

COPY

MEPA EXHIBIT 0  
5D

QUITCLAIM DEED

POLAROID CORPORATION, a Delaware corporation having its principal place of business at 545 Technology Square, Cambridge, Massachusetts 02139 ("Grantor"), for consideration with a value of Ten Million, Five Hundred Thousand Dollars (\$10,500,000.00) received, hereby grants unto 784 MEMORIAL DRIVE LLC,\*having its principal place of business c/o Spaulding and Slye Services Limited Partnership, 125 High Street, Boston, Massachusetts 02110 (the "Grantee"), WITH QUITCLAIM COVENANTS, the land situated in Cambridge, Middlesex County, Massachusetts, together with any improvements located thereon, being more particularly described in Exhibit A attached hereto and by this reference made a part hereof:

SUBJECT to and with the benefit of all easements, covenants, restrictions and other encumbrances of record, to the extent in force and applicable.

The property conveyed hereby does not constitute all or substantially all of the assets of Grantor in Massachusetts.

For title references, see deed to Grantor from Massachusetts Institute of Technology dated April 23, 1979 recorded with the Middlesex South District Registry of Deeds in Book 13676, Page 734, Transfer Certificate of Title No. 188495 filed with the Middlesex South Registry District of the Land Court in Registration Book 1072, Page 145, and Transfer Certificate of Title No. 157755 filed with the Middlesex South Registry District of the Land Court in Registration Book 919, Page 5.

Executed under seal this 25th day of November, 1997.

POLAROID CORPORATION

By: Ralph M. Norwood  
Ralph M. Norwood  
Vice President and Treasurer

\*a Delaware limited liability company,

Property Address: 784 Memorial Dr. Cambridge, MA

MSD 12/30/97 03:49 1169 26.00

Received at rostrum 11/2/98



# City of Cambridge

101.

IN CITY COUNCIL

June 23, 1997

COUNCILLOR TRIANTAFILLOU  
 VICE MAYOR BORN  
 COUNCILLOR TOOMEY  
 COUNCILLOR REEVES  
 COUNCILLOR GALLUCCIO

WHEREAS: Polaroid Corp. is currently drilling test borings for geotechnical information for foundation analysis; and

WHEREAS: They are using Haley and Aldrich, a licensed site professional registered with the Department of Environmental Protection for soil analysis; and

WHEREAS: The proposed development for 784 Memorial Drive is over the part of the 6 acres where BB Chemical manufactured adhesives for 3 decades; and

WHEREAS: The proposed housing is over the part of the 6 acres where Dover Stamping and Manufacturing Co. made sheet metal for 4 decades, using solvents to treat the metal; and

WHEREAS: Part of the site has been already cleaned up of toluene and dichloroethane; now therefore be it

ORDERED: That Polaroid Corp. the owner, is hereby requested to test the subsoil at these locations for chemical contamination and communication of the results to the City, before any demolition and construction occurs; and be it further

ORDERED: That the City Manager be and hereby is requested to request that the Chief Public Health Officer investigate the particular medical illnesses on Pleasant Street and whether they are related to chemical contamination on this site.

In City Council June 23, 1997

Adopted by the affirmative vote of nine members.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

*D. Margaret Drury*  
 D. Margaret Drury  
 City Clerk



# City of Cambridge

36.

IN CITY COUNCIL

December 22, 1997

VICE MAYOR BORN

**ORDERED:** That the City Manager be and hereby is requested to clarify the current policy of the city about whether all curb cuts necessary to a new building project must be approved by the City Council prior to the granting of building permits for that project and whether those curb cuts must conform to current zoning standards and safety set by the Department of Inspectional Services and the Traffic Department.

CNI 3



## MASSACHUSETTS WATER RESOURCES AUTHORITY

Charlestown Navy Yard  
100 First Avenue  
Boston, Massachusetts 02129

August 19, 1997

Telephone: (617) 242-6000  
Facsimile: (617) 241-6070

Mr. Ralph Norwood, Vice President/Treasurer  
Polaroid Corporation  
575 Technology Square  
Cambridge, MA 02139

RE: 784 Memorial Drive Development Project

Dear Mr. Norwood:

On August 1, 1997, Messrs. Dan O'Neil, Richard Cane, and Philip Coleman, at the request of the Cambridgeport Neighborhood Initiative met with their Cochairs Messrs. Horowitz and Yarden. The purpose of the meeting was to give a general overview of MWRA Policies and Procedures concerning permits with regard to sewer connections and easement infringements.

During the course of this particular meeting, site specific questions were asked concerning the Polaroid Memorial Drive Project. Based on the information shown and relative to plans presented to us at this meeting, we have some concern that MWRA permit requirement may not be understood by your consultant. Specifically, based on information presented to us, it would appear that the Memorial Drive Project would need an 8M Permit which would allow construction vehicles and activities on our easement and an update to the existing direct connection permit since it would appear to modify or increase the flow into the existing connection.

Again, these permits would be required based on the information provided to us at this particular meeting. I have enclosed a copy of MWRA Policies concerning these permits and I am available to address any concerns and/or questions. Thank you!

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Coleman".

Philip Coleman  
MWRA Project Manager/Permit Section  
617/241-6488

cc: Richard Trubiano, Deputy Director  
Kevin O'Brien, Director, WVEC  
Richard Cane, Sr. Program Manager  
Dan O'Neil, Community Relations  
Mr. Horowitz, CoChariman, Cambridge Neighborhood Initiative  
Mr. Yarden, CoChariman, Cambridge Neighborhood Initiative

File

Attachments: 8M Regulations  
Direct Connection Regulations

20-3

~~CNI 8~~

Cambridgeport Neighborhood Initiative  
c/o Elie Yarden  
143 Pleasant Street, 2A  
Cambridge, MA 02139

August 28, 1997

Robert Bersani, Commissioner  
Inspectional Services Department  
831 Massachusetts Avenue  
Cambridge, MA 02139

Dear Commissioner Bersani,

The Cambridgeport Neighborhood Initiative (CNI), abutters and near neighbors to the proposed Polaroid project at 784 Memorial Drive, sent you a letter August 15 detailing our concerns about permits needed for this proposal.

We also sent copies of letters from the MDC and the DEP, detailing *their* concerns, in the face of the developer's statement that no permit, other than one from the Cambridge Historical Commission, was needed -- a position with which we strongly disagree.

In that letter, we mentioned additional state agencies we were meeting with.

Since then, we have received a copy of a letter the Massachusetts Water Resources Authority (MWRA) sent to Polaroid Corporation's Vice President and Treasurer Ralph Norwood, dated August 19. In it, Philip Coleman, the MWRA's acting permit director, cites two permits that will be required: an 8M Permit and a direct connection permit, and attaches the relevant regulations.

We are sending a copy of this letter and its attachments to you and to the City Manager, once again expressing our concerns that all state permits be acquired and an Environmental Notification Form (ENF) be filed with the state. It is our belief that an Environmental Impact Report (EIR) is the best assurance for the public health and safety.

Additionally we await Polaroid's response to the Cambridge City Council's order #101 of June 23, 1997 regarding soil-testing, *before any demolition or construction permits are issued*, lest an awkward situation arise.

Very truly yours,



Elie Yarden, Co-Chair  
Stash Horowitz, Co-Chair  
Cambridgeport Neighborhood Initiative

Copies: Cambridge City Council, for meeting of September 8  
Robert Healy, City Manager

Enclosures:



COPY

MEPA EXHIBIT 05D  
NOV 24 1997

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MEPA EXHIBIT K

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101.

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 VICE MAYOR BORN  
 COUNCILLOR TOOMEY  
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 COUNCILLOR GALLUCCIO

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Sincerely,

Philip Coleman  
MWRA Project Manager/Permit Section  
617/241-6488

- cc: Richard Trubiano, Deputy Director
- Kevin O'Brien, Director, WWEC
- Richard Cane, Sr. Program Manager
- Dan O'Neil, Community Relations
- Mr. Horowitz, CoChariman, Cambridge Neighborhood Initiative
- Mr. Yarden, CoChariman, Cambridge Neighborhood Initiative

File

- Attachments: 8M Regulations
- Direct Connection Regulations

20-3

~~CNI 8~~

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c/o Elie Yarden  
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Cambridge, MA 02139

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Inspectional Services Department  
831 Massachusetts Avenue  
Cambridge, MA 02139

Dear Commissioner Bersani,

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We are sending a copy of this letter and its attachments to you and to the City Manager, once again expressing our concerns that all state permits be acquired and an Environmental Notification Form (ENF) be filed with the state. It is our belief that an Environmental Impact Report (EIR) is the best assurance for the public health and safety.

Additionally we await Polaroid's response to the Cambridge City Council's order #101 of June 23, 1997 regarding soil-testing, *before any demolition or construction permits are issued*, lest an awkward situation arise.

Very truly yours,



Elie Yarden, Co-Chair  
Stash Horowitz, Co-Chair  
Cambridgeport Neighborhood Initiative

Copies: Cambridge City Council, for meeting of September 8  
Robert Healy, City Manager

Enclosures:





CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300  
FAX 349-4307



EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

C O N S E N T A G E N D A

JANUARY 12, 1998

DATA

NOTES

1. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number Five**, regarding repair problems at the Frisoli Youth Center.
2. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number Seven**, regarding a report on whether the City can withhold portions of payments to the MBTA for services not delivered and for property not properly maintained.
3. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number Four**, which requested that the City work with Forest City developers to assure that noise from the proposed new buildings do not exceed limits set by City Ordinance.
4. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number Six**, regarding a report on Cambridge's use of its designation as an economic target area.
5. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$550 in the Grant Fund of the Human Services Other Ordinary Maintenance Account from private business donations to be used by Workforce Development to subcontract with agencies to provide summer jobs for youth.
6. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$150 in the Grant Fund of the Human Services Other Ordinary Maintenance Account from the Temple Beth Shalom of Cambridge to provide funds for the Multicultural Task Force to participate in the annual Holocaust Commemoration Services.

C O N S E N T   A G E N D A

JANUARY 12, 1998

DATA

NOTES

PAGE 2

7. Transmitting communication from Robert W. Healy, City Manager, relative to a request by the City Council for the Executive Director for Tourism to be present at the January 12, 1998 Council meeting to discuss the economic analysis and marketing recommendations for tourism in Cambridge.
8. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$3,685 in the General Fund of the Peace Commission Other Ordinary Maintenance Account from the sales of tickets for the second Annual Peace and Justice Awards Dinner.
9. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$350,000 to the Finance Department's Capital account from free cash to provide funds for a consulting group to conduct a financial system needs analysis, assist in the creation of an R.F.P., and assist in the selection of a new financial system for the City.
10. Transmitting communication from Robert W. Healy, City Manager, relative to a second public hearing on the proposed electric restructuring plan filed by the Cambridge Electric Light Company with the state Department of Telecommunications and Energy.
11. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number Eleven**, regarding a report on what ordinances, regulations and state laws apply to the granting of building permits and what input the Council has in the process.
12. Transmitting communication from Robert W. Healy, City Manager, relative to a recommendation from the Planning Board to amend the text of the Zoning Ordinance to extend the effective date of the Industry C and Planned Unit development in IC District Temporary Moratorium, Section 3.13 of the Zoning Ordinance.

C O N S E N T   A G E N D A

JANUARY 12, 1998

DATA

NOTES

PAGE 3

13. Transmitting communication from Robert W. Healy, City Manager, relative Council Order No. 24, dated December 22, 1997, regarding issues surrounding Harvard University's new building (Knafel Center) in the Sumner Road, Cambridge Street, Quincy Street and Kirkland Street block.



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

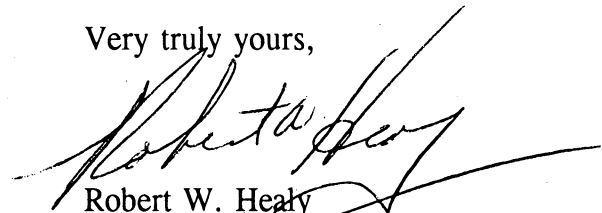
January 12, 1998

To The Honorable, The City Council:

In response to Awaiting Report Item No. 5, regarding repair problems at the Frisoli Youth Center, Public Works Commissioner Ralph Dunphy reports the following:

Work at the playground located at the Frisoli Youth Center were delayed due to the temperature requirements of the adhesive that is used to secure the rubber play surface. The contractor took the opportunity during recent fair weather conditions to complete all needed repairs. At a site inspection conducted on December 18, 1997, all swings were in excellent working condition.

Very truly yours,



Robert W. Healy  
City Manager

RWH/mec



EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



*R.*

January 12, 1998

To The Honorable, The City Council:

In response to Awaiting Report Item No. 7, regarding a report on whether the City can withhold portions of payments to the MBTA for services not delivered and for property not properly maintained, Assistant City Manager for Finance James Maloney reports the following:

The City no longer makes direct payments to the Commonwealth for services such as the MBTA. Money due the Commonwealth for such services is deducted from state aid payments made by the Commonwealth to the City.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139



3.

TEL. 349-4300  
FAX. 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 4, which requested that the City work with Forest City developers to assure that noise from the proposed new buildings do not exceed limits set by City Ordinance, received from Executive Officer of the License Commissioner Richard Scali and Inspectional Services Commissioner Robert Bersani.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec  
attachments



# CAMBRIDGE LICENSE COMMISSION

## CITY OF CAMBRIDGE

831 MASSACHUSETTS AVE., 1ST FLOOR, CAMBRIDGE, MASSACHUSETTS 02139 • TEL. 349-6140

BENJAMIN C. BARNES  
Chairman


CHIEF KEVIN J. FITZGERALD  
Fire Department  
Commission Member

CAPTAIN HENRY W. BREEN  
Police Department  
Commission Member

RICHARD V. SCALI  
Commission Executive Officer

Date: December 19, 1997

To: Robert W. Healy, City Manager

Fr: Richard V. Scali, Executive Officer 

Re: Council Order #043, dated 12/15/97 RE: Work With Forest City Developers To Assure That Noise From the Proposed New Buildings Do Not Exceed Limits Set By City Ordinance.

The License Commission is in receipt of the above council order.

Chief Investigator Andrea Boyer and Inspectional Services Commissioner Robert Bersani have met with Jonathan Ginsberg of Forest City and Robert McCusker of Suffolk Construction on the noise complaints lodged with our departments. Warnings have been given to Forest City and to Suffolk and a copy of the noise ordinance has been provided.

It seems that the warnings have not solved the problems and thus a disciplinary hearing for both Forest City and Suffolk Construction has been set for January 13, 1998, 6:00 p.m., on violations to the noise ordinance for starting construction early in the morning or working late into the night. They could be fined up to \$300.00 per day per violation.

Another informal meeting with Forest City and Suffolk, has been scheduled with myself and Bob Bersani, on Wednesday December 31, 1997.

If you need any further information, please let me know.

cc: Benjamin Barnes, Chairman; Robert Bersani, Commissioner; Susan Schlesinger, Asst. City Manager, CDD

RECEIVED  
97 DEC 22 AM 10:43  
OFFICE OF THE CITY MANAGER



**CITY OF CAMBRIDGE**  
**INTEROFFICE CORRESPONDENCE**

RECEIVED  
97 DEC 19 AM 9:57  
OFFICE OF THE CITY MANAGER

December 18, 1997

To: Robert W. Healy, City Manager

From: Bob Bersani, Inspectional Services

RE: City Council Order #43 dtd. 12/15/97; Subj: The City Manager Is Requested To Appoint Persons To Work With Forest City Developers To Assure That Mechanicals on the Proposed New Buildings Do Not Exceed Limits Set By City Ordinance.

In response to this Council Order, the following information is submitted:

The policy of the Inspectional Services Department is to require the owner to execute an affidavit stating that the provisions of the noise ordinance are understood and that provisions will be taken in the design, specification, and location of noise producing equipment to insure that noise levels will comply with the ordinance. For these projects, affidavits and documentation were submitted concerning compliance with the Noise Ordinance together with the noise provisions of the Zoning Ordinance.

Very truly yours,

A handwritten signature in cursive script that reads "Bob Bersani".

R. R. Bersani



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139



H.

TEL. 349-4300  
FAX. 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 6, regarding a report on Cambridge's use of its designation as an economic target area, received from Assistant City Manager for Community Development Susan Schlesinger.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec  
attachment



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CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

---

SUSAN B. SCHLESINGER  
*Assistant City Manager for  
Community Development*

BETH RUBENSTEIN  
*Deputy Director for  
Community Development*

TO: Robert Healy  
City Manager

FROM: Susan Schlesinger  
Assistant City Manager for Community Development

DATE: December 29, 1997

RE: Council Order #16  
Economic Target Area Designation

The City of Cambridge has had state Economic Target Area designation since October 1994. This designation was obtained for the entire geographic area of the City. ETA designation entitles the City to apply on a project specific basis for Economic Opportunity Area (EOA) designation. The criteria for EOA designation include creating net new jobs; meeting the definitions of blighted open area, decadent area or substandard area defined in the 121A legislation; or having a plant closing or permanent layoffs totaling at least 2,000 jobs. Designation enables the City to abate property taxes in exchange for which the state offers a 5% investment tax credit and/or a 10% abandoned building tax credit.

In Cambridge's economy growth is generated mainly from small entrepreneurial companies that start here and grow, rather than from recruitment of companies from out of town. Therefore, tax abatements have not played a central role in our economic development strategy. In fact, corporate recruitment incentives, including tax abatements, have come under severe criticism from economists in recent years because they pit communities against each other over who will make the greatest offer. In the final analysis, businesses will go where it makes the best business sense, regardless of incentives.

The City's established economic development policy is that property tax abatements be used rarely and strategically. Accordingly, the City of Cambridge has only done one commercial property tax abatement, a 121A tax abatement for Biogen's three phase build-out of up to 600,000 square feet in Kendall Square. In that situation, the abatement was granted for the build-out of land owned by the Cambridge Redevelopment Authority

City Hall which had been off the tax rolls for over twenty years. By abating the taxes and

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57 Isman Street  
Cambridge, MA 02139  
Voice: 617 349-4600  
Fax: 617 349-4669  
TTY: 617 349-4621

---

encouraging development during the severe recession of 1991-2, the City had a net gain of property tax revenues and retained one of our largest employers.

When evaluating requests for property tax abatements, the City looks at some of the following criteria: the business investment will not take place without the tax abatement; the proposed project make a substantial contribution to the community in terms of numbers and quality of jobs; and a new building must be sufficiently large to contribute significant property taxes even with the abatement, generally at least 100,000 square feet. In addition, the City will entertain tax abatements on smaller projects that meet strategically important needs in the community, such as creating or retaining manufacturing jobs or providing a critical service, such as food.

The State approached the City once, in August 1996, requesting that the City provide an EOA designation for a car dealership that was a non-conforming use in a residential zone. Because the jobs created did not address a critical need and the company was planning to come without the incentive, the City declined to offer a tax abatement. At that time, the City Manager informed the state that the City did intend to retain the ETA designation as a tool for future use in strategically appropriate situations.

The City considered a property tax abatement to retain a supermarket in the Purity Supreme building in Central Square. Although the number of jobs is small, the store plays a critical role in the community and the economics of the facility are marginal. However, the current owner was able to take over the facility without an abatement.

The Cambridge economy has been very strong for the last several years, making property tax relief less significant than it might be during a downturn. The City plans to retain its ETA designation so that during the next downturn it will have the tool available for situations in which the tax break could result in needed investment when it otherwise might not take place.



# CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300

FAX 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

TO: The Honorable, the City Council

FROM: Robert W. Healy, City Manager

DATE: April 15, 1994

SUBJECT: Response to Council Order 25 of April 4, 1994

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The 121A tax agreement between the City of Cambridge and Biogen demonstrated that the City of Cambridge will agree to abate property taxes as part of a strategy to promote it's economic development goals. Council Order 25 highlights the need for Cambridge to develop a policy framework for evaluating requests for 121A tax agreements from companies in need of tax relief. This document responds to the Council Order by outlining criteria against which 121A requests can be evaluated.

#### Enhancement of the Tax Base

A primary criteria for granting 121A tax agreements is the enhancement of the tax base by bringing under-utilized property into productive, tax generating use. The 121A tax agreement is regarded by the City of Cambridge as an economic development tool which, over the term of the agreement, will stimulate a net increase in revenues. The net present value of total property taxes paid during the term of a 121A tax agreement will be expected to exceed the net present value of taxes that would have been paid if no 121A tax agreement had been granted. 121A tax agreements will be granted in conformity with the provisions of M.G. L. 121A. Therefore, a 121A tax agreement cannot be granted an existing business unless a new building is constructed or a substantial rehabilitation (representing greater than 50% of the most recent fair market appraisal value) of an existing building is undertaken.

#### Enhancement of the Job and Industrial Base

Cambridge's economy underwent a major transition from a declining industrial economy to a service economy centered on academic, governmental, and medical institutions, and business services derived from these institutions during the last 20 years. It is undergoing another transition as new technologies, such as genetic engineering, founded at academic centers are commercialized. These changes have had a profound impact on the structure of employment in Cambridge. From 1972-1992 Cambridge lost two thirds of its manufacturing base, some 12,000 jobs.

During this period it also lost an additional 2,000 construction jobs. Although Cambridge added 10,000 jobs in the service sector during the eighties, these jobs tend to be concentrated in highly skilled occupations requiring a college degree, such as engineers, and jobs requiring very low levels of skill, such as janitors. Workers used to finding mid-level employment in manufacturing found their options restricted.

Cambridge's academic, medical and governmental institutions provide a stable core to our job base, representing 27% of total jobs, but employment growth in these sectors is expected to be flat in the next decade. Many of the companies that provided job growth in the last decade have actually reduced their labor forces. Polaroid, Lotus, and Bolt, Beranek, and Newman, are among them. In fact, Cambridge experienced a net decline of 2670 jobs between 1990 and 1992.

If Cambridge is to provide opportunities for displaced manufacturing workers, high school graduates entering the labor force, and the many immigrants making a home here, preservation and diversification of the job base is essential. 121A tax agreements should be used as part of Cambridge's long term strategy to promote the maturation of industries which can provide diversified job growth over time, such as biotechnology and other emerging technology industries. These agreements should also be used to attract and retain companies which can meet the objective of diversified job growth in the short term, such as manufacturing.

#### **Community Benefits**

Cambridge businesses have a tradition of corporate good citizenship which should be encouraged in granting 121A tax agreements. It is expected that companies entering into 121A tax agreements will enter into written agreements to participate in activities which directly benefit the Cambridge community. Examples of such activities are listed below. These examples are not exhaustive, nor is any company expected to provide all of them. It is anticipated that companies will develop individualized agreements which may include :

- \* Supporting the preparation of the Cambridge workforce for jobs within the local economy by providing scholarships to technical and academic institutions, offering internships to students in training, establishing mentoring relationships with high school students, donating supplies and equipment to training programs, and participating in the planning and execution of such efforts.

- \* Supporting other community needs. Companies may choose to meet other community needs by contributing to the City's stock of open space and providing ongoing maintenance of such space, participating in joint para-transportation efforts with other employers, and participating in joint child care programs with other employers.

### **Compatibility with Established Planning Goals**

- \* **Zoning.** Projects receiving approval for 121A tax agreements will generally be expected to adhere to established planning and zoning policies. The Cambridgeport Light Industrial Zone already establishes 121A agreements as an economic development strategy to promote manufacturing employment.
- \* **Growth Policy.** The Growth Policy adopted by the Planning Board establishes a vision for the City's future and guidelines for sustainable growth and development in different areas of the City. 121A tax agreements should be compatible with these guidelines.
- \* **Traffic Mitigation.** Projects entering into 121A agreements should support the vehicle trip reduction policies established by the City and have approved transportation management plans.
- \* **Economic Development.** 121A tax agreements should be used as a tool for implementing the City's economic development policies. 121A tax agreements will be used to stimulate economic growth during downturns. The potential for job generation and retention will be a primary consideration in granting 121A tax agreements.

### **Development Characteristics**

- \* Speculative office development should not be considered for 121A tax agreements. To be eligible for a 121A tax agreement, 60% of the gross leasable floor area, excluding parking, must be occupied by the owner or by a major tenant who shall possess and lease the space for a period of not less than 10 years.
- \* Predominantly retail uses will not be eligible.
- \* Build out of 100,000 square feet or greater will be considered.
- \* The development will enhance the overall character of the City and be consistent with good environmental practice.

### **Terms**

- \* Agreements shall be for no longer than 15 years, regardless of the build out schedule.
- \* Financial terms shall be in full agreement with the stipulations of M.G.L. Chapter 121A.
- \* Applicants for 121A agreements should be encouraged to enter into a 6A agreement that provides the City with a near market square foot rate in exchange for tax stability for the owner/tenant.

*Before giving away the state, remember region's strength.*

## N.E. business sense

**Lester C. Thurow**

**L**IVING IN NEW ENGLAND, ONE GETS used to studies purporting to show that other areas of the country are better places to do business — usually on the basis of lower taxes — and that we should do something to improve our business climate.

But the ultimate measure of economic success is per capita personal income. Using this measure of success, New England, and the Northeast more generally, do very well. Regionally, New England's per capita personal income was the nation's highest in 1995 — \$26,509 per person or 16 percent above the national average. The rest of the Northeast held the No. 2 position, only slightly behind.

The nation's top four states in personal income were all in the Northeast: Connecticut, New Jersey, Massachusetts and New York. New Hampshire was sixth.

Two of the nine fastest-growing states were in New England (New Hampshire and Rhode Island) and none of the nine slowest-growing states were in New England.

Looking at disposable personal income per capita, a measure that subtracts taxes, the facts remain unchanged. New England is still the No. 1 region, with disposable per capita income 14 percent above the national average.

Just to put things in comparison, in 1995 the golden state of California ranked 12th in per capita personal income while booming Florida ranked 20th. Both are losing ground when it comes to per capita disposable income. In 1990, California ranked No. 8 and Florida No. 18. Persuading a lot of low-wage employers to move into your state is simply counterproductive. Higher taxes are needed to provide public services for those new workers, but with average wages going down, the per capita tax base to pay for those services declines. A boom in low-wage jobs simply isn't a boom.

The bottom line is simple. Someone must be doing something right in New England and somehow those "high" taxes must not be the handicap that "experts" on business location make them out to be.

One answer is that state and local business taxes are a very small part of the total costs of doing business. Other location factors always dominate. But state and local taxes are easy to calculate and are hence over-

weighted in studies of business climate. The big location determinate is always the cost and quality of the labor force that must be hired. State and local taxes are third order effects, with other factors such as energy costs and transportation costs in second position.

In New England, for example, cutting energy costs is far more important than cutting state and local taxes.

Taxes, depending upon how they are spent, can actually be a positive factor in location decisions. A good education system that turns out a good top-to-bottom work force is worth paying for. A good work force lowers business costs far more than any state or local tax cut and a good education system helps persuade well-educated workers in the rest of the country that they should move into an area and get good education for their children.

None of this means that the New England states should be unconcerned about their competitive position. But it does mean that this concern has to be a sophisticated concern and not the simple "lash and burn" cut-

the-government remedy so suggested.

A sophisticated concern means going through each of the costs of doing business and seeing where public actions might reduce those costs. Are there ways to reduce workers' compensation costs that don't cut the benefits to those genuinely injured on the job? Are there ways to restructure energy markets to lower costs? Does our infrastructure give us the lowest

possible transportation costs?

Where lies the biggest bang for the buck in new infrastructure investments? What factors would lead New England to be seen as the best place for knowledgeable workers to develop their careers? What would make it an even better place to start up high-tech companies. Are there public services that we don't need or cheaper ways to provide those services we do need?

In each of these areas, there are things that could be done to make New England a better place to do business. But as we do so, we should also remember that based on outcomes — the only thing that ultimately counts — New England is already the country's best place to do business.

*Lester C. Thurow is professor of management and economics at the MIT Sloan School of Management.*

Persuading a lot of low-wage employers to move into your state is simply counterproductive.



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



5.

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

I am hereby requesting the appropriation of \$550.00 in the Grant Fund of the Department of Human Services Other Ordinary Maintenance Account from private business donations. These funds will be utilized by the Workforce Development Office to subcontract with agencies to provide summer jobs for youth.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139



TEL. 349-4300  
FAX. 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

I am hereby requesting the appropriation of \$150.00 in the Grant Fund of the Department of Human Services Other Ordinary Maintenance Account from The Temple Beth Shalom of Cambridge. These funds have been donated for the Multicultural Task Force's participation in the annual Holocaust Commemoration Services.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

At the request of the City Council, please be advised that Maura Smith, Executive Director of the Cambridge Office for Tourism, will be present at the January 12, 1998 City Council meeting to answer any questions the Council may have related to the economic analysis and marketing recommendations for tourism in Cambridge. These reports were previously transmitted to the Council in the package on December 12, 1997.

Very truly yours,

Robert W. Healy  
City Manager

RWH/mec



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



8.

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

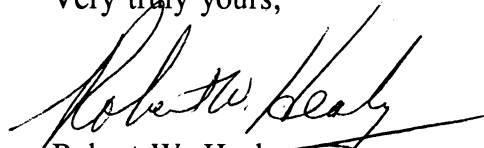
RICHARD C. ROSSI  
Deputy City Manager

January 12, 1998

To The Honorable, The City Council:

I am hereby requesting the appropriation of \$3,685.00 in the General Fund of the Cambridge Peace Commission Other Ordinary Maintenance Account from ticket sales. The Cambridge Peace Commission sponsored the second annual Peace and Justice Awards Dinner. The evening is a dinner and ceremony honoring 30 citizens or groups who have contributed to building a safer or more equitable City. Recipients range from neighborhood activists to church supporters to setters of national policy. More than 275 people attended at a cost of \$15.00 per tickets for adults and \$5.00 for children.

Very truly yours,

  
Robert W. Healy  
City Manager

RWH/mec



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307



9.

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

January 12, 1998

RICHARD C. ROSSI  
Deputy City Manager

To The Honorable, The City Council:

**Recommendation:** Appropriate \$350,000 to the Finance Department's Capital account to provide funds for a consulting group to conduct a financial system needs analysis, assist in the creation of an R.F.P., and assist in the selection of a new financial system for the City. The selection of a new financial system will in turn dictate the selection of a compatible Windows based development language for the creation and conversion of non-financial systems applications. Funds for this appropriation will be from free cash.

**Background:** The City's current financial system has been in place for 11 years. According to the R.F.P. which was developed in 1986, the financial system to be selected at that time was to:

1. "Provide a cornerstone system for the long range (5-10 years) computer requirements of the City."
2. "Meet the immediate fiscal/administrative system short range (1-2 years) computer requirements of the City."

Clearly, the current system has met and exceeded the original timeline expectations. With rapid changes in technology, the current system no longer provides the compatibilities to meet current City demands for analysis, management reporting, data compatibility with desktop applications, rapid application development and enhanced user interface.

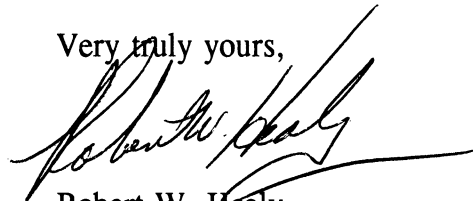
In August of this past year, the City Council made a preliminary appropriation of \$40,000 to begin the selection process of a vendor to assist in the first phase of this project. During the fall, an R.F.P. was developed and sent out to numerous management consulting firms to solicit their interest in this project. In December, the Financial System Selection Committee reviewed 5 proposals and determined that two met the expectations of the R.F.P. The Selection Committee selected the Hunter Group as its preferred consulting group. The Hunter Group's fee for the financial system needs analysis, R.F.P. development and new system selection is \$390,000. The committee's second choice, another major consulting firm, had required fees of over \$680,000. As the City Council has already appropriated \$40,000 for this project a net of \$350,000 is being requested now.

The Honorable, The City Council  
January 12, 1998  
Page 2

It is expected that the timeline to select a new financial system is approximately 6 months with a conversion period of 18 to 24 months to follow. Funds for the new financial system will be requested in the FY1999 Capital Budget if adequate cost estimates are available. If adequate cost estimates are not available, an appropriation will be sought later in a supplemental budget request.

Passage of this appropriation is strongly recommended.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy  
City Manager

RWH/mec



10.

CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300

FAX 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

January 7, 1998

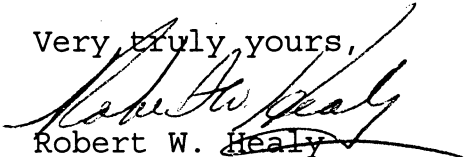
To the Honorable, the City Council,

Communication #021 from the Council's meeting of December 15, 1997 referred to me a notice of a proposed electric restructuring plan filed by Cambridge Electric Light Company with the state Department of Telecommunications and Energy (the DTE--formerly the DPU). The notice delineated the very short timeline set by the DTE for action on CELCo's plan. For example, the deadline for parties to intervene in the DTE's adjudicatory proceeding was December 15, 1997; a public hearing at the Cambridge Senior Center was to be held Monday night, December 22 at 7:00 p.m.; and written comments were to be submitted to the DTE by December 24, 1997 (Christmas Eve).

I sent a letter to DTE dated December 17 (previously copied to the Council) objecting to the timeline. Also, the City has retained expert legal consultant Denzil D. McKenzie to analyze the plan in light of the new legislation on electric restructuring (Chapter 164 of the Acts of 1997).

In response to the City's actions, the DTE has scheduled a second public hearing (in addition to the sparsely attended hearing it held in Cambridge on December 22), for January 22, 1998 at 7:00 p.m. at the Senior Center and has allowed the City time after the second public hearing to submit written comments.

Very truly yours,

  
Robert W. Healy  
City Manager

To The Honorable, the City Councillors  
From Cambridgeport Neighborhood Initiative  
Re 784 Memorial Drive LLC  
Date Jan 8, 1998.

RECEIVED BY  
OFFICE OF CITY CLERK  
98 JAN -8 PM 4:57  
(CNI)  
CAMBRIDGE MA.

Attached is a 5-page letter to  
R. Jeffrey Lyman, Director of Mass Environmental  
Protection Act unit (MEPA), regarding requiring  
an ENF and EIR for this proposed project

For the CNI  
Steve Horowitz  
Deputy Chief

15-1

RECEIVED BY  
OFFICE OF CITY CLERK

98 JAN -8 PM 4: 57

CAMBRIDGE MA  
January 8, 1988

R. Jeffrey Lyman, Director  
MEPA Unit  
Executive Office of Environmental Affairs  
100 Cambridge Street  
Boston, MA 02202

Dear Mr. Lyman,

At our previous meeting with you on June 16, 1997, you explained to us the workings of the MEPA regulations, and how 301 CMR 11.00 might pertain to the project of 300,000 sq ft of office space at 784 Memorial Drive in Cambridge.

Since then, the Cambridgeport Neighborhood Initiative (CNI), a community group which includes abutters and near-neighbors to this six acre site, numbering 85 households and 125 members, has obtained information about the proposed project. We have also received letters and opinions from five state agencies regarding due diligence, traffic, permits and funding: the Metropolitan District Commission (MDC), the Department of Environmental Protection (DEP) Site Management Section, the DEP Waterways Regulation Program (Chapter 91), the Massachusetts Water Resources Authority (MWRA), and the Massachusetts Historical Commission (MHC).

Based on the information contained therein, and also on further information that we are providing, we are of the opinion that an Environmental Notification Form (ENF) is required for this project, and trust that you and Secretary of Environmental Affairs, Trudy Coxe, concur. Also, we are of the opinion that one of the Review Thresholds for Categorical Inclusions has been exceeded, and therefore requires both an ENF and an Environmental Impact Report (EIR), according to 11.25 (19).

The project's chief proponent Spaulding & Slye, has recently assumed majority ownership of the site, by purchase from Polaroid Corp. The proponent alleges that there is no need to receive any State permits or to file an ENF.

CNI strongly contests this position, based on the information submitted below regarding State agencies' actions, on the attached exhibits, which deal with traffic, environmental concerns, State permits, Cambridge City Council orders, the proponent's schedule for phasing or segmentation, and very recent change in ownership. MEPA review and ENF are justified by 11.02 (1); 11.03 (1), (3); 11.16; 11.27 (3) (a) 2 and (4) (a); and by categorical inclusion, an EIR as well, by 11.25 (19).

15-2

**Traffic**

The proponent did not plan to conduct or commission a traffic study for the project. A Cambridge City Council order of June 2 (Cf. Exhibit K) requesting such a study led to reconsideration, and a traffic study was prepared for Spaulding & Slye, and submitted November 26, 1997, by Vanasse & Associates (Cf. Exhibit C). The CNI neighborhood group produced its own study, by Stephen H. Kaiser, traffic engineer, Part I of which was issued December 10 (Cf. Exhibit D).

The Vanasse study, using ITE trip generation standards, estimates total daily vehicle trips and additional daily vehicle trips as 2710 and 2709, or 90% of the categorical threshold of 3000. Severe internal inconsistencies in the data presented in Tables 8, 10, and 11, which we consider in detail in Appendix I (Cf. Appendix I), lead to the conclusion that the threshold of 3000 daily vehicle trips is exceeded.

Comparison of the Vanasse and Kaiser traffic studies shows major discrepancies in the ability of peak weekday afternoon traffic to exit into Memorial Drive from Pleasant Street (compare Figures 9 and 13 of the Vanasse study showing 53 left turns and 98 right turns with long queues on Memorial Drive in the Kaiser study, making such turns improbable in the absence of a traffic signal at this crucial intersection for exit from the 577-car garage via the Pleasant Street curb cut. Over three quarters of the thousand or so employees in this project would use single occupancy vehicles and at least 80% of them would use Memorial Drive, or cross it at one of two congested intersections.

In this connection, the MDC Director of Planning, Julia O'Brien, sent you a letter about the negative impacts of this project on an MDC highway, Memorial Drive. In recommending that an ENF be filed, she states, "Given the volume of peak hour traffic proposed . . . it would appear that there is a significant traffic burden on a road of the Commonwealth, and that an evaluation of this burden and a program for traffic mitigation would be appropriate. Such an evaluation could best be accomplished through the filing of an Environmental Notification Form with back up traffic data and mitigation proposals." (Cf. Exhibit E)

The major conclusion of the Vanasse study (Cf Exhibit C, p. 31), that ". . . there are no locations where the project causes a deterioration of traffic condition level of service." simply means that the Levels of Service (LOS) are already at Level F, the worst available, i.e., longest delays in seconds, at both non-signalized and signalized intersections. Maintaining that delays >45 seconds and >60 seconds are not worsened by significant *additional* traffic from the placing of a 577-car garage, because Levels F have already been achieved and thus remain F is specious reasoning. (Cf. Exhibit C, Tables 14, 15). In addition, maximum queues in the Vanasse study are dismissed as low numbers with + signs after them. (Cf. Tables 5, 6). Given the pre-existing LOS of "F," the mitigations listed on page 31 in the proponent's traffic study would certainly not bring about significant abatement of the negative impacts of the garage, the resulting additional queue lengths, and air pollution.

**Environmental Issues**

Two spills have been reported on this site, which has a long history of chemical and industrial use. One is particularly troubling (RTN #3 - 1959). Based upon his review of this mandated cleanup, Stephen M. Johnson, Site Management section chief for the DEP's Northeast

15-3

region, wrote a letter to Polaroid, strongly suggesting that additional soil testing be done at those locations where chemicals were used, before any construction commences. (Cf. Exhibit F) He reaffirmed this, in stronger terms, in a letter sent November 13, 1997, to Cambridge city officials. (also cf. Exhibit F)

In addition, the Cambridge City Council passed an order June 23 (Cf. Exhibit K) recommending that Polaroid Corp. conduct additional soil testing on the site before any demolition or construction.

Sanborn maps show extensive industrial use dating from 1886 by companies making uncontrolled use of dangerous chemicals. The CNI plans to request a targeted audit of RTN #3 - 1959 from DEP, and will be happy to provide more background information on the chemicals and manufacturing processes in use on this site. Additionally, an Activity & Use Limitation (A&UL) was placed on the adjacent 727 Memorial Drive site before it was sold two years ago, preventing residential construction due to high levels of lead in the soil. Since housing is proposed as a phase of this project, it is especially important to note that no heavy metals testing has been done.

#### **Previous Purchase Attempts & Due Diligence**

Polaroid Corp's property had been up for sale 5-6 years prior to this project. In 1993, Vertex Pharmaceuticals of Cambridge walked away from a signed P & S agreement, forfeiting a half-million dollar deposit, after conducting their own due diligence.

Polaroid refused to sell the property to Equity Company in 1996, when the latter requested that due diligence be done before the purchase, with regard to Chapter 21E, and specifically refused to allow an ENF on other state agencies' reviews, terminating the potential sale. (Cf. Exhibits L, M for a detailed history of the purchase attempt; and Exhibit N for a Boston Globe article from May, 1996).

There is a lis pendens on the property, pending resolution of a suit by Equity Company against Polaroid Corp. and Spaulding & Slye, in Middlesex Superior Court, #96-6726 (Cf. Exhibit M). Depositions of another potential purchaser of this property, Lyme Properties of New Hampshire, also confirm the pattern of avoidance of state and public review. (A copy can be provided, if needed.)

#### **Phasing & Timing**

The proponent intends to phase the project, initially using surface parking for 90 cars. One office tower and the garage will be built when tenants and financing become available. 30 or more units of housing may be built by another agent on the neighborhood side, but no written agreement exists.

The proponent, 784 Memorial Drive LLC, sent announcements recently to abutters about "dismantling" of the rear buildings beginning in mid-January. CNI fails to see how this can be

done without an MWRA 8M permit, which has not been applied for. But if this is the case, we are requesting determination by MEPA of the need for an ENF filing by the proponent, for the above reasons, to put on hold any State action, until such time as question in the ENF have been responded to, and the public and various agencies have a chance to comment.

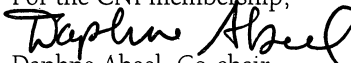
**Ownership**


On December 30, 1997, a Quitclaim Deed was registered in the Middlesex South District Registry of Deeds (Cf. Exhibit O). Polaroid Corp as grantor sold the property to 784 Memorial Drive LLC as grantee, a foreign company registered in Delaware. The managing member is Spaulding & Slye Memorial Drive LLC, and the responsible party is Spaulding & Slye Real Estate Services Co. Inc.

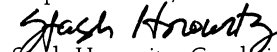
We assume that this new owner would be the responsible party to file the ENF


We thank you for your consideration and attention. Should you need further documentation or information on any of the above matters or Exhibits, please contact the CNI c/o Stash Horowitz, 12 Florence Street, Cambridge, MA 02139-4635 or call (617) 491-1534.

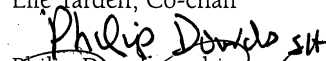
For the CNI membership,

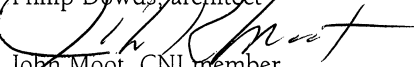
  
Daphne Abeel, Co-chair

  
Stephen Kaiser, traffic consultant

  
Stash Horowitz, Co-chair

  
Elie Yarden, Co-chair

  
Philip Dowds, architect

  
John Moot, CNI member

15-5

APPENDIX I

DERIVATIONS OF TOTAL SITE-GENERATED VEHICLE TRIPS

Inconsistencies abound in the Vanasse Traffic Study for Spalding & Slye (Cf. Exhibit C). These are especially important, since the total site trips are listed as 2709 and 2710 in Tables 11 and 10. This represents 90% of the MEPA Review Threshold for Categorical Inclusion in 11.25 (19).

Land use codes (LUC) have been manipulated to force the numbers below 3,000 trips. The project is advertised as "240,000 sq.ft. of first class office space," and no owner can guarantee a less dense usage as occurs in other LUCs.

In Table 10, 175,000 sq.ft. of the 295,000 total (or 59%) is listed as LUC 714 (Corporate headquarters), and 120,000 sq.ft. (or 31%) as the much less dense LUC 760 (Research and Development).

Yet in Table 8, which represents a more reasonable actual rental pattern, and uses Vanasse's own data:

- 120,000 sq.ft. is LUC 710
- 55,000 sq.ft. is LUC 714
- 60,000 sq.ft. is LUC 715
- 60,000 sq.ft. is LUC 760

The above represents 958 employees, requiring 891 parking spaces.

The greater density uses for this property would cause it to exceed 3,000 daily trips. In any case, it is clear that internal inconsistencies in the Tables and in LUC usage invalidate the 2,700 number, requiring it to be higher.

Several other factors show additional potential for error. In Table 11 (page 23), 45,000 sq.ft. of LUC 710 generate 768 daily vehicle trips. In Table 10 (page 22), a larger area of 55,000 sq.ft of LUC 714 (Corporate headquarters) generate only 440 trips. Thus shifting of LUC from 710 (120,000 sq.ft. in Table 8) to 714 (120,000 sq.ft. in Table 10) and projecting it into Table 11 figures causes an artificially-induced decrease of 43% in vehicle trips.

Since 120,000 sq.ft. represents 40% of the proposed project's total size, vehicle trips would then total:

$$2710 \times 60\% = 1626$$

$$2710 \times 768/440 \times 40\% = 2710 \times 1.75 \times 40\% = 1897$$

$$\text{Total vehicle daily trips} = 3523$$

Obviously, there exists confusion in the Vanasse study about total vehicle trips, and an ENF would result in clarification of whether a categorical threshold has been exceeded, since other analyses would then be forthcoming.

15-6

Consent Communication #15

5-19

Communication was received from  
Stash Horowitz and Daphne Abeel  
regarding 784 Memorial Drive.

In City Council January 12, 1998

**PLACED ON FILE**