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Robert J. La Tremouille

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CAMBRIDGE MA.

Residence: 348 Franklin Street
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TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

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- (1) Reorganization of zoning to wipe out limits on building size on individual lots except for height limits.
- (2) A major increase in building size on individual lots selected by MIT.
- (3) Destruction of yard requirements for housing in the Brookline Street area,
- (4) allowance of housing without yard requirements wherever permitted
- (5) zoning not requiring light industry
- (6) transfer of Blanche Street to add to MIT's massive holdings as part of its construction of a hotel, which could, in the long future, be converted to a dormitory, such as the Hotel Commodore and 1010 and 1039 Massachusetts Avenue,
- (7) legalization of hotel and condominium construction where presently either illegal or (with regard to the hotel) requiring a special permit,
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- (9) granting of inappropriate removal permits
- (10) new construction of roads and sewers by government
- (11) a guaranteed monopoly for purchase of property not presently held by MIT,
- (12) putting money directly into MIT's pockets, at least in part with regard to the fake affordable housing package (who knows what more is being done in secret),
- (13) other benefits still secret.

b. In exchange, the city would receive

- (1) a limited amount of temporary open space which substitutes for yards elsewhere in the city.and
- (2) a limited amount of temporary affordable housing.

c. Under the staff proposal, the limited amount of open space and the limited amount of affordable housing could be destroyed after a stated number of years. The benefits to MIT would be permanent. There is no requirement that MIT return or destroy its benefits if the benefits to the city are destroyed.

2. Certain councillors have emphasized that there was a zoning proposal which almost passed in 1983. I concur. I remember that proposal well. That was the attempt to ram through the "Wylie petition" in a period of 10 days. Those of us who were active in that matter busted our butts to evaluate that petition, and remember just how bad it was.

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Councillor Vellucci, thank you.

3. In this latest proposal, lack of essential regulation is deliberately obscured by masses of near meaningless detail. That extreme detail will most certainly be ignored by the appropriate city officials (as has been

the intent of certain past zoning change detail) should the developer need it to be ignored, and should other bureaucrats fall into line.

This is not a zoning proposal. This is an attempt to hide allowed development from scrutiny by the voters.

4. The most accurate measure of allowed development density is Floor Area Ratio. The definition of Floor Area Ratio is the amount of floor space in a building divided by the size of its lot.

Nowhere in the staff petition is any meaningful Floor Area Ratio number provided to regulate MIT's holdings.

Staff petitions traditionally play a shell game. They use the term "FAR" to mean something totally different from its normal definition. They then do not tell people that they are changing definitions in midstream.

In proposals such as this, the Staff uses the term "FAR" to refer to average development allowed over any number of lots, i.e. the floor space allowed on a number of lots divided by the total area of the lots in question. This concept may best be referred to as "Average FAR".

The difference between real FAR and average FAR is the difference between Harvard Square and Kendall Square.

Harvard Square has a allowed maximum FAR of 4.0. Kendall Square has an allowed average FAR of 4.0 with an allowed maximum far of 7.0.

In this petition, the only regulation of allowed development density is number of allowed square feet of development. Although FAR, the relationship of square feet of development to the size of the lot on which development is placed, is key, FAR is deliberately not regulated and the term is never used to refer to property owned by MIT.

The staff proposal makes it impossible even to determine the average allowed FAR (although they cite it in descriptive material) unless the public goes through a lot of bother to obtain assessors maps of the entire zoning district and goes through the tedious reviews and calculations necessary to calculate the size of the holdings affected. It is highly likely that the FAR numbers being stated by the staff in their descriptive material (without being put in the petition and thus not binding on MIT) include calculations based on land presently owned by the City of Cambridge.

No individual MIT lots have any meaningful, direct limit on building size.

5. The only limit on MIT's FAR stated in the petition is established indirectly by building height. There are no yard requirements.

In one area, there is a height limit around 225 feet. That is an FAR of perhaps 16, four times the maximum allowed in Central Square. No wonder the staff keeps its FAR proposals secret.

Correspondingly, the area east of Brookline Street also has no yard requirement. That area is advertised by the staff as residential. It directly impacts a residential neighborhood. Lack of yards is totally inappropriate for a residential proposal.

In the area east of Brookline Street, the staff calls for a 40 foot height limit within 100 feet of Brookline Street and 70 feet thereafter. This means a solid wall four stories high is legal at the lot line on Brookline Street and another solid wall seven stories high is legal looming above the roof top, 100 feet back.

Allowed FAR within 200 feet of Brookline Street is somewhere around 4.0 or 5.0, much in excess of that allowed for the same area under present zoning. This is much in excess of the highest density normally allowed elsewhere in the city for housing. A comparable building density is found at 10 Magazine Street, "Church Corner" which has a small amount of temporary affordable housing in exchange for an irresponsibly large permanent building.

6. The staff proposal has nominal FAR limits on lots smaller than a stated size. These limits appear to limit only property owners other than MIT. The proposal thus asks the City Council to make purchase of these lots unlikely by anyone other than this proven, irresponsible developer since MIT can build at a much larger density on those lots than can any alternate developer.

Since MIT can build at much higher densities than opposing purchasers, it is unlikely that any competing purchaser will bid in the same range. Comparably, however, since MIT has a monopoly on maximum density development, MIT can purchase for less than would be the case if MIT had to bid against other developers wishing to build at the same density.

This is yet another major gift in this zoning to this irresponsible property speculator.

7. Nowhere, of course, is light industry required. There is no intention to create a meaningful requirement for blue collar employment.
8. The temporary affordable housing repeats errors which were made in the seventies. Severe damage was done to the city. Minimal advantage was obtained by needy who now have been or will soon be required to move again, whether they can find anything or not. The needy now are being thrown out on the street. Their homes are being sold as condos or used for market rate.

The proposal basically indicates that it is appropriate for the needy to become gypsies in our community, going from development to development, living at each place temporarily. In exchange, developers are given permanent, massive development concessions.

- a. The staff demands a situation such as at 808 Memorial Drive, 872 Massachusetts Avenue, and 2 Mount Auburn Street.

808 Memorial Drive saw massive zoning variances given in exchange for "affordable housing". The needy will shortly be forced out of 808 Memorial Drive. 808 will not be torn down when the needy are driven out. It will be sold for condos. Where will we put those residents? Who knows?

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2 Mount Auburn and buildings like it could be converted to market rate uses commencing in the nineties. These elderly projects received major zoning concessions which would not have been granted for market rate housing. What will happen to those buildings and their residents if the developers exercise their rights as has been done at 872 and is threatened at 808?

- b. I consider the Tent City situation directly applicable to concessions granted in Simplex. The brutal behavior at Tent City, as an exercise of MIT's "rights" show that MIT could be quite brutal in exercising its "rights" when the Simplex temporary affordable housing runs its course.
9. We heard comments that we should ignore the clear language of the zoning. the staff and the developer promised to make the temporary affordable permanent or less temporary through side-bar agreements.

The permanence of this housing should not be dependent on agreements which can be voided by one man, whether it be the Cambridge City Manager or the head of the MHFA.

The Cambridge City Manager has allowed a series of totally illegal retail variances on Massachusetts Avenue between Harvard and Central Square. When the City Council told him to sue over 875 Massachusetts Avenue, he refused. Completely illegal variances, within limits, are common practice by the BZA. The City Manager is failing to perform the responsibilities of his office by failing to be constantly in court forcing the BZA to respect its oath of office. Is he more likely to respect this non-zoning protection?

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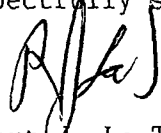
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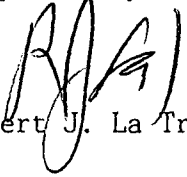
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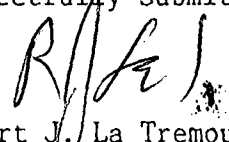
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Determination of whether the City Manager would continue to enforce any agreement making affordable housing less temporary would rely on decisions by the staff. These are the city-paid developer lobbyists who wrote the present terrible zoning petition. The City Manager and all these city-paid developer lobbyists must be relied on by the community to be trustworthy in behind the scenes maneuvering. Every one of their successors must all be relied on by the community to be trustworthy in behind the scenes maneuvering. This is stretching credulity one great deal. The last two heads of this agency resigned to go to work for developers they supposedly had been regulating.

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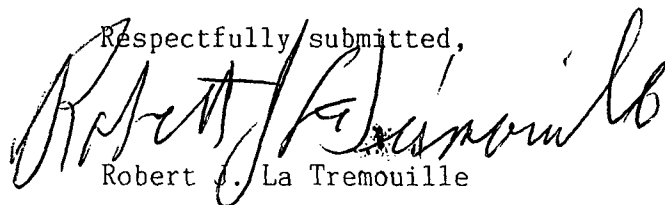
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Robert J. La Tremouille

RECEIVED BY
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1987 DEC 22 PM 1:59
December 22, 1987
CAMBRIDGE MA.

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Telephone 491-7181

Office: Sixty Western Avenue
Cambridge, MA 02139-3751
Telephone 876-3362

TO THE HONORABLE, THE CAMBRIDGE CITY COUNCIL:

On December 3, 1987, I made a presentation to the City Council concerning the staff proposal for Simplex zoning. The following is a reconstruction of that speech, based on my draft remarks, on my memory of modifications made, and improvements which I have made which are intended to organize my comments so that they would be more understandable in this, written, form.

* * * * *

1. The following are the advantages to MIT and the advantages to the city from this proposal:

a. Under the staff proposal, MIT would be allowed massive permanent development. MIT would be given major permanent assistance in the form of zoning relief and corporate welfare payments of significant benefit to it, as follows:

- (1) Reorganization of zoning to wipe out limits on building size on individual lots except for height limits.
- (2) A major increase in building size on individual lots selected by MIT.
- (3) Destruction of yard requirements for housing in the Brookline Street area,
- (4) allowance of housing without yard requirements wherever permitted
- (5) zoning not requiring light industry
- (6) transfer of Blanche Street to add to MIT's massive holdings as part of its construction of a hotel, which could, in the long future, be converted to a dormitory, such as the Hotel Commodore and 1010 and 1039 Massachusetts Avenue,
- (7) legalization of hotel and condominium construction where presently either illegal or (with regard to the hotel) requiring a special permit,
- (8) sweeping under the rug of flagrant violations of the city's removal ordinance

- (9) granting of inappropriate removal permits
- (10) new construction of roads and sewers by government
- (11) a guaranteed monopoly for purchase of property not presently held by MIT,
- (12) putting money directly into MIT's pockets, at least in part with regard to the fake affordable housing package (who knows what more is being done in secret),
- (13) other benefits still secret.

b. In exchange, the city would receive

- (1) a limited amount of temporary open space which substitutes for yards elsewhere in the city and
- (2) a limited amount of temporary affordable housing.

c. Under the staff proposal, the limited amount of open space and the limited amount of affordable housing could be destroyed after a stated number of years. The benefits to MIT would be permanent. There is no requirement that MIT return or destroy its benefits if the benefits to the city are destroyed.

2. Certain councillors have emphasized that there was a zoning proposal which almost passed in 1983. I concur. I remember that proposal well. That was the attempt to ram through the "Wylie petition" in a period of 10 days. Those of us who were active in that matter busted our butts to evaluate that petition, and remember just how bad it was.

I remember very clearly that the Wylie petition fell just one vote short of passage. (Its supporters no longer say that it needed two votes to pass. This supports my position that, had the Wylie petition obtained six votes, MIT would have withdrawn its politically convenient "opposition".) I am very pleased that that the Wylie petition was defeated. If it were not for one councillor who looked at the petition, listened to the neighborhood, and voted against that terrible petition, we would have been stuck with something quite bad.

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4.

0-55

Comm. from Robert J. LaTremouille, transmitting
for informational purposes a copy of his
December 3, 1987 speech before the Council Re:
staff proposal for Simplex zoning.

In City Council,

December 28, 1987

Placed on File