting Thursday, October 3, 1991 in Room 200, City Hall, Cambridge, Massachusetts. The following cases will be heard:

7:00 P.M. Case No. 6305 (Con't Case).

19-35 Mt. Vernon Street, Residence C-1 Zone, Mt. Vernon St. Development - David Aposhian, TR.

Variance: To increase floor area ratio to accommodate large affordable housing unit. Provide on grade parking within five feet of first floor windows. Art. 11.000, Sec. 11.152(2) (Floor area ratio for townhouses). Art. 6.000, Sec. 6.441(A) (Parking within required set-back of first floor windows).

7:15 p.m. Case No. 6330

2 Holyoke Place/64 Mt. Auburn St., Residence C-1 Zone, TR. of the benefit of the Fly Club - Lawrence W. Finoli, Attorney

Variance: To renovate and expand portion of existing building for commercial use.

Special Permit: To reduce required parking. Art. 4.000, Sec. 4.35A(2) (Use) Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.35 (Parking). Art. 11.000, Sec. 11.543 (Harvard Square Overlay District).

7:30 p.m. Case No. 6331

29 Washburn Avenue, Residence B Zone, Hamdough M. Awad

Variance: To use basement as a dwelling unit instead of part of first floor unit. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Sec. 5.26 (Conversion). Art. 6.000, Sec. 6.36 (Parking).

7:45 p.m. Case No. 6332

42 Mt.. Vernon Street, Residence C-1 Zone, Laurence M. Field

Special Permit: To construct deck in the rear of existing nonconforming structure. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).

8:00 p.m. Case No. 6333

1398 Cambridge St/144 Antrim St., Business A/Res. C-1 Zone, Mr. Gary Mitchell

Variance: To use existing bank parking lot as accessory parking for S&S Restaurant. Art. 6.000, Sec. 6.22 (1-2) (Parking). Art. 4.000, Sec. 4.35F1 (Restaurant Use).

8:15 p.m. Case No. 6334

139 Larch Road, Residence B Zone, Jan Egleson

Special Permit: To renovate and make additions to existing two family dwelling. To convert it into a single family dwelling. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).

8:30 p.m. Case No. 6335

156-158 Mt. Auburn Street, Residence C-1 Zone, Douglas Okun

Variance: To convert existing space into an apartment and increase the number of dwelling units. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Sec. 5.26 (Conversion). Art. 6.000, Sec. 6.36 (Parking).

8:45 p.m. Case No. 6336

851 Cambridge Street, Business A Zone, Carlos Pereira

Variance: To excavate basement for additional storage. Art. 5.000, Sec. 5.32 (Table of Dimensional Requirement).

9:00 p.m. Case No. 6337

4 & 4 1/2 Centre Street, Residence C-1 Zone, Richard Williams

Variance: To construct stairwell providing ingress and egress from 2nd to 3rd floors, construct dormers and create additional living space in the basement. To park within 10' of the building & 5' within property line.

Special Permit: To park cars in tandem. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.441 a,b (Parking within building & property line. Sec. 6.432 (Tandem Parking).

9:15 p.m. Case No. 6338

4 & 4 1/2 Centre Street, Residence C-1 Zone, Richard Williams

Variance: To demolish existing building and reconstruct new building on the lot of similar size having four dwelling units and 6 parking spaces. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Art. 6.000, Sec. 6.441(b) (Driveway within 5' of property line).

9:30 p.m. Case No. 6339

77 Magazine Street, Residence C Zone, Brad Day - Cascap, Inc.

Special Permit: To alter pre-existing non-conforming structure. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).
(C)Sept.19,26

COMMUNITY NEWS

Firefighters build handicapped ramp on their own time

Each year Cambridge Fire Fighters raise thousands of dollars for the Muscular Dystrophy Association to support research and patient service programs. The 1991 campaign raised $25,600 for MDA, with one group of firefighters responding to MDA's request for a donation of a different sort by volunteering to build a ramp for a young man with muscular dystrophy.

At a photo session earlier this summer to kick-off their fundraising drive, the firefighters met Willis Cwusu. For most of his life, Cwusu has lived in Cambridge with his family in an apartment that was not wheelchair accessible. His mother lifted him and his wheelchair over several stairs whenever Willis needed to get in or out. A commuter student at Boston University, Cwusu, now 18, found that routine became too difficult.

After months of searching for an accessible apartment the family found an affordable home to buy, but still had to pay for work to make the structure accessible for Willis. They needed a ramp outside and a stairlift inside.



FIREMEN OFF DUTY — Cambridge firefighters build a handicapped ramp on their own time for a resident with Muscular Dystrophy. Taking a break from work are Dan Turner, Bob Blake, Bob McCleery, Spike Lawless and Walter Grace.

While home modifications and ramps are not authorized services provided by the MDA, the organization helps families find other resources. Five local firefighters volunteered two days of their time to build a ramp.

Support from the the Mass. Rehabilitation Commission helped with the installation of the inside lift.

The firefighters who gave their time were: Bob Blake; Spike Lawless; Bob McCleery; Dan Turner and Walter Grace.

Food programs get $$ from Project Bread

Twenty-two food emergency programs in Cambridge received a total of $136,000 from Project Bread last week when the regional hunger relief awarded $3.1 million in grants to 250 soup kitchens, food pantries and emergency food pantries in Massachusetts.

The funds were raised through the efforts of over 43,000 individuals who participated in the 20-mile Walk or Hunger May 5.

Data compiled by Project Bread indicated half a million people in Massachusetts live at or below poverty line with an average income of $14300 per yea for a family of four.

Among the Cambridge organizations that received funds were American Friends Service Committee ($10,000); Bread and Jams ($6,000); Cambridge Economy Opportunity Council and Bread and Justice Food ($12,000); Cambridgeport Baptist Church Food Pantry ($5,000); Caspar Emergency Service Center ($15,000); Coalition for Basic Human Needs ($7,500); Earthen Vessels ($3,000); East End House Food Pantry ($2,500); First Church Shelter ($3,000); Food for Free Committee ($12,000); Harvard Square Churches Meals Program ($3,500); Helping Hand Food Pantry ($5,500); Mass. Avenue Baptist Church Meal Program ($7,500); Metropolitan Baptist Church Meal Program ($5,000); Pentacostal Tabernacle Church Food Pantry ($500); Pilgrim Congregational Church Loaves and Fishes ($6,000); Project Uplift of Union Baptist Church ($4,000); The Salvation Army ($7,500); Transition House ($5,000); UNICEF ($3,500); Grassroots International ($7,000); People Al Puebla ($900).

provided the goods and services needed to outfit Chilton House.

Companies contributing in-kind donations include BFI, Inc., California Products (paint), Dickson Brothers Hardware, TAG's Hardware, Forsythe Design (brochure design), Horticultural Technologies (tree work), Schumacher Landscaping, Level or Corporation), Pride Printers), Tree Tech, Inc. (tree work), and James Herbst (painting services).

Chilton House, which was renovated from an old home, also received $25,000 from the Horace W. Goldsmith Foundation, $5,000 from Friends of Hospice at Home and other contributions from the Clipper Ship Foundation, Campbell and Hall Charity Fund, the Farnsworth Trust, and the Hunt Foundation.

Chilton House half way to funding goal

The Chilton House Capital Campaign Committee has already successfully raised more than half the $800,000 needed for the renovation of the building, the first hospice home established in the state.

Officials at Hospice of Cambridge say area businesses have

New furniture, lamps, and other decorative items are still being sought for bedrooms and common areas. Used furniture in good condition can be used for the offices. Chilton House will provide housing to terminally ill persons who are either homeless or who can no longer stay in their own homes.

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 140, Sec. 185I, as amended, that **Rosie Stevens** d/b/a **Mystic Rosa,** Palm Reader, has applied for a fortune teller's license at 19 Arrow Street.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Catch A Rising Star of Massachusetts, Inc.** d/b/a **Catch A Rising Star, David N. Dillon,** manager holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing at 30 B John F. Kennedy Street has applied for a change of manager from David N. Dillon to **Bruce Driscoll.**

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Inst. 1770 Hasty Pudding Silver-Deibel Corp., Inc.** d/b/a **Upstairs at the Pudding, Mary Catherine Deibel, manager** has applied for a transfer of half of its all alcoholic beverages as restaurant license, at 10-12 Holyoke Street to **The Hasty Pudding Club-The Institute of 1770, Peter D. Koso, manager** at 12 Holyoke Street. This location is in a capped area.

The applicant has also applied for a change of premises description.

The applicant has also applied for an Entertainment license to include comedy show, one pool table and one stage, as currently exits.

The premises are described as follows: Basement offices and storage, first floor meeting room, first floor bar, theater.

The Hasty Pudding Club-The Institute of 1770: Robert W. Emmons, Jr., Director; Bruce Minevitz, Director; Richmond Holder, Director; Nicholas Holder, Director; Peter D. Koso, Director and Secretary. N.B. Corporate President and Treasurer are Harvard University undergraduates who change each year by election. Decision making body is the Graduate Board above.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

OFFICE OF THE
SCHOOL COMMITTEE
456 BROADWAY
CAMBRIDGE, MASSACHUSETTS 02139

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until Friday, October 25, 1991 at 11:00 A.M. at which time they will be publicly opened and read for:

Lease for School Bus Parking/Storage

Specifications and forms of proposals will be available at the Office of the Manager of Procurement on and after Thursday, September 26, 1991.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou McGrath
Superintendent of Schools

(C)Sept.26,Oct.3

CITY OF CAMBRIDGE
NOTICE OF PUBLIC HEARING
CONTINUATION

The Cambridge City Council will conduct a public meeting on Monday, September 30, 1991 at 6:30 P.M. in the Sullivan Chamber, City Hall, Second Floor, Cambridge on **Property Tax Rate Classification.**

Under the laws of the Commonwealth the City has the option of taxing residential and commercial/industrial property at different tax rates. At this public meeting, the City Council will review tax rates proposed by the City Manager and the Board of Assessors. The tax rates voted will reflect the City's property tax levy for FY92, the addition of new taxable property to the City's tax base, the Assessors' annual reassessment program to adjust values to January 1, 1991, and the City Council's decision regarding distribution of the tax burden between commercial and residential properties.

The Cambridge City Council will entertain comment and opinion from interested citizens and taxpeyers.

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss **Probate Court**
No. 89P4970E

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Robert Newton Mayall,** late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of **Fleet Bank of Massachusetts, N.A.** as Executor (the fiduciary) of said estate under the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 7th day of October, 1991, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 3rd day of September, 1991.

Donna M. Lambert
Register

(C)Sept.26

FIRST PUBLICATION NO. 2553
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety One
AN ORDINANCE

Be it ordained by the City Council of the City of Cambridge as follows:

1. That section 6.04.120 of Chapter 6.04 **(Animal Control Regulations)** of the Cambridge Municipal Code is hereby amended by inserting the number "6.04.050" after the number "6.04.040", so that the section shall read as follows:

6.04.120 Violation - Penalty

Any person who violates any of the provisions of Section 6.04.040, 6.04.050, 6.04.070, 6.04.080 or 6.04.090 of this chapter shall be subject to a fine not exceeding fifty dollars for each offense. (Ord. 998 (part), 1983: prior code § 4-6).

2. That section 6.04.020 (Dogs - License required - Fee) of said Chapter 6.04 is hereby amended by striking out the second sentence thereof and substituting the following second sentence:

The fee for such license shall, except as otherwise provided, be three dollars for a spayed or neutered dog and twelve dollars for an unspayed or unneutered dog.

3. That section 6.04.040 (Dogs - Leash or restraint - Areas exempted where) of said Chapter 6.04 is hereby amended by inserting the following language in subsection A. after the words "Fresh Pond Reservation", and other areas within the City which have been designated as dog run areas and conspicuously signed as such.

Passed to a second reading at the City Council meeting held on September 23, 1991 and on or after October 7, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton,
City Clerk

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to M.G.L.c.140, notice is hereby given that **James and George Botsaris,** doing business as **Stefani House of Pizza #1,** have applied for a common victualer's license to be exercised on the 1st floor at 263 Brookline Street. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises and would allow the applicant to maintain said premises as a restaurant to be open to all classes of the public and to have a seating capacity of 18 persons. Said license, if granted, would be exercised from 10:00 a.m. to 11:00 p.m. on weekdays and 10:00 a.m. to 11:00 p.m. on Sundays. The applicant is not seeking to maintain any entertainment on the premises.

A hearing on said application will be held on Tuesday, October 8, 1991 at 7:00 p.m., in Cambridge City Hall, Sullivan Chamber, 2nd floor, 795 Massachusetts Avenue. Any person wishing to comment on said application may attend the hearing, or such person may prior to the hearing submit a written statement to Richard V. Scali, Executive Officer of the License Commission, Michael J. Lombardi Municipal Building, 1st Floor, 831 Massachusetts Avenue, Cambridge, Massachusetts, 02139. This application is limited to the reasons for denial of a license heard September and November 1990 and decision issued January 11, 1991, namely parking and plumbing or other germane bases provided they arose on or after March 1, 1991.

Alex Rodriguez
Kevin J. Fitzgerald
Henry Breen
License Commission

(C)Sept.26

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, notice is hereby given that the License Commission has received an application from **Ebony Associates, Inc., Earl Thorne, manager,** holder of an all alcoholic beverages as a club license at 279 Western Avenue has applied for an entertainment license to include one (1) juke box and (2) video games and (1) T.V.

The hearing on this application will be held on Tuesday evening, October 8, 1991, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Sept.26

ORDINANCE NO. 1124
Final Publication Number 2551
First Publication in the Chronicle
on August 15, 1991
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety One
AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That section 2.72.010 of the Cambridge Municipal Code, dealing with the Cambridge Health Policy Board, is hereby amended by striking out the word "fifteen" and substituting therefor the word "eighteen", so that the section shall read as follows:

2.72.010 Established - Composition

There shall be a Cambridge Health Policy Board consisting of eighteen members, which number may be altered by an amendment to the ordinance codified in this chapter by the City Council. (Ord. 896 (part), 1978: prior code Ch. 11, § 11 - 4 (a))

In City Council September 23, 1991.

Passed to be ordained by a yea and nay vote:- Yeas 8; Nays 0; Absent 0; Present 1.

ATTEST:- Joseph E. Connarton,
City Clerk
Robert W. Healy,
City Manager

(C)Sept.26

FIRST PUBLICATION NO. 2552
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred Ninety-One
AN ORDINANCE

In amendment to the Municipal Code of the City of Cambridge.

Be it ordained by the City Council of the City of Cambridge as follows:

That Section 8.24.120 of the Municipal Code of the City of Cambridge entitled "Commercial or nonprofit establishments - Frequency - Receptacle specifications" is hereby amended in Subsection (B) by striking out the present subsection and inserting in place thereof a new subsection (B) which reads as follows:

B. All garbage receptacles for garbage awaiting private collection shall be made of metal with tight-fitting covers, shall be cleaned by the user at least once weekly, and shall be so maintained and located on the premises that no objectionable odors shall permeate any building. All rubbish receptacles for rubbish awaiting private collection shall be flytight, rodent proof, non-flammable and waterproof, and shall be so constructed as to prevent the escape of litter onto public or private property. All such garbage and rubbish receptacles shall be kept on private property at all times and not on public streets or sidewalks and shall be screened from view of public streets or sidewalks. All such rubbish receptacles in residentially zoned areas or within thirty (30) feet of such an area shall be screened from view by being completely enclosed by a fence at least six (6) feet in height.

Passed to a second reading as amended at the City Council meeting of September 23, 1991 and on or after October 7, 1991 the question comes on passing to be ordained.

Attest: Joseph E. Connarton,
City Clerk

(C)Sept.26

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
LEGAL NOTICE

Pursuant to M.G.L. c. 21E, Section 14(a) and the Massachusetts Contingency Plan (310 CMR 40.00), the Department of Environmental Protection announces that a Preliminary Assessment and/or Limited Site Investigation has been performed at the following location: **#3-1320, Mobil Station, 343 Fresh Pond Parkway, Cambridge, MA.**

This investigation has confirmed that a release of oil and/or hazardous materials has occurred at this location. Therefore, the Department has identified it as a confirmed disposal site. The Department has also determined that this site is a priority disposal site (as defined by M.G.L. c. 21E, Section 2). M.G.L. c. 21E, Section 3A (l)(3) requires that, if feasible, permanent solutions be implemented at disposal sites. If a permanent solution is not feasible, then a temporary solution must be implemented, and a plan for achieving a permanent solution must be developed.

M.G.L. c. 21E and the Massachusetts Contingency Plan provide several opportunities for public notice of and involvement in decisions regarding response actions at disposal sites, including:

The Chief Municipal Official and Board of Health of the community in which the site is located will be provided with notices of the results of investigations, plans for remedial responses, and field work involving the use of heavy construction equipment and/or protective clothing (310 CMR 40.202).

Upon receipt of a petition from ten or more residents of the municipality in which the disposal site is located, or of a municipality potentially affected by a disposal site, or upon the Department's initiative, a plan for involving the public in decisions regarding response actions at the site will be prepared and presented at a public meeting. This plan will be revised based on comments received, and will be implemented over the course of the response action (310 CMR 40.203).

For more information on the confirmed disposal site referenced above, and the opportunities for public involvement during its remediation, please contact Karen Stromberg, DEP Northeast Regional Office, Site Assessment and Cleanup Section, 5 Commonwealth Avenue, Woburn, MA 01801 (Telephone: 617/935-2160).

(C)Sept.26

MORTGAGEE'S NOTICE OF
SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by **First Plymouth Nominee Corp. to Mortgage Corp. of New England,** dated May 27, 1989, recorded with Middlesex South District Registry of Deeds in Book 19846, Page 157, of which Mortgage the undersigned, by assignment, is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing, the same will be sold at Public Auction on October 17, 1991, A.D. at 10:00 a.m. on the Mortgaged Premises all and singular the premises described in said Mortgage to wit:

Condominium, Cambridge, Massachusetts **address is Unit One, 290 Huron Avenue** ("Grantee"), with QUITCLAIM covenants, Unit One (the "Unit") in the 290 Huron Avenue Condominium (the "Condominium"), a condominium established by the Grantor pursuant to Massachusetts General Laws, Chapter 183A by Master Deed dated January 31, 1986, and recorded on January 31, 1986, with the Middlesex South Registry of Deeds as instrument No. 527, Bk 16748, Page 148 ("Master Deed")

The Unit is shown on the site and floor plans filed simultaneously with the Master Deed in said Deeds and on the copy of the portion of said plans attached hereto and made a part thereof, to which is affixed the verified statement required by Section 9 of said Chapter 183A.

Terms of Sale: Ten Thousand Dollars ($10,000.00) shall be paid in certified or bank cashier's check by the purchaser at the time and place of sale, ant the balance of the purchase price of the entire premises shall be paid by certified or bank cashier's check at the Law Offices of Stanley N. Freedman and Associates, 896 Beacon Street, Suite 301, Boston, MA 02215, within thirty (30) days from the date of the sale. The successful bidder at the sale of the premises shall be required to sign a Memorandum of Terms of Sale containing the above terms at the Auction sale.

Said real estate will be sold subject to inter alia, all unpaid taxes, outstanding tax titles, municipal liens or assessments and all prior liens and encumbrances of record, all if any, and said personal property will be sold subject to rights or claims, if any, of others with respect thereto.

Other terms to be announced at the time and place of sale

The postal address of the Mortgaged Premises is known to me as Unit #1, 290 Huron Avenue, Cambridge, Ma. 02141.

RECOLL Management Corporation, as Attorney-in-fact for Federal Deposit Insurance Corporation, as Receiver of New Bank of New England, N.A., 28 State Street, Boston, Ma. 02109, Present Holder of the Mortgage.

Mortgagee's Attorney: Law Offices of Stanley N. Freedman & Associates, 896 Beacon Street, Suite 301, Boston, MA 02215, (617) 247-0800. Dated: September 12, 1991.

(C)Sept.26,Oct.3,10

CITY OF CAMBRIDGE
RENT CONTROL BOARD

I. Regulation Series No. 13 Definitions, add

(ff) "Base Year", shall mean the year 1967 if the Board determines that reliable rent figures exist for that year; otherwise, it shall be the earliest calendar year for which the Board determines that reliable rent figures exist.

II. Regulation Series No. 71 - Individual Adjustments: General Provisions

71-01 Individual Adjustments Distinguished

This Regulation Series sets forth the rules which apply to all individual rent adjustments. Individual adjustments are those made to an individual unit or property upon application by the landlord, tenant or upon Board initiative. An individual adjustment is not the same as the General Adjustment which is done periodically and which does not require application by the landlord to the Board.

Regulation Series 30 through 41 set forth additional procedural rules which also apply to individual rent adjustments.

71-02 Types of Individual Adjustments

Upon application, the Board may increase the maximum lawful rent for one or more units to reflect the cost of the following:

(a) operating expenses and capital improvements in accordance with Regulation Series 72 or 77 (for non-profit rehab agencies); or

(b) capital improvements in accordance with:

(1) Regulation Series 75 for improvements completed from January 1, 1973 up to twelve months prior to the date of application;

(2) Regulation Series 76 for improvements completed within twelve months of the date the application is filed:

(3) Regulation Series 78 for improvements which are part of a rehabilitation plan under the city's Small Property Owners Rehab Program.

71-03 Rent Control Clauses in Written Leases

A written lease may contain a clause which states that the rent payable during the term of the lease (or any extension or renewal thereof) shall be subject to later increase when such increase is authorized by the Board. No such increase shall become effective until the landlord has given the tenant written notice of the amount of the increase authorized by the Board and of his intention to collect all or a part thereof, at least thirty (30) days prior to the date specified for the payment of rent under the lease. If the landlord so elects to increase the rent, the tenant shall have the right to terminate the lease by giving written notice thereof to the landlord on or before the rent payment date specified in the lease on which such increase becomes effective. In this case the tenant shall vacate the premises on or before thirty (30) days after such rent payment date. If the tenant fails to give such notice in the time required or continues to occupy the premises for more than thirty (30) days after such rent payment date, he shall be liable under the lease for such increased rent.

71-04 Individual Adjustments by Agreement

Rent adjustments may be allowed by agreement between the owner and tenant of the affected unit as long as the adjustment is not based on a change in living space, service or other amenity (72-04[d]) nor on special circumstances related to the base year rent (72-09). In proceeding under this regulation, the landlord and tenant must waive their right to a hearing before the Board. Such adjustment must be approved by the Executive Director.

No rent adjustment by agreement shall be approved until the landlord of the affected unit completes a petition for rent adjustment indicating a desire to have the adjustment approved by agreement and after proper notice and hearing a report prepared by a hearing officer recommending a rent adjustment is signed by the landlord and the tenant of the affected unit together with written waivers of the right to a hearing before the Board.

71-05 Presumption of Fair Base Rent

For the purpose of Regulation Series No. 75, 76 and 78, the legal maximum rent in effect at the time of the filing for an individual adjustment for a unit or for units in a single structure shall be presumed to be a fair base rent, which, exclusive of the amortized expenses of any improvement made to such unit or units since January 1, 1973 not already considered by the Board in establishing such base rent, will yield to the landlord a fair net operating income for such unit or units.

71-06 Computation Method

All rent adjustments granted by the Board shall be computed to the nearest whole dollar amount and the adjustment allowed according to such computation.

71-07 Rent Adjustment Effective

No rent increase allowed by the Board shall become effective except upon one month's prior written notice by the landlord to the occupant and not until the first rent due day following the sending of the notice specified in Regulation 41-01, unless the unit affected is unoccupied at the time of the decision to adjust the rent of said unit, in which case the adjustment shall be effective immediately upon notice from the Board to the landlord of the unit.

71-08 Non-Compliance with The Removal Permit Ordinance

The Board may deny any rent adjustment, or part thereof, for the cost of rehabilitation, repair or improvement of an occupied unit which prevents reasonable residential occupancy during the course of the work, unless a removal permit has been granted pursuant to Chapter 8.44.020 (D) of the Cambridge Municipal Code. Where the rehabilitation, repair or improvement is required by the laws of the Commonwealth or the city, no removal permit is necessary.

71-09 Non-Compliance with Other Applicable Laws

The Board may deny any rent adjustment, or part thereof, if it determines that the affected rental unit does not comply substantially for provision has not been made for immediate substantial compliance) with the State Sanitary Code, and if such failure of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. Where State Sanitary or other health or safety code violations exist, the Board may set interim rents if the owner submits a schedule for the correction of all such code violations and the Board determines that the owner is unable to correct all of the conditions immediately. If the schedule is deemed reasonable by the Board, the rent adjustment shall be computer and interim legal maximum rents will be effective for collection.

If the owner does not comply with the schedule for the correction of conditions, and the Executive Director or a designee does not determine that an extension of the schedule is warranted, the rent adjustment will be rescinded. If subsequent to the rescission of a rent adjustment, the owner provides the Board with certification by an authorized staff person that all code violations have been corrected, the owner may collect the previously allowed legal maximum rents prospectively.

71-10 Effect of Non-Compliance on Subsequent Filings

When the Board has refused to grant a rent increase pursuant to any individual rent adjustment, or has rescinded an increase allowed pursuant to the 1991 General Adjustment or any subsequent General Adjustment, because an affected rental unit does not comply substantially with the state sanitary code, neither the owner, nor any person or entity acting on behalf of the owner, may file a petition for an individual rent adjustment that includes the affected rental until, until the Board has determined that all cited conditions have been repaired or that the conditions have not been repaired because of the fault of the tenant., This prohibition shall not apply to a request to set or amend an additional charge for the use of parking spaces, nor to a petition pursuant to Regulation 77 or Regulation 78.

71-11 Capital Improvement Increase with No Board Hearing

If after a fact-finding hearing, the hearing officer finds that a Regulation 75 or 76 rent adjustment results in a rent increase of no more than seventy-five dollars for any affected unit, and that the application raises no substantial issues, the hearing officer shall so certify to the Executive Director. Subsequent to said certification the parties shall be notified that the new legal maximum rent shall become effective for collection. In such cases, a tenant or landlord may appeal the finding of not substantial issues and/or the amount of the increase to the Rent Control Board within twenty days of receiving notice from the Executive Director that the rents are effective for collection. If the amount of the increase is reduced as a result of this appeal, the tenant shall be entitled to deduct the excess amount paid from future rent obligations.

71-12 Interim Rents

The Board may set interim rents to reflect the components of the rent adjustment that are not in dispute or which, in the Board's judgment, are not greater than the rents likely to be finally approved, after consideration of a report of the fact-finding hearing.

71-13 Effect of Maximum Rent Levels

Nothing contained herein shall obligate an owner to increase the rent for any controlled unit to the maximum level approved by the Board. Further, no owner shall be permitted to ask for or receive any rent in excess of the legal maximum rent or in excess of the level established in a then existing lease, whichever is less.

III. The following regulations are repealed:

72-06, 72-07, 72-13, 73-01, 73-02, 73-03, 74-01, 74-02, 75-01, 75-03, 75-07, 76-02 (c)

Regulation Series No. 75 - Individual Adjustment for Capital Improvements Completed more than 12 Months prior to Petition

75-01 In a petition under this regulation the legal maximum rent may be adjusted to account for the following:

(a) the amortized expense of any capital improvement made to the unit(s) since January 1, 1973, not already considered by the Board in establishing the legal maximum rent. No adjustment shall be made for capital improvements where the Board finds that there has been substantial deterioration due to failure of the owner to perform ordinary repair, replacement and maintenance, and;

(b) increases or decreases in living space, services and other amenities or substantial deterioration of the unit(s) other than as a result of ordinary wear and tear, or such other reasons as the Board may determine to be valid. Any adjustment made by the Board pursuant to this subsection (b) shall be made in a reasonable manner as determined by the Board.

Approved by the Board by a vote of 3-0 on Sept. 4, 1991

Effective September 5, 1991

(C)Sept.26

October 24, 1991

1991 OCT 24 PM 2:09

Mr. Joseph E. Connarton, City Clerk

Cambridge City Hall

795 Massachusetts Avenue

Cambridge, MA 02139

Dear Mr. Connarton:

On behalf of the Board of the Business Association of North Cambridge, I wish to register our opposition to the IRENE M. HERMAN PETITION TO REZONE (TROLLEY SQUARE) MASSACHUSETTS AVENUE, CEDAR STREET AND CAMERON AVENUE, NORTH CAMBRIDGE.

Representatives from the North Cambridge business community participated in the extensive deliberations surrounding the 1986 zoning changes--only five years ago. The interests of both commercial and residential parties in North Cambridge must be well considered, given their particularly close proximity.

Sincerely,

B. Karen K. Swaim

B. Karen K. Swaim

President, BANC

Business Association of North Cambridge BANC

P.O. Box 125 Cambridge, MA 02140

CONSENT COMMUNICATION # 4 0-46

Comm. from B. Karen K. Swaim, President of Business Association of North Cambridge, in opposition to the amendment to the Zoning Ordinances on the petition of Irene Herman, et al.

In City Council,

October 28, 1991

Referred to the petition.

11/4/91- Passed to be ordained 7-0-0-2.

11/7/91- Published - Chronicle