

**HEARING SCHEDULE
CITY COUNCIL MEETINGS BEGINNING SEPTEMBER 24, 2001**

Monday, September 24, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Tuesday, September 25, 2001	4:30 P.M.	The Ordinance Committee will conduct a public hearing on the refiled Special District 8 and 8A zoning petition to rezone land in Cambridgeport for the purpose of hearing public testimony on new issues that have not already been covered by public testimony. (Sullivan Chamber) This hearing is televised.
Tuesday, September 25, 2001	5:30 P.M.	The Ordinance Committee will conduct a public hearing on the ECAPS/ Birk et al., zoning petitions. (Sullivan Chamber) This hearing is televised.
Tuesday, September 25, 2001	7:00 P.M.	The Health and Environment Committee will conduct a public meeting to discuss the potential impact of the Community Preservation Act. (Sullivan Chamber)
Monday, October 1, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber) <i>Special Presentation recognizing October as Afterschool Month.</i>

City of Cambridge does not discriminate on the basis of disability. The City Council will provide auxiliary aids and services, written materials in alternative formats, and reasonable modifications in policies and procedures to person with disabilities upon request. Contact the Office of the City Clerk 349-4260, tty/TDD 349-4242.

Tuesday, October 2, 2001	3:30 P.M.	The Ordinance Committee will conduct a public working meeting for discussion of the ECAPS and Birk zoning petitions. No public comment. (Ackermann Room)
Wednesday, October 3, 2001	4:30 P.M.	The Ordinance Committee will conduct a public hearing on the Qualls Harris zoning petition to amend the zoning in the Western Avenue/Riverside area. (Sullivan Chamber) This hearing is televised.
Wednesday, October 3, 2001	5:30 P.M.	The Ordinance Committee will conduct a public hearing on the Loose Moratorium Extension zoning petition affecting land in the Riverside area. (Sullivan Chamber) This hearing is televised.
Thursday, October 4, 2001	5:00 P.M.	The Housing Committee will conduct a public meeting to receive an update on affordable housing ownership programs. (Ackermann Room)
Monday, October 15, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, October 22, 2001	5:30 P.M.	Roundtable Meeting Discussion of 2000 Census Data. Informal meeting with no public comment, at which no votes will be taken. Meeting will not be televised. (Sullivan Chamber)

Monday, October 29, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 5, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 19, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, November 26, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 3, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 10, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)
Monday, December 17, 2001	5:30 P.M.	Regular City Council Meeting (Sullivan Chamber)

SEPTEMBER 24, 2001

1. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as Constables effective the first day of January, 2001:

Without Power

Jose A. Ayala, 28 Fuller Street, Dorchester, 02124

Michael W. Bailey, 58 Queensberry Street, #9, Boston, 02215

2. Transmitting communication from Robert W. Healy, City Manager, relative to the appointment of the following persons as Public Weighers for the MICH-LIN transfer station located at 45 Mooney Street for the remainder of the year 2001:

Nick Pasquarosa, Jay Ferazzani, Chuck Wainwright, Kristen Robatt, and Terry Spaeth

3. Transmitting communication from Robert W. Healy, City Manager, relative to **Awaiting Report Item Number 01-229**, regarding an update on the traffic issues raised by residents of the Pavillion located at 170 Gore Street.
4. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$300,000 in the General Fund of the DPW Other Ordinary Maintenance Account from property taxes to cover increased per ton costs for household rubbish/solid waste disposal contractual obligations.
5. Transmitting communication from Robert W. Healy, City Manager, relative to an order requesting the appropriation of \$420,000 in the Public Investment Fund of the DPW Extraordinary Expenditures Account from property taxes to be used to augment existing funds for renovations to the Area IV Youth Center.

SEPTEMBER 24, 2001

PAGE 2

6. Transmitting communication from Robert W. Healy, City Manager, relative to a draft amendment to the Zoning Ordinance regarding regulation of storage and mechanical space in residential buildings.
7. Transmitting communication from Robert W. Healy, City Manager, relative to the City sending out preliminary FY2002 first half tax bills.

September 24, 2001

To the Honorable, the City Council:

I am hereby requesting an appropriation of \$420,000 in the Public Investment Fund of the Public Works Department Extraordinary Expenditures Account from property taxes. Funds will be used to augment existing funds for renovations to the Area IV Youth Center. Improvements will include window replacement, installation of a central air conditioning and ventilation system for the gymnasium and other interior spaces, roof, flashing and drainage repairs, creation of a small storage space, rear and side deck stabilization and installation of an extended railing in the rear of the building.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

September 24, 2001

To the Honorable, the City Council:

I am hereby requesting an appropriation of \$300,000 in the General Fund of the Public Works Department Other Ordinary Maintenance Account from property taxes. Funds will be used to cover increased per ton costs for our household rubbish/solid waste disposal contractual obligations negotiated after budget adoption.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

September 24, 2001

To The Honorable, The City Council:

Please find attached a response to Awaiting Report Item No. 01-229, regarding an update on the traffic issues raised by residents of the Pavillion located at 170 Gore Street, received from Traffic, Parking & Transportation Director Susan Clippinger.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

September 24, 2001

To The Honorable, The City Council:

I am hereby transmitting notification of the appointment of the following persons as Constables for a term of three years, effective the first day of January, 2001:

Jose A. Ayala
28 Fuller Street
Dorchester, MA 02124

Without Power

Michael W. Bailey
58 Queensberry Street, #9
Boston, MA 02215

Without Power

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

September 24, 2001

To The Honorable, The City Council:

I am hereby transmitting notification of the appointment of the following persons as Public Weighers for the MICH-LIN transfer station located at 45 Mooney Street, Cambridge for the remainder of the year 2001:

Nick Pasquarosa
Jay Ferazzani
Chuck Wainwright
Kristen Robatt
Terry Spaeth

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

September 24, 2001

To The Honorable, The City Council:

Please find attached for your consideration a draft amendment to the Zoning Ordinance regarding regulation of storage and mechanical space in residential buildings, received from Assistant City Manager for Community Development Beth Rubenstein.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec
Attachment

To: Robert W. Healy, City Manager

From: Beth Rubenstein, Assistant City Manager for Community Development

Date: September 19, 2001

RE: Council Order #12 dated April 10, 2000: Regulation of Storage and Mechanical Space in Residential Buildings

The attached amendment to the Zoning Ordinance is submitted in response to the above referenced Council Order. The amendment would do two things. First, it alters the definition of Gross Floor Area (GFA) to limit the extent to which mechanical systems are exempt from the calculation of Gross Floor Area in residential buildings. Currently there is no limit to this exemption from GFA.

Additionally, the amendment addresses the continuing difficulty in preventing the use of basement space for active living where the building code prohibits such use and where the space is not counted as Gross Floor Area in the zoning ordinance. The approach taken in the amendment is to permit only those basements physically impossible to inhabit to be exempt from the calculation of Gross Floor Area. Thus, for new construction only, the height at which a basement would begin to count as Gross Floor Area is proposed to be five feet.

Floor Area, Gross (GFA). Unless otherwise provided elsewhere in this Ordinance, the sum, in square feet, of the gross horizontal areas of all floors of a building, as measured from the exterior walls of a building or the centerline of party walls between buildings [except in (7) and (8) below where only interior space shall be measured and in (h) where the area of the parking facility shall be measured].

Gross Floor Area shall include:

- (a) roofed porches and balconies whether enclosed or unclosed;
- (b) unroofed porches and balconies above third floor;
- (c) elevator shafts and stairwells on each floor, not excluded in (6) below;
- (d) attic space, whether finished or unfinished, within the area of a horizontal plane that is five (5) feet above the attic floor and which touches the side walls and/or the underside of the roof rafters and which is not excluded in (3) below;
- (e) interior balconies, mezzanines, and penthouses;
- (f) basement and cellar areas having a ceiling height of seven (7) or more feet measured from the floor to the line of the bottom of the floor joists, or to any subfloor or finished surface above any floor joists that are spaced not less than four (4) feet on center (or the basement or cellar is a Story Above Grade as defined in the State Building Code) not excluded in (1), (2), (3), and (8) below. However, any basement or cellar, or addition to an existing basement or cellar, for which a building permit is issued after (a date which is the effective date of the amendment), with a ceiling height of five (5) or more feet shall be included in Gross Floor Area.

(Note: The unhighlighted portions of this Paragraph (f) are existing provisions of the definition moved from Paragraph (8) below to this location and expressed in the positive rather than the negative.)

- (g) area of parking facilities in structures except as excluded in (2) below; and
- (h) any accessory parking spaces not in above ground structures if in excess of the maximum number permitted on the premises as set forth in Section 5.25 and 6.30.

Gross Floor Area shall not include:

- (1) areas used for off street loading purposes;
- (2) area of parking facilities in structures located underground and the area of on grade open parking spaces outside the building footprint at or below the maximum number permitted on the premises as set forth in Sections 5.25 and 6.30;
- (3) areas in:
 - (i) basements and cellars devoted to the operations and maintenance of the building such as heating and cooling equipment, electrical and telephone facilities, and fuel storage;
 - (ii) attics and other areas devoted to elevator machinery or mechanical equipment necessary for the operation of the building;

In residential buildings such areas shall not be included in the calculation of GFA only to the extent that they total no more than ten (10) percent of the area of the basement or cellar, attic, or other floor, or one hundred (100) square feet per basement or cellar, attic or other floor, whichever is more. Notwithstanding these limitations however, such space shall be clearly identified on the building plans as to area and specific use and shall be in area no greater than required to reasonably accommodate the facility, device, or equipment.

- (4) open and lattice-work fire escapes;
- (5) unroofed porches and balconies no higher than the third floor;
- (6) elevator shafts and stairwells on floors where there is no other area which qualifies to be included in gross floor area;
- (7) attic space not otherwise included in (d) above;
- (8) basement and cellar spaces **not otherwise included in (f) above.**

In a building with more than two floors, the area of each floor level of any interior courtyard whether or not covered by a roof, which has a minimum dimension of less than forty (40) feet in any direction shall be included unless twenty (20) percent or more of the perimeter of such courtyard at each floor level measured consecutively is not enclosed.

September 24, 2001

To The Honorable, The City Council:

This is to inform you that the City of Cambridge will be sending out preliminary FY2002 First half tax bills during the first week of October. The City Council was informed of the likelihood of this at the June 18, 2001 Council meeting. Preliminary first half tax bills are due to the fact that the City is undergoing its triennial certification of property values by the Mass Department of Revenue. The certification process has been delayed somewhat this year due to the untimely resignation of the previous Director of Assessing. Rather than delaying the sending out of actual tax bills upon certification later this fall, the City has opted to send preliminary bills.

Very truly yours,

Robert W. Healy
City Manager

RWH/mec

MASSACHUSETTS

**City Council Calendar No. 20
Monday, September 24, 2001**

At 5:30 P.M.

CHARTER RIGHT

1. Charter Right was exercised by Councillor Toomey on Application and Petitions #7 of September 10, 2001 regarding a curb cut at the premises numbered 15A Lowell Street. Approval received from Inspectional Services, Traffic, Parking and Transportation, Historical, Public Works and neighborhood association.
2. Charter Right was exercised by Councillor Braude on Committee Report #2 of September 10, 2001 regarding the progress made on improving the condition of the housing at Fresh Pond Apartments.

ON THE TABLE

3. Consent Agenda #17, relative to a Preservation Easement for 2 Holyoke Place (Fly Club).
4. Landmark Designation Study Report for Shady Hill Square, 1-11 Shady Hill Square and 36 Holden Street.
5. An order introduced by Councillor Reeves regarding an allocation for a planning study for Riverside.
6. Consent Communication #7 of March 19, 2001, and Calendar Item #3 of April 2, 2001 regarding notification of a new address for 127 Sixth Street from Owen O’Riordan, City Engineer.
7. Committee Report #1 of April 23, 2001 regarding a meeting held on March 27, 2001 for the purpose of discussing whether a zoning prohibition of lodging houses in Residence C and C-1 zoning districts is consistent with the City’s goal of promoting affordable housing.

8. Landmark Designation Study Report for designating as a protected landmark the Tulip Tree at 1436 and 1446 Cambridge Street.
9. An order introduced by Councillor Decker regarding increasing the Affordable Housing Trust by at least one million dollars.

UNFINISHED BUSINESS

10. Proposed ordinance to the Municipal Code to establish a Community Preservation Act Committee as required by the Community Preservation Act (CPA). The question comes on passing to be ordained on or after August 13, 2001.
11. Proposed amendment to the Zoning Ordinance to amend the zoning in Special District 4 and 4A in the Alewife area. The question comes on passing to be ordained on or after August 13, 2001. The deadline for this petition is October 16, 2001.
12. Proposed amendment to the Zoning Ordinance to amend the zoning in East Cambridge with the East Cambridge Planning Study (ECAPS) proposal. The question comes on passing to be ordained on or after August 13, 2001. The deadline for this petition is October 16, 2001.
13. Proposed amendment to the Zoning Ordinance to amend the zoning in East Cambridge with the Birk et al. Petition. The question comes on passing to be ordained on or after August 13, 2001. The deadline for this petition is October 16, 2001.
14. Proposed ordinance to the Municipal Code to extend the Parking and Transportation Demand Management Ordinance (PTDM), which provides for its expiration in November. The question comes on passing to be ordained on or after September 24, 2001.

APPLICATIONS AND PETITIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 24, 2001

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| 1. An application was received from Deborah Mason School of Dancing, 32 Cottage Park Avenue requesting permission for a sandwich board sign at the premises numbered 2500 Massachusetts Avenue during registration September and October. | 1. |
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**CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 24, 2001**

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| 1. A communication was received from Eileen Ginnetty, transmitting thanks for the resolution adopted by the City Council on behalf of her father Matthew Ginnetty. | 1. |
| 2. A communication was received from Roxane Coombs, regarding excessive truck noise and trash pick-up noise. | 2. |
| 3. A communication was received from John Conlon, Cambridge, England, transmitting best wishes from one Cambridge to another regarding the terrorism attacks. | 3. |
| 4. A communication was received from Representative Barney Frank, regarding the release of Lori Berenson. | 4. |
| 5. A communication was received from Harris Administrators, Inc., owners of 229-231 Third Street, transmitting written protest to the Birk zoning petition. | 5. |
| 6. A communication was received from Biogen, owners of 12 Cambridge Center, transmitting written protest to the Birk zoning petition. | 6. |
| 7. A communication was received from Biogen, owners of 241-243 Binney Street and 152-156 Sixth Street, transmitting written protest to the Birk zoning petition. | 7. |
| 8. A communication was received from Canal Realty Trust, owners of 303 Binney Street, transmitting written protest to the Birk zoning petition. | 8. |
| 9. A communication was received from Mac-Gray, Inc., owners of 22 Water Street (191 R. Monsignor O'Brien Highway) transmitting written protest to the Birk zoning petition. | 9. |

CONSENT COMMUNICATIONS -
CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 24, 2001

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| 10. A communication was received from Department of Telecommunications and Energy, regarding the electric distribution companies' quality of electric service. | 10. |
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**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 1. Congratulations to the Ramos family on the relocation of The Snack Bar.
Councillor Toomey and entire membership | 1. |
| 2. Urge all residents to be cognizant of a seminar entitled "Successful Aging In Place" which will be held on Tuesday, October 16, 2001 from 1:00 p.m.- 4:00 p.m. at the Cambridge Senior Center, 806 Massachusetts Avenue, Cambridge.
Councillor Davis | 2. |
| 3. Congratulations to the Cambridge Public Library for starting a new reading and discussion group beginning in September which will meet the third Tuesday of each month.
Councillor Davis and entire membership | 3. |
| 4. Declare the month of October as Italian Heritage Month in the City of Cambridge.
Mayor Galluccio and entire membership | 4. |
| 5. Speedy recovery wishes to J. Henry Quinn.
Mayor Galluccio and entire membership | 5. |
| 6. Grandparent Recognition Day.
Councillor Toomey and entire membership | 6. |
| 7. Retirement of David Cann from the Public Health Authority.
Mayor Galluccio and entire membership | 7. |
| 8. Resolution on the death of Thomas C. Makofske.
Councillor Sullivan, Mayor Galluccio and entire membership | 8. |
| 9. Resolution on the death of Marie Schuler.
Councillor Sullivan, Mayor Galluccio, Vice Mayor Maher and entire membership | 9. |
| 10. Resolution on the death of Mark G. Richard.
Councillor Toomey and entire membership | 10. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 11. Resolution on the death of Maria G. Vieira.
Councillor Toomey and entire membership | 11. |
| 12. Resolution on the death of William Flaherty.
Mayor Galluccio, Vice Mayor Maher and entire membership | 12. |
| 13. Happy 50 th Birthday wishes to Isabel Mello.
Councillor Born and entire membership | 13. |
| 14. Resolution on the death of Brenda A. Tocci.
Mayor Galluccio and entire membership | 14. |
| 15. Resolution on the death of James D. Maher.
Councillor Sullivan, Vice Mayor Maher, Mayor Galluccio and
entire membership | 15. |
| 16. Resolution on the death of Teresa Iannuzzi.
Councillors Sullivan, Toomey and entire membership | 16. |
| 17. Resolution on the death of Patrick J. Quigley IV.
Councillors Sullivan, Born and entire membership | 17. |
| 18. Resolution on the death of Eleanor T. Burke.
Councillor Sullivan, Vice Mayor Maher, Mayor Galluccio and
entire membership | 18. |
| 19. Condolences to the New York City and Washington, D.C. Police and
Fire Departments and to the families of the heroic firefighters, police
officers and rescue personnel who sacrificed their lives to rescue
victims of the September 11, 2001 terrorist attack on the World
Trade Center.
Councillors Sullivan, Born and entire membership | 19. |
| 20. Resolution on the death of Eric T. "Red, Brud" Carlson.
Councillor Toomey and entire membership | 20. |
| 21. Resolution on the death of Helen R. Pacunas.
Councillor Toomey and entire membership | 21. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 22. Resolution on the death of Joyce A. Sadowski.
Councillor Sullivan and entire membership | 22. |
| 23. Resolution on the death of Dorothy J. Brittain.
Mayor Galluccio and entire membership | 23. |
| 24. Resolution on the death of John H. Carroll.
Councillors Sullivan, Toomey and entire membership | 24. |
| 25. Resolution on the death of Mary A. Crimmins.
Councillor Sullivan, Mayor Galluccio and entire membership | 25. |
| 26. Happy 50 th Birthday wishes to School Committee member E. Denise Simmons.
Councillor Sullivan and entire membership | 26. |
| 27. Resolution on the death of Bernard J. Fennell.
Councillor Toomey and entire membership | 27. |
| 28. Resolution on the death of John G. Gedziun.
Councillor Toomey and entire membership | 28. |
| 29. Get well wishes to a special Cambridge firefighter.
Vice Mayor Maher and entire membership | 29. |
| 30. Congratulations to the First Holiness on the Church as it celebrates its 85 th Anniversary Gala on Saturday, October 20, 2001 at 6:30 p.m. at the Museum of Science in Boston.
Councillors Davis, Reeves and entire membership | 30. |
| 31. Happy 89 th Birthday wishes to Susanne Green.
Councillor Reeves and entire membership | 31. |
| 32. Congratulations to Larry Weinstein on his successful one man play entitled "New Curtains for MacBeth."
Councillor Decker and entire membership | 32. |

**RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

33. Congratulations to the Cambridge African American Freedom Trail Group on the dedication of the gravesite of abolitionist William Wells Brown. 33.
Councillor Reeves and entire membership
34. Urge all residents to be cognizant of the "Walk Your Child to School Day" event in Cambridge on October 2, 2001. 34.
Councillor Davis
35. Congratulations to Ms. Ruth Hamilton on the occasion of her receiving the 25th Annual Sacco-Vanzetti Memorial Award for Contributions to Social Justice on Sunday, June 23, 2001 at the Community Church in Boston. 35.
Councillors Decker, Reeves and entire membership
36. Resolution to be prepared on the death of Joseph Curtin. 36.
Councillor Born and entire membership
37. Congratulations to the Community Development Department on being honored by the Cambridge Historical Commission for the historic preservation along Cambridge Street through the Cambridge Street Façade Program. 37.
Councillor Toomey and entire membership
38. Happy 50th Anniversary wishes to a special Cambridge couple. 38.
Councillor Toomey and entire membership
39. Condolences to the employees of Akamai Technologies on the tragic death of the co-founder and chief technology officer, Daniel C. Lewin. 39.
Councillors Decker, Born and entire membership
40. Resolution on the death of Daniel C. Lewin, co-founder and chief technology officer of Akamai Technologies. 40.
Councillors Decker, Born and entire membership
41. Congratulations to Raj R. Singh and Matthew Gentile, founders of Syncline, on their innovative web mapping program for cities and towns. 41.
Councillor Decker and entire membership

O-1.

September 24, 2001

VICE MAYOR MAHER

ORDERED: That the City Manager be and hereby is requested to instruct the Public Works Commissioner to take the necessary steps to cut the curbs on Erie and Brookline Streets in the vicinity of the LBJ Apartments to make this area handicapped accessible.

O-2.

September 24, 2001

COUNCILLOR SULLIVAN
COUNCILLOR DAVIS
COUNCILLOR DECKER

ORDERED: That the City Manager be and hereby is requested to instruct the Director of Traffic, Parking and Transportation to install a flashing yellow light at the crosswalk at Cadbury Road and Sherman Street.

O-3.

September 24, 2001

COUNCILLOR BORN

ORDERED: That the City Manager be and hereby is requested to investigate sources for financial support of the Maud Morgan Visual Arts Center.

O-4.

September 24, 2001

COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to instruct the Director of Traffic, Parking and Transportation to examine the dangerous traffic flow at Howard and Kinnaird Streets with the view in mind of installing a blinking light at that location.

O-5.

September 24, 2001

MAYOR GALLUCCIO
COUNCILLOR TOOMEY

WHEREAS: After consultation with the Vieira Family, it has been determined that the corner of Sixth and Spring Street is a more appropriate location to be dedicated in the memory of A. Michael Vieira; now therefore be it

ORDERED: That this City Council amends Order #14 of June 4, 2001, which passed by unanimous consent, to change the location of "A. Michael Vieira Square" to the corner of Sixth and Spring Street.

O-6.

September 24, 2001

COUNCILLOR TOOMEY

ORDERED: That the City Council go on record dedicating the corner of Cambridge Street and Cardinal Medeiros Avenue as "Sal DiDomenico Corner;" and be it further

ORDERED: That the Assistant to the City Council be and hereby is directed to confer with the family regarding a suitable dedication ceremony and communicate with the Department of Public Works to arrange for a sign.

O-7.

September 24, 2001

VICE MAYOR MAHER
COUNCILLOR BORN
COUNCILLOR DAVIS

WHEREAS: In several cities across the United States Arab-American businesses and business owners have been the target of harassment and attack since Osama bin Laden became the chief suspect in the September 11, 2001 terrorist attack; and

WHEREAS: Cambridge citizens take pride in our city's diversity and tolerance and expect our government to take steps to insure that the horrific events of September 11, 2001 do not result in injury and/or harassment of innocent persons; now therefore be it

RESOLVED: That the City Manager be and hereby is requested to confer with appropriate staff to send a copy of this resolution to all Arab-owned businesses, Arab and Islamic social and community organizations and mosques, along with a letter emphasizing the City's commitment to their security and equal treatment and including information as to what city departments and employees to contact if they feel threatened or harassed.

O-8.

September 24, 2001

VICE MAYOR MAHER
COUNCILLOR BORN

ORDERED: That the City Manager be and hereby is requested to contact the Chamber of Commerce to work with local businesses to display the United States flag in the busy squares and business districts and other areas around the city where our citizens congregate.

O-9.

September 24, 2001

COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to provide the City Council with a report on the recent incidences of housebreaks in the West Cambridge area which has been the scene of oriental rugs and computers being stolen.

O-10.

September 24, 2001

COUNCILLOR TOOMEY

- WHEREAS: There has recently been a movement of students at the high school that have expressed a strong desire to become more involved in municipal elections; and
- WHEREAS: Holding a municipal election requires many temporary workers; and
- WHEREAS: These workers gain first hand practical experience in the electoral process from checking in voters at the individual polling places to the administering of vote count at the Senior Center; and
- WHEREAS: This experience may help to increase participation in elections among recently graduated high school students, now therefore be it
- ORDERED: That the City Manager be and hereby is requested to direct the Executive Director of the Election Commission and the School Department to study the feasibility of allowing 16 and 17 year old students to be employed as temporary election workers during municipal elections, and that students who work on the election receive the appropriate course credit for their efforts.

O-11.

September 24, 2001

COUNCILLOR TOOMEY
COUNCILLOR BORN

WHEREAS: The tragic events in New York Washington D.C. and Pennsylvania have painfully illustrated that all American cities should be prepared for any type of emergency situations and;

WHEREAS: Cambridge is home to Harvard University The Massachusetts Institute of Technology Draper, Laboratories, numerous world leaders in the Bio-Tech and High-Tech fields and many significant historical sites; and

WHEREAS: Any one of these companies, institutions or sites may be a potential target for future attacks against the United States, now therefore be it

ORDERED: That the City Manager be and hereby is requested to confer with the Fire Chief, Police Commissioner, Director of Emergency Communications, and the Chief Public Health Officer to determine what, if any, additional resources are needed to protect public safety in an emergency situation; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the Council by January 2002.

O-12.

September 24, 2001

MAYOR GALLUCCIO
COUNCILLOR SULLIVAN

- WHEREAS: In previous Orders of this City Council concern has been raised about the quality of electric service in the City of Cambridge; and
- WHEREAS: The Massachusetts Department of Telecommunications and Energy has voted to open an investigation, D.T.E. 01-71, into the quality of electric service provided by electric distribution companies; and
- WHEREAS: Cambridge Electric Company is one of the utilities subject to this investigation; and
- WHEREAS: During this past summer and in other times in the recent pass concerns about the quality of electric service in the City of Cambridge has been raised; and
- WHEREAS: Cambridge Electric, now part of NSTAR, is the primary electric distribution company serving the City of Cambridge; and
- WHEREAS: The City of Cambridge has a specific interest in ensuring that the Cambridge Electric distribution system meet the highest quality standards possible; now therefor be it
- ORDERED: That the City Manager, working with the City Solicitor and all other relevant City Departments assess the City's role in this proceeding with a specific review of the City's role in this investigation; and be it further
- ORDERED: That the City Manager report back to this City Council no later than October 22, 2001 regarding the City's on-going role in this investigation.

September 24, 2001

COUNCILLOR SULLIVAN

WHEREAS: Robert F. Rowland, in the early 1960's, in consultation with Cambridge representatives, including CRA Board members, City Manager, City Council and key Cambridge community figures, recognized the development potential of the Kendall Square area then occupied by outmoded, declining, unattractive industrial uses; and

WHEREAS: In 1965, Mr. Rowland, after being hired by the CRA, prepared a redevelopment plan for the Kendall Square Urban Renewal Area - in 1976 renamed Cambridge Center - which would provide land for (1) An Electronic Research Center to be developed by the U.S. National Aeronautics and Space Agency (NASA) and (2) Private development which would benefit the City of Cambridge by generating tax revenues; and

WHEREAS: Mr. Rowland's knowledge of complex urban renewal financing formulas took advantage of a cooperative agreement between Cambridge and the Massachusetts Institute of Technology which resulted in securing an initial federal government allocation of \$15 million to prepare and execute an urban renewal plan, including property acquisitions, business relocations, site clearance, and construction of public improvements; and limiting Cambridge's financial outlay to a small fraction of its \$6 million share of the project costs; and

WHEREAS: After NASA developed 14 of the 29 acres designated for its use and in 1969 decided to transfer its facilities to the U.S. Department of Transportation (DOT), Mr. Rowland and Cambridge representatives negotiated the transfer of 15 acres of vacant land from DOT to the CRA so the land could be developed for uses which would directly benefit the City of Cambridge; and

WHEREAS: Mr. Rowland and the CRA Board showed patience and foresight in resisting pressures to pursue the kind of development on which construction could start quickly, but which would not do justice to the City in the long run; and

WHEREAS: After City Council amended the urban renewal plan to permit private mixed-use development, Mr. Rowland and Cambridge representatives assisted the late Representative Tip O'Neill to secure an additional \$15 million from the federal government to finance the project; and

WHEREAS: Mr. Rowland recommended the selection of Boston Properties as developer of Cambridge Center, requiring that construction of a major building commence within seven months, as backed by a substantial deposit as security for the developer's performance, the developer meeting the deadline and completing construction of

additional buildings thereafter; and

WHEREAS: Mr. Rowland directed CRA operations which (1) helped to improve and stabilize the Wellington-Harrington neighborhood by working with property owners to rehabilitate their properties, providing construction advise, arranging for financing, and enlisting support from Just-A-Start; by carrying out spot clearance of blighted properties; and by providing cleared land for construction of housing and public improvements; and (2) increased the supply of housing in the Walden Square Area by providing land for construction of housing and public improvements; now therefore be it

RESOLVED: That the Cambridge City Council expresses its appreciation for the outstanding efforts and accomplishments of Mr. Robert F. Rowland, Cambridge Redevelopment Authority (CRA) Director from 1964 to 1982, who - in consultation with Cambridge representatives, including CRA Board members, City Manager, City Council, and key Cambridge community figures - conceptualized the Kendall Square Urban Renewal Project, secured funds from the federal government to cover the great majority of the costs to carry out the Project, set high standards for the redevelopment of Cambridge Center, and established a framework for redevelopment which produced a successful Cambridge Center project which, in turn, promoted and encouraged development in the surrounding area to the benefit of the City of Cambridge by generating substantial tax revenues and producing job opportunities. Under his leadership, CRA operations helped to stabilize the Wellington Harrington neighborhood and increased the supply of housing in the Walden Square area; and be it further

RESOLVED: That a suitable site be dedicated to Robert F. Rowland, after consultation with the family and the Redevelopment Authority by the Assistant to the City Council, and that a dedication ceremony be held and an appropriate sign be prepared by the Department of Public Works.

O-14.

September 24, 2001

COUNCILLOR SULLIVAN

ORDERED: That the City Manager be and hereby is requested to report to the City Council information regarding the City of Cambridge's prescription drug program, with emphasis on the mail order portion of the plan.

O-15.

September 24, 2001

COUNCILLOR TOOMEY
COUNCILLOR BORN

ORDERED: That the City Manager be and hereby is requested to ensure that the full salary being received by any city employee or police or fire recruit currently in academy training be continued in the event of the employee's activation for military duty.

O-16.

September 24, 2001

COUNCILLOR BORN

WHEREAS: Standing water has been sitting undisturbed since July in the new water retention area at the foot of the Weir Meadow at Fresh Pond Reservation; and

WHEREAS: The City of Cambridge has a policy of dispersing standing water; now therefore be it

RESOLVED: That the City Manager be and hereby is requested to confer with the Water Department and the Department of Public Health to report to the City Council on a plan to prevent mosquitoes from breeding in this area.

O-17.

September 24, 2001

COUNCILLOR TOOMEY

ORDERED: That the City Manager be and hereby is requested to respond to the concerns of the residents of Foxcroft Manor regarding the construction of the Knafel Center.

O-18.

September 24, 2001

COUNCILLOR DECKER

WHEREAS: The Department of Human Services will be vacating the St. John's convent; now therefore be it

ORDERED: That the City Manager be and hereby is requested to explore the possibility of purchasing this site for affordable housing.

O-19.

September 24, 2001

COUNCILLOR DECKER

WHEREAS: Empty buildings in the city are a rarity; and

WHEREAS: The City should explore all possibilities for potential use for municipal use; now therefore be it

ORDERED: That the City Manager be and hereby is requested to report to the City Council on the following:

1. Status and use of the Blessed Sacrament School and St. Mary's School;
2. Update of the Community Learning Center possibility occupying St. Mary's; and
3. City uses for Blessed Sacrament School.

O-20.

September 24, 2001

COUNCILLOR DECKER

ORDERED: That the City Manager be and hereby is requested to instruct the Director of the Traffic, Parking and Transportation Department to conduct a traffic study along Upton Street - cars are speeding, and the Graham and Parks School is located in this vicinity; said traffic study to include the concerns of the residents for safety.

O-21.

September 24, 2001

COUNCILLOR DECKER

ORDERED: That the City Manager be and hereby is requested to instruct the Director of the Traffic, Parking and Transportation Department to conduct a traffic study at the intersection of River and Franklin Streets as there is great concern for pedestrian safety due to vehicles crossing Franklin Street -drivers have to balance cutting into River Street traffic and watching for pedestrians crossing the street.

O-22.

September 24, 2001

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to direct the Community Development Department to work with businesses and the MBTA to create and post a map of bus stops in Central Square and their destinations.

O-23.

September 24, 2001

COUNCILLOR REEVES
COUNCILLOR BORN

ORDERED: That the City Manager be and hereby is requested to promote a campaign of education in the City of Cambridge that will address reasonable concerns that Muslims and others from around the world will not be target for hate crimes and insults due to their religion or national origin.

O-24.

September 24, 2001

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to assure that the MBTA Nightowl stops are easy to find and well posted.

O-25.

September 24, 2001

COUNCILLOR DAVIS

ORDERED: That the City Manager be and hereby is requested to direct the Director of Traffic, Parking and Transportation and the Assistant City Manager for Community Development to work with the residents of Lexington Avenue to slow traffic through the use of traffic calming measures.

O-26.

September 24, 2001

COUNCILLOR REEVES
COUNCILLOR BORN

- WHEREAS: Osama bin Laden has been identified as a terrorist committed to anti-American activity and remains the prime suspect in the bombings of September 11, 2001, in New York and Washington, D.C.; and
- WHEREAS: The bin Laden family fortune has been identified as a source which funds terrorist activity throughout the world; and
- WHEREAS: The survivors of those who died in the World Trade Center bombing and the Pentagon bombing and their families will not receive adequate benefits and support, based on recent reports in the New York Times; and
- WHEREAS: It has come to light that Harvard University has several academic chairs which have been endowed by the bin Laden family; and
- WHEREAS: It appears that the bin Laden contributions to Harvard University may equal nearly \$5 million; now therefore be it
- RESOLVED: That in this time of national sadness and concern for the victims of September 11, 2001, Harvard University might do a good thing in contributing an amount equal to its bin Laden receipts to the survivors of those lost in New York and Washington, D.C. According to newspaper accounts, there are many survivors, particularly of the World Trade Center site, who will receive relatively small survivor benefits. In this time when people feel that there is little that they individually can do - Harvard might make a gesture which would be meaningful.

O-27.

September 24, 2001

COUNCILLOR DAVIS
COUNCILLOR BORN

- WHEREAS: Many residents of Cambridge are concerned as never before about the possibility of the new dangers posed by terrorism and are seeking reassurance as to the City's efforts to secure their environment; now therefore be it
- ORDERED: That the City Manager be and hereby is requested to ensure that the City is taking all prudent steps to scan the environment for potential dangers and taking all reasonable precautions to secure the public safety; and be it further
- ORDERED: That the City Manager consult with the Public Information Officer to provide as much information to the public about such steps as is consistent with maintaining the level of security required to enable effective action; and be it further
- ORDERED: That the City Manager be and hereby is requested to confer with appropriate staff to reach out to all individuals and groups that might be in need of special care and protection in light of the recent tragedy and heightened public concern.

COMMITTEE REPORTS
FOR THE CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 24, 2001

1. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Marjorie Decker, Chair of the Neighborhood and Long Term Planning Committee, for a meeting held on July 11, 2001 for the purpose of discussing MIT and its support for community based organizations in Area IV, and MIY plans for Tech Square.
2. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Councillor Marjorie Decker, Chair of the Civic Unity Committee, for a meeting held on July 25, 2001 to continue discussions on mediation services and resources.
3. A communication was received from Donna P. Lopez, Deputy City Clerk, transmitting a report from Councillor Jim Braude, Chair of the Housing Committee, for a meeting held on August 7, 2001 to conduct a roundtable-working meeting with representatives of tenants and owners of Fresh Pond apartments and regulatory agencies to follow up on the prior hearing on the condition of the housing and related matters.
4. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Vice Mayor David P. Maher and Councillor Kathleen L. Born, Co-Chairs of the Ordinance Committee, for a meeting held on September 5, 2001 for the purpose of considering the Eastern Cambridge Planning Study (ECAPS) petition and the Birk et al., petition to amend the zoning in East Cambridge and in particular, to consider the provisions of the petitions that affect North Point and the Volpe Center area.
5. A communication was received from D. Margaret Drury, City Clerk, transmitting a report from Vice Mayor David P. Maher and Councillor Kathleen L. Born, Co-Chairs of the Ordinance Committee, for a meeting held on September 12, 2001 for the purpose of considering the Eastern Cambridge Planning Study (ECAPS) petition and the Birk et al., petition, in particular, the proposals for the petition areas other than North Point and the Volpe Center discussed at the September 5, 2001 hearing.

Committee Report #1

NEIGHBORHOOD AND LONG TERM PLANNING

In City Council September 24, 2001

COMMITTEE MEMBERS

Councillor Marjorie C. Decker, Chair

Councillor Kathleen L. Born

Vice Mayor David P. Maher

The Neighborhood and Long Term Planning Committee held a public meeting on July 11, 2001, beginning at 6:00 p.m. in the auditorium of the Maynard Fletcher Academy, 225 Windsor Street for the purpose of discussing MIT and its support for community based organizations in Area IV, and MIT plans for Tech Square.

Present at the meeting were Councillor Marjorie Decker, Chair of the Committee, Councillor Kathleen L. Born, Councillor Kenneth E. Reeves, Councillor Michael A. Sullivan and City Clerk D. Margaret Drury.

Councillor Decker convened the meeting, welcomed all those present and explained the purpose.

Councillor Decker invited representative of MIT and the community organizations MIT supports to begin the discussion.

Paul Parravano, Co-Director of Government and Community Relations for MIT, introduced his MIT colleagues in attendance, Sara Gallop, Co-Director of Government and Community Relations, David Cohen, Office of Government and Community Relations, Steve Marsh, Director of MIT Real Estate, Michael Omu, MIT, Joe Maguire, MIT and John McQuade, MIT.

Mr. Parravano distributed a written description of the Area 4 community organizations in which MIT invests (Attachment A). He emphasized MIT's special interest in Cambridge public schools and the education of Cambridge children as an endeavor congruent with MIT's mission.

Joe Douillette, Teen Media Program Director at the Community Arts Center, described the program and MIT's support. Beginning in 1999, the program's youth video festival, a juried festival, has been held at the MIT Bartose Theater in the Media Lab. Films from all over the country are submitted. The young producers of the films selected for the festival are invited to attend and participate in the program. MIT's assistance has taken the pressure off the kids to arrange all of the details and logistics. The festival is called the "Do It Your Damn Self National Video and Film Festival," and takes place in November.

Mary Edouard, Director of Programs, Director of Programs, Tutoring Plus, described the program and MIT's contribution. MIT students constitute 15 to 30% of the volunteer tutors.

Reverend Howard McLendon of the Massachusetts Avenue Baptist Church described MIT's support for the church's food pantry and soup kitchen and said that MIT has been essential to these programs.

Dr. Janet Moses described the Algebra Project and MIT's, and especially Paul Parravano's support, for this project and for work relating to the problems of the education of children. This does not mean all is perfect. There are serious problems that require strategic planning and involving the neighborhood and MIT working together.

Councillor Decker introduced Uche Amaechia, Director of the Maynard-Fletcher Community School, who has been selected as the manager for the new Twenty-first Century Schools grant for the Maynard-Fletcher. He described the Community Schools programs in Area 4.

Mr. Parravano also distributed a brochure on the MIT Community Service Fund. (Attachment B)

Councillor Decker then invited public discussion.

Lorraine Scott, Washington Street, Area 4 Neighborhood Coalition, stated that she would like MIT to describe the actual amount of financial support that goes to each of the groups. She said the Algebra Project is not

in the Cambridgeport School or the Maynard-Fletcher Academy and asked whether MIT could find the additional funds to support the Algebra program in the schools.

Mr. Parravano said that he will be happy to make information about the amount of the financial support of the programs available. With regard to the schools in which the Algebra Project is present, his understanding is that it is not a matter of funds, it has to do with the choice of teachers and principals, etc. Robin Harris, Principal of the Maynard-Fletcher Academy, said that she is very interested in working the Algebra Project into the overall program of the school, perhaps as a part of the extended day program under the new grant.

Karen Gillespie, Harvard Street, asked whether the kids in the Teen Video Project are from Area 4. Mr. Douillette responded that the Community Arts Project serves about 90 kids, its primary service area is Newtowne Court and Washington Elms, and 50% of the kids come from there. Another 40% come from other parts of Area 4, and approximately 10% come from other parts of Cambridge.

Ms. Gillespie said that she would like to see more support for education for adults. She invited the MIT representatives to attend an Area 4 Coalition. She then noted that in her opinion, real estate is the biggest concern of Area 4 residents, and asked if MIT owns the land on which Newtowne Court and Washington Elms is located, as is rumored, and if so, has MIT given the CHA a short term lease for this property, as is also rumored.

Councillor Decker told Mr. Parravano that the issue of adult education has come up consistently in Area 4 community meetings.

Karan Marsh, Pine Street, said that she has been an Area 4 resident for over twenty years. She stated that her two biggest concerns are the disappearance of green space and MIT's residential real estate and the need for MIT to help with affordable housing.

Councillor Born said that the time frame for 238 Broadway to become open space is about three years.

Gerald Bergman, 82 Elm Street, stated that Area 4 has many unmet needs. The Area 4 Coalition had requests for over \$500,000 of funds for the \$200,000 of UDAG grant money available. People need to stay involved in setting the agenda. The community needs organizers who speak many languages, not City Councillors who show up near elections, to set the agenda. He noted the need for more dental clinics for kids in Area 4, along with affordable housing and other needs.

Dr. Moses stated that she hopes that what can come from this meeting is a way for the people who live in the neighborhood to strategize solutions for these problems that can involve MIT and the community.

Councillor Decker expressed her hope that members of the community will stay involved and utilize the City Council and its committee as resources in an issue which has been a struggle for the past twenty years.

Councillor Born said her observation has been that in the last council term, there has been quite a sharpened focus on the universities. The City Council has demonstrated its interest in taking a major part in redefining the role of universities in the civic life of the city.

Steve Marsh, Real Estate Director for MIT, said that MIT wants to hear the concerns of the residents of the community. He went on to describe his role at MIT, which is to manage the investment real estate for the institute. He stated that to his knowledge, MIT has no ownership role whatsoever with regard to Newtowne Court and Washington Elms.

Councillor Decker requested that Mr. Marsh discuss MIT's plans for Tech Square.

Mr. Marsh described Tech Square. It was developed in the 1960's. At that time MIT had some ownership interest. There were four buildings and a parking garage. The site was purchased by Beacon Capital. Beacon developed plans for adding 600,000 sq. ft. to the original 500,000 sq. ft. of development, for a 1.2 sq. ft. total. Then Beacon decided to sell the property and MIT heard it was for sale and purchased it. MIT sees Cambridge as a good

place to invest. MIT expects completion of the project in the winter of next year. Beacon Capital is doing the development and will deliver the completed buildings.

Councillor Decker asked about the plans for the use of the buildings and she also noted the fact that MIT and Cambridge still do not have a written payment in lieu of taxes (pilot) agreement.

Mr. Marsh said that MIT does not intend to take the property off the tax rolls within "the foreseeable future." He noted a twelve-year lease to Akamai Technologies, Inc. and expects to execute a ten-year agreement with Dyad with the option for a 10-year extension. Historically, MIT has not taken taxable property that it has purchased off the tax rolls, for example, One Broadway.

Mr. Marsh said that MIT and the city are engaged in negotiating an agreement, he expects it to take several months. There are twenty years during which MIT cannot do anything because of the previously mentioned contracts.

Councillor Born said that twenty years is a very short period of time, certainly MIT would not like to hear that in twenty years, all zoning pertaining to MIT will end and be replaced with completely new zoning which could be completely different.

Gerald Bergman said that the City Council has made bad policy decisions for Area 4.

Esther Hanig, Pine Street, stated that the reality for her goes far beyond taxes, this is her home and her neighborhood. MIT takes Area 4 properties, develop them, people come to work in these buildings, they need housing and can afford it, and her neighborhood is priced out. She questioned where MIT stops. Where is the line where MIT can be a viable institution without destroying the neighborhood?

Lorraine Scott stated that MIT has historically taken buildings in Area 4 to make parking lots and student housing. How does MIT plan to replace the green space that has been taken. She suggested landscaping all the yards in Area 4. She asked why MIT had no public meetings about Tech Square. She also suggested that MIT make space available for neighborhood organizations.

Noel Johnson, Pine Street, stated how appalled she is that she now has to vote at MIT.

Joe Douillette, Cambridge Art Center, suggested that MIT use Area 4 as part of its urban planning curriculum and invest in affordable housing.

Barry Zevins, 67 Hampshire Street, urged MIT to lease its retail space on Portland Street to commercial entities that would be useful to the neighborhood. Mr. Marsh said that MIT is working with the Community Development Department economic development planners to find retail uses that meet these goals.

Councillor Decker said that one possible outcome from this meeting could be formation of a working committee of representatives of neighborhood groups and MIT representatives and that she would like to hear what community members would like to see as outcomes. Councillor Decker also encourages MIT to take up the Area 4 Coalition's invitation to attend one of their meetings.

Betsy Schultz, 295 Harvard Street, asked if the MIT Museum is closing. Mr. Parravano stated that it is not.

Dorothy Cibula, Webster Avenue, said that this neighborhood used to be a beautiful area. She was astounded to see all of the buildings going up. Now it does not feel safe to walk in the area, with all the traffic during the day and the deserted buildings at night. She would like to see better planning for their neighborhood.

James Williamson, 17 Perry Street, stated that these are issues that Cambridgeport also faces. He said he would like to know whether there was consultation between MIT and Beacon during the Beacon development prior to the sale and to MIT. He said that he would like to know the amount of financial support MIT provides to community organizations. He submitted copies of related news articles from the MIT student newspaper. He urged

restraint on the scale of the graduate housing MIT is building. He suggested a 2-1 ratio of new student housing to affordable units.

Esther Hanig noted the issue of trying to encourage MIT to hire people from the Area 4 neighborhood, especially youth trying to find a future.

Councillor Decker said that she would be very happy to have this committee have another meeting in the fall to facilitate formation of a long term working committee.

Noel Johnson suggested taking names for a committee to start working.

Councillor Decker stated that she will send out a notice of a meeting for the fall with the notes of this meeting.

Dr. Moses stated her willingness to be part of a working committee with a democratic configuration and commitment on both sides.

Karan Marsh stated that MIT obviously has some sincere people who want to do good things, but MIT is a very big entity that can squish individual residents. MIT has to do something now for these residents.

Steve Marsh requested more information about the particular facts Ms. Marsh related regarding MIT eviction efforts.

Karen Gillespie said that what she does not want to see going forward is twenty more years of extreme, outlandish development. She said that residents have to know that MIT is interested in listening to and working with the neighbors.

Mr. Parravano stated that it is very helpful to MIT to have discussions with the community to sort out the priorities on the broader issues. With respect to meeting space, etc., he urged neighborhood groups to call him for assistance.

Councillor Reeves noted the importance of this committee to the future of the city. With respect to a working committee, he cited the model of the Agassiz neighborhood which meets quarterly with Harvard, and urged the community to consider a similar committee. Councillor Reeves said that it is very important to stay unified as a neighborhood and to form a credible, representative, ongoing group that understands the dynamics. MIT has done some wonderful things over the years, for example, the senior housing and the Kendall Foundation. He hopes to see that kind of contribution.

Councillor Decker thanks all those present for their attendance. The meeting was adjourned at 8:07 p.m.

For the Committee,
Councillor Marjorie Decker, Chair

Committee Report #2

CIVIC UNITY

COMMITTEE MEMBERS

Councillor Marjorie C. Decker, Chair

Councillor Kathleen L. Born

Councillor Kenneth E. Reeves

In City Council September 24, 2001

The Civic Unity Committee held a public hearing on Wednesday, July 25, 2001 at 4:15 p. m. in the Ackermann Room.

The purpose of the meeting was to continue discussions on mediation services and resources.

Present at the meeting were Councillor Marjorie Decker, Chair of the Committee, Cathy Hoffman, Director, Peace Commission, Malvina Monteiro, Executive Secretary, Police Review and Advisory Board, Mary Wong, Executive Director, Kids' Council, Paul Schlaver, Director, Consumer Council, Selvin, Chambers, Youth Center Coordinator, Human Services Department and Donna P. Lopez, Deputy City Clerk. Also present at the meeting were Gail Packer, Cynthia Bauman and Jody Sammons, Community Dispute Settlement Center, Susan Michaelson, Public Review and Advisory Board, Carmen S. Negron, Human Rights Commission, Julianne Chatelain, NonViolent Communication, Bill Madsen, Public Conversation Project and Peter Shapiro, Just A Start Mediation for Results.

Councillor Decker opened the meeting and welcomed all attendees. She stated the purpose of the meeting.

Councillor Decker informed the committee that she may have a possible intern in September to begin the data collection of mediation services and agencies. She hoped that a structure would be established for the intern to achieve this goal. Resources could then be used to distribute the data through means such as a booklet, web site or public institutions.

Councillor Decker stated that the American Friends Service Committee made a presentation at the last meeting on Circle Justice. This committee, she said, would like to explore various pilot programs. She would like to have a larger meeting in the fall and present to community leaders the work that has been done by this committee thus far. She asked the attendees if they have any thoughts on the structure for the intern.

Ms. Hoffman stated that the intern should collect the information on what services are accessible. This collection of information should be organized around a series of questions and then the resources could be listed.

Mr. Schlaver stated that the intern could organize the information on the agencies and then categorize by services so that the format looks the same. Then services can be paired with the needs of the community. Mr. Schlaver provided information to the committee on the services and functions of the Consumer Council.

(ATTACHMENT A)

In response to a question Councillor Decker stated that the functions of an Office for Constituent Services is still being discussed and it is still unclear. Ms. Wong asked if the Ombudsperson, which this committee spoke about in previous meetings and the Office of Constituent Services are the same. Councillor Decker stated that this is unclear. Ms. Wong suggested that the intern should research models of Ombudspersons. Ms. Monteiro stated that she would provide the committee with copies of Ombudsperson ordinances from other states.

Ms. Chatelain provided the committee with information on the Nonviolence Communication.
(ATTACHMENT B). She stated that after the intern gets the data the agencies need to answer what specific needs are being met and who are the "core" people being served. Councillor Decker concurred that an assessment needs to be done on what services exist and what do not exist.

Mr. Shapiro stated that the immediate needs should be larger. The Ombudsperson then the intern should be the goal. The community needs to talk back to the agencies, he said. A person is needed who knows enough about

all the services offered by all the agencies. Mr. Shapiro distributed information from his agencies regarding tenants and landlords. **(ATTACHMENT C AND D).**

Ms. Bauman stated that she hoped that the intern would be able to have stories written about the agencies and their services.

Councillor Decker stated that a Constituent Service Office is different from an Ombudsman. This committee, she said, can do the following:

- Frame the issue
- Identify and frame resources.

There is also the potential to create a campaign to raise public consciousness, she said.

In response to a question by Mr. Madsen about the functions of the Civic Unity Committee, Councillor Decker stated that the Mayor appointed her Chair of the Civic Unity Committee. The definition of civic unity is broad. There were to previous initiatives around race and class. Conflict between the two processes ended both. It was decided that this committee should focus on issues of justice because race and class will be discussed. Mediation came from the discussions around justice. The agencies were then invited to a meeting of the committee.

Ms. Hoffman stated that the committee is trying to redefine the conflict issue in order to establish a city that is welcoming and comfortable to all persons. We are trying to move out of the adversarial role. She stated that the intern should collect the data and the data should be accessible whether there is an Ombudsperson Office or not. This committee should be ongoing to keep the conversation ongoing. Marketing of the data collection is important, she said. We may want to develop a multi-faceted way to resolve conflict by using different methods and agencies. Ms. Packer stated that a multi-door format is needed because it is a multi-level issue. The marketing piece is how do we get the word out to the general public about the services.

Mr. Chambers stated that specific goals need to be defined. Staffing and a time line are needed to get the information out to the public. This all needs to be developed before the intern is hired, he said. He stated his willingness to be utilized as staff.

Ms. Michaelson asked what is the time frame. Councillor Decker responded there is not hard time line, but she would like to have an intern by September. Ms. Michaelson suggested contacting Madeline Harvey of the Policy Analysis Exercise Program at the Kennedy School of Government at 495-0860. This program, she said, will require a defined project by fall to secure a student from the Kennedy School. The project would require completion in April. Ms. Hoffman stated that the Peace Commission could house the intern. Mr. Shapiro stated that this committee could access models, then look at where conflict surfaces and develop a pilot project.

Councillor Decker stated that the first steps would be to:

- Address what services do or do not exist;
- Identify who has access to the services;
- Identify conflict resolution; and
- Formulate a campaign to raise public awareness.

Councillor Decker stated that she could secure city resources in this endeavor.

Ms. Hoffman stated that small steps could be taken. Such steps as training programs. She stated that there is no reason that skills cannot be developed for conflict resolution. Training, she said, could be offered by the city.

Councillor Decker asked for final thoughts from the attendees.

Mr. Madsen suggested using an "Imagining Projects". He provided the committee with a copy of "Imagine South Carolina". **(ATTACHMENT E)**

A discussion ensued regarding the Constituent Service/Ombudsperson Office. Ms. Hoffman stated that a Constituent Service position, she feels is different than what this committee is discussing.

This committee is focusing on the issue of conflict resolution. The committee may recommend to the City Council that the position requires a person with conflict resolution skills. Ms. Wong asked if the duties of the position have been defined. Councillor Decker responded that the position has not been defined.

Ms. Monteiro provided copies of the following:

Ombudsman Office - Detroit, MI	(ATTACHMENT F)
Community Ombudsman - Boise, Idaho	(ATTACHMENT G)
Recommended training for Police Review Board members by the National Association for the Civilian Oversight of Law Enforcement	(ATTACHMENT H)
Mediation Policy - Minneapolis, MN	(ATTACHMENT I)

Councillor Decker thanked all attendees. The meeting adjourned at 5:45 p. m.

For the Committee,
Councillor Marjorie Decker,
Chair

Committee Report #3

HOUSING COMMITTEE MEMBERS

In City Council September 24, 2001

Councillor Jim Braude, Chair
Councillor Kathleen L. Born
Councillor Henrietta Davis
Councillor Marjorie C. Decker
Vice Mayor David P. Maher

The Housing Committee conducted a public meeting on Tuesday, August 7, 2001 at 4:00 p. m. in the Ackermann Room.

The purpose of the meeting was to conduct a roundtable-working meeting with representatives of tenants and owners of Fresh Pond apartments and regulatory agencies to follow up on the prior hearing on the condition of the housing and related matters.

Present at the meeting was Councillor Jim Braude, Chair of the Committee, Councillor Henrietta Davis, Representative Alice K. Wolf, Darcy Jameson, Director of Housing for the Community Development Department (CDD) Maurice Barry, HUD, Richard Henken, Executive Vice President of Schochet Associates, Inc., Carol Eades, Expiring Use Tenants Committee, Elaine DeRosa, and Bob Feldman, CEOC, Susan Hegel, Attorney for Cambridge and Somerville Legal Services (CSLS), Elaine Brooks, Whitney Cooper and Joe Hughes, Mass Housing, Terrence Smith, Chief of Staff, Mayor's Office and Donna P. Lopez, Deputy City Clerk. Also present at the meeting was Patricia Casola, tenant and President of the Fresh Pond Tenants Association and Kenneth Walden, tenant.

Councillor Braude opened the meeting and gave an overview of the previous meeting. He stated that he has received letters from tenants of the Fresh Pond Apartments both critical and supportive of the management. He stated that the goal of this meeting is to discuss the next step to get all parties together quickly to communicate on an on-going basis and work out their differences as they arise. There is a need for new oversight and relationships as well as a public forum for all to discuss issues. He hopes that some long-term outcome will be reached. He asked the attendees to outline their goals.

Elaine DeRosa stated that information about the building should be shared with all parties. This fosters communication. Tenants, she said, want to have a safe environment. Living at Fresh Pond is a different reality.

Patricia Casola stated that she wanted a better inspection process to include tenants and a better comprehensive inspection by MFHA who are hired by HUD. "Reap" inspections should include tenants and need to be done more extensively including health and sanitary code inspections. Inspections, she said should be conducted on occupied units.

Richard Henken stated that the goal is to provide safe and affordable housing.

Darcy Jameson stated that the use agreement was signed a year ago. The city wants to backstop the tenants. The city will continue to support the residents to meet the quality of life issues.

Maurice Barry stated "reap" inspection has its own process that that there is no way to control these inspections.

Councillor Braude asked about the rationale for inspecting vacant units. Ms. Brooks responded that to ensure that a unit is vacant and the progress in turn over on vacancy units, a notice regarding the inspection is sent to the housing development to be posted. Ms. Casola stated that the inspection notice was received. The owner wanted to cancel the inspection. This created a confusing situation, she said.

The inspection was done. Tenants, she said, want to be involved in the inspections. Councillor Braude stated that this is yet another communication breakdown issue. Mr. Barry informed all attendees that HUD has scheduled an inspection on August 28, 2001. Councillor Braude asked if tenants could participate. This information is in the notice letter said Mr. Barry.

Kenneth Walden stated that tenants need to know who to get in touch with at HUD when there is a problem. Councillor Braude stated that a more regular predetermined forum could provide a place to answer such questions. An open door environment may not be enough considering the power differential between an owner and individual tenants. Councillor Braude suggested regularly scheduled meetings between tenants and management to discuss issues. Mr. Henken agreed. Councillor Braude hoped that Mass Housing would participate in these regularly scheduled meetings. He further stated that the agenda should be agreed upon well in advance of the date of the meeting.

Councillor Davis stated that she concurred with Councillor Braude's suggestion of regularly scheduled meetings. Tension will be eliminated between owners and tenants. She urged getting the communication piece worked out then other issues can be worked out.

Ms. Jameson stated that there has been conversation for over one and a half years about regularly scheduled meetings. She asked how do we literally get these meetings scheduled. Councillor Braude stated that this question would be answered at this meeting.

Councillor Braude now proceeded to discuss the issue of the flow of information.

Elaine DeRosa suggested streamlining this process and that tenants be included in the process.

A discussion ensued regarding the accessibility of information to the tenants. Councillor Braude asked how could a Freedom of Information (FOIA) request be done on an inspection that is done to buildings where tenants are occupying the units. Mr. Barry responded that if tenants request information the request would have to be sent to Real Estate Assessment Center (REAC). Mr. Henken stated that only Ms. Jameson could share public records. Councillor Braude asked that if Ms. Jameson finds that she is not violating any law could she disseminate information. She stated that she would check on this matter. Mr. Henken stated that only under horrific circumstances are notices done on non-HUD buildings and if the Board of Health does an inspection.

Representative Wolf stated that condition reports should be sent to CDD or to the library for easy access for the public. These documents should be public records and have a specific place where these records are to be filed.

Councillor Braude stated that the City Council also does not get this information. Fresh Pond Apartments hold large interest for the City Council because it is a major affordable housing base. The Housing Committee should get copies of these reports. Ms. Jameson stated that she would check on this issue. Mr. Henken stated that this is an issue of waiving the public records law. Councillor Davis stated that the management office could make this information available to the public on the bulletin board. The more information the public has the more open the process becomes, she said. Mr. Henken stated that he needs to understand what is legally a public record expressing concern about corporate financial information which Ms. Casola stated that the tenants had no interest in. Mr. Barry stated that submitter notices are sent to Mr. Henken. Mr. Henken needs to argue why these are not public records. Financial statements are different documents stated Mr. Barry. Councillor Braude stated that any other document falls under the public record category. Is anything FOIA-able, he asked. Mr. Henken stated that subject to legal restriction he has no trouble mailing available records. A request is needed for special documents said Mr. Barry. Councillor Braude asked Mr. Barry if Ms. Jameson sent a form letter for documents that

are not private would he comply with the request. Mr. Barry responded that he would have to check with the legal department. He would check on this matter.

Ms. Casola stated HUD refused to supply documents because financial information was contained in the documents. She asked why she could not be given the results of the inspections only. Mr. Barry responded that he could supply the specific score information if this is the information she wanted. Ms. DeRosa stated that there are physical conditions in the building that need to be addressed. Ms. Brooks stated that sanitary conditions in individual occupied units should not be made public--this is personal and private. Representative Wolf suggested removing unit numbers from this information. Ms. DeRosa stated that the issue is getting access to the general information.

Councillor Braude asked if there is a notice or report available to persons who do not speak English. Mr. Henken stated that translation services are provided as needed. HUD notices should be translated and made available in their handbook.

Councillor Braude now proceeded to a discussion on the problems.

Ms. Casola listed the following problems:

- ◆ Tenants involvement and notice;
- ◆ The issue of asbestos;
- ◆ Inspectors need to know more about developments; and
- ◆ More communication is needed between inspectors and tenants.

Councillor Braude asked if there is a situation when HUD would not notify tenants of inspections. Ms. Brooks stated that the building is posted two weeks before the inspection.

Mr. Henken asked Ms. Casola if she notified the building manager about the asbestos. Ms. Casola responded in the affirmative.

Mr. Henken stated that all conditions would be remedied. Ms. Casola informed the committee that when her apartment was inspected she pointed out problem areas. She stated that she would supply a list of apartments that contain asbestos damage.

Mr. Barry stated that a notice was sent on July 30, 2001 to the Fresh Pond Apartments for a site visit on August 24, 2001. Ms. DeRosa requested more than the minimum time of seventy-two hours before the day of inspection.

Councillor Braude suggested that, if possible, more than the month threshold be given on the notice. Mr. Barry responded that the contract may state a time of two weeks before the inspection. Ms. Brooks stated that if too long a notice is given to the owners they can prepare for the inspections. This is not fair to the tenants. Councillor Davis stated that the notice be placed in the elevators in the building. Mr. Henken stated that in his experience he is being asked to do things above and beyond his responsibility. He stated that he wanted 6-9 months worth of meetings to develop good will. Ms. DeRosa stated that blind trust cannot be given. The tenants are being harassed. If a truce is what you want it has to be on both sides.

Kenneth Walden stated that he went to an official agency to get his apartment inspected. Mr. Henken stated that Mr. Walden should not be harassed and that he deserves decent housing. Ms. Cooper stated that she received a call from Mr. Walden to inspect his apartment. Councillor Braude stated that

the monthly forums would help eliminate the tensions. Mr. Henken stated that he would investigate Mr. Walden's situation.

Councillor Davis stated that mediation could play a role to address individual problems. Councillor Braude suggested one permanent mediator who would learn about the building.

Councillor Braude asked when is a good time to start the monthly meetings. Mr. Barry stated that HUD and MFHA would not be involved in these monthly meetings. Councillor Braude stated these meetings are between the tenants and the building management and should be small monthly meetings. He further stated that he hoped that HUD and MFHA could come to the meetings if invited to address a specific issue. Ms. DeRosa suggested the third Tuesday of each month at 6:00 p. m. Two weeks before the meeting the topics of discussion should be jointly outlined, stated Councillor Braude. Ms. DeRosa stated that CEOC would send out the notices of the meetings. Mr. Henken stated that the first meeting would be held on Tuesday, September 18, 2001 at 6:00 p.m. at the Fresh Pond Apartment.

Councillor Braude thanked all attendees.

The meeting adjourned at 5:15 p. m.

For the Committee,

Councillor Jim Braude,
Chairman

Committee Report #4

ORDINANCE COMMITTEE MEMBERS

*Councillor Kathleen L. Born, Co-Chair
Vice Mayor David P. Maher, Co-Chair
Councillor Jim Braude
Councillor Henrietta Davis
Councillor Marjorie C. Decker
Councillor Kenneth E. Reeves
Councillor Michael A. Sullivan
Councillor Timothy J. Toomey, Jr.
Mayor Anthony D. Galluccio*

In City Council September 24, 2001

The Ordinance Committee held a public hearing on September 5, 2001, beginning at 5: P.M. in the Sullivan Chamber for the purpose of considering the Eastern Cambridge Planning Study (ECAPS) petition and the Birk et al. petition to amend the zoning in East Cambridge, and in particular, to consider the provisions of the petitions that affect North Point and the Volpe Center area.

Present at the hearing were Vice Mayor David P. Maher and Councillor Kathleen L. Born, Co-Chairs of the Committee, Councillor Jim Braude, Councillor Henrietta Davis, Councillor Marjorie C. Decker, Councillor Michael A. Sullivan, Councillor Timothy J. Toomey, Jr., and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Assistant City Manager for Community Development, Lester Barber, Community Development Department (CDD), Stuart Dash, CDD, Roger Boothe, CDD, Susann Rasmussen, CDD, Iram Farooq, CDD, Brenda Moses, GIS, Nancy Glowa, First Assistant City Solicitor.

Vice Mayor Maher convened the meeting, welcomed those present and explained the format. He introduced Dennis Desoglio, Director of Planning for the MBTA. He explained that he and Councillor Born decided to request attendance by an MBTA representative because the MBTA plans for the Lechmere Station are integral to the development of the area.

Vice Mayor Maher then opened the presentation on the ECAPS petition. He invited Beth Rubenstein to begin.

Ms. Rubenstein described the handouts submitted by CDD (**Attachment ____**). She described the written material and explained that the presentation would focus on North Point and the Volpe Center area.

Mr. Barber then summarized the proposed changes in the zoning for North Point and the Volpe Center. In the proposal for North Point, there are no boundary changes. The proposal retains a residence base district as of right, with an FAR of 1.0, and a maximum height of 40 ft. The North Point PUD covers the same area and allows an FAR of 2.4; in the anticipated MBTA transit area the FAR can go up to 3.0 (with a 65% residential and 35% commercial development). Over the entire district FAR can be 3.0 if the development is entirely residential. The parking requirements are 20% more restrictive than the parking requirements in the Citywide Rezoning Ordinance. The proposal requires a developer who constructs a project of 50 acres or more to establish a 2 ½ acre public park. The PUD height varies from 85 ft. for Monsignor O'Brien Highway up to 220 ft. Mr. Barber said that there are additional provisions to

encourage retail use to support the new residential community. The design guidelines are key components of the zoning proposed.

Ms. Rubenstein stated that the density proposals are based on careful traffic analysis done as part of the study.

Mr. Barber then described the Volpe area proposal. The PUD emphasizes housing - it requires 60% residential but allows 40% commercial development. The PUD FAR is 3.0. Over the entire district, there is a requirement for a 7 ½ acre park and for 35% open space.

Councillor Davis asked if there is a plan as well as a zoning proposal for this area. Ms. Rubenstein replied that as part of the material for this hearing, CDD has submitted a draft Eastern Cambridge Planning Study (**Attachment ____**).

Vice Mayor Maher then closed presentation on the ECAPS petition and opened the presentation on the Birk et al petition.

Stash Horowitz introduced the presentation and described the handouts submitted by the petitioner (**Attachment ____**). John Moot discussed the prospect of moving the MBTA station. He said that the move would not benefit the residents of the present East Cambridge Neighborhood.

Mr. Horowitz stated that the Association of Cambridge Neighborhoods does not believe that transportation in the area can work with the amount of development proposed for North Point. North Point is the last large underdeveloped area, the last shot for a livable Cambridge. Only 25% of the Eastern Cambridge gross area is residential now. This is a chance to relieve the pressure on the housing market. Mr. Horowitz challenged some of the assumptions underlying the ECAPS petition, including the assumption regarding the number by which single occupying vehicle trips can be reduced. The Birk petition begins with more conservative assumptions. If mass transit for the area is improved later, more density can be added at that time.

Steve Kaiser then made a presentation on the traffic aspects. He discussed his memo on the differences between the ECAPS and the Birk et al. petition. He stated that he has strong differences with the draft study plan. He noted that Appendix B is the first time that all of the development and parking is totaled. The acreage does not agree with that shown on the assessors map. In addition, the traffic study is limited and flawed. The magnitude of growth allowed under the ECAPS proposal is staggering.

Vice Mayor Maher then invited Dennis Desoglio, Director of MBTA Planning, to discuss the MBTA's plans for the area. Mr. Desoglio said that the MBTA sees opportunities for short and long term plans. In the short term, the Lechmere Station could be improved with Guilford funds. In the long term, the relocation of the MBTA station would enable improvement of mass transit in this area through a link with the Orange Line and an extension of the Green Line. He stated that for the MBTA, the year 2010 is the time frame for extending services in this area. The MBTA is looking at relocation of the Lechmere Station as a possibility to improve services for the whole area.

Vice Mayor Maher asked if he could see relocation taking place at the beginning or the end of the development of North Point, which is expected to take fifteen to twenty years to complete. Mr. Desoglio said that he sees it somewhere near the beginning of the development period.

Councillor Davis asked if the MBTA is going to do planning studies of the area. Mr. Desoglio said that the MBTA does not intend to do a study per se for relocating the station, but the MBTA will definitely seek public input. If there are enhancements related to the urban ring, there will be a planning study.

Councillor Davis asked if there is money from the MBTA for this. Mr. Desoglio said that Guilford would bear the brunt for station relocation, but the MBTA has allocated some capital funds for the signal work that station relocation would require. For the urban ring, there is some federal money, but no MBTA allocation of study funds, and the same is true with regard to the Green Line extension.

Councillor Toomey asked about the MBTA's arrangement with Guilford. Is it dependent on other stipulations? Mr. Desoglio answered in the affirmative. It is tied to a time frame. There are no specifics in the contract related to land use, to a particular type of zoning.

In response to a question from Councillor Toomey, Mr. Desoglio said that there are no design plans for a new station at this time. Councillor Toomey expressed interest in the Green Line expansion but said that he does not want to see it at the expense of East Cambridge.

Councillor Born said that she has become very aware recently of the transportation opportunities that the area presents.

Vice Mayor Maher requested that David Herzel, of Sasaki, who represents Guilford, to provide some of the design ideas. Mr. Herzel described the proposal to relocate the station to the north side of Monsignor O'Brien Highway. There is an extension of the Green Line along right of ways already owned by the MBTA. The proposal assumes that pedestrian access will be accommodated and enhanced with regard to access for persons with disabilities. Guilford hopes to use above ground parking next to the MBTA facility to create a noise buffer for the residential uses.

Vice Mayor Maher asked for discussion of First Street. Mr. Herzel said that moving the station would allow reconstruction of First Street to extend out to Monsignor O'Brien Highway.

Councillor Born asked at what point in the development would the relocation of the station take place? Mr. Herzel said that the goal is to assemble a development plan that makes possible relocation at the beginning.

Councillor Born said that any increases in the density of North Point would be conditioned upon improved mass transit. Mr. Herzel said that Guilford understands this.

Councillor Toomey asked what would happen to the existing site. Mr. Herzel said that proposed zoning allows mixed use at 2.5 FAR at 50% residential and 50% commercial with 85 ft. height on First Street.

Councillor Toomey said that First Street is the gateway to the East Cambridge neighborhood and 85 ft. high buildings would overwhelm the residential area on Second and Third Streets.

Councillor Born invited David Vickery, Spaulding and Slye, developer for Guilford, to describe the developer's plans. Mr. Vickery said that Spaulding and Slye is looking at primarily housing. The concerns are \$100 million infrastructure costs, including relocation of the station. They are trying to model the economics that would allow for relocation at the beginning of the development and for 20% affordable housing. He said that they think it will possibly be twenty-five to thirty years before full buildout. Spaulding and Slye expects to come back with some suggestions for flexibility, especially around the transit station. They support the notion of a district that is more than 50% residential.

Councillor Toomey asked what number of units Spaulding and Slye is contemplating. Mr. Vickery said approximately 3200. Councillor Toomey urged providing more than 20% affordable housing and including some low rise townhouse types. Mr. Herzel said that one scheme envisions three towers of up to 220 ft. at the back. In general, the remainder of the housing would be 5-8 story buildings like South Boston and Back Bay.

Councillor Toomey asked about the proposed location of the open space. Mr. Herzel said that it would be along the river and near the transit station. Mr. Herzel said that Guilford wants it to be a resource for the residents and citizens of Cambridge, not an industrial park amenity. Councillor Toomey noted the need for playing fields. He would like to see a developer work with the School Department to help meet these needs.

Mr. Vickery said that it is necessary for the developer to provide a variety of housing, given the number of units. They want a mix that encourages long term residency. They are interested in an extension of the Minuteman bike path from the Somerville line to connect to the Charles River.

Councillor Sullivan emphasized the need for low rise housing that encourages neighborhood interaction. He asked how far the T stop is moving. In this proposal Mr. Vickery said that it would move 100 ft. from one side of Monsignor O'Brien Highway to the other.

Councillor Davis stated that it is an awesome responsibility to build a neighborhood. It is important to go carefully and look at all the issues, schools, open space, connections to places that residents will want to get to, etc. The goal should be to create a cohesive new neighborhood that is a vibrant new addition to the overall community.

Councillor Born emphasized the need for a great deal of variety in housing types. To this end, she urged division of the housing into as small development sites as possible with different designers. Avoiding monotony is important.

The Co-Chairs then moved to public comment.

Carol Bellew, Charles Street, stated that a great deal of work went into the ECAPS report; she urged the City Council not to make a lot of changes, especially the kind of disastrous exemptions that have been created in East Cambridge zoning in the past.

Dorothy Cibula, 89 Webster Avenue, urged that construction in the North Point area honor the goals of prioritizing quality of life, protecting the neighborhoods and considering ways for positive contributions by the institutions. She expressed her sadness about the potential loss of her community garden at Broadway/Boardman. She urged construction that maximizes pedestrian safety.

Eric Rausch, Charlestown, submitted written comments. He said that 60% of Cambridge residents don't use cars. He proposed a car-free development that only allows pedestrians, bicycles and emergency vehicles. Residents can have cars but they should be parked at garages on the edge. In Germany and in Holland such neighborhoods are being constructed. Keeping cars out keeps costs down and enables construction of more affordable housing (**Attachment _____**).

Steve Walkenshaw, Volpe Center NAGE Local 195, read a statement (**Attachment _____**) on behalf of the workers in the Volpe Center, U.S. Department of Transportation. Councillor Davis urged CDD and Cambridge Redevelopment Authority to meet with NAGE representatives. Councillor Toomey and Vice Mayor Maher agreed with the need for such a meeting.

Ivey St. John, Charlestown Waterfront Coalition, stated that the coalition would like to work cooperatively to enhance access between the communities. She is concerned that the railroad tracks do not become a barrier to the plan. She submitted her testimony (**Attachment _____**).

Neil Tully, Boston Sand and Gravel, stated that Boston Sand owns nine acres of land, one-half of that land is in Boston, one-half in Cambridge, all access in Boston. Boston Sand and Gravel would like to be left out of the zoning plans. They have the Commuter Rail on one side, I-93 on the other. This is a unique site that cannot be accessed from Cambridge.

James Rafferty, attorney for Spaulding and Slye, expressed his appreciation for the opportunity of in-depth discussion of some issues that have not been fully explored before tonight., for example, transit opportunities and noise barriers.

James Williamson, 17 Perry Street, stated that it appears that there may be good reasons for moving the T station. He urged careful scrutiny of what the benefits would be for the people who currently live in East Cambridge. He also urge careful evaluation of the proposed surrounding for the relocated T station -- a mall? He is concerned about public transportation that will benefit a big developer when the MBTA is cutting bus service. The city has missed the boat over and over on the regulation of building heights. South Boston is not 5-8 stories; it is

three stories. Allston, Brighton is 5-8 stories. He urged inclusion of the people working on issues in Assembly Square. He urged the City Council to keep in mind the Simplex-University Park development and to build in review that would allow revisions for the unforeseen, for example, the fourth floor in University Park, which the plan didn't even address.

Barry Zevin, Antrim Street, stated that North Point is different from any other place in Cambridge. It is quite an odd notion to expect it to look like other parts of Cambridge. With regard to the Volpe area, the ECAPS proposal is one of the best thought-out parts of the plan.

William Jones, Franklin Street, stated that he has been in this city for over 60 years. The MBTA should provide better service to East Cambridge. All that Lechmere Square Station needs is some paint and some comfort stations. He remembers it 90 years ago. James Leo Sullivan did a good job. The MBTA only cares about blue bloods.

Stash Horowitz, 12 Florence Street, stated that Spaulding and Slye, Guilford and the MBTA provided a great deal of new information to which ACN will provide an additional response. Zoning is an upper limit. It should be set conservatively and cautiously.

Vice Mayor Maher and Councillor Born thanked those present for their participation. The meeting was adjourned at 8:15 P.M.

For the Committee,

Councillor Kathleen L. Born, Co-Chair

Vice Mayor Maher, Co-Chair

Committee Report #5

ORDINANCE COMMITTEE MEMBERS

*Councillor Kathleen L. Born, Co-Chair
Vice Mayor David P. Maher, Co-Chair
Councillor Jim Braude
Councillor Henrietta Davis
Councillor Marjorie C. Decker
Councillor Kenneth E. Reeves
Councillor Michael A. Sullivan
Councillor Timothy J. Toomey, Jr.
Mayor Anthony D. Galluccio*

In City Council September 24, 2001

The Ordinance Committee held a public hearing on September 12, 2001, beginning at 4:40 P.M. in the Sullivan Chamber for the purpose of considering the Eastern Cambridge Planning Study (ECAPS) rezoning petition and the Birk et al. rezoning petition, in particular, the proposals for the petition areas other than North Point and the Volpe Center discussed at the September 5, 2001 hearing.

Present at the hearing were Vice Mayor David P. Maher and Councillor Kathleen L. Born, Co-Chairs of the Committee, Councillor Henrietta Davis, Councillor Michael A. Sullivan, Councillor Timothy J. Toomey, Jr., and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Assistant City Manager for Community Development Department, Lester Barber, Community Development Department (CDD), Susann Rasmussen, CDD, Iram Farooq, CDD, Don Drisdell, Deputy City Solicitor, David Dickson, Goody, Clancy and Associates, consultant to the Eastern Cambridge Study Committee.

Councillor Born convened the hearing and explained the purpose. She opened the presentation of the ECAPS petition. Mr. Dash began with an overview of the topics to be covered in the presentation: transition areas, proposal for transfer of development rights in certain PUD areas, other small zoning changes and design guidelines.

Mr. Barber began the presentation with a description of the proposed Eastern Cambridge Housing Overlay (ECHO) District. The intent is to improve transitions between residential and commercial areas and to encourage the development of housing adjacent to existing residential neighborhoods. It allows commercial uses to remain as conforming uses, creates a 2:1 differential between residential and commercial FAR in two areas, one I B-1 between Binney Street and Bent Street and one along Monsignor O'Brien Highway, and applies more finely graduated height limits in the Binney transition area.

Mr. Barber then described the proposal for transfer districts to allow the relocation of commercial uses in the "donating" zone at either the current FAR or the site or what is currently built on the site. The old location must become housing or open space.

Mr. Barber next described a series of PUD's between First and Second Street and Monsignor O'Brien Highway and Linsky Way. Unlike the ECHO District, these PUD's are designed to encourage more mixed uses with ground floor commercial uses, while still providing encouragement for residential uses.

The final section of the ECAPS zoning changes was then described. Mr. Barber said that these proposals consist of a series of small changes throughout the study area that mostly carry forward the adjustments made in other parts of the city through the Citywide Rezoning Ordinance. They include proposals for a couple of exclusively housing zones and small changes in zoning designations to improve transitions.

Councillor Born asked if the possibility of transfers is more than a hypothetical possibility. Mr. Dickson said that the sites north of Binney are mostly small sites. The transfer provision is not a mechanism to engender significant development on receiving sites, except perhaps for one site on Fulkerson Street.

Councillor Born asked if Metropolitan Pipes, which has no intention to further develop its site could transfer FAR now by making an agreement for housing in the future. Mr. Barber explained that an owner can't retain the commercial site in the donating district after the transfer.

Councillor Born asked about the housing only districts. Mr. Barber said that most housing only districts proposed for East Cambridge in the City Rezoning petition were not recommended by the ECAPS study committee. The two proposed in this petition are: (1) a vacant lot along Harvard Street and (2) a Gore Street site including the neighborhood clinic. Councillor Born asked if the Cambridge Health Alliance is aware of a plan for rezoning the area of the site which the clinic occupies. Councillor Born asked CDD to make sure that the Cambridge Health Alliance is fully aware of the plan.

Councillor Toomey asked for information on the status of the vacant lot on Harvard Street.

At this time Councillor Born closed the presentation on the ECAPS petition and opened the presentation on the Birk et al. petition.

John Moot began the Birk petition presentation. He expressed concern with the fiscal aspects of the rezoning. He stated that the biggest question is what happens to Lechmere Station. The Planning Board map shows it moving across Monsignor O'Brien Highway, but there is nothing definite about this. He stated that if the Lechmere Station moves, land values will go down in East Cambridge. The gain in land value will be in North Point. There has not been a report on the financial aspects. Mr. Moot stated that there is also a fiscal impact with regard to the transfer districts. He urged that the Council receive a full analysis of the fiscal effects of the proposed petitions before making a decision.

Steve Kaiser continued the presentation. He stated that the Birk and ECAPS petition are not "all or nothing." He submitted an analysis of the differences and similarities of the First Street PUD Districts (**Attachment B**). He emphasized the problems that will be created for pedestrians crossing if Lechmere Station is moved and First Street becomes a traffic bypass. Mr. Kaiser stated that the current zoning map is in error as to the boundary of Cambridge and Somerville. Mr. Kaiser also suggested that Cambridge invite the participation of the Volpe Center staff in light of their transportation expertise.

Stash Horowitz concluded the presentation on the Birk petition. He noted that the ECHO portion of the Birk petition is very similar to the ECAPS proposal for ECHO district. He stated that in the Birk petition, in general, there is a lower FAR, with increases to FAR as mass transit opportunities are increased. With regard to the transfer districts, the Association of Cambridge Neighborhoods (ACN) requires the transfer rights to be for housing development. He then emphasized the need to protect East Cambridge.

Councillor Sullivan asked Mr. Kaiser to expand upon the issues he raised with regard to traffic on First Street. He asked for a specific citation as to the Planning Board's petition.

Councillor Sullivan asked the CDD whether the mixed use plan is intended to replicate Cambridge Street. Mr. Dash and Ms. Rubenstein answered in the affirmative. Ms. Rubenstein noted the importance of providing for retail amenities for the new residential district.

Councillor Sullivan pointed out that the plans call for housing on Binney Street, the truck route. Is this not a problem for the future? He asked about the setbacks on Binney Street and noted that one problem with truck traffic on the present streets is that there are not better setbacks. The houses are built right up to the public way. Councillor Sullivan asked if a police station could be built somewhere along Third Street. Mr. Barber said that he will check the specifics but generally in this type of base zoning institutional of use is allowed as of right.

Sean Curren, 2 St. Paul Street, stated that he is representing Capital Properties for their Athenaeum-related sites at 205 First Street, 195 First Street and Linsky Way. Capital Properties attended all of the ECAPS meetings. Mr. Curren submitted a written summary of his testimony and that of Mark Robitz, architect for the project (**Attachment C**).

Mr. Robitz, residential address, 154 W. Brookline Street, Boston, stated that the two additional parcels are inextricably linked to the site of the Athanaeum building through parking requirements, so development of those sites means replacing the Athanaeum parking as well as providing parking for the proposed project. The proposed ECAPS zoning is not dense enough to pay for underground parking, open space and affordable housing.

Stephen MacEvoy, 95 Lexington Avenue, attorney representing Biogen, expressed the objections of Biogen and explained Biogen's proposed amendments. Biogen requests a 2.0 FAR for the block along Binney and Rogers Streets. Biogen's existing FAR is 1.7, way below the current limit of 3.0 but above the proposed FAR. Biogen could consolidate storage and thereby better improve the City's ability to close Fulkerson Street. Biogen doesn't want to redevelop the site, but rather to take down a portion of the L-shape building and connect them to "Bio One" through expanding the square footage. Biogen would like to tear down approximately 25% of existing buildings. He submitted a written summary.

David Clem, Lyme Properties, noted the complexity of this rezoning proposal. Some changes in the area of Bent, Binney, Sixth Street and Binney and Cambridge Park could present "opportunities." He stated that there is a conflict with regard to the language about parking in the current zoning and the PUD language. He proposed a language change in PUD 3A District to resolve the conflict. He then discussed "green building." The present development for

Genzyme will be the first building in Cambridge to meet the “platinum standard”. There are disincentives to this kind of building in the proposal. He would like to propose some changes to better enable green construction. Regarding the ECHO districts that Mr. Clem said that he supports retail uses on the first floor. He would like to convert part of 301 Binney Street to first floor retail but not through the special process which increases the litigation potential. He urged timely calculation of the square footage for purposes of the calculation of the percentage of property owned by protestors. He noted recent litigation regarding the standard for a super majority vote.

Councillor Born asked whether 20% of the property owners in the entire area to be rezoned must file objections in order to require a super-majority vote, or must 20% of property owners in any one district of many covered by an “omnibus” zoning petition file objections in order to require a super-majority vote for that portion of the petition, for instance, for the ECHO or North Point portions of the petition. Councillor Born requested that this question be forwarded to the Law Department for comment.

Lisa Stuardi, 54 Mt. Pleasant Street, Cambridge Chamber of Commerce, stated that the Chamber has attended every ECAPS meeting and supports many areas of the proposal. She said that there still are some areas of concern. She emphasized the importance of considering the concerns of all of the state buildings stakeholders.

Barry Zevin, 67 Antrim Street, stated that the purpose of the First Street Plan was to unload Third Street, not fix Land Boulevard. Nothing in the ECAPS petition would preclude a pedestrian bridge. The design guidelines should stay as guidelines. Area D, the area next to Whitehead, has been altered from the original proposal to provide design review only for the residential portion. That is a mistake. Design review should apply to the entire building. Regarding Biogen’s facilities, they are leased, so there is no guarantee that their consolidation would lead to the development of housing on their present site.

In response to a question from Councillor Born, Stuart Dash stated that if housing is included as part of the use, there must be a design review of the entire project. Councillor Born requested that CDD check this once again.

Eli Yarden, 143 Pleasant Street, questioned why the property owners are presenting their concerns after the study rather than during the study. He stated the necessity to remind the City Council of the intentions of the Citywide Rezoning Petition. Residents expect government to protect them and they expect accountability. The highest citizen goal is affordable housing. One-third of Cambridge residents don’t make enough money to be able to afford the costs of housing, including affordable housing. Affordable housing is not intended to be subsidized housing. Traffic is not addressed in the ECAPS petition. There is no intent to plan for where the children graduating from CRLS will live. Stakeholders have the courts to protect their rights. Citizens do not elect councillors to balance their interests against those of business.

Councillor Born and Vice Mayor Maher announced that the Ordinance Committee have a 5:30 meeting on September 25 for public testimony on new issues that have not already been

covered. They will also schedule a daytime working meeting for further committee member discussion.

The Co-Chairs thanked those present for their participation. The meeting was adjourned at 7:02 p.m.

The meeting was adjourned at

For the Committee,

Councillor Kathleen L. Born, Co-Chair
Vice Mayor Maher, Co-Chair

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 1. Curb cuts on Erie and Brookline Streets in the vicinity of the LBJ Apartments to make area handicapped accessible.
Vice Mayor Maher | 1. |
| 2. Install flashing yellow light at the crosswalk at Cadbury Road and Sherman Street.
Councillors Sullivan, Davis and Decker | 2. |
| 3. Investigate sources for financial support of the Maud Morgan Visual Arts Center.
Councillor Born | 3. |
| 4. Examine traffic flow at Howard and Kinnaird Streets with the view in mind of installing a blinking light at that location.
Councillor Toomey | 4. |
| 5. Amend Order #14 of June 4, 2001 to change location of dedication of "A. Michael Vieira Square" from the corner of Fifth and Spring Streets to the corner of Sixth and Spring Street.
Mayor Galluccio and Councillor Toomey | 5. |
| 6. Dedicate the corner of Cambridge Street and Cardinal Medeiros Avenue as "Sal DiDomenico Corner."
Councillor Toomey | 6. |
| 7. Emphasize the City of Cambridge's commitment of security and equal treatment to all Arab-owned businesses, and Arab and Islamic social and community organizations and mosques.
Vice Mayor Maher, Councillors Born and Davis | 7. |
| 8. Display of the United States flag by local businesses in the city's squares and business districts and other areas where citizens congregate.
Vice Mayor Maher and Councillor Born | 8. |
| 9. Report on housebreaks in the West Cambridge area.
Councillor Sullivan | 9. |

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 10. Feasibility of allowing 16 and 17 year old students to be employed as temporary election workers during municipal elections and receive course credit for their efforts.
Councillor Toomey | 10. |
| 11. Determine what additional resources are needed to protect public safety in an emergency situation.
Councillors Toomey and Born | 11. |
| 12. Assess the City of Cambridge's role in the investigation into the quality of electric service provided by electric distribution companies.
Mayor Galluccio and Councillor Sullivan | 12. |
| 13. Dedicate a suitable location in honor of Robert F. Rowland.
Councillor Sullivan | 13. |
| 14. Report on the City of Cambridge's prescription drug program with emphasis on the mail order portion of the plan.
Councillor Sullivan | 14. |
| 15. Ensure that the full salary being received by any city employee or police or fire recruit currently in academy training be continued in the event of the employee's activation for military duty.
Councillors Toomey and Born | 15. |
| 16. Report on a plan to prevent mosquitoes from breeding in the area of standing water at the foot of the Weir Meadow at the Fresh Pond Reservation.
Councillor Born | 16. |
| 17. Concern of the residents of Foxcroft Manor regarding the construction of the Knafel Center.
Councillor Toomey | 17. |
| 18. Explore the possibility of purchasing St. John's convent site for affordable housing.
Councillor Decker | 18. |

**POLICY ORDER AND RESOLUTION LIST FOR CITY COUNCIL MEETING
OF MONDAY, SEPTEMBER 24, 2001**

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| 19. Possibility for potential use for the Blessed Sacrament at St. Mary's schools.
Councillor Decker | 19. |
| 20. Conduct a traffic study along Upton Street where cars are speeding.
Councillor Decker | 20. |
| 21. Traffic study at the intersection of River and Franklin Streets.
Councillor Decker | 21. |
| 22. Create and post map of bus stops in Central Square and their destinations.
Councillor Davis | 22. |
| 23. Promote a campaign of education in the City of Cambridge that will address concerns that Muslims and others from around the world will not be a target for hate crimes due to their religious beliefs or national origins.
Councillors Reeves and Born | 23. |
| 24. Assurance that the MBTA Nightowl stops are easy to find and well-posted.
Councillor Davis | 24. |
| 25. Work with residents of Lexington Avenue to slow traffic through traffic calming measures.
Councillor Davis | 25. |
| 26. Possibility of Harvard contributing an amount equal to its bin Laden receipts to the survivors of those lost in New York and Washington, D.C.
Councillors Reeves and Born | 26. |
| 27. Provide information to the public about precautions and steps to take in case of potential dangers in order to secure the public safety.
Councillors Davis and Born | 27. |

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