CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

SEP 26 3 54 PM '83
CAMBRIDGE, MASS.

To Joseph Connarton, Deputy City Clerk **Date** Sept. 26, 1983

From Joan Lastovica, City Engineer JL **Reference**

Subject Amended zoning petition of Amy Malysa, et al.

Attached are square footage figures for the amended zoning petition of Amy Malysa, et al. Please note that there are several figures provided. These figures identify: 1) total area of privately owned land within amended petition, 2) total area of public and privately owned land within the amended petition, and 3) total area of private land owned by those in opposition to zoning change. Also, please not that there is no lot # 559 in block 75. The correct lot number for this parcel is 55a.

Please call this office if you require additional information.

JL/bs

Malysa Petition

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR GRAHAM

SEPTEMBER 19, 1983

Date

Councillor Graham has notified the City Clerk of her intention to move reconsideration of the vote of the City Council taken on September 19, 1983, failing to pass to be ordained the petition of Amy Malysa, et al, to amend the Zoning Map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive.

Saundra Graham

Signature

Cal. # 20

Councillors Graham and David Sullivan's motion to move reconsideration of the vote of the City Council on September 19, 1983 failing to pass to be ordained the petition of Amy Malysa, et al.

In City Council,

September 26, 1983

9/26/83
No Action Taken
Time limit expired
- Placed on file -
under Rule #19
of the City Council

Malysa Petition

MOTION FOR RECONSIDERATION SUBMITTED BY COUNCILLOR David Sullivan

Sept 19, 1983
Date

Councillor David Sullivan has notified the City Clerk of his intention to move Reconsideration of the vote of the City Council taken on September 19, 1983, failing to pass to be ordained the petition of Amy Malysa, et al, to amend the Zoning Map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive.

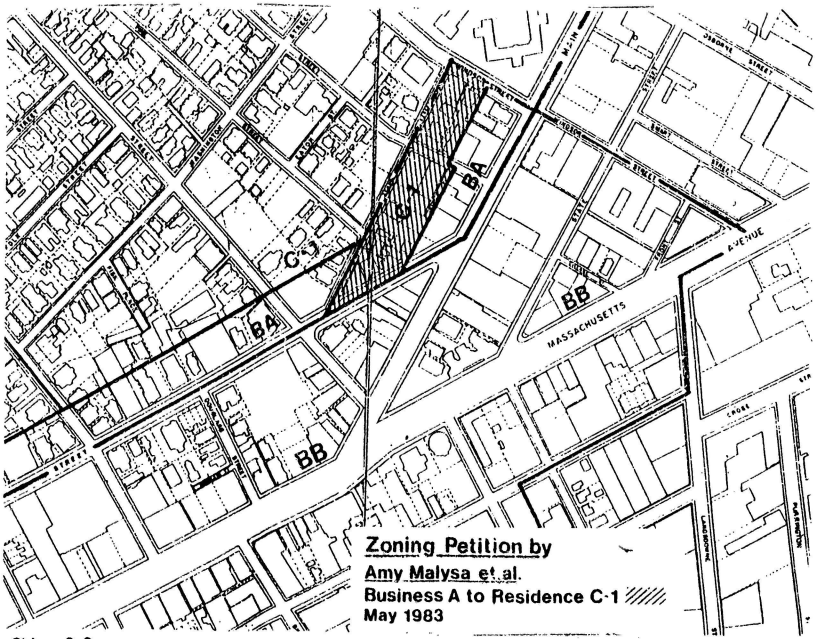
David E. Sullivan
Signature

PUBLIC NOTICE
RELATIVE TO ZONING.
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

Notice is hereby given tht in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition, and amendments thereto, that a public hearing will be held on Wednesday, June 22, 1983 at 5:00 P.M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by **Amy Malysa,** et al **to amend the zoning map** by rezoning from business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

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

For Committee,
Councillor Walter J. Sullivan,
Chairman.



(C)June2,9

3

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CITY OF CAMBRIDGE
MASSACHUSETTS
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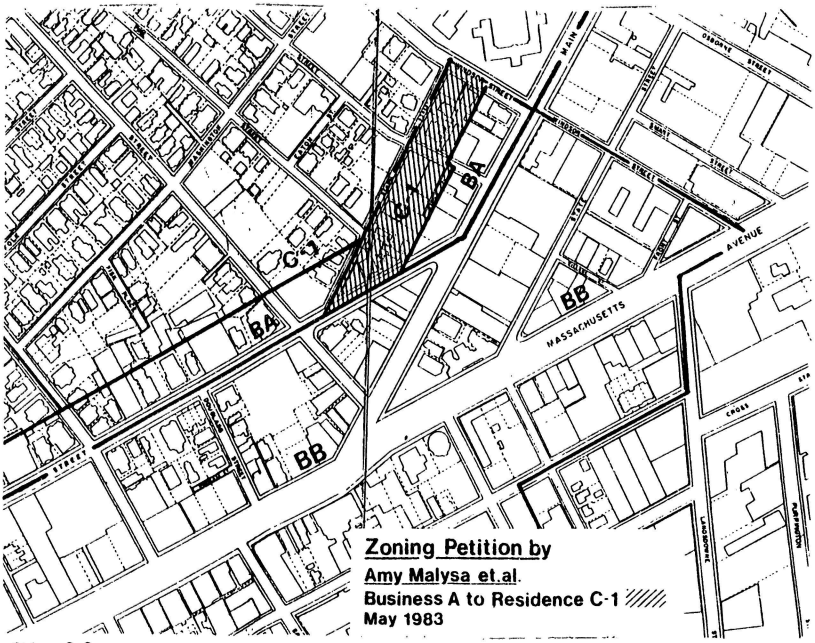
All interested persons in this matter may appear at this time and be heard.

For Committee,
Councillor Walter J. Sullivan,
Chairman.



(C)June2,9

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CITY OF CAMBRIDGE
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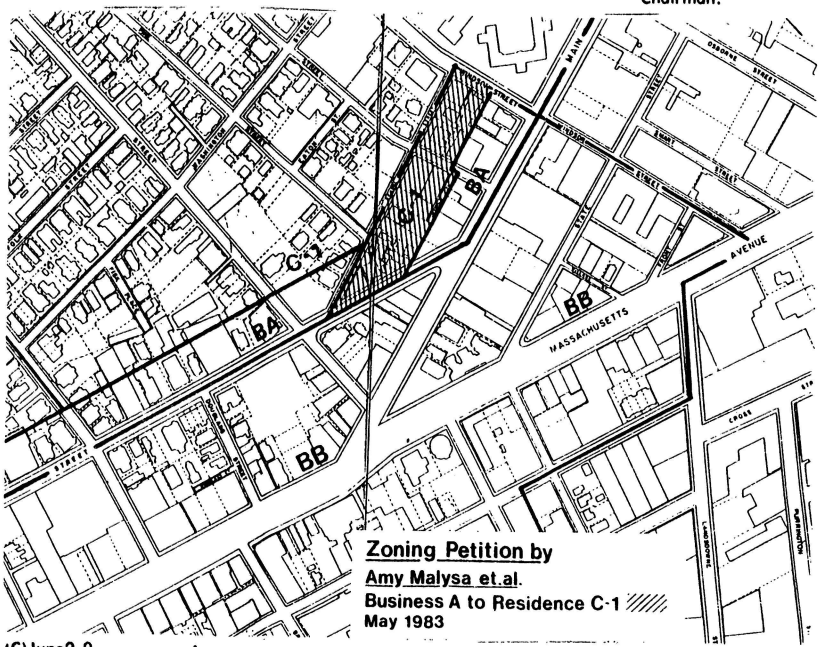


(C)June2,9

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Kathy Spiegelman, Asst. City Manager for Community Development **Date** September 20, 1983

From Joseph E. Connarton, Deputy City Clerk JEC **Reference**

Subject Amy Malysa rezoning petition

As you may be aware, the City Council at its meeting of September 19, 1983 failed to adopt the above referenced petition as amended by the neighborhood. However, two new developments have taken place.

First, both Councillors David Sullivan and Saundra Graham have filed for reconsideration of the vote. Secondly, we received a letter today, September 20th, signed by three individuals indicating that they own in excess of twenty percent of property which would be effected by said petition.

Since this would have a definite impact on the number of votes required, assuming the Council entertains said motion for reconsideration, it would be greatly appreciated if someone in your office could verify the enclosed statement from the three property owners, prior to September 26, 1983.

Thank you for your cooperation in this regard.

JEC/mh

Enclosure

SEP 20 2 22 PM '83

September 20, 1983

TO: Mr. Paul Healy
City Clerk
City of Cambridge

FROM: Owners of at least 20 percent of land within the boundaries of the proposed amended petition of Amy Malysa, Et Al.

SUBJECT: Opposition to any change in zoning.

This letter is to express the opposition of owners of at least 20 percent of the land affected by the proposed amended petition by Amy Malysa, Et Al to change the zoning of an area generally bounded by Bishop Allen Drive, School Street and Windsor Street from BA zone to C-1 zone. We oppose any present or future petition which would change the current zoning affecting our properties listed as attached.

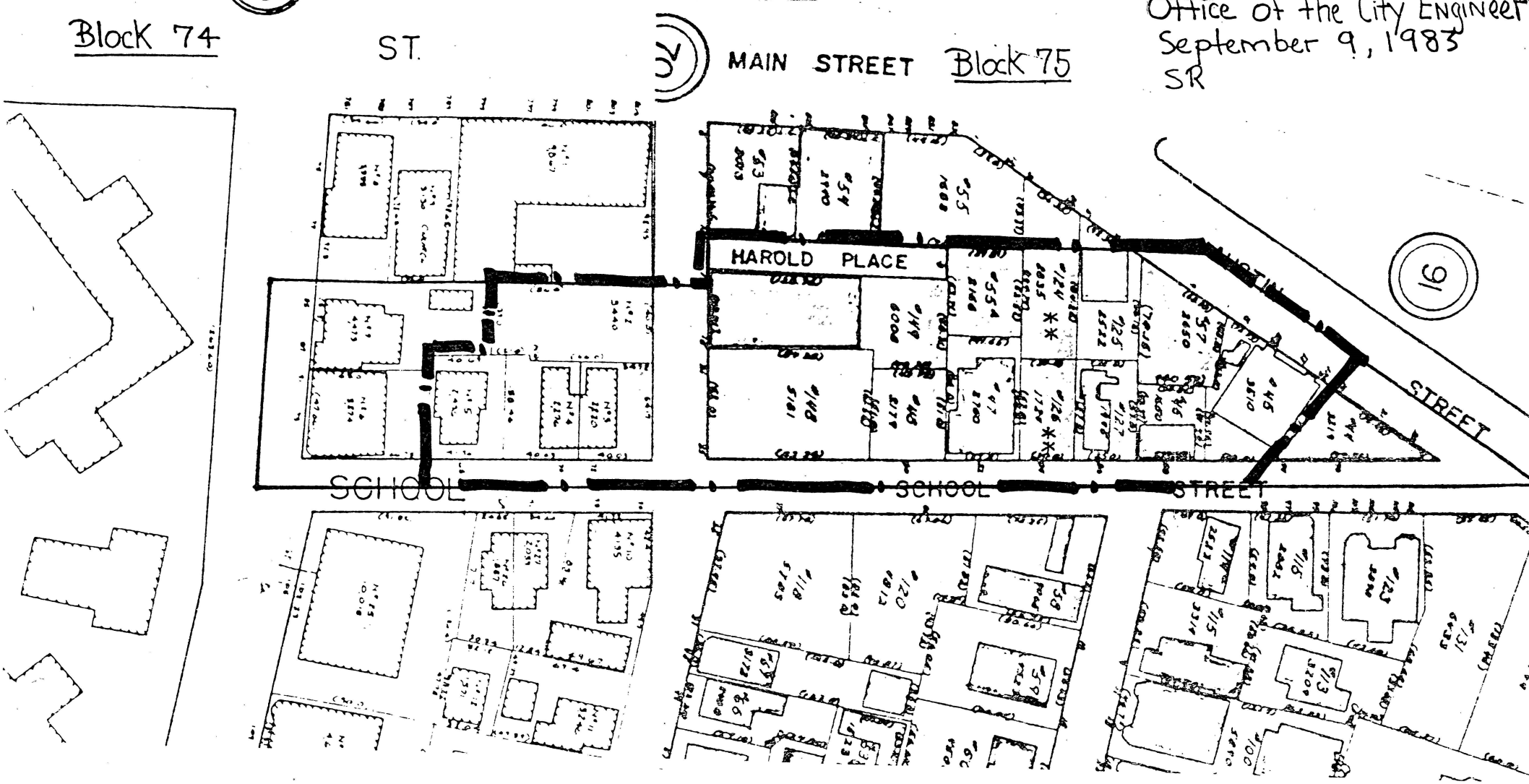
Total area of land owned by the signatories to this letter: 26,264 square feet.

Total area of privately owned land within the amended petition of Amy Malysa Et Al: 44,226 square feet.

Proportion of land owned by those in opposition to the proposed petition or any petition which would change the current zoning of land.

$$\frac{26,264}{44,225} = 59 \text{ percent}$$

Office of the City Engineer
September 9, 1983
SR



- PROPOSED AMENDED Petition AREA BOUNDARY

- OWNERS OF THESE PROPERTIES ARE OPPOSED TO THE PROPOSED REZONING

UNDERSIGNED OPPOSE ANY CHANGE TO CURRENT ZONING AFFECTING PROPERTIES LISTED BELOW:

Edward L. Byrum

For Nabisco Confections, Inc.
Owners of:

Block 75

Lots -	48	2,179 Square Feet
	559	2,166 " "
	124	1,860 " "
	126	1,724 " "
	148	5,181 " "
	149	6,008 " "

19,118 Square Feet Total

Raul Molina

For LaGroceria Restaurant
Owners of:

Block 75

Lot No. 57 — 2,650 Square Feet

Aziz Banayan

Aziz Banayan
Owner of:

Block 74

Lots No.	3	2,220 Square Feet
	4	2,276 " "

4,496 Square Feet Total

NOTE: In addition to the above signatories, owners of Block 74 Lot No. 2 and Block 74 Lot No. 5 have also indicated their opposition to the petition.

C. C. 106

#9 Comm List 27 June 83

A

City of Cambridge #5 Unfinished Business

PETITION OF Amy E. Malysa, et al

Area bounded by Bishop Richard Allen Dr School St Windsor St. Cherry St, Main St & Harold Place

Petition filed with the City Clerk May 16, 1983

(all hearing to be completed 65 days from filing date with the City Clerk)

15 days - May
30 days - June
20 days - July
65 days - July 20, 1983 = all hearings

In City Council May 16, 1983

Referred to the Planning Board for report May 16, 1983

Planning Board Hearing June 21, 1983

(CITY COUNCIL must act within 90 days of the Planning Board's hearing which would be Sept. 19, 1983 .)

9 days June
31 days July
31 days Aug
19 days Sept
90

City Council hearing published - Chronicle June 2, 1983
June 9, 1983

Hearing before the City Council - June 22, 1983 at 5:00 p.m.

Report to the City Council 6/27/1983 Report w/o Recommendation -

Passed to a second reading published 6/27/83 Passed to 2nd Reading

Ready for Ordination published 8/8/83 Tabled on motion of C. Walter Sullivan

Sept 19/1983 Amended Petition failed

COMPLETION DATE: Sept. 19, 1983 of ordination 5-3-1-0

Sept 19, 1983 Reconsideration moved
- by C. D. Sullivan and C. Graham -

Sept 26/83 No action taken - Placed on file under Rule #19 - Time limit expired

— 1 Hearing #1 — 22 June 1983 —

Present C W I Sullivan 516 C D Sullivan 516 C Duchay 516 Wrap Villani 530

516 RM Comm on Ordinance

C Wyle 530/[illegible]

Proponents

1/ Amy C. E. Malayan
15 Bis Allen Drive

C Duchay re # of pounds and residences affected

Answer 11 Residential Unit in Residence B0-40 in area

C Duchay re discussion with Schools you discussed

Am Pastor for off response but could not sign as they can't speak for the [illegible] a [illegible]

2 → Gerald Burke Benjamin
127 Essex Street in form

→ Bishop
15-17 B N Drive in form Resident 15 years
Chr of Ind 2 Comm
Against large scale ind development
Affected of fire - Roman resid primarily and [illegible] -

Ind Street 29 Essex Avenue hwy Ind 2 Comm estate
C-1 [illegible]

— 22 June 83 —

525 pm # Lydia Vicken in favor
45 Cherry St

John M Dennett in favor — O/C
~~88 School St~~ 88 School St owner
→ 12 Billings Ave St one side with
resident — Pres CC vote in favor

528 Proponents Hearing Closed O/C

1) Opponents — Lee Nucci Papaleo
85 Windsor Street
Camb — Tel 491-6716

City Clerk will arrange a conference with
Comm Development

2) 5 Virginia Demer → Has a small business
23 years in Cambridge 86 School St Opposed
→ Rheumatoid arthritis
Quiescent now
86 School St
Will be options which I have now Beatty Salon

→ William Shallow — vs will develop property
Hearing Closed at 540

CWJ Reported w/o Recommendations to PB

4 people in BD Area want to go soon
in a residence — Young wd
stop commercial camp for the house
of general rep — Ever they could
outbid the people

Opposed Diana Demers
86 School St

Beatrice Gordon
77 Elm Rd
Belmont

Drug Store Corner of
Wendell
&
Elmwood

[illegible]

Bill Shatton
86 School St. → Opposed to change

Virginia Demuris
86 School St. → Opposed to change

C. D. Sullivan — Supports zone change

Mayor — We shld not take a stand on this w/o taking a good look @ the ordinance which is before us.

#1 22 June 03 Rec at Clerk

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

Amy C. Malyoa
tenant 15½ Bishop Allen Drive

George Sommariva
tenant 17 Bishop Allen Drive

Dorothy R. Bridge
tenant 17½ Bishop Allen Drive

Emmeline Scott
tenant Newtowne Court

Mark A. White
tenant 45 Cherry St.

John D. Schneider
tenant 15½ Bishop Allen Drive

Michael Bridge
tenant 17½ Bishop Allen Drive

Deborah Langford
tenant 5 Bishop Allen Drive

Eva Sommariva
tenant 17 Bishop Allen Drive

William G. Baker
tenant 17½ Bishop Allen Drive

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

David Ludlow
owner of 106 Pine St
Cambridge 02139
491-7156

EDW MARSZALEK
174 HARVARD ST
CAMB MASS (OWNER)

Elba Santiago
owner of 32-34 Pine St
Cambridge, Mass 02139

Marlene Rockford
56 Cherry St
Camb. Mass (owner)

Lydia Vickers
Owner 45/45½ Cherry St.
Camb. 02139

Alfred R. CLARKE
4 EATON ST
CAMB MASS (OWNER)

Stephanie Briggs
Owner 6 Eaton St
Camb 02139

Anna FERRI (owner)
51 Pine Street
Cambridge, MA 02139

John a. Macdonald
22 Richard Allen Dr.
Cambridge Mass.
OWNER

Sue Rennert
18 Pine St.
Cambridge MA
Tenant

THEODORE LEEMAN

OTHER SIDE →

Theodore LEEMAW
1 Pine st
CAMb MASS.
(OWNER)

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

8 Pine st. Camb.

James Thomas

9 Pine owner
St

Margaret Sherman

Thomas & CORREEN Baird
69 School St.
owner.

John McDermott
88 School St.
(owner)

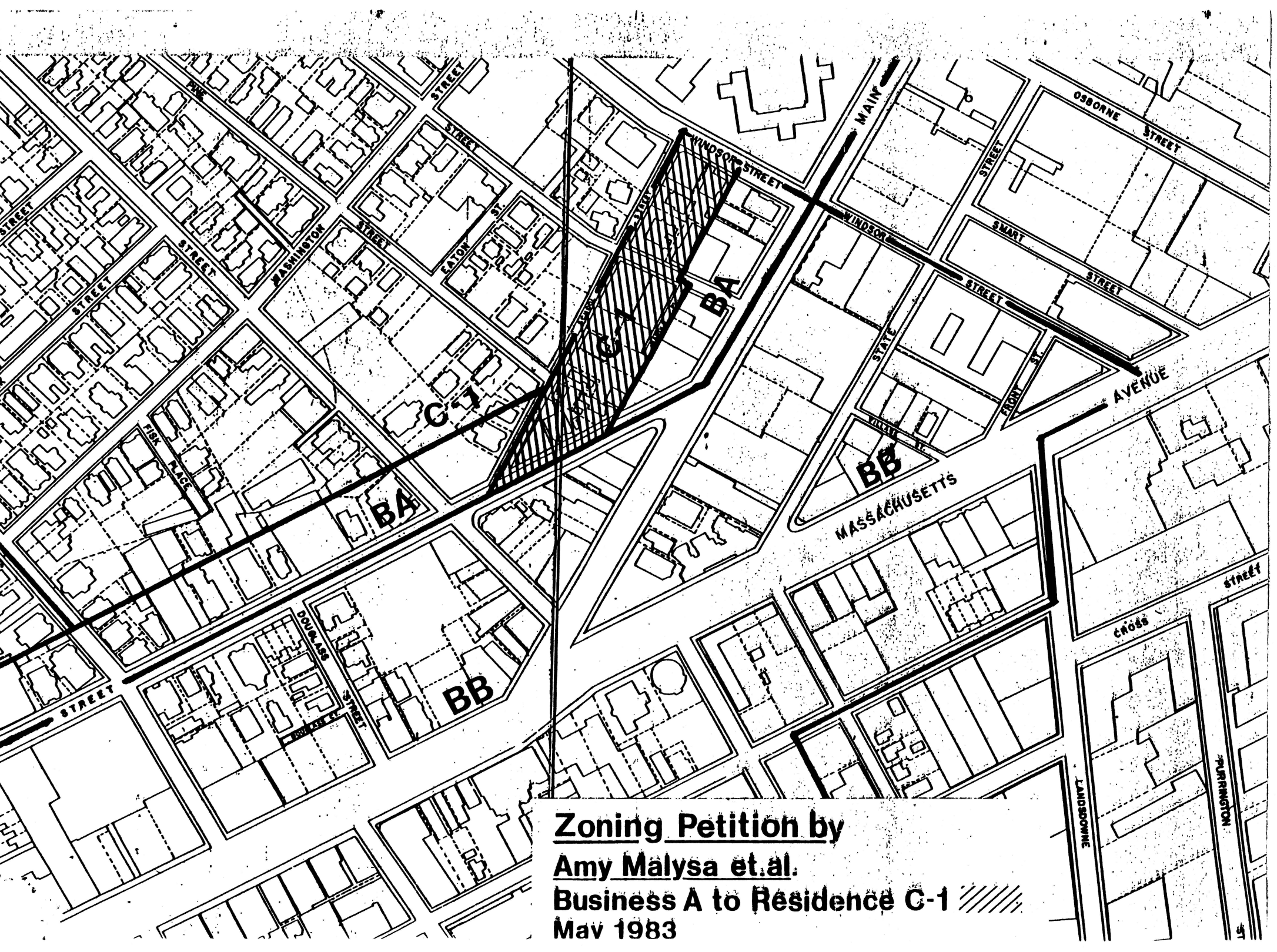
Carol M. Inniss
8 Pine st. apt 3.
Camb. Mass
02139

Ileen Inniss owner
8 Pine St. apt 2.
Camb. Ma 02139

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

Maria Rocco

tenant corner of Columbia & Bishop Allen Drive



Zoning Petition by
Amy Malysa et.al.
Business A to Residence C-1
May 1983

CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway

RECEIVED BY
OCT 4 10 55 AM '83
CAMBRIDGE, MASS.

To Joe Connarton, Assistant City Clerk

From Les Barber

Date September 30, 1983

Subject Amy Malysa Resubmission

I had a call from a Lydia Vickers earlier in the week regarding the resubmission of the Malysa Petition (subsquent apparently to a conversation she had with you). I indicated that I would convey to you CDD's understanding of the requirement of Section 1.52 of the Zoning Ordinance with regard to resubmissions of zoning petitions negatively acted upon by Council. We have always held that the positive recommendation of the planning board referred to is the recommendation which the board forwards during hearings on the first petition. A second, minority, interpretation is that the petition (second) cannot be heard by the Council if after it is filed the second time the planning board gives a negative recommendation after holding its required public hearing.

Therefor, in the present case, we at CDD (and at the state's Executive Office of Communities and Development) would hold that the petition could be filed and considered by the Council because it received a favorable recommendation from the planning board during the first submission.

Please let me know if I could be of any further assistance in this matter

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

RUSSELL B. HIGLEY

January 25, 1979

Mr. Paul E. Healy
City Clerk
City Hall
Cambridge, Massachusetts

Dear Mr. Healy:

I am in receipt of your request for an opinion dated January 24, 1979 relative to the petition for the Overlay in the Harvard Square Area. Your question presented was "Does 'final action' mean that the City Council should have exhausted all of its Paliamentary Procedures prior to January 22, 1979?"

General Laws, Chapter 40A sets forth the time procedure which must be followed in order that the petition become law and final action means that the City Council should have exhausted all of its Paliamentary Procedures prior to January 22, 1979.

Very truly yours,

Russell B. Higley
City Solicitor

RBH:jl

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

OFFICE OF
THE CITY CLERK

January 24, 1979

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, Massachusetts

Dear Sir:-

The petition for the Overlay in the Harvard Square area received an unfavorable vote by the City Council on January 22, 1979.

According to the time table the City Council must take final action on the petition ninety days after the Planning Board's hearing, said hearing was held on October 24, 1978, which would mean that the final date for action would be January 22, 1979.

After the vote was taken Councillor Preusser notified the City Clerk of her intention to move reconsideration of the vote taken by the City Council on January 22, 1979.

In view of the above should the City Council entertain a motion for reconsideration at its next regular meeting? Does "final action" mean that the City Council should have exhausted all of its Parliamentary Procedures prior to January 22, 1979?

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk.

PEH/dl

C. C. 106

Moloyan Petition

City of Cambridge

MASSACHUSETTS

In City Council Sept 19 1983

Petition as amended failed of ordination

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy		✓		
Mr. Francis H. Duehay			✓	
Ms. Saundra Graham	✓			
Mr. Leonard J. Russell		✓		
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan		✓		
Mr. Wylie	✓			
Mayor Vellucci	✓			
	5	3	1	0

Petition as amended moved by D. Sullivan

See motions for Reconsideration introduced by L. Graham and D. Sullivan -

Amended Petition 9/19/83

REVISED SCHOOL ST. / BISHOP ALLEN DRIVE REZONING PETITION

In amendment to an ordinance entitled: "The Zoning Ordinance of the City of Cambridge".

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

The Zone map accompanying ordinance passed to be ordained entitled "The Zoning Ordinance of the City of Cambridge" is hereby amended by striking out the designation Business A and substituting in place thereof the designation Residence C-1 insofar as it relates to the following described area of land:

Premises of the following parcels as designated on Assessor's Plat No. 75: No's 125, 45, 57 Bishop Allen Dr. (formerly Austin St.) and which includes all or parts of parcels No. 124 Bishop Allen Dr., 149, 55a Harold Place, and which includes all or parts of parcels No.'s 46, 126, 127, 47,48,148 School St.;

and further, premises of the following parcels as designated on Assessor's plat No. 74, No.'s 3,4,5 School Street and No. 2 Cherry St.

Beginning at a point said point being the intersection of the projection of the westerly lot line of lot No. 45 on Assessor's plat No. 75 and the centerline of School St.,

Thence running easterly along the centerline of School St. 460 ft. more or less to a point said point being the intersection of the centerline of School St. and a projection of the easterly lot line of lot. No. 5 on Assessor's plat No. 74;

Thence running southerly 75 ft. more or less along the easterly lot line of lot No. 5 on Assessor's plat No. 74 to a point said point being the intersection of the easterly and southerly lot lines of lot No. 5 on Assessor's plat No. 74;

Thence proceeding westerly 30 ft. more or less along the southerly lot line of lot No. 5 on Assessor's plat No. 74 to a point said point being the intersection of the southerly lot line of lot No. 5 on Assessor's plat No. 74 and

the easterly lot line of lot No. 2 on Assessor's plat No. 74;

Thence proceeding southerly 39 ft. more or less along the easterly lot line of lot No. 2 on Assessor's plat No. 74 to a point said point being the intersection of the easterly lot line of lot No. 2 on Assessor's plat No. 74 and a line 90 ft. more or less from and parallel to Main St.;

Thence running westerly along a line 90 ft. more or less from and parallel to Main St. 400 ft. more or less, including all or parts of Harold Place and intersecting the centerline of Bishop Allen Dr.;

Thence running westerly 120 ft. more or less to the intersection of the centerline of Bishop Allen Dr. and a projection of the westerly lot line of lot no. 45 on Assessor's Plat No. 75;

Thence running northerly 95 ft. more or less along the westerly lot line of lot No. 45 on Assessor's plat No. 75 to the point of origin;

and which comprises an area of 44,100 square feet more or less.

RECEIVED BY
OFFICE OF CITY CLERK
SEP 20 2 11 PM '83
CAMBRIDGE MASS.

September 20, 1983

TO: Mr. Paul Healy
City Clerk
City of Cambridge

FROM: Owners of at least 20 percent of land within the boundaries of the proposed amended petition of Amy Malysa, Et Al.

SUBJECT: Opposition to any change in zoning.

This letter is to express the opposition of owners of at least 20 percent of the land affected by the proposed amended petition by Amy Malysa, Et Al to change the zoning of an area generally bounded by Bishop Allen Drive, School Street and Windsor Street from BA zone to C-1 zone. We oppose any present or future petition which would change the current zoning affecting our properties listed as attached.

Total area of land owned by the signatories to this letter: 26,264 square feet.

Total area of privately owned land within the amended petition of Amy Malysa Et Al: 44,226 square feet.

Proportion of land owned by those in opposition to the proposed petition or any petition which would change the current zoning of land.

$$\frac{26,264}{44,225} = 59 \text{ percent}$$

UNDERSIGNED OPPOSE ANY CHANGE TO CURRENT ZONING AFFECTING PROPERTIES LISTED BELOW:

Edward L. Brown

For Nabisco Confections, Inc.
Owners of:

Block 75

Lots -	48	2,179 Square Feet
	559	2,166 " "
	124	1,860 " "
	126	1,724 " "
	148	5,181 " "
	149	6,008 " "
		19,118 Square Feet Total

Raul Valera

For LaGroceria Restaurant
Owners of:

Block 75

Lot No. 57	2,650 Square Feet

Aziz Banayan

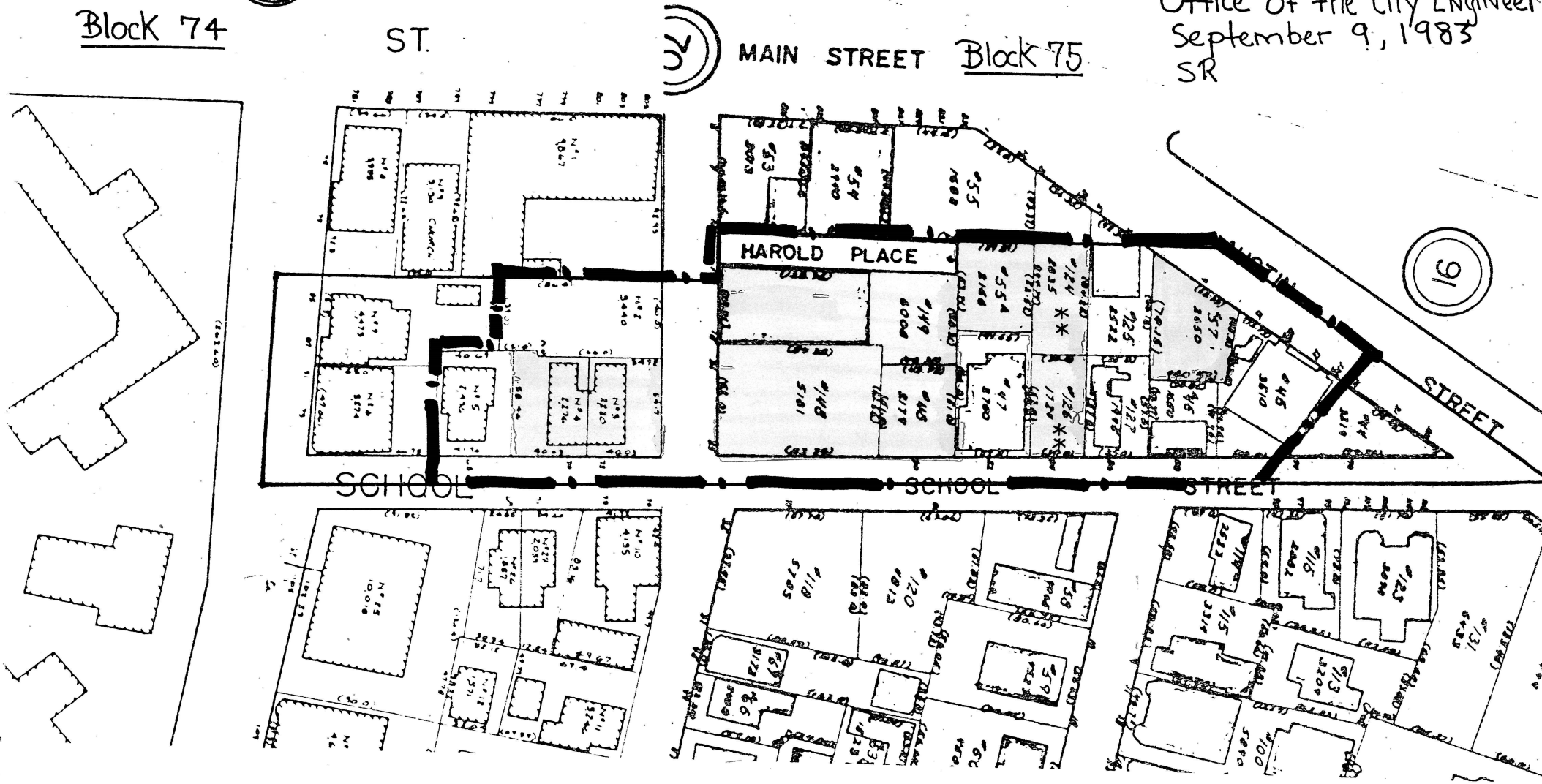
Aziz Banayan
Owner of:

Block 74

Lots No.	3	2,220 Square Feet
	4	2,276 " "
		4,496 Square Feet Total

NOTE: In addition to the above signatories, owners of Block 74 Lot No. 2 and Block 74 Lot No. 5 have also indicated their opposition to the petition.

Office of the City Engineer
September 9, 1983
SR



- PROPOSED AMENDED Petition AREA BOUNDARY

- OWNERS OF THESE PROPERTIES ARE OPPOSED TO THE PROPOSED REZONING

Comm. from Aziz Banayan, transmitting a written protest from 20% if property owners of land in the effected area of the proposed Amy Malysa zoning petition.

Copy of written protest sent to Community Development with the request for verification of the statement of the property owners 9/20/83 mh

In City Council,

September 26, 1983

9/26/1983

Referred to the Position

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

Comprised of the entire membership of the City Council

to which was referred the petition of Amy Malysa, et al to amend the Zoning Map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive met on Wednesday, June 22, 1983 at 5:16 p.m. in the City Council Chamber, City Hall.

Councillor Walter J. Sullivan, Chairman of the Ordinance Committee, presided.

The Chairman called for the proponents to appear. In response to the call of the Chair, the Committee heard from the petitioner, Amy E. Malysa of 15½ Bishop Allen Drive, who outlined the area under consideration as being bounded generally by School Street, Windsor Street, Harold Place and Bishop Allen Drive.

The Committee was in receipt of a petition signed by twenty-six property owners and tenants requesting the amendment from Business A to Residence C-1, (which petition is identified as Exhibit A and attached to the record), in the area described by the petitioner, who indicated that the purpose of the petition was to maintain the residential character of the neighborhood which was threatened by business interests seeking a foothold on the area under the present zoning.

In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

Recorded in favor were the following: Gerald Bergman, 27 Essex Street, Lydia Vicker, 45 Cherry Street and John McDermott, 88 School Street.

The Committee heard from George Sonmaripa, Chairman of the Ward Two Democratic Committee, and resident of 15-17 Essex St., who recorded himself in favor and stated that the amendment would retain the residential character of the neighborhood and stop large scale industrial development.

The Committee was in receipt of a communication dated June 12, 1983 from Elizabeth H. Bohlen of 111 Chestnut Street, owner of two buildings at 19-21 Bishop Richard Allen Drive, which indicated her approval for the zoning change, provided that her properties were not included in the change. (This communication is identified as Exhibit B and attached to the record).

The Chair declared the hearing for the proponents closed at 5:28 p.m. and requested the opposition to appear.

In response to the call of the Chair, the Committee heard from Lucy Papalco of 83 Windsor Street, who appeared and recorded her opposition. Her main concern was that she would be restricted in the future use of her property by the proposed amendment. In order to resolve her concerns, the City Clerk was instructed to make an appointment for her with the Community Development Department.

The Committee heard from Virginia Demers of 86 School Street, who recorded her opposition to the petition due to the fact that she had a small business operation and the institution of a zoning change would limit her opitions for the use of the building which provides her livelihood.

The Committee heard from Beatrice Gordon of 77 Elizabeth Road, an owner of two parcels in the area, who recorded her opposition to the petition.

Donna Demers of 86 School Street and William Stratton of the same address, recorded their opposition.

The Chair declared the hearing closed for the opposition at 5:40 p.m.

At this time Councillor David Sullivan informed the Committee that he would support the proposed zoning amendment.

The Chairman moved that the proposed amnedment be referred to the City Council meeting of June 27, 1983 for their consideration. There being no objection - the petition was so referred.

For the Committee,

Walter J. Sullivan

Councillor Walter J. Sullivan,

Chairman.

85 Windsor Street
Cambridge, MA 02139

SEP 12 1 59 PM '83

September 6, 1983

Paul E. Healy, City Clerk
City of Cambridge
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I am protesting the petition made by one Amy Malysa, et al to amend the zoning map which includes my property located at 85-87 Windsor Street from Business A to Residence C-1 category.

As a life-long resident (over 60 years) at the above address which includes a rental for business, I do not see the advantage of changing my property from the business classification to that of residence classification.

I respectfully request that if you check further, you will see that I am located between two businesses, namely, the Newtowne Variety on the corner of Windsor and School Streets and a new shoe repair/dry cleaning establishment located on the corner of Windsor and Main Streets. Also, in the next block from where I am located, going toward Washington Street is a Family Health Center as well as Polaroid.

In view of the above, I would like you to record that I oppose such a change because I do not feel it is right or just to devaluate my property by rezoning it from a business to a residence category.

Your kind cooperation in this matter is greatly appreciated.

Sincerely,

Lucy V. Papaleo

(Miss) Lucy V. Papaleo

85 Windsor Street
Cambridge, MA 02139

SEP 12 1 59 PM '83
CAMBRIDGE, MASS.

September 6, 1983

Paul E. Healy, City Clerk
City of Cambridge
City Hall
Cambridge, MA 02139

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Sincerely,

Lucy V. Papaleo

(Miss) Lucy V. Papaleo

#42

Comm. from Lucy V. Papaleo, 85 Windsor St., in opposition to the zoning petition of Amy E. Malysa, et al.

In City Council,

September 12, 1983

Sept 12/1983
- Placed on F.C. -
with the Petition

Copy inserted
with
the Petition -

RECEIVED BY
OFFICE OF CITY CLERK
SEP 19 1 25 PM '83
CAMBRIDGE, MASS.

DATE: JUNE 15, 1983

TO: COUNCILMAN WALTER J. SULLIVAN, CHAIRMAN,
ZONING ORDINANCE COMMITTEE

FROM: AZIZ BANAYAN, OWNER, 70-72 SCHOOL STREET

RE: PUBLIC HEARING ON THE PETITIONED REZONING OF THE AREA SOUTH OF SCHOOL STREET BETWEEN SCHOOL STREET AND BISHOP ALLEN DRIVE.

COPY TO: MR. ARTHUR PARRIS, CHAIRMAN,
PLANNING COMMITTEE

This letter is to put on record my opposition, as the owner of the property located at 70-72 School Street, to the proposed change of zoning along School Street in Cambridge.

The following are my reasons:

1) Bishop Allen Drive and School Streets are predominantly Commercial streets.

A review of the existing uses along the entire BA zoned area between Prospect Street and Windsor Street quickly reveals that a predominant majority of uses are non-residential.

Even a review of a smaller area along School Street between Bishop Allen Drive and Windsor Street reveals that the majority of uses on both sides of the street (especially the southern part) are non-residential in character. There are so many existing non-residential uses along both School Street and Bishop Allen Drive that neither street could become successful as exclusively residential streets. In short, the few existing residential uses along the southern section of School Street are in non-conformance with the uses in the rest of the block. The proposed petition, if passed, would force me, in the event of the destruction of my property, to reconstruct housing within a block where the predominant uses are vacant land, Commercial or institutional (churches, schools). I submit that exclusive residential use of my property is not the highest and best use for it considering its surrounding area.

One question also comes to mind: If the principle of the proposed petition is to provide a buffer on the south side of School Street for the existing C-1 zone on the north, then what kind of protection will there be for the newly created C-1 zone which will not only not have a street as a buffer, as there currently is, but will have, forever, the rear end of Commercial uses (where garbage is collected) on its southern exposure? Historically streets have proven more successful as buffer zones than lines in the middle of blocks. Northern side of Bishop Allen Drive is a case in point where Commercial uses and residential uses abut each other in a precarious and uneasy co-existence. My property is also a prime example of the results. Here we have had to close our entire southern exposure because of the constant smell of cooking in a bakery as well as view and smell of garbage, and have been involved in an ongoing battle with mice and roaches.

If we apply the principle of "turning half of a Commercial Block to residential use to protect the existing C-1 zone" to the petitioned area, wouldn't the remaining uses between the new C-1 zone and Main Street have to become residential?!!

I submit that ground level Commercial use of my property is the most logical transition between the two zones on either side of school street.

2) Cherry Street

Even if by some stretched out logic, i.e., focusing on a couple of existing houses in a row of uses which is predominantly comprised of vacant, commercial, and institutional uses (schools and churches), someone could claim that School Street was a residential street, I would seriously take issue with anyone who claimed that Cherry Street (between Main Street and School Street) is residential in character. My property faces both streets. Along Cherry Street, there is a commercial store, a number of vacant parcels and my property which is located on the corner of School and Cherry Streets. (The two floors of residential units in my property start at seven feet above the street level.) Access to my future store from Cherry Street is absolutely essential.

3) I purchased my property in June of 1980 based on the Community Development Department's Planning Staff recommendation that my property was part of a CARD area (Commercial Area Revitalization Program).

In February 1980, I was looking for a Commercially zoned property in Cambridge that would allow both an opportunity for me to live in temporarily and also locate an architectural and development office and art production and sales business (storage and sale of paintings and art supplies and related materials). I went to the Community Development Department to look into various commercial areas in the City. A planning staff person showed me some reports indicating areas around Central Square where the City was encouraging Commercial Revitalization efforts. I looked at properties within the CARD program area and purchased a property which best suited my long range goals. A report published by the Community Development Department (Facade Improvements, June 1980) clearly indicates the CARD designated area (see attached Map). Even the last time I visited that Agency (October, 1982), these brochures were being handed out with pride to the public.

What is disturbing is that the petition in front of the City Council and planning board has been promoted by the staff of the same Agency which until recently was promoting public/private cooperation in the revitalization of the same area (see same attachment, last paragraph). This petition, if approved, would dramatically alter my future plans to put my property at its highest and best use and convert the basement into a small office and art business store and would not only reduce its value but would make it basically impossible for me to follow my original plans, since the lease or purchase of another property with the same characteristics is for me financially impossible. (This property is the only property I have ever owned).

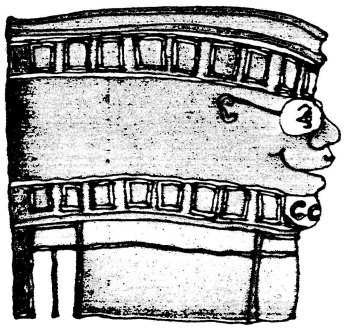
I am sure that there are many ways for the Community Development Department to disregard its own public announcements in this case and justify itself and its actions as being in the interest of the general public regardless of their impact on some individuals. If there is no legal platform for me to stand on in this matter, isn't there a moral ground that the city should stand by?

Respectfully,

Aziz Banayan
Owner, 70-72 School Street
c/o Andrew Nelson
5 Linean Street, Cambridge, MA 02138

Putting your best facade forward

The purpose of this program

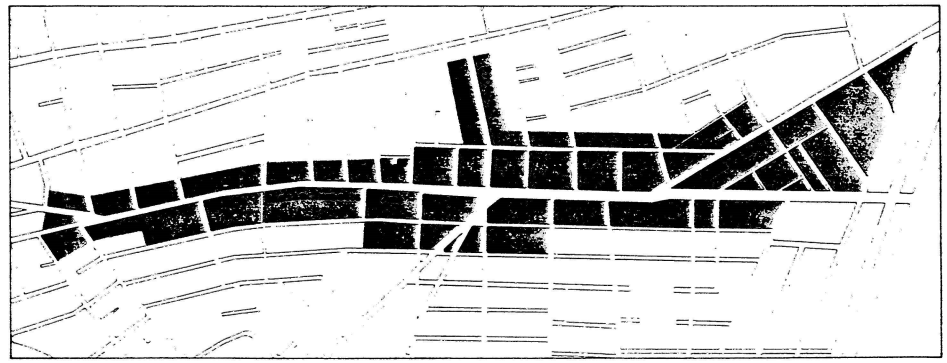


The Community Development Department is encouraging the revitalization of underutilized industrial areas in East Cambridge and Alewife. Revitalization efforts include the coordination of transit and other transportation planning and the use of federal funds for development incentives. Sources of federal funding include Block Grants and Urban Development Action Grants from the Department of Housing and Urban Development as well as grants from the Economic Development Administration.

These efforts have been compiled into urban design strategies in East Cambridge and Alewife, and improvements are reaching the implementation phase. Based on the usefulness of these urban design strategies which began with plans to upgrade the image in each area, a strategy is now being developed for Massachusetts Avenue in Cambridge. This booklet explains one part of that effort. Urban design plans are being used to create new images for areas of the City which have been neglected. In order to create a healthy atmosphere for progress, visible improvements are needed to create a sense that the image can become reality.

Image is important

Recent surveys made by Central Square merchants indicate that Central Square has an image problem. The Facade Art program is an important way of addressing one aspect of the physical environment problems along Massachusetts Avenue — the appearance of the Avenue's buildings. The broader social problems can be addressed through coordinated efforts over a long period of time. However, the present program will provide some improvements right away. Although many of the most difficult problems stem from economic and social factors beyond the reach of this particular program, improving the appearance of an area can help upgrade "image" . . . and "image" is important.



The Commercial Area Revitalization District (CARD) for Central Square is outlined above. The Commonwealth of Massachusetts CARD program allows developers to float tax-exempt bonds for commercial development. Details of the Central Square CARD are available in a recent publication by the Cambridge Community Development Department.

One area at a time

There are many commercial areas in Cambridge which deserve assistance. However, because funds are limited, it has been necessary to focus on one area initially: the Central Square Commercial Area Revitalization District (CARD). This commercial area serves some of the City's poorest neighborhoods. If the facade improvement program is successful in Central Square, similar benefits will be made available to other areas of the city.

The City will measure the success of the program by the degree of interest shown by the business community and by the quality of work that results. The goal is for a well-coordinated, public-private venture that is complemented by many other revitalization actions, both public and private, over the long run.

Comm. from Aziz Banayan, 70-72 School St., in opposition to the perition of Amy Malysa, et al, to rezone from Business A to Residence C-1 in the School St., Windsor St. & Bishop Allen Drive area.

In City Council,

September 19, 1983

9/19/83

Not Placed on File

9/19/83

Referred to the — Petition —

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

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

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

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by striking out the designation Business A and substituting in place thereof the designation Residence C-1 insofar as it relates to the following described area of land:

Premises of the following parcels as designated on Assessor's Plat No. 75. Numbers 125, 44, 45, 57 Bishop Allen Drive (formerly Austin) and which includes all or parts of parcels numbers 46, 127, 47, 48, 148 School Street and which includes all or parts of parcels numbers 149, 55a Harold Place, and further premises of the following parcels as designated on Assessor's Plat Number 74, numbers 3, 4, 5, 6, School Street, number 7 Windsor Street and number 2 Cherry Street.

Beginning at a point said point being the intersection of the centerlineof Bishop Allen Drive (formerly Austin) and School Street. Thence running easterly along the centerline of School Street 590 feet more or less to a point said point being the intersection of the centerline of School Street and the centerline of Windsor Street. Thence proceeding southerly 100 feet and thence running westerly along a line 90 feet more or less parallel to Main Street 430 feet including all or parts of Harold Place and intersecting with the centerline of Bishop Allen Drive (formerly Austin) and continuing westerly 230 feet more or less to the point of origin, of which compromises an area of 58,278 square feet more or less.

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

CAMBRIDGE, MASS.

To Paul E. Healy, City Clerk **Date** 9/9/83

From Joan Lastovica, City Engineer JL **Reference**

Subject Total square footage of land affected by the zoning petition of Amy E. Malysa, et al.

Attached is the estimated total square footage of land identified by the zoning petition of Amy E. Malysa, et al.that you have requested. Also, Included is a map delineating the land area that was used to determine the estimated square footage figure. Please note that there are several discrepancies in the submitted material, specifically: 1) the lots noted in the petition, 2) the description of the boundaries identified in the petition, and 3) the map detailing the boundaries of the affected area. These discrepancies are noted on the attached pages. Please call this office if you require clarification or other information.

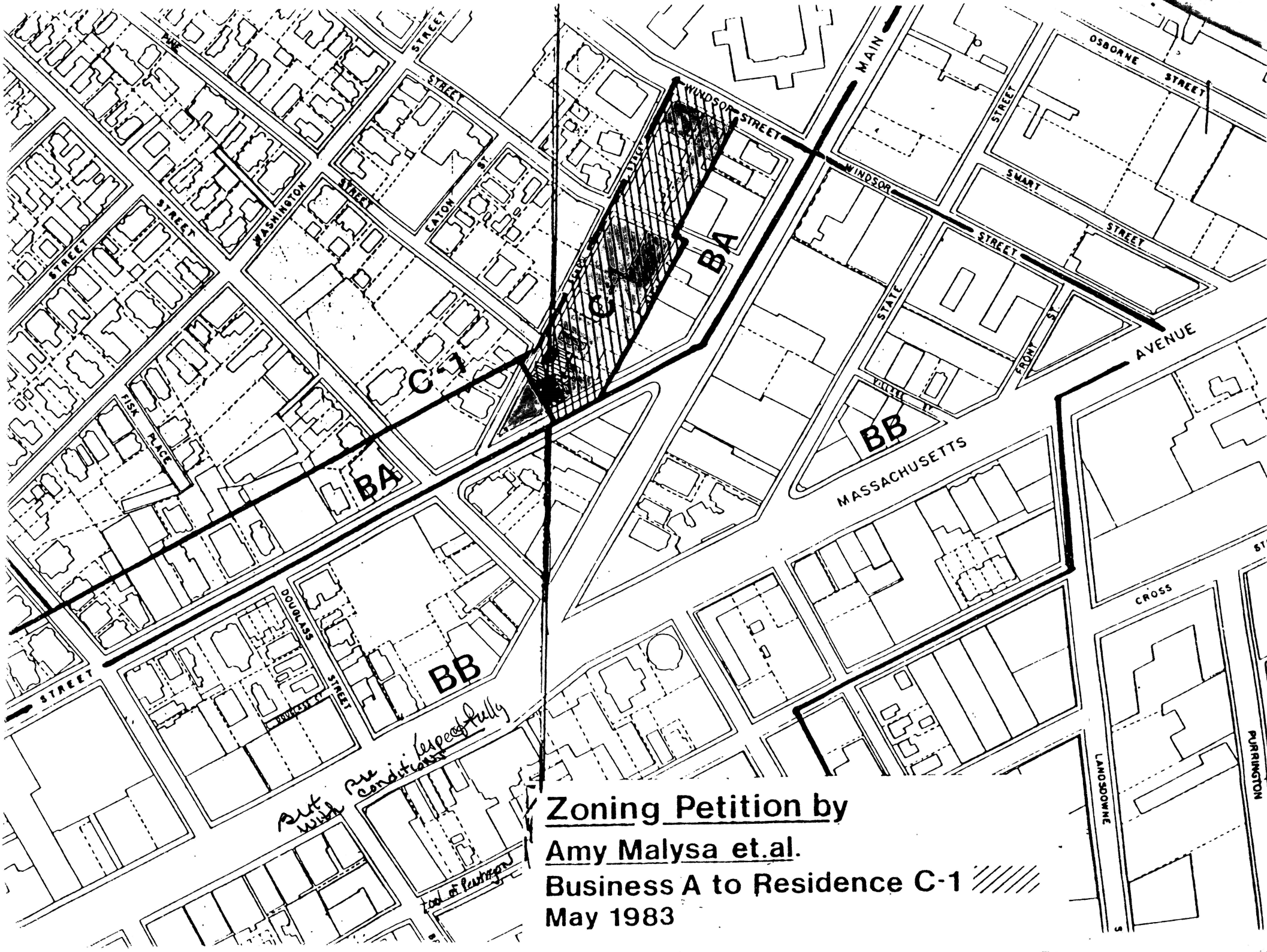
BLOCK 74, Lots:	Square Footage
2	3440
3	2220
4	2276
5	2436
6	3274
7	4473

Block 75, Lots	
44	2219
45	3510
46	1650
47	2760
48	2179
55a	2166
57	2650
124* and **	1860
125 **	2170
126*	1724
127	1995
148	5181
149	6008

Square footage of Public and Private ways within petition boundaries

Bishop Richard Allen Drive **	4640
Cherry Street **	3150
Harold Place ***	1560
School Street **	9855
Windsor Street **	2459
Total Square Footage	75,855

* Not identified in petition, but included within boundaries of submitted map
** Portion of lot or way
*** Private Way



Zoning Petition by
Amy Malysa et.al.
Business A to Residence C-1
May 1983

Office of the City Engineer
September 9, 1983
SR



OPPOSITION TO THE ZONING PETITION OF AMY MALYSA, ET AL.

Henry J. Bornhofft, Jr.
Nabisco Confections, Inc.
810 Main Street
Cambridge, MA 02139

Beatrice Gordon
77 Elizabeth Road
Cambridge, MA

Lucy V. Papalco
85-87 Windsor Street
Cambridge, MA 02139

Donna Demers
86 School Street
Cambridge, MA 02139

Virginia Demers
86 School Street
Cambridge, MA 02139

William Stratton
86 School Street
Cambridge, MA 02139

Elizabeth Bohlen *
111 Chestnut Street
Cambridge, MA 02139

* Supports the petition - as long as it does not affect her property.

~~[redacted]~~

Amy Malysa et. al. Petition - Amended

1.0 Rezone to Residence C-1 that area now zoned Business A which is circumscribed by a line beginning at a point, said point being the intersection of the centerline of School Street and the northeasterly projection of the [redacted] easterly sideline of lot 44 on [redacted] Assessor's Plat # 75;

1.2 Thence proceeding in an easterly direction along the centerline of School Street for approximately 540 feet to its intersection with the centerline of Windsor Street;

1.3 Thence turning and proceeding in a westerly direction along the centerline of Windsor Street for approximately 120 feet to its intersection with the easterly

projection of the southerly sideline of lot 7 on Assessor's Plat # 74;

1.4 Thence turning and proceeding in a westerly direction along the southerly sideline of lot 7 and its projection and the southerly sideline of lot 2 and its extension for approximately 225 feet to its intersection with the centerline of Cherry Street;

1.5 Thence turning and proceeding in a southerly direction along the centerline of Cherry Street for approximately 20 feet to its intersection with the easterly projection of the southerly sideline of Harold Place;

1.6 Thence turning and proceeding in a westerly direction [redacted] along the southerly sideline of Harold Place and its projection and extension for approximately 290 to [redacted] its intersection with the centerline of Bishop Allen Drive (formerly Austin Street);

1.7 Thence turning and proceeding in a northwesterly direction along the centerline of Bishop Allen Drive for approximately 112 feet to its intersection with the southwesterly projection of the [redacted] southerly sideline of lot 44 on Assessors Plat # 75;

1.8 Thence turning and proceeding in a northeasterly direction along the southerly sideline of lot 44 and its projection and extension for approximately 105 feet

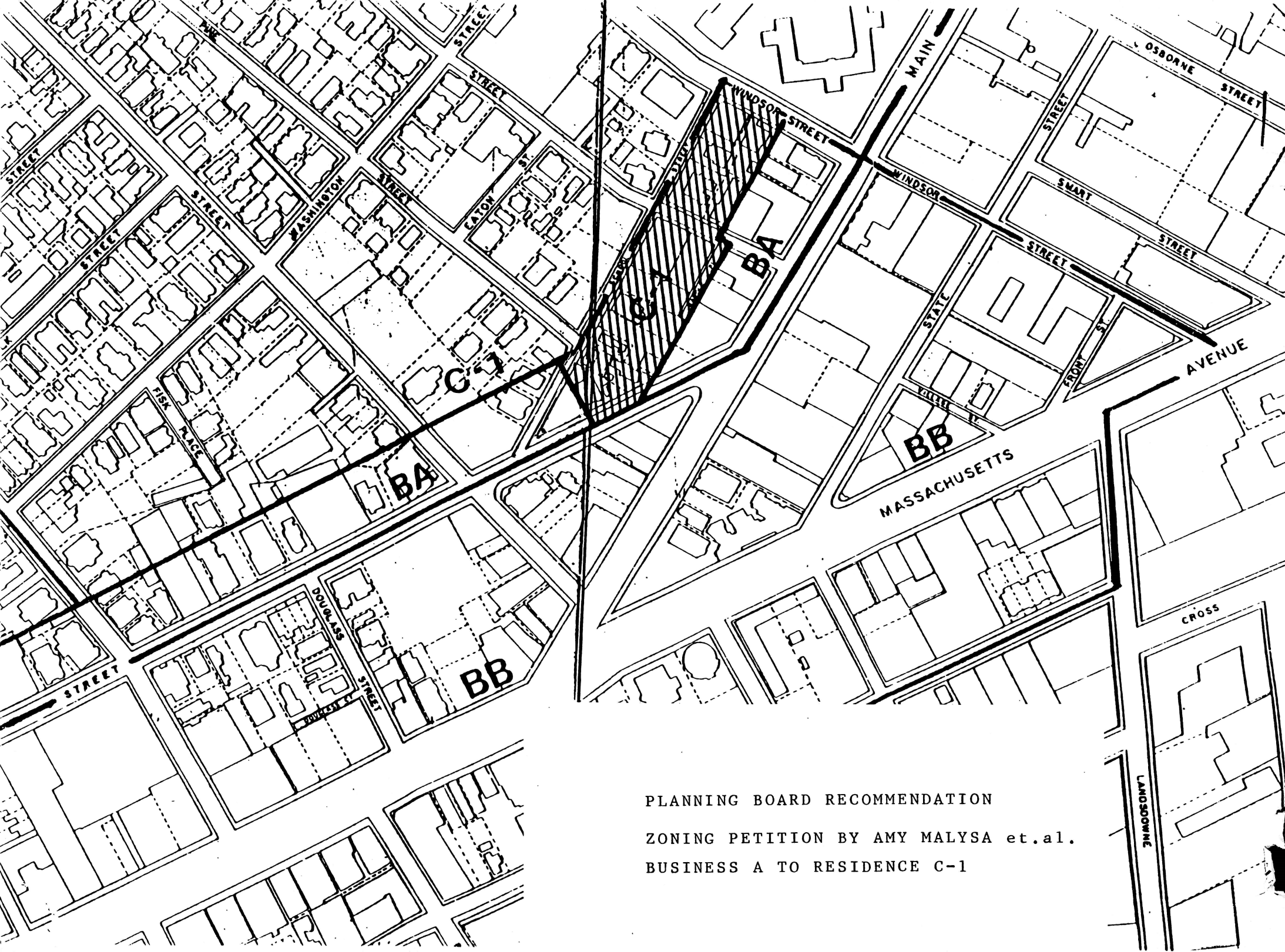
to its intersection with the centerline of School Street the point of origin.

1.01 Premises shown on Assessor's Plat # 75:

Even numbers 80 through 88 School Street, odd numbers 13 through 25 Cherry Street, odd numbers 9 through 17½ Bishop Allen Drive, which include all or parts of lots numbered 45, 46, 127, 126, 47, 48, 148, 149, 55A, 124, 125 and 57.

1.02 Premises shown on Assessor's [redacted] Plat # 74

Even numbers 68 through 72 School Street, odd numbers 85 through 93 Windsor Street, even numbers 16 through 20 Cherry Street, which includes all or parts of lots numbered; 3, 4, 5, 6, 7 and 2.



PLANNING BOARD RECOMMENDATION

ZONING PETITION BY AMY MALYSA et.al.

BUSINESS A TO RESIDENCE C-1

85 Windsor Street
Cambridge, MA 02139

SEP 12 1 03 PM '83
CAMBRIDGE, MASS.

September 6, 1983

Paul E. Healy, City Clerk
City of Cambridge
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I am protesting the petition made by one Amy Malysa, et al to amend the zoning map which includes my property located at 85-87 Windsor Street from Business A to Residence C-1 category.

As a life-long resident (over 60 years) at the above address which includes a rental for business, I do not see the advantage of changing my property from the business classification to that of residence classification.

I respectfully request that if you check further, you will see that I am located between two businesses, namely, the Newtowne Variety on the corner of Windsor and School Streets and a new shoe repair/dry cleaning establishment located on the corner of Windsor and Main Streets. Also, in the next block from where I am located, going toward Washington Street is a Family Health Center as well as Polaroid.

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Lucy V. Papaleo

(Miss) Lucy V. Papaleo

C. C. 106

#5 Unfinished Business

City of Cambridge

MASSACHUSETTS

In City Council August 8 1983

Councillor Walter Sullivan
Motion to Table - Carried

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham			✓	
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓	✓		
Mr. Walter J. Sullivan	✓			
Mr. Wylie	✓	✓		
Mayor Vellucci	✓			
	6	2	1	

Motion to Table - Carried

FIRST PUBLICATION NO. 2212.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

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

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

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Premises of the following parcels as designated on Assessor's Plat No. 75. Numbers 125, 44, 45, 57 Bishop Allen Drive (formerly Austin) and which includes all or parts of parcels numbers 46, 127, 47, 48, 148 School Street and which includes all or parts of parcels numbers 149, 55a Harold Place, and further premises of the following parcels as designated on Assessor's Plat Number 74, numbers 3, 4, 5, 6, School Street, number 7 Windsor Street and number 2 Cherry Street.

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Passed to a second reading at the City Council meeting held on June 27, 1983 and on or after July 11, 1983 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

FIRST PUBLICATION NO. 2212.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

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Beginning at a point said point being the intersection of the centerlineof Bishop Allen Drive (formerly Austin) and School Street. Thence running easterly along the centerline of School Street 590 feet more or less to a point said point being the intersection of the centerline of School Street and the centerline of Windsor Street. Thence proceeding southerly 100 feet and thence running westerly along a line 90 feet more or less parallel to Main Street 430 feet including all or parts of Harold Place and intersecting with the centerline of Bishop Allen Drive (formerly Austin) and continuing westerly 230 feet more or less to the point of origin, of which compromises an area of 58,278 square feet more or less.

Passed to a second reading at the City Council meeting held on June 27, 1983 and on or after July 11, 1983 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

FIRST PUBLICATION NO. 2212.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

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

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

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by striking out the designation Business A and substituting in place thereof the designation Residence C-1 insofar as it relates to the following described area of land:

Premises of the following parcels as designated on Assessor's Plat No. 75. Numbers 125, 44, 45, 57 Bishop Allen Drive (formerly Austin) and which includes all or parts of parcels numbers 46, 127, 47, 48, 148 School Street and which includes all or parts of parcels numbers 149, 55a Harold Place, and further premises of the following parcels as designated on Assessor's Plat Number 74, numbers 3, 4, 5, 6, School Street, number 7 Windsor Street and number 2 Cherry Street.

Beginning at a point said point being the intersection of the centerlineof Bishop Allen Drive (formerly Austin) and School Street. Thence running easterly along the centerline of School Street 590 feet more or less to a point said point being the intersection of the centerline of School Street and the centerline of Windsor Street. Thence proceeding southerly 100 feet and thence running westerly along a line 90 feet more or less parallel to Main Street 430 feet including all or parts of Harold Place and intersecting with the centerline of Bishop Allen Drive (formerly Austin) and continuing westerly 230 feet more or less to the point of origin, of which compromises an area of 58,278 square feet more or less.

Passed to a second reading at the City Council meeting held on June 27, 1983 and on or after July 11, 1983 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

Comprised of the entire membership of the City Council

to which was referred the petition of Amy Malysa, et al to amend the Zoning Map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive met on Wednesday, June 22, 1983 at 5:16 p.m. in the City Council Chamber, City Hall.

Councillor Walter J. Sullivan, Chairman of the Ordinance Committee, presided.

The Chairman called for the proponents to appear. In response to the call of the Chair, the Committee heard from the petitioner, Amy E. Malysa of 15½ Bishop Allen Drive, who outlined the area under consideration as being bounded generally by School Street, Windsor Street, Harold Place and Bishop Allen Drive.

The Committee was in receipt of a petition signed by twenty-six property owners and tenants requesting the amendment from Business A to Residence C-1, (which petition is identified as Exhibit A and attached to the record), in the area described by the petitioner, who indicated that the purpose of the petition was to maintain the residential character of the neighborhood which was threatened by business interests seeking a foothold on the area under the present zoning.

In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

Recorded in favor were the following: Gerald Bergman, 27 Essex Street, Lydia Vicker, 45 Cherry Street and John McDermott, 88 School Street.

The Committee heard from George Sonmaripa, Chairman of the Ward Two Democratic Committee, and resident of 15-17 Essex St., who recorded himself in favor and stated that the amendment would retain the residential character of the neighborhood and stop large scale industrial development.

The Committee was in receipt of a communication dated June 12, 1983 from Elizabeth H. Bohlen of 111 Chestnut Street, owner of two buildings at 19-21 Bishop Richard Allen Drive, which indicated her approval for the zoning change, provided that her properties were not included in the change. (This communication is identified as Exhibit B and attached to the record).

REPORT

Committee on Ordinances

Re: petition of Amy Malysa, et al to amend the Zonign Map from Business A to Residence C-1 in the area generally bounded by School St., Windsor St., Harold Place & Bishop Allen Drive.

In City Council,

June 27, 1983

The Chair declared the hearing for the proponents closed at 5:28 p.m. and requested the opposition to appear.

In response to the call of the Chair, the Committee heard from Lucy Papalco of 83 Windsor Street, who appeared and recorded her opposition. Her main concern was that she would be restricted in the future use of her property by the proposed amendment. In order to resolve her concerns, the City Clerk was instructed to make an appointment for her with the Community Development Department.

The Committee heard from Virginia Demers of 86 School Street, who recorded her opposition to the petition due to the fact that she had a small business operation and the institution of a zoning change would limit her opitions for the use of the building which provides her livelihood.

The Committee heard from Beatrice Gordon of 77 Elizabeth Road, an owner of two parcels in the area, who recorded her opposition to the petition.

Donna Demers of 86 School Street and William Stratton of the same address, recorded their opposition.

The Chair declared the hearing closed for the opposition at 5:40 p.m.

At this time Councillor David Sullivan informed the Committee that he would support the proposed zoning amendment.

The Chairman moved that the proposed amnedment be referred to the City Council meeting of June 27, 1983 for their consideration. There being no objection - the petition was so referred.

For the Committee,

Walter J. Sullivan

Councillor Walter J. Sullivan,

Chairman.

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 19, 1983

To the Honorable, the City Council:

Subject: Planning Board Recommendation on a Petition by Amy Malysa et al to Rezone from Business A to Residence C-1 an Area Bounded by Bishop Richard Allen Drive, School Street, Windsor Street and Harold Place

In accordance with Cahpter 40A of the General Laws, the Planning Board held a public hearing on Tuesday, June 21, 1983 in the Community Development Conference Room on the above referenced petition.

The Petition

The proposed petition would rezone an area containing approximately nineteen (19) parcels of land from Business A to Residence C-1.

The following list summarizes the major differences between the proposed new Residence C-1 district disignation and the current Business A zoning.

	Res. C-1	Bus. A
1. Uses:		
Residential	yes	yes
Retail Business	no	yes
Institutional	no or sp	yes
Office & Laboratory	no	yes
Industrial	no	no
2. Dimensional Regulations:		
(a) Floor Area Ratio		
Res. Use -	.75	1.75
Other Use -	N/A	1.0
(b) Min. Lot Area Per		
Dwelling Unit -	1200 s.f.	600 s.f.
(c) Height -		
Res. Use. -	35'	85'
Other Use -	N/A	35'

Recommendation

Based on the following findings, the Planning Board recommends that the proposed rezoning petition be approved with the modification as illustrated on the attached map, which leaves the commercial property at 19-21 Bishop Allen Drive in the Business A District.

Findings

1. The area within the proposed Residence C-1 zoning district contains a mix of residential, institutional, commercial and industrial uses. The area contains eight (8) residential uses, two (2) churches, three (3) commercial properties and seven (7) parking lots. The residential uses in this area are under increased pressure from nearby commercial uses to provide off-street parking. A recent example of this is at 9 Bishop Richard Allen Drive which was formerly occupied by a residential dwelling and is now used for open lot off-street parking by the La Groceria Restaurant.

2. The proposed rezoning area is located between a more intensely used Business district and a residential neighborhood. While the proposed rezoning area is neither predominantly residential nor commercial in character, the pressure on existing residential uses for commercial space will eventually create a commercial district.

3. The existing commercial businesses may continue as legally established nonconforming uses if this area is rezoned to a Residential C-1 district.

4. Rezoning this area to Residential C-1 will protect the existing residential uses as well as providing a reasonable buffer for the adjacent residential neighborhood from the more intensely used Business B district.

5. The property at 19-21 Bishop Richard Allen Drive is currently in commercial use containing a garage, karate school and club. This property is located in the proposed rezoning area and adjacent to the existing Business A district line. As this property is now in commercial use and adjacent to the Business A district line, it would be appropriate to leave this commercial property in the Business A district as illustrated on the attached map.

The Hearing

Amy Malysa explained that the purpose of the rezoning petition is to protect the existing residential properties in this area along Bishop Allen Drive and School Street. Ms. Malysa stated that the residential neighborhood's concern arises over recent arson attempts on her building and the demolition of an adjacent residential building which was replaced with a parking lot.

The following people spoke in support of the rezoning petition:

John McDermott; George Sommaripa, 17 Bishop Allen Drive; Linda Vickors, 45½ Cherry Street, Clifford Brostel, 29 Essex Street; and Janet Rose, 16 Pine Street.

No one spoke in opposition to the proposed rezoning.

A letter from Elizabeth H. Bohlen, 111 Chestnut Street was submitted requesting that the proposed C-1 district line be moved to leave her commercial property in the BA district.

Chairman Parris stated that he had a call from Aziz Banayan owner of 70-72 School Street who indicated that he had planned to use his property for a design studio and was concerned over the effect this rezoning would have on these plans.

Letters were submitted from Lydia Vickers, 45 Cherry Street and Charles M. Sullivan, Executive Director of the Cambridge Historical Commission, in support of the proposed rezoning.

Respectfully submitted

for the Planning Board,

Arthur C. Parris

Arthur C. Parris
Chairman



PLANNING BOARD RECOMMENDATION

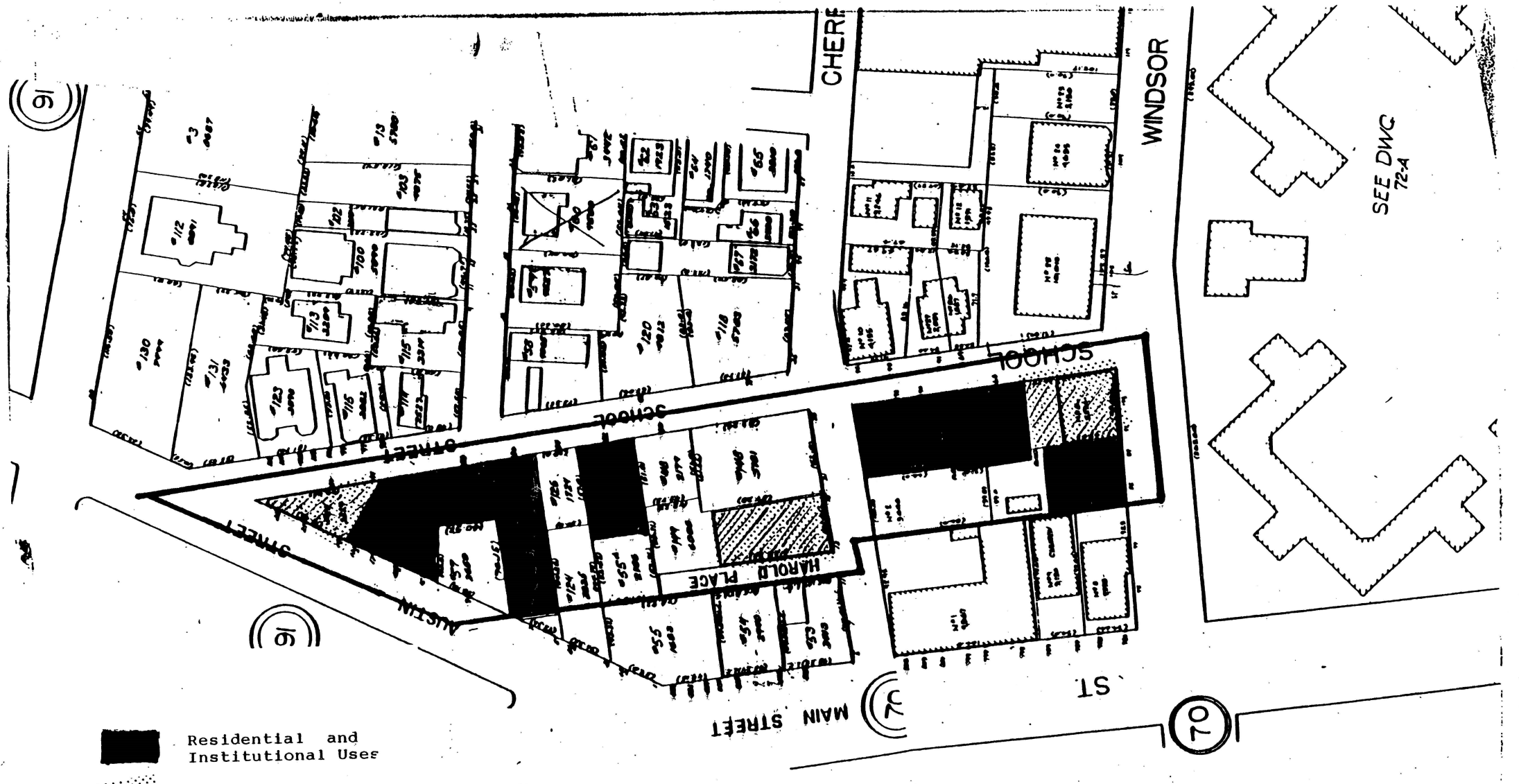
ZONING PETITION BY AMY MALYSA et.al.

BUSINESS A TO RESIDENCE C-1

Amy Malysa et.al. Petition
Landuses

Plat	Lot	Address	Use
75	44	94-96 School St.	commercial
	45	15½-17½ Bishop Richard	residential
	57	9 Bishop Richard	parking lot
	46	88 School St	residential
	125	5-7 Bishop Richard	institutional (church)
	127	86 School St	residential
	124	3-3½ Bishop Richard	parking lot
	126	84 School St	parking lot
	55A	Harold Place	parking lot
	47	82 School St	residential
	149	Harold Place	industrial
	48	80 School St	parking lot
	148	21-25 Cherry St.	parking lot
74	3	72 School St	residential
	4	70 School St	residential
	2	16-20 Cherry St	parking lot/vacant
	5	68 School St	residential

74	6	91-93 Windsor St	commercial
	7	85-87 Windsor St	residential


CHERI
WINDSOR
SEE DWG 72-A
SCHOOL
STREET
AUSTIN
HAROLD PLACE
MAIN STREET
ST
16
70
Residential and Institutional Uses
Commercial buildings

2.

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 8, 1983

To the Honorable, the City Council:

I transmit herewith communication from the Planning Board pertaining to its recommendation on a petition by Amy Malysa et al to rezone from Business A to Residence C-1 an area bounded by Bishop Richard Allen Drive, School Street, Windsor Street and Harold Place.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

Agenda Item Number Two

Re: Planning Board recommendations on the petition of Amy Malysa, et al, to amend the Zoning Ordinances by rezoning from Business A to Residence C-1 in the area bounded by Bishop Allen Drive, School St., Windsor St. & Harold Place.

August 8, 1983

Fee Not Finished

Business #5

Ready for Ordination

Tabled with Hearing

on 9/12/83 at 6:30 pm

In City Council,

August 8, 1983

8/8/1983

Referred

to

the

Petition

85-87 Windsor St.
Camb. Mass 02139
Aug 5, 1983

City of Camb
Planning board.

Re zoning petition by Amy Malyaa
Bounded by Windsor St to School St. From
Business A - 4. Residence C-1.

I am not in favor of the change.
Let it be noted that I oppose the petition

I've been a Camb. Tax payer for over
60 yrs. My family before me, have been
in business all those yrs. at the same
time a resident.

I have business rentals. I see no
advantage of changing my same area,
from Business A - 4 to Residence C-1.

There is business at corner of Windsor &
Main St. Another at corner of School
& Windsor St. I sit in between.

Dont is feasible to let my property
stand the same.

Again I oppose the petition.

Yours truly
Lucy V Papalas

810 Main Street
Cambridge, Massachusetts 02139
(617) 491-2500

NABISCO BRANDS INC

President
■ NABISCO CONFECTIONS, INC.

August 8, 1983

The Honorable Alfred E. Vellucci
Mayor of Cambridge
City Hall
Cambridge, Massachusetts

Dear Mayor Vellucci:

We understand that a Zoning Petition by Amy Malysa et. al. to rezone a portion of our property from Business A to Residence C-1 will come before the Council tonight.

Unfortunately, I will not be able to attend that meeting. However, I would like you and the Council to know that Nabisco Confections objects to the rezoning of our property.

Most of the area under consideration and owned by Nabisco is used for off-street parking for our employees. We permit Sunday parking for members of the church that abuts this area.

We do hope that the Council will be opposed to the Amy Malysa et. al. Petition. Because we are the largest single owner of the property involved, we would like you to consider this letter a Petition of Objection against rezoning.

We intend to continue to use the property under consideration as a parking area and the small building that is included for storage. We have no need to build additional facilities in that area at this time.

Sincerely,

NABISCO CONFECTIONS, INC.

Henry J. Bornhofft, Jr.

HJB:et

Exhibit A

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

Amy C. Malyoa
tenant 15½ Bishop Allen Drive

George Sommariva
tenant 17 Bishop Allen Drive

Dorothy R. Bridge
tenant 17½ Bishop Allen Drive

Emmeline Scott
tenant Newtowne Court

Mark A. White
tenant 45 Cherry St.

John D. Schneider
tenant 15½ Bishop Allen Drive

Michael Bridge
tenant 17½ Bishop Allen Drive

Donald Langford
tenant 5 Bishop Allen Drive

Eva Sommariva
tenant 17 Bishop Allen Drive

William G. Backer
tenant 17½ Bishop Allen Drive

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

David Ludlow
owner of 106 Pine St
Cambridge 02139
491-7156

EDW MARSZALEK
114 HARVARD ST
CAMB MASS (OWNER)

Elba Santiago
owner of 32-34 Pine St
Cambridge, Mass 02139

Marlene Rockford
56 Cherry St
Camb. Mass (owner)

Lydia Vickers
Owner 45/45½ Cherry St.
Camb. 02139

Alfred R. CLARKE
4 EATON ST
CAMB MASS (OWNER)

Stephanie Briggs
Owner 6 Eaton St
Camb 02139

Anna FERRI (owner)
51 Pine Street
Cambridge, MA 02139

John A. Macdonald
22 Richard Allen Dr.
Cambridge Mass.
OWNER

Sue Reinert
18 Pine St.
Cambridge MA
Tenant

THEODORE LEEMAN

OTHER SIDE →

Theodore LEEMAW
1 Pine st
CAMb MASS.
(OWNER)

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

8 Pine st. Camb.

James Thomas

9 Pine owner
St

Margaret Seeman

Thomas & CORREEN Baird
69 School St.
owner.

John H McDermott
88 School St

owner

Carol M. Inniss
8 Pine st. apt 3.
Camb. Mass.
02139

Ileen Inniss owner
8 Pine St. apt 2.
Camb. Ma 02139

We, the undersigned property owners and tenants of Neighborhood 4, respectfully petition the City Council of Cambridge to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School street, Windsor Street, Harold Place and Bishop Allen Drive as illustrated on the attatched map.

Maria Bevis _____

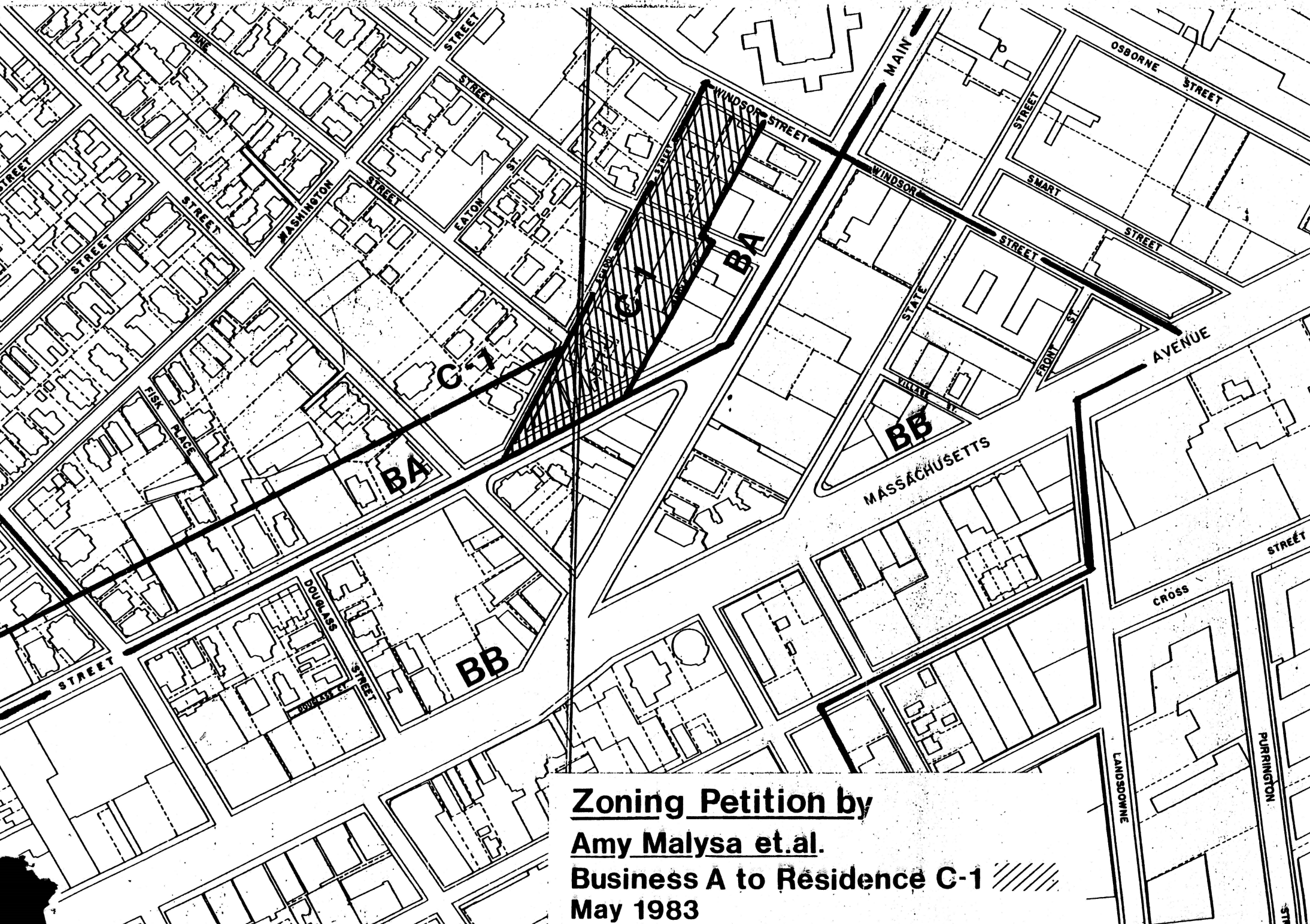
tenant corner of Columbia & Bishop Allen Drive

_____ _____

_____ _____

_____ _____

_____ _____



Zoning Petition by

Amy Malysa et.al.

Business A to Residence C-1

May 1983

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

Comprised of the entire membership of the City Council
to which was referred the petition of the Planning Board to amend the Zoning Ordinances of the City of Cambridge in the Cambridgeport Industrial District by changing the district designations for several areas by creating six new zoning districts, including three new overlay districts: PUD-6, A, B, C, D; PUD-7 and the Fort Washington Overlay District in the area now principally zoned as Industry B, met on Wednesday, June 22, 1983 at 6:00 p.m. in the City Council Chamber, City Hall.

Councillor Walter J. Sullivan, Chairman of the Ordinance Committee, presided.

The Chairman called for the proponents to appear and be heard.

In answer to the call of the Chair, the Committee heard from Kathy Spiegelman, Asst. City Manager for Community Development, who stated that both this petition and the petition of Councillor David Sullivan were received by the Planning Board which had agreed on a plan which was designed to make things happen. She outlined in great detail the objectives of the plan and expressed a hope that the rezoning petition submitted could resolve the problem which was compounded by the failure of those concerned to compromise after the submission of eight petitions, resulting in a lack of confidence. She stated that the objectives of all concerned could be attained.

The Committee heard from Lester Barber of the Community Development staff, who outlined the various districts in the area and indicated the uses permitted in each area.
(The difference in the two petitions are indicated in summary on the hearing notices attached and identified as Exhibit A).

Mr. Barber, with the aid of the ~~neighborhood~~ blackboard showed the boundaries of each district and answered questions by the Committee on the permitted uses and ratios in code.

The Committee was in receipt of two summaries from the Community Development Department, the first being the Planning Board petition and referred to as Exhibit B, and the second designated as the City Council petition and referred to as Exhibit C, both being attached to the record.

A discussion followed regarding the permitted uses in each zone. The Chairman declared the hearing for the proponents closed and called for the opposition to appear.

In response to the Call of the Chair, the Committee heard from William Noble of 38 Green Street, who recorded his opposition to both petitions and the provisions made for low and moderate housing units.

The Committee heard from Robert J. LaTremouille of 348 Franklin Street, who was concerned with property being destroyed for speculation and no housing being provided in the City of Cambridge.

Bill Cunningham of 3 Putnam Gardens recorded his opposition and stated that he favored light industry and was against putting all our eggs in one basket.

Henry Kalus of area 1B2 appeared in opposition to the proposals.

Gerald Bergman of 27 Essex Street recorded his opposition to both petitions and urged the Committee to consider proposals which would provide housing for low and moderate income people.

The Committee heard from Edward Stempon, who opposed both petitions and urged that the property be used in a marketable manner and the Committee should consider why people come to Cambridge and act accordingly.

Also recorded in opposition to both plans were the following: Catherine Donaher of 6 Avon St., representing M.I.T., James Caregianes of 4 William St., Donald Moulton of 9 Lowell St., Phil Tortora of 20 Lopez St., Murial Brown of 353 Pearl St., Peter Ashjian, representing Vappi Corporation of Sydney Street, Vincent Mastroll of 8 Cottage St., Walter Milne, representing M.I.T., Jacques Smith, representing Manlabs, Inc., Phillip Cavellinia of 264 Brookline St.

The Chair declared the hearing for the opposition closed at 7:28 p.m.

Councillor David Sullivan introduced Richard Whitman of 6 Frost St., who wished to record himself in favor of the City Council petition and presented a detailed report to the membership on the Council petition, (which is attached and identified as Exhibit D in the record). Mr. Whitman stated that there is a market for industrial development, which could occur if land costs were kept at $10 per square foot and that the restriction on office space could not affect this market provided that office space was limited to 50%. Otherwise, land costs would soar to $15 or 20 per square foot, preventing industrial development and providing fewer production jobs for Cambridge residents, that this would probably be the last opportunity to provide for blue collar jobs in Cambridge. Mr. Whitman concluded by urging the adoption of the Council petition.

The Chairman declared the hearing closed at 7:28 p.m. and moved that both petitions be referred to the City Council for their consideration. There being no objection, the petitions were so referred.

For the Committee,

Councillor Walter J. Sullivan

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

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to which was referred the petition of the Planning Board to amend the Zoning Ordinances of the City of Cambridge in the Cambridgeport Industrial District by changing the district designations for several areas by creating six new zoning districts, including three new overlay districts: PUD-6, A, B, C, D; PUD-7 and the Fort Washington Overlay District in the area now principally zoned as Industry B, met on Wednesday, June 22, 1983 at 6:00 p.m. in the City Council Chamber, City Hall.

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Bill Cunningham of 3 Putnam Gardens recorded his opposition and stated that he favored light industry and was against putting all our eggs in one basket.

Henry Kalus of area 1B2 appeared in opposition to the proposals.

Gerald Bergman of 27 Essex Street recorded his opposition to both petitions and urged the Committee to consider proposals which would provide housing for low and moderate income people.

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Also recorded in opposition to both plans were the following: Catherine Donaher of 6 Avon St., representing M.I.T., James Caregianes of 4 William St., Donald Moulton of 9 Lowell St., Phil Tortora of 20 Lopez St., Murial Brown of 353 Pearl St., Peter Ashjian, representing Vappi Corporation of Sydney Street, Vincent Mastroll of 8 Cottage St., Walter Milne, representing M.I.T., Jacques Smith, representing Manlabs, Inc., Phillip Cavellinia of 264 Brookline St.

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For the Committee,

Councillor Walter J. Sullivan

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

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Also recorded in opposition to both plans were the following: Catherine Donaher of 6 Avon St., representing M.I.T., James Caregianes of 4 William St., Donald Moulton of 9 Lowell St., Phil Tortora of 20 Lopez St., Murial Brown of 353 Pearl St., Peter Ashjian, representing Vappi Corporation of Sydney Street, Vincent Mastroll of 8 Cottage St., Walter Milne, representing M.I.T., Jacques Smith, representing Manlabs, Inc., Phillip Cavellinia of 264 Brookline St.

The Chair declared the hearing for the opposition closed at 7:28 p.m.

Councillor David Sullivan introduced Richard Whitman of 6 Frost St., who wished to record himself in favor of the City Council petition and presented a detailed report to the membership on the Council petition, (which is attached and identified as Exhibit D in the record). Mr. Whitman stated that there is a market for industrial development, which could occur if land costs were kept at $10 per square foot and that the restriction on office space could not affect this market provided that office space was limited to 50%. Otherwise, land costs would soar to $15 or 20 per square foot, preventing industrial development and providing fewer production jobs for Cambridge residents, that this would probably be the last opportunity to provide for blue collar jobs in Cambridge. Mr. Whitman concluded by urging the adoption of the Council petition.

The Chairman declared the hearing closed at 7:28 p.m. and moved that both petitions be referred to the City Council for their consideration. There being no objection, the petitions were so referred.

For the Committee,

Councillor Walter J. Sullivan

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

Comprised of the entire membership of the City Council
to which was referred the petition of the Planning Board to amend the Zoning Ordinances of the City of Cambridge in the Cambridgeport Industrial District by changing the district designations for several areas by creating six new zoning districts, including three new overlay districts: PUD-6, A, B, C, D; PUD-7 and the Fort Washington Overlay District in the area now principally zoned as Industry B, met on Wednesday, June 22, 1983 at 6:00 p.m. in the City Council Chamber, City Hall.

Councillor Walter J. Sullivan, Chairman of the Ordinance Committee, presided.

The Chairman called for the proponents to appear and be heard.

In answer to the call of the Chair, the Committee heard from Kathy Spiegelman, Asst. City Manager for Community Development, who stated that both this petition and the petition of Councillor David Sullivan were received by the Planning Board which had agreed on a plan which was designed to make things happen. She outlined in great detail the objectives of the plan and expressed a hope that the rezoning petition submitted could resolve the problem which was compounded by the failure of those concerned to compromise after the submission of eight petitions, resulting in a lack of confidence. She stated that the objectives of all concerned could be attained.

The Committee heard from Lester Barber of the Community Development staff, who outlined the various districts in the area and indicated the uses permitted in each area.
(The difference in the two petitions are indicated in summary on the hearing notices attached and identified as Exhibit A).

Mr. Barber, with the aid of the ~~neighborhood~~ blackboard showed the boundaries of each district and answered questions by the Committee on the permitted uses and ratios in code.

The Committee was in receipt of two summaries from the Community Development Department, the first being the Planning Board petition and referred to as Exhibit B, and the second designated as the City Council petition and referred to as Exhibit C, both being attached to the record.

A discussion followed regarding the permitted uses in each zone. The Chairman declared the hearing for the proponents closed and called for the opposition to appear.

In response to the Call of the Chair, the Committee heard from William Noble of 38 Green Street, who recorded his opposition to both petitions and the provisions made for low and moderate housing units.

The Committee heard from Robert J. LaTremouille of 348 Franklin Street, who was concerned with property being destroyed for speculation and no housing being provided in the City of Cambridge.

Bill Cunningham of 3 Putnam Gardens recorded his opposition and stated that he favored light industry and was against putting all our eggs in one basket.

Henry Kalus of area 1B2 appeared in opposition to the proposals.

Gerald Bergman of 27 Essex Street recorded his opposition to both petitions and urged the Committee to consider proposals which would provide housing for low and moderate income people.

The Committee heard from Edward Stempon, who opposed both petitions and urged that the property be used in a marketable manner and the Committee should consider why people come to Cambridge and act accordingly.

Also recorded in opposition to both plans were the following: Catherine Donaher of 6 Avon St., representing M.I.T., James Caregianes of 4 William St., Donald Moulton of 9 Lowell St., Phil Tortora of 20 Lopez St., Murial Brown of 353 Pearl St., Peter Ashjian, representing Vappi Corporation of Sydney Street, Vincent Mastroll of 8 Cottage St., Walter Milne, representing M.I.T., Jacques Smith, representing Manlabs, Inc., Phillip Cavellinia of 264 Brookline St.

The Chair declared the hearing for the opposition closed at 7:28 p.m.

Councillor David Sullivan introduced Richard Whitman of 6 Frost St., who wished to record himself in favor of the City Council petition and presented a detailed report to the membership on the Council petition, (which is attached and identified as Exhibit D in the record). Mr. Whitman stated that there is a market for industrial development, which could occur if land costs were kept at $10 per square foot and that the restriction on office space could not affect this market provided that office space was limited to 50%. Otherwise, land costs would soar to $15 or 20 per square foot, preventing industrial development and providing fewer production jobs for Cambridge residents, that this would probably be the last opportunity to provide for blue collar jobs in Cambridge. Mr. Whitman concluded by urging the adoption of the Council petition.

The Chairman declared the hearing closed at 7:28 p.m. and moved that both petitions be referred to the City Council for their consideration. There being no objection, the petitions were so referred.

For the Committee,

Councillor Walter J. Sullivan

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

Comprised of the entire membership of the City Council

to which was referred the petition of Amy Malysa, et al to amend the Zoning Map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive met on Wednesday, June 22, 1983 at 5:16 p.m. in the City Council Chamber, City Hall.

Councillor Walter J. Sullivan, Chairman of the Ordinance Committee, presided.

The Chairman called for the proponents to appear. In response to the call of the Chair, the Committee heard from the petitioner, Amy E. Malysa of 15½ Bishop Allen Drive, who outlined the area under consideration as being bounded generally by School Street, Windsor Street, Harold Place and Bishop Allen Drive.

The Committee was in receipt of a petition signed by twenty-six property owners and tenants requesting the amendment from Business A to Residence C-1, (which petition is identified as Exhibit A and attached to the record), in the area described by the petitioner, who indicated that the purpose of the petition was to maintain the residential character of the neighborhood which was threatened by business interests seeking a foothold on the area under the present zoning.

In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

Recorded in favor were the following: Gerald Bergman, 27 Essex Street, Lydia Vicker, 45 Cherry Street and John McDermott, 88 School Street.

The Committee heard from George Sonmaripa, Chairman of the Ward Two Democratic Committee, and resident of 15-17 Essex St., who recorded himself in favor and stated that the amendment would retain the residential character of the neighborhood and stop large scale industrial development.

The Committee was in receipt of a communication dated June 12, 1983 from Elizabeth H. Bohlen of 111 Chestnut Street, owner of two buildings at 19-21 Bishop Richard Allen Drive, which indicated her approval for the zoning change, provided that her properties were not included in the change. (This communication is identified as Exhibit B and attached to the record).

The Chair declared the hearing for the proponents closed at 5:28 p.m. and requested the opposition to appear.

In response to the call of the Chair, the Committee heard from Lucy Papalco of 83 Windsor Street, who appeared and recorded her opposition. Her main concern was that she would be restricted in the future use of her property by the proposed amendment. In order to resolve her concerns, the City Clerk was instructed to make an appointment for her with the Community Development Department.

The Committee heard from Virginia Demers of 86 School Street, who recorded her opposition to the petition due to the fact that she had a small business operation and the institution of a zoning change would limit her opitions for the use of the building which provides her livelihood.

The Committee heard from Beatrice Gordon of 77 Elizabeth Road, an owner of two parcels in the area, who recorded her opposition to the petition.

Donna Demers of 86 School Street and William Stratton of the same address, recorded their opposition.

The Chair declared the hearing closed for the opposition at 5:40 p.m.

At this time Councillor David Sullivan informed the Committee that he would support the proposed zoning amendment.

The Chairman moved that the proposed amnedment be referred to the City Council meeting of June 27, 1983 for their consideration. There being no objection - the petition was so referred.

For the Committee,

_____

Councillor Walter J. Sullivan,

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

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In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

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For the Committee,

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Councillor Walter J. Sullivan,

Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

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The Committee was in receipt of a petition signed by twenty-six property owners and tenants requesting the amendment from Business A to Residence C-1, (which petition is identified as Exhibit A and attached to the record), in the area described by the petitioner, who indicated that the purpose of the petition was to maintain the residential character of the neighborhood which was threatened by business interests seeking a foothold on the area under the present zoning.

In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

Recorded in favor were the following: Gerald Bergman, 27 Essex Street, Lydia Vicker, 45 Cherry Street and John McDermott, 88 School Street.

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Chairman.

City of Cambridge

In City Council June 27, 1983

The Ordinance *Committee*

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The Committee was in receipt of a petition signed by twenty-six property owners and tenants requesting the amendment from Business A to Residence C-1, (which petition is identified as Exhibit A and attached to the record), in the area described by the petitioner, who indicated that the purpose of the petition was to maintain the residential character of the neighborhood which was threatened by business interests seeking a foothold on the area under the present zoning.

In answer to Councillor Duehay, relative to the attitude adopted by the two churches in the area, the petitioner stated that the representative of the churches indicated their approval, but were not in a position to sign a petition for their congregation or authorized to speak on their behalf.

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At this time Councillor David Sullivan informed the Committee that he would support the proposed zoning amendment.

The Chairman moved that the proposed amnedment be referred to the City Council meeting of June 27, 1983 for their consideration. There being no objection - the petition was so referred.

For the Committee,

_____

Councillor Walter J. Sullivan,

Chairman.

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

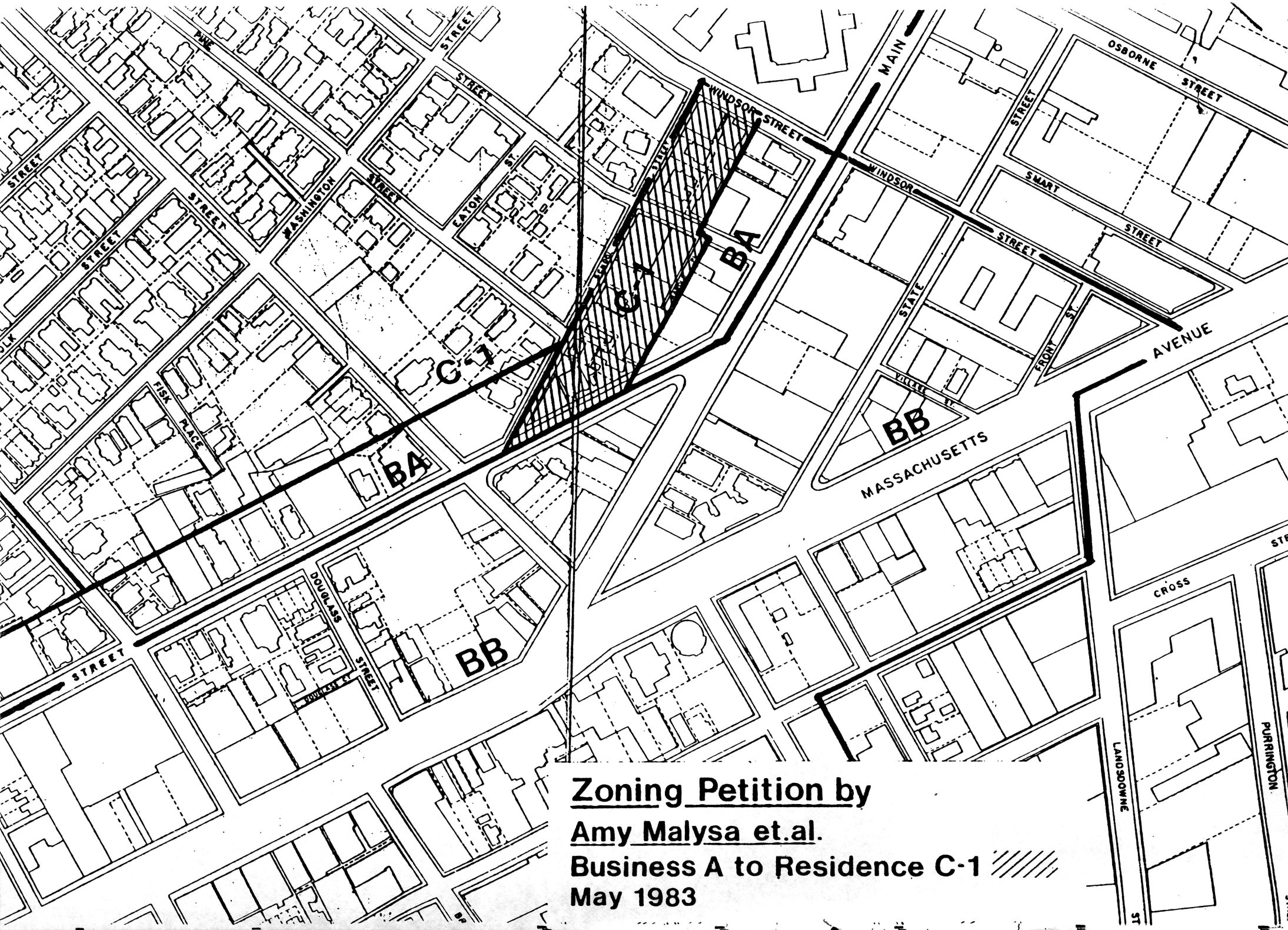
Office of the City Clerk.

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 a public hearing will be held on Wednesday, June 22, 1983 at 5:00 P. M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by Amy Malysa, et al to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

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

For Committee,

Councillor Walter J. Sullivan,
Chairman.



Zoning Petition by

Amy Malysa et.al.

Business A to Residence C-1

May 1983

Congratulations to the CRLS Class of 1983

Honor 4

Shant M. Aftimos
Ellen Ann Alden
Denise Marie Alsace
Margaret D. Alsen
Nancy Alsen
Robert William Anderson
Michelle Heather Ansara
Susan F. Barker
Jeffrey Scott Barnes
Sarah Elizabeth Black
Kenneth Bleiz
Dina Brady
Michael Brady
Patricia Ann Brady
Susan Lee
Glenden Jean Campbell
Kathleen M. Campbell
Phillip H. Campbell
Tamara Marie Campbell
Doreen D'Orsay Clarke
Mary Ellen Clarkson
Mark M. Coakley
Wayne O'Neal Craighead
Robert Joseph Croak
Emmanuel Dalamangas
Sergio Anthony Delvy
Kathleen Marie Dennis
Xavier Desandies
Edwin Espada
Stephanie Ann Fanelli
Floyd Junior Francis
Maria de Los Angeles
Maria A. Gallo
Maria Del Rosario Garcia
Susan Jane Gaspar
Sam Hailey
Chris E. Howard
Dina Lizabeth Johnson
Jacqueline Johnson
Michelle Marie Jordan
Michelle Ann Kenney
Timothy J. Kimball
Jack Farinde Lopez
Trevor Malcolm Lynch
Jason Wade Martell
Kathleen Ann Mayfield
William H. Mayo
Loretta A. Mazzie
Sean Stephen Mcnulty
Sam Mellen
Jane Elizabeth Mellor
Antonio Jose Mendes
Jeannette M. Mesiavich
Maria E. Mesiavich
Sudie J. Miller
Lisa Mary Moss
Tai Kwong Mui
Tracy Ann Mullin
Paul Joseph Murphy
Victor Bobbie Ordoubian
Frank M. Ordway
Mark T. O'Connor
Roberto Ortiz, Jr.
Fergie Valentina Pagan
Jeffrey Parker
Debi Chris Papanastasiou
Anthony C. Petkos
Christine W. Petrie
Warren Howard Reese
Neil Rennicks
Kristina Kellum Roberts
Mary Ann Rodriguez
Mary Sampaleris
Thomas John Sarkisian
Richard M. Schreiber
Florencia C. Schwartz
Jeffrey Scott
Kenneth A. Sexton
Andrew Martin Spooner
Christine Mary Sullivan
Eugene Tharp
Thomas Joseph Timothy
Clarence Louis Tingsanchali
Debra Marie Wilson
Wanda Marie Wrangham
Kin Antonette Woodruff

Phi Beta Kappa

Sandra M. Anderson
Katherine S. Bagg
Maria B. Bilotti
Dina Bilotti
Matthew Mark Allen
Jeffrey Bloomberg
Barbara L. Bowen
Thomas M. Boffoli
Neil B. Cohen
Jean Curtis Donaldson
Christine Marie Diamond
Nancy Fogarty
Jeffrey Scott Friedman
Eric Fleischmann
Gerard E. Houck
Robert F. Hawkins
John Horton
Christopher Noel Jensen
Susan Louise Kalisher
Sarah Elizabeth Kaplan
Susan Meredith Kalisher
Christopher D. Kronovet
Kirsten E. Lofstrom
Alejandro Lovio
Sarah Anne Lovett
Kristin L. Maver
Amy Manheimer
Jesse Mendelsohn
Alan Mendelsohn
Jeffrey Scott Mintz
Mary Ann Mitchell
Jeffrey Scott Mintz
Judith T. Lee
Constantine Nicholas Nicandros
Jeffrey G. Louis
Jeffrey Scott Nudelman
Elizabeth Ann Magliozzi
Todd Steven Nusbaum
Richard J. Nusbaum
John C. McCarthy
Sarah Elizabeth Newell
Sandra Marie McGowan
Kathleen Ann Nolan
Nadjib Abdo Mcaleenan
Amy Virginia Nevala
Thomas M. Mecura
Thomas Nolan
Sharon Nichole Naugle
Mary Ann Nolan
Mary Patricia O'Connell
Nancy C. O'Connor
Brigitte Ann O'Brien
Benjamin Alan Phillips
Mary Ann Pappalardo
Jason Joseph Pappas
Dina Patricia Barnes
Lisa Marie Quinn
Tamara Anita Rayfield
Jeffrey Scott Rosenberg
Angela Patricia Robinson
Jason Emerson Rosenberg
Carlos E. Rodriguez
Amy C. Rodriguez
Gloria Feliz Samuels
Jeffrey Sands
Esmeralda Ortiz Sanz
Arthur J. Sousa
Andrea Joy Spear
Laurence Rust Sperry IV
John Peyton Stiglich
Debra Jean Strober
Jennifer Ann Sullivan
Carol A. Warren
Joseph Weir
Christopher Paul White
Teresa Emmet Wigfall
Gregory Townsend

Fundamental

Jason Alfred
Marina M. Anastasiu
Timothy E. Bent
Ron H. Bibo
Christopher Theresa Brown
Carol Ann Campbell
Karen Cappucci

Barbara Carrillo
Christopher Carol Campa
Eugene James Clark
Kelly Ann Clinton
Tracy Lynn Coleman
Theresa Julia Coventry
Christopher Cordero
Paul Richard Costanza
Jeffrey Scott Cowan
Claudia C. Cruz
Michael Andrew Dardinski
Linda Marie Dardinski
Cheryl Anne Doherty
Jeffrey Scott Dolan
Julia Deborah Dorsey Jr.
Jeffrey Scott Dolan
Doreen Marie Dyer
Robert J. Fitzgerald
Ivan D. Fitzgibbon
Diane Marie Fuller
Jeffrey Scott Gallagher
Catherine Ruth Gallagher
Philip A. Gross
Maurice J. Hayes
Margaret L. Henry
Lisa Marie Hopkins
Frank Anthony Iacovazzo Jr.
Jeffrey Scott Jacobson
Lisa Ann Jones
Mark A. Leonardo
Jennifer Elizabeth Lewis
Jodyne Malakoff
Anthony P. Mosley
David D. Marsigli
Jeffrey Scott Mcmahon
Catherine Mary Mcgeary
Michelle C. Mattie
Lee Carolin Mcallister
Kathleen M. McCarthy
Kevin Joseph Mcdonough
Jerry C. Mcdonald
Jeffrey Scott Mcmahon
Mary K. Mosley
Gladys Morales
Lee Henry Negron
James Gerard O'Brien
Jeffrey Scott O'Connell
Margaret M. O'Leary
Michelle Perry
Ana E. Portillo
Peter J. Phillips
Mary Jane Pierre-Louis
Ian Oliver Quinn
Jeffrey Scott Rosenberg
Elizabeth Ann Rose
Felice Si-Hsiang
Jose Santos
Stephen Paul Sarey
Jeffrey Scott Sherman
Laurence Manuel Silva
Jeffrey Scott Silver
Jeffrey Scott Smith
John Joseph Thomas
Jeffrey Scott Tobin
Jason Matthew Tuminello
Jeffrey Scott Vail
Sally Jean Vierra
Diane Murray Walker
Laurence Charles Watney
Maurice Dave Wilson
Tracy Ann Wynn
Sheila Denise Young

Honor 3

Kristin Abbott
Matthew Badger
Jeffrey Scott Bailey
Jason Joseph Bayeux
Donna Patricia Barnes
Lisa Marie Bacon
Neil Bingham
Kevin E. Black
Eileen Ann Brady
Albert Jason Brown
Jason Emerson Brown
Kimberly Butler
Maryellen Cassidy
Paul Jorge Cardoso
Jeffrey Scott Cohen
Gary L. Cannon
Joseph Francis Cleary
John William Crowley

Clarilyn Lisa Cunningham
Jeffrey Scott Dimmock
Michael Joseph Daly
Valarie E. Eiers
Kristen Doherty
Lynne Marie Frasure
Patrick Michael Fowler
Peter Garrotto
Jeffrey Gaines
Marcie P. Gamgas
Hannah Goldman
Linda Anne Gonsalves
Stephen C. Harrison
Jacqueline Ann Hall
Scott T. Hobson
Richard Preston Hughes
Roderick L. Jackson
Jeffrey Scott Jones
Michele Jonath
Nancy A. Kelley
Mary Ellen Keough
Jared Saleman Khaliq
Kelly Ann Kelly
Jeffrey Scott Kaplan
Jon Lee Madeira
Elaine Marie Malkasian
Pamela Ann Marasia
Lisa Ann Martin
Paul N. Martin
Jeffrey Scott Mcdonald
Cindy L. Mcintire
Mary Ellen Mcnamara
Mario F. Messina
Eileen Mary Murphy
Ruth Ann Murphy
Jeffrey Scott Nelson
Jean Patricia Nevala
David W. O'Brien
Rosario Ruby Ortiz
Frederic D. Owens
David Edwin Pepin
Keith A. Pagan
Jill Pierce
Brenda Marcia Perez
Anthony Petrillo
Thorne C. Pease
Kerri Lynne Prue
Mia Marie Rutledge
Jason Dennis Rohlfing
Jeffrey Scott Rose
Michael Kevin Rosen
Jill Rooyer
Jason S. Rosen
Melissa W. Sawyer
Jeffrey Scott Sharry
Jason P. Sacco
Ross M. Silva
Donald L. Silva
Victor N. Small
Paul Tocco
Randy Spartichino
Jeffrey Scott Tobin
Jeryl William Tyler
William Thompson
Michael A. Tinkham
Tracy Lynn Wall
Robert Anthony Washington

Rick Hugh Wright
John Patrick Williams
Deborah Ann Williams
Abraham T. Zemsa
Ina Zhao

Occupational Education

Keith Ahearn
Charmaine Mona Alfong
Jose Ivens Barros
Anthony Amato
Jose Moreira Andrade
Steven Michael Bass
Jeffrey Scott Bernstein
Jeffrey Scott Bloom
Glenn Sue Campbell
Kathleen Elizabeth Clarke
Carlos Alberto Cordeiro
Francisco N. Correia
James Edward Crowley III
Jeffrey Scott Cohen
Joseph M. Dorsey Jr.
Kirk Douglas Freeman
Jose Luis Gonsalves
Frank E. Jones
Eddie D. Jones
Kevin Paul Kelley
Jeffrey Scott Kaplan
Jessica F. Lefkovitz
Steven John Landis
Michael Paul Lombardo
Oscar Antonio Lopez
Joseph E. Mosley
Frank E. Mooney
Theresa Jean Mimmo
Wayne L. Mack
Michael L. Weiss
James M. Nevala
John A. Ostrakidis
Jeffrey Scott Pierce
Jose Pereira
Mark D. Pearson
Arthur George Pyle
Edward C. Pino
Anthony Robert Panetta
Orlando A. Ramos
Jeffrey Scott Rose
Scott Allen Rodrigo
Jorge Manuel Rocha
Jose L. Rivera
Paul A. Sordini
David W. Sullivan
James J. Tomeo
Jeffrey Scott Tobin

Honor 2

Alina Astrid Abdala
Georgianna E. Alderson
Tracy Ann Alexander
Teresa M. Alpino
Jeffrey Scott Anthony
Jason P. Barry
Anne M. Silva
Michael J. Weiss
Victor N. Small
Paul Tocco
Randy Spartichino
Jeffrey Scott Tobin
Jeryl William Tyler
William Thompson
Michael A. Tinkham
Tracy Lynn Wall
Robert Anthony Washington

Joseph Anthony Bibi
Jeffrey Scott Bernstein
Edward Joseph Callahan
Melquiro Carrion
Jeffrey Scott Cohen
Barbara Cyrus
Jeffrey Scott Dimmock
Jeffrey Scott Dolan
Jeffrey Scott Dorsey
Jeffrey Scott Dolan
Jose De Jesus
Jeffrey Scott Dolan
Jeffrey Scott Dorsey
Jeffrey Scott Dolan
Jeffrey Scott Dorsey
Jeffrey Scott Dolan
Jeffrey Scott Dorsey

SHERIFF'S SALE
The Commonwealth of Massachusetts

Middlesex, ss. April 1, A.D. 1983

Taken on execution and will be sold by public auction, on Wednesday the twenty-ninth day of June A.D. 1983, at three o'clock P.M., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right title and interest that **Larry Papalambros** of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the first day of April A.D. 1983, 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 buildings thereon, situated in Cambridge, Middlesex County, Massachusetts, with all buildings and appurtenances thereon, located at 500-502-504 Green Street, and bounded and described as follows:

Beginning at the Easterly corner of land now or late of Greenwood on the Southwesterly side of Green Street; thence

Southwesterly by said Greenwood land, 90 feet, 4 inches; thence

Southeasterly 52 feet, 4 inches; thence

Northeasterly by land now or late of Brown Heirs, 91 feet, 5 inches, to Green Street; thence

Northwesterly by Green Street, 52 feet, 7 inches, to the point of beginning.

Said premises are also conveyed subject to and with the benefit of restrictions, easements, appurtenances, rights, covenants, takings by and governmental authority, and to zoning laws of the City of Cambridge, all of record, if any, and in so far as the same may be in force and applicable.

Terms: CASH

Alfred L. Jacobson
Deputy Sheriff

(C)June2,9,16

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, June 16, 1983 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

Copy Machine Supplies
Lease/Purchase of Heavy Equipment and Motor Vehicles

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)June2,9

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, June 16, 1983 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

The City announces its intention of sponsoring the USDA Summer Food Service Program for Children. Planned operation dates are July 5, 1983 through September 2, 1983, five (5) days per week. Sealed bids are solicited from vendors registered with the Bureau of Nutrition Education and School Food Services, Quincy Center Plaza, 1385 Hancock Street, Quincy, Ma. 02169, which has the right to review all bids and contracts. Anticipated service is 1,662 meals and supplements per day at fourteen (14) sites.

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)June2,9

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Probate and Family court

NOTICE OF
Petition For
Allowance of Will
Estate of **Mary E. Callahan**
a/k/a **Mae McCarthy Callahan**
and **Mary E. (McCarthy) Callahan**
late of **Cambridge, Mass.**
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 **John Earl Dick** of Bedford be appointed executor thereof without giving 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 July 8, 1983. You must in addition to filing a written appearance as aforesaid, file within thirty (30) days after said return day a written statement of objections to the petition, giving specific grounds therefor.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the 20th day of May in the year of our Lord one thousand nine hundred and eighty-three.

/s/ Paul J. Cavanaugh
Register of Probate

(C)June9

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT

NOTICE OF
Probate of Will

Without Sureties
Middlesex Division
Docket No. 549977
Estate of **Walter T. Carney**
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 **Donald Carney** of Cambridge in the County of Middlesex be appointed executor thereof, 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 June 30, 1983.

In addition you must file a written statement of objections to the petition, giving the specific grounds therefore, 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 2A.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-sixth day of May in the year of our Lord one thousand nine hundred and eighty-three.

Paul J. Cavanaugh
Register of Probate

(C)June9

CITY OF CAMBRIDGE
DEPARTMENT OF
TRAFFIC & PARKING

By force of the power vested in me by Special Act of the Legislature of 1951 (Chapter 455), I hereby amend the traffic regulations of the City of Cambridge by adding the following regulation.

Regulation No. 83-6

Regulation No. 66-1 Schedule 7B "Parking Prohibited During Certain Hours On Certain Sides of Certain Streets" (Resident Parking) is hereby amended by adding the following:

Gilmore Street, East and West sides, from Western Avenue to end, all hours, except Sunday.

This regulation shall take effect June 16, 1983.
PROMULGATED
DATE
May 17, 1983

George Teso
Traffic Director

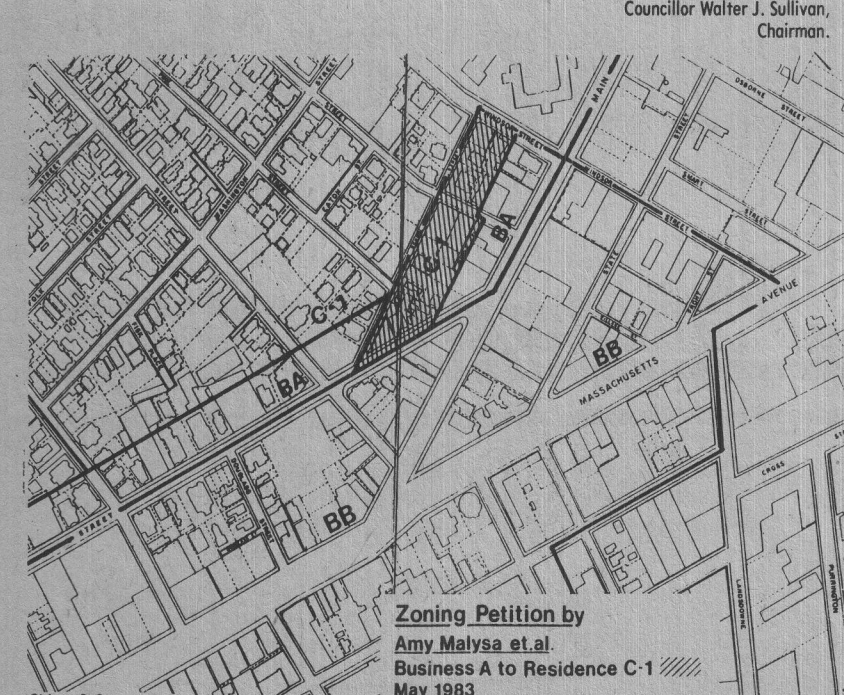
(C)May26,June2,9

PUBLIC NOTICE RELATIVE TO ZONING.
CITY OF CAMBRIDGE MASSACHUSETTS
Office of the City Clerk

Notice is hereby given tht in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition, and amendments thereto, that a public hearing will be held on Wednesday, June 22, 1983 at 5:00 P.M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by **Amy Malysa**, et al **to amend the zoning map** by rezoning from business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

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

For Committee,
Councillor Walter J. Sullivan,
Chairman.

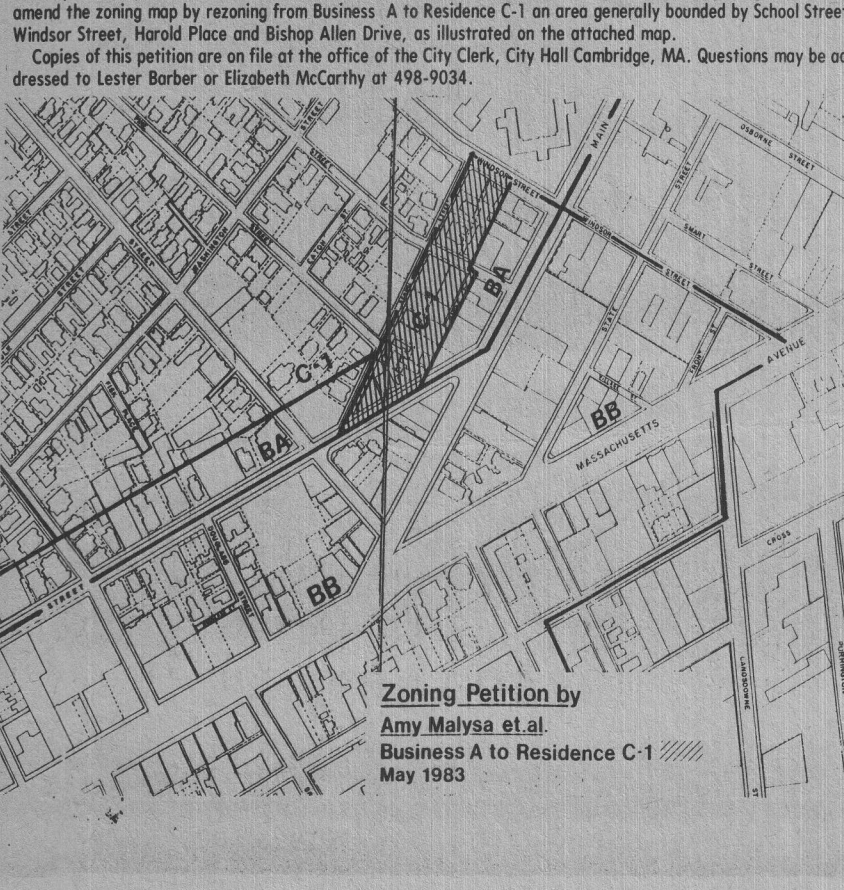


(C)June2,9

Notice of a
Public Hearing

The Cambridge Planning Board will hold a public hearing on June 21, 1983 at 7:30 p.m. in the Community Development Department Conference Room, 3rd floor, 57 Inman Street, on a petition by **Amy Malysa** et. al. to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

Copies of this petition are on file at the office of the City Clerk, City Hall Cambridge, MA. Questions may be addressed to Lester Barber or Elizabeth McCarthy at 498-9034.



CITY OF CAMBRIDGE
BOARD OF
ZONING APPEAL

This Board of Zoning Appeal will hold a public hearing on Thursday, June 16, 1983 in Room 200, City Hall, Cambridge, Massachusetts. The following cases will be heard:

7:00 P.M.

Case No. 5030: 120-122 Mount Auburn Street/2-12 University Place, Bus. B Zone, **Housing Associates** d/b/a **Craigie Arms Associates.** Variance: rehabilitation of existing structure. Special Permit: Parking - insufficient space. Article 5.000, Section 5.31 (setbacks); Article 6.000, Section 6.35 (parking) of the Zoning Ordinance.

7:30 P.M.

Case No. 5031: 21 Bates Street, Residence A-2 Zone, **Erling and Emile W. Lagorholm.** Variance: Alteration of a single family detached dwelling to include an accessory apartment. Article 4.000, Section 4.22 (Accessory apartments); Section 4.30 (use); Article 5.000, Section 5.26 (conversion of dwellings) of the Zoning Ordinance.

8:00 P.M.

Case No. 5032: 115 Prospect Street, Business A/Residence C-1 Zones, **Sidney Mahlowitz.** Variance: Construct 3500 feet of storage and product preparation space at the rear of the Bread & Circus Supermarket. Article 8.000, Section 8.22e (alteration of non-conforming use); Article 5.000, Section 5.31 (Dimensions) of the Zoning Ordinance.

Eileen McGaughey
Secretary

(C)June2,9

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Sang Won Park** to **Charlesbank Trust Company** dated July 26, 1983 and recorded with Middlesex South District Registry of Deeds in Book 13499 at Page 676 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 Wednesday, July 13, 1983, at 11:00 o'clock A.M., on the premises now known and numbered Unit 45, 1137 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, the premises described in said mortgage to wit:

The following premises in the Brentford Hall Condominium (a condominium subject to Massachusetts General Laws, Chapter 183A) in Cambridge, Middlesex County, Massachusetts, created by Master Deed dated May 17, 1977, recorded on May 17, 1977, with the Middlesex South District Registry of Deeds, Book 13191, page 245, the address of which is Unit No. 45, 1137 Massachusetts Avenue, Cambridge, Massachusetts, together with an undivided 2.614 percent interest appertaining to said Unit in the Common Areas and Facilities of said Condominium, and together with the rights and easements appurtenant to said Unit as set forth on said Master Deed. Attached hereto is a copy of a portion of the plans attached to said Master Deed bearing the verified statement of a registered architect certifying that it shows the Unit designation of the Unit hereby being conveyed and of immediately adjoining Units, and that it fully and accurately depicts the layout of the Unit hereby conveyed, its location, dimensions, approximate area, main entrance, and immediate common areas to which it has access, as built.

Said Unit is subject to the restrictions as set forth in Section 8 of said Master Deed, to wit:

Restrictions on Use of Units

Unless otherwise permitted by instrument in writing duly executed by the Brentford Hall Condominium Trust pursuant to provisions of the By-Laws thereof:

(a) no residential Unit shall be used other than solely for residential purposes by one (1) family;

(b) no Unit shall be used (i) for any purpose prohibited by any law, rule, regulation, or ordinance of any federal, state or local governmental authority or by any order or decree of any court, in either case, having jurisdiction over the Land, the Building or the Condominium or (ii) to keep any inflammable, combustible or explosive fluid, material, chemical or substance therein;

(c) no Unit shall be used or maintained in a manner contrary to or inconsistent with the By-Laws of the Condominium Trust and regulations which may be adopted pursuant thereto;

(d) the architectural integrity of the Building and the Units shall be preserved without modifications, and, to that end, without limiting the generality of the foregoing, no balcony, enclosure, awning, screen, antenna, sign, banner or other device, and no exterior change, addition structure, projection, decoration or other feature shall be erected or attached to any Unit or any part thereof; no addition to or change or replacement (except, so far as practicable, with identical kind) of any exterior light, door knocker or other exterior hardware, exterior Unit door, or door frames shall be made and no painting or other decoration shall be done on any exterior part or surface of any Unit nor on the interior surface of any window; provided, however, that the provisions of this subparagraph (d) shall not restrict the right of any Unit Owner (i) to decorate the interior of his Units as he may desire so long as such Unit Owner shall in no way whatsoever alter, remove or otherwise modify any structural components of his Unit, and (ii) with respect to any commercial Unit, to erect or place, or allow any tenant of such Unit, to erect or place, upon the exterior wall surface of such Unit a sign or other device which shall serve to identify the name of, and/or the nature of business conducted by, such Unit Owner or the tenant thereof, provided that such sign or other devise shall, within broad limits, be reasonably in keeping with the architectural integrity of the Building. Owners of a commercial Unit may place any exterior sign on the building allowed by law, so long as said sign does not substantially interfere with the use of other commercial units in the building and does not extend above the bottom of the first floor window frames.

The restrictions set forth in paragraphs (a) through (d) above shall be for the benefit of all of the Unit Owners and the Brentford Hall Condominium Trust and:

(i) shall be administered on behalf of said Owners by the Trustees of said Brentford Hall Condominium Trust;

(ii) shall be enforceable solely by the Trustees, insofar as permitted by law;

(iii) may be waived in specific cases by such Trustees; and

(iv) shall, insofar as permitted by law, be perpetual, and, to that end, may be extended at such time or times and in such manner as permitted or required by law for the continued enforceability thereof.

No Unit Owner shall be liable for any breach of the provisions of this paragraph except such as occur during his or her ownership of a Unit.

For title see Deed of **Sahag K. Bukruian,** Trustee, dated July 5, 1978, and recorded just prior hereto.

Said premises are to be sold subject to any and all unpaid taxes, tax titles, and any and all municipal liens which have precedence over this mortgage, if any there be.

Terms of Sale:

One Thousand and No/100 Dollars ($1,000.00) in cash, certified or bank check, payable to the Mortgagee, to be paid by the purchaser at the time and place of the sale, balance to be paid in cash or by certified check within twenty (20) days thereafter to be deposited in escrow with Norman J. Richards, Attorney for Charlesbank Trust Company, pending approval of said sale by the Land Court.

Deed to be taken within ten (10) days from the date of approval of said sale by the Land Court. Other terms to be announced at the sale.

Charlesbank
Trust Company
By its Attorney:
Norman J. Richards
114 Waltham Street
Lexington,
Massachusetts 02173
Tel. 862-0770

(C)June9,16,23

CITY OF CAMBRIDGE
CITY HALL,
CAMBRIDGE,
MASSACHUSETTS 02139

To the Owners of the hereinafter described parcels of land situated in Cambridge in the County of Middlesex and the Commonwealth of Massachusetts and to all others concerned.

You are hereby notified that on June 23, 1983 at 10:00 A.M. pursuant to General Laws (Ter. Ed.) Chapter 60, Section 53, and by virtue of the authority vested in me as Collector of Taxes, **it is my intention to take for the City of Cambridge,** the following parcels of land for nonpayment after demand of the taxes thereon, with interest and all intervening charges or any unpaid balance of said taxes, unless same shall have been paid before that date.

146-150 Berkshire Street; a parcel of land with the buildings thereon being lot number 12 on block plan number 37 dated May, 1965 in the office of the Assessors of the City of Cambridge and containing 9,427 square feet.

Said property being assessed to **Rose Kurker, James K. Kurker, George K. Kurker, Corrine M. Hill, Donna H. Suffredini,** Trustees, and James K. Kurker with taxes remaining unpaid for the fiscal year 1982 in the amount of $12,803.78.

226-228 Chestnut Street; a parcel of land with the buildings thereon being lot number 29 on block plan number 100 dated January 1971 in the office of the Assessors of the City of Cambridge, and containing 5,373 square feet.

Said property being assessed to **Joseph T. Raduano** and **Elaine M. Raduano** with taxes remaining unpaid for the fiscal year 1981 in the amount of $2,336.62.

11 Davenport Street: a parcel of land with the buildings thereon being lot number 74 on block plan number 179 dated in the Office of the Assessors of the City of Cambridge and containing 18,381 square feet.

Said property being assessed to **Steve G. Zaglakas** and **James G. Zaglakas,** trustees of the **Stephen James House Realty Trust** with taxes remaining unpaid for the fiscal year 1981 in the amount of $11,965.49.

76 Kirkland Street: a parcel of land with the buildings thereon being lot number 91 on block plan number 141 dated in the Office of the Assessors of the City of Cambridge and containing 5,017 square feet.

Said property being assessed to **Emmanuel Tripodakis** with taxes remaining unpaid for the fiscal year 1982 in the amount of $2,848.98.

1771 Massachusetts Avenue: a parcel of land with the buildings thereon being lot number 14 on block plan number 153 dated October 1977 in the Office of the Assessors of the City of Cambridge and containing 5,320 square feet.

Said property being assessed to **David M. Robb,** Trustee of the **Washington Trust** with taxes remaining unpaid in the amount of $3,696.40.

26 Maple Street: a parcel of land with the buildings thereon being lot number 70 on block plan number 113 dated in the Office of the Assessors of the City of Cambridge and containing 11,092 square feet.

Said property being assessed to **Unihab/Cambridge** for the fiscal year 1981 with taxes remaining unpaid in the amount of $5,299.20.

2443 Massachusetts Avenue: a parcel of land with the buildings thereon being lot number 172 on block plan number 184 dated March, 1932 in the Office of the Assessors of the City of Cambridge and containing 9,937 square feet.

Said property being assessed to **Robert Bray** and **Alvin Mendelsohn,** Trustees of the **R.B. Realty Trust** with taxes remaining unpaid for the fiscal year 1981 in the amount of $7,560.93.

69-69½ Mount Auburn Street: a parcel of land with the buildings thereon being lot number 77 on block plan number 160 dated December, 1928 in the Office of the Assessors of the City of Cambridge and containing 4,369 square feet.

Said property being assessed to **Manter Hall School, Inc.** with taxes remaining unpaid for the fiscal year 1981 in the amount of $20,206.08.

49 Roseland Street: a parcel of land with the buildings thereon being lot number 18 on block plan number 152 dated January, 1979 in the Office of the Assessors of the City of Cambridge and containing 7,004 square feet.

Said property being assessed to **Fresh Pond Shopping Center, Inc.** with taxes remaining unpaid for the fiscal year 1981 in the amount of $866.00.

70 Sparks Street: a parcel of land with the buildings thereon being lot number 66 on block plan number 226 dated June, 1929 in the Office of the Assessors of the City of Cambridge and containing 9,547 square feet.

Said property being assessed to **Soren** and **Gwendolen N. Rono** with taxes remaining unpaid for the fiscal year 1981 in the amount of $1,843.20.

70 Sparks Street: a parcel of land with the buildings thereon being lot number 65 on block plan number 226 dated June 1929 in the Office of the Assessors of the City of Cambridge and containing 22,156 square feet.

Said property being assessed to **Soren** and **Gwendolen Rono** with taxes remaining unpaid for the fiscal year 1981 in the amount of $4,828.88.

James P. Maloney, Jr.
Collector of taxes

(C)June9

CITY OF CAMBRIDGE, MASSACHUSETTS
CAMBRIDGE WATER DEPARTMENT
1982-83 RESERVOIR IMPROVEMENTS

Sealed Bids for construction of 1982-83 Reservoir Improvements will be received by the City of Cambridge, Massachusetts acting through its Water Department at the office of Purchasing Agent, Room 307, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139, until 3:00 PM, prevailing time, Thursday, June 16, 1983 and at that time and place will be publicly opened and read aloud.

The work consists of furnishing all labor, materials, equipment and incidentals required to make improvements to the City of Cambridge Reservoirs as follows:

a. The work at Fresh Pond Reservoir includes installing gabion slope and rip rap and fence replacement.

b. The work at Stony Brook Reservoir includes installing new bar racks and flashboards at the existing gate house, the replacement of a portion of the dam slope with granite blocks including a perforated PVC underdrain, topsoiling and seeding.

c. The work at Hobbs Brook Reservoir includes installing dual box culvert and headwall, removing and replacing rip rap and guardrail, reanchoring the existing man rack and miscellaneous grading, pavement replacement, topsoiling and seeding.

Contract Documents may be examined and/or obtained at the office of Camp Dresser & McKee Inc., One Center Plaza, Boston, Massachusetts 02108.

Bidders may obtain Contract Documents at the Office of the Purchasing Agent, Room 307, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139, upon deposit of $25.00 in the form of a check only, made payable to the City of Cambridge, for each complete set. Additional sets may be obtained at the cost of reproduction. Copies of the Form for Bid are available at no cost at the same office. The full amount of deposit will be refunded to all persons returning plans and specifications in good condition within ten days after date of Bid opening. Contract Documents will be ready for pick-up on Thursday, June 2, 1983.

The Contract Documents may be examined at the Office of the Purchasing Agent, Room 307, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts; at the plan room of Dodge Construction Reports; at the Office of the Master Builders Association, 383 Dorchester Avenue, South Boston, Massachusetts and Camp Dresser & McKee Inc., One Center Plaza, Boston, Massachusetts 02108.

Bidders on this work will be required to comply with the City of Cambridge Supplemental Equal Employment Opportunity, Anti-Discrimination and Affirmative Action Program.

Each Bid shall be submitted in accordance with the Instructions to Bidders and be accompanied by a Bid Security in the amount of 5% of the Bid.

No Bidder may withdraw his Bid for a period of thirty days, excluding Saturdays, Sundays, and legal holidays, after the actual date of the opening thereof.

The Successful Bidder must furnish a 100 per cent Performance Bond and a 100 per cent Labor and Materials Payment Bond with a surety company acceptable to the Owner.

Complete instructions for filing Bids are included in the Instructions to Bidders.

Wage rates are subject to the minimum wage rates as per M.G.L., Chapter 149, Section 26 to 27G inclusive as contained in the Project Manual.

The Owner reserves the right to waive any informality in or to reject any or all Bids if deemed to be in their best interest.

Bidders on this work will be required to comply with the City of Cambridge Supplemental Equal Employment Opportunity, Anti-Discrimination and Affirmative Action Program.

A prebid conference will be held Monday on June 13, 1983 at 10:00 AM at the Water Department, Water Treatment Plant, 250 Fresh Pond Parkway, Cambridge, Massachusetts.

Water Department
Cambridge,
Massachusetts

(C)June2,9

INVITATION TO BID

The City of Cambridge, Massachusetts, the Awarding Authority invites seal bids for **"City Hall and City Hall Annex Lavatory Alterations,"** in accordance with the Contract Documents prepared by the Community Development Department, 57 Inman Street, Cambridge, Massachusetts, 02139, telephone 498-9034.

Construction consists of: Removal of old work and installation of new lavatory fixtures, ceramic wall tile, floor tile suspended ceilings, new toilet stalls, etc. in the mens and womens rooms at City Hall and City Hall Annex.

Locations: City Hall Annex, 57 Inman Street, Cambridge, MA - City Hall, 795 Massachusetts Avenue, Cambridge, MA.

Sealed bids for the General Contract will be received at the office of the Purchasing Agent, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139, Thursday, June 23, 1983 at 3:00 p.m. at which time all bids will be publicly opened and read aloud.

General Bidders may obtain two (2) complete sets of Contract Documents at the Office of the Purchasing Agent, City Hall, Cambridge, Massachusetts 02139, upon deposit of $25.00 in the form of a check only made payable to the City of Cambridge, for each complete set. Additional sets may be obtained at the cost of reproduction. Copies of the Form for General Bid are available at no cost at the same office. The full amount of deposit will be refunded to all persons returning plans and specifications in good condition within ten days after date of General Bid opening.

The Contract Documents may be examined at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts, at the plan room of Dodge Construction Reports; at the office of the Master Builders Association, 383 Dorchester Avenue, South Boston, Massachusetts.

Every general bid shall be accompanied by a bid bond or a certified check, or a treasurer's check or cashier's check issued by a responsible bank or trust company payable to the City of Cambridge in the amount of 5% of the total bid price.

Attention is called to the 10% Minority Business Enterprise goals as contained within the bidding documents.

The successful bidder will be required to furnish a 100% Performance Bond and also a 100% Labor and Materials or payment Bond as set forth in the specifications.

Work will be subject to Equal Employment Opportunity requirements and Executive Order 11246. The Bidder understands that he/she must not discriminate on the grounds of race, color, religion, sex or national origin.

Attention is called to the fact that no less than the minimum wage rates as set forth in the schedule contained in the specifications must be paid on this project. Both Federal and State Wage Rates are applicable and the higher shall be paid.

The Awarding Authority reserves the right to reject any or all bids and to waive any informalities in the bidding if it be in the public interest to do so, provided such rejection or waiver be in conformance with the General Laws, as amended.

No bidder may withdraw his/her bid within 30 days after the actual date of the opening thereof.

Bidders are requested to attend a pre-bid conference on Monday, June 20, 1983 at 10:00 a.m. at the Community Development Department, 57 Inman Street, Cambridge, Massachusetts, Conference Room.

Attention is called to the City's Supplemental Equal Employment Opportunity Anti-Discrimination and Affirmative Action Program as contained in the bidding documents.

Barbara L. Duffy
Purchasing Agent

(C)June9,16

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division
Docket No. 221395
NOTICE OF
FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Helen Cabot Almy** late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R. Civ. P. Rule 72 that the 18th thru 21st account(s) of **Cambridge Trust Company** as Trustee - (the fiduciary) of the will of said deceased for the benefit of **Anna Cabot Bidwell, Elizabeth Almy Cobb** and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account(s), you or your attorney must file a written appearance in said court at Cambridge on or before the twenty-eight day of June, 1983, 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(s). If you desire to object to any item of said account(s), 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 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 Justice of said Court, this 27th day of May, 1983.

Paul J. Cavanaugh
Register

(C)June9

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Probate and Family Court

NOTICE OF
Probate of Will
Estate of **Frances G. Harrington**
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 **Timothy W. Harrington** of Belmont in the County of Middlesex be appointed executor thereof without giving 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 10:00 in the forenoon on July 1, 1983. You must in addition to filing a written appearance as aforesaid, file within thirty (30) days after said return day a written statement of objections to the petition, giving specific grounds therefor.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the twenty-seventh day of May, in the year of our Lord one thousand nine hundred and eighty-three.

/s/ Paul J. Cavanaugh
Register of Probate

(C)June9

MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING
DIVISION OF
WATER POLLUTION CONTROL
ONE WINTER STREET
BOSTON, MASSACHUSETTS 02108

Pursuant to Chapter 21, section 43 of the General Laws, and 314 CMR 8.02, notice is given of the following applications for sewer extension or connection permits and proposed actions thereon:

City of: Cambridge

Applicant: Charles Square Associates

Purpose: Connection of 86 condominiums, 302 hotel rooms and retail and office building to the city of Cambridge sewer system

Proposed action Tentative Determination to Issue

The above applications, and applicable laws, regulations and procedures are available for inspection at the above address. Comments on the proposed actions must be sent to the above address within 21 days of this notice.

Thomas C. McMahon,
Director

(C)June9

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Probate Court
No. 151001

Summons by Publication
Janet Schreiber
Plaintiff
vs.
Richard L. Simon
Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Janet Schreiber, seeking an annulment.

You are required to serve upon Beryl Ann Cowan, Esquire, plaintiff's attorney, whose address is 14 Beacon Street, Suite 714, Boston, MA 02108 your answer on or before September 12, 1983. If you fail to do so, the Court will proceed to the hearing and adjudication of the 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.
May 27, 1983

Paul J. Cavanaugh
Register of Probate

(C)June9,16,23

CITY OF CAMBRIDGE
Purchasing Department
Invitation to Bid

The City of Cambridge, Massachusetts, the Awarding Authority invites sealed bids for **"1983 Strets and Sidewalk" Construction** in accordance with the Contract Documents prepared by the Public Works Department, 147 Hampshire Street, Cambridge, Massachusetts 02139 or 498-9051.

Construction consists of: excavation, new pavement, roadway and sidewalk construction, earthwork, bituminous concrete excavation, resetting manholes, catch basins, curbs, and installing bituminous or brick sidewalks.

Sealed bids for the General Contract will be received at the Office of the Purchasing Agent, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139, until 2:00 p.m. Friday, June 24, 1983 at which time all bids will be publicly opened and read aloud.

General Bidders may obtain two (2) complete sets of Contract Documents at the Office of the Purchasing Agent, City Hall, Cambridge, Massachusetts 02139, upon deposit of $25.00 in the form of a check only made payable to the City of Cambridge, for each complete set. Additional sets may be obtained at the cost of reproduction. The full amount of deposit will be refunded to all persons returning plans and specifications in good condition within ten days after date of General Bid opening.

The Contract Documents may be examined at the Office of the Purchasing Agent, Room 307, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts.

Every general bid shall be accompanied by a bid bond or a certified check, or a treasurer's check or cashier's check issued by a responsible bank or trust company payable to the City of Cambridge in the amount of 5% of the total bid price.

Attention is called to the 10% Minority Business Enterprise goals as required by the City.

The successful bidder will be required to furnish a 100% Performance Bond and also a 100% Labor and Materials or payment Bond as set forth in the specifications.

Work will be subject to Equal Employment Opportunity requirements and Executive Order 11246. The Bidder understands that he must not discriminate on the grounds of race, color, religion, sex or national origin.

Attention is called to the fact that no less than the minimum wage rates as set forth in the schedule contained in the specifications must be paid on this project. Both Federal and State Wage Rates are applicable and the higher shall be paid.

The Awarding Authority reserves the right to reject any or all bids and to waive any informalities in the bidding if it be in the public interest to do so, provided such rejection or waiver be in conformance with the General Laws, as amended.

No bidder may withdraw his bid within 30 days after the actual date of the opening thereof.

Attention is called to the City's Supplemental Equal Employment Opportunity Anti-Discrimination and Affirmative Action Program.

Barbara L. Duffy
Purchasing Agent

(C)June9,16

CONSERVATION COMMISSION
CITY OF CAMBRIDGE
NOTICE OF
PUBLIC HEARING

Notice is hereby given pursuant to the provisions of the Wetlands Protection Act, M.G.L. Ch. 131, Sec. 40, that the Cambridge Conservation Commission will hold a public hearing on Tuesday, June 14, 1983, 8:00 p.m. in the third floor conference room, City Hall Annex, 57 Inman Street.

The hearing will be held on **Amended Orders of Condition for the sludge solidification project at the W.R. Grace property.**

Copies of the Amended Orders of Condition are available for inspection at the office of the Commission located in the City Hall Annex, 57 Inman Street.

(C)June9

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex, ss.
Docket No. 531257

To all persons interested in the estate of **Eleanor H. Wagner,** late of Cambridge, in said County, deceased, testate.

A petition has been presented to said Court for license to sell at—public auction—private sale—certain real estate of said deceased.

If you desire to object thereto you or your attorney must file a written appearance in said Court at Cambridge on or before ten o'clock in the forenoon on the 17th day of June, 1983, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 18th day of May 1983.

Paul J. Cavanaugh
Register

(C)May26,June2,9

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Probate Court

To all persons interested in a petition for adoption of **Margarette Joane,** also known as **Margareth Johanne** of Cambridge in said County.

A petition has been presented to said Court by **Josephine Fayette** of Cambridge in said County, praying for leave to adopt said Margarette Joane a child of the mother and father of parts unknown and that the name of said child be changed to Margarette Joane Fayette.

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 eighteenth day of July 1983, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this third day of May 1983.

Paul J. Cavanaugh
Register

(C)May26,June2,9

CAMBRIDGE HOUSING AUTHORITY
REQUEST FOR
ARCHITECTURAL PROPOSALS

Note: This ad supercedes the advertisement which appeared in the 5/19/83 Cambridge Chronicle. Note new deadline for submission of proposals and A&E fee.

Architects registered in Massachusetts are invited to sumbit proposals for the new construction of a clinic, daycare center and pedestrian bridge at Jefferson Park (Cambridge 884-1), a Cambridge Housing Authority development. Work will include master planning, design, preparation of plans and specifications and construction inspection. The estimated construction cost is $825,000. Fee for services is $94,000. Proposal requirements may be obtained at the Cambridge Housing Authority, Office of Planning and Development, 678 Massachusetts Avenue, 10th Floor, Cambridge, Massachusetts 02139. Copies will be available between the hours of 9:00 a.m. and 4:00 p.m. Four copies of proposals must be submitted to the CHA no later than 4:00 p.m. on June 27 1983. If mailing proposals, send to Cambridge Housing Authority, 270 Green Street, Cambridge, Massachusetts 02139, Attention: Terry Lurie. An inspection of the site will be held on June 16, 1983 at 11:00 a.m. For further information call Terry Lurie at 864-3020.

(C)June9

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. Probate and Family Court

NOTICE OF
Probate of Will
Without Sureties
Estate of **Genevieve B. Borsuck**
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 **Victoria Keleher** of Stoneham in the County of Middlesex and **Helene Borsuck** of Cambridge in the said County of Middlesex be appointed co-executrices thereof, without giving surety on their 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 June 30, 1983. You must in addition to filing a written appearance as aforesaid, file within thirty (30) days after said return day a written statement of objections to the petition, giving specific grounds therefor.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the twenty-sixth day of May, in the year of our Lord one thousand nine hundred and eighty-three.

/s/ Paul J. Cavanaugh
Register of Probate

(C)June9

Lucy Papalia
87-85 Windsor St
Camb. 02139
491-6716

appose rezoning
Windsor to School St

Virginia Demers
86 School ST
CAmb 02139
661-7508

C. C. 108

PUBLIC NOTICE
RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

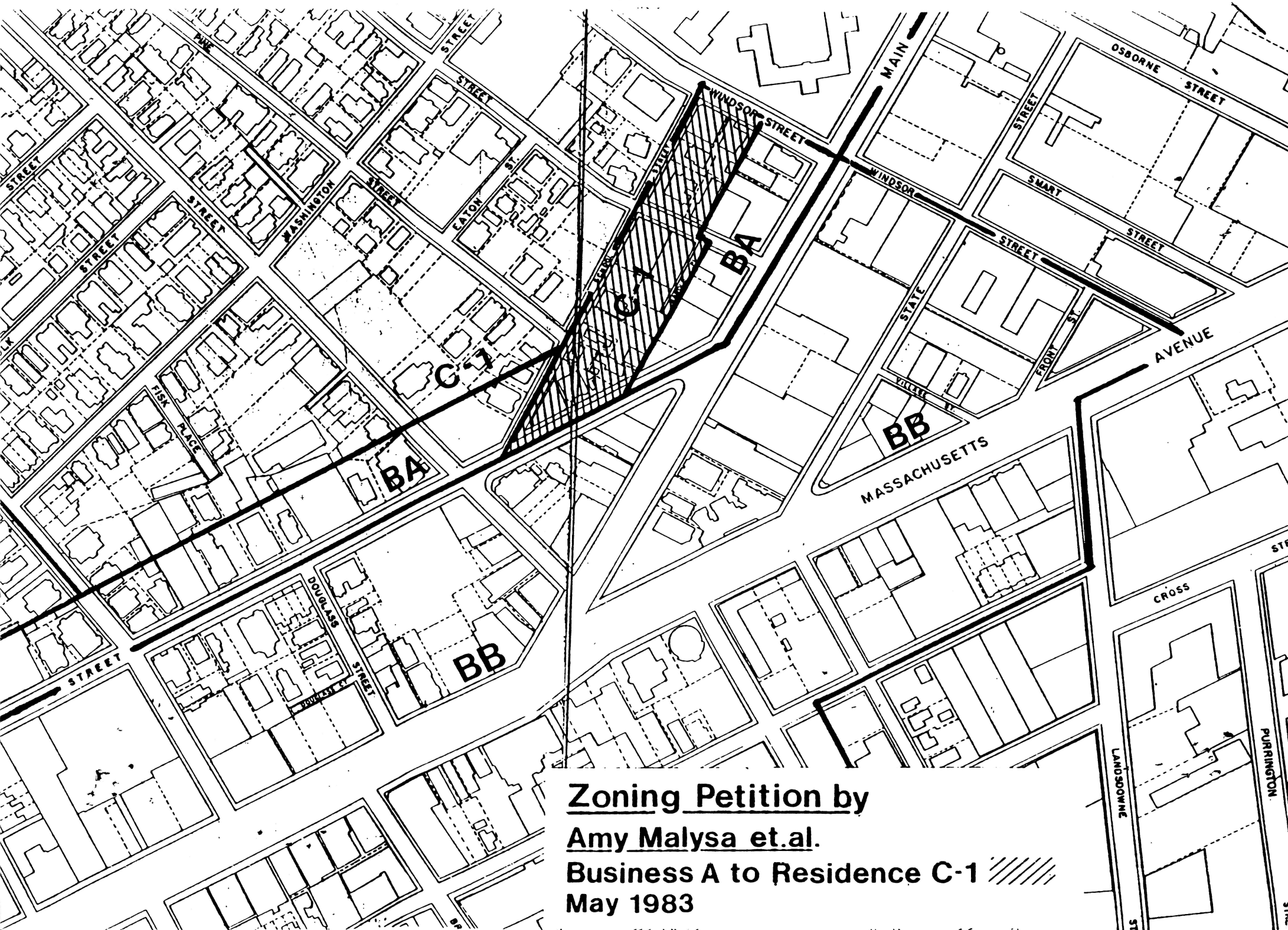
Office of the City Clerk.

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 a public hearing will be held on Wednesday, June 22, 1983 at 5:00 P. M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by Amy Malysa, et al to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

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

For Committee,

Councillor Walter J. Sullivan,
Chairman.



Zoning Petition by

Amy Malysa et.al.

Business A to Residence C-1

May 1983

RECEIVED BY
OFFICE OF CITY CLERK
JUN 2 4 51 PM '83
CAMBRIDGE, MASS.

1st flr.

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 30, 1983

Russell B. Higley, Esquire
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find three proposed amendments as follows:

1. A proposed amendment to Chapter Nine entitled "Electricity" by adding at the end of section 9-33 a new section 9-34 entitled "Connection of Private Fire Alarm Systems to Cambridge Fire Alarm System" which was passed to be ordained on June 27, 1983.

2. A proposed amendment to the Zoning Ordinances of the City of Cambridge in the area bounded by Bishop Richard Allen Drive, School Street, Harold Place and Windsor Street which was passed to a second reading at the City Council meeting held on June 27, 1983.

3. A proposed amendment to Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Units" by adding at the end of subsection (d) a new subsection (d½) entitled "Limited Equity Cooperative Ownership" which was passed to a second reading at the City Council meeting held on June 27, 1983.

Would you kindly indicate your approval or disapproval on the bottom of the enclosed ordinances and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl
Encs (3)

ORDINANCE NO. 1000

Final Publication No. 2211. First publication in the Chronicle on May 26, 1983.

City of Cambridge

In the Year One Thousand, Nine Hundred and Eighty-Three

AN ORDINANCE

In amendment to an Ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge."

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

Chapter Nine entitled: "Electricity" is hereby amended by adding at the end of section 9-33, a new section 9-34 entitled: "Connection of Private Fire Alarm Systems to Cambridge Fire Alarm System", which reads as follows:

Sec. 9-34. Connection of Private Fire Alarm Systems to Cambridge Fire Alarm System.

(a) Private fire alarm systems may be connected to the Cambridge fire alarm system by obtaining prior written approval from the City Electrician. Detailed plans of the interior fire alarm system must be submitted to the City Electrician and the Bureau of Fire Prevention, and must be approved by them. The fee for direct connection to the municipal system shall be $300 per installation and $300 per year (or part thereof) thereafter, payable on August 1 of each year.

(b) Owner's Responsibility. All wires and other material necessary for connection to the property shall be supplied by the owner to the City Electrician for connection to the nearest utility pole or manhole, as designated by the City Electrician. The owner is responsible for making the connection from that point to his building.

The owner shall maintain all wires and other equipment on his property. If faults develop in any part of the interior system, the City Electrician, after notifying the owner, may disconnect any or all of the interior system from the municipal system, until necessary repairs are made. Wiring from the utility pole or manhole to the building shall be maintained by the owner.

(c) Testing. If any person requests that his private fire alarm system be disconnected for the purpose of testing or maintenance of the alarm system, the charge will be as

follows:

(1) between 8:00 a.m. and 4:00 p.m., Monday through Friday, no charge

(2) between 4:00 p.m. and midnight, Monday through Friday, 1½ times the salary, for a 4-hour period, of the employee performing the work

(3) between midnight and 8:00 a.m., Monday through Friday, twice the salary, for a 4-hour period, of the employee performing the work

(4) any time Saturday or Sunday, twice the salary, for a 4-hour period, of the employee performing the work.

All requests for disconnecting the alarm system for the purpose of testing or maintenance must be made at least 24 hours in advance. Failure to do so will result in a charge of $25, except that up to two disconnections within a 5-day period, required by emergency repairs, shall be exempt from such charge.

(d) Private Fire Alarm Companies. Private fire alarm companies which are connected to the municipal system by leased telephone lines shall be charged $25 per year per assigned box alarm number. The alarm company will be solely responsible for maintenance of these lines and all related equipment, including equipment which is located in the Cambridge Fire Alarm Headquarters.

(e) Administrative Rules. The City Electrician may promulgate such rules as may be necessary for implementation of this section.

(f) EXEMPTION. All churches within the City of Cambridge shall be exempt from the requirements of this ordinance.

In City Council June 27, 1983.
Passed to be ordained by a yea and nay vote:-
Yeas 7; Nays 0; Absent 2.
Attest:- Paul E. Healy, City Clerk.

Robert W. Healy, City Manager.

FIRST PUBLICATION NO. 2212.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

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

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

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by striking out the designation Business A and substituting in place thereof the designation Residence C-1 insofar as it relates to the following described area of land:

Premises of the following parcels as designated on Assessor's Plat No. 75. Numbers 125, 44, 45, 57 Bishop Allen Drive (formerly Austin) and which includes all or parts of parcels numbers 46, 127, 47, 48, 148 School Street and which includes all or parts of parcels numbers 149, 55a Harold Place, and further premises of the following parcels as designated on Assessor's Plat Number 74, numbers 3, 4, 5, 6, School Street, number 7 Windsor Street and number 2 Cherry Street.

Beginning at a point said point being the intersection of the centerlineof Bishop Allen Drive (formerly Austin) and School Street. Thence running easterly along the centerline of School Street 590 feet more or less to a point said point being the intersection of the centerline of School Street and the centerline of Windsor Street. Thence proceeding southerly 100 feet and thence running westerly along a line 90 feet more or less parallel to Main Street 430 feet including all or parts of Harold Place and intersecting with the centerline of Bishop Allen Drive (formerly Austin) and continuing westerly 230 feet more or less to the point of origin, of which compromises an area of 58,278 square feet more or less.

Passed to a second reading at the City Council meeting held on June 27, 1983 and on or after July 11, 1983 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

FIRST PUBLICATION NO. 2213.

City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Three

AN ORDINANCE

In amendment to an ordinance formerly entitled "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

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

That Chapter Twenty-Three entitled "Regulations Pertaining to Controlled Rental Units," section 1 entitled "Removal of Controlled Rental Units from Market," as most recently amended by Ordinance No. 980 of April 26, 1982 is hereby further amended by adding at the end of Subsection (d) the following subsection:-

(d½) Limited equity cooperative ownership. As used in this subsection, "administrator" means the Assistant City Manager for Community Development or his or her designee. Notwithstanding the considerations of subsection (d), the board may grant a permit for conversions to limited equity cooperatives only if the administrator files with the board an agreement executed by the administrator and a cooperative housing corporation which shall contain the following provisions:

(1) All cooperative documents and all amendments or modifications of of the cooperative documents shall be valid only if executed by the administrator and the articles of incorporation shall so provide. The cooperative documents include the articles of incorporation, the by-laws, occupancy agreements, transfer agreements, and management plan. Each transfer shall be reported to the administrator and all documents effecting the transfer shall be executed by the administrator. The administrator shall execute documents only if each of the provisions of this subsection is met.

(2) The resale price of the cooperators' membership which includes the right to occupy the unit shall not exceed the transfer value plus the amount of principal amortized by the corporation on its blanket mortgage attributed to the unit and paid by the member involved, less any amounts due to the corporation under the occupancy agreement and less the cost of all deferred maintenance and repairs deemed necessary by the corporation to put the dwelling in a suitable condition for another occupant.

The transfer value is the sum of:

- the share value paid by the former occupant of the unit(not including the amount of any subsidies) adjusted from the date of the stock payment to the Consumer Price Index for Housing for the Boston Standard Metropolitan Statistical Area.

- the value of improvements approved by the corporation and installed by the member in his unit, including a fair value of labor donated by a member or others as conclusively established by the administrator at the time the labor is donated.

(3) Residents of at least 80% of the units in the building as of the date of the articles of incorporation shall sign commitments to become resident shareholders of the limited equity housing corporation.

(4) A majority of the current residents must be low and moderate income persons as defined by the current income limits set forth in regulations of Department of Housing and Urban Development, under Section 235 of the National Housing Act or its successor or comparable index as determined by the administrator.

(5) Current residents who do not become shareholders shall have the right to remain in their units as tenants of the cooperative corporation. Controlled rental units shall remain subject to the Act and to this section and no permits shall issue for controlled rental units while occupied by non-shareholding tenants. If a controlled rental unit is vacated, that unit may be converted to a cooperative subject to the provisions of this subsection and to the cooperative documents.

(6) Residents of the City of Cambridge who are low and moderate income persons, as defined in paragraph (4), shall be given priority when turnover or vacant units occur.

(7) There shall be no discrimination on the basis of race, religion, color, national origin, sex, age, ancestory or marital status with respect to any aspect of the operation of the cooperative.

(8) Family size per unit shall conform to Chapter II of the State Sanitary Code or other comparable index as determined by the administrator.

(9) Buildings shall have at least six units.

(10) In addition to other remedies, the city may recover in damages twice the amount of any net gain on resale which exceeds the amount allowed by paragraph (2), and this provision may not be waived in any manner.

The total number of units for which such permits may be granted shall not exceed 100.

The board shall revoke any permit granted pursuant to this subsection whenever it or the administrator determines that any of the provisions of paragraphs (1), (2), (5), (6), (7), or (9) has been materially violated or invalidated and the unit shall then again be subject to the Act and to this section, notwithstanding the last sentence of paragraph (iv) of subsection (b) or any other provisions.

Passed to a second reading at the City Council meeting held on June 27, 1983 and on or after July 18, 1983 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

ZONING

EXHIBIT B

RECEIVED BY
OFFICE OF CITY CLERK
JUN 15 2 04 PM '83
CAMBRIDGE, MASS.

12 June, 1983

To whom it may concern:

I am unable to attend the hearings scheduled for June 21st and 22nd, 1983, at which a proposal to rezone the area bounded by School Street, Winsor Street, Harold Place and Bishop Richard Allen Drive will be discussed. I am sending copies of this letter to inform all parties of my position on the proposal in question.

I have talked with Amy Malysa about the petition and have asked to have my building at 19 - 21 Bishop Richard Allen Drive excluded from the proposed area to be rezoned. She has agreed to redraw the area using the east side of my boundary as the western limit of the proposed C 1 zoned area, and to resubmit the proposal with that change.

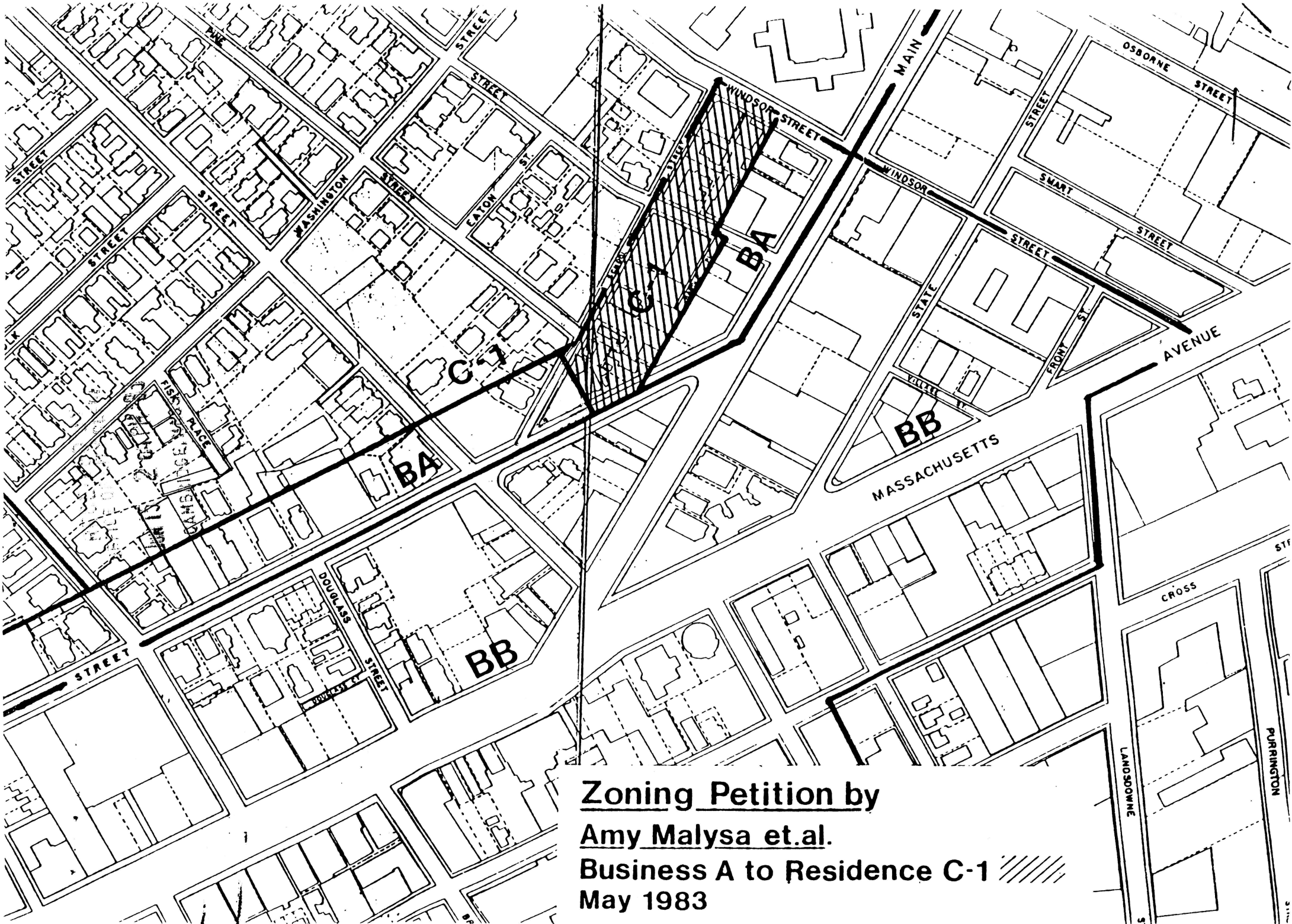
In order to get information about the proposed zoning change, I spoke with Richard Horgan and Elizabeth McCarthy. In answer to my question, they said that, as my building is adjacent to a B A zoned area, there would very likely be no problem about redrawing the boundary of the proposed C 1 area. I trust that this is so. I enclose a map redrawn in accordance with this new plan.

Although I do not wish to be included in the rezoned area, I completely support Ms. Malysa's proposal as an adjoining neighbor. I will continue to make sure that nothing transpires in my building which would cause a nuissance or disturbance to the neighborhood. I agree with Ms. Malysa that the neighborhood would be well served by the proposed change. There is already very little housing in Cambridge. The area in question is part of one of the few coherent residential neighborhoods in the city. By protecting it, the city would be encouraging residents to improve their homes.

Thank you for your consideration.

Sincerely,

Elizabeth H. Bohlen
111 Chestnut St.,
Cambridge, MA 02139


Zoning Petition by
Amy Malysa et.al.
Business A to Residence C-1
May 1983
C-1
BA
BB
WINDSOR STREET
MAIN
OSBORNE STREET
WINDSOR STREET
SMART STREET
STATE STREET
FRONT ST.
AVENUE
MASSACHUSETTS
CROSS
LANSDOWNE
PURRINGTON
WASHINGTON
EATON ST.
FISK PLACE
DOUGLASS STREET
PINE STREET

2

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

July 19, 1983

To the Honorable, the City Council:

Subject: Planning Board Recommendation on a Petition by Amy Malysa et al to Rezone from Business A to Residence C-1 an Area Bounded by Bishop Richard Allen Drive, School Street, Windsor Street and Harold Place

In accordance with Cahpter 40A of the General Laws, the Planning Board held a public hearing on Tuesday, June 21, 1983 in the Community Development Conference Room on the above referenced petition.

The Petition

The proposed petition would rezone an area containing approximately nineteen (19) parcels of land from Business A to Residence C-1.

The following list summarizes the major differences between the proposed new Residence C-1 district disignation and the current Business A zoning.

	Res. C-1	Bus. A
1. Uses:		
Residential	yes	yes
Retail Business	no	yes
Institutional	no or sp	yes
Office & Laboratory	no	yes
Industrial	no	no
2. Dimensional Regulations:		
(a) Floor Area Ratio		
Res. Use -	.75	1.75
Other Use -	N/A	1.0
(b) Min. Lot Area Per		
Dwelling Unit -	1200 s.f.	600 s.f.
(c) Height -		
Res. Use. -	35'	85'
Other Use -	N/A	35'

Recommendation

Based on the following findings, the Planning Board recommends that the proposed rezoning petition be approved with the modification as illustrated on the attached map, which leaves the commercial property at 19-21 Bishop Allen Drive in the Business A District.

Findings

1. The area within the proposed Residence C-1 zoning district contains a mix of residential, institutional, commercial and industrial uses. The area contains eight (8) residential uses, two (2) churches, three (3) commercial properties and seven (7) parking lots. The residential uses in this area are under increased pressure from nearby commercial uses to provide off-street parking. A recent example of this is at 9 Bishop Richard Allen Drive which was formerly occupied by a residential dwelling and is now used for open lot off-street parking by the La Groceria Restaurant.

2. The proposed rezoning area is located between a more intensely used Business district and a residential neighborhood. While the proposed rezoning area is neither predominantly residential nor commercial in character, the pressure on existing residential uses for commercial space will eventually create a commercial district.

3. The existing commercial businesses may continue as legally established nonconforming uses if this area is rezoned to a Residential C-1 district.

4. Rezoning this area to Residential C-1 will protect the existing residential uses as well as providing a reasonable buffer for the adjacent residential neighborhood from the more intensely used Business B district.

5. The property at 19-21 Bishop Richard Allen Drive is currently in commercial use containing a garage, karate school and club. This property is located in the proposed rezoning area and adjacent to the existing Business A district line. As this property is now in commercial use and adjacent to the Business A district line, it would be appropriate to leave this commercial property in the Business A district as illustrated on the attached map.

The Hearing

Amy Malysa explained that the purpose of the rezoning petition is to protect the existing residential properties in this area along Bishop Allen Drive and School Street. Ms. Malysa stated that the residential neighborhood's concern arises over recent arson attempts on her building and the demolition of an adjacent residential building which was replaced with a parking lot.

The following people spoke in support of the rezoning petition:

John McDermott; George Sommaripa, 17 Bishop Allen Drive; Linda Vickors, 45½ Cherry Street, Clifford Brostel, 29 Essex Street; and Janet Rose, 16 Pine Street.

No one spoke in opposition to the proposed rezoning.

A letter from Elizabeth H. Bohlen, 111 Chestnut Street was submitted requesting that the proposed C-1 district line be moved to leave her commercial property in the BA district.

Chairman Parris stated that he had a call from Aziz Banayan owner of 70-72 School Street who indicated that he had planned to use his property for a design studio and was concerned over the effect this rezoning would have on these plans.

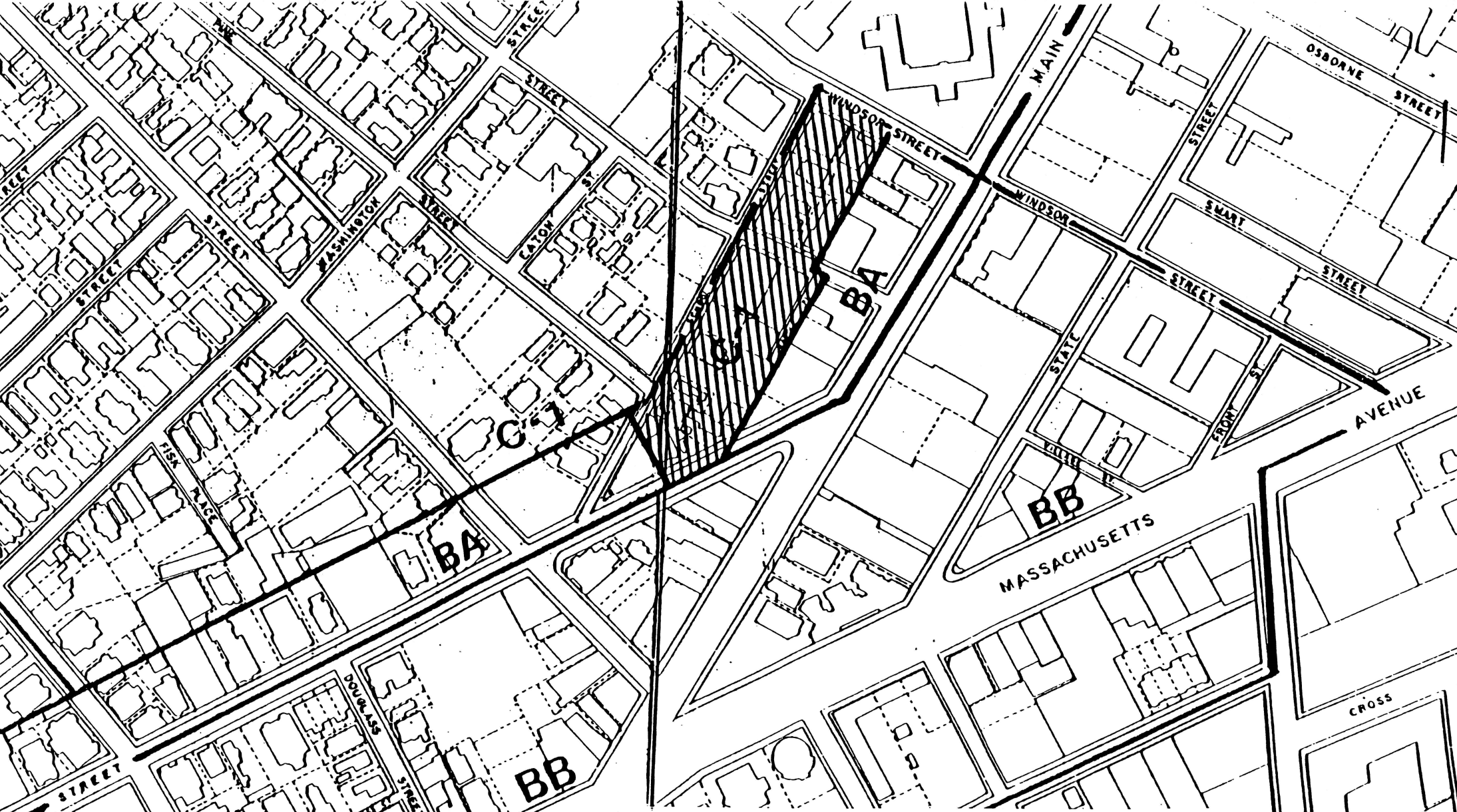
Letters were submitted from Lydia Vickers, 45 Cherry Street and Charles M. Sullivan, Executive Director of the Cambridge Historical Commission, in support of the proposed rezoning.

Respectfully submitted

for the Planning Board,

Arthur C. Parris

Arthur C. Parris
Chairman



PLANNING BOARD RECOMMENDATION

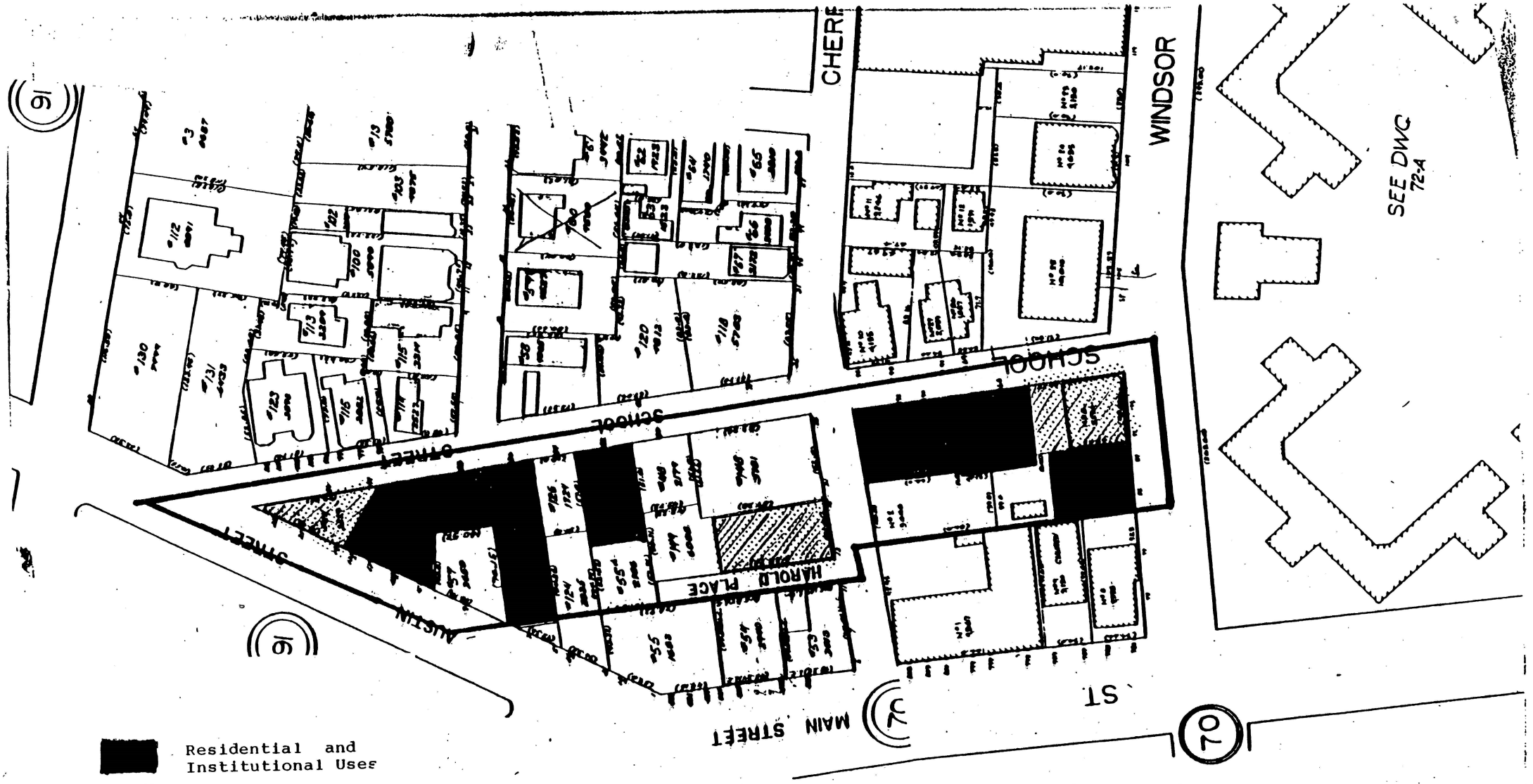
ZONING PETITION BY AMY MALYSA et.al.

BUSINESS A TO RESIDENCE C-1

Amy Malysa et.al. Petition
Landuses

Plat	Lot	Address	Use
75	44	94-96 School St.	commercial
	45	15½-17½ Bishop Richard	residential
	57	9 Bishop Richard	parking lot
	46	88 School St	residential
	125	5-7 Bishop Richard	institutional (church)
	127	86 School St	residential
	124	3-3½ Bishop Richard	parking lot
	126	84 School St	parking lot
	55A	Harold Place	parking lot
	47	82 School St	residential
	149	Harold Place	industrial
	48	80 School St	parking lot
	148	21-25 Cherry St.	parking lot
74	.3	72 School St	residential
	4	70 School St	residential
	2	16-20 Cherry St	parking lot/vacant
	5	68 School St	residential

74	6	91-93 Windsor St	commercial
	7	85-87 Windsor St	residential


CHERR
WINDSOR
SEE DWG 72-A
SCHOOL
SCHOOL
STREET
HAROLD PLACE
ALLEY
MAIN STREET
ST
Residential and Institutional Uses
Commercial buildings

Malysa folder

CITY OF CAMBRIDGE

INTEROFFICE CORRESPONDENCE

To Joan Lastovica, City Engineer **Date** September 7, 1983

From Paul E. Healy, City Clerk **Reference**

Subject Total square footage of land affected by the zoning petition of Amy E. Malysa, et al.

Enclosed you will find a copy of the zoning petition of Amy E. Malysa, et al, to rezone from Business A to Residence C-1 in an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Richard Allen Drive.

Would you please be so kind as to inform this office as to the total square footage of land included in the aforementioned area prior to the next City Council meeting, which is scheduled for Monday, September 12, 1983. I am also enclosing a copy of a map detailing the affected area of land, which I hope you will find of assistance.

Your very kind cooperation in this matter will be greatly appreciated both by the City Council and this office.

PEH/mh

Enclosures

Cambridge, ... 19

To the Honorable, the City Council of the
City of Cambridge:

The undersigned respectfully pray

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

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

The Zone map accompanying ordinance passed to be ordained entitled:"The Zoning Ordinance of the City of Cambridge" is hereby amended by striking out the designation Business A and substituting in place thereof the designation Residence C-1 insofar as it relates to the following described area of land:

Premises of the following parcels as designated on Assessor's Plat No. 75. No.'s 125,44,45,57, Bishop Allen Drive(formerly Austin) and which includes all or parts of parcels No.'s 46,127,47,48,148 School Street and which includes all or parts of parcels No.'s 149, 55a Harold Place, and further,Premises of the following parcels as designated on Assessor's Plat No. 74, No.'s 3,4,5,6,School Street No. 7 Windsor Street and No.2 Cherry Street.

Beginning at a point said point being the intersection of the centerline of Bishop Allen Drive(formerly Austin) and School Street. Thence running easterly along the centerline of School Street 590 ft. ore or less to a point said point being the intersection of the [illegible] of the centerline of School street and the centerline of Windsor Street . Thence proceeding southerly 100 ft. and thence

Cambridge, ... 19

To the Honorable, the City Council of the
City of Cambridge:

The undersigned respectfully pray

running westerly along a line 90 ft. from more or less and parallel to Main Street 430 ft. including all or parts of Harold Place and intersecting with the centerline of Bishop Allen Drive(formerly Austin) and continuing westerly 230 ft. more or less to the point of origin, of which compromises an area of 58278 sq. ft. more or less.

✓ Amy C. Malysa 15½ Bishop Allen Drive
✓ Robert P. Walter WALTER "
— John Schneider 15 Bishop Allen DRIVE
✓ Michael Bridge BRIDGE 17½ Bishop Allen Drive
Michael F. Barwick 45 Cherry St.
Wendy E. Barwick "
✓ Lydia Vickers VICKERS "
✓ Mark [illegible] "
✓ Dorothy Bridge BRIDGE 17½ Bishop Allen Drive
✓ George Sommaripa SOMMARIPA 17 Bishop Allen Drive

Lydia Vickers
owner of property at
45½ Cherry Street

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

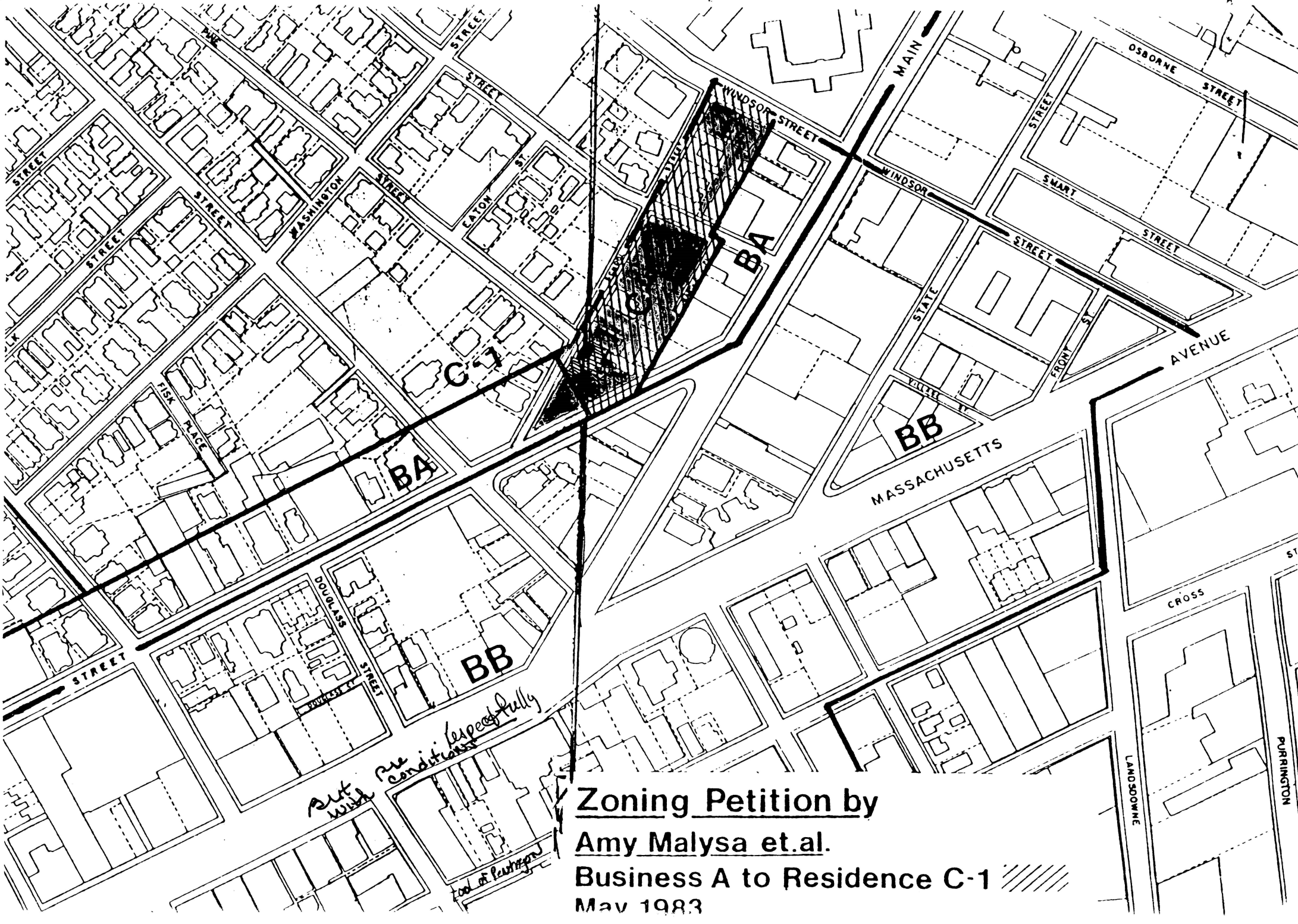
Office of the City Clerk.

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 a public hearing will be held on Wednesday, June 22, 1983 at 5:00 P. M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by Amy Malysa, et al to amend the zoning map by rezoning from Business A to Residence C-1 an area generally bounded by School Street, Windsor Street, Harold Place and Bishop Allen Drive, as illustrated on the attached map.

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

For Committee,

Councillor Walter J. Sullivan,
Chairman.


WINDSOR STREET
MAIN
OSBORNE STREET
WINDSOR STREET
SMART STREET
STATE
FRONT ST.
AVENUE
MASSACHUSETTS
CROSS
LANSDOWNE
PURRINGTON
WASHINGTON
EATON ST.
FISK PLACE
DOUGLASS STREET
BA
BB
C-1
Zoning Petition by
Amy Malysa et.al.
Business A to Residence C-1
May 1983

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE
CITY ENGINEER
Joan Lastovica P.E.
City Engineer

Sept. 26, 1983

Square footage figures for amended zoning petition of Amy Malysa, et al.

Area		Square footage
1) Total area of privately owned land within amended petition.		44,225
2) Total area of public and privately owned land within amended petition.		
	Private	44,225
	Public	14,420
	Total	58,645

3) Total area of private land owned by those in opposition to zoning change.

4) $\frac{26,264}{44,225} = 60\%$

$\frac{26,264}{58,645} = 45\%$

8. O-32

Comm. from Joseph E. Connarton, Deputy City Clerk, transmiting a comm. from Joan Lastovica, City Engineer Re: square footage figures identifying the total area of publicly & privately owned land within the area bounded by the Amy Malysa zoning petition as amended & total area of privately owned property of persons in opposition to said petition.

In City Council,

September 26, 1983

9/26/83

Referred to the Petition -