City of Cambridge

CALENDAR ITEM #2 AMENDED

In the Year One Thousand, Nine Hundred NINETY-SIX

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

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

That the Zoning Ordinances of the City of Cambridge is hereby amended by striking out the designation Residence C-2 and substituting therefor the designation Residence B for that area of land described thus:

Beginning at a point said point being the intersection of the centerline of Linnaean Street and the eastern lot line of lot #8 as shown as Assessors' Plat #211 and its extension;

Thence running northerly along the eastern lot line of lot #8 as show on Assessors' Plat #211 and its extension for 125 feet more or less to its point of intersection with a line 100 feet distant from and parallel to the northern streetline of Linnaean Street;

Thence running westerly along a line 100 feet distant from and parallel to the northern street line of Linnaean Street for a distance of 80 feet more of less to its intersection with the western lot line of lot #8 as shown on Assessors' Plat #211;

Thence running in a southerly direction along the western lot line of lot #8 as shown on Assessors' Plat #211 and its extension for a distance of 125 feet more or less to its intersection with the centerline of Linnaean Street;

Thence running in an easterly direction along the centerline of Linnaean Street for a distance of 80 feet more or less to the point of origin.

Premises of the following parcel as designated on Assessors' Plat #211: Odd number 33 Linnaean Street and which includes all or part of lot number 8.

In City Council October 7, 1996
Failed of Ordination by yea and nay vote:-
Yeas 6; Nays 3; Absent 0.
Attest:- D. Margaret Drury, City Clerk.
A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

CALENDAR ITEM #2 ORIGINAL

In the Year One Thousand, Nine Hundred NINETY-SIX

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

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

That the Zoning Ordinances of the City of Cambridge is hereby amended by striking out the designation Residence C-2 and Residence B and substituting therefor the designation Residence A-2 for that area of land described thus:

Beginning at a point said point being the intersection of the centerline of Linnaean Street and the eastern lot line of lot #8 as shown as Assessors' Plat #211 and its extension;

Thence running northerly along the eastern lot line of lot #8 as shown on Assessor's Plat #211 and its extension for 125 feet more or less to its point of intersection with a line 100 feet distant from and parallel to the northern streetline of Linnaean Street;

Thence running westerly along a line 100 feet distant from and parallel to the northern street line of Linnaean Street for a distance of 230 feet more or less to its intersection with the centerline of Avon Hill Street;

Thence running in a southerly direction along the centerline of Avon Hill Street for a distance of 125 feet more or less to its intersection with the centerline of Linnaean Street;

Thence running in an easterly direction along the centerline of Linnaean Street for a distance of 230 feet more or less to the point of origin.

Premises of the following parcels as designated on Assessors' Plat 211: Odd numbers 33, 37 and 39 Linnaean Street and which includes all or parts of lots numbered 8, 9, and 10.

Passed to a second reading at the City Council meeting held on July 29, 1996 and on or after August 12, 1996 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

CCM-101

City of Cambridge

Calendar Item #2

IN CITY COUNCIL

October 7, 1996

COUNCILLOR GALLUCCIO

RESOLVED: That the City Council go on record urging continued negotiations between the developers and neighbors prior to the developer's filing a building permit and the neighbors refiling a zoning petition; and be it further

RESOLVED: That the neighbors and developers report back regarding their progress at the next City Council meeting.

In City Council October 7, 1996
Adopted by the affirmative vote of eight members.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:- D. Margaret Drury

D. Margaret Drury
City Clerk

COUNCILLOR TRIANTAFILLOU RECORDED IN THE NEGATIVE ON THIS MATTER.

C. C. 106.

City of Cambridge

MASSACHUSETTS

Calendar # 2 In City Council 10/7, 199

Amendment to zoning petition Rowe

YEA	NAY	ABSENT	PRESENT	
✓				V.M. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
			✓	Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
	✓			Mayor Sheila T. Russell
6	2	0	1	

amendment to petition carried

C. C. 106

City of Cambridge

Calendar #2

MASSACHUSETTS

In City Council 10/7, 1996

On the Table #2

~~Unfinished Business #~~

Rowe Petition to amend Zoning Ordinances

YEA	NAY	ABSENT	PRESENT	
✓				V.M. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
	✓			Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
	✓			Mayor Sheila T. Russell
6	3	0	0	

FIRST PUBLICATION NO. 2717

City of Cambridge

Calendar Item B

In the Year One Thousand, Nine Hundred NINETY-SIX amended

AN ORDINANCE

In Amendment to the "Zoning Ordinances of the City of Cambridge."

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

That the Zoning Ordinances of the City of Cambridge is hereby amended by striking out the designation Residence C-2 ~~and Residence B~~ and substituting therefor the designation Residence ~~A-2~~ B for that area of land described thus:

Beginning at a point said point being the intersection of the centerline of Linnaean Street and the eastern lot line of lot #8 as shown as Assessors' Plat #211 and its extension;

Thence running northerly along the eastern lot line of lot #8 as shown on Assessor's Plat #211 and its extension for 125 feet more or less to its point of intersection with a line 100 feet distant from and parallel to the northern streetline of Linnaean Street;

Thence running westerly along a line 100 feet distant from and parallel to the northern street line of Linnaean Street for a distance of ~~230~~ 80 feet more or less to its intersection with the ~~centerline of Avon Hill Street~~ western lot line of lot #8 as shown on Assessors' Plat #211;

Thence running in a southerly direction along the ~~centerline of Avon Hill Street~~ for a distance of 125 feet more or less to its intersection with the centerline of Linnaean Street;

Thence running in an easterly direction along the centerline of Linnaean Street for a distance of ~~230~~ 80 feet more or less to the point of origin.

Premises of the following parcels as designated on Assessors' Plat 211: Odd numbers 33, ~~37 and 39~~ Linnaean Street and which includes all or parts of lots numbered 8, ~~9, and 10~~.

Passed to a second reading at the City Council meeting held on July 29, 1996 and on or after August 12, 1996 the question comes on passing to be ordained.

Failed of ord 6-3-0

ATTEST:- D. Margaret Drury, City Clerk

western lot line of lot #8 as shown on Assessor's Plat #211 and its extension

Rowe Petition

10/7/96

October 7, 1996

Amendments to "Amendment to the 'Zoning Ordinances of the City of Cambridge,' First Publicaton No. 2717."

In paragraph one delete the words "and Residence B"; also in paragraph one delete "A-2" and substitute "B".

In paragraph four delete "230 feet" and substitute "80 feet"; also in paragraph four delete "centerline of Avon Hill Street" and substitute "western lot line of lot #8 as shown on Assessor's Plat #211".

In paragraph five delete "centerline of Avon Hill Street" and substitute "western lot line of lot #8 as shown on Assessor's Plat #211and its extension".

In paragraph six delete "230 feet" and substitute "80 feet".

Delete paragraph seven and substitute:

"Premises of the following parcel as designated on Assessor's Plat 211: Odd number 33 Linnaean Street and which includes all or part of lot numbered 8."

Roll Call
6-2-0-1

AG

Resolved: City Council go on record ~~supporting~~ urging continued negotiations between the developers and neighbors prior to developer filing a building permit ~~and~~ a neighbors if filing a zoning petition; and further

Resolved: That the neighbors and developer Report back regarding their progress at next City Council meeting

W/

8 - 1

~~FF~~

KT

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

July 29, 1996

TO: SALLY POWERS
ASSESSORS DEPARTMENT

FROM: D. MARGARET DRURY DMD
CITY CLERK

SUBJECT: WRITTEN PROTEST TO ZONING PETITION

Attached you will find two copies of written protest filed regarding the petition of Mary Rowe, et al.

Please check the block and lots and forward one copy with the block and lot information included to the Engineering Department.

Thank you for your cooperation.

CEA GROUP, INC 1105 MASSACHUSETTS AVENUE ☐ SUITE 2F ☐ CAMBRIDGE, MA 02138 617 576-6500 FAX 864-7250

RECEIVED BY
OFFICE OF CITY CLERK
96 JUL 29 PM 12:15
CAMBRIDGE MA.

July 29, 1996

HAND DELIVER

Ms. Margaret Drury
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Re: Downzoning Petition
33 Linnaean Street

Dear Ms. Drury:

I am the owner of the property located at 33 Linnaean Street. This property is the subject of a zoning petition filed by Rowe, et al.

Please be advised that I object to this petition.

Thank you.

Sincerely,

Steven A. Cohen, Trustee
33 Linnaean Street Trust

☐
CEA DEVELOPMENT CORP.
ARALIA ARCHITECTURE/PLANNING, INC.
ARALIA CONSTRUCTION, INC.
CEA MANAGEMENT CORP.

Cambridge Department of Public Works

147 Hampshire Street
Cambridge MA 02139
Tel: (617) 349.4800
Fax: (617) 349.4868

RECEIVED BY
OFFICE OF CITY CLERK
96 AUG 13 AM 11:21
CAMBRIDGE MA.

FAX TRANSMISSION COVER SHEET

Date: August 13, 1996

To: Margaret Drury

Subject: Zoning Petition for 33 Linnaean Street

Sender: Martha Bavaro, Administrative Assistant

Fax #:

YOU SHOULD RECEIVE 5 PAGE(S) [Number of pages including this page].
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL: **349-4826** (Martha Bavaro)

NOTES:

Margaret,

After we met regarding the above mentioned zoning petition, I called Steven Cohen to inquire if he was the owner of the property. He faxed me a copy of his deed. Under these circumstances, I will process the information, unless I hear from you.

Thank you

CEA GROUP INC.

1105 MASSACHUSETTS AVENUE SUITE 2F
CAMBRIDGE, MASSACHUSETTS 02138
TELEPHONE: (617) 576-6500
FAX: (617 864-7250

FAX COVER SHEET

DATE: August 12, 1996

TO: MARTHA
CAMBRIDGE ENGINEERING DEPARTMENT

FAX NO: 349-4868

FROM: STEVEN A. COHEN

RE: LINNAEAN STREET DOWNZONING PETITION

TOTAL PAGES SENT (INCLUDING COVER SHEET): 4

COMMENTS:

Closing: April 30, 1996.
Buyer: Steven A. Cohen, Trustee of of 33 Linnaean Street Trust, under Declaration of Trust dated April 30, 1996, recorded in the Middlesex South Registry of Deed on April 30, 1996.

I have enclosed a copy of the deed. I don't have the original back from the Registry yet.

I have also enclosed a copy of the letter which I submitted objecting to the zoning petition.

Please let me know if you need any further information at this time. Thank you.

CEA GROUP, INC. 1105 MASSACHUSETTS AVENUE ☐ SUITE 2F ☐ CAMBRIDGE, MA 02138 ☐ 617 576 6500 FAX 864 7250

July 29, 1996

HAND DELIVER

Ms. Margaret Drury
City Clerk
City of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Re: Downzoning Petition
33 Linnaean Street

Dear Ms. Drury:

I am the owner of the property located at 33 Linnaean Street. This property is the subject of a zoning petition filed by Rowe, et al.

Please be advised that I object to this petition.

Thank you.

Sincerely,

Steven A. Cohen, Trustee
33 Linnaean Street Trust

QUITCLAIM DEED

We, Roger Marshall and Jenny A. Marshall, tenants in common, respectively of 45 Calumet Road, Holyoke, Hampden County, Massachusetts 01040, and 33 Linnaean Street, Cambridge, Middlesex County, Massachusetts 02138, being unmarried, for consideration paid, and in full consideration of Eight Hundred Forty-Five Thousand and No Cents ($845,000.00) grant to Steven A. Cohen, Trustee of 33 Linnaean Street Trust, u/d/t dated _____, 1996, and recorded in the Middlesex South Registry of Deeds as Instrument No. _____

A certain parcel of land with the buildings thereon situated on the northerly side of Linnaean Street in Cambridge, being now numbered 33 on said Linnaean Street, being bounded and described as follows:

SOUTHERLY: by said Linnaean Street, eighty (80) feet, ten and 1/4 (10 1/4) inches;

EASTERLY: by land of owners unknown, one hundred fifty (150) feet;

NORTHERLY: by land of owners unknown, eighty (80) feet;

WESTERLY: by land of owners unknown, one hundred sixty-one and 8/10 (161.8) feet.

Containing 12,392 square feet of land, more or less.

Being the same premises conveyed to said Grantors by deed dated December 20, 1994, recorded with Middlesex South District Deeds, Book 25086, Page 130.

Witness my hand and seal this _____ day of _____, 1996.

_____
Roger Marshall

The Commonwealth of Massachusetts

, SS Date:

Then personally appeared the above-named Roger Marshall and acknowledged the foregoing instrument to be his free act and deed, before me

_____
Notary Public
My Commission Expires:

Witness my hand and seal this _____ day of _____, 1996.

The Commonwealth of Massachusetts

, SS Date:

Then personally appeared the above-named Jenny A. Marshall and acknowledged the foregoing instrument to be her free act and deed, before me

_____
Notary Public
My Commission Expires:

4.

STEPHEN DIAMOND - ARCHITECT
27 Linnaean Street, Cambridge, MA 02138
(617) 876-1919

Cambridge City Council.
City Hall
Cambridge, MA 02139

20 June, 1996

RECEIVED BY
CITY CLERK
'96 JUN 24 P12:08
CAMBRIDGE, MASS.

Re: Linnaean/Avon Hill Street, down-zoning petition

Dear Honorable Council Members:

As a resident at Unit 4, of 27 Linnaean Street, I wish to record strong support for the down-zoning petition for the corner properties on Linnaean and Avon Hill Streets.

I have lived in this neighborhood for many years, first renting a room in a house on Gray Street in 1952 and know very well both the advantages and problems of living in this area.

The neighborhood around these properties recognized the existing problem of growing density of development, increase of traffic and automobile parking, and achieved a general down-zoning in 1978 with the help of the Cambridge City Council. The community expressed its wishes then, and the Council agreed. Since then the pressure for development and the reduction in green open space has become even more critical.

At that time, the one property, 33 Linnaean Street, immediately adjacent to our apartment building (now the Washingtonian Condominium) was omitted from the down-zoning. In a sense the omission of this property at the time of the general down-zoning has the character of "spot zoning" for a particular owner. A careful look at the present zoning map reveals that except for 33 Linnaean Street, properties then developed at low density family density up the hill from Linnaean Street were made A-2. Only the other properties **which were already** developed more densely such as our apartment building retained the higher density zone.

The direction of density on our street is **not** toward more high density development - but away from it. Three properties across the street which were multifamily have been or are being reduce to single family occupancy. The southerly side of Linnaean Street is retaining its primarily lower density character.

Please help to retain this lower density development.

Very Truly yours,

Stephen Diamond

Stephen Diamond

Consent Communication #4

Communication was received from Stephen Diamond, transmitting strong support for down-zoning petition for the corner properties on Linnaean and Avon Hill Streets.

In City Council July 29, 1996

CHARLOTTE SELLERS DIAMOND - L.I.C.S.W.
27 Linnaean Street, Cambridge, Ma 02138
(617) 876-1919

5.

20 June, 1996

Cambridge City Council
City Hall
Cambridge, MA 02139

RECEIVED BY
CITY CLERK'S
96 JUN 24 P 12:08
CAMBRIDGE, MA.

Re: Linnaean/Avon Hill Street, down-zoning petition

Dear Honorable City Council Members:

As a resident at Unit 4, of 27 Linnaean Street, I wish to record strong support for the down-zoning petition for the corner properties on Linnaean and Avon Hill Streets.

I am a Cambridge resident since 1969, moving into this apartment on Linnaean Street in 1977.

In 1978 the neighborhood around these properties recognized the existing problem of growing density of development, and the increase of traffic and automobile parking. With the help of the Cambridge City Council they achieved a general down-zoning. The community expressed its wishes then, and since then the pressure for development and the reduction in green open space has become even more critical.

The three properties listed in this present down-zoning petition hold attractive low density family homes which comprise, as a group, an inviting gateway to the low density family development on Avon Hill behind them. The lot at 33 Linnaean provides a welcome and necessary open green space for all of the surrounding properties including our apartment building.

Along Linnaean Street the the early construction of apartment buildings has **not** continued. The residential character now has the feeling of low density on Linnaean. Across the street from us, in fact the direction of density is now downward, with three buildings which had accommodated several families being returned to **single** family occupancy.

Please help us to enhance and maintain the low density character of our area.

Very Truly yours,

Charlotte Sellers Diamond

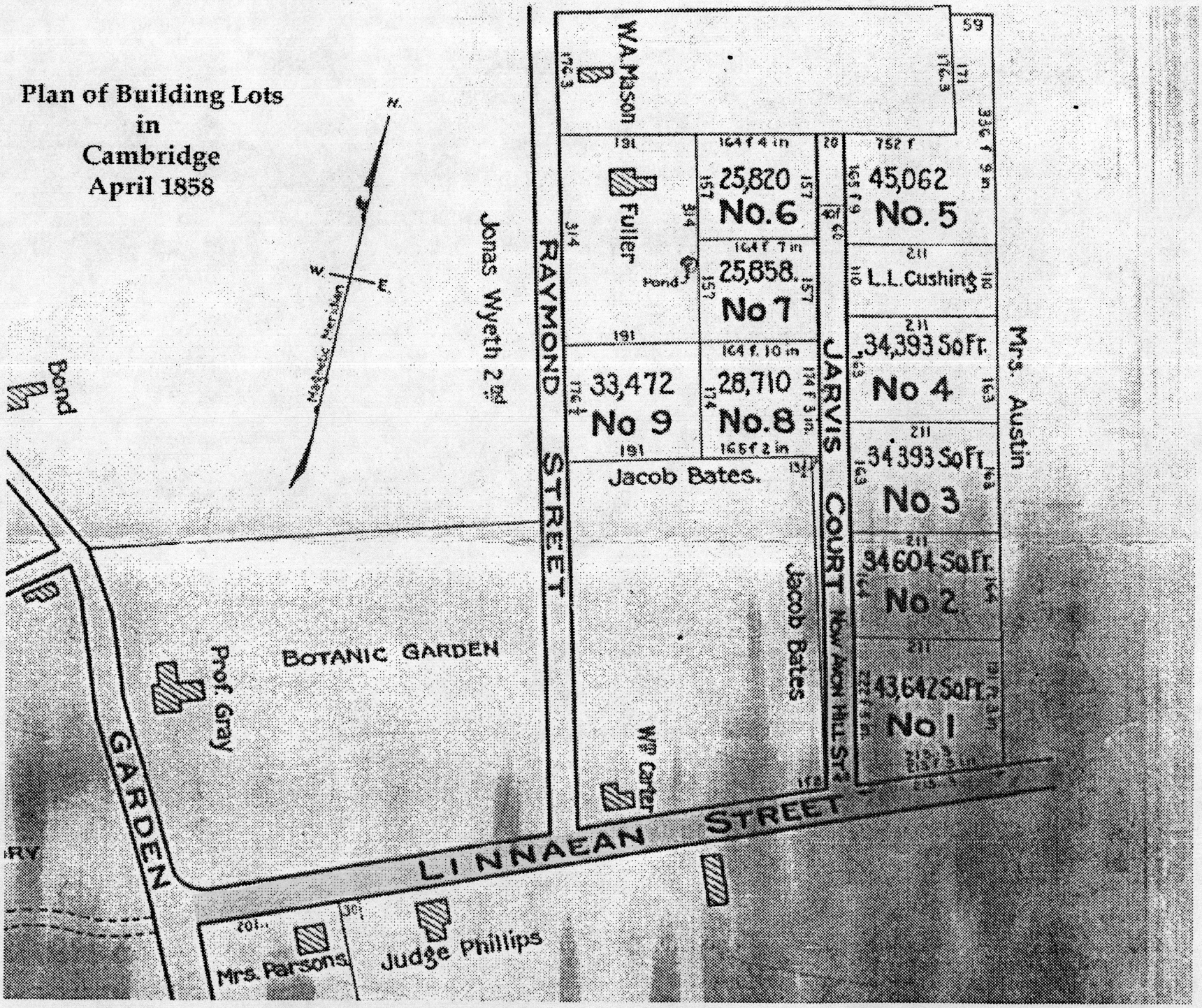
Consent Communication #5

Communication was received from Charlotte Sellers Diamond, transmitting strongsupport for the down-zoning petition for the corner properties on Linnaean and Avon Hill Streets.

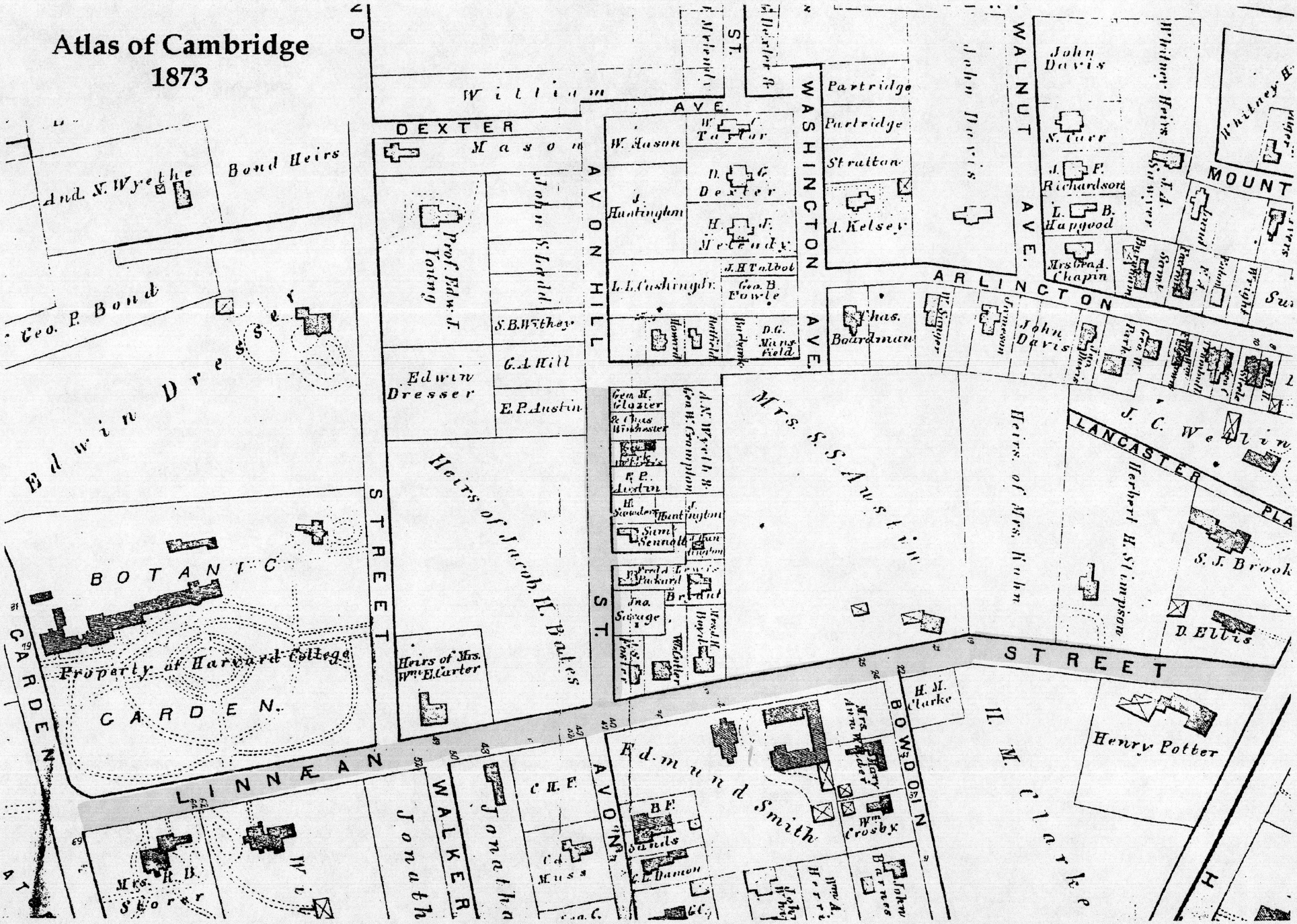
In City Council July 29, 1996

Ord. 7/9/86
1 Hearing

Plan of Building Lots in Cambridge April 1858

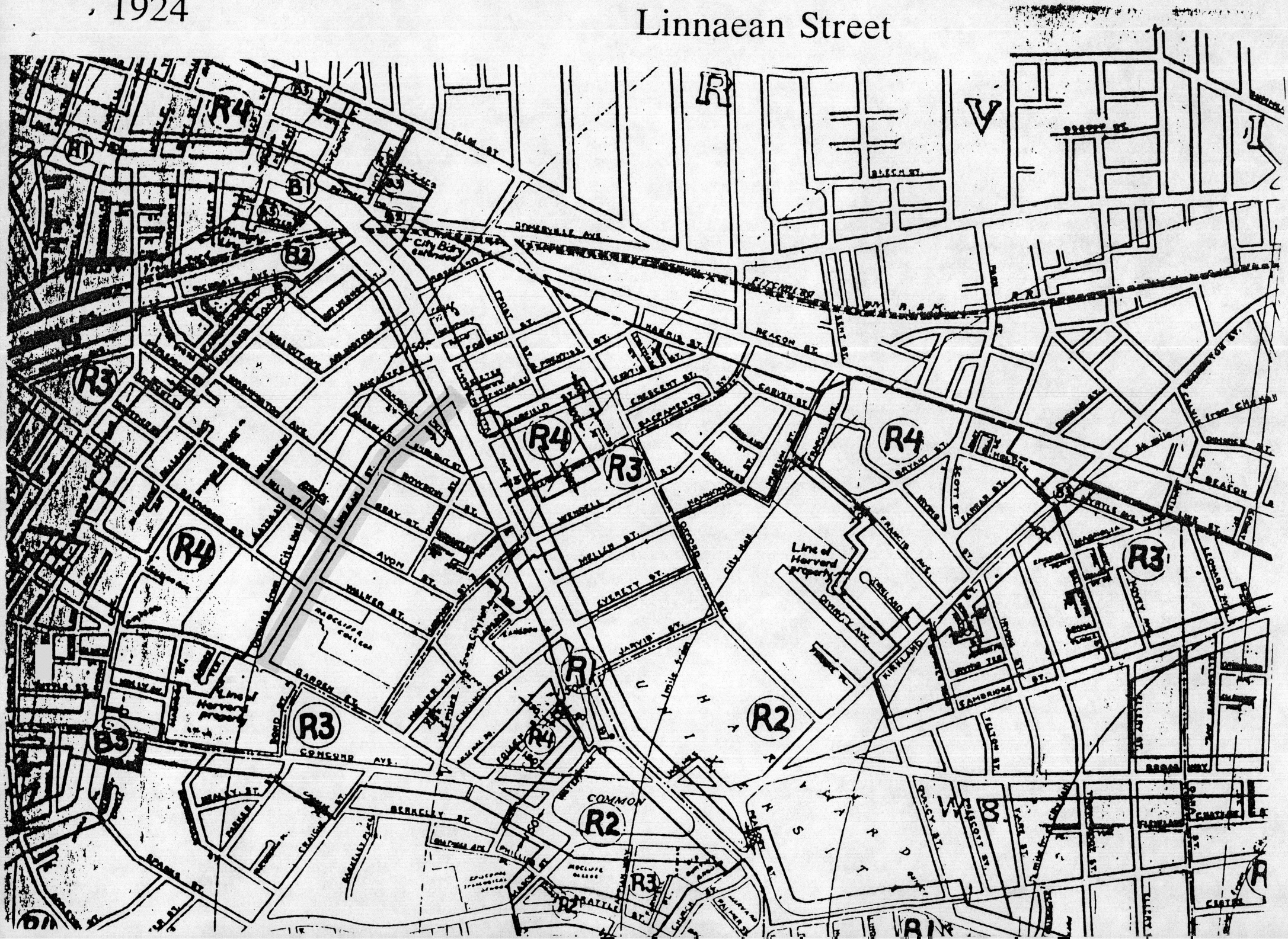


Atlas of Cambridge
1873



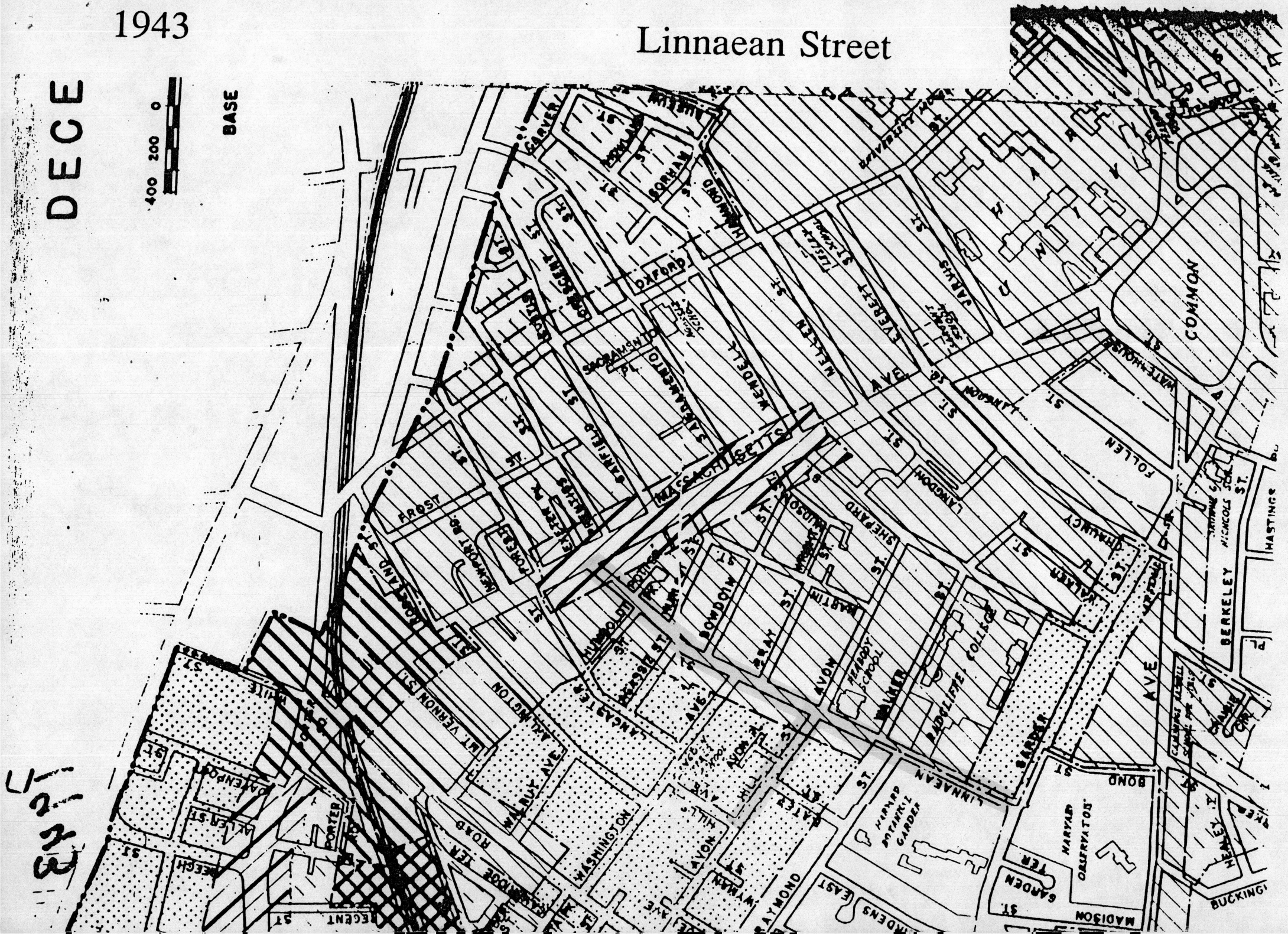
1924

Linnaean Street



1943

Linnaean Street



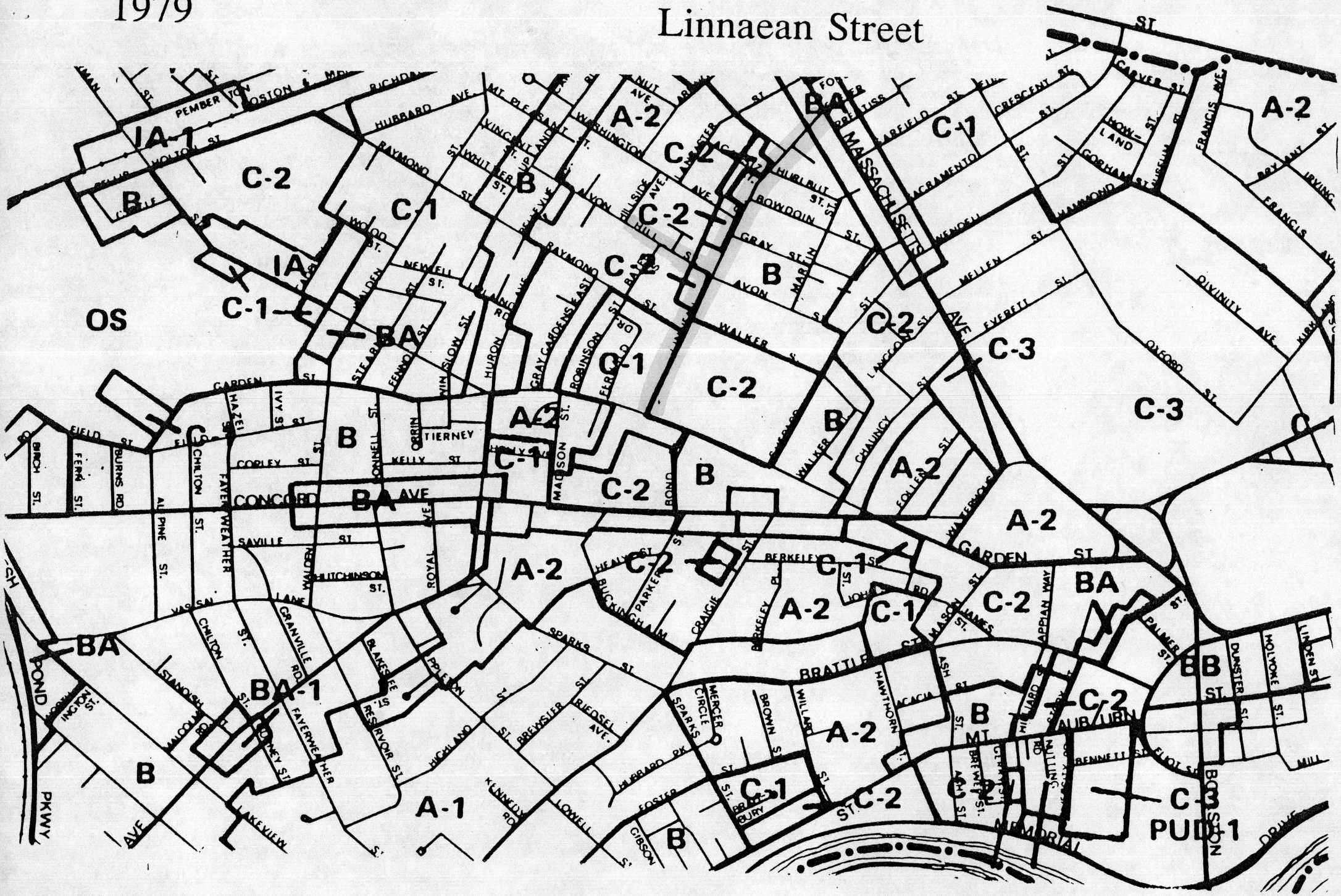
1961

Linnaean Street



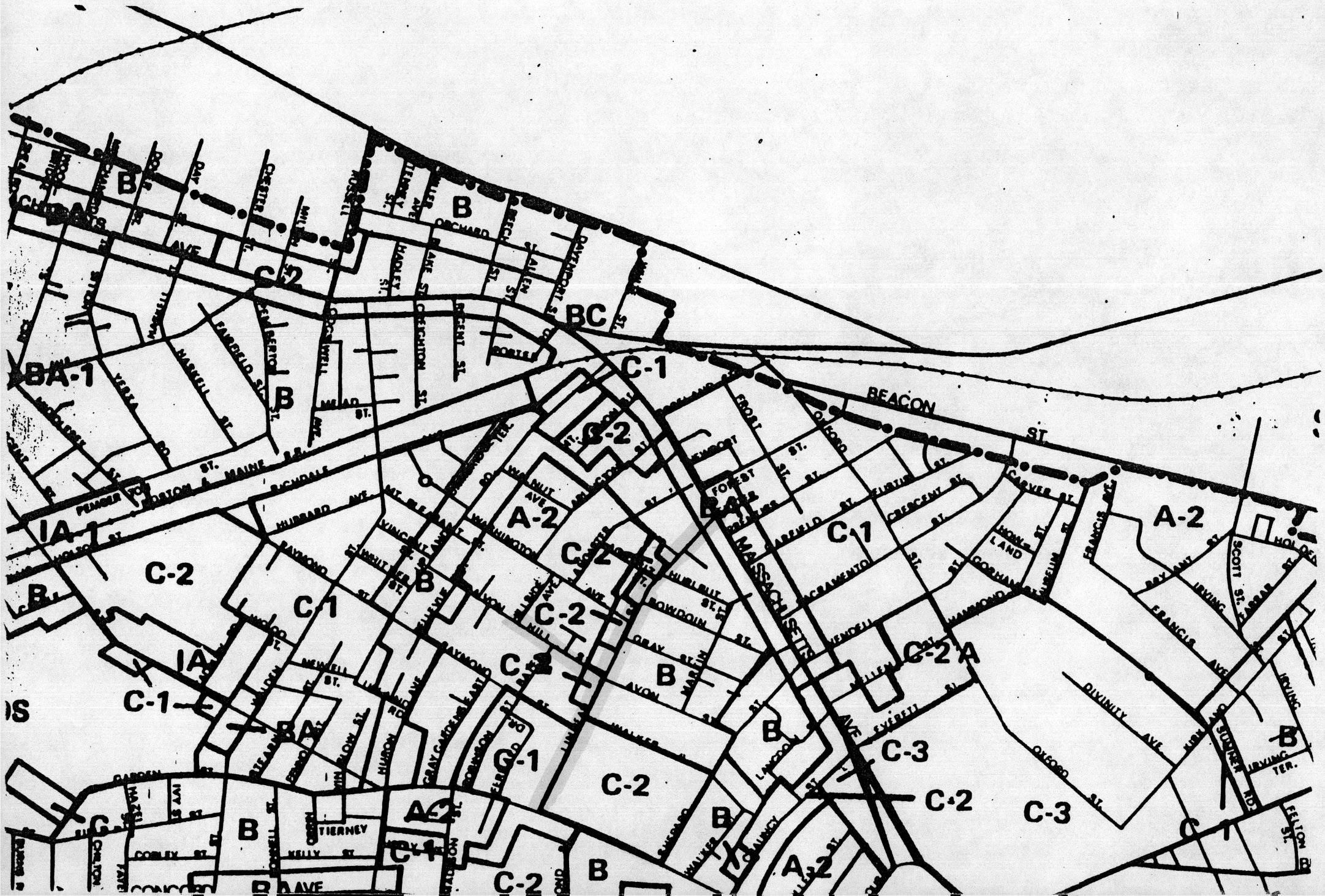
1979

Linnaean Street

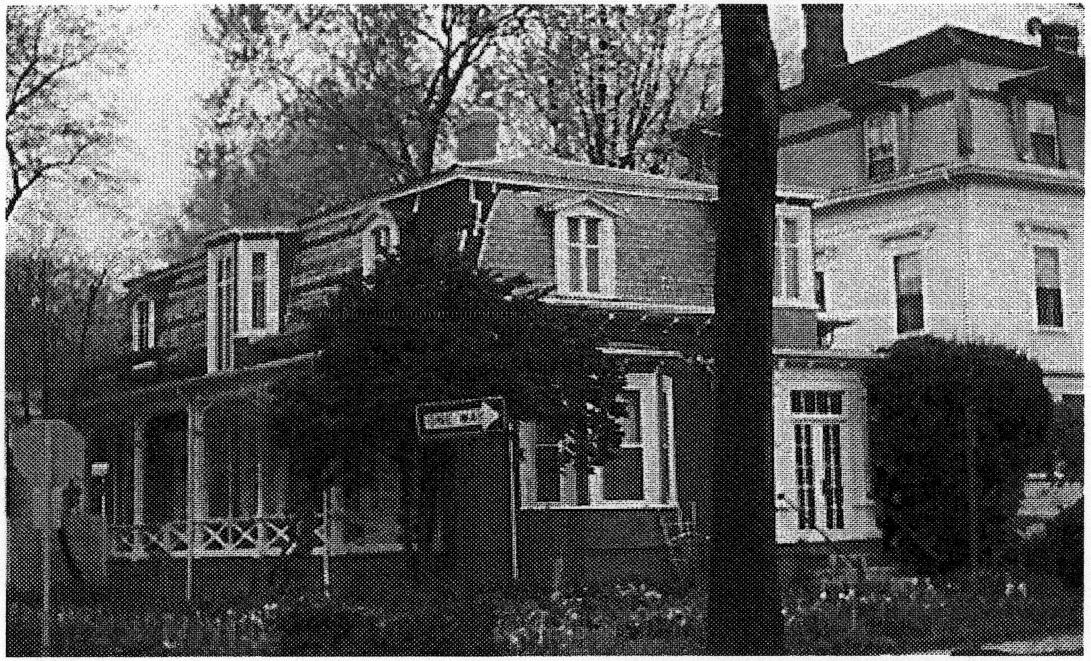


1980

Linnaean Street



39 Linnaean Street



Lot Area:	6,138
Existing Units:	1
Existing Gross Floor Area:	2,235 sf (from assessing records; may only approximate zoning GFA)

Zoning Status
(C: Conforming NC: Nonconforming)

	Res. B/A-2	Res. A-2
Minimum Lot	5,000 sf (C)	6,000 sf (C)
Lot Width	50′ (C)	65′ (C/NC)
FAR	0.5/0.35 (C)	0.5 (C)
(GFA)	(3,012 sf)	(3,069 sf)
Lot Area/DU	2500/4000/4500 sf	4500 sf
Units	2 (C)	1 (C)

37 Linnaean Street

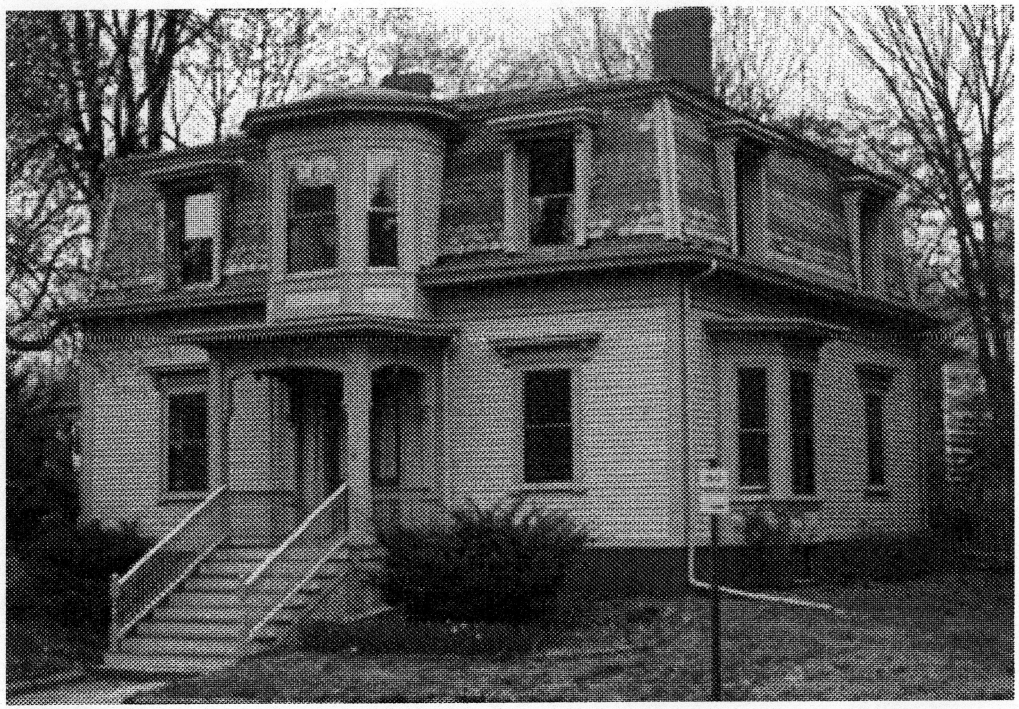


Lot Area:	10,182
Existing Units:	3
Existing Gross Floor Area:	4,057 sf (from assessing records; may only approximate zoning GFA)

Zoning Status
(C: Conforming NC: Nonconforming)

	Res. B/A-2	Res. A-2
Minimum Lot	5,000 sf (C)	6,000 sf (C)
Lot Width	50' (C)	65' (C/NC)
FAR	0.5/0.35 (C)	0.5 (C)
(GFA)	(4,673 sf)	(5,091 sf)
Lot Area/DU	2500/4000/4500 sf	4500 sf
Units	3 (C)	2, through conversion only (NC)

33 Linnaean Street



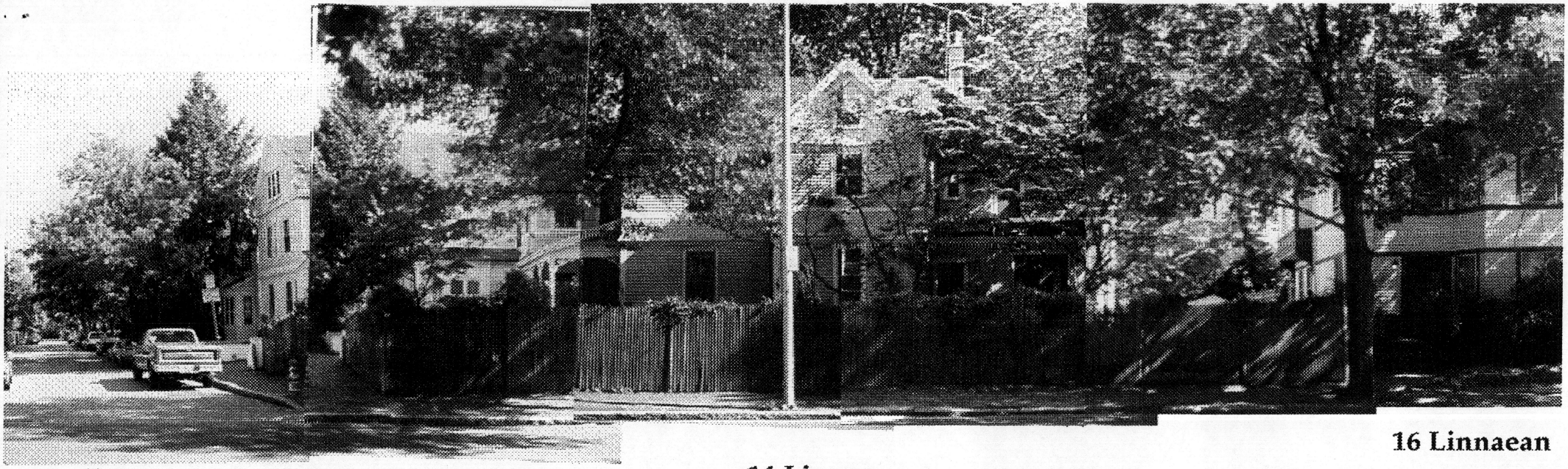
Lot Area:	12,392
Existing Units:	1
Existing Gross Floor Area:	2,361 sf (from assessing records; may only approximate zoning GFA)

Zoning Status
(C: Conforming NC: Nonconforming)

	Res. C-2/A-2	Res. A-2
Minimum Lot	5,000 sf (C)	6,000 sf (C)
Lot Width	50′ (C)	65′ (C)
FAR	1.75/0.5 (C)	0.5 (C)
(GFA)	(16,196 sf)	(6,196 sf)
Lot Area/DU	600/4500 sf	4500 sf
Units	14 (C)	2, through conversion only (C)



33 LINNAEAN STREET



Hurlbut Street

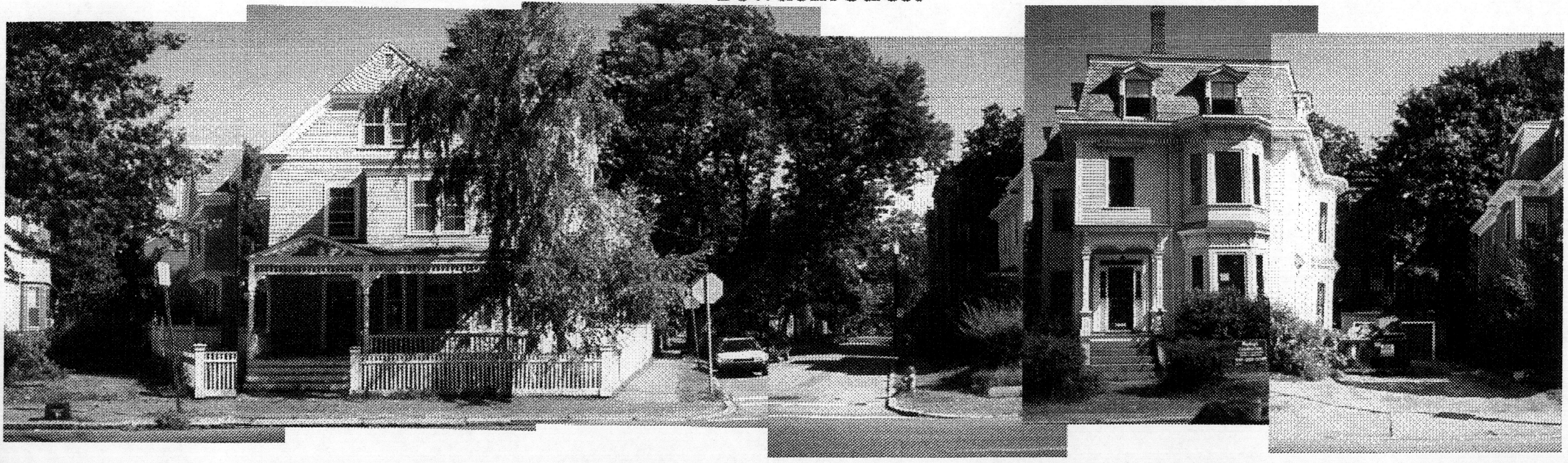
14 Linnaean

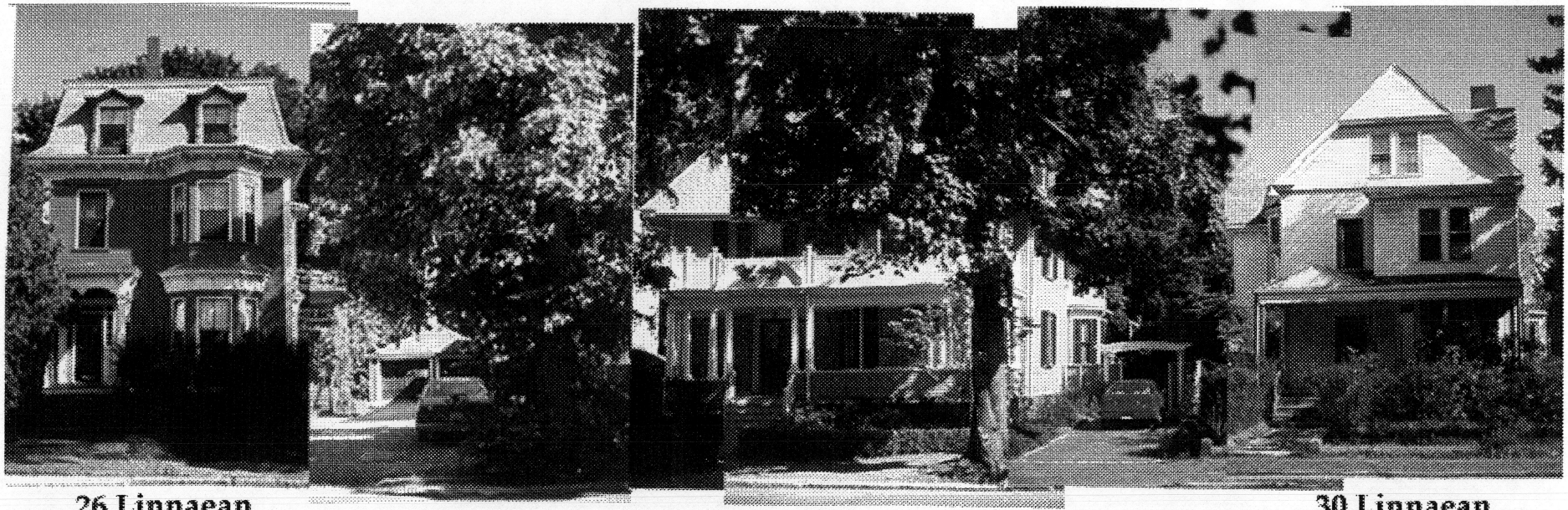
16 Linnaean

22 Linnaean

Bowdoin Street

24 Linnaean





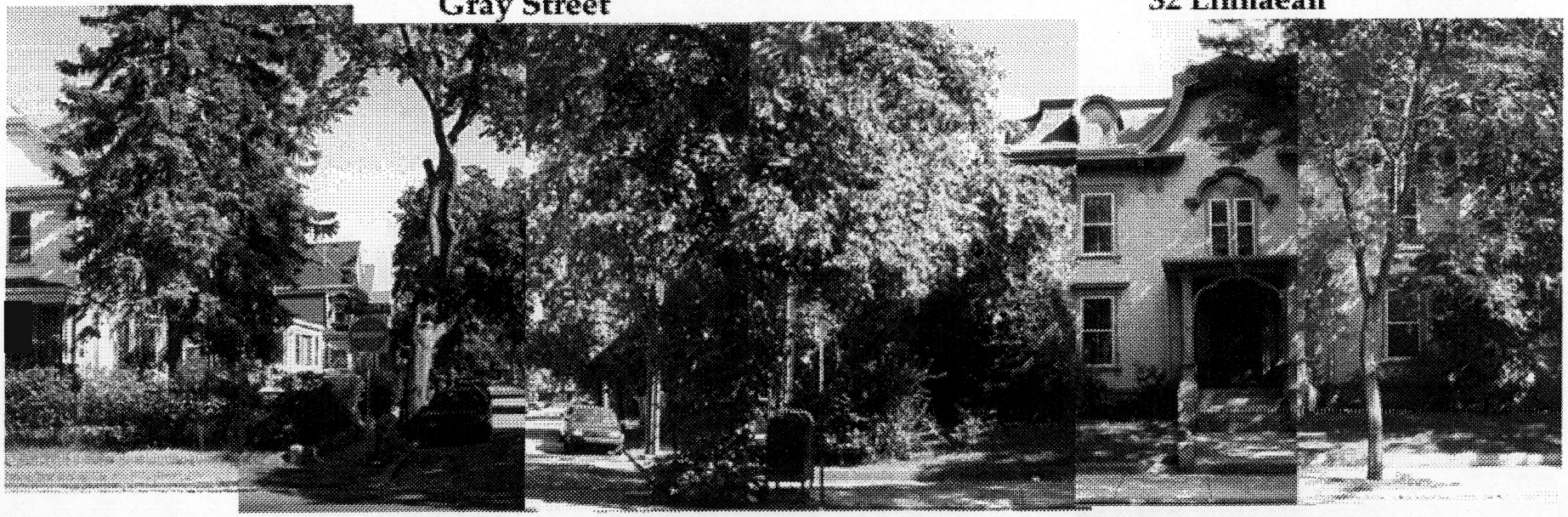
26 Linnaean

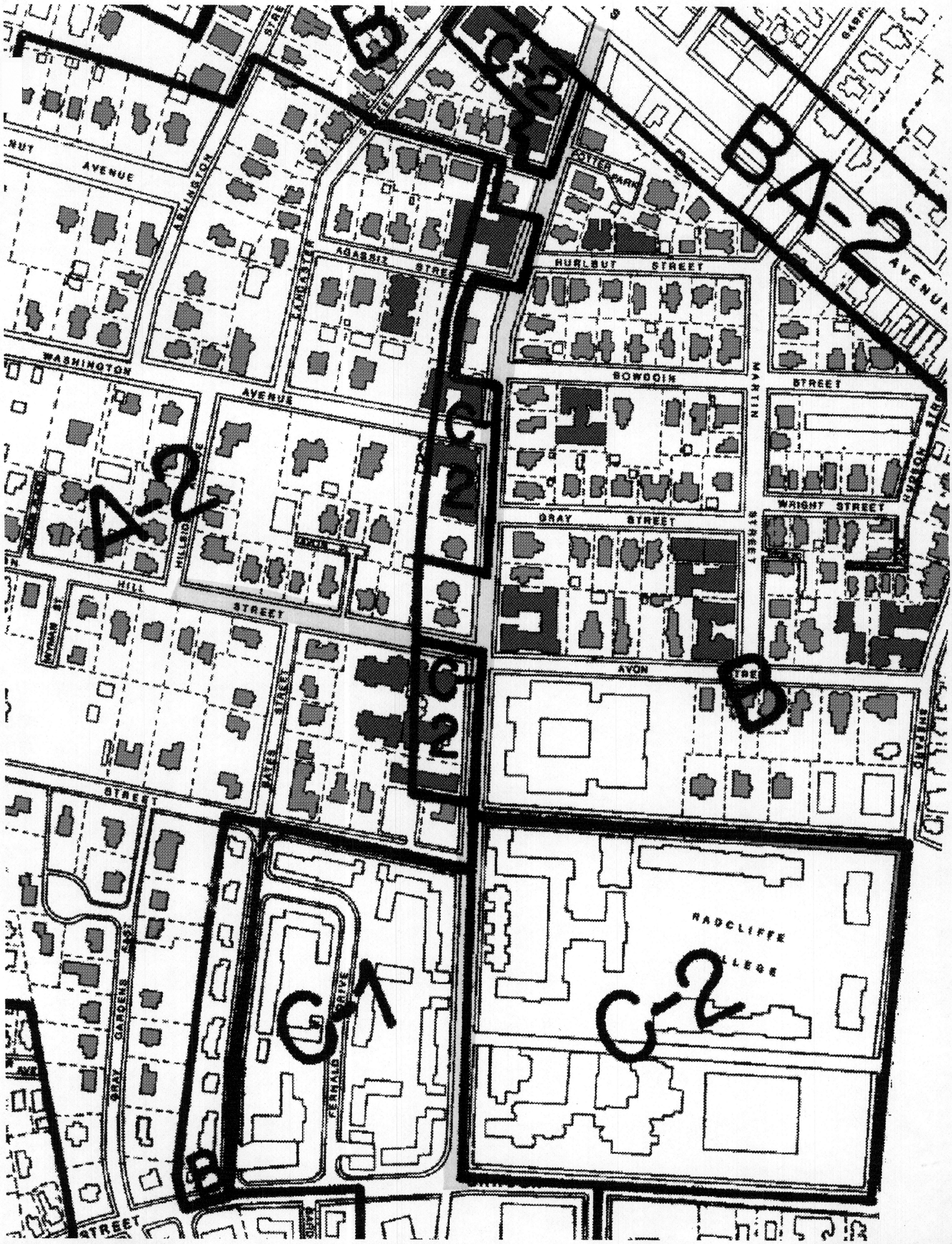
28 Linnaean

30 Linnaean

Gray Street

32 Linnaean





BA-2
C-2
C-2
C-2
C-2
A-2
B
B
C-1
C-2
AVENUE
ARLINGTON
AGASSIZ
HURLBUT STREET
POTTER PARK
WASHINGTON
AVENUE
BOWDOIN
STREET
MARTIN
WRIGHT STREET
GRAY STREET
HILL
STREET
AVON
STREET
RADCLIFFE
COLLEGE
GRAY GARDENS
FERNALD DRIVE

Ord Hearing 7/9/96

July 9, 1996

To: The Honorable Cambridge City Council
Committee on Ordinances

From: Dexter Eames

Good afternoon. I am honored to be able to speak before you. My name is Dexter Eames and I live at 6 Avon Place, directly north of 33 Linnaean St. Before I begin I would like to submit some graphic materials that support this petition. I would also like to submit this stack of letters from neighbors who support this petition.

I have been a focal point for the concerns of the neighborhood since we first received notice from the Historical Commission for the hearing on the Demolition Permit for 33 Linnaean St. I have spoken with many of my neighbors and have attended most of the meetings. I have acted as a representative of the neighborhood in meetings with the owner of 33 Linnaean St. I have spoken with people who worked on the 1978 rezoning effort for Linnaean St. to try to understand how we got into this situation. So I believe that I can fairly represent the neighborhood on this issue.

The purpose of this zoning petition is to correct an anomalous condition that was set up in 1978, when the city last rezoned Linnaean St.

The neighborhood feels that this petition makes good sense because it unifies the zoning of the area. The three properties in the petition are very much a part of the Avon Hill neighborhood to their north. To show this, we need to step back in history to 1858. I have submitted a plot plan from that year that shows the original subdivision of land from the Crackbone farm forming Avon Hill Street. Parcel number one of that plan, shown in the lower right corner, contains the three properties affected by this zoning petition as well as my own property and several others.

The next page shows Linnaean Street from the 1873 Atlas of Cambridge. The three mansards have been built by this time, along with five buildings to the north. Charles Sullivan of the Historical Commission has told us that this group of buildings was put up in an early example of urban development. Nine structures were built here between 1870 and 1873, and the construction was halted by the Panic of 1873.

These two drawings show that the three Mansards were planned as part of the Avon Hill neighborhood, were built by the same craftsmen, and should be zoned in the same way. These homes were built as single family dwellings and set on generous lots. This is precisely the definition of the A-2 zoning that we seek.

The next set of maps shows the history of the zoning in the neighborhood. The first page shows the original zoning in 1924. By this time most of the development on Linnaean St. was completed, but the city set the zoning for large portions of the neighborhood at R3, which Les Barber of Community Development has told us is equal to the current Res C-2 zoning.

The next page is from 1943 and still shows huge areas of Cambridge 'cross-hatched', which is the C-2 zoning.

Next, in 1961, the area south of Linnaean St. was down zoned to B, leaving as C-2 only a 100 foot strip on the north side of Linnaean St. and portions of Arlington, Lancaster, Agassiz, and Humboldt Sts.

By 1979, the C-2 zoning was narrowed to include only the existing apartment buildings on the north side of Linnaean St., and a single wood frame Mansard at 33 Linnaean St.

Finally in 1980, an area by Shepard St. was down zoned to B.

These maps show a clear pattern of down zoning by the city in this neighborhood. While the original zoning was very permissive, the current zoning aims to preserve the existing density, and the architectural integrity of the neighborhood.

I would like to talk about the 1978 rezoning in particular.

Mary Rowe, who is named first on this petition, can't be here today because she, as well as many others in the neighborhood, set up her schedule based on the original hearing dates that were changed due to the Chronicle's printing error. She told me that in the early 1970's she was approached by a developer who asked how much she paid for her home on Linnaean St. and offered to buy it for three times that amount. The developer's plan was to demolish all three of the buildings covered by this petition and to replace them with a single, large apartment building. Mary could have made a considerable profit by selling out back then, but she didn't, because she wanted to live here.

The desire to preserve these properties was nearly unanimous among the owners. In fact, only one objected to the rezoning, Roger Marshall, the owner of 33 Linnaean St. Mr. Marshall had been active in city politics and he had support at City Council. The petitioners were afraid that they would not be able to get the votes for a rezoning against Mr. Marshall's opposition, so to save the other properties they agreed to remove 33 Linnaean St. from the petition. It was not a planning issue that kept 33 Linnaean St. at C-2, since the pattern of downzoning for the neighborhood was clearly established. It was a question of getting the votes in City Council.

This set up a situation where 33 Linnaean St. was 'spot-zoned', remaining at C-2 while all of the other wood frame structures that surrounded it were zoned A-2 or B.

Leaving 33 Linnaean St. at C-2 was not in the best interests of the neighborhood or of the city. It served only to enrich one

owner at the expense of the neighbors.

This brings us to today's zoning petition which seeks to continue the trend of down zoning that has been carried out in our neighborhood. It is unfortunate that we are reacting to a threatened development rather than logically planning the neighborhood. This makes the action difficult and adversarial. But unfortunately this threat was required to alert the neighborhood to the problem.

Just as in 1978, the neighborhood is united in seeking to preserve its character through downzoning, and there is only one person who opposes the petition, the current owner of 33 Linnaean St. The difference from 1978 is that this petition has a much narrower scope, affecting only three properties.

The first is 39 Linnaean St., home of Robert Fein and Mary Rowe, our lead petitioners. Their front garden is renowned in Cambridge. When I lived in Cambridgeport, before I met them, my friends and I talked about their garden and we always made a point of getting over to see it while the irises were in bloom. Mary has initiated the current petition because she believes strongly that the neighborhood and her property need to be protected. This is the third time Mary is giving up development potential for her property. The first time was in the early 1970's when she turned down a developer's offer. The second time was in 1978 when she joined the Linnaean St. rezoning that changed her property from C-2 to B. Now she wants to complete the job of rezoning her property. I have spoken with Inspectional Services and they informed me that her property would not need a variance for a second unit under today's zoning. Because her existing building is too close to the side lot line, they would need the modest relief of a special permit. But Robert and Mary are happy to give up these development rights in order to preserve our neighborhood.

The second affected property is at 37 Linnaean St. This

property has already been divided into three units, so it can only add to its floor area, but cannot have new units.

The final affected property is 33 Linnaean St. which is a perfect A-2 property. Unlike many of the buildings up the hill, which are too close to their rear or side lot lines, 33 Linnaean St. actually meets all of the zoning requirements for A-2. But under the current zoning this property could have a 16,000 s.f. building with 14 units going up 8 stories. This is clearly an aberration. Even the developer has not proposed to build what would be allowed under this extraordinarily permissive zoning.

I would like to bring up the legal questions involved in this zoning.

The neighborhood has retained Joel Bard, who is a Cambridge resident, works with the firm of Kopelman and Paige, and is an expert in zoning. An important part of his practice is defending cities and towns in cases arising from zoning issues. His opinion is that if 'spot-zoning' applies at all in this case, it applies to what occurred in 1978 and not to what we are seeking today. He also says that this rezoning is not by any stretch an 'illegal taking' because what the developer bought was a mid-ninteenth century home on a generous lot, and that is exactly what he will have after the rezoning. A 'taking' occurs when an owner loses all economic benefit from his property. This property was on the market for only a short time, but the developer outbid a potential buyer who simply wanted to live in the house. The developer did not pay a premium based on 14 units of development or even 5 units of development. If he paid any development premium it was a modest one. About the same that time he purchased 33 Linnaean St. for $845,000, a condominium just around the corner on Avon Hill St. with a tiny yard sold for $795,000.

I would also like to bring up the issue of fairness. Setting aside the legal issues, is it ethically correct to rezone after a developer has gotten involved? I take this seriously and I have wrestled

with the question. To me the test of fairness is not how an action affects one person, but how it affects all of the involved people.

Back in April the developer held a public meeting to present his plans to the neighborhood. There was a strong turnout, and the room was filled. Mr. Cohen presented himself as a 'good developer', one who was sensitive to preservation and to neighborhood concerns. The general reaction to his plan was that it was unacceptable. But some of us were heartened by his talk of preservation and we encouraged him to help us preserve the property. He was asked if he would sell if we found a buyer that could get him out whole. In front of that crowd of people he agreed that, yes, he would sell if we could arrange a buy out. He closed on his purchase within the month, and we met with him the day after his closing to work with him to arrange a buy out. On that day he announced that his sale price was $105,000 more than his purchase price. We were very disappointed because the possibility of a settlement that was fair to everyone was slipping away. Nonetheless, we worked with the real estate community, but only one interested buyer came forward, and she eventually decided that the property didn't meet her needs.

So when I think of fairness, I remember that first meeting where the developer learned, almost a month before his purchase, that the neighborhood opposed the development. I remember his promise to cooperate if a buyer could be found to preserve 33 Linnaean St. I remember the meeting where he demanded $105,000 over his purchase price.

After all this I don't see a victim of unfairness, I see a speculator who snapped up a beautiful old home on a generous lot that was inappropriately zoned.

I have spoken with many people in the neighborhood about the proposed development and have compiled a list of those who support preserving Linnaean St. The list has almost 300 names and is still growing. The neighborhood support for preservation

is overwhelming. When I think of fairness, I think of the many people in the neighborhood whose quality of life and property values would be degraded by the allowed development under the current zoning.

So when I think of fairness, I see a developer exploiting a zoning anomaly balanced against a community trying to preserve its quality of life.

A concern was raised at the Planning board of what message a rezoning would send to the development community, and I think the message would read as follows: 'If a lot is zoned anomalously, and there is a reasonable expectation of neighborhood opposition, then a developer should exercise caution.' Mr. Cohen told us in his public meeting that when he first heard that there was a development site here, he didn't believe it. That should have raised a warning flag for him, but instead he quickly offered the asking price with no contingencies.

I believe that with the end of rent control we are seeing a new wave of speculation in Cambridge. Developers aren't looking for vacant lots, they are looking for backyards that they can fill up with condominiums. Cambridge is already one of the densest cities for its size in the nation, but I have heard that if Cambridge were built out to its current allowed zoning, its population could triple. So yes, down zonings send a message to the development community, but I believe that it is a message that is endorsed by most of the residents of Cambridge.

I would like to talk about the neighborhood's idea of an appropriate development for 33 Linnaean St.

I don't believe anyone in our neighborhood views 33 Linnaean St. as a development site. At 33 Linnaean St. there is a finely preserved 125-year-old house, which is architecturally interesting and well suited to its lot. It is an icon in our neighborhood, set on a slight rise, and landscaped in a way that does not obscure the

architectural details. The Cambridge Historical Commission has found this building to be both 'significant' and 'preferably preserved.' Bainbridge Bunting, the noted architectural scholar, and the Cambridge Historical Commission Survey Director, chose this building as "probably the best example... [of] the Post-Civil War Mansard Cottage", and he included it in the Historic American Buildings Survey, which is a program of the National Park Service.

Hugh Russell of the Planning Board captured the spirit of the neighborhood sentiment when he said that an appropriate development for this property would be in the back and subservient to the existing building, and would preserve the gorgeous Japanese maple in the yard. All of the plans that have been offered so far have had a new building with a floor area four or five times that of the existing building, that would visually surround the existing building and all would destroy the tree.

I don't find it surprising that the neighborhood has rejected the developer's plans, because I feel that what has been offered is too large and out of character with the existing properties. A while back a friend visited us from the mid-west, and as we strolled through the neighborhood he said, "This is just like walking in a museum." These well preserved old buildings are rare and precious and should not be taken for granted, because if they are lost they will never be replaced. Those of us who live here feel very lucky, and we hope we can be spared from the kinds of development that have overrun other parts of Cambridge.

In his presentations the developer treats our neighborhood as a streetscape, almost like a Hollywood set. He even has perspective drawings showing that if you stand up close to a building you can hide a larger building behind it. The same laws of perspective make that large building a monster when viewed from the rear. We don't see our neighborhood as a 'streetscape' or a corridor. We see it from the inside looking out. We see homes grouped together with yards and gardens, mature trees

and open spaces.

In his presentations the developer shows the three mansards framed by brick apartment buildings, as if these fine old buildings call out for a new round of development. He argues that because there are already apartment buildings on Linnaean St., more are required. The neighbors strongly disagree. There are no empty lots here. There is only a generous back yard with magnificent trees in it, a yard still unprotected by the rezoning efforts of the past.

In his presentations the developer acts as though this is a neighborhood dominated by brick apartment buildings. Since the developer always shows the north side of Linnaean St., I have put together a photo montage of the south side of Linnaean St. just for balance. It runs from Gray to Hurlbut Street. This view is not dominated by apartment buildings. It is filled with single homes, some that have been converted to apartments, but the general trend now is for these homes to be fixed up and returned to single family use, with attention to exterior details and landscaping. This is the kind of development that is welcome in any neighborhood.

In his presentations the developer portrays this as a C-2 neighborhood. The description just does not fit. Even looking only at Linnaean St. there are far more small wood frame homes than apartment buildings. Almost twice as many. If you include the blocks on either side of Linnaean St. the apartment buildings are outnumbered by 5 to 1. The apartment buildings here were mostly built before zoning was even thought of, and none of them were built out to the C-2 envelope. There are no eight story buildings on Linnaean St. This neighborhood is zoned B and A-2 with a only few islands of C-2 left.

So there is a very great difference in perspective between the developer and the neighborhood. He sees a zoning map and a development potential. We see an existing use that is absolutely appropriate, to the lot and to the neighborhood. We don't see a

need to fill back yards with condominiums.

In summary, I urge the City Council to join these three properties to the Avon Hill neighborhood of which they have always been a part.

I remind the City Council that there are no legal issues involved in this rezoning.

Finally, I urge the City Council to continue the trend of down zoning that is protecting most of our neighborhood from in-fill development. Help us to complete the rezoning that was begun 1960, and continued in 1978. Help us to preserve Cambridge. Thank you.

Nathan Hasson
41 Linnaean Street #7
Cambridge, MA 02138

July 8, 1996

Hon. Francis Duehay
Cambridge City Council
City Hall
Cambridge, MA 02139

Dear Sir:

I am writing to you to express my support for the downzoning petition to save 33 Linnaean Street.

It is absurd to think that a structure that old could successfully be moved and to demolish such a beautiful building would be an historical disaster.

Developers always seem to get their way nowadays; it would be greatedly appreciated if you would be kind to our neighborhood.

Yours sincerely,

Nathan Hasson

July 2, 1996

To: The Honorable Francis Duehay

Re: 33 Linnaean Street, Cambridge, MA

I am in support of the downzoning in Cambridge and against development proposed by Mr. Steve Cohen. As one of the newest owners of property which will be directly affected by the proposed development at 33 Linnaean Street, I am to say the least, disappointed by Mr. Cohen's development plans.

After a year of looking at property in Cambridge, I selected 37 Linnaean Street for the tranquil ambiance of the many beautiful old trees that surround our property. Any of Mr. Cohen's proposed plans will destroy that which drew me to this neighborhood. And as a homeowner in Cambridge, I feel this development will destroy one of the oldest and charming neighborhoods in the city.

I do not believe his proposed development will increase the value of our property as he claims; rather it will become like every other city block... congested and without the natural beauty we are all fighting to preserve in this small community.

Respectfully,

Andria Rossi
37 Linnaean Street

July 9, 1996

The Honorable Sheila T. Russell
and Honorable Members, Committee on Ordinances
Cambridge City Council
City Hall
Cambridge, MA 02139

Dear Mayor Russell and Honorable Members:

I am a long-time resident of the Peabody School Neighborhood, having been brought here as a baby from Europe in the 1930's, first to live on Bowdoin Street, then Washington Avenue, then Shepard Street, Avon Hill Street, and, finally, Hillside Avenue.

I have walked up and down Linnaean Street for sixty years. Before the 1938 hurricane, I played in the Botanical Gardens, a lovely open area on the north side of Linnaean Street, whose valuable trees from Asia were lost forever to Harvard University and the neighborhood, as a result of the hurricane.

I married a Cambridge native, A. T. Sawyer, later to become President of Neighborhood Nine; and after some years of residence elsewhere in the United States, we moved back to Cambridge and settled on Avon Place, where we have lived at No. 14 for the past thirty-six years. With growing concern over the years, we have watched Harvard University fully develop first its Botanical Gardens property, and, next, the opposite side of Linnaean Street, closing up our view down to Shepard Street, just a block away. We have watched the neighborhood become dense with cars, endangering the safety of our children, and the children of our neighbors, as they walked down Avon Hill and across Linnaean Street to school at Peabody.

At the July 2 meeting of the Planning Commission, one of its members discussed his walk down Linnaean Street, and his feeling that the street is appropriate for further development.

I beg to differ! One has only to approach the intersection of Washington and Linnaean Streets after a snowstorm in winter, as people are digging their cars out of snowbanks preparatory to going to work in the morning, and travel a bit further on, to the intersection of Avon Hill and Linnaean Streets, across the street from Peabody School, to understand how likely the danger of a deadly collision or pedestrian fatality could be, <u>should</u> the underground parking proposed for 33 Linnaean Street go through. As it is, <u>now</u>, in good weather, cars park so close to the Avon Hill/Linnaean Street intersection that one literally has to "creep" out of Avon Hill to turn left or right onto Linnaean Street, so blind is the exit.

I urgently recommend that the members of the Cambridge City Council, the Traffic Commission, and the Planning Commission coordinate their efforts towards long-

range planning that will prevent further density of traffic on Linnaean Street and preserve the open space that remains for the joy of all of us who walk on Linnaean Street or live in the neighborhood.

To that end, I lend my support to the Linnaean/Avon Hill Street down-zoning petition which is before you for consideration.

Sincerely,

Angelica W. Sawyer

Angelica W. Sawyer

AWS:as

Ordinance

COMMITTEE MINUTES
COVER SHEET

~~June 25~~, 1996
July 9, 1996

(1)

The Ordinance Committee

held a public ~~meeting~~/hearing on Tuesday, July 9, 1996, beginning at 5:43 ~~am~~ pm in the Sullivan Chamber/~~Ackermann Room~~ for the purpose of considering a petition by Mary Rowell, et.al., to amend the Zoning Ordinances of the City of Cambridge by rezoning an area of Linnaean Street from Residence C-2 and Residence B to Residence A-2.

Present at the hearing were Councillor Francis H. Duehay ✓, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis ✓, ~~Councillor Francis H. Duehay~~, Councillor Anthony D. Galluccio ✓, Councillor Kenneth E. Reeves ✓, Mayor Sheila T. Russell ✓, Councillor Michael A. Sullivan ✓, ~~Councillor Timothy J. Toomey,~~ Jr., Councillor Katherine Triantafillou ✓, and City Clerk D. Margaret Drury. Also present were Lester Barber, Zoning Specialist, CDD, and Nancy Glowa, Legal Counsel.

Councillor Duehay convened the hearing and explained the purpose of the hearing and the procedures. He invited the petitioners to make a presentation.

Dexter Eames, 6 Avon Place, stated that he has been very involved in neighborhood discussions regarding this position & feels that he represents the neighborhood

beginning with an 1828 map showing the original subdivision of land forming Avon Hill Street.

Mr. Evans presented some history of the development of Linnaean Street, and distributed historical zoning maps. By 1979, the C-2 zoning had been rammed to only 3 buildings on the north side of Linnaean Street. He stated that the history showed a consistent pattern of downzoning. The 1978 rezoning did not include 33 Linnaean Street because the owner opposed the downzoning and so a tactical decision was made. ~~The neighborhood will be obscured.~~ He stated that Mary Rice cannot be here because her plans were made in accord w/ the original scheduling date that had to be changed due to the Chronicle's error in failing to publish the legal advertisement. However, she has consistently supported downzoning even though she could make a large profit by selling to a developer under the present zoning.

Mr. Evans stated that the petition used affect 3 properties and only one owner, out of three is opposing the downzoning.

The neighborhood has retained Joel Bard, attorney who has given his opinion that the 1978 action was spot zoning, not the present proposal.

Mr. Evans discussed a neighborhood meeting w/ the developer, Steven Cohen. Although Mr. Cohen agreed to work w/ the neighborhood, he would only accept a purchase price of $105,000 over his

purchase
initial price. Mr. Eames characterized the matter as a developer exploiting a zoning anomaly. ~~a~~

Mr. Eames stated that 33 Linnean Street is not an appropriate development ~~s~~ site. The Historical Commission has found the building found "properly preserved." The proposed development is too large and out of scale w/ the neighborhood. There are few more small homes than apartment buildings on Linnean Street. The neighborhood is zoned B and A-2, with only a few islands of C-2. He urged the CC to zone these 3 City Council three parcels to the Avon Hill neighborhood of which they have always been a part.

Joel Bard, 51 Wendell Street, stated that he is an atty attorney with w/ Kopelman + Page, Bosh. The legal issues fall into 3 categories. First is the allegation of spot zoning. The entire area behind the area at issue is zoned A-2, and the proposal is to zone these parcels A-2. All 3 lots are already

in part zoned B-2. A good portion of the lot at 33 Lennon is already zoned ~~as~~ A-2. In addition, courts rely heavily on the judgment of local legislative bodies in spot zoning cases.

Mr. Bard stated that the second issue is the allegation of an unconstitutional taking of private prop w/o just compensation. The test is whether the owner has been deprived of all economic use. However, the lot is presently used for a single family house, and that use would be enhanced. Clearly substantial value would remain.

Mr. Bard stated that the final issue is whether the property would run afoul of ~~pate~~ pending federal takings legislation. Mr. Bard stated that the ~~last~~ proposed law has a long way to go before it would become law, if ever, and would not have any retroactive retroactive effect.

then invited from the City Council.
C. Duehay then invited questions for CC There were
none
none.

C- Duehay then invited public comment in support of the petition.

Alice Wolf, 48 Hurn Avenue, former Mayor of Cambridge, spoke in support of the Rines petition. She stated that it was fair and sensible. In the 1970's one parcel was spot-zoned, for strategic rather than policy reasons. Now 20 years later to the level of development the zoning would allow. neighbors are almost universally opposed. It was a public action that caused the problem; it should be a public action that solves the problem.

Adam Wesenberg, 51 Martin Street, stated that he is a resident and a real estate lawyer, and he supports the petition. This is different from several zoning battles. It is to fix a zoning anomaly. Linnean Street is all built out. There is no obligation of the C-C- to permit an apartment building to be built here

6:17 George Despotes, Dunster Street, stated that the notice of the hearing was problematic. It did not include the City seal. He said that increases in the population destroy the residential character of the City. He stated that he hopes that this downzoning will be the beginning of a ~~trend~~ trend to protect the quality of life.

Tom Sawyer, Avon Place, spoke in support of the petition. It is consistent w/ creating a uniform zoning. In the event that the C-C- does not support this petition, the consequences will exacerbate the traffic and parking problems in the Avon Hill area.

E.J. Corey, Avon Hill Street, stated that he is speaking in support of the petition as part of a united neighborhood. There are elements in the 33 Linnaean Street case that are very important to resolve. There is a large question of whether neighborhood stability is possible or whether it is subject to exploitation. The 1978 zoning treatment of 33 Linnaean Street

was a mistake which shld be corrected. The development potential of Linnaean Street has been fulfilled. The proposed development disregards the importance of the environment, especially the priceless Japanese maple tree.

C. Sullivan then requested that the City Clerk ~~City~~ read the names of those who wrote to CC in support of the petition. A list of those names is attached to this report. Attachment A.

C. Sullivan then requested that those in support of the petition ~~of it in favor of petit~~ raise their hands. Twenty four persons did so.

C. Sullivan then requested public testimony from those opposed to the petition.

Steven Cohen, 26 Fayette Street, stated that he has lived in Cambridge Cmb for 32 years & sits on the Mid Cambridge Conservation Commission. District. He believes in the City and does not come as an outsider to exploit the City. His most recent work in the City includes seven 7 houses built at Arsenal Square two years ago.

Neighbors were concerned with this proposal. He worked with neighbors & modified the project which was completed 2 years ago & several neighbors who initially opposed the projects stated that they were pleased w/ the results.

Mr. Cohen stated that he is now the owner of 33 Lunaen Street. When it first came on the market, several people suggested to him that he purchase it and develop something suitable. The zoning allowed permit 14 units, which he considered inappropriate. He had many meetings w/ neighbors. He scrapped his first plan completely in response to neighborhood concern. He distributed written materials, which compared the number of units permitted by zoning, his first proposal and his present proposal, which is for five 5 units, a height of 40 feet and an FAR of .84. He presented a drawing of the proposed development. He said that the Historical Commission has approved the present proposal. He noted that the proposal

preserves 67% of the open space, and reduces the density. The new building would be 4 units. Parking would be provided for 2 cars per unit, all underground. The Japanese maple tree would be moved 15 feet and preserved.

Mr. Cohen stated that major concessions have been made. He believes that the neighborhood also needs to compromise. Their position is unreasonable.

W/ regard to the issue of spot zoning, he noted that from the turn of the century Linnaean Street has been viewed and used differently from the Avon Hill area behind it. He believes there is a serious issue of spot zoning w/ respect to this petition. In addition, there is a question of basic fairness.

Lindsay Allison, 159 Mt. Auburn Street, stated that she used to live on Linnaean Street, and she is a realtor who has worked w/ Steve Cohen for many years. He is a reputable developer. This property will provide options for older persons in the Avon Hill neighborhood whose houses are too big for them

In response to Councilor Dunlay's request for a show of hands of those in opposition to the petition, two persons raised their hands.

C. Dunlay then invited discussion by the City Council.

C. Gallucci thanked all those who came to the hearing. He stated that he has supported the downzoning petition from the outset. He appreciates the developer's attempt to compromise, but he cannot accept the argument that downzoning would be unfair because of the developer's reliance. This position essentially negates the C-C's ability to change its zoning ordinances.

C Gallucci urged support of the downzoning to correct a zoning inconsistency. This really is an A-2 zoning area.

C. Reeves welcomed all those present. He stated Mr. Cohen for his C. Reeves said that his view is that the present zoning constitutes spot zoning

by development.

C. Reeves stated that he supports the petition because the character of the neighborhood would be destroyed. Cambridge is a magnificent city, but recent overbuilding is endangering it.

Vice Mayor Born stated that she has lived in this neighborhood for 26 years. Ten years ago she worked on the establishment of a Neighborhood Conservation District. It failed at that time, but she understands that there have been renewed efforts, and she encourages those involved to keep working on this. She stated that she supports this petition, but w/ sadness that it has come so late. As a result of this, she intends to request that the C.D.D. carefully review the zoning in the City and report on what other anomalous zoning exists. V.M. Born encourages Mr. Cohen to attempt further scaling-down and compromise. She knows him as a fair + reasonable person. She also cautioned that she had not yet seen

the PB report, and ~~[illegible]~~ pos. she does want to see that report before her position is "cast in stone."

C. Davis ~~supported~~ stated that she would like to U.M. Bm's comments about waiting for the Planning Board's report. Additional compromises are needed by the developer. A-2 zoning does not seem quite right. Residence B might work better. She can imagine a couple more units on the site than presently exist.

C. Davis m. referral to the full City Council. ~~[illegible]~~ The motion passed unanimously

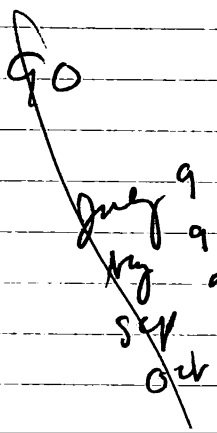
The hearing was adjourned at ~~[illegible]~~ 7:25 p.m.

F to C

C Fra H D, Chair

90

July 9
Aug 9
Sep 9
Oct 9



ORDINANCE COMMITTEE HEARING

SPEAKERS IN FAVOR OF PETITON

NAME	ADDRESS
DEXTER EAMES	6 AVON PLACE
JOEL BARD	51 Wendell St.
ADAM WEISENBERG	51 MARTIN ST.
George Despotes	Dunster St. 02138
Tod Sawyer	14 Avon Pl. 02140
E. J. Corey	20 Cam Hall St 02140
Alice Wolf	48 Hurlbut Ave 02138

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

FAX (617) 349-4307

D. MARGARET DRURY
CITY CLERK

ROWE HEARING HAS BEEN RESCHEDULED

June 14, 1996

To Whom It May Concern:

Please be advised that the Ordinance Committee hearing scheduled for June 27, 1996 has been rescheduled due to a publication error by Cambridge Chronicle. The new hearing is rescheduled before the Committee on Ordinances for **Tuesday, July 9, 1996 at 5:30 P.M. in the Sullivan Chamber**, City Hall, Cambridge, Massachusetts on a petition by Mary Rowe, et al to rezone an area of Linnaean Street from Residence C-2 and Residence B to Residence A-2 as shown on the accompanying map. The rezoning would restrict development to a Floor Area Ratio of .5 and a height limit of 35 feet. It would increase the required lot width to 65 feet and the minimum lot size to 6,000 square feet and would permit only single family residential uses in the affected area.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

D. Margaret Drury

D. Margaret Drury
City Clerk

DMD/mc

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NEWSPAPER
COMPANY

Community Newspaper Company
254 Second Avenue
Needham, MA 02194

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CAMBRIDGE, MA.

June 27, 1996

Donna Lopez
City Manager's Office
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Ms. Lopez,

This letter is to confirm that on Tuesday, May 28, 1996 I received a display legal notice, via fax, regarding the *Zoning Petition of Mary Rowes* from Donna Lopez with instructions to publish in the June 6 and June 13 editions of the Cambridge Chronicle. The notice was published in the June 6 edition, however, due to an order-entry error on the part of Community Newspaper Company, the notice was not scheduled to run in the June 13 edition of the Cambridge Chronicle and did not publish. The City of Cambridge was credited the full amount of the June 6 run, $313.20.

After a telephone conversation with Ms. Lopez and understanding the seriousness of this problem, it was agreed that the notice would be scheduled to be published in the 6/20 and 6/27 editions of the Cambridge Chronicle. The notice was re-faxed to my attention in time for deadline with the above-mentioned instructions. Due to a human error on my part, the legal notice did not publish in the 6/20 edition of the Cambridge Chronicle and I sincerely regret this error.

Community Newspaper Company apologizes for any inconvenience this has caused.

Sincerely,

Christian L. Bordick
Legal Advertising Representative

PUBLIC NOTICE

C. C. 106

RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

Office of the City Clerk

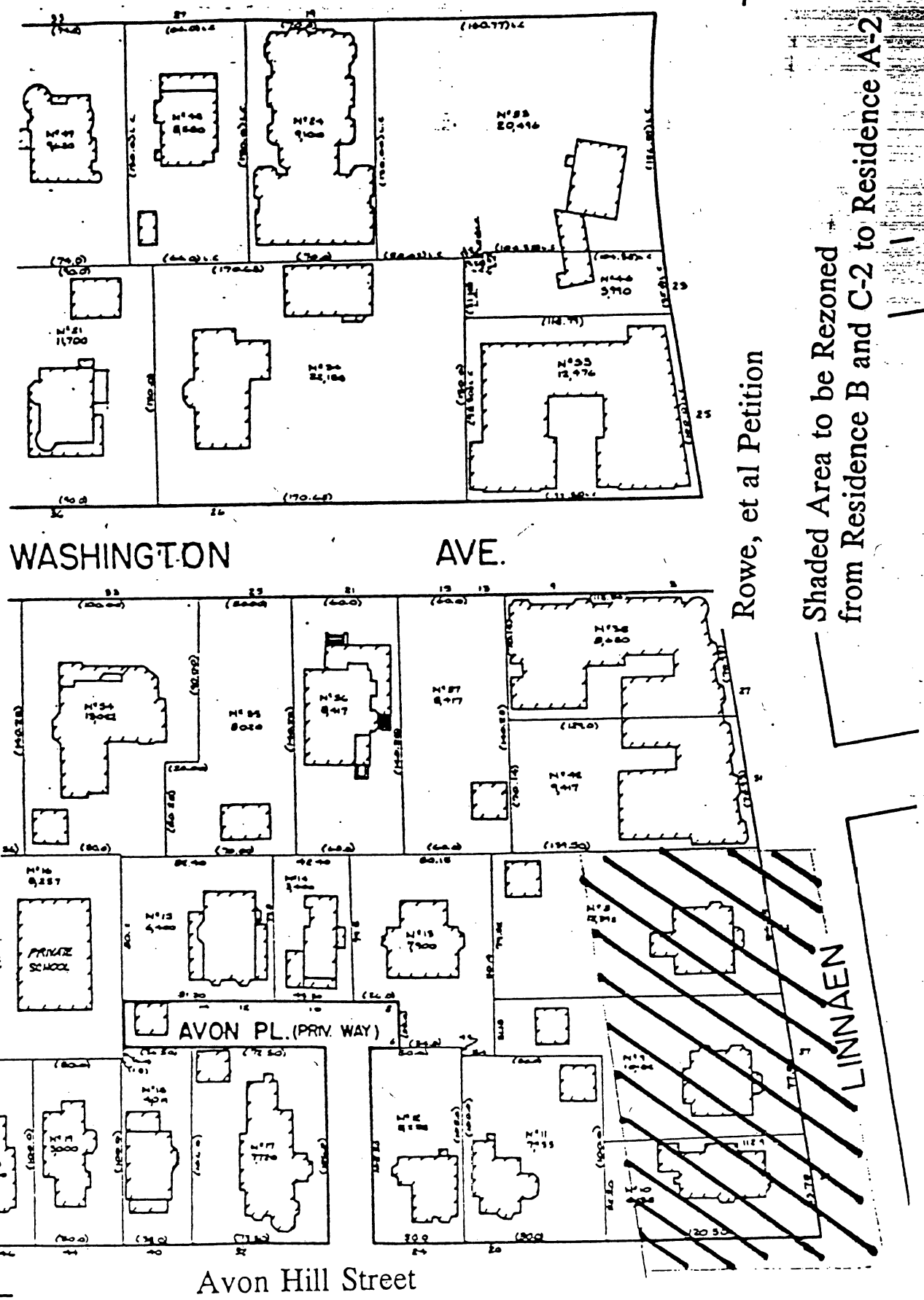
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on **Tuesday, July 9, 1996 at 5:30 P.M.** in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a Zoning Petition by Mary Rowes, et al to rezone an area of Linnaean Street from Residence C-2 and Residence B to Residence A-2 as shown on the accompanying map. The rezoning would restrict development to a Floor Area Ratio of .5 and a height limit of 35 feet. It would increase the required lot width of 65 feet and the minimum lot size to 6,000 square feet and would permit only single family residential uses in the affected area.

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

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

For the Committee,

Councillor, Francis H. Duehay,
Chairman.


AGASSIZ ST.
WASHINGTON AVE.
PRIVATE SCHOOL
AVON PL. (PRIV. WAY)
LINNAEN
Avon Hill Street
Rowe, et al Petition
Shaded Area to be Rezoned
from Residence B and C-2 to Residence A-2

Saudis say they helped fully in past probe

By Ethan Bronner
GLOBE STAFF

DHAHRAN, Saudi Arabia – As Saudi and US investigators yesterday examined portions of the fuel truck that exploded here on Tuesday, killing 19 Americans and wounding hundreds, Saudi officials vehemently denied reports that they had offered less than full cooperation to the FBI in an earlier investigation.

A senior Saudi official said that after a bomb at a military training center last November killed five Americans and two others, forensic specialists and analysts sent by the FBI to Riyadh, the site of the attack, participated fully in the investigation.

When Saudi authorities arrested four men who later confessed to the crime, FBI officials interrogated the suspects both alone and in the company of Saudi investigators. The four were beheaded recently, and the executions may have motivated this week's attack.

Press reports yesterday quoted US officials who said they were unhappy with the degree of cooperation and suggested that if American agents had been permitted greater access to interrogate the suspects, the explosion that occurred here Tuesday might have been avoided.

"There are always ways officials may work together in a different fashion," White House press secretary Mike McCurry said yesterday in France, where President Clinton was ending a meeting with leaders of other industrialized nations. "We may have wished that we had more information. There is some question whether it was sufficient in the eyes of the FBI."

But the Saudi official, who asked not to be named, said the kingdom had received a letter from the FBI thanking the Saudis for their cooperation. He said that FBI agents were here frequently and were in Riyadh when Tuesday's bomb went off.

[Defense Secretary William J. Perry said yesterday that investigators have some evidence linking the bombing this week to the November attack, the Associated Press reported.

[In an interview with reporters accompanying him on a flight from Washington to Saudi Arabia, Perry said investigators have reached no definite conclusion on who masterminded this week's bombing. But he said, "The investigation is centered on the possibility that this was (done by) the same group that did the November bombing."

["There is some evidence pointing in that direction – some," Perry said. He declined to say what the evidence is.]

Early yesterday, a telephone threat caused US, French and British troops to be evacuated from their sleeping quarters.

Investigators working at the site of Tuesday's blast said they had found the crankshaft of the truck that blew up outside a US military complex, a discovery that may yield clues to the origin of the vehicle and nature of the explosive. The bomb left a crater 35 feet deep and 85 feet across.

In addition to the 19 dead, US officials say 270 Americans were injured. Saudi Arabia says more than 200 Saudi and Bangladeshi citizens also were hurt.

US officials released a picture of the crankshaft and said that a white car in which the bombers fled was a mid-1980s Chevrolet Caprice Classic, a common make and model in Saudi Arabia.

There are many potential suspects in Tuesday's blast beyond the the kind of anti-American Saudi fundamentalists responsible for the November attack, who seek to rid the kingdom of foreign troops.

The Dhahran base that was attacked this week is responsible for maintaining the no-fly zone over southern Iraq, giving Iraq a motive. Also, on the same day that the blast occurred a bomb went off in the neighboring island kingdom of Bahrain, probably Iranian-inspired.

Moreover, two months ago, Saudi officials stopped an explosive-laden car from entering from the Bekaa Valley in Lebanon, via Jordan, suggesting Hezbollah, also backed by Iran, may be seeking to play a role here.

[CBS reported yesterday that the bomb that exploded Tuesday was made of a high grade explosive, the same kind found in the car two months ago.]

The 40 or so FBI agents and members of the Saudi Special Forces who recovered the truck crankshaft were searching not only for clues of the truck's origins but, Saudi officials said, for the so-called "signature" of the bomb maker.

"Every explosive has a signature," the senior Saudi official said. "How was it put together? People trained in different places do it differently. In the case of the Riyadh bombing, we know what material was used, where it was acquired and how it was put together and that helped us catch them. We're hoping for something similar here."

In the early morning hours yesterday, US Air Force personnel and British and French troops sleeping in the military compound here were or'ered to take cover after an anonymous telephone threat to Saudi authorities said there would be another bombing there. The alert lasted nearly two hours. Maj. Jim Stratford said the threat was directed at a building housing Saudis at the complex, including some involved in the investigation.

Americans living in Saudi Arabia have received numerous warnings about further violence and the US Embassy here has urged Americans to keep a low profile.

Tears, terror fill bombing memorial

■ BOMBING
Continued from Page 1

ing still in spite of dungeon, fire and sword").

But there was no more poignant moment in the aftermath of Tuesday's terrorist attack on a US military compound here than Shafer's eulogy of his comrades.

Dozens of servicemen hugged the commander at the conclusion of the service, where 19 sets of flowers, one for each victim, filled a white-cloth covered table.

Among the mourners were men on crutches and those with arm bandages and faces pock-marked from shrapnel and cement dust. They, too, waited patiently at ceremony's end to talk to and touch Shafer.

They included men such as Sgt. Harald Jautakis of Florida, standing on one crutch, wearing a hospital-issue shirt, his knee bandaged, his body filled with small cuts.

"I knew these guys personally," Jautakis said later. "They were as close to brothers and sisters as you are ever going to get."

Shafer, 42, of Tacoma, Wash., spent part of his talk reassuring his fellow aviators that his rescue squadron, which lost six men, is not resting, that it is still equal to the task of keeping them safe.

"Last week, we were on alert," he said. "Yesterday we were ready to go. Today we're still on alert. Whatever it takes, we're coming to get you. We're down, but we're not out. You can count on us. We continue that tradition written again in blood, by the blood of these six individuals."

Although it was for his shoes that Shafer ran back into his bedroom last Tuesday night, he never found them. Instead, in the confusion following the blast, he was handed another pair of brown suede government-issue desert boots.

As Shafer told it, they belonged to his roommate, Adams. "They were all I had so I put them on. I still am wearing them. I can't really take them off. I don't really want to. There's a strength there. Not only is Chris's memory with me, as is that of the other five, but he walked with me through the tragedy."

Naming all six lost from his squadron, Shafer ended, "Woody, Paul, K.J., Mike, Tim, and Chris: We love you, We'll always remember you."



REUTERS PHOTO

Airmen from the 58th Fighter Squadron of the 33d Fighter Wing are welcomed home at Eglin Air Force Base in Florida yesterday.

Survivors cheered on return to Fla. base

ASSOCIATED PRESS

EGLIN AIR FORCE BASE, Fla. – Cheering, flag-waving families and friends yesterday greeted the airmen who survived a terrorist bomb attack that killed 19 Americans in Saudi Arabia.

The warm homecoming seemed to ease the grief, anger and frustration that followed Tuesday's truck bombing at a military housing complex in Dhahran. All but one of the victims were stationed at Eglin Air Force base near Fort Walton Beach or Patrick Air Force base near Cape Canaveral.

"We think they'll all heroes – the dead, the wounded, and the others," said Col. Tom Friers at Patrick, where 17 surviving airmen were greeted by teary-eyed relatives and colleagues. "This is the first real pick-me-up of the whole situation."

A dozen of the dead were members of Eglin's 33rd Fighter Wing, killed just two days before their 90-day deployment was to have ended. One of their comrades said he felt like a sitting duck at the high-rise housing complex.

"Just look at the layout of the area," staff Sgt. John Orlando said shortly after he was reunited with his wife, Ursula, and 6-year-old son, Michael. "You can't provide adequate security for that."

Orlando, 30, of Chester, Pa., said he had just returned from church when he felt what he thought was an earthquake or mortar attack. When he ran outside, he saw a huge mushroom-shaped cloud and heard the shouts and screams of the injured and rescuers as pandemonium ensued.

"It was a split second – bam!" said Orlando. "We thought we heard machine gun fire but it turned out it was just stuff that hit the ground."

Two C-141 Starlifter transports touched down at Eglin about 1:30 p.m. with 155 ground-crew members from the wing's 58th Fighter Squadron. They had left Saudi Arabia on Thursday.

As airmen and officers filed off, relatives and friends rushed to greet them with hugs and handshakes.

"We're just very excited. Yet at the same time, it's very hard, because there are some people who won't be coming back. So, it's mixed emotions," said Andrea Ladtkow, as she waited for her husband, Capt. Mark Ladtkow, an F-15 pilot from Sacramento, Calif.

Twenty-one of the arrivals at Eglin were slightly injured in the blast. Another 10 members of the squadron were still hospitalized in Germany.

At Patrick air base, where six of the dead were based, 17 airmen from the 71st Rescue Squadron received a similar reception. Three of the men were injured, and two walked off the HC-130 transport plane on crutches.

President Clinton is scheduled to meet with families of the victims before separate memorial services tomorrow at both bases.

World Briefs

Man convicted of bid on Chretien

OTTAWA – A 35-year-old convenience store clerk was found guilty yesterday – but not criminally responsible because of his mental condition – of trying to murder Prime Minister Jean Chretien. Andre Dallaire now must remain at a group home outside Ottawa until a five-member panel assesses his mental condition. He had eluded security officers last November and entered the prime minister's official residence in Ottawa. (AP)

Burma dissident attends memorial

RANGOON, Burma – In defiance of Burma's military regime, prodemocracy leader Aung San Suu Kyi attended a brief Buddhist memorial service yesterday for a friend and former diplomat, James Leander Nichols, 65, who died last weekend of a reported stroke at Insein Prison. The three-month imprisonment and death of Nichols, who had heart trouble and diabetes, has drawn sharp criticism from several Western nations. Denmark has put economic sanctions against Burma on the agenda of a European Union meeting July 15. Nichols, who held a British passport, had served until 1978 as honorary consul for Denmark, Norway, Finland, Sweden and Switzerland. (AP)

British shelled at German base

OSNABRUECK, Germany – Suspected terrorists fired mortars at British army barracks yesterday, damaging several buildings but causing no injuries, firefighters and British army officials said. Assailants shot three mortar shells from a vehicle with British license plates parked near the barracks, an official said. The barracks were the target of a 1989 bombing blamed on the Irish Republican Army. (AP)

Dominicans await presidential vote

SANTO DOMINGO, Dominican Republic – The presidential campaign drew to a close yesterday, with voters preparing for a historic election tomorrow to select a successor to President Joaquin Balaguer, who has dominated Dominican politics for the last 35 years. Jose Francisco Pena Gomez, 59, and Leonel Fernandez, 43, ended the campaign amid high tension sparked by allegations of vote fraud and accusations by Pena Gomez that his rivals might try to provoke violence. (Reuters)

Bogota shootout leaves 5 dead

BOGOTA – Five people were killed in a Bogota street shootout yesterday between police and gunmen, some armed with grenades and submachine guns, who tried to rob an armored truck carrying more than $600,000. Police said all five people killed were members of the gang that assaulted the Brinks truck, but witnesses said two were innocent bystanders. (Reuters)

Karpov manages another draw

ELISTA, Russia – Anatoly Karpov faced down a dangerous attack on his king and earned a draw yesterday with Gata Kamsky, edging closer to defending his title in their disputed world chess championship. The draw was worth a half point to each player, putting Russia's Karpov ahead 7.5-4.5 in the World Chess Federation title match. (AP)

Following are the moves:

Caro-Kann Defense

Kamsky (White)	Karpov (Black)	Kamsky (White)	Karpov (Black)
1. e4	c6	28.Qxf5+	Qxf5
2. d4	d5	29.Rxf6	Bxd3
3. Nd2	dxe4	30.Rxf7+	Kxf7
4. Nxe4	Bd7	31.Nxf7	Rh1+
5. Ng5	Ngf6	32.Kd2	Bc2
6. Bd3	e6	33.Ne5	Rh2+
7. Nf3	Bd6	34.Kc3	Kf6
8. Qe2	h6	35.Nd7	Bf5
9. Ne4	Nxe4	36.Nxc5	Rc2+
10.Qxe4	Nf6	37.Kd4	Rc2+
11.Qe2	Qc7	38.Kc3	Rc2+
12.Bd2	b6	39.Kd4	e5+
13.O-O-O	Bb7	40.Kd5	Rc2+
14.Rhe1	O-O	41.Kc4	Rc2+
15.g4	c5	42.Kd5	Rc2+
16.g5	hxg5	43.Kc4	g5
17.Nxg5	Bf4	44.e4	Rc2
18.h4	Rad8	45.Kc3	Rd1
19.dxc5	bxc5	46.Rf3+	Kg7
20.Be3	Rd4	47.Nd3	Kf6
21.Rg1	Bxe3+	48.Rg3	Kf5
22.fxe3	Rxh4	49.Nf2	Rc1
23.Rdf1	Qc5	50.Kd2	Ra1
24.Qf2	Rh6	51.Nxg4+	Bxg4
25.Rg3	Be4	52.Rxg4	Rxa2
26.Rfg1	e5	53.Kc3	Ra4
27.Rf1	Kg7	54.b4	

Draw agreed
Final position:
White (Kamsky): King c3, Rook g4, Pawns b4, e4.
Black (Karpov): King f6, Rook a4, Pawns a7, e5.

G-7 leaders criticize US over trade bans

■ SUMMIT
Continued from Page 1

confront terrorist states to take action against countries that are threats to democracy and to the safety of our citizens," said Dan Tarullo, deputy director of the National Economic Council.

Treasury Secretary Robert Rubin said: "You know, at every summit we have been at, there have been some matters that we disagree with our summit partners on."

The issue was but one point of disagreement in a summit that Clinton has dominated. He placed counterterrorism atop the summit's agenda after Tuesday's deadly attack in Saudi Arabia, and has championed the relatively strong US economy, which has far outpaced those of European allies in job growth.

Yesterday morning, Clinton delivered an address to leaders of the other G-7 countries – Britain, France, Germany, Canada, Japan and Italy – that aides conceded sounded much like a stump speech, discussing the creation of 9.7 million jobs over 3½ years and his deficit reduction plan, which has lowered the US deficit from $290 billion to approximately $130 billion.

"The president's presentation drew some admiring comments of praise from other leaders," said Mike McCurry, Clinton's spokesman.

Meanwhile yesterday, the world leaders began discussing Clinton's 40-point counterterrorism proposal, and White House aides said adoption of the full plan was expected before the summit ends today.

US officials released a copy of the proposal, which they broke down into four general areas.

The plan proposes to:

■ Make extradition of major criminals easier, strengthen reciprocal witness protection programs and build cooperative networks.

■ Strengthen asset seizure and forfeiture laws.

■ Increase information sharing on the movements of organized criminals, including terrorists.

■ Find common approaches to combat high-tech crime.

The measures, officials said, are essentially the same as crime fighting proposals made at the the G-7 summit in Halifax, Nova Scotia, last year, rewritten to be geared to terrorism.

Among the 40 specific points: the development of an international network for extradition to ensure criminals have nowhere to hide, a renewed fight against the spread of international firearms trafficking, and the exchange of financial information in money laundering investigations.



AP PHOTO

Summit leaders Jean Chretien, President Clinton, Helmut Kohl, Jacque Chirac, Ryutaro Hashimoto, John Major, Ramano Prodi and Jacques Santer line up for a photo yesterday in Lyon, France.

Meanwhile, the health of Russian President Boris N. Yeltsin, the candidate G-7 leaders feel is most likely to push reform in his nation, was a hot topic of discussion at the summit yesterday.

US officials acknowledged hearing reports from Russia about Yeltsin's health but said last night they remain unconfirmed.

A ruling deals blow to political patronage

ASSOCIATED PRESS

WASHINGTON – The Supreme Court said yesterday that independent contractors who do business with government cannot be dropped for political disloyalty or speaking out on public issues.

The 7-2 rulings in cases from Illinois and Kansas, considered blows against political patronage, give contractors free-speech protection similar to that enjoyed by employees of local, state and federal governments.

"We recognize the right of independent government contractors not to be terminated for exercising their First Amendment rights," Justice Sandra Day O'Connor wrote for the court in the Kansas case.

Governments can drop contractors for legitimate reasons or even for no reason, Justice Anthony M. Kennedy wrote in the Illinois case. "But it does not follow that this discretion can be exercised to impose conditions on expressing, or not expressing, specific political views," he said.

Dissenting Justice Antonin Scalia caled the two rulings "profoundly disturbing" and added, "Refusing to reward one's opponents . . . is an American tradition as old as the republic."

"Favoritism such as this happens all the time in American political life, and no one has ever thought that it violated – of al things – the First Amendment," added Scalia, joined in dissent by Justice Clarence Thomas.

The court revived a Kansas trash haulir's allegation that rural Wabunsee County unlawfully terminated its contract with him after he criticized local officials.

The justices also let an Illinois tow-truck operator pursue his complaint that a Chicago suburb violated his rights by dropping him as a contractor because he supported the mayor's elecion rival.

The rulings come 20 years after the court began dismantling political patronage by protecting government employees' jobs.

The sheer volume of government contracts on the local, state and federal level means the decision will have far-reaching effects.

"The court has made it clear that individuals and companies do not give up their rights to free speech and political association just because they perform services for the government," said Harvey Grossman of the American Civil Liberties Union of Illinois.

The group is representing tow-truck operator John Gratzianna in his lawsuit against the city of Northlake.

Gratzianna, owner of O'Hare Truck Service, openly supported the challenger to Northlake Mayor Reid Paxson in a 1993 election.

The cases are O'Hare Trucking Service v. Northlake, 95-191, and Board of County Commissioners v. Umbehr, 94-1654.

Justice Stephen G. Breyer cited 'a new and changing environment' and the need for 'government to respond . . . without sacrificing the free exchange of ideas.'

Justices, citing free speech, strike parts of cable-TV law

By Richard Carelli
ASSOCIATED PRESS

WASHINGTON – Citing free speech, the Supreme Court struck down key portions of a federal law aimed at restricting children's exposure to indecent programs on some cable-television channels.

But yesterday's splintered and complex decision left many questions unresolved, including whether the ruling will help or hurt government efforts to keep smut off the Internet.

The court upheld one provision of the challenged law, Congress' first effort to clean up cable-television programming. That provision lets cable operators refuse to carry any programs they reasonably believe are indecent on channels they lease out to others.

But the justices said the government cannot force cable operators to segregate all programs deemed indecent on a single leased channel. Nor can the government let cable operators opt out of carrying public-access channels that feature programs some might find indecent, the court said.

Nearing Monday's end to the court's term, only one decision remains to be announced before the justices begin their three-month summer recess. The government is seeking to avoid up to $10 billion in liability for an accounting rule change that plunged many savings and loans into financial trouble.

The cable decision was hailed by Michael Greenberger, a lawyer representing public-access television programmers and producers, as "a tremendous victory for First Amendment forces."

"The common-sense message that comes through is only when there is evidence children are being harmed will government be given more leeway to impose censorship," Greenberger said.

Another free-speech advocate, Andy Schwartzman of Washington-based Media Access Project, was less enthusiastic.

"The Supreme Court has left the public with more, not less, doubt about how the First Amendment applies to cable TV," he said. "The court's wide divisions are disappointing."

The case produced six opinions and three votes with shifting majorities.

The court split 7-2 in upholding the law's first provision. The justices voted 6-3 to strike down the leased-channels provision and 5-4 to strike down the public-access-channels provision.

The law defines indecent programs as those that depict or describe "sexual or excretory activities or organs in a patently offensive manner."

Unlike obscene material, indecent material is protected by the Constitution's free-speech guarantees. Opponents argued that programs on AIDS, abortion and child birth could be banned or blocked as indecent.

The indecency provisions, added to the cable legislation by Sen. Jesse Helms, Republican of North Carolina, just before its passage, do not apply to commercial cable channels such as MTV and HBO.

Steve Phillips, a senior spokesman for the senator, said the Helms provisions would help "protect children from sleazy programs."

As for the rest of the decision, Phillips said, "We will evaluate whether there are any alternative legislative approaches."

The court's main opinion, written by Justice Stephen G. Breyer, was worded cautiously. He cited "a new and changing environment" and the need for "flexibility necessary to allow government to respond to very serious practical problems without sacrificing the free exchange of ideas the First Amendment is designed to protect."

His words are sure to be studied closely by those enmeshed in a dispute over the Telecommunications Act of 1996, signed into law by President Clinton in February.

That law would make it harder to send indecent material over the Internet if there's a possibility it would be seen by children.

In blocking enforcement of that law earlier this month, a Philadelphia-based federal appeals court cited free-speech violations.

The 1992 cable TV law was challenged by two coalitions of cable programmers, the Denver Area Educational Telecommunications Consortium and the Alliance for Community Media.

The case is Denver Area Consortium v. FCC, 95-124.

Unanimous Supreme Court backs law limiting death-row appeals

■ SUPREME COURT
Continued from Page 1

examined the new law this month.

Yesterday's ruling surprised few court watchers.

Over the past decade, Chief Justice William H. Rehnquist has insisted on limiting appeals in federal courts. In a series of opinions, the court has reinterpreted the Habeas Corpus Act of 1867 to make it harder for inmates to file "second and successive" appeals in a federal court.

Last year, when the Republicans took control in the House and Senate, they made reform of the Habeas Corpus Act a top priority.

"Something is seriously wrong when a John Wayne Gacy murders 27 young boys and it takes 14 years from the time of his sentencing to the time he is executed," said House Judiciary Committee chairman Henry Hyde of Illinois, a sponsor of the bill.

The little-noticed bill, attached to antiterrorism legislation, made four important changes – only one of which was tested and upheld yesterday.

Under the other three provisions:

■ Federal judges were told they should not overturn murder convictions and death sentences unless they resulted from "an unreasonable application of clearly established law." Where these judges previously had a free hand to oversee state cases, the new law said they would defer to state judges.

■ Inmates were given only one year to file appeals in federal court after they lost in a state court. In the past, their lawyers often waited years until an execution date was set before filing a federal appeal.

Under the new law, death-row inmates who have lost appeals in state court have only one chance to appeal in federal court.

■ Federal judges were given one year to handle these appeals.

The case at issue yesterday involved Georgia murderer Ellis Wayne Felker. On April 29, lawyers for Felker tried to stave off his pending execution by filing another appeal in a federal court in Atlanta.

Fifteen years ago, Felker had introduced himself to a college student who was working as a waitress at a local Holiday Inn. She had no way to know he recently had been released from prison for having abducted and raped another young woman.

Joy Ludlam, the waitress, told her mother and a friend she was going to meet Felker for dinner. She was never seen alive again. When her body was found two weeks later, she had been raped, beaten and strangled, and investigators found Felker's hair and clothing fibers on her body.

He maintained he did not commit the crime, but a jury convicted him of murder and sentenced him to death. His appeals were rejected in the Georgia court, and the Supreme Court denied an appeal in 1984.

Since then, he has remained alive by filing new federal appeals.

This time, however, his appeal arrived five days after President Clinton signed the new death penalty bill into law, and the federal appeals court in Atlanta cited it as reason for dismissing his latest claims.

His lawyers filed an emergency appeal asserting Congress could not block all federal courts, including the Supreme Court, from hearing such claims.

In a brief opinion in Felker v. Turpin, 95-8836, Rehnquist disposed of the matter by saying the Supreme Court certainly has the power to hear such a claim on its own.

However, those appeals will be "rarely granted," he said, and only when the inmate can "show exceptional circumstances," such as powerful new evidence suggesting he is innocent of the crime.

Robert Fogelnest, president of the National Association of Criminal Defense Lawyers, said the decision undercuts "liberty's highest safeguard," the writ of habeas corpus. "Sadly, as a result of this decision, some innocent people are certain to be put to death," he said.

White House rejects ex-FBI agent's book

Los Angeles Times

WASHINGTON – The White House yesterday dismissed a new book by a retired FBI agent who worked in the Clinton White House as "fiction" – even as conservative backers of the book planned to promote its wide-ranging allegations.

"Unlimited Access," by 30-year FBI veteran Gary Aldrich, makes a variety of allegations about the sex lives of President Clinton and Hillary Rodham Clinton and their staffs, rampant drug abuse by White House aides, repeated breaches of security, theft of government property and abuse of power.

Aldrich, who retired in 1995 in what he called "disgust" at what he'd seen at the Clinton White House, said he was driven to write his account because Congress and the media have conspired to cover up the Clintons' offenses.

Aldrich's work was supported by the conservative Southeastern Legal Foundation and published by Regnery Publishing Inc.

The publication of the book is being promoted by a conservative public relations company that also staged the 1994 news conference at which Paula Corbin Jones leveled her sexual harassment allegations against the president.

Among Aldrich's allegations, attributed to an unnamed source, is that the president frequently sneaked out of the White House hidden under a blanket in the back seat of an unmarked car to meet women at a Washington hotel.



GARY ALDRICH
Alleges Clinton trysts

Clinton's getaway car was driven by senior White House counselor Bruce Lindsey, Aldrich alleges.

In addition, the author writes that he was told by "knowledgeable" people that Mrs. Clinton negotiated a deal that gave her authority over all personnel and domestic policy matters in exchange for silence on Clinton's extramarital affairs.

The book is "absolutely ridiculous," said White House spokesman Mike McCurry, traveling with the president in Lyon, France. "It's fiction. That's our position."

Aldrich did not clear his manuscript with the FBI, as is required of former agents.

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Brookline
Coolidge Corner, 1285 Beacon
617-277-7767

Natick
61 Worcester Rd (Rt. 9W)
5 Miles From Rt. 128
508-650-1005

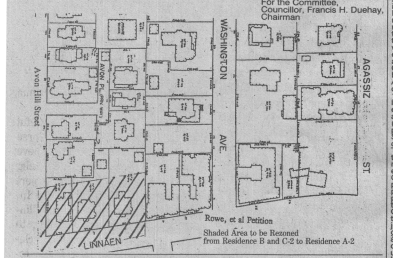
1-800-596-BACK (2225)
http//www.relaxtheback.com

LEGAL NOTICES

CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Tuesday, July 9, 1996, at 5:30 P.M., in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a Zoning Petition by Mary Rowes, et al to rezone an area of Lansdowne Street from Residence C-2 and Residence B to Residence A-2 as shown on the plan accompanying map. The rezoning would restrict development to a Floor Area Ratio of .5 and a height limit of 35 feet. It would increase the required lot width of 65 feet and the minimum lot size to 6,000 square feet and would permit only single family residential uses in the affected area.
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.
All persons interested in this matter may appear at this time and be heard.

For the Committee,
Walter Sullivan, Chairman
Frances H. Duehay, Chairman



LEGAL NOTICES

PUBLIC ANNOUNCEMENT
MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
SOLICITATION FOR RESIDENT ENGINEER SERVICES
The Massachusetts Bay Transportation Authority (MBTA) is soliciting Vehicle Engineering Services to conduct a life-cycle cost analysis of the Authority's rail vehicles and procurement practices. Services will include an evaluation of the current fleet condition and maintenance practices. The selected consultant will develop recommendations for new procurements, reliability measures, and improvements to current maintenance practices. Firms having the qualifications for this project are invited to mail a Letter of Interest to Mr. Clay Schofield, P.E. - Planning Department, Massachusetts Bay Transportation Authority, Room 5750, Boston, MA 02116. Firms responding to this invitation, no later than 4:00 pm on July 12, 1996, will receive a Request for Proposal (RFP). Letters of Interest submitted via FAX will not be accepted. A pre-proposal meeting will be held on July 12, 1996 at 9:00 am in Conference Room 4 on the second floor of 10 Park Plaza, Boston, MA.
All firms submitting a Letter of Interest will be afforded the opportunity to submit a detailed Proposal. In addition to 10 copies of the Proposal, ten current copies of the following will also be required; Architect-Engineer and Related Services Questionnaire (SF-254), Architect-Engineer and Related Services Questionnaire for Specific Projects (SF-255), and an Affirmative Action Plan and employee profile for each of the firms included in the Proposals. The SF-254/SF-255 submittals must include all proposed subconsultants.
The DBE participation goal which must be maintained throughout the life of the contract, including any adjustments is at least sixteen percent (16%) of the total adjusted ceiling price.
Consideration for selection shall be based upon proposed staffing, organization, and specific task related experience. Also, to be considered for selection, all proposed teams submit with their Proposal an Affirmative Action Plan, Employee Profile, and the most current DBE Certification Letters as well as a commitment to the utilization of Disadvantaged Businesses Enterprises (DBE's) in joint venture or as subconsultants so that the MBTA's goals for subconsultant DBE (16%) participation is achieved. A DBE firm as the prime consultant cannot be considered in the Subconsultant DBE goal of 16% unless utilized in a joint venture.
It is the practice of the MBTA to encourage the economic growth of professional services firms through broad solicitation and award of contracts. All capable firms are invited to submit letters of interest in accordance with the instructions presented in the solicitation.
Following an initial evaluation of their qualifications and capabilities, a short list of interested firms will be developed and may be requested to provide the required services will be selected for interviews.
This is not a request for proposal.
James J. Kerasotes — Patrick J. Moynihan
Secretary & MBTA Chairman — General Manager

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC UTILITIES
June 26, 1996
D.P.U. 96-5-CC
FITCHBURG GAS & ELECTRIC LIGHT COMPANY
Notice hereby is given pursuant to 220 C.M.R. § 1.06(5) of an investigation by the Department of Public Utilities, on its own motion, into Fitchburg Gas & Electric Light Company's program conservation charges for the period August 1, 1996 through June 30, 1997.
The Department's investigation will examine issues including, but not limited to, the Company's demand-side management ("DSM") monitoring and evaluation reports. The monitoring and evaluation reports form the basis for any kilowatt and kilowatthour savings that may result from the implementation of the Company's DSM programs. Approved kilowatt and kilowatthour savings estimates will serve as inputs to any lost base revenue and performance incentive that is to recover through the conservation charges.
The Department of Public Utilities will hold a public hearing on the above-captioned matter at its offices, Twelfth Floor, Saltonstall Building, 100 Cambridge Street, Boston, Massachusetts 02202, on Friday, July 12, 1996 at 11:00 a.m. Immediately following the public hearing, and in the same location as the public hearing, the Department will conduct a procedural conference, at which time evidentiary hearings will be scheduled, if at that time the Department, or a party with prior notice to the Department, requests evidentiary hearings to be held. Following the procedural conference, and in the same location, will be a technical session.
The petitioner, Fitchburg Gas & Electric Light Company, has on file with the Department for public inspection, its petition and supporting and evaluation reports, at least fourteen (14) days before the hearing, the Company shall send copies of this Order of Notice to all interveners and participants in the following proceedings before the Department: specifically D.P.U. 96-181, D.P.U. 92-181-A and D.P.U. 95-80.
The Company is required to give notice of said hearing by publication hereof once at least fourteen (14) days prior to said date in the Fitchburg-Leominster Sentinel and Enterprise and the Boston Globe.
Any person who desires to participate in an adjudicatory proceeding concerning the above petition may file a written petition for leave to intervene at the Department in the proceeding with Mary L. Cottrell, Secretary, Department of Public Utilities, Twelfth Floor, Saltonstall Building, Boston, Massachusetts 02202, no later than the close of business (5:00 p.m.) on July 5, 1996, which is seven (7) days before the public hearing date mentioned above. A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. 1.01(4) for the weight of the seven-day requirement. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.
The Company shall also make return of service and proof of publication at the time of the hearing.
By Order of the Department,
MARY L. COTTRELL, SECRETARY

The Worcester Housing Authority, the Awarding Authority, invites sealed bids from general contractors for the purchase & installation of Cash Bar Locks for the Lake-side & Curtis Apartments Projects Housing Authority in Worcester, Massachusetts, in accordance with the documents prepared by the WHA Maintenance Department. The Project consists of the supply and installation of 138 pieces of Crash Bar Locks between The Lakeside Apartments Project and The Curtis Apartments Project.
The work is estimated to cost $54,000.00-$26,000.00.
Contractors must submit bids certified by the Owner's Capital Planning and Operation in the following category or higher: Bids are subject to M.G.L. c. 149 §44A-J and to minimum wage rates as required by M.G.L. c. 149 §26 to 27H, inclusive.
General Bids will be received until 2:00 p.m., July 17, 1996 and publicly opened, forthwith.
General Bids shall be sent to WHA Purchasing Department, 65 Tacoma Street, Worcester, Ma. 01605 and received no later than the date and time specified above.
General bids shall be accompanied by a deposit that is not less than five (5%) of the greatest possible bid amount (considering all alternates), and made payable to the Worcester Housing Authority.
Bid Forms and Contract Documents will be available for pick-up at 65 Tacoma St. Worcester, Ma. after 10:00 a.m., on July 1,1996.
Bidders requesting Contract Documents to be mailed to them may request them by contacting The Purchasing Dept. at 508/799-4562 on Monday-Friday between 8:30 AM to 4:30 PM.
A pre-bid conference will be held at 10:00 AM on July 10, 1996 in the conference room at 79 Tacoma St., Worcester and the following sites and/or existing buildings will be available for inspection after the meeting. Questions concerning this project may be directed to Mr. Gary Murphy, Director of Maintenance at (508) 798-4575.
All Contract Documents must be seen, but not remove d.

F.W. Dodge - McGraw Hill
1 Newton Executive Park
Newton, MA 02162-1418
Lexington, MA 02174
Worcester Housing Authority

PUBLIC NOTICE
EXECUTIVE OFFICE OF COMMUNITIES & DEVELOPMENT (EOCD)
DEPARTMENT OF COMMUNITY AFFAIRS (DCA)
THE PROPOSED REPEAL OF REGULATIONS FOR ELIGIBILITY IN STATE-AIDED PUBLIC HOUSING
AND
PROPOSED AMENDMENTS TO REGULATIONS FOR STANDARDS AND PROCEDURES FOR TENANT SELECTION AND TENANT TRANSFER
760 CMR 6.00
Under the provisions of M.G.L. c.30A §2 notice is hereby given of the following proposed action:
The repeal of 760 CMR 6.00 (Regulations for Eligibility in State-Aided Public Housing) some provisions of which, as amended, will be merged into 760 CMR 5.00; and the promulgation of amendments to 760 CMR 5.00 (regulations for State-Aided Public Housing Tenant Selection and Tenant Transfer), to be entitled Eligibility and Selection Criteria pursuant to the authority contained in M.G.L. c.23B and c.121B.
The Department Community Affairs or its successor agency will hold a public hearing as follows:
Monday, July 22, 1996 at 9:30 A.M.
McCormack State Office Building
One Ashburton Place - 21st floor
Conference Rooms 2 & 3
Boston, MA 02205
At such time and place interested persons will be afforded an opportunity to present data, views, or oral testimony relative to the above proposed actions. Written presentations may be made at the hearing or at any time prior to the hearing by directing the same to EOCD, Office of the Chief Counsel, 100 Cambridge Street, 9th Floor, Boston, MA 02202, Attention: Candy Tempesta.
Copies of the proposed regulations will be available for inspection at this agency during regular business hours 8:45 a.m. - 5:00 p.m. prior to the hearing.

In Public Improvement Commission of the City of Boston,
June 20, 1996.
Ordered: That due notice be given that the Commission is of the opinion that in said City the following public improvement should be made:
On the petition of the Massachusetts Turnpike Authority for the making of special repairs on Dartmouth Street in the same location as the public hearing, the Department will conduct a procedural conference, at which time evidentiary hearings will be scheduled, if at that time the Department, or a party with prior notice to the Department, requests evidentiary hearings to be held. Following the procedural conference, and in the same location, will be a technical session.
The petitioner, Fitchburg Gas & Electric Light Company, has on file with the Department for public inspection, its petition and supporting and evaluation reports, at least fourteen (14) days before the hearing, the Company shall send copies of this Order of Notice to all interveners and participants in the following proceedings before the Department: specifically D.P.U. 96-181, D.P.U. 92-181-A and D.P.U. 95-80.
The Company is required to give notice of said hearing by publication hereof once at least fourteen (14) days prior to said date in the Fitchburg-Leominster Sentinel and Enterprise and the Boston Globe.
Any person who desires to participate in an adjudicatory proceeding concerning the above petition may file a written petition for leave to intervene at the Department in the proceeding with Mary L. Cottrell, Secretary, Department of Public Utilities, Twelfth Floor, Saltonstall Building, Boston, Massachusetts 02202, no later than the close of business (5:00 p.m.) on July 5, 1996, which is seven (7) days before the public hearing date mentioned above. A petition to intervene must satisfy the timing and substantive requirements of 220 C.M.R. 1.01(4) for the weight of the seven-day requirement. To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A, § 10.
The Company shall also make return of service and proof of publication at the time of the hearing.
By Order of the Department,
MARY L. COTTRELL, SECRETARY

MASS HIGHWAY

COMMONWEALTH OF MASSACHUSETTS
HIGHWAY DEPARTMENT PROPOSALS
Sealed proposals for the following projects will be received at Room 5441, 10 Park Plaza, Boston, MA 02116 until the dates and times stated below and at that place and time publicly opened and read:
TUESDAY, AUGUST 13, 1996 @ 2:00 P.M. — P.V. — P&S
Districts 4 and 5: Removal and Replacement of Underground Storage Tanks — 30.41 — $20
CONTRACT NO. 16-95. The Woods Hole, Martha's Vineyard and Nantucket Steamship Authority will accept general bids for the "Automated Reservation and Ticketing System" during regular business hours at the Steamship Authority's Procurement Office, at, its Woods Hole Terminal Foot of Railroad Ave, Woods Hole, MA 02543, until 2:00 p.m. prevailing time, Thursday, July 25, 1996, at which time and place they will be publicly opened. Bid Specifications can be obtained from the Steamship Authority's Procurement Office, tel (508) 548-5011, during regular business hours. A pre-submission informational meeting will be held with all prospective proponents on Tuesday, July 9, 1996 such meeting and/or location to be determined by the Authority and so stated in the Addendum to this Request. The Steamship Authority reserves the right to reject any and all bids, waive any informalities in bidding and to award the contract in its best interest.
OPENING OF BIDS POSTPONED TO: TUESDAY, JULY 2, 1996 @ 2:00 P.M.
Williamstown: FAP-#BR2-000S(508)X Bridge Replacement (Glue Laminated Bowstring Truss Structure) - Bee Hill Road over Hoosic Glen Brook (Adv. 12-2-95)
OPENING OF BIDS POSTPONED TO: TUESDAY, JULY 9, 1996 @ 2:00 P.M.
Amherst: Traffic Safety Improvements and Signals - College Street (Route 9) at Northampton Road (Adv. 10-26-95)
OPENING OF BIDS POSTPONED TO: TUESDAY, JULY 16, 1996 @ 2:00 P.M.
Foxborough: FAP-# M-95-1(088) Resurfacing and Related Work on a Section of Interstate 495 (Adv. 12-23-95)
OPENING OF BIDS POSTPONED TO: TUESDAY, JULY 23, 1996 @ 2:00 P.M.
Dover: FAP-# STP-337(001)X Bridge Reconstruction - West Main Street over the MBTA Railroad (Adv. 4-5-96)
Georgetown: Reconstruction of Wheelchair Ramps, Sidewalks, Driveways and Related Work at Routes 97 and 133 (Adv. 6-7-96)
Milford: Reconstruction and traffic Signals at 3 Locations - Route 140 @ West Street, Congress Street @ W. Fountain Street and Purchase @ Dilla Street (12-16-95)
OPENING OF BIDS POSTPONED TO: TUESDAY, AUGUST 6, 1996 @ 2:00 P.M.
Greenfield and Hatfield: Clean and Paint Three Steel Bridges over Interstate 91 (Adv. 5-25-96)
OPENING OF BIDS POSTPONED TO: TUESDAY, AUGUST 13, 1996 @ 2:00 P.M.
Attleboro: FAP-# M-2-0005(515)X Reconstruction of Two Mechanic Street Bridges over the Ten Mile River (Adv. 1-27-96)
OPENING OF BIDS POSTPONED TO: TUESDAY, AUGUST 20, 1996 @ 2:00 P.M.
Abington: Roadway Improvements and Traffic Signal Installation at the Intersection of Brockton Avenue (Route 123) with Groveland and Vernon Street (Adv. 10-21-95)
New Bedford: Roadway Reconstruction and Related Work Including Traffic Signal Installation on a Section of Belleville Avenue (Adv. 5-17-94)
West Springfield: FAP-# M-091-1(145) Bridge Rehabilitation - Interstate 90/I-91 Ramp A over Route 5 (Riverdale Street) (Adv. 4-20-96)
OPENING OF BIDS POSTPONED TO: WEDNESDAY, SEPTEMBER 4, 1996 @ 2:00 P.M.
Canton to Randolph: FAP-# STP-114(001) Resurfacing and Related Work on a Section of Route 24 (Adv. 2-10-96)
Middleborough/Lakeville: Resurfacing and Related Work (Adv. 9-6-95)
Plymouth: Resurfacing and Related Work on Sections of Route 25 and Interstate 495 (Adv. 12-30-95)
OPENING OF BIDS POSTPONED TO: TUESDAY, SEPTEMBER 10, 1996 @ 2:00 P.M.
Bridgewater-Raynham-Taunton-Berkley-Freetown-Fall River: Sign Replacement on a Section of Route 24 (Adv. 12-23-95)
Raynham-Bridgewater: Resurfacing and Related Work on a Section of Interstate 495 (Adv. 2-23-96)
OPENING OF BIDS POSTPONED TO: TUESDAY, SEPTEMBER 24, 1996 @ 2:00 P.M.
Framingham: Roadway Improvements and Signals at the Intersection of Worcester Road (Route 9) and Caldor Road (Adv. 2-24-96)
Sharon: Bridge Replacement - Depot Street over the MBTA and AMTRAK (Adv. 3-2-96)
Wilmington: Bridge Reconstruction - Burlington Avenue (Route 38) over the MBTA Railroad (Adv. 5-10-96)
This bidding is for and subject to the requirements of Mass. General Laws Chapter 30 § 39M. Bidders are on notice that this project is subject to the schedule of prevailing wage rates to be determined by the Commissioner of the Department of Labor & Industries (Comm. of MA), and where applicable, the United States Secretary of Labor. The Proposal Guarantee shall be 5% of the bid.
Contractors intending to bid on any project must first obtain "Request for Proposal Forms" (for Determination of Contractor's Prequalification) from the Prequalification & Contract Office, Room 7551 at the above address, which form must be completed and submitted to the Prequalification & Contract Manager for approval. Upon Approval and receipt of the required amount refundable to official bidders) the prospective bidder shall be entitled to receive an officially numbered non-transferable Proposal Pamphlet along with a set of plans for the project, if required. Payment shall be by cash, bank check, certified check or money order, drawn to the order of the Massachusetts Highway Department and made by business age for each proposal. Informational copies of plans and specifications, when such copies are not unobtainable are available to non-prequalified individuals and firms. Plans and contract documents will be on display at the Boston Office and each District wherein a project is located.
The Department expressly reserves the right of Federal Regulations Part 21 (NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF TRANSPORTATION-EFFECTUATION OF TITLE VI OF CIVIL RIGHTS ACT OF 1964) hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement minority business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color or national origin in consideration for an award.
Massachusetts Highway Department projects are subject to the rules and regulations of the Architectural Access Board (521 CMR 1.00 et. seq.).
BY ORDER OF THE GOVERNOR, SECRETARY OF TRANSPORTATION
KEVIN J. SULLIVAN, COMMISSIONER
MASSACHUSETTS HIGHWAY DEPARTMENT
JUNE 29, 1996

MORTGAGEE'S SALE OF REAL ESTATE
By virtue and in execution of the POWER OF SALE contained in a certain Mortgage given by Nikolas Stoukas and Nomiki Tsoukakis, Trustees of Hellenic Realty Trust to National Bank of Greece S.A. dated April 3, 1996 and recorded with the Suffolk Registry District of the Land Court as Document No. 430281, as noted on Certificate of Title No. 96172, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 10:00 A.M. on the 29th day of July, 1996 at the location of the premises at 680 Morton Street, Dorchester (Mattapan), Suffolk County, Massachusetts, all and singular the premises described in said mortgage, to wit:
A certain parcel of land in the City of Boston, formerly in the City of Dorchester, bounded and described as follows:
SOUTHWESTERLY — by the northeasterly line of Morton Street, two hundred fifteen and 01/100 (215.09) feet;
NORTHWESTERLY — by lot A as shown on plan hereinafter mentioned, two hundred seventy-five (51.95) feet;
NORTHEASTERLY — by land now or formerly of Timothy J. Mahoney, one hundred fourteen and 42/100 (114.42) feet; and
SOUTHEASTERLY — by lot 2 as shown on said plan, fifty and 00/100 (50.00) feet.
Said land is shown as Lot One (1) on subdivision plan drawn by Charles E. Brown, Jr. dated March 29, 1954, as approved by the Court, filed in the Land Registration Office as plan No. 15046-5, a copy of a portion of which is filed with Certificate of Title No. 57694.
For mortgagor's title, see Certificate of Title No. 96172 filed in Suffolk Registry of Deeds Land Registration Office in Book 476, Page 172.
The premises are to be sold subject to and with the benefit of all easements, party wall rights, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession, existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising, having priority over the mortgage, if any there be. The premises are also sold subject to the right of redemption of the United States of America, if any there be.
TERMS OF SALE:
TEN THOUSAND DOLLARS AND 00 CENTS ($10,000.00) shall be required to be paid to the mortgagee, in cash or by certified bank cashier's check, at the time and place of the auction sale as a deposit on the full purchase price to be paid or tendered in cash or by certified check upon delivery by said successful bidder. The auction shall not be closed until the successful bidder has made the deposit and executed the memorandum of sale.
The deposit of the successful bidder shall be fully accounted for at the time the balance of the purchase price is paid. The balance of the purchase price due under the memorandum of sale shall be paid within twenty-eight (28) days from the date of the Public Auction at 10:00 o'clock a.m. at the offices of Roche, Carens and DeGiacomo, a Professional Corporation, One Post Office Square, Boston, MA, unless otherwise agreed to in writing. The Mortgagee's Foreclosure Deed will be delivered at the time the balance of the purchase price is paid.
In the event the successful bidder fails to fulfill the agreements made in the executed memorandum of sale hereinabove set forth at the time of performance at the appointed time and place, the deposit shall be forfeited and become the property of National Bank of Greece S.A. without recourse to the bidder.
Other terms, if any, will be announced at the sale.
National Bank of Greece S.A.
Present Holder of said Mortgage,
By its authorized attorney,
John W. Gahan III
DATED: June 18, 1996
ATTORNEY FOR MORTGAGEE:
John W. Gahan III
BBO No. 548600
Roche, Carens & DeGiacomoa Professional Corporation
One Post Office Square
Boston, Massachusetts 02109
(617) 451-0300
6/22, 6/29, 7/6

FOR PLANS WITH YOUR VACATION CHECK OUT THE TRAVEL PAGES IN
THE BOSTON SUNDAY GLOBE

INVITATION TO BID. MASSACHUSETTS BAY COMMUNITY COLLEGE, 19 FLAGG DRIVE, FRAMINGHAM, MA 01702. The College is soliciting quotations for the following: Part 1. Vending Food/Beverage Sales. Part 11. Lease/Purchase of Food Vending Machines. There will be a bid opening on July 10, 1996 starting firmly at 2:00 p.m. Refer to Bid #96-244. For detailed specifications, contact the Business Office at (617) 239-2533. MASSACHUSETTS BAY COMMUNITY COLLEGE IS AN AA/EO EMPLOYER.

THE ANNUAL REPORT of the Julian Painter Charitable Trust is available for inspection at the office of the Foundation, Suite 1900, One Post Office Square, Boston, MA 02109 (617) 832-1000 during regular business hours by any citizen who requests it within 180 days of the date of publication of this notice. Principal Manager: Hans F. Loeser. Date: 6/29/96.

GLOBE ADS PAY BEST!

LEGAL NOTICES

PUBLIC ANNOUNCEMENT
The Massachusetts Migrant Education Program/EDCO Collaborative announces its participation in the USDA Summer Food Service Program for Children. Free Meals are provided to attending children 18 years of age and under, without regard to race, color, national origin, sex, or handicap. Meals are provided to attending children at the following sites:
O'Maley Middle School 343 Washington Street, Gloucester, MA July 1 - Aug 16, 1996 Monday thru Friday Breakfast at 8:30 am Lunch at 12:00 pm
St. Mary's Jr/Sr High School 35 Tremont Street, Lynn, MA July 1 - Aug 16, 1996 Monday thru Friday Breakfast at 9 am Lunch at 12:30 pm
Listed below are the standards to be used in determining program eligibility.
SFSP Income Eligibility Standards
EFFECTIVE JULY 1, 1995 to JUNE 30, 1996

HOUSEHOLD SIZE	ANNUAL	MONTHLY	WEEKLY
1	13,820	1,152	266
2	18,598	1,550	357
3	23,292	1,941	448
4	27,970	2,331	539
5	32,764	2,731	631
6	37,558	3,130	722
7	42,236	3,520	813
8	47,030	3,919	904

For each additional household member add: +4,736 — +395 — +92
CHILDREN ENROLLED IN ELIGIBLE PROGRAM SITES WHO ARE MEMBERS OF FOOD STAMP HOUSEHOLDS
AFDC ASSISTANCE UNITS ARE AUTOMATICALLY ELIGIBLE TO RECEIVE THESE MEALS FREE.
Contact the site or the office of the Massachusetts Migrant Education Program/EDCO Collaborative at (508) 857-8331 for additional information.

INVITATION TO BID
The Massachusetts Water Resources Authority is seeking bids for the following:

BID No.	DESCRIPTION	DATE	TIME
WRA-1469	Gun Gyrostatograph Furnish & Install Two Hydro-Therm Arn 300-2 Boilers	7/19/96	11:00 a.m.
WRA-1470	One Year Service Contract - Repair & Rewinding of Miscellaneous Electric Motors at DITP	7/29/96	11:00 a.m.
WRA-1471	One Year Blanket Contract for Printing Services	7/29/96	2:00 p.m.

Sealed bids will be received at the offices of the Massachusetts' Water Resources Authority, Charlestown Navy Yard, Document Distribution Office, 100 First Avenue, First Floor, Boston, Massachusetts 02129, up to the time and date listed above at which time they will be publicly opened and read.
Bid documents and specifications may be obtained by calling the MWRA's Document Distribution Office, (617) 241-6087.
The Authority reserves the right to reject any and all bids, to omit an item or items, and to accept any proposal deemed best for the Authority.

DOGS, CATS, PETS



DOGS • CATS • PETS

A1 Minii Collie-Shepard Spay, $150. Yellow Lab mix, $125. Adult Sheep Dog, $250. 508-664-4200.

ABYSSINIAN & Somali kittens, vet checked, shots, ready & ready (508) 529-3004 or 508-879-0812

ADORABLE, Akc toy poodle pups, 2 silver males, ready for health & beauty. 603-889-5301, call aft 4.

ADULT cats, need loving home. Spayed, declawed, all shots, beautiful, perfect. $10. (617) 868-6258

AIREDALE pups, AKC, exquisit & temp. Vet ckd Ch sire & dam on prem. Ready 7/6. 617-891-0612

AKC Miniature Dachsunds (LONG) Liver & black & tan. AKC Pomeranians' males $325, females $400 or save $50 w/neuter agreement. (603) 524-2540 eves.

AKC Lab pups,chocs. & blk. sire & dams OFA eyes clear, sire mast hunter, vet checked & health guar, all shots. $400-$500. Ready 7/6. 617-828-4840.

AKC German Short Haired Pointer pups I'm champ sire & hunting str, ready 7/6/96. $400ea. Call Bob (days) (508) 278-5095

AKC Yorkies, Adorable babies, healthy, happy, ready to love. Shots, ficert. 603-424-8932.

AKC PORTUGUESE Water Dog pups, parents on prem, brown champion lines, (401) 253-0511

AKC, Rottweiller puppies, 1M, 1F, 9½ mos. old and puppy shots, reasonably priced. (207) 499-1727

AKC, Lab pups, yellow or black, male/female, top quality, ready to go. $550. Call (207) 883-8014

AKC Black Lab pups, OFA certified, eye & hip clear, 1st shots, ready 7/23. (413) 593-1151

AKC Pups home raised shots, guar, Corgi, Mini Dachshund Shelte & Westie $400 up 603-483-2098

AKC MALTESE pups, Adorable balls of love & fluff. Ready to love. Shots, health guar. (603) 424-8932

AKC REG. German Shep. pups, pure German blood lines, top quality dogs. Must see. (603) 483-9580

AKC Reg. Black Lab pups, 14 wks., health guar, excel. temp & ped. $350. (508) 458-9765.

AKC, Doberman pups, blk & rust, ears, tails, dew claws, 1st shots, $650 (508) 430-2038 before 9pm

AKC, Great Dane pups, black, champ parents, croppe& docked, sound temp. $800. 860 873-8488.

AKC, OFA, Gentle giant shepherd pups, American & German lines. $400-$450 cash. (508) 866-2374

AKC, LAB PUPS Black & yellow, Exc temp, field type Parents/hips/eyes cert. (508) 867-5842 eves

AKC, Yellow/white Labrador pups, 1st shots & wormed, parents OFA, vet mines $500, 508-697-6075

AKC Bichon Frise pups, parents on premises. Males-$450. Females-$650. (413) 589-0079

AKC BULLMASTIFFS champ bl lines, exc companion security, ready 7/6 cert $1000. 617-243-5426.

BASTUAL Spec. pups, AKC Reg ASCA/AKC, pet/showseries red merles Nancy-/healthy 603/399-7003

BASSET Pups, all males, AKC/UKC reg., Parents on premises, 1st vacc., $500. Call (508) 672-9780

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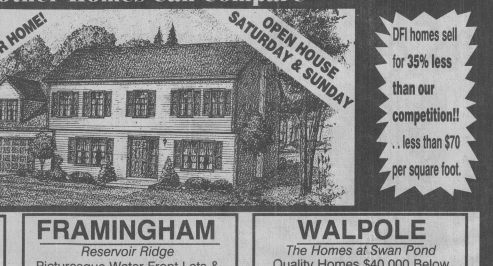

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YOU HAVE: High Line Experience, Excellent Organizational & Communications Skills, High CSI Scores, Ability to Motivate & Develop Staff
WE OFFER: Personal Growth, Challenging High Volume Dept, Exceptional Salary & Bonus Plan, Newly Renovated Service Facility.
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WAKEFIELD, MA
at Exit 39 Off Rte. 128,

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We have openings for qualified and experienced personnel in the following areas:
- INSIDE SALES
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- TRADE COUNTER
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We offer excellent wages, an extensive benefit package and excellent working conditions. Make a move with a company on the move. Apply in person Mon-Fri 8-2 pm
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FOREPERSON LANDSCAPE CONST. DESIGN/BUILD
Must have bobcat experience. CDL a plus. $11-14/hr. if qualified. Call 508-238-5381 or apply in person to
GREENSCAPE INC.
71 Washington St.
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OIL BURNER TECHNICIAN
South Shore oil company seeking exp service technician with the ability to install boilers, furnaces, etc.
- Excellent pay
- 100% Medical Insurance
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828-6041, 8-5 weekdays only.

Dog/Cat Groomer
In established, progressive animal hospital. Exp. w/all breeds required. Will consider new graduates. Excellent salary and benefits. FAX resume to: 508-655-6235 Or send to: Falmouth Animal Hospital P.O. Box 407 No. Falmouth, MA 02556

EXPANDING COURIER CO. Needs Addt'l Drivers
Company vehicle. Benefits. Must be 21, MA lic. & current MVR. Apply Courier Dispatch.
99 Bridge St.
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ASST. PASTRY CHEF
Seeking Pastry Asst. to join energetic & creative team. Part/full time position. Hours improx. 1am-6am. Some exp. necess. Send resume to:
Klingers Bread Company
10 Farrell St.
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802-651-7195
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Expanding local Solid Waste disposal co. Exp. Class A & B Drivers for Roll Packer & Front End Loader. Top pay, 401K, health ins., vacation & holidays. Call Bob for appt. 617-395-9214 Driving Record Req'd.

CARPENTER'S HELPER
3 yrs Experience. Call:
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TOW TRUCK DRIVERS
FULL TIME - PART TIME
EXPERIENCE A MUST.
CLEAN DRIVING RECORD
BENEFITS, VACATION
617-924-0400

ROOFERS
Res. work, slate, shingles, roun new const. Exp. Top pay. 617-965-5244

EXP'D. SIDING, GUTTERS & CARPENTRY
With a pickup truck and tools. Call exp. 508-658-0320

$8-$10 PER HOUR
Full time & part time day cleaners needed. Experience preferred. Framingham area. Call 508-744-1921

LIFEGUARD WANTED
Part time. Exp. req'd. Must be current in CPR, first aid & lifeguarding. Call Lorraine or Lou (508) 384-4141

LEAD PRESSMAN
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Licensed, exp'd needed, also exp. helpers. Industrial-commercial work. Call Mike at (508) 352-9994.

BARBER
Part Time in Arlington. Flexible hours. Call:
(617) 646-6425

LINE COOK F/T
Apply in person to Chef Brian Cafe Escadrille, 26 Cambridge Street, exit 33A off 128, Burlington.

HVACR SERVICE
Exper. Service Tech. & Residential Mechanics for commrcl/res systs. Top pay & benefits. (617) 969-8500

PLASTERERS & LABORERS
Wanted, exper. & trucks a necessity. Plasterers must have transportation & references. Call 617-424-8997.

EXPERIENCED PLASTERERS
Only need apply. Top pay $15-$18. 508-984-0097.

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Weekends. All shifts. $7/hr. Call Dave 508-695-7795.

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Dtwn Boston hotel seeks:

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Dog/Cat Groomer
In established, progressive animal hospital. Exp. w/all breeds required. Will consider new graduates. Excellent salary and benefits. FAX resume to: 508-655-6235 Or send to: Falmouth Animal Hospital P.O. Box 407 No. Falmouth, MA 02556

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Earn $$$'s for your opinion in a market research study. 617-246-0250, 10am-9pm

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Must have at least 4 years experience in A. Autobody (781) 935-0488

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Major Courier Service seeking Independent Contractors for rush and scheduled deliveries throughout New England. Must have own vehicle. Earning potential dependent on your desire. Knowledge of Boston area a definite plus.
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LOTS OF PUPS & KITTENS
Cute & cuddly adults, too!
Open 9-6 Mon-Sat; Sun til 6
FREE SPAY/SHOTS. Non-profit adoption info. 1 hr No. of Boston. Northeast Animal Shelter, 306 High-land Av., Wilm. Rt. 93 Salem. (508) 745-9595

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FREE -- names of reputable breeders offering registered AKC puppies
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$575-$750. 401-722-7325

LABS, AKC, CFA, PRA, Whipowill Kennels since 1975 pups reserve now. 70 N.Conway, 207-928-2057.

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PUPS/kittens, 1st shots, wormed/home raised, will be checked also: poodles & Yorkshire terrier. 508 789-7087

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SHIH TZU, 3 males, 5 wks, vet shots, $300. Also Yor, colors, $325. Call (508) 699-4109

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$ Debt Consolidation Free! $
Cut Monthly Payments 30%-50%. Reduce interest. Stop collection calls. Credit restored. NCCS, Inc. (Non-Profit) Lic/Bonded. 10500 Little Patuxent Pkwy Suite 310. (800) 955-0412.

LEGAL NOTICES

NOTICE TO GENERAL PUBLIC: The Massachusetts Department of Education gives notice of the following Notice of Public Comment on proposed 603 CMR 4.00: Private Occupational Schools regulations. The proposed regulations amend and consolidate the following three sets of regulations: 603 CMR 4.00: Private Trade Schools; 603 CMR 5.00: Correspondence Schools; and 603 CMR 6.00: Private Business Schools. Copies of the proposed regulations are available from the Legal Office, Massachusetts Department of Education, 350 Main Street, Malden, 02148. Written comments may be submitted in care of Kathleen LaBlanc at the same address as soon as possible, but no later than September 13, 1996

INVESTIGATIVE REPORTING AT ITS BEST: THE BOSTON GLOBE'S SPOTLIGHT TEAM.

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NO MINIMUM, NO RESERVE ON MANY RUGS
MANY RUGS STARTING AT $1.00 AND SELLS TO THE HIGHEST BIDDER
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LARGE SELECTION OF COLORS, DESIGNS, SIZES, HANDMADE ORIENTAL RUGS, PERSIAN, PAKISTANI, CHINESE, INDO PERSIAN, AFGHAN, TURKEY, BIDJAR, KASHAN, ESFHAN, BOKHARA, TABRIZ, NAIN, SAROUK, RUNNERS, ANTIQUE & SEMI-ANTIQUE.
RARE PIECES, VALUABLE MASTERPIECES
ALL RUGS COME WITH CERTIFICATE OF AUTHENTICITY
MANY RUGS STARTING AT $1.00

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Over 100 dealers in 10,000 sq. ft.
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DEALER PREVIEW SATURDAY 8:00 A.M. TO 10 A.M. $10 PER PERSON INCLUDING ANTIQUE PAPER RECEIPT
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Sunday, June 30
10am - 3 pm
MARIOTT HOTEL
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5400 Computer Dr., Mass. Rte to I-495 North, Exit 23B (Rte. 9W) Hartford to M, Exit 24 (Rte. 9E) Worcester to computer Dr., Westborough. Buy, Sell, Trade, New & Used Cameras, Lenses, Accessories, Etc. Info. 313-561-1955 8:51am to M

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FLEA MARKET
$25.00 SPECIAL!
RESERVED SPACES FOR YARD SALE WITH PURCHASE
Available on Sundays
OPEN SAT. SUN.
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RAYNHAM FLEA
Over 700 dealers. Now open Sat & Sun 8-4 Rain or Shine
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266 CANAL ST., SALEM, MA
150 DEALERS
Open Daily 9:30 - 5:30
Admission $.50, Rt. 126, Take the Bridge St. Exit, Salem right at 1A onto Canal St.
WANTED GOOD DEALERS
Call 508 744-7229

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8:00am to 4:00pm
175 East McClellan Highway
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617-568-1585
(No dealer inquiries)
(Weather Permitting)

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Great place to buy & sell. Hundreds of dealers, thousands of buyers. 95 Rt.I and Rt.4 exit at stop light. (401) 884-3111

DICK & ELLIE'S MASHPEE
Sat. & Sun. and starting mid-April Wednesdays
Wed. thru Sun. 508-477-3550

WITSCHI'S FLEA MARKET
Rte. 1 & 295, No. Attleboro
Every Sat. & Sun. 8am-5pm
Seller Space $10 Sun only
$15 Sat & Sun
Sunday is Set Only $8.
(508) 699-9492

To Advertise in this Directory
Call Leslie Rogers
at 617-929-8341

FLEA MARKETS

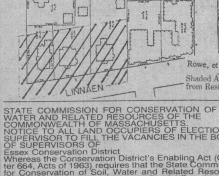
HOLLIS Flea Mkt NH Rt 122 Open Sun. 7 am- 3pm 614 603-882-6134; 465-7813

LEGAL NOTICES

CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Tuesday, July 9, 1996, at 5:30 P.M., in the Sullivan Chamber, City Hall, Cambridge, Massachusetts, on a Zoning Petition by Mary Bowes, et al to rezone an area of approximately 14,494 square feet of land located at 6 Linnaean Street from Residence C-2 and Residency B to Residence A-2 as shown on the accompanying map. The rezoning would encourage development to a Floor Area Ratio of .5 maximum lot size to 6,000 square feet and would limit any single family residence in the affected area.
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.
All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor, Francis H. Duehay, Jr.



LEGAL NOTICES

STATE COMMISSION FOR CONSERVATION OF SOIL AND WATER RESOURCES IN THE COMMONWEALTH OF MASSACHUSETTS
NOTICE TO ALL QUALIFIED VOTERS OF THE Essex Conservation District
Pursuant to the District's Enabling Act (Chapter 664, Acts of 1963) requires that the State Commission for Conservation of Soil, Water and Related Resources hold elections to fill vacancies on District Boards.
Therefore, notice is hereby given that an election to fill four vacancies will be held at the:
Essex County Agricultural & Technical Institute
Smith Hall, Room 35
562 Maple St.
Hathorne, MA 01937
Thursday, July 11, 1996
1:30 PM
Nomination of candidates for these positions may be made by the petition of land occupiers of the District delivered to the State Commission in advance or at the time of the holding of the election meeting. Any land occupier may vote at the meeting. Voting will be by secret ballot and the candidates receiving the highest number of votes will be declared elected.
STATE COMMISSION FOR CONSERVATION OF SOIL, WATER AND RELATED RESOURCES.
100 Cambridge Street
Boston, MA 02202
Adrian Meyer ,
Chairman

LEGAL NOTICES

INVITATION TO BID. The Department of Public Works for the Town of Tisbury is accepting sealed bids for the purchase of a new, diesel powered, 4 cubic yard, portable, MOD CHIPPER capable of chipping trees and brush up through 24" in diameter. Sealed bids will be received by the Superintendent of Public Works, located at 89 State Road, Tisbury, Massachusetts until 4:00 P.M. on July 9, 1996. Bid packages and specifications may be picked up prior to bid opening at the Department of Public Works, or will be mailed or faxed to each prospective bidder upon calling the Department of Public Works at (508) 696-0220. A public bid opening will be held at the Department at 10:00 A.M. on July 9, 1996. The contract will be awarded to the lowest responsible, responsive bidder and is subject to the availability of funds. The Town of Tisbury reserves the right to accept or reject any or all bids.

A LOOK AT THINGS TO COME: MOVIE, RECORD & CONCERT PREVIEWS EVERY WEEK IN THE GLOBE.

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"WE BUY"
ANTIQUE FURNITURE
PAINTINGS & PRINTS
"OLD" ORIENTAL RUGS
FINE CHINA & GLASS
SILVER & JEWELRY ETC
"Item Or An Entire Estate"
CALL 1-800-734-1705
Emms Ant. of Brookline

WANTED
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• ANTIQUES & ESTATES OF ALL TYPES
WE TRAVEL THROUGHT-OUT NEW ENGLAND
PAYING THE ABSOLUTE HIGHEST PRICES!
Call 1-800-272-5150, toll free. Beacon Hill Rug Co.

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HIGHEST PRICES PAID
For furniture, antiques, china, clocks, paintings, etc
TOWNE ANTIQUES
256 Washington St.
Brookline MA, 731-3326

ATTORNEYS & EXECUTORS
Estates purchased
Estate residue purchased and cleaned out. Charity 1-800-465-8828

STANLEY J. PAINE
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Lady buys Furn/jewelry/linen/china/silver/lamp/rug etc Mrs Johnson 617-332-7135

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Big or small, 1 item or entire estate. 617-876-4413

WE BUY CHINA/GLASS
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TOP $$ PAID (617) 969-6446

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ART COLLECTOR PAYS TOP $$
Pre-'60 fine art pigs & prints filed preprd. Larry 262-6295

JENNINGS, Antique quarter slot machine. Excellent cond. Machine & stand $3500. (617) 926-1159.

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Has nice reconditioned fridges $169, Washers & Dryers, $119. w/1 yr. warr. Open 7 days. 617-925-9648

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ARTS & CRAFTS

CRAFTERS WANTED, Bedford NH. Newly opened store. Rent space 2x6 - $61; 2x2 = $30 etc. Call now. Great location! High traffic area. (603) 641-8257

CRAFTERS WANTED Craftworks Gallery, Apple Square 1 Saugus, Liberty Tree & Rockingham Park Malls. 508-727-5015

CRAFTERS: We will display and sell for you 7 days/wk. Retail location in Mall setting. (617) 935-2558

YARN & yarn kits, large lot, doodle loom kits, etc. Some Cotton. 617-944-8668

AUTO TRANSPORT

MOVING to FL? Box truck from Lowell. Going to Ft. Lauderdale. Call Jack or Lana, AAA (800) 688-8821.

BILLIARDS

BILLIARD ROOM, entire equipment package 4x8 Brunswick gold crown III's Mint. Pkg just like new. (617) 848-3368.

POOL TABLES, (5). Regul. size, good cond; also 5 Video games & 1 Time calculator. (617) 284-8717.

BOOKS

KEEP YOUR Job...
New Book tells how
Send $9.95 to: P.O. BOX 1467 MNOWNERS
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ViaSonic Accepted

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XEROX model 9514 copier, has all features, engs, reduced cpy cnt $6,000 or b.o. (617) 255-6990.

PHONE SYSTEMS, used/new. All brands! Low prices. Sales, service, installations. 800-871-6878.

WANTED: Used foil printing machine to run, ht. seal machine & air compressor, 25 hp, in good cond. only. John 401-351-4100

WANTED: Used copiers, will make a model an prompt pymt, free pick up. Multi-Brands 508-790-2965

COINS & STAMPS

$$ COINS * FLATWEAR $$
We will beat any offer, cash. 617-449-1094. Ask for Jeff.

COLLECTIBLES

LLADRO
Priv. collector of retired & ltd ed for sale 207-985-4355

LEROY NIEMAN PRINTS
For sale, by private collector. (617) 934-2910.

BYERS CHOICE Carolers wanted Cash paid 1998 Amish Boy & Girl, Sunday School Set $400. Others wanted Call (401) 635-2617

COLLECTIBLES WANTED: Seeking Swarovski Crystal Items. Please call (413) 543-0741

ROSE Medallion, creamer, covered dishes, basket, teapot, assorted dishes & more. 603/332-5163 eves

SPORTS & Non Sports memorabilia wtd, cards, mags, autographs, anything old. Larry, 617-773-0792

COMPUTERS - PRINTERS

BRAND new Pentium 133MHZ, 16MB RAM, 1.6GB HDD, complete w/ performance system. $1700. (617) 445-0390

Classes for Children, a nonprofit organ. has IBM computers & other computer tops, monitors & other related equip. 800/229-7667

COMPUTER Memory 1MB $19, 4MB $49, 8MB $69, 16MB $139. Major Credits okay. (617) 520-8002

GET ON-LINE FAST! Learn how to surf the net! Call for instructional guide toll free at 1-888-206-4999.

MEMORY SPECIAL, Best prices. SIMMs, non-parity 4Mb $49; 8Mb $89; Parity slug $10 more. DRAM, SRAM, EDO 508-263-0058

COMPUTERS - SERVICES

****COMPUTERS!!****
Used Windows capable, 386's, w/color monitors & keyboards, 30 day warr. $200-$400. (508) 775-0901

REAL WORLD Acctg. software ver. 4.5 is here. Upgrades, AP, A/R, Purchase Order & payroll, Inventory Control & Job Costing. $500. (603) 431-8247

SALE, COMPAQ 386, w/color monitor $300, 486 Micronics, Digital, w/warr. $600. +; 508-495-1750.

UPGRADE Your Computer. 4MB Mem. $44; 8MB $75; 16MB $149, 586/133 $240. Call 508-433-0028.

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Container loads only
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Removal & installation. Comm'l, & resid'l. Sewer, water - foundation - ledge work. Building demolition. (617) 245-8365, 245-1481

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Call McConnell Enterprises. $9/yard to haul away stumps of. Loaded on our trailers. Call (508) 987-6078 Today! (Concrete $10/per yard.)

GAS - OIL - SEPTIC
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Licensed, Bonded, Insured
Emergency 24 hr. Service
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Hydraulic hammer, backhoe, rake, auger, sweeper, forks. 1-800-418-7900

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& ground level containers. All sizes. Priced from $1250-$2500. AEL Sales (508) 485-3000, Leave

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Freshly excavated in Topsfield $1/c.y. 508-887-6070.

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Gravel, fill, sand, stone, & mulch. Call 508-668-8900

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Trucking/F.E. loader, loam sand, stone, fill. 245-2304

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Foundations, roads, lots cleared, graded, septic, trees & stumps removed, prices for smaller projects. Dumpsters, trailers, dump trucks for rent with operator. 508-660-1697

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ONE DOZER 310 C Backhoe/Loader, 1 dump truck 2225 hours. 1987. 603-895-6677, 603-893-9007

STUMPS, pallets, logs, brush, 5'y'd. dron'g'r. Will remove. 508-668-3016 E. GLYDE CO. 508-562-1107

VERMEER T-655 trencher, model 186 w/trailer, 36" chain, 4 cyl diesel, $4600. (617) 837-3997

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BUYING FINE WATCHES
Rolex, Cartier, Patek, Breitling, Tag Heuer, Gold diamonds & gold. We'll pay more for what's in your drawer. Call 617-868-7190.

$ TOP CASH OFFER $
on ANY diamonds, jewelry, watches, gold or silver
ALAN, 800-436-7808

$$ DIAMONDS, JEWELRY $$
We will beat any offer!
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In Cambridge. Want: Rolex Patek, Cartier 800-360-2956

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WHITE, Morsol Denmark Wood Stove. ½ up to 1200 sq.ft. $850. (617) 862-0583.

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USED & NEW
Buy, Sell, Consign - Trade
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LOWEST PRICES
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BALLY Total fitness lifetime membership, all clubs/privileges $450. Call Jay at (603) 740-6680 lv msg.

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CARS FOR $100!
Trucks, Boats, 4-Wheelers, Jet Skis, Motorcycles, Computers, etc. Also in the DEA, IRS and other Federal seizures. Call 1-800-218-9000 Ext. A-4529 for current list.

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Used Restaurant Equip.
Entire Premises
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Like new, 4 drawer, legal/letter, fireproof filing cabinets, w/locks, $400 each. Also desks, seating & conference tbls. Call 617-482-8260 ext. 319

FURNITURE, ETC.

ESTATE TAG SALE
By C. Diana Sherman
Outstanding custom mahog & upholstered furnishings from a huge 11 rm home. Many by E.Sc. Wood pieces (Entry, Dining, Living furnishings, too much to list!) 6/22, 17 Montrose St. Newton Centre (off 400 Waverly Ave) 10 am-4 pm.

ESTATE SALE
ANNETTE HANNON
Contents to incl. mahog. dinm. set, mahog. pneumple bdrm. set; mahog., maple upholstered furn.; china & more. 6/21-6/22, 10-4, 130 Chilton St., Belmont.

ESTATE TAG SALE
BY THE PRO'S
Lvrm, dinm, kit, den, treadmill, healthrider, exer. mach, wshr/dryr, China, clothes, linens, more 6/21 Sat 6/22, 9-4. 305 Rosemary St. Needham off Highland Ave.

GOOD USED FURNITURE
Armoires, bureaus, desks, couches, chairs, DR sets, beds, reasonable prices
ANTIQUE REVIVAL
Hybrid Auction & Flea Market
Delivery avail. 787-4040

DESIGNER LAMP/FURNITURE
Factory Whse Sale 6/22-23 @ 491 W Main St, Hpkton, MA 24, 19A Harrison Blvd., left at 2nd light. 10-3

ESTATE SALE/PSE
Mahog. DR set, paintings, prints, much more! 6/21, 11-4, 6/22, 10-4. 30 Ashland St., Arlington.

FURNITURE WANTED
Also antiques, rugs, clocks, bronzes, paintings, bric-a-brac. KAY-BEE, 266-4467.

3 pc. Contemp. elegant br $900 3 pc blk sofa set $500 blk/glass desk $500. Great deals. 617-562-1629

30x60 secy off desk $350, 5 pc coffee tab mat and top $150; Round dn. tab 70 2 leaves $100 329-1096

BEAUTIFUL, Persian Rugs. Must sell for tuition 8x10 & 9x12, half of their value! 617-782-8794

BEDROOM Set, Queen sized, 6 piece, Lane Oak, Like new, moving $800 firm. 617-545-9140

CHERRY Queen Anne DR, 9' oval table w/2 leaves, 6 chrs, corner hutch, great cond $1875 617-324-6509

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COMPLETE Full Size Master BR set; couches; chairs; end tables & misc house hold items. Sat, June 22, 9-4. Natsfond Rd, Newton, (take Brookline St onto Fair Mt. then Natsfond Rd)

LEATHER Sofa & Stereo equipment Bang + Olsen; Speakers; Rega. Call (617) 524-1523.

MOVING Sale, like new love seat, $ sofa, $400; Queen bed $200; 24 Sony tv midi, TV $800. 617-862-8855, B.O.

NEWLY WED needs space! Oak bedset, 3 pce headboard, 2 dressers, B.O. Call 617-625-5577.

PENN Hse. Cherry dinm. tbl w/8 chrs & hutch, ash. bdrm. $400 ea; coffee tbl, 2 end tbl $550 603-225-0862

RUGS, furn., never used, 6'2" x 9'2" blue, $95; 9'x12', Orientals, other sizes 617-893-9533, 561-4529

SOFA, 2 matching seat French prov. Prot Scotch guarded velvet, $1000. Chest, Fr. Empire, $980. (508) 535-0537.

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PRIVACY HEDGE CLEARANCE
Cedar Arborvitae's Beautiful, Healthy, Priced Right
Ltr $69.95 NOW $24.95 *10
Delivery Avail. Call for INSTALLATION & DELIVERY
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$18 PER YARD DELIVERED
MIN. 50 YARD DELIVERIES
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$900 per load delivered. 95 yd. loads. (508) 435-1070.

AWESOME Stone & service from Stonehenge. Flagstone steps $22/sf; used granite blocks $4/sf; used fieldstone $75/ton; cobbles 85¢ each 1-800-231-2200

LOAM - Excel quality screened loam. Comfort $8.50 cubic yard loaded. 508-668-1695.

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Ice machines, coolers, refrigeration, cooking, etc. Financing. 1-800-272-0286

HOUSEHOLD

MUSICIANS, Wanted. Norwood band flutist seeks string/wind players to form chamber group. 762-8906

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1957 Classic Hough friend loader. Good cond. Eng operational, rods, new trans. $1000/bo Call Bob O'Connor 508-460-5000.

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JET 20" bandsaw, like new. Suitable for resawing. 2 hp, 1 blade. $2000 (617) 539-1426, Winthrop, Mass.

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PAINT - Latex, premium/close-out $1 per gallon. Call Mon-Fri, 8am-5pm, M-L at 508-528-0800.

ROSEWOOD Gold Movie Piano, exc cond, grt price $6 Siv Porsche, 928S, beau. buy (617) 536-5658

TRUE, Sliding glass doors, 2 dr & 3 dr, True Glass Freezer 2 dr, 6 mos old. Call (617) 890-3477

MUSIC

MUSICIANS, Wanted. Norwood band flutist seeks string/wind players to form chamber group. 762-8906

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Lowest Prices
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Top $. 508-777-7237.

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Spinets, Consoles, Grands From $695. 617-769-0508

12 STEINWAYS
ebony, mahogany, art cases
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HAMMOND ORGAN, home mod B2, 25 note pedal, hybd, B20 tone cab, cond. BO. 603-673-4918.

PIANO, 6'3", Bluthner Grand, Xtra overstrung strings, walnut w/drk. $4900. 401-254-0076

PIANO, 1904 Krakauer Bros. Parlor Grand, Brazilian Rosewood, $2000 BO. (508) 428-1449.

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INCREDIBLE ONCE IN A LIFETIME CLEARANCE SALE
NEW & DISPLAY LAST $60 NEW & DRAW LAY. $120
OVER 1000 PCS. IN STOCK
EXEC., MGR., STENO & COMPUTER CHAIRS
COMPUTER WORK STATIONS, FILES, BOOKCASES
ALL 75% OFF LIST
RIVERSIDE OFFICE WHOLESALE
275 Grove St., Newton, Exit 22 off 128, next to MBTA. Mo-Fr 8:30pm; Sa 10-4
(617) 969-9191

OFFICE FURNITURE

TRUCKLOADS
Used wood & metal exec. furniture. Inclu: desks, chairs, bookcases, 2-5 drawer letter & legal file cabs, conf. tables, 6'-35' long, 120 exec high back dining chairs, many other items! Sell any quantity! Hrs 9-5, Mon-Fri. ORL, 519 Broadway, Somerville. 625-7060, 1-800-585-3792

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Old or new photo equip. is worth more than you think. PHOTOGRAPHIC Warehouse Sq., Swampscott 593-0664
WE BUY/SELL/TRADE

STEVE'S PHOTOGRAPHY
Weddings, Parties, Special Events, etc. 617-489-7147

RUGS/FLOOR COVERINGS

ORIENTAL Rugs, (3), 9x12, 5x8, 3x6, total value $4000. Will sell $900/BO. Joe: (617) 268-8575.

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Sanding, refinishing, staining, installations.
Old floors like new.
Low Price! Quality work
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Andy's Hardwood Floors
Sand, refin, lay, repair quality work, low rates 617-825-0766, Beeper 351-6462.

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Install. - Sand- Refin. Reuse Low price, Free est. Call Billy: (617) 387-3552.

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Sanding, instal, staining, refin. Old firs like new! Low rate. Free est. 597-9979

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Looking for customers in Boston area. (617) 623-5838

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HARDWOOD FLOORS
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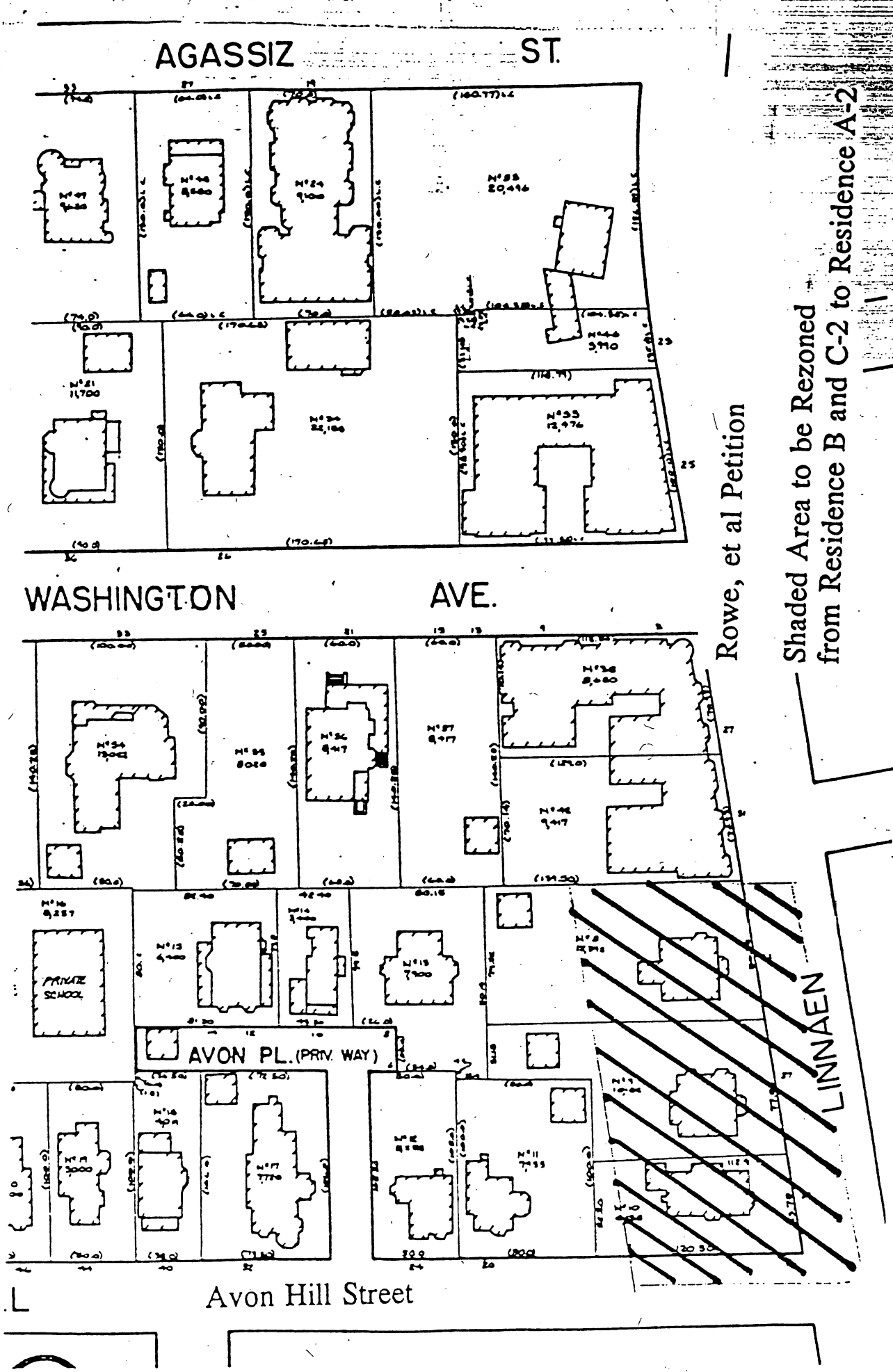
AMERICAN DECK & RE-MODELING. decks, renovations, etc. & ins. 617-964-9026; 508-840-0615

SEAMLESS GUTTERS $3.49 / inst. Vinyl Siding, trim, firm.


AGASSIZ ST.
WASHINGTON AVE.
PRIVATE SCHOOL
AVON PL. (PRIV. WAY)
LINNAEN
Avon Hill Street
Rowe, et al Petition
Shaded Area to be Rezoned from Residence B and C-2 to Residence A-2

PUBLIC NOTICE

C. C. 106

RELATIVE TO ZONING.

City of Cambridge

MASSACHUSETTS

Office of the City Clerk

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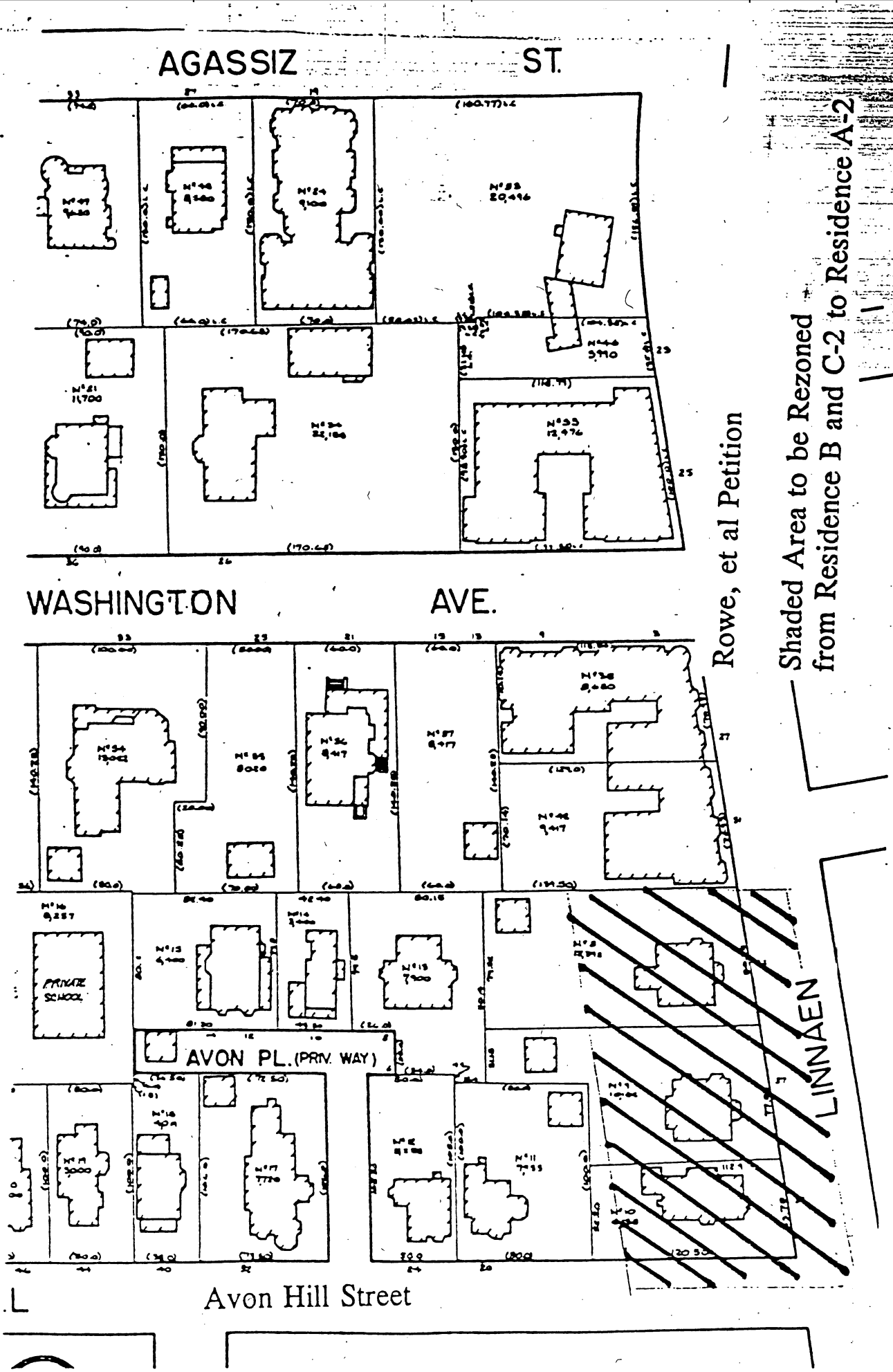
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

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

For the Committee,

Councillor, Francis H. Duehay,
Chairman.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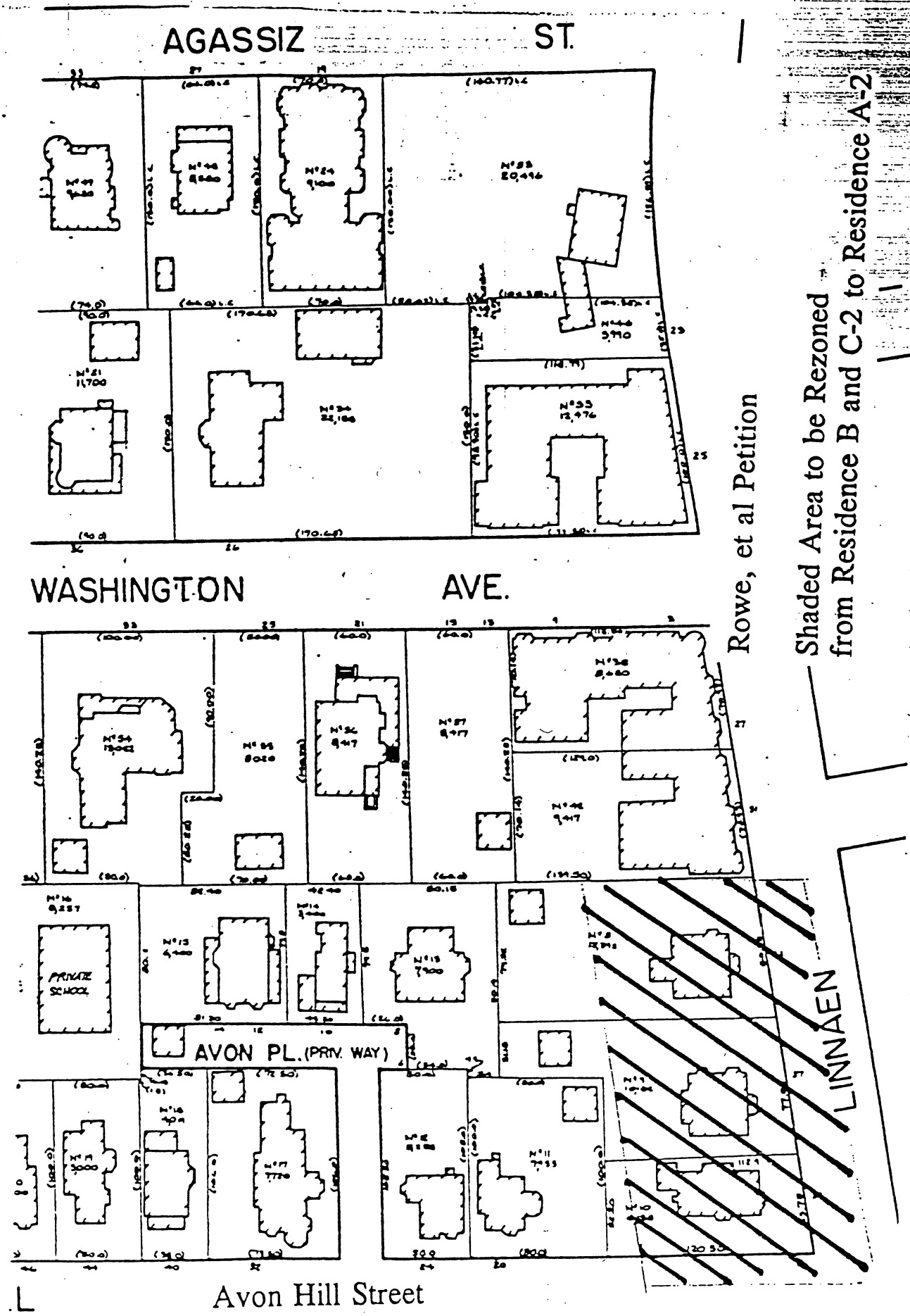
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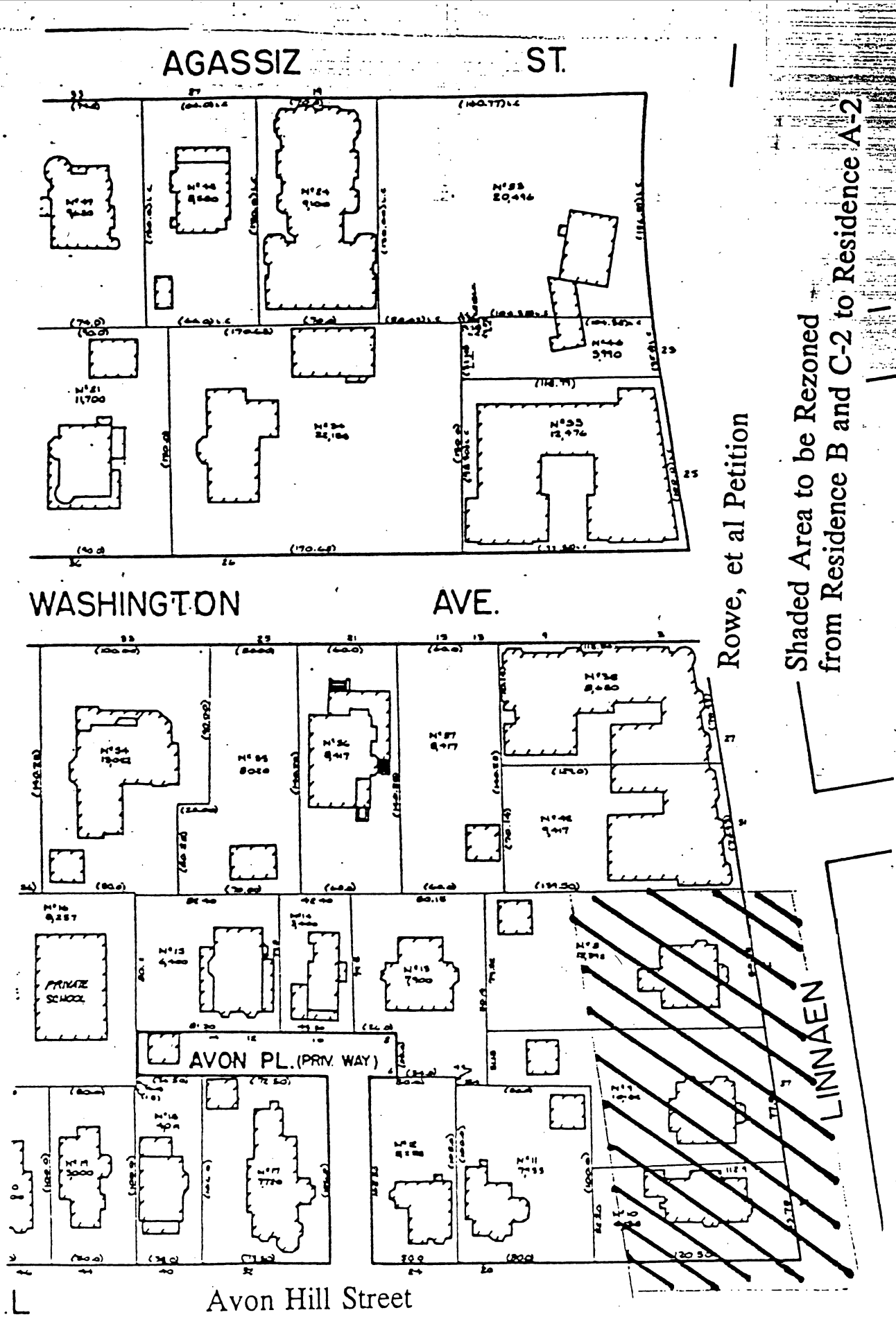
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****
*** ACTIVITY REPORT ***
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TRANSMISSION OK

TX/RX NO.	3626
CONNECTION TEL	84337929
CONNECTION ID	CLASS-EDITORIAL
START TIME	06/14 12:37
USAGE TIME	01'08
PAGES	3
RESULT	OK

Rowe

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

CITY OF CAMBRIDGE
795 MASSACHUSETTS AVENUE
CAMBRIDGE, MA. 02139
FAX # 349-4307

FAX COVER SHEET

TO: Christian

FROM: Marybeth Cosgrove
for Donna Lopez
349-4260

NUMBER OF PAGES, INCLUDING THIS COVER SHEET 3

REMARKS (1) legal + (2) inserts
for June 20, 1996 + June 27, 1996

IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL US AT (617) 349-4300

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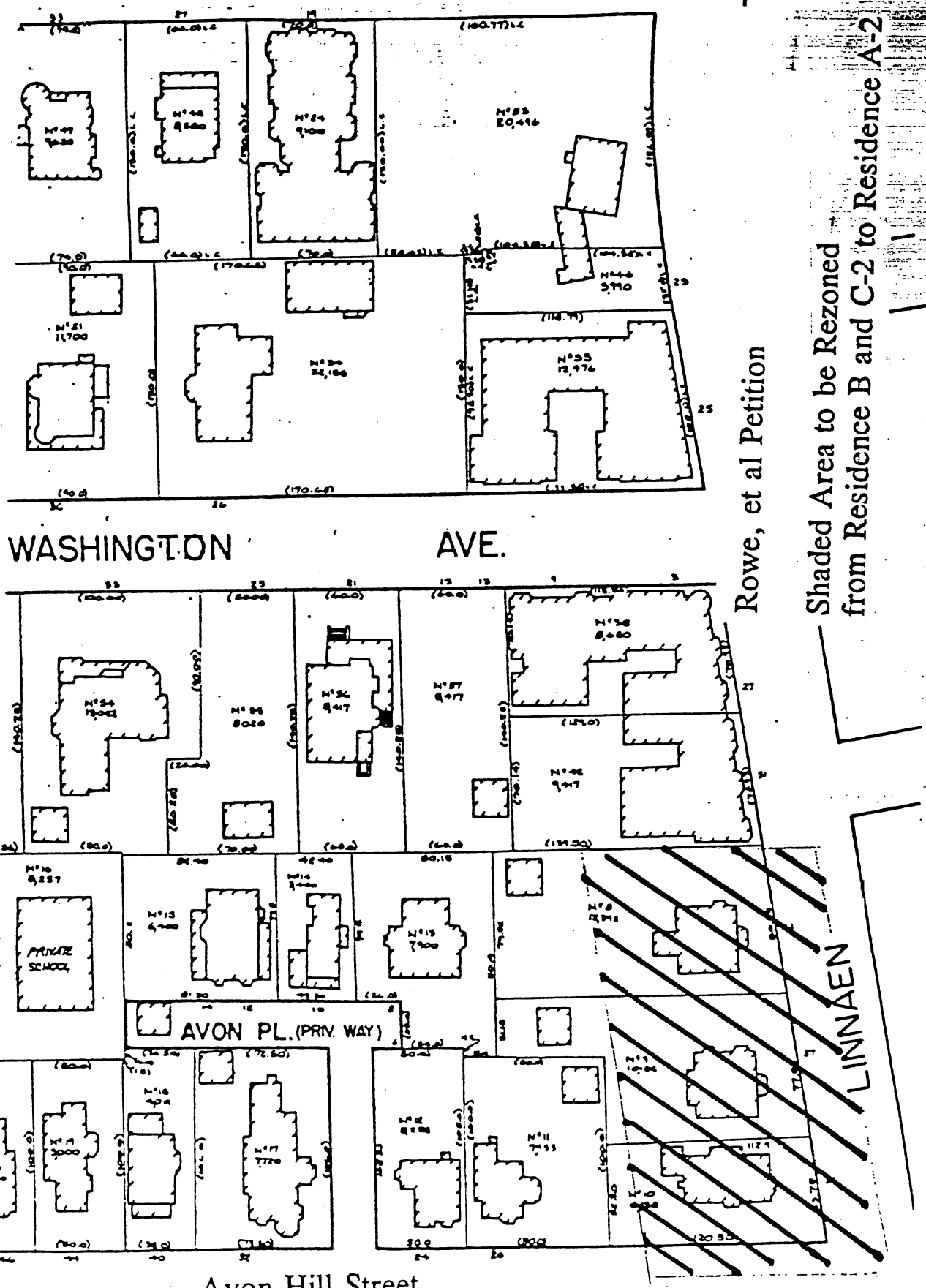
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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

D. MARGARET DRURY
CITY CLERK

FAX (617) 349-4307

ROWE HEARING HAS BEEN RESCHEDULED

June 14, 1996

To Whom It May Concern:

Please be advised that the Ordinance Committee hearing scheduled for June 27, 1996 has been rescheduled due to a publication error by Cambridge Chronicle. The new hearing is rescheduled before the Committee on Ordinances for Tuesday, July 9, 1996 at 5:30 P.M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by Mary Rowe, et al to rezone an area of Linnaean Street from Residence C-2 and Residence B to Residence A-2 as shown on the accompanying map. The rezoning would restrict development to a Floor Area Ratio of .5 and a height limit of 35 feet. It would increase the required lot width to 65 feet and the minimum lot size to 6,000 square feet and would permit only single family residential uses in the affected area.

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Very truly yours,

D. Margaret Drury

D. Margaret Drury
City Clerk

DMD/mc

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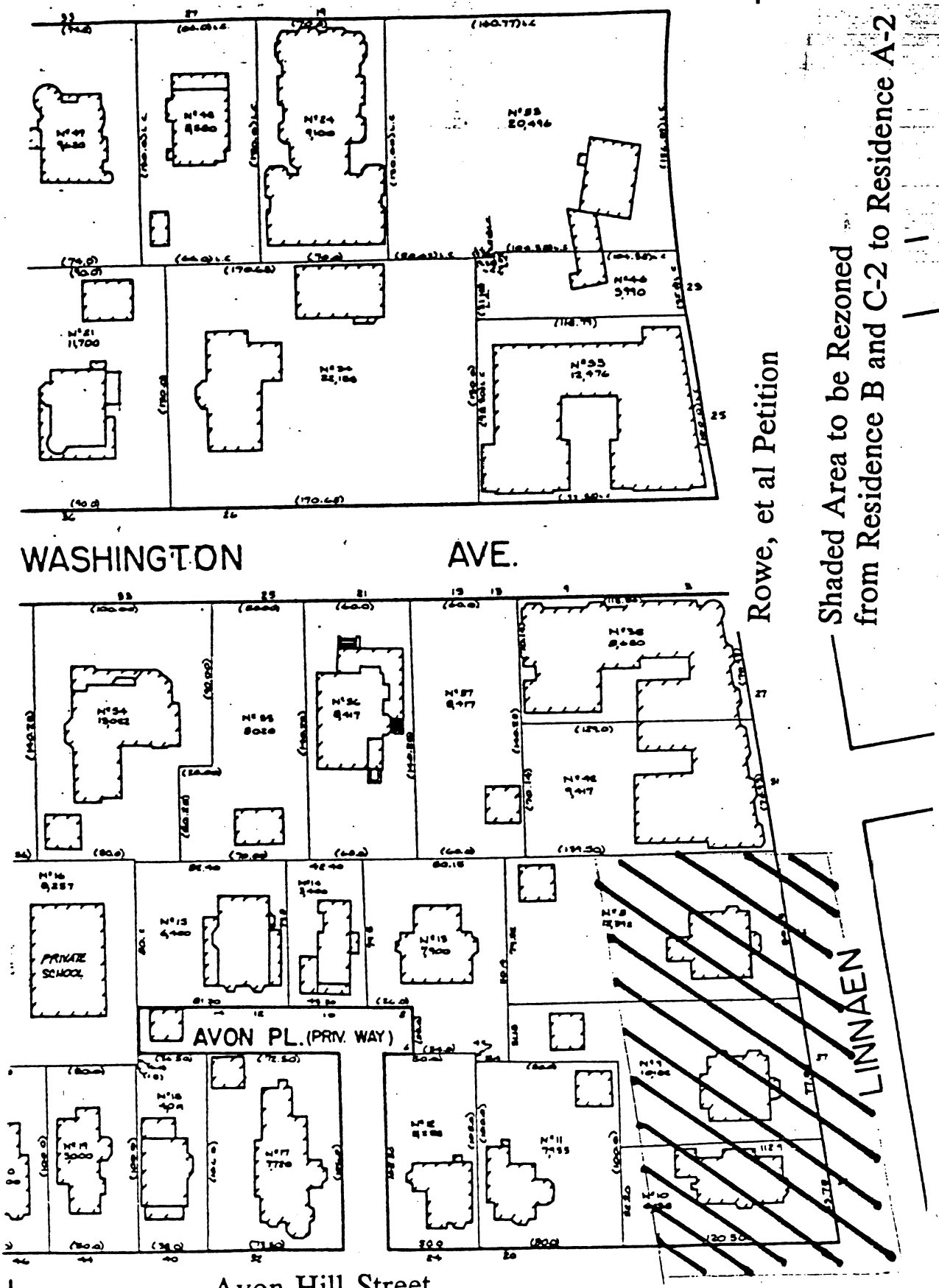
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CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260
FAX (617) 349-4307

D. MARGARET DRURY
CITY CLERK

June 18, 1996

TO: THE HONORABLE, THE CITY COUNCIL

FROM: DONNA P. LOPEZ
INTERIM DEPUTY CITY CLERK

SUBJECT: RESCHEDULED ORDINANCE HEARING ON THE ROWE ZONING PETITION.

Please be advised that the original hearing scheduled for Thursday, June 27, 1996 at 6:30 p.m. has been rescheduled to **Tuesday, July 9, 1996 at 5:30 p.m.** on the petition by Mary Rowe, et al to rezone an area of Linnaean Street from Residence C-2 and Residence B to Residence A-2.

This hearing was rescheduled due to a production error by the Chronicle.

I hope that this information will be beneficial to you.

Thank you for your cooperation in this matter.

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

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D. MARGARET DRURY
CITY CLERK

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Very truly yours,

D. Margaret Drury

D. Margaret Drury
City Clerk

DMD/mc

Mary Rowe et al —

Notice posted first floor
Board May 30, 1996 mc

Notice mailed to abutters & petitioners
May 30, 1996 mc

Agency letters sent
June 5, 1996 mc

rescheduled hearing posted 6/14/96 dc

Abutters & petitioners notified of
rescheduled hearing 6/14/96 dc

Agencies renotified 6/21/96 dc

PETITION OF

Petition filed with the City Clerk Mary Rowe et al

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

25 days - May
30 days - June
10 days - July
65 days = all hearings to be held by July 10th

In City Council May 6, 1996

Referred to the Planning Board for report May 6, 1996

Planning Board Hearing June 18, 1996

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be ~~June 27, 1996~~ July 9, 1996 rescheduled hearing.)

22 days = July
31 days = August
30 days = Sept.
7 days = Oct.
90 days

City Council hearing published ~~Cambridge Chronicle~~ Boston Globe on ~~June 6, 1996~~ June 22, 1996
~~June 20, 1996~~
~~June 27, 1996~~
and ~~June 13, 1996~~ June 29, 1996

* June 13th pub of 1st hearing did not appear in newspaper.

2nd time did not appear in newspaper

Hearing before the Ordinance Committee July 9, 1996

Reported to the City Council July 29, 1996

Passed to a second reading on July 29, 1996

published in Cambridge Chronicle on August 1, 1996

Planning Board report received on July 29, 1996 Charter Right exercised

See Meeting Sept. 9, 1996

Ready for ordination on August 12, 1996

Passed to be ordained on _____

published in _____ on _____

COMPLETION DATE October 7, 1996

October 7, 1996
Failed of ordination
6-3-0

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

September 3, 1996

To the Honorable, the City Council:

SUBJECT: Planning Board Recommendation on the Rowe, et al Petition rezoning portions of three lots, now designated Residence B or Residence C-2, to Residence A-2.

Recommendation: The Planning Board recommends adoption of the Petition as filed.

Findings

The proposed rezoning affects three lots on Linnaean Street that are currently divided between a Residence A-2 designation to their rear and a Residence C-2 or Residence B designation along the front 100 feet of each lot. While subject to differing zoning limitations, the lots are currently similarly developed with a single structure of wood-frame construction containing from one to three dwelling units. Unlike 37 and 39 Linnaean Street, however, the zoning limitations at 33 Linnaean Street would permit much additional construction to occur on that site (13 additional housing units and a commensurate amount of additional gross floor area); in comparison, only one additional unit would be permitted at 39 Linnaean Street under the Residence B regulations currently applicable to the lot.

The Petitioners contend that the current zoning designations, particularly at 33 Linnaean Street, would permit excessive development on the affected lots and have proposed a uniform Residence A-2 zoning designation to forestall that possibility. The Planning Board agrees that future development permitted with the current Residence C-2 designation at 33 Linnaean Street in particular is unacceptable and that a Residence A-2 designation for all three subject lots is appropriate. Such a designation would place all lots entirely within a single zoning district (Residence A-2), which district is applied to the many blocks north of this location within the Avon Hill neighborhood that are developed in a similar character. The current development on each of the three lots is generally consistent with the limitations imposed in a Residence A-2 district, although some aspects of the development may be non conforming (the number of units at 37 Linnaean Street and a side yard setback at 39 Linnaean Street). However, such minor non conforming aspects exist with regard to the present Residence B designation for two of the lots and are unavoidable, regardless of zoning designation, in a city where most present development was in existence before zoning of any kind was adopted.

In 1978, in considering a rezoning petition affecting these same lots, the City chose not to alter the Residence C-2 designation at 33 Linnaean Street, while at the same time making a change to Residence B at 37 and 39 Linnaean Street. In reviewing the physical context of these lots in 1996, the Board finds the Residence C-2 designation clearly inappropriate. While the Board does believe that more development on the lot at 33 Linnaean Street than permitted by the Residence A-2 district would be acceptable, there is no other zoning designation that allows a modest level of development while protecting the major public assets of this and the adjacent lots: preservation of historic structures, preservation of open space, and, at 33 Linnaean Street at least, the potential for preservation of existing trees of considerable distinction. A rezoning to Residence A-2 is consistent with the character of the existing development on the lots, a logical extension of that designation that now prevails over similarly developed blocks adjacent to these lots, and allows a reasonable use of the lots while preserving their essential character, which is a major public asset.

Toward a Sustainable Future: ***Cambridge Growth Policy Document,*** the Planning Board's recommended draft land use policy statement for the City, suggests that the issues raised by this proposed rezoning, i.e. questions of neighborhood character and transition between differing development patterns, are important considerations whenever the future of land use in the City is deliberated (**Policies 1, 4, 26** and **62** are particularly relevant). As always the difficulty lies in defining the boundaries of the neighborhood, the character of the place within those boundaries, where the transition to another neighborhood should be located, and how that transition should be accomplished. In the Avon Hill area and along Linnaean Street, the City's view of these issues has evolved over time.

The north side of Linnaean Street has a character, over most of its length, more dense and urban than on the streets surrounding it, or on its south side. In 1924, with the adoption of the City's first zoning ordinance, the zoning district designation (R3) along the street affirmed that higher density character, which was already well established with the range of brick apartment buildings that still stand today. However, over the next seventy years, in periodic changes to the zoning map, the City revised its policy direction: along Linnaean Street and much of the surrounding neighborhood the development norm to be encouraged was the small, one, two and three-family structures on individual lots rather than the large multifamily housing blocks the 1924 zoning regulations had permitted. The current Rowe Petition proposes to refine further that gradual progression to more stringent and limiting zoning regulations for three lots at a clear point of transition; particularly with regard 33 Linnaean Street a judgment must be made as to how the transition from low density to high density is to be made across a span of 80 feet on a single lot.

The Board finds that the three lots subject to this petition , and the character of the development on them, are a part of the neighborhood north and south of Linnaean Street that are currently zoned either Residence B or Residence A-2. The large masonry apartment buildings that form a conspicuous presence along Linnaean Street are a form of

development the city has chosen not to encourage further in this neighborhood, as illustrated by a number of rezoning actions taken over the last several decades. Acting on this petition favorably will place the three lots in question within a regulatory framework that will protect their essential character, which the City has determined to be of considerable public value and clearly consistent with the policy objectives enumerated by the Planning Board in **Toward a Sustainable Future**.

Respectfully Submitted for the Planning Board

Paul Dietrich (pm)

Paul Dietrich, Chairman

14.

CITY OF CAMBRIDGE
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TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

September 9, 1996

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Robert W. Healy
City Manager

RWH/mec
attachment

Consent Agenda #14 05

Relative to a Planning Board recommendation on the Rowe, et al Petition.

In City Council September 9, 1996

Referred to the Petition

October 7, 1996
Failed of
Ordination
6-3-0