

City of Cambridge

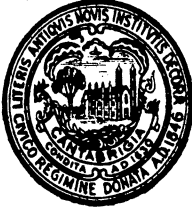
MASSACHUSETTS

In City Council June 10, 1985

AGENDA ITEM NO. 15

RE: PROPOSED ORDER DISCONTINUING OTIS STREET BETWEEN SECOND AND THIRD STREETS AS A PUBLIC WAY & ACCEPTING IT AS A PEDESTRIAN WAY TO ENABLE THE CONSTRUCTION OF THE FREDERICK CENTANNI PARK

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton				
Mr. Thomas W. Danehy				
Mr. Francis H. Duehay				
Ms. Sandra Graham				
Mr. David E. Sullivan				
Mr. Walter J. Sullivan				
Mr. Alfred Vellucci				
Ms. Alice K. Wolf				
Mayor Russell				



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex Inman & Broadway

To Robert W. Healy, City Manager

From  Kathy A. Spiegelman, Assistant City
Manager for Community Development

Date June 5, 1985

Subject Frederick Centanni Park on Otis Street

Attached for your review, and review and action by the City Council, is a proposed order discontinuing Otis Street between Second and Third Streets as a public way and accepting it as a pedestrian way. This action will enable us to construct the Frederick Centanni Park as proposed originally in the East Cambridge Riverfront Plan.

Plans for this park have been reviewed by the City Council at a public hearing in June, 1984 and again at a City Council meeting in October, 1984. The plans were presented to the East Cambridge neighborhood at a neighborhood-wide public hearing and before a neighborhood-wide meeting of the East Cambridge Planning Team.

The Planning Team voted to endorse this project (see attached letter), conditioned upon an agreement from the developer of the renovated Bulfinch complex to provide for maintenance of the park. A written agreement providing funding for the maintenance of the park has been obtained from the developer, a copy of which is attached.

Also, Chief Paolillo has reviewed and approved the park plans for public safety and security concerns. A copy of a letter from the Chief is attached.

KAS/JC/tm

Attachments



City of Cambridge

IN CITY COUNCIL

WHEREAS:

A communication has been received from Robert W. Healy, City Manager transmitting a request from Kathy Spiegelman, Assistant City Manager for Community Development requesting that a portion of Otis Street between Second and Third Streets be discontinued as a public way of the City of Cambridge and accepted as a pedestrian way in connection with the Lechmere Canal Park; and

WHEREAS:

Public convenience and necessity requires that a portion of Otis Street, between Second and Third Streets, be discontinued as a public way of the City of Cambridge; and

WHEREAS:

Due notice has been given of the intention of this City Council to discontinue as a public way said portion of Otis Street in the manner prescribed by law and hearings held before the City Council on June 25, 1984.

NOW, THEREFORE BE IT ORDERED:

That a portion of Otis Street containing 14,822 square feet more or less be and hereby is discontinued as a public way in the City of Cambridge, all as shown on a plan entitled "Proposed Discontinuance of a part of Otis Street as a Vehicular Way, Proposed Acceptance of a part of Otis Street as a Pedestrian Way", Cambridge, MA prepared by Office of City Engineer, City of Cambridge, dated May 31, 1984; and said portion described as follows:

Description of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, being the parcel of land known as Otis Street situated between Second Street and Third Street in East Cambridge, owned by the City of Cambridge, bounded and described as follows:

Beginning at a point on the westerly line of Second Street at the northeast corner of land now or formerly of the County of Middlesex being numbered 42 Otis Street, said point being the most southerly corner of the parcel herein described;

THENCE N 67° 46' 33" W, along lands now or formerly of County of Middlesex a distance of 296.41 feet, to the easterly line of Third Street;

THENCE N 22° 21' 46" E, along the easterly line of Third Street a distance of 50 feet;

THENCE S 67° 46' 33" E, along lands now or formerly of County of Middlesex a distance of 296.47, to the westerly line of Second Street;

THENCE S 22° 25' 53" W, along the westerly line of Second Street, a distance of 50 feet, to the point of beginning.

The above described parcel contains 14,822 square feet more or less.

and be it further
ORDERED:

That said portion of Otis Street be and hereby is accepted as a pedestrian way.

THIRD ST.

N 22° 21' 42" E

50'

OTIS

AREA = 14,822 SF.

ST.

50'

N 67° 46' 33" W 296.41'

N / F
COUNTY OF MIDDLESEX

S 22° 25' 53" W

SECOND

ST.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
IN CONFORMITY WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS.

PROPOSED DISCONTINUANCE OF A
OTIS STREET AS A VEHICUL.
PROPOSED ACCEPTANCE OF A F
OTIS STREET AS AS PEDE
CAMBRIDGE, MASSACHUSETTS

SCALE : 1" = 40' MAY 31, 1984

OFFICE OF THE CITY ENGINEER
CAMBRIDGE MASSACHUSETTS
DRAWN BY : J.O.O

EAST CAMBRIDGE PLANNING TEAM

June 4, 1985

Cambridge City Council
City of Cambridge
City Hall
Cambridge, MA 02139

To the Honorable City Council:

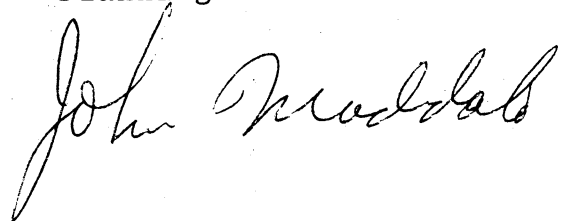
At the October 10, 1984 meeting of the East Cambridge Planning Team the proposal to close Otis Street between Second Street and Third Street and to construct a pedestrian park at that location was reviewed and discussed. The Planning Team voted heavily to support the new park.

The Planning Team felt that the new park will be a great asset to the entire community. In addition, it will be an important link connecting East Cambridge to the Charles Riverfront and the Lechmere Canal.

The Planning Team's strong recommendation to support the park, however was conditioned upon the City obtaining a commitment from the developer of the adjacent Bulfinch Building to ensure adequate park maintenance. It is my understandign that such a commitment has been obtained. The Planning Team therefore, urges that the City Council support the proposed park for Otis Street between Second and Third Streets.

Sincerely,

John Maddolo
President, East Cambridge
Planning Team

A handwritten signature in cursive script, reading "John Maddolo", written in dark ink.

FREDERICK CENTANNI PARK

MAINTENANCE AGREEMENT

Agreement made this ____ day of May, 1985, by and between the City of Cambridge, a body politic and corporate and a political subdivision of The Commonwealth of Massachusetts (the "City"), and Bulfinch Square Limited Partnership, a Massachusetts limited partnership with a principal place of business at 12 Arrow Street, Cambridge, Massachusetts (the "Developer").

W I T N E S S E T H:

WHEREAS, the City proposes to construct or cause to be constructed the Frederick Centanni Park (the "Park") as a part of a major redevelopment plan, which plan is sometimes referred to as the East Cambridge Riverfront Project (the "Project"); and

WHEREAS, the Project also anticipates and encourages substantial private development activities; and

WHEREAS, the Developer has renovated the adjacent Bulfinch Square buildings (the "Property") for office, restaurant and arts uses, all in accordance with the terms and conditions set forth in the "Agreement dated January 5, 1983" by and among the City of Cambridge, the Cambridge Multi-Cultural Arts Center, Inc., and the Developer (the "Development Agreement"); and

WHEREAS, the Property abuts the Park and will benefit from its proximity thereto; and

WHEREAS, the continued maintenance of the Park is a public purpose and the maximum enjoyment of this public amenity is of mutual concern and benefit to the parties hereto; and

WHEREAS, the parties wish to set forth a binding agreement whereby the Developer can effectively participate in a program of park maintenance which is most likely to achieve the objectives hereof.

NOW, THEREFORE, the parties hereto agree as follows:

1. The City will cause the Park to be substantially completed in accordance with standards of quality and character set forth in the design plans by the Developer, as approved by the City, and shall maintain the same in accordance with the standards hereof unless the Developer assumes the same as specified in Paragraph 6.

2. The Developer's obligations hereunder shall in no event commence until the satisfaction by the City of its obligation under Paragraph 1 and the Developer has leased or pre-leased to tenants no less than seventy-five percent (75%) of the net rentable area of the buildings located at the Property or thirty (30) months have elapsed from the issuance of a final building permit for the same, whichever first occurs.

3. Maintenance costs ("Maintenance Costs") shall be the fair and reasonable charges incurred by the party(ies) responsible for the performance of the maintenance of the Park in accordance with the standards contained in the Maintenance Specification attached hereto.

4. The Developer's shall pay the City for the first twelve month period for which it has responsibilities hereunder the lesser of (i) \$10,000 or (ii) the actual Maintenance Costs as accounted for by the City.

5. For each subsequent twelve month period, the Developer's financial obligation shall be the lesser of (i) the amount which is the product of \$10,000 multiplied by the rate of inflation as determined by the Consumer Price Index-Urban Clerical Workers & Wage Earners, Boston, Massachusetts, or (ii) the actual Maintenance Costs as accounted for by the City.

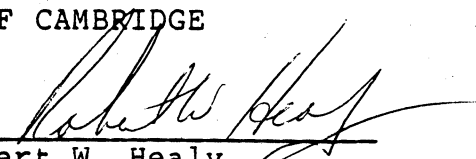
6. The Developer, upon written approval from the City, shall have the option to contract for maintenance services with a private firm in lieu of the obligation hereunder, so long as such a contract provides for a quality maintenance program and the same is reviewed and approved by the City Manager on an annual basis.

7. The party or parties responsible for the performance of the obligations hereunder shall keep records of the Maintenance Costs in accordance with generally accepted accounting principles. The Maintenance Costs shall be billed semi-annually and shall be payable within thirty (30) days of receipt of such bill, subject only to such credits and adjustments as may be appropriate in accordance with Paragraphs 4, 5 and 6 hereof.

8. This Agreement shall remain in effect until December 31, 2079, except that the Agreement shall automatically terminate upon the expiration, termination or cancellation of the Lease (as defined in the Development Agreement), if earlier.

9. In no event shall any general or limited partner of the Developer have any personal liability, directly or indirectly under this Agreement, the liability of the Developer hereunder being limited solely to its interest in the Property.

CITY OF CAMBRIDGE

By: 

Robert W. Healy
City Manager

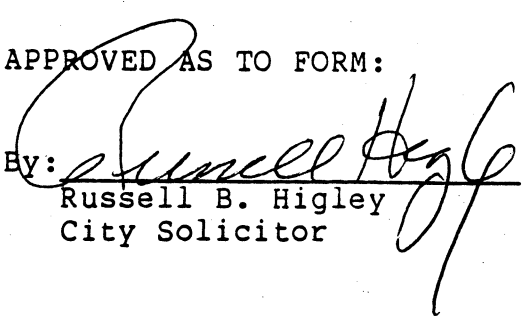
BULFINCH SQUARE LIMITED
PARTNERSHIP

By: Courthouse Associates,
Inc., General Partner

By: 

Its (Vice) President

APPROVED AS TO FORM:

By: 

Russell B. Higley
City Solicitor

Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Dear Mr. Healy:

I have recently had the opportunity to review the plans for the proposed park on Otis Street between Second and Third Streets in East Cambridge. In general, I do not believe the park as designed will present a security or public safety problem for the neighborhood.

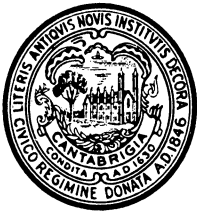
During my review I stressed the need for adequate lighting to ensure safety. I am pleased that the amount of lighting has now been increased; and I feel confident that the amount of lighting now proposed will be adequate for public safety purposes. Secondly, I stressed that the entrances to the park should not have gates which can be locked, to ensure access by public safety officers. I am aware and pleased that the gates have been dropped from the plans.

Also, I reviewed the accessibility of the Park for police cruisers and personnel, as well as the proposed location of benches. I believe the park will be sufficiently accessible; and I do not believe the proposed benches will pose any additional public safety or security problems.

If you have any questions, please feel free to contact me.

Sincerely,

Anthony J. Paolillo
Anthony Paolillo
Chief of Police



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

June 10, 1985

To the Honorable, the City Council:

I transmit herewith communication from Kathy A. Spiegelman, Assistant City Manager for Community Development, enclosing proposed order discontinuing Otis Street between Second and Third Streets as a public way and accepting it as a pedestrian way, which will enable the construction of the Frederick Centanni Park as proposed originally in the East Cambridge Riverfront Plan.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

S-495

Re: proposed order discontinuing Otis Street
between Second and Third Streets as a public
way & accepting it as a pedestrian way to
enable the construction of Frederick Centanni
Park.

Colandrea

~~#16~~

6/24/85

No Action Taken
on Charter Right
exercised by Councilman
Walter J. Sullivan on
6/10/84 -
Phonetic File - Rule #19

In City Council,

June 10, 1985

6/10/85

Charter Right -
By CWJ Sullivan