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**Drury, Margaret**

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**From:** Renata von Tscharner [rvt@thecharles.org]  
**Sent:** Wednesday, July 13, 2011 1:56 PM  
**To:** Drury, Margaret; Paden, Liza  
**Cc:** jeffrey.mullan@state.ma.us; Karl Haglund; Martha Doyle; Richard McKinnon; Rick (DCR) Sullivan; Maher, David; Davis, Henrietta; Cheung, Leland; Decker, Marjorie; ckelley@cambridgegema.gov; Reeves, Ken; Simmons, Denise; rep.timothytoomey@hou.state.ma.us; Seidel, Sam; Healy, Bob; Rossi, Rich; Murphy, Brian; william.tuttle@state.ma.us; Edward (DCR) Lambert; Jack.Murray@state.ma.us; Samantha Overton; Joe (DCR) Orfant; Wright, Jennifer; Boothe, Roger; Seiderman, Cara; barbarabroussard@comcast.net Broussard; Ben (DEP) Lynch; Bob Zimmerman  
**Subject:** EF Development in North Point Park

Dear Margaret,

I hope this email finds you well. As President of the Charles River Conservancy, I wanted to personally send you our letter to the Cambridge Planning Board on the EF development in East Cambridge. Our letter discusses the importance of mitigation requirements for the project, as well as our desire to see the inclusion of public benefits to enhance the surrounding Parklands and the proposed Charles River Skatepark, a project which the CRC has worked on for many years.

I would like to request that our letter be included in the official proceedings of the Cambridge City Council and the Cambridge Planning Board for this project.

Thank you very much for your time, and if there is anything else I can do, please do not hesitate to contact me.

Kind regards,

Renata

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July 7, 2011

To: Cambridge Planning Board Members

Dear Planning Board Members,

The Charles River Conservancy (CRC) appreciates the opportunity to submit these written comments to the Cambridge Planning Board regarding EF's new building in North Point Park.

As you know, the CRC is an 11-year-old non-profit organization whose mission is to support the stewardship and renewal of the urban Charles River Parklands. We have over 20,000 supporters and volunteers. The CRC's goal is to make the Parklands more active, attractive, and accessible to all. You may also be familiar with our efforts to bring back public swimming in the Charles, which is currently the subject of a legislative commission and staffed by an employee of the Conservancy.

The CRC's primary goal in this development project of EF is to ensure that the public receives benefits at least commensurate with those private benefits bestowed by public bodies. As this project moves forward in the approval process, we hope that the Planning Board's review under Cambridge zoning will be coordinated with state-level reviews under two key environmental statutes: Article 97, which protects public parklands, and Chapter 91, which ensures public access to the waterfront.

We do not object to EF's development goals for its project, which can help enliven this area of East Cambridge. But the Planning Board should work to see that there are enforceable provisions for appropriate mitigation commitments to offset the impacts of the project, and public benefits for the citizens, employees, and visitors of Cambridge. In this way we can ensure that the public's interest in parklands and waterfront access are protected, and that an unfortunate precedent is not established of permitting private development interests to override the public good. The specific mitigation and public benefit commitments that we are seeking are described in more detail below.

This development is a unique opportunity for EF to not just construct a building, but rather a "campus." Incorporating North Point Park, the proposed Charles River Skatepark, and the surrounding public lands into this "campus" will create an innovative, thriving atmosphere for its employees, students and the public.

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## **Context: Restoring the Lost Half-Mile of Charles Basin Parks**

EF's development project warrants special attention because of its potential impacts upon a key link in the state-funded system of Charles River Parklands. In 1997, the state issued its plan to reclaim the "lost half-mile" of public parkland along the New Charles River Basin between the Science Museum and the Charlestown Bridge. With mitigation funding from the Central Artery project, about \$100 million will be spent on parkland restoration and pedestrian bridges in the New Basin providing important new links. Most of those mitigation efforts have already been completed. The construction of the North Bank pedestrian bridge over the railroad tracks is financed by \$30 million of Federal Stimulus Funds and has already started. Soon residents and visitors will be able to walk freely along the Charles River east to Charlestown.

To support this extraordinary public investment, the Conservancy has been working for years to raise funds for a skatepark under the ramps of the Zakim Bridge in East Cambridge, in an area of the Parklands that would most likely otherwise go unused. The Charles River Skatepark is a CRC project undertaken in close collaboration with the Department of Conservation and Recreation (DCR). Grindline, an industry leader in skatepark design and construction, came up with a conceptual design, which evolved over several years with the input of some 400 skaters. To date, the CRC has raised \$2.5 million for this facility. Funders include the State of Massachusetts, the City of Cambridge, the Boston Redevelopment Authority, dozens of foundations and hundreds of individuals. The skatepark has the full support of a wide coalition of political, business, and civic leaders across the region. The Boston Globe published an editorial entitled "An Extreme Vision" along with many other articles about this exciting project.

While DCR will be responsible for construction of the Charles River Skatepark, the agency is unable to commit to sufficient funds for operations and maintenance. Through the RFP process, DCR will select a third party operator, who will be funded by the CRC as well as by revenue generated from on site events. Everybody – funders and skaters, appointed and elected officials, and, of course, the CRC – is anxious to see the skatepark built and in full operation. Now is the opportunity to forge a true public-private partnership, involving corporate neighbors such as EF, to make this public amenity an invaluable addition to the North Point area.

## **Future Public Review and Potential Mitigation Measures**

The precedential nature of this development, and the extraordinary public concessions that it is seeking from the legislature and Cambridge, heightens the need for full and open public review. We have already communicated our concern that the EF project needs to be reviewed by all relevant state environmental agencies, including the following:

- MEPA review by the Executive Office of Energy and Environment (EEA);
- Chapter 91 licensing by DEP; and
- Review by EEA under its Article 97 Land Disposition Policy, including compliance with the standards for "no net loss" of parklands and net benefit to the public.



Following the full and open public review of the development project, we expect that EF will enter into enforceable mitigation commitments for the benefit of the public who will be using this area of the Parklands. And of course, the Cambridge Planning Board has the authority to require these public benefits under Cambridge zoning. These should include:

1. The provision and maintenance of public bathrooms for all park users within the ground floor of the EF building at an easily supervised location;
2. Provision of an appropriately located space for a Skate Shop and snack area within the ground floor of the EF building, with ongoing operating subsidies as required to facilitate the Skatepark success and overview;
3. A design for the EF building and its surroundings that ensures a welcoming atmosphere for Parkland and Skatepark users. For example, the ground floor should be designed to be open and accessible, with the maximum feasible area dedicated to facilities of public accommodation, and with those public facilities oriented toward the Skatepark and the Parklands;
4. Providing funds to ensure the maintenance and operations of the Skatepark (comparable to the commitments by the CambridgeSide Galleria for Parkland maintenance and operations);
5. Building and maintaining new tennis and/or basketball courts within the Parklands at an appropriate location, as offered by EF representatives at their presentation to East Cambridge Planning Team;
6. Providing lighting for the Skatepark and courts and funding for the maintenance of that lighting; and
7. Installing and monitoring of security cameras and call boxes for the Skatepark.

In closing, I do not want to overlook that EF has been a generous contributor to the CRC. They provided us with office space when we were a fledgling operation and they participated in parkland river clean ups events. We believe that they are a responsible corporate citizen and have much to offer to this area in the future. However, we do believe that they - like all beneficiaries of public largess - should be asked to carry their measure of responsibility for the Parklands from which they will continue to derive substantial benefits.

Above all, we feel that these mitigation commitments should not be viewed as a burden, but rather as a great opportunity for EF. As this site is the location of EF's U.S. Headquarters, creating an active, lively environment for its staff and students is an invaluable investment in the company's success and longevity within the



community. In addition, by agreeing to preserve and enhance these public amenities literally at the doorstep to their campus, EF has the opportunity to target its primary audience, Boston's youth, for future business and growth.

For the City of Cambridge, as well as for the entire region, enhancing the North Point Park area has foreseeable tourist benefits. The Skatepark provides a tangible tourist attraction, and could be used as a venue for community gatherings in addition to large-scale events. This truly should be viewed as a "positive sum game" for everyone involved, and EF should recognize that this property and its surrounding development would continue to provide them with invaluable benefits for many years to come.

Yours Truly,

*Renata von Tscharnner*

Renata von Tscharnner  
Founder & President  
Charles River Conservancy

CC

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