

**Making a
Great Neighborhood
Even Better**
Phillips, et al. zoning petition
Special District 2

www.AlongLinearPark.org

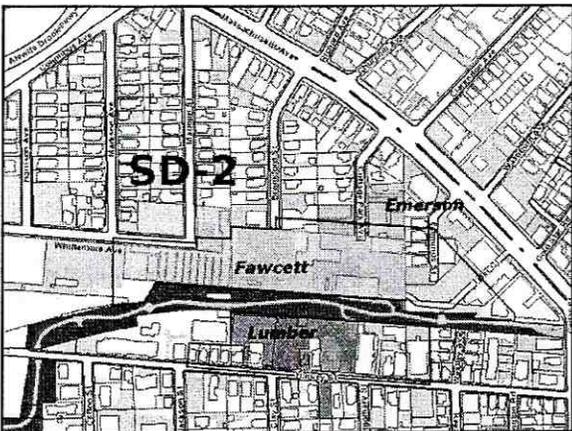
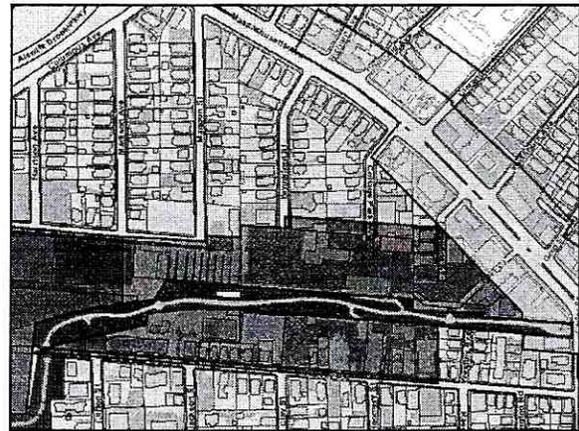
Presented to the City Council Ordinance Committee
by Mike Phillips

Summary

- ▶ The neighborhood needs your help (again)
- ▶ Big-box buildings are out of scale
- ▶ Respecting the Linear Park is important
- ▶ Traffic safety and access
- ▶ Community Garden
- ▶ Dance Studio
- ▶ "Round out the corner"

Context (spatial)

- ▶ Special District 2
- ▶ Astride Linear Park
- ▶ Formerly industrial along railway



Context (Political)

- ▶ 2011: Emerson, Camb. Lumber, Fawcett
- ▶ Bishop petition filed
- ▶ Camb Lumber: shrinks due to Planning Board, residents, council pressure
- ▶ Fawcett: much trickier. Lots of support from the Council.
- ▶ Negotiations fell apart?
- ▶ Councillors kept their word

Serial Zoning? Why am I here?

- ▶ Didn't we already fix this?
- ▶ Zoning is hard
 - ▶ "establishment of residential uses... in a form and density compatible with the adjacent residential neighborhood."
 - ▶ Surprise! Side-yard setback (7.5')
- ▶ Want to avoid court
- ▶ Other issues and developer incentives

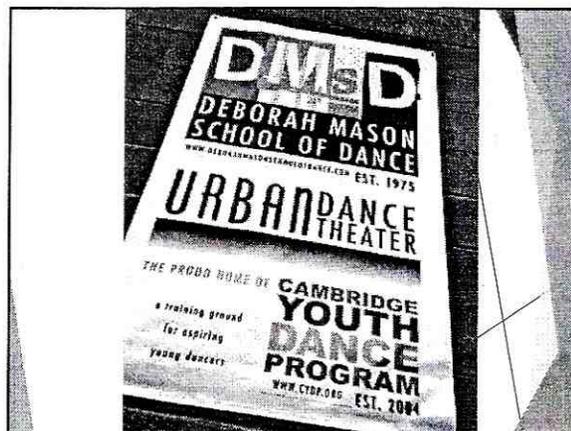
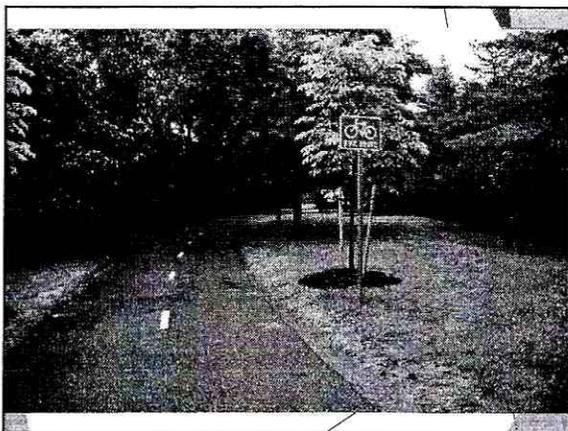
No Really, Why am I here?

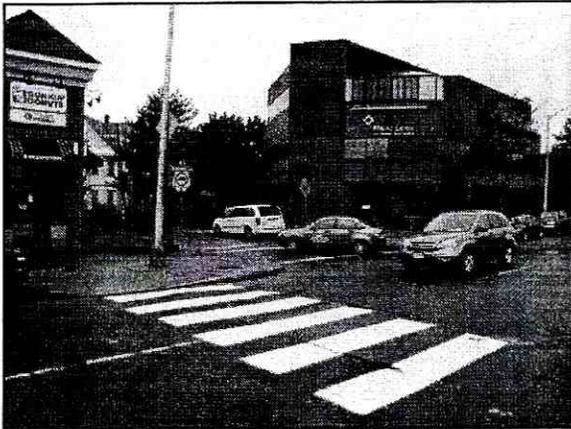
- ▶ Why do I live in Cambridge?
- ▶ Came for school, didn't plan to stay
- ▶ Found an amazing city
- ▶ Should I raise my children here?

A Great Neighborhood

- ▶ It's in Cambridge
- ▶ It's in North Cambridge
- ▶ The Linear Park
- ▶ Community Garden, Dance Studio
- ▶ People stay here- continuity, community

A Great Neighborhood



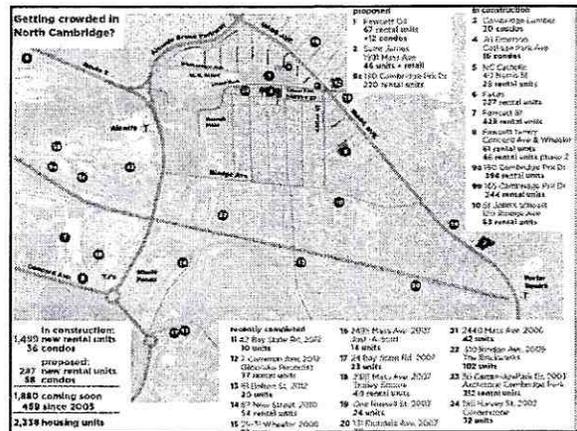


Such an Opportunity...

- ▶ Redevelopment of industrial uses
- ▶ Railroad's gone
- ▶ Add to our community, support retail
- ▶ Safety and accessibility upgrades
- ▶ Less asphalt

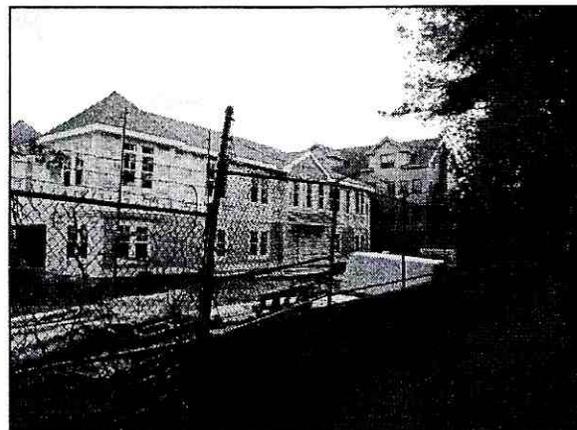
...Which is Being Squandered

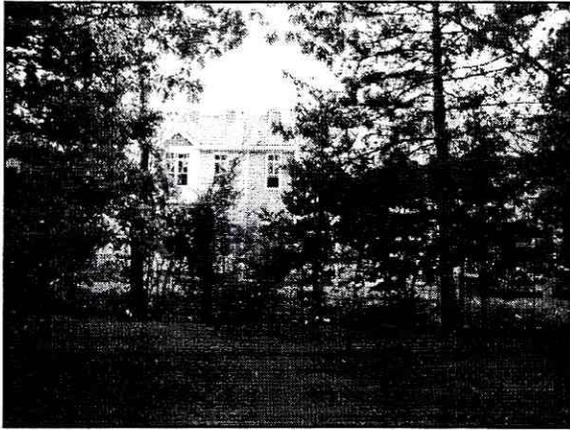
- ▶ Huge building ruins Linear Park illusion
- ▶ Not actually hidden from view
- ▶ Really want more families and lifers
- ▶ Co-housing?
- ▶ We're not an annuity



We could have THIS...

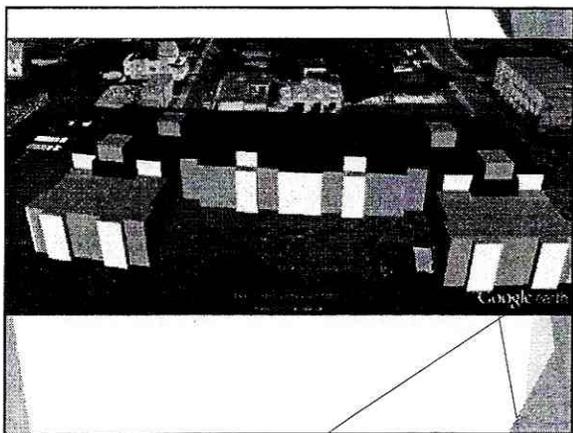
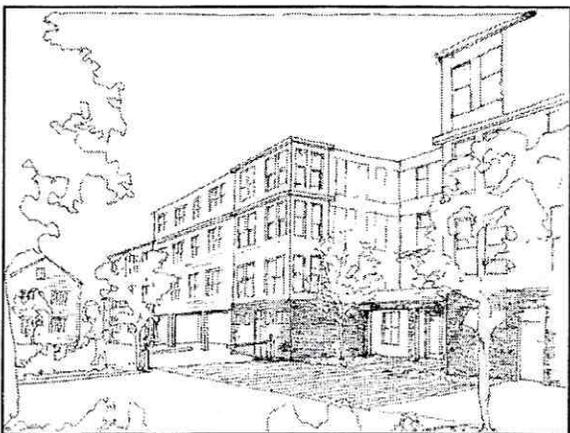
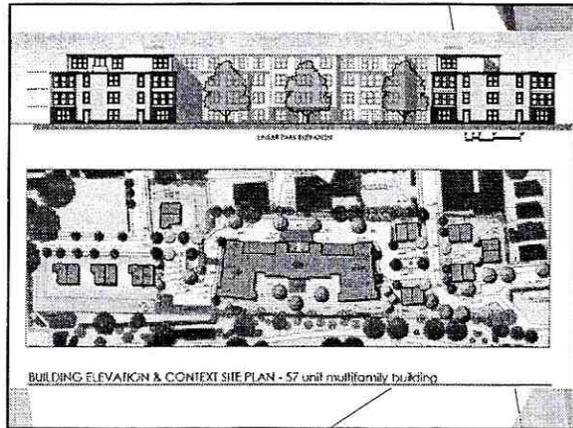
- ▶ Cambridge Lumber: Townhouses

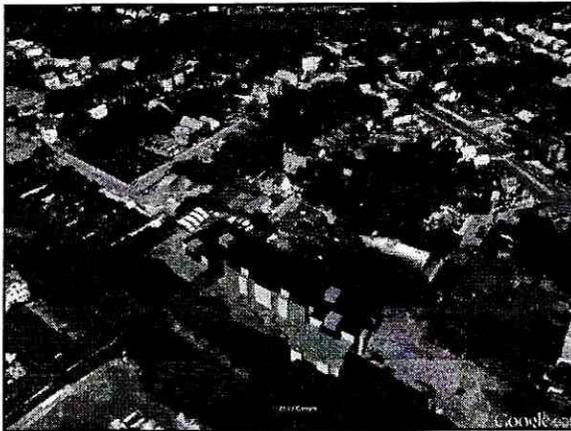




VS this...

- ▶ Fawcett Oil: Big box





Goals: The Big 2

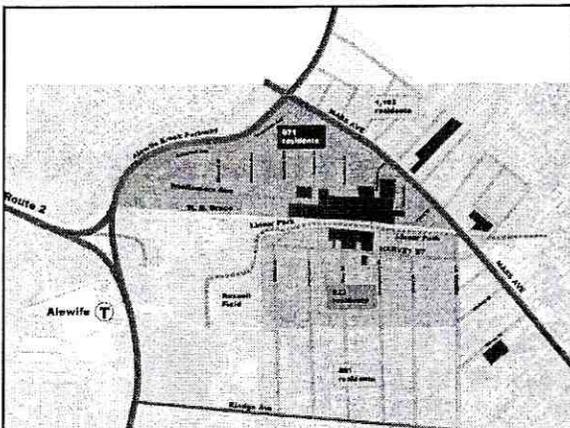
- ▶ Smaller buildings
 - ▶ *“establishment of residential uses... in a form and density compatible with the adjacent residential neighborhood.”*
- ▶ Respect for the Linear Park illusion
 - ▶ Setback and less mass along the Park

Goals: Other important items

- ▶ Close Cottage Park Ave
- ▶ Encourage saving Community Garden
- ▶ Round-out corner: Magoun@Whittemore
- ▶ Make new dance studio an option

Neighborhood Support

- ▶ Hundreds of people signing petitions, answering surveys, e-mailing, speaking
- ▶ Enthusiastic, passionate, hard-working



Red Zone

- ▶ 671 residents, 312 residential units
- ▶ \$106,000,000 of property
- ▶ Res B here really is 2-family in practice
- ▶ Good mix of rental and ownership

Part 2: The Details

1. No Big Boxes

- ▶ Rather than eliminate multifamily:
- ▶ Maximum 3 or 4 units per building
 - ▶ Triple-deckers, townhouses
- ▶ 17.23.1

2. Linear Park Setback

- ▶ 25' always
- ▶ Same as a "rear-setback"
- ▶ Not controversial- Fawcett plans do this
- ▶ 17.24.3. (5)

3. Traffic and access



3. Traffic and access

- ▶ No cut-throughs from Whittemore
- ▶ Close Cottage Park Ave, like Brookford
 - ▶ Pedestrian access?
 - ▶ Traffic study: Mostly Tyler and Whittemore
- ▶ 17.26



5. Rounding-out-the-corner

- ▶ No multifamily use within 100' of Whittemore Ave
- ▶ Consistent with Fawcett "illustrations"
- ▶ Not controversial
- ▶ 17.23.1

6. Arts and crafts studios

- ▶ New arts and crafts use: Allowed
- ▶ Long shot to help loss of important institution
- ▶ Useful if Deb Mason, Fawcett, and neighbors want this
- ▶ I think next to W.R. Grace would work
- ▶ 17.23.22

7. Area of Special Concern

- ▶ Include Special District 2 in the list
- ▶ Activates CDD review for small projects
- ▶ 19.46

Criticism

- ▶ Serial zoning? Worth it.
- ▶ Reverse-spot zoning? Nope.
- ▶ Incentives too generous?
- ▶ Impacts on other owners? Grandfather.
- ▶ Too restrictive economically? Disagree.
 - ▶ Land is very valuable, as Fawcett, Jr. said

Let's wrap this up

Summary

- ▶ The neighborhood needs your help (again)
- ▶ Big-box buildings are out of scale
- ▶ Respecting the Linear Park is important
- ▶ Traffic safety and access
- ▶ Community Garden
- ▶ Dance Studio
- ▶ "Round out the corner"

The Big Questions

- ▶ Does the Council want a big box here?
- ▶ Is this what was meant by “compatible”?
- ▶ Can we have townhouses and something really appropriate in scale?

Please...

- ▶ Help us protect our neighborhood
- ▶ Let’s grow it, extend it, embrace
 - ▶ Not allow Big Box Island
- ▶ This is a huge opportunity
- ▶ Help us make a great neighborhood even better

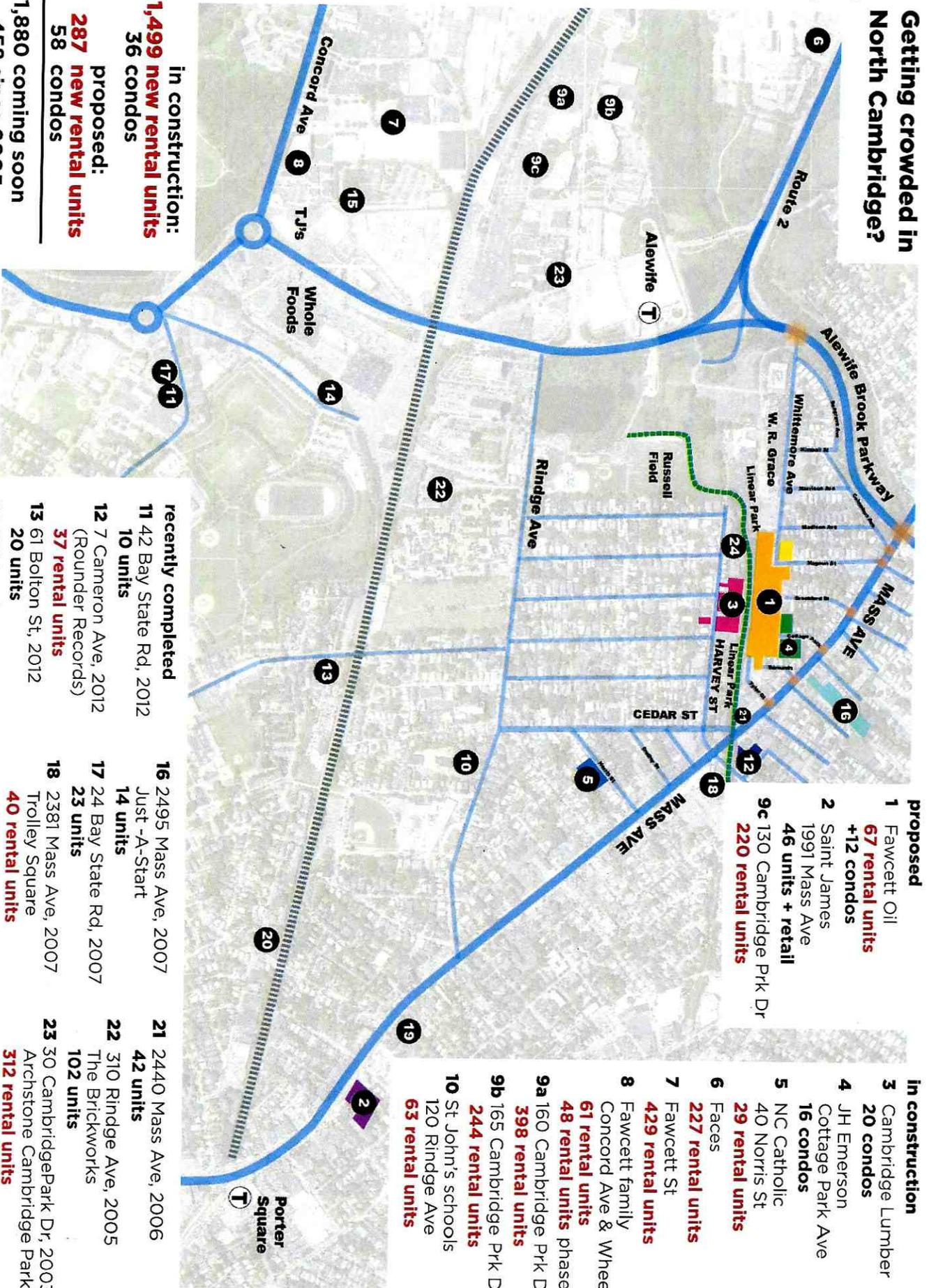
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Getting crowded in North Cambridge?



- Proposed**
- 1 Fawcett Oil
67 rental units +12 condos
 - 2 Saint James
1991 Mass Ave
46 units + retail
 - 9c 130 Cambridge Prk Dr
220 rental units

- In construction**
- 3 Cambridge Lumber
20 condos
 - 4 JH Emerson
Cottage Park Ave
16 condos
 - 5 NC Catholic
40 Norris St
29 rental units
 - 6 Faces
227 rental units
 - 7 Fawcett St
429 rental units
 - 8 Fawcett family
Concord Ave & Wheeler
61 rental units
 - 9a 160 Cambridge Prk Dr
398 rental units
 - 9b 165 Cambridge Prk Dr
244 rental units
 - 10 St John's schools
120 Rindge Ave
63 rental units

- recently completed**
- 11 42 Bay State Rd, 2012
10 units
 - 12 7 Cameron Ave, 2012
(Rounder Records)
37 rental units
 - 13 61 Bolton St, 2012
20 units
 - 14 87 New Street, 2010
54 rental units
 - 15 29-31 Wheeler, 2008
72 units
 - 16 2495 Mass Ave, 2007
Just -A-Start
14 units
 - 17 24 Bay State Rd, 2007
23 units
 - 18 2381 Mass Ave, 2007
Trolley Square
40 rental units
 - 19 One Russell St, 2007
24 units
 - 20 131 Richdale Ave, 2007
20 units
 - 21 2440 Mass Ave, 2006
42 units
 - 22 310 Rindge Ave, 2005
The Brickworks
102 units
 - 23 30 CambridgePark Dr, 2003
Archstone Cambridge Park
312 rental units
 - 24 195 Harvey St, 2002
Cornerstone
32 units

in construction:
1,499 new rental units
36 condos

Proposed:
287 new rental units
58 condos

1,880 coming soon
458 since 2005

2,338 housing units

HTTB

Lopez, Donna

ATTACHMENT C

From: Bob McGowan [bob.mcgowan@comcast.net]
Sent: Wednesday, May 22, 2013 9:18 AM
To: Kelley, Craig; Maher, David; Simmons, Denise; Davis, Henrietta; Reeves, Ken; Cheung, Leland; Decker, Marjorie; vanBeuzekom, Minka; Toomey, Tim (home)
Cc: City Manager; Rossi, Rich; Lopez, Donna
Subject: Brookford Street
Attachments: Court Order.pdf; Email attachment to the Cambridge Planning Board.pdf; City Council Order 1982.pdf

As you may already know tonight you will be reviewing petitions from some North Cambridge residents regarding the Fawcett Oil site development. In one of these petitions there is a reference to a condition of opening the end of Brookford Street to the planned Fawcett Oil housing site.

Last night the Cambridge Planning Board (CPB) determined that a Fawcett had met its obligations under the Special Permit regulations and should be granted a building permit. This was done without an obligation to open Brookford Street.

At this planning board meeting it was also stated that opening Brookford Street would have little impact on the traffic conditions to and from the development. It was also mentioned that opening it would only decreased traffic slightly. Due to a few residents (those not living on Brookford Street) pushing their agenda, a couple of the Planning Board Members suggested that they continue to discuss the opening of Brookford Street even though the requirements of the planned development had been met.

A letter was sent to the CPB with signatures of 99% of the residents that live on Brookford Street requesting that the board uphold the court decision ordering "no right of access to Brookford Street". (See attached court decision and letter to the CPB) There is also a City Council order dated Oct 18th, 1982 affirming that Brookford Street remain as a Dead End. (See attached Council Order)

In addition, I wanted the City Council to know that many signatures on one of the petitions that residents signed was with the intent of trying to reduce the size of the project that Fawcett was undertaking and not necessarily to open our street. This clause was thrown into the petition as a quick statement and this may not have been understood by a majority of residents who signed that petition.

I, along with the residents of our street, are requesting that Brookford Street remain close as stated in the court order and the previous City Council order. I also ask that any petition considered be amended to remove references about opening of Brookford Street before considering the petition.

I know we have talked to many of you about the issues of Brookford Street and I want to thank you for all the support you have given us in the past.

We all look forward to your continued support.

Thank you.

Bob

Dr. Robert J. McGowan, Ed.D.
22 Brookford Street
Cambridge, MA 02140

Bob.mcgowan@comcast.net

Cell: 617-678-2625



City of Cambridge

21.

IN CITY COUNCIL

October 18, 1982

COUNCILLOR DANEHY

ORDERED: That the City Manager be and hereby is requested to instruct the Director of Traffic and Parking to reaffirm to this City Council that Brookford Street, which currently is a dead-end street, will remain as one.

In City Council October 18, 1982.
Adopted by the affirmative vote of 8 members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Superior Court

C.A. No. 83-5524

ROBERT FAWCETT & SON CO., INC.

v.

CITY OF CAMBRIDGE

v.

BROOKFORD RESIDENTS ALLIED FOR A SAFE STREET

FINDINGS OF FACT, RULINGS OF
LAW, AND ORDER FOR JUDGMENT

Plaintiff in this action seeks declaratory judgment under G.L., c. 231A, ordering defendant City of Cambridge to remove a barricade that it claims was unlawfully erected at the point where plaintiff's land abuts Cottage Park Avenue in Cambridge. The parties agreed to submit part of the case on stipulated facts, upon which this Court has drawn reasonable inferences and made subsidiary findings where necessary.

FINDINGS OF FACT

1. Fawcett is a Massachusetts corporation

engaged in the business of selling and servicing home heating oil and equipment, with a principal place of business located at Tyler Court in Cambridge, Massachusetts.

2. Fawcett is the owner of the real estate at the locus, consisting of two parcels of land: one containing approximately 99,479 square feet, and one containing approximately 3,767 square feet. The parcels are shown and designated upon the Cambridge Assessors' Plan as Nos. 87 and 78. Parcel No. 87 is currently improved by office and garage structures which are used in connection with Fawcett's home heating fuel business and the lawn service business of an affiliated company, and portions are leased to two tenants.

3. The Fawcett property has a common boundary line with the ends of three streets: Tyler Court, Cottage Park Avenue, and Brookford Street, all of which are public ways in the City of Cambridge, which begin at Massachusetts Avenue and end at the property line of Fawcett. The smaller Fawcett parcel, No. 78, also has frontage on the side of Edmunds Street, another public way in the City of Cambridge.

4. Cottage Park Avenue was accepted as a

public way in the City of Cambridge on January 6, 1902, and is still a public way. Its common boundary with the Fawcett property has a width of 40.22 feet.

5. Tyler Court was accepted as a public way in January, 1972. Tyler Court is 20 feet wide, and because it meets the Fawcett property at an angle has a common boundary with the Fawcett property of 29.73 feet.

6. Brookford Street was accepted as a public way by the City of Cambridge on January 6, 1905, and is still a public way. Its common boundary with the Fawcett property has a width of 40.18 feet. A building two stories high existed on plaintiff's property at the end of Brookford Street from 1924 to 1979, when it was destroyed by fire. The building was constructed between 1916 and 1920. It extended across the width of the street, blocking all vehicular and pedestrian access from the property to Brookford Street from 1924 to 1979.

7. The deed by which Fawcett was granted the subject property, and the chain of title with respect to that property going back to 1900, recited by its terms that it was granting Fawcett the right to use Brookford Street and Cottage Park Avenue in common with

others having rights therein, for "way, drainage, prospect and all other purposes for which public streets are or may hereafter commonly be used."

8. Robert W. Fawcett, then President of Fawcett, acquired the subject property in his own name on October 1, 1969. At the time when Robert W. Fawcett (hereinafter "Fawcett") acquired the subject property in 1969, Brookford Street was not used as an access for motor vehicles onto the property because of the existence of the building across the end of the street.

9. When Fawcett acquired the subject property in 1969, the sole vehicular access to the property was Cottage Park Avenue. At that time Tyler Court was not a public way and did not run all the way to the Fawcett property.

10. As a result of a petition of local residents, the Cambridge City Council on September 21, 1970, issued an order to investigate traffic on Cottage Park Avenue.

11. George Teso, Traffic Director of Cambridge, supervised a study of traffic on Cottage Park Avenue, which study found that 88 out of 275 vehicles using the length of Cottage Park Avenue, or 32 per cent of the vehicular traffic to and from the end

of Cottage Park Avenue, was truck traffic. The study also noted that there was a curve to the street, and with parking on both sides of the street, two-way traffic had 12 feet of width within which to maneuver.

12. On or about September 25, 1970, Mr. Teso filed the study report with the City Manager, who in turn submitted it to the City Council. The City Manager asked Mr. Teso to investigate the feasibility of alternate routes for Fawcett's truck traffic.

13. On November 17, 1970, Mr. Teso wrote to Robert W. Fawcett requesting a meeting regarding truck traffic on Cottage Park Avenue; and, as a result, a few weeks later a neighborhood meeting was held at the Fawcett property. Among those present at the meeting were Robert W. Fawcett, Robert R. Fawcett, George Teso, City Councillor Thomas Danehy, and Cottage Park residents Robert Cyr and William Fox.

14. At the meeting, the concern of the residents, and of Mr. Teso as Traffic Director, was heavy truck traffic on a residential street. This was the only problem discussed, and no complaint was ever made to Mr. Fawcett about automobile traffic or even light truck traffic. Robert W. Fawcett agreed that the heavy trucks created a problem for residents and stated

that he would like to help, but stated that at that time he had no other way for the trucks to get into the property. There was a discussion regarding the possibility of another route to the Fawcett property, and several alternatives were mentioned, including a possible right-of-way along the railroad tracks in back of the property, two possible routes of extending Tyler Court, then a private way, to the Fawcett property, and a possible extension of Whittemore Avenue. No conclusion was reached at this meeting as to an alternate route, but Mr. Fawcett indicated that he was favorable to another route to get truck traffic off Cottage Park Avenue, and the parties left with high hopes that the problem could be solved. At no time during the meeting or at any other time did Robert W. Fawcett state that he would give up all his rights of access over Cottage Park Avenue other than heavy truck traffic in return for Tyler Court or any other alternate route.

15. After the meeting, City of Cambridge engineers looked at three different proposals for an alternate route to the Fawcett property: a possible route through property owned by Hia-Pearl Company, a right-of-way along the railroad tracks, and an

extension of Tyler Court. After investigating the feasibility of these routes, the engineers concluded that Tyler Court was the only workable solution.

16. The route finally chosen for the Tyler Court extension was laid out on a plan dated January 4, 1972; and on January 17, 1972, the Cambridge City Council voted to make the necessary taking to extend Tyler Court to the Fawcett property line. There is no evidence that Robert W. Fawcett approved, or even saw, the plan of Tyler Court as finally approved by the City Council. The City made a payment of \$12,000 to the owner for the taking.

17. Subsequent to the taking, the City constructed the extension of Tyler Court to the Fawcett property line, in accordance with the Taking Plan, and accepted Tyler Court as a public way. The City expended approximately \$50,000 to effect the taking for Fawcett's truck route.

18. On June 26, 1972, the Cambridge City Council adopted an order requesting the City Manager to "cause the erection of a fence at the end of Cottage Park Avenue to prevent the passage of all vehicles to and from the properties located at the end of Cottage Park Avenue....," and further requesting the City

Manager to construct this fence "as soon as Tyler Court is ready for use as a public way and in such a manner as will allow for the easy passage of emergency vehicles." This order was passed by the City Council without a hearing, without any notice to Robert W. Fawcett, Robert R. Fawcett, Robert Fawcett & Son Co., Inc., or to their counsel, and without the publishing of any legal notice. In fact, neither Robert W. Fawcett, Robert R. Fawcett, the Fawcett Company, nor their counsel had any notice whatsoever of the existence of this City Council order until April of 1983, when a copy was mailed to counsel for Fawcett by an assistant city solicitor for the City.

19. On July 26, 1972, Fawcett wrote to City Manager Corcoran, stating in part that he had "delayed closing the gate on Cottage Park Avenue a week or so to let vendors be notified of the new entrance and exit." The "new entrance and exit" referred to was the extension of Tyler Court to the Fawcett property line.

20. Between July 26, 1972, and September 18, 1972, the City erected a chain-link fence across the end of Cottage Park Avenue, blocking access to the Fawcett property fromn Cottage Park Avenue. This fence contained no gate or other opening, and thus did not

Cottage Park for access to his property on an annual basis if and as necessary to preserve his legal rights;
(5) certain pending zoning litigation commenced by the City challenging Mr. Fawcett's use of his premises for warehousing and garage purposes would be dismissed with prejudice.

22. There was no written contract between Robert W. Fawcett and the City of Cambridge regarding the establishment of Tyler Court or the closing off of Cottage Park Avenue. Although there was no legal and enforceable contract, written or oral, that Fawcett abandon all access to Cottage Park Avenue, it was understood between Fawcett and the City that Fawcett, in consideration for the construction of Tyler Court for truck access, would use Tyler Court for truck access and give up his right to use Cottage Park Avenue after Tyler Court became available for such use. There was a misunderstanding of the very loose agreement between the parties. Fawcett intended to give up only the right to use Cottage Park Avenue for truck traffic; the City believed that he had given up all access to Cottage Park Avenue, and proceeded to construct the fence and, later, the barricade. What is clear is that Fawcett agreed to give up access to Cottage Park Avenue

for truck traffic in consideration for the newly constructed access to Tyler Court. There is no mention in any correspondence, memoranda, or other record of the City of Cambridge regarding any agreement by Robert W. Fawcett to have a fence erected at the end of Cottage Park Avenue. Furthermore, there is no mention in any of the correspondence or memoranda of Mr. Teso, the City Manager, the City Solicitor's office, or the neighbors about anything except truck traffic on Cottage Park Avenue.

23. The chain-link fence remained at the end of Cottage Park Avenue until 1982, when it was removed in an unknown manner. During the course of the following year, Robert R. Fawcett used Cottage Park Avenue a few times for light vehicles.

24. In September, 1983, the City Manager was notified by residents of Cottage Park Avenue that the fence-type barrier had disappeared from the end of Cottage Park Avenue. During the course of the following year, the City Manager reviewed the matter and determined that the City Council order of June 26, 1972, authorized a replacement of the barrier. He ordered city workers to erect a new barrier.

25. The Cambridge City Manager, Robert Healy,

ordered the Cambridge Department of Public Works to erect the barricade at the end of Cottage Park Avenue on September 14, 1983.

26. On September 14, 1983, the City's Department of Public Works erected a barricade across the end of Cottage Park Avenue at the point where it meets the Fawcett property line, consisting of a series of three poles approximately one foot in diameter with a steel rail across the top. This barricade was erected in front of Fawcett's own chain-link-fence gate to its property.

27. The City did not notify Robert Fawcett & Son Co., Inc., Robert W. Fawcett, Robert R. Fawcett, or their representatives of the City Council meeting discussing a possible barricade, nor the order to erect the barricade on September 14, 1983.

28. Counsel for Robert Fawcett & Son Co., Inc., Robert W. Fawcett, and Robert R. Fawcett had no knowledge of the City Council order of June 26, 1972, until a copy of the order was forwarded to them by Assistant City Solicitor David O'Connor on or about April 4, 1983.

29. In February, 1979, the building on the Fawcett property at the end of Brookford Street was

destroyed by a fire. No structure was rebuilt upon that locus.

30. In 1982 Fawcett removed the foundation wall on the building that had been destroyed by the fire, and installed a fence with a gate on its property at the end of Brookford Street, where Brookford meets its property line.

31. At some time prior to 1925 a curb existed at the end of Brookford Street running parallel with the foundation wall of the Fawcett building, and this curb existed for many years.

32. There is presently no curb across the end of Brookford Street where the Fawcett property abuts it. When it was removed and the circumstances that resulted in its removal are not known.

33. In October, 1982, the City Council confirmed that Brookford Street was a dead-end street.

34. The City of Cambridge recently put new curbing along the sides of Brookford Street, but they did not install curbing at the end running parallel to the Fawcett property line where the curb referred to in Paragraph 31 existed.

35. In June, 1986, plaintiff on occasion used the gate at the end of Brookford Street.

36. On June 5, 1986, Fawcett applied to the City Council for permission to construct a driveway.
On June 9, 1986, Brookford Street residents petitioned the City Council to erect a barrier to prevent Fawcett from using Brookford Street to access his property.

37. On June 16, 1986, the City Council directed the City Manager to investigate whether Fawcett had violated the October 18, 1982, order declaring Brookford Street a dead-end street.

RULINGS OF LAW

1. Plaintiff, as owner of land at the end of Cottage Park Avenue, is an abutter on Cottage Park Avenue and has a right of access on Cottage Park Avenue as an incident of ownership. Anzalone v. Metropolitan District Commission, 257 Mass. 32 (1926).

2. Defendant City of Cambridge could regulate plaintiff's right of access by making reasonable regulations as to plaintiff's use of Cottage Park Avenue. Anzalone, supra at 37.

3. While plaintiff cannot be prevented from entering from his land upon ways which the public has a right to use, id at 37-38, defendant City of Cambridge

has a duty to grant plaintiff access subject to such reasonable regulations and requirements as it deems necessary for the public safety and convenience. Id.

4. Defendant City of Cambridge's restriction of all truck traffic on Cottage Park is a reasonable regulation necessary for the public safety. Id.

5. Defendant's installation of a barrier restricting all vehicular traffic by plaintiff unreasonably regulated plaintiff's access, where it exceeded the scope of the City Council's order, the residents' stated concerns, and the agreement of the Fawcetts.

6. Defendant's failure to notify plaintiff of the City Council deliberation on its access to Cottage Park Avenue notwithstanding, plaintiff's prior oral promise to defendant to refrain from using Cottage Park Avenue for truck traffic in exchange for an alternate route was an enforceable agreement between the parties. Hickey v. Green, 14 Mass. App. Ct. 671, 676 (1982).

7. Where no further negotiation was contemplated by either party after their meeting with area residents in November, 1970, the parties' agreement was sufficiently specific as to truck traffic to create an enforceable contract. See Hickey, supra.

8. Plaintiff is estopped from asserting the statutory bar of G.L., c. 43, Sec. 29 requiring that contracts with municipalities be in writing, where defendant, in reasonable reliance on plaintiff's promise to use an alternate truck route and with its continuing assent, created a suitable route for plaintiff's use at a cost of \$50,000. Hickey, supra at 673-674; see also Pappas v. Psarros, 24 Mass. App. Ct. 596, 598 (1987).

9. Where plaintiff has a reasonable and appropriate access to the public highway system, the City Council's 1982 affirmation that Brookford Street remain a dead-end street reasonably regulated the extent of plaintiff's access to Brookford Street. LaCroix v. Commonwealth, 348 Mass. 652, 657 (1965).

10. Where a curb existed at the end of Brookford Street where it meets plaintiff's property and where plaintiff maintained a building at that point that prevented plaintiff's and plaintiff's predecessor in title access to Brookford Street for at least 55 years, plaintiff has conclusively and unequivocally manifested an intent to abandon the easement and established a purpose inconsistent with the easement of access to Brookford Street.

11. Where the building on plaintiff's property constituted a permanent restriction of all access to Brookford Street from plaintiff's property for at least 55 years, plaintiff's predecessor in title abandoned its right to the easement of access to Brookford Street. Sindler v. William M. Bailey Co., 348 Mass. 589, 593 (1965).

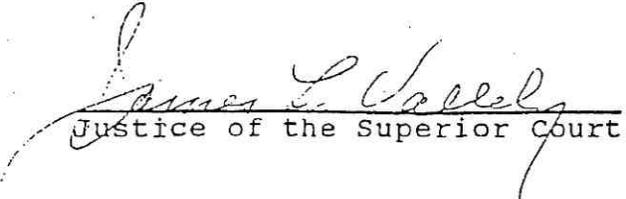
12. The building's complete obstruction of the easement of access to Brookford Street and plaintiff's consequent failure to use the easement for at least 20 years were unequivocal acts by plaintiff and its predecessor in title inconsistent with the easement, which operated to extinguish the easement of the entire right of way by prescription. Yagjian v. O'Brien, 19 Mass. App. Ct. 733, 737 (1985); compare Lemieux v. Rex Leather Finishing Corp., 7 Mass. App. Ct. 417, 421, 423-424 (1979).

ORDER

The court orders that a declaration enter, declaring that defendant's restriction of all truck traffic on Cottage Park Avenue is lawful. The court

orders that defendant remove the present barrier in front of plaintiff's property on Cottage Park Avenue and replace it with one that permits pedestrian and automobile access.

The court further orders that a declaration enter, declaring that plaintiff has no right of access to Brookford Street.


Justice of the Superior Court.

APRIL 21 2013

2013 APR 22 PM 10:11
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Cambridge Planning Board

Re: Case # 32 Cottage Park Ave

Dear Members,

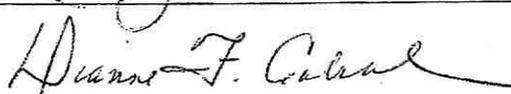
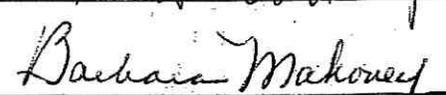
We, the undersigned residents of Brookford Street, urge Cambridge Planning Board to respect the well-considered decision of Judge Thomas Vallely, Justice of the Superior Court, who adjudicated the rights of Brookford Street, and the Fawcett's in the case of the Cambridge v Fawcett Oil Company, Inc., et al. (C.A. NO. 83-5824)

The judge considered testimony including that of a resident for 70 years on Brookford Street and some 20 exhibits illustrating nearly a century of the history of the area. He found that Fawcett had no right to access Brookford Street, and that the City had compensated by expending public funds to create and improve Tyler Court for Fawcett's use.

All residents have relied on this ruling for more than thirty years. We fought strongly for this and the Judge agreed with our reasoning. Some of the residents of Brookford Street purchased their homes because it was a dead end; while others remain on this street for the very same reason. Further, nothing has changed to make this ruling obsolete. Whatever permit you issue, we hope you would honor the rights of the residents of Brookford Street and respect the judge's decision.

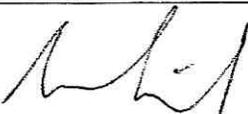
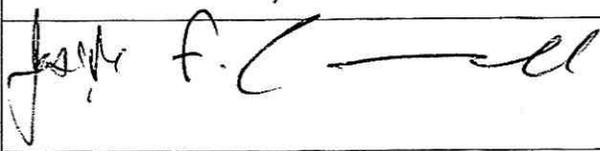
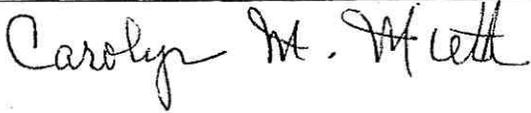
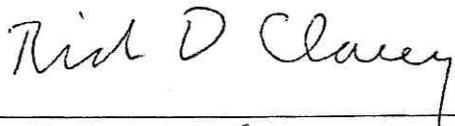
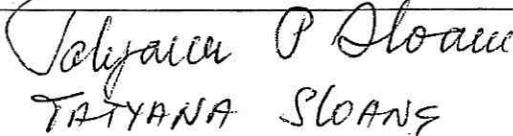
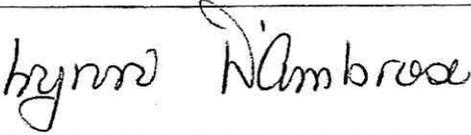
During the last meeting, speakers requested that Brookford Street be opened. All of the speakers who wanted to open Brookford Street were not residents of this street with one exception who was unaware of this court order. The non-residents of Brookford Street who spoke in this vein had their own personal agenda when they voiced opening up our street.

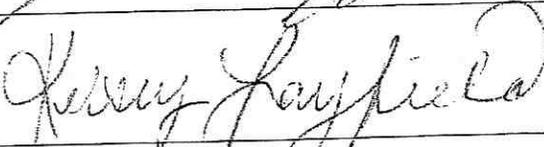
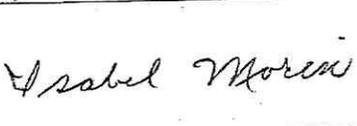
Thank you for letting the voices of the Brookford Street residents be heard.

Signature	Printed Name & Address
	ROBERT J. MCGOWAN 22 BROOKFORD STREET
	DIANNE CABRAL 22 BROOKFORD STREET
	27 Brookford St BEVERLY COURTNEY
	27 B BROOKFORD ST THOMAS COURTNEY
	37 Brookford St. Cambr. MA 02140

Signature	Printed Name & Address
Gail M. Codair	Gail M. Codair 37 Brookford St Cambridge
L E Code S	THOMAS E. CODAIR SR 37 BROOKFORD ST. CAMBRIDGE
Robert F Mahoney	ROBERT F. MAHONEY 37 Brookford St, Cambridge
Martin O. Hughes	Martin O. Hughes 35 Brookford St. Camb. MA.
Francesca A. Hughes	FRANCESCA A. HUGHES 35 BROOKFORD ST. CAMB MA
Jeffrey Suarez	Jeffrey Suarez 38 Brookford St. Cambridge
Yumi Yasutake Suarez	Yumi Yasutake Suarez 36 Brookford St. Cambridge, MA
Gregory Hassett	GREGORY HASSETT 44 BROOKFORD ST, CAMBRIDGE
Samuel Hathaway	SAMUEL HATHAWAY 23 BROOKFORD ST #2 CAMBRIDGE
Timothy Crane	19 Brookford Street Timothy Crane
Neal Orman	23 Brookford St #1 Neal Orman
James Meyers	18 Brookford St. James Meyers, MD
Etsuko Meyers	ETSUKO MEYERS 18 BROOKFORD ST. CAMBRIDGE
White Keller	16 Brookford St WHITE KELLER

M

Signature	Printed Name & Address
	Jan Sharron 16 Brookford St Cambridge
	Rachel Stevens 23 Brookford St, Cambridge
	Adam Lief 30 Brookford St., Cambridge
	2352 MASS AVE. ^{Joseph Carroll} CAMB MA. Corner ^{MASS AVE} Brookford
	Carolyn M. Mieth 15 Brookford Street Cambridge, MA 02140
	RICHARD CLAREY 15 BROOKFORD ST CAMBRIDGE 02140
	Allisin Carroll 2552 MASS AVE APT 2 Cam. 02140
	Chris Barton 36 Brookford St 02110
	Samuel Dale Barton 36 Brookford St 02140
 TATYANA SLOANE	TATYANA SLOANE 26 BROOKFORD ST CAMBRIDGE MA 02140
	AL PERRY. 40 Brookford St. #3
	n. 40 Brookford St Camb Ma 02140

Signature	Printed Name & Address
	PETER WEITZ 42 BROOKFORD ST CAMBRIDGE
	Brandon Mays 35 Brookford St Cambridge
	Kelsey Layfield 35 Brookford St Cambridge
	LISA C. Lambert 30 Brookford St,
	ISABEL MORIN 22 BROOKFORD ST. CAMB.

May 8, 2013
Cambridge Planning Board

Planning Board Case #276
33 Cottage Park Avenue (Tyler Green)
Fawcett Oil proposal, 67 rental units, single structure

2013 MAY 20 PM 4:11
OFFICE OF THE CLERK
CITY OF CAMBRIDGE

We, the undersigned residents of Tyler Court, Edmunds Street, Cottage Park Avenue, Magoun Street, Madison Avenue, Columbus Avenue, and Whittemore Avenue request consideration of a number of issues that we believe are crucial to the development of the Tyler Green project as an extension of our neighborhood. A number of these items were presented to you at the April 9th meeting, and the planning board acknowledged many of these concerns as well.

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PROTECT THE LINEAR PARK

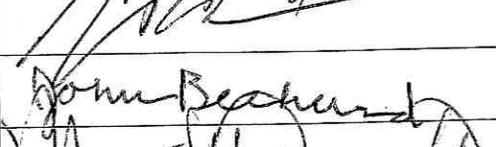
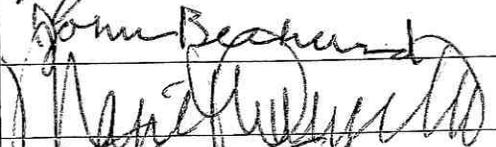
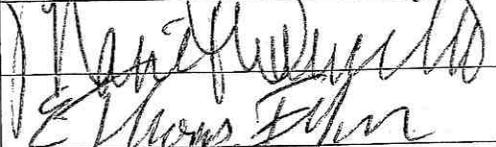
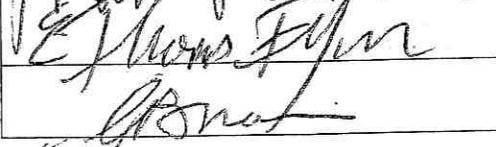
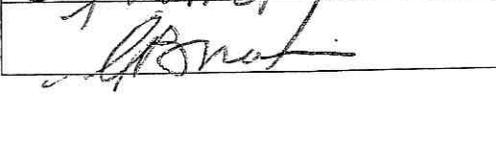
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IMPROVE ACCESS AND ENSURE SAFETY

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USE ACTUAL SITE ADDRESS or MULTIPLE BUILDING ADDRESSES

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Signature	Printed name and address	Date
	31 MADISON AVE, CAMB. Patrick J. Spillano	5-13-13
	28 MADISON AVE, CAMB. Shlomo Flyer	5-13-13
	19 Madison Ave. Cambridge John Bechard	5-13-13
	25 MADISON AVE A. R. SHAIN	5/13/13
	2 THOMAS FLYER A. R. SHAIN	5/13/13
	30 CHURCHILL AVE, CAMB. A. R. SHAIN	5/13/13

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Signature	Printed name and address	Date
	Joseph Falanga 30 Madison Ave Cambridge Burrery Falanga	5/13/13 " "
	27-Madison Ave, Camb SOUKKA ALI	5-14-13
	27-Madison Ave, Camb NOORUNISA ALI	5.14.13
	JAN WHITTED 17 Madison Ave EVA M. Doucette	5/14/13
	4 MADISON Ave #100 17 MADISON AVE STUART MOSS CAMB.	5/14/2013
	PAUL NELSON 36 COLUMBUS AVE	5-16-2013
	PAUL POWERS 22 CEASE ST	5/16/13
	22 Columbus ave Cambridge MA 02142	5/16/13
	9 Newsum Ave	5/16/13
	Helmi E. Flowers 15 Kimball St	5-18-13
	38 Madisort Ave	5-18-13
	Ronald Moulton 34 Madison Ave	5/18/13
	DIANE MARTIN 34 Madison Ave #1	5/18/13
	Marsha Bronewski 35 Madison Ave	5/18/13
	Leroy Smith, 3 Madison Ave	5/18/13
	JEREMY LYDON 22 Madison Ave #3 43 WHITTEMORE AVE CAMB MASS	5/18/13
	DOROTHY A. MELIN 11 Madison Ave Cambridge 02140	5/19/13
	Cheryl R. Appleman 40 Madison Ave #1	5/19/2013
	Amy March	5/19/2013

May 8, 2013
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Signature	Printed name and address	Date
<i>Bel Chubay</i>	85 CLAY ST	5/18/13
<i>Judi Chubay</i>	85 Clay St	5/18/13
<i>Mary Jo Fresolo</i>	12 COLUMBUS AVE ^{MARY JO FRESOLO}	5/18/13
<i>Lynda Beguieu</i>	12 Columbus Ave ^{Lynda Beguieu}	5/18/13
<i>Justin Hausman</i>	JUSTIN HAUSSMAN 13 KIMBALL ST	5/18/13
<i>Bruce Flowers</i>	BRUCE FLOWERS 15 KIMBALL ST	5/18/13

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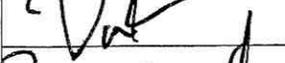
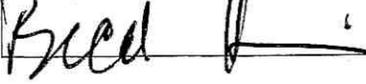
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Signature	Printed name and address	Date
	Jonathan Millman 9 Cottage Park Ave Camb.	May 11, 2013
	Ron Palermo 2277 Mass St Camb.	5/11/13
	John Athanopoulos 18 Cottage Park Ave	5/11/13
	Julia Bishop 9 Cottage Park Ave	5/11/13
	Dan Erdeman 14 Cottage Park Ave	5/11/13
	Brook Hopkins 14 Cottage Park Ave	5/11/13

Planning Board Case #276
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	Signature	Printed name and address	Date
7		ROBERT J CYR 13 Cottage Park Ave.	5/11/13
8		VIRGINIA D. FOX Cottage Park Ave	5/11/13
9		WILLIAM A FOX Cottage Park Ave	5/11/13
10		AARON LITVIN 23 Edmunds St.	5/11/13
11		Dahlia Bousaid 116 Edmunds St. Cambridge	5/11/13
12		JASON DANDEO #103 2456 MASS AVE, CAMBRIDGE	5/11/13
13		P. JOSEN #202 2452 Mass Ave, Cambridge	5/11/13
14		Lee #306 2456 Mass Ave	5/11/13
15		J. Song #206 2456 Mass Ave #206, Cambridge	5/11/13
16		NARVAN PARAPAT #301 2456 MASS AVE	5/11/13
17		ALI MOHAMMAD #101 2456 MASS AVE	5/11/13
18		Ed Handoko #406 2456 Mass Ave	5/11/13
19		Michael Molw #2518 Cottage Park Ave CAMB.	5/13/13
20		Britany Santiago #2 2456 Mass Ave	5/15/13
21		Jose Esquivel 9 Edmunds St	5/15/13
22		Peter Weiss #104 2456 Mass Ave	5/15/13
23		ROGER YEH, 2456 MASS AVE #302	5/15/13
24		YINGYING DONG, 2456 Mass Ave. #204.	5/15/13.
25		WAFIK FARAG, 2456 Mass Ave #405	5/15/13
26		DANIEL CARR 18 COTTAGE PARK AVE CAMBRIDGE MA 02146	5/16/13
27		LAURA FERRAGUTO 18 COTTAGE PARK AVE CAMBRIDGE 02146	5-16-13
28		IRINA GOLOVINA 18 COTTAGE PARK AVENUE	5/16/13
29		Megan Starr 2510 MASS AVE #1	5-16-13

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Signature	Printed name and address	Date
30.	John M. Angier 21 Cottage Park Ave Cambridge	5/16/13
	Nadia Taylor 30 Cambridgepark Dr Cambridge MA	5/16/13
	Yvonne Dattin-Cardoso 31 Lincoln Way Camb. MA 02140	5/17-13
	Sarah Pennel 9 Webster Ave Cambridge MA 02141	5/17/13
35.	Marie Hercule 192 Walden Sq. Rd. Apt. 192 Cambridge MA 02140	5/17/13
	FRANTZ ANTOINE 209 Jackson St. Cambridge MA	5/17/13
	Diana Gordon 9 Gerry St. Cambridge MA 02139	5/17/13
	Elsa Cruz 2519 MASS AVE Cambridge MA 02140	5/17/13
	Rosario Delacruz 429 Cambridge St. Camb. 02139	5/17/13
	June Hites 50 Haskell St. Cambridge 02140	5-17-13
40.	NICHOLAS CAPONE 15 SEAGRAVE	5/18/13
	MENNA CAPONE 15 SEAGRAVE	5/18/13
	Paul Suora 2379 Massachusetts Ave Cambridge MA	5/18/13
	Reyes Allston 2381 MASS AVE	5/18/13
45.	Simone Gran Pierre 2383 MASS. AVE Cambridge, MA	5/18/13
	Yeshi Loleyt 2389 MASS. AVE Cambridge MA	5/18/13
	Zelekeash Selassie 2391 MASS AVE Cambridge MA	5/18/13
	Robert Haltemann 2385 MASS, AVE Cambridge	5/18/2013
	Kelly Flynn 2395 MASS AVE #1 Cambridge MA	5/18/13
50.	Robert Harris 2467 MASS Cambridge MA 02140	5/18/13
	IMANI BISHOP 2 EARTHST ST #323 Cambridge MA 02141	5/18

May 8, 2013
Cambridge Planning Board

**Planning Board Case #276
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Signature	Printed name and address	Date
<i>PA Anderson</i>	PHILIP A. ANDERSON 30 CHURCHILL AVE #403, C. - 02140	5/16/13
<i>Dorothy Siegel</i>	30 Churchill APT #606	5/16/13
<i>Jean West</i>	50 Churchill Ave APT 424	5/16/2013
<i>Allara Preland</i>	50 Churchill Ave APT 316	5/16/2013
<i>Donna Tutein</i>	50 Churchill Ave # 221	5/16/2013
<i>Uncanza Pastelline</i>	50 Churchill Ave # 439	5/16/2013

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Signature	Printed name and address	Date
	Jim Feinstein 163 Harvey	5/15/13
	Josh Walker 184 Harvey	5/15/13
	SHAVE MARRIAM 56 Harvey St	5/15/13
	Susanna Noon 70 Harvey	5/15/13
	Justin Bougher 68 Harvey	5/15/13
	Kristen Ford 68 Harvey	5/15/13
	Lara Lind 66 Harvey St.	05/15/13
	David Lind 66 Harvey St.	05/15/13
	Terry Moynahan 34 Harvey St	5/15/13
	Jacob Cervello 30 Harvey St	5/15/13
	Alan Ritter-Bank 26 Harvey St	15 May 2013
	JAMES ROBERTSON ⁴⁵ MAGOUN ST.	5-16-13
	DONALD CARNEY 41 MAGOUN ST	5-16-13
	Rita Carney 4 Magoun St.	5-16-13
	Michael Carney 43 Magoun St.	5-16-13
	Morgan Carney 43 Magoun St.	5-16-13
	@ 2477 Mass Ave, Cambridge. Apt 6	5/16/13
	2130 Mass Ave Apt 6E	5/16/13
	150 Erie St #319 02139	5/16/13
	9 CEDAR ST	5/16/13
	65 Dudley St.	
	65 Dudley St	5/16/13

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 IMPROVE ACCESS AND ENSURE SAFETY

Signature	Printed name and address	Date
	Margaret E Decry 69 Dudley St	5-16-13
	Amani EL Jack	5/16/13
	Rachel Rubin 107 Reed St	5/16/13
	Jeffrey Melnick 107 Reed St	5/16/13
	Eve Carr, 128 Reed St.	5/16/13
	Carolyn Hoffman 100 Reed St.	5/16/13
	Judith M Bbeifsa 45 Magoon St	5/16/13
	Julie McKinney 83 Dudley St	5/16/13
	Alec McKinney 83 Abby	5/16/13
	Diane Jin 95 Dudley St	5/16/13
	Doug Waggoner 95 Dudley St.	5/16/13
	85 Montgomery St, Conn	5/16/13
	85 Montgomery St, Conn	5/16/13
	Jane Stutevan 95 Montgomery	5/16/13
	Peter Desmond 93 Montgomery	5/16/13
	[unclear] 125 Montgomery	5/16/13
	Ali Ziv 127 Montgomery	5/16/13
	Kelen Med 120 Montgomery St.	5/16/13
	Linda Hertwig 120 Montgomery St	5/16/13
	Isabel Carreras 9 George St	5/16/13
	Kaz Naganuma 9 George St	5/16/13
	Catherine T. O'Brien 16 George St	5/16/13

May 8, 2013
Cambridge Planning Board

Planning Board Case #276
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Fawcett Oil proposal, 67 rental units, single structure

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+ HARRISON, KIMBLE, SCAGRAVE, ETC.

DESIGN BUILDINGS COMPATIBLE WITH THE NEIGHBORHOOD in FORM, SCALE and DENSITY

No Big Box scaled single building. Require development as zoning states, with "form and density compatible with the adjacent residential neighborhood." Break the site into smaller buildings that more closely resemble the surrounding neighborhood's scale and ownership/rental mix.

PROTECT THE LINEAR PARK

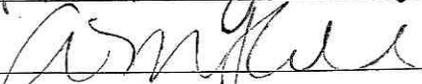
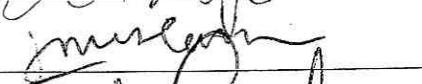
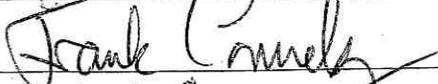
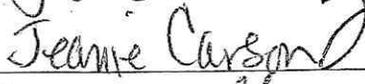
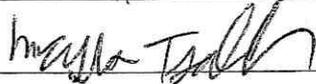
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USE ACTUAL SITE ADDRESS or MULTIPLE BUILDING ADDRESSES

Do not use any of the existing residential streets as the address of entire site. (33 Cottage Park Avenue was proposed) This would result in an increased traffic burden to that one street. Fawcett Oil already uses 1 Tyler Court as their address. If the site contains numerous smaller buildings then this will not be an issue.

Signature	Printed name and address	Date
	Thomas Wojciechowski 24 Columbus Ave	May 11, 2013
	ANN McDONACO 24 COLUMBUS AVENUE	5/11/13
	JAMES CARSON 11 FOCH ST	5/17/13
	Frank Connelly 198 Fayweather Camb. 02138	5/18/13
	Jeanie Carson 11 Foch St.	5/18/13
	Imogene Thalor 108 Clifton St Cambridge, MA 02142	5-18/13

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Signature	Printed name and address	Date
<i>Teresa Walker</i>	Teresa Walker 3 Magoun	5/10/13
<i>Emile Mont-Louis</i>	15 Magoun St Apt 1	07/10/13
<i>Macedoine M Thour</i>	15 Magoun St # 2	07/10/13
<i>Danny O'Brien</i>	Danny O'Brien 19 Magoun St # 1	5/10/13
<i>R Kelly</i>	19 MAGOUN ST	5-10-13
<i>Mark Wamen</i>	33 MAGOUN ST CAMB	5-10-13

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Signature	Printed name and address	Date
<i>Donald J Warren</i>	33 Magoun St	5-10-13
<i>Carroll Kelley</i>	27 Magoun St	5-10-13
<i>Louise & Moran</i>	27 Magoun St	5/10/13
<i>[Signature]</i>	45 Magoun St	5-10-13
<i>[Signature]</i>	45 Magoun St	5-10-13
<i>[Signature]</i>	53 Magoun St	5-10-13
<i>[Signature]</i>	53 Magoun St	5-10-13
<i>[Signature]</i>	47 MAGOUN ST.	5-10-13
<i>Wilfredo M.</i>	48 MAGOUN ST	5-10-13
<i>Cruz M. G.</i>	11 " "	" "
<i>Marisol M. G.</i>	11 " "	" "
<i>[Signature]</i>	56 MAGOUN ST	5/10/13
<i>[Signature]</i>	56 MAGOUN ST	5/10/13
<i>Drew Morris</i>	57 Magoun St.	5/10/13
<i>[Signature]</i>	46 MAGOUN ST.	5/10/13
<i>Rami. moussa</i>	46 MAGOUN ST.	5/10/13
<i>Erik Lundberg</i>	44 Magoun St. #2	5/10/13
<i>Tom + Teri Dame</i>	40 Magoun St.	5-10-13
<i>[Signature]</i>	32 Magoun St	5-10-13
<i>[Signature]</i>	37 MAGOUN ST	5/10/13
<i>[Signature]</i>	57 MAGOUN ST	5/13/2013
<i>[Signature]</i>	57 MAGOUN ST	5/13/2013

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Signature	Printed name and address	Date
	57 Magoon St Cambridge	5/13/2013
	57 Magoon St Cam.	5/13/2013
	57 Magoon St "	5/13/2013
	57 Magoon St	5/13/2013
	2574 Mass Ave	5/13/2013
	2560 Mass Ave	5-13/2013
 Francis Quercia	2524 Mass Ave	5/13/2013
	2508 Mass Ave	5-13-13
	2508 Mass Ave #2	65-13-13
	Emily Stone, 41 Harvey St.	5/13/13
	David W. ShuckRA 43 Harvey St	5/15/12
	Rolph Jacqueline 30 Magoon St	5/15/13
	25 Magoon St	5/15/13
	5 Westley Ave	5/15/13
	5 WESTLEY AVE	5/15/13
	Jan Mukelbach	5/15/13
	Jonathan Nite 6 Westley Ave	5/15/13
	Shuang Wu 65 Harvey St.	5/15/13
	85 Harvey St -	5/15/13
	85 Harvey St -	5/12/13
	137 Harvey St	5/15/13
	149 Harvey St	5/15/13

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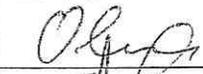
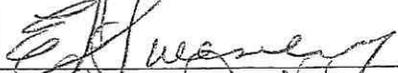
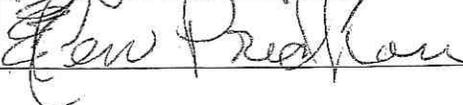
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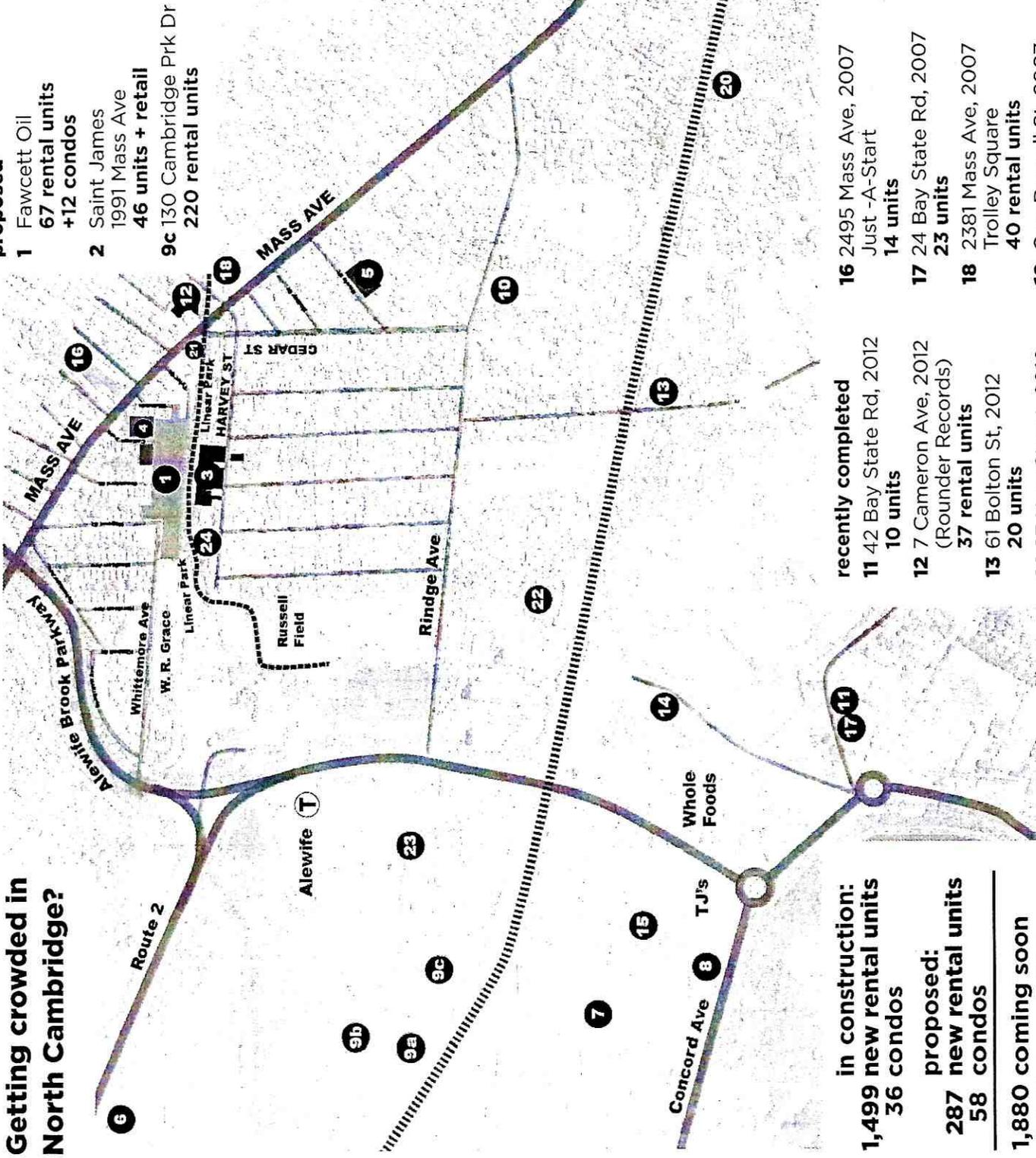
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Signature	Printed name and address	Date
	JOHN R WALKER 150 WHITTEMORE AVE	MAY 10 2013
	MOLLY WALKER 102 WHITTEMORE AVENUE	May 10, 2013
	VLAD OLCHANSKI 25 SEAGRAVE RD.	MAY 14, 2013
	NATALYA OLCHANSKI 25 SEAGRAVE RD	MAY 14, 2013
	ED SWEENEY 34 COLUMBUS AVE	MAY 14 2013
	ELLEN PRICHARD 34 COLUMBUS AVE	MAY 14 2013

Getting crowded in North Cambridge?



in construction

- 3 Cambridge Lumber
20 condos
- 4 JH Emerson
Cottage Park Ave
16 condos
- 5 NC Catholic
40 Norris St
29 rental units
- 6 Faces
227 rental units
- 7 Fawcett St
429 rental units
- 8 Fawcett family
Concord Ave & Wheeler
61 rental units
- 9a 160 Cambridge Prk Dr
398 rental units
- 9b 165 Cambridge Prk Dr
244 rental units
- 10 St John's schools
120 Rindge Ave
63 rental units

proposed

- 1 Fawcett Oil
67 rental units
+12 condos
- 2 Saint James
1991 Mass Ave
46 units + retail
- 9c 130 Cambridge Prk Dr
220 rental units

in construction:
1,499 new rental units
36 condos

proposed:
287 new rental units
58 condos

1,880 coming soon
458 since 2005

2,338 housing units

recently completed

- 11 42 Bay State Rd, 2012
10 units
- 12 7 Cameron Ave, 2012
(Rounder Records)
37 rental units
- 13 61 Bolton St, 2012
20 units
- 14 87 New Street, 2010
54 rental units
- 15 29-31 Wheeler, 2008
72 units
- 16 2495 Mass Ave, 2007
Just -A-Start
14 units
- 17 24 Bay State Rd, 2007
23 units
- 18 2381 Mass Ave, 2007
Trolley Square
40 rental units
- 19 One Russell St, 2007
24 units
- 20 131 Richdale Ave, 2007
20 units
- 21 2440 Mass Ave, 2006
42 units
- 22 310 Rindge Ave, 2005
The Brickworks
102 units
- 23 30 CambridgePark Dr, 2003
Archstone Cambridge Park
312 rental units
- 24 195 Harvey St, 2002
Cornerstone
32 units

Tyler Green: Fawcett Oil Property

1 Tyler Court
(33 Cottage Park Ave)

current plan:

Giant Rental Building

67 rental units in one building with
access from Cottage Park, Edmunds,
Tyler, Magoun and Whittemore

Please attend!!

Monday

May 20, 7:00pm

Neighborhood Preview

Presentation of New Design

Fawcett Oil Company
1 Tyler Court at end of
Cottage Park Avenue

Tuesday

May 21, 7:20pm

Planning Board

**Continued Public Hearing
for New Design**

City Hall Annex, 2nd Floor
344 Broadway



Facing Whittemore Ave



Facing Mass Ave

Talking points that neighbors can address in writing and by speaking at Planning Board meeting to ensure that neighborhood issues crucial to the development of the Tyler Green project are adequately addressed:

Design buildings compatible with the neighborhood in form, scale and density

- No Big Box scaled single building.
- Require development as zoning states, with 'form and density compatible with the adjacent residential neighborhood.'
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Use actual site address or multiple building addresses

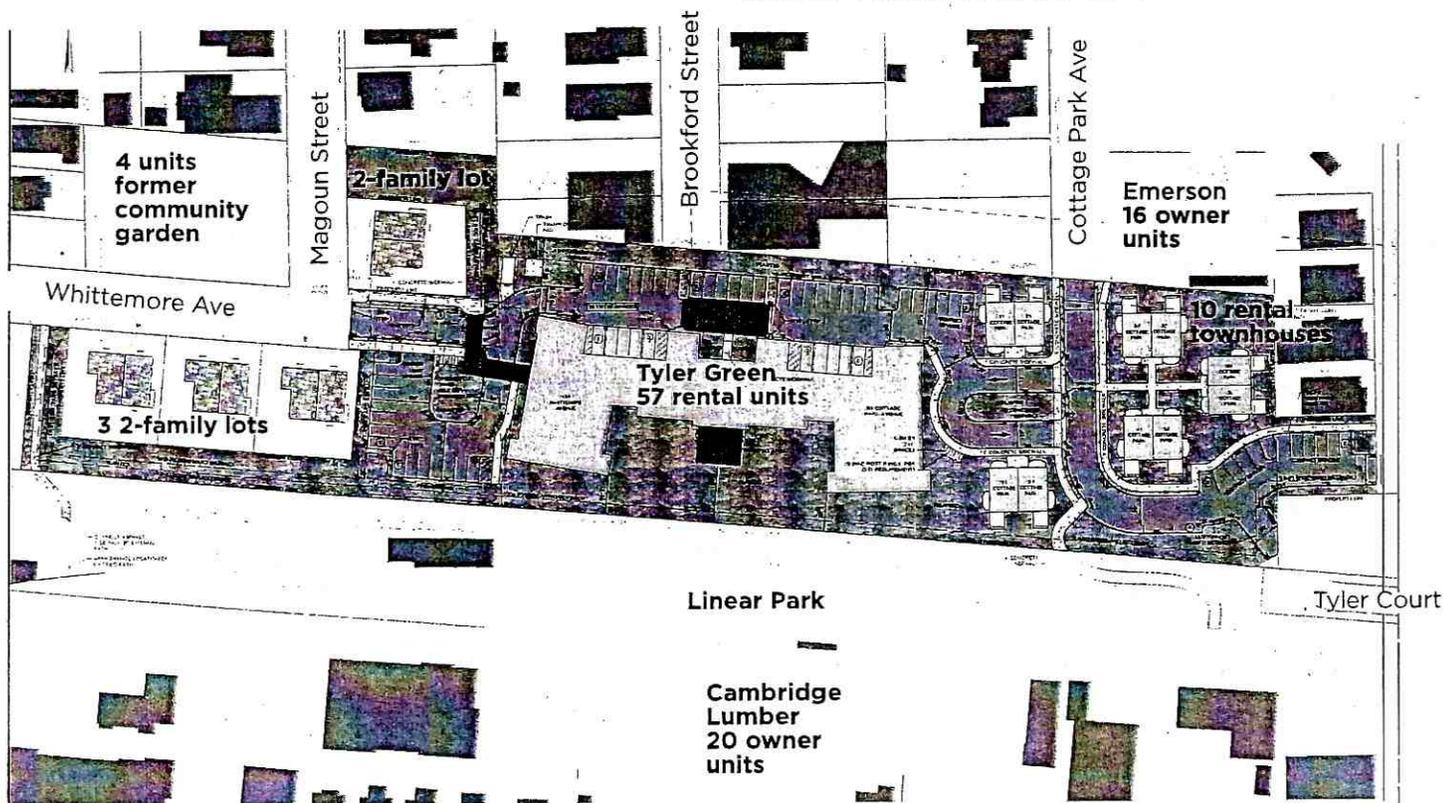
- Do not use any of the existing residential streets as the address of entire site. (33 Cottage Park Avenue was proposed)

Address unknowns

- Consider Brookford Street as site access for what will now be residential, rather than heavy commercial traffic.
- Confirm plans for the one Magoun 2-family lot and three Whittemore lots and former community garden.
- Confirm whether or not the existing Magoun and Whittemore Ave curb cut is a legal driveway to site.

Proposed new design for Tyler Court to be unveiled on Monday May 20:

57 rental units in one building and 10 rental townhouses



More info:

<http://northcambridge.net/fawcett-oil-2/>

Tell The Planning Board what you want:

Liza Paden, 617-349-4647
lpaden@cambridgema.gov



Lopez, Donna

ATTACHMENT E

From: Maryann helmuth [maryannhelmuth@gmail.com]
Sent: Tuesday, May 21, 2013 4:57 PM
To: City Council
Subject: Linear Park, Cottage Park, Community Garden

To whom it may concern;

I am writing to you, to ask for your help in maintaining the longtime North Cambridge Neighborhood, which is about to be destroyed by Fawcett Oil and the redeveloping of their land.

This neighborhood has been a family neighborhood for over a century. I myself have been a resident of Magoun street for 75years and my sister has resided here for 95 years. Many of the other longtime families still reside here. I am reaching out to you, for if these plans are to materialize, it will destroy not only the neighborhood but the long standing community garden, which has been here for over 25 years.

Developing these units will bring much chaos to the already heavily traveled neighborhood streets. This proposed development will only add to the over crowded streets which have limited parking already.

Thank you in advance for your much needed help in this matter.

MaryAnn Helmuth

Lopez, Donna

ATTACHMENT F

From: Dara Glass [daraglass@gmail.com]
Sent: Wednesday, May 22, 2013 12:50 PM
To: City Council
Cc: Lopez, Donna
Subject: Please Support the Phillips Petition

Dara Glass
Edmunds St.