

44th ANNUAL REPORT 2000

of the Executive Director

Cambridge Redevelopment Authority

City Council Actions

Mid year, the Authority Board voted to authorize the Executive Director to have an application for a Community Development Action Grant II prepared, which the City Manager would then file. The grant was intended to finance extensive surface improvements on the fencing located in the landscaped median on Main Street, beginning at the MBTA portal and extending along Broadway to Third Street” (aka “gateway” project), on behalf of the City of Cambridge. In order to satisfy the state funding source’s matching grant provision, the Authority was required to secure the abutting property owners’ (MIT and Lyme Properties) support, as well as their private sector match to Community Development funding.



In mid September, the Authority asked the Department of Public Works to assume responsibility for installing new City-standard trash receptacles in Kendall Square.

In December, the Authority clarified with Public Works its understanding of improvements to be made along the Broadway/Western Connector intersection. City-standard trash receptacles were

to be installed at both the northwest and southwest corners. A London Plane tree was tagged to be installed in the planting strip between the curb line and front of the sidewalk, and another at the rear of the sidewalk, along the west side of the Western Connector. The Director of Traffic, Parking and Transportation advised the Authority that two trash receptacles (for northwest and southwest corners) could not be installed at the Connector intersection under the Surface Improvement Project, as the Authority had suggested. The Director of Traffic, Parking and Transportation suggested instead that Public Works add the extra two receptacles to the ten it already planned to install throughout Kendall Square.

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In mid December, the Authority determined that office space was available at One Cambridge Center, to be used as the Authority office. Boston Properties was asked to have a draft form of the lease prepared for the 1,250+/- square foot space together with an estimate for improvements, as well as an estimate to paint existing walls and install new carpeting.



The Authority's new location at One Cambridge Center

Wellington-Harrington Urban Renewal Area

In mid June, the Authority was advised of an issue regarding the Wellington-Harrington segment of Cambridge Street and eligibility for Community Development Block Grant (CDBG) funding. Ongoing CDBG funding was in question. The Authority was asked to extend the Wellington-Harrington Urban Renewal Project another year, thereby making the project eligible for CDBG funding for another year.

Kendall Square Urban Renewal Area

In January, the Authority was requested to release certified payroll records of its contractor D'Allessandro Corporation in order to verify compliance with prevailing wage laws. In order to protect against the unwarranted invasion of the

personal privacy of private contractor employees, the Authority redacted the personal identifiers from the payroll records. The interested party appealed the response of the Authority, requesting unredacted copies of the payroll records. In March, the Massachusetts Attorney General determined that the public interest in monitoring government operations was met by the redacted payroll records the Authority had already released. However, the Attorney General subsequently reversed this determination and directed the Authority to provide unredacted payroll records, citing an advisory from the Office of the Attorney General's Fair Labor and Business Practices Division that stated that personal identifiers such as name, address, classification, hours worked, base pay and regular deductions must be made available. The Authority then asked the Attorney General to rescind both the directive to provide the unredacted records and the related advisory, citing legal precedent that states a custodian of records must balance the public interest in obtaining the information with the privacy interest of the individual whose personal information is being released. The Authority also pointed to the court's traditionally-held view that private contractors bidding on publicly-funded projects do not knowingly surrender their privacy rights, as is the case when public employees accept employment with a government entity. In May, the Attorney General declined to rescind the directive and the advisory, stating that the advisory permits certain redactions, such as social security numbers, but that in order to ensure compliance with prevailing wage laws of the Commonwealth, names and addresses could not be redacted.



In April of 1999, in response to increasing development pressure and growth in traffic in eastern Cambridge, the City of Cambridge commissioned a study of the area, the East Cambridge Planning Study (ECaPS), which included parts of East Cambridge, Wellington-Harrington, and Area IV neighborhoods, along with Kendall Square, North Point, and transition areas along Binney and First Streets. The committee held its first of a series of public meetings in September 2000, with several common themes emerging from discussion including the need for more affordable housing and open space, better management of traffic, and improved public transit and bicycle facilities. In response to an ECaPS request for the identification of open space in the MXD district, the Authority identified the following nine areas: Murphy Park; Transit Plaza; Parcel 4 Garage Roof; Pedestrian Walkway; Six and Eight Cambridge Center Park; Parcel 2 Garage (Broadway); and Parcel 2 Garage (Binney) -- a total of more than 200,000 square feet of open space. In an attempt to balance the public's desire to see 25% or more of the Volpe site become open space and the consultants' recommendation for a smaller open space at the site, the Committee recommended a scenario in which the open space added up to 25% of the total area of the site, with that open space dispersed throughout the site rather than in a consolidated parcel.

See next two pages for

*ECaPS Planning Study
and
Alternative 3 for
DOT & NSTAR Property*

At an Energy Facilities Siting Board (EFSB) public hearing in July, the Authority identified specific concerns about the routing for proposed construction of an underground electric transmission line by the Cambridge Electric Light Company (NSTAR) on land that abuts Authority-owned property and petitioned the Energy Facilities Siting Board for leave to intervene. The Authority retained the firm of Bernstein, Cushner & Kimmell P.C. to represent the Authority in matters before the EFSB.



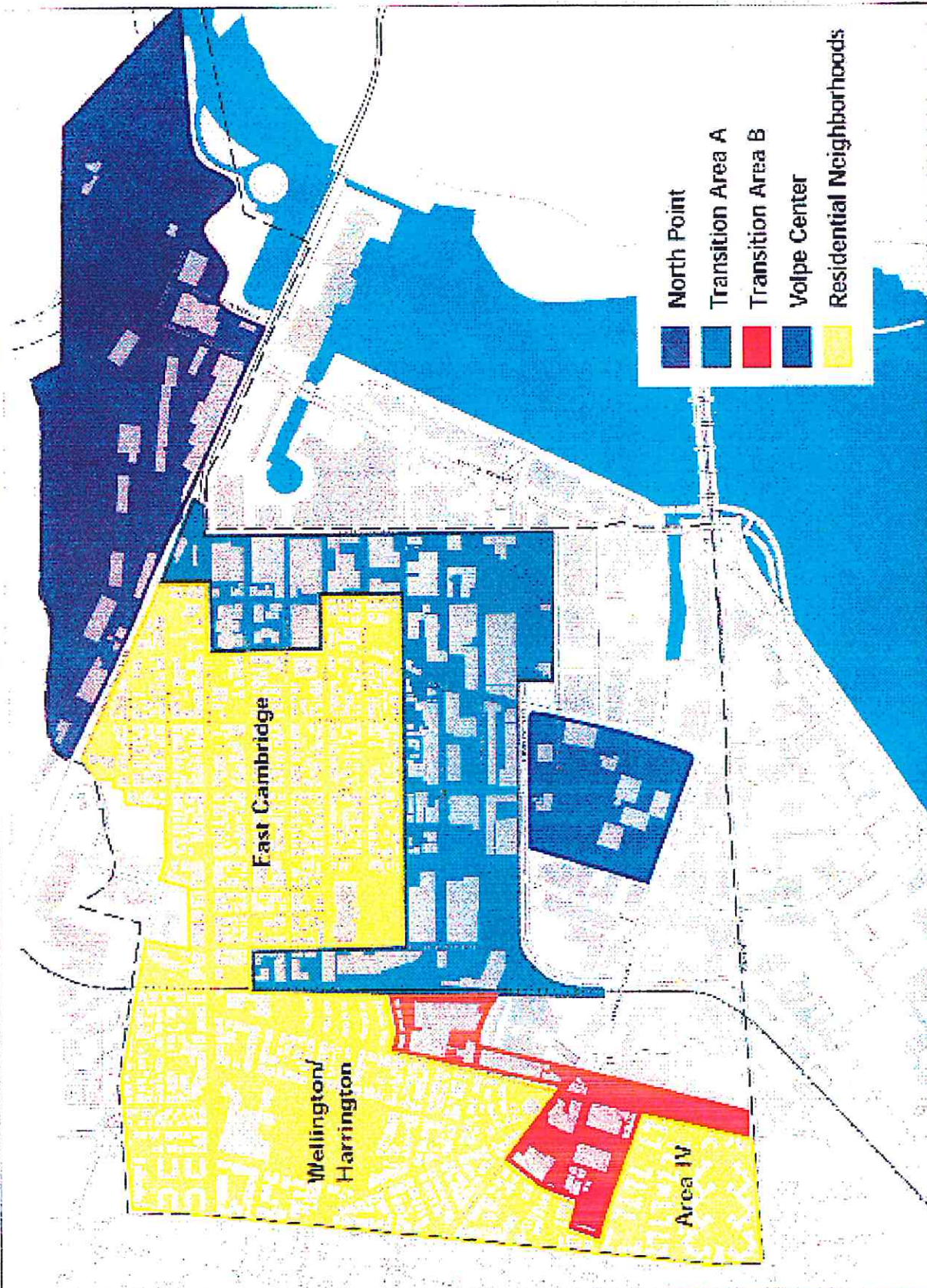
In August, the Authority reviewed proposed amendments to the MXD zoning district prepared by the Community Development Department (CDD) to be submitted for approval to the Planning Board and for enactment to the City Council. The Authority took exception to three proposals: the "inclusion of rooftop mechanical equipment in height limits," the "inclusion in FAR of structured parking on or above grade," and the requirement for "a minimum of housing within the MXD district..."

At a November Planning Board public hearing regarding the City-Wide Zoning Petition, the Executive Director of the Authority presented testimony, asking the Planning Board to make the following changes in the amendments: 1) exempt the MXD district from the proposed amendment limiting mechanical equipment; 2) delete the amendment

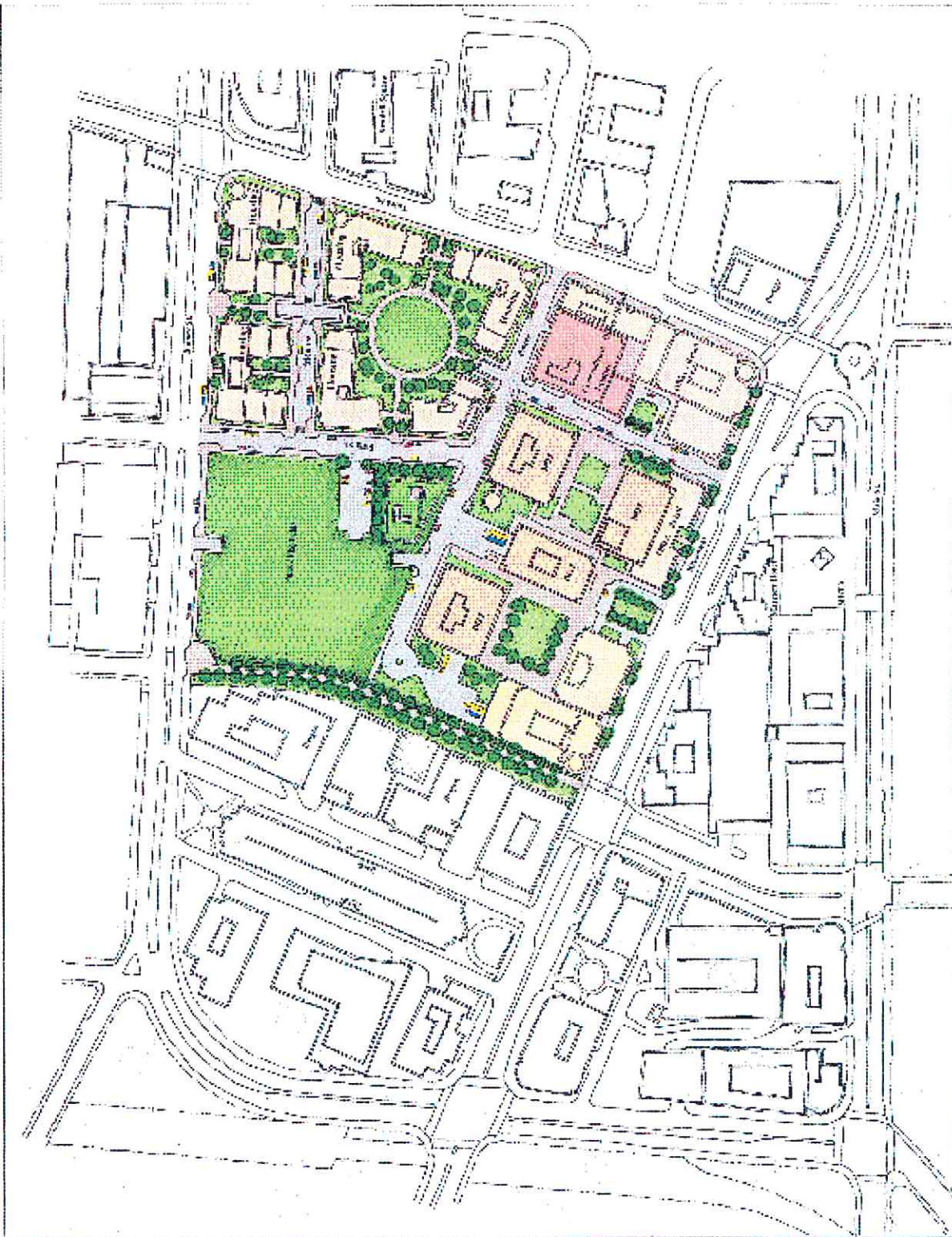
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Rooftop Mechanicals



EASTERN CAMBRIDGE PLANNING STUDY
 for the Cambridge Community Development Department
 Gandy, Clancy & Associates • Lewis Corporation, Inc. • Urban Mobility & Associates • Environmental Research Associates • County Associates • S&S Engineers
 4/1/01



requiring residential use in the MXD District; and 3) modify the proposed PUD-3A District to require public open space, housing and supportive retail on Parcel 1. The Authority explained to the Planning Board that the proposed amendment limiting rooftop mechanical equipment would make it impossible for Biogen to complete its obligation to develop the last two building sites on Parcel 2. The Authority also explained its objection to the amendment requiring residential use in the MXD district and recommended that underutilized land on Parcel 1 be developed for housing (and open space) instead. The following night at a City Council public hearing regarding the City-Wide Rezoning Petition, the Executive Director presented similar testimony.

At a public hearing in early December conducted by the City Council Committee on Ordinances on the Citywide Rezoning Petition, the Executive Director presented testimony expressing the Authority's formal objection to the proposed Citywide Rezoning Petition. The Executive Director explained that the proposed zoning changes would 1) interfere with the Authority's and other public obligations under the terms of the development agreements by and between the Authority and Boston Properties, and would 2) interfere with Biogen's obligation to complete its development under the terms of the Chapter 121A Project, previously approved by the City Council and the Commonwealth. The Executive Director requested the City Clerk's determination whether twenty percent (20%) of the affected land owners had filed a written protest. In addition, he proposed changes to the zoning map so that the land bounded by Potter, Third, Binney and Pedestrian Way be changed to the PUD-3A district, and that the land bounded by Potter, Third, Broadway and the Pedestrian Way remain in the 0-3A District. Also, he proposed the three changes to the zoning text, in the event that the City Council wanted to pursue multi-family housing on Parcel 1.

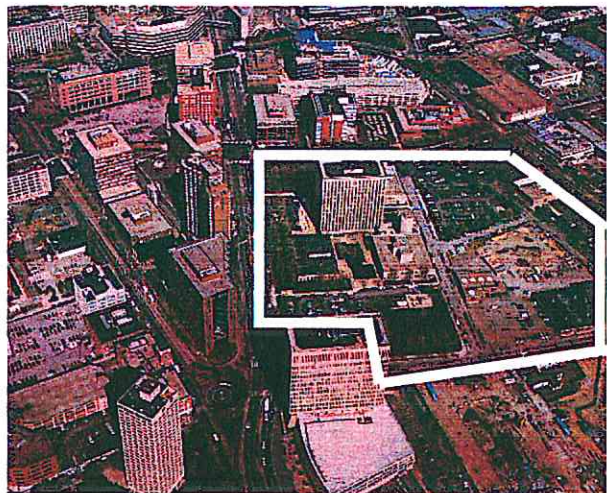
In May, additional shuttle bus service in Kendall Square commenced, with the line called the Tech Shuttle running between the Kendall Square MBTA station and Vassar Street at Massachusetts Avenue, and the line called The Link running between the Kendall Square MBTA station and the Pfizer building on Memorial Drive.

Kendall Square Urban Renewal Area / Parcel 1

At its October meeting, the Authority received a report on efforts to begin a legislative initiative in the case of the Federal Government's land on Parcel 1 (DOT site), and its nascent negotiations with NSTAR regarding possible joint development of NSTAR land on Parcel 1. At that time, the City Council passed a resolution to support the efforts of the Authority to reconvey the DOT site for open space and housing purposes, to secure Federal or State funds for the acquisition and requisite site preparation activities of the NSTAR land, and to assist the Authority in the appointment of an advisory committee consisting of representatives of the community, appropriate recreation and housing organizations, and the Community Development Department.

In late October, the Authority advised Boston Properties of the following: 1) timing of the filing of the Parcel 1 legislation and the legislation's provisions related to private development opportunities; 2) the need for and cost of technical consultant services (i.e., urban design, engineering, graphics, legal and government relations consultant services); 3) plans for neighborhood reviews regarding the legislation; and 4) early discussions with NSTAR on the potential inclusion of its Third Street site in a housing package.

continued on next page



Parcel 1

In November, the Authority Board authorized expenditures of up to \$160,000 to arrange for the reconveyance and acquisition of a portion of Parcel 1 for the purpose of creating open space and housing, with the Authority providing twenty-five percent (25%) of the needed funding and the private developer(s) providing seventy-five percent (75%).



Open Space & Housing Coalition

In December, the Authority enlisted support from neighborhood organizations for the Parcel 1 legislation, asking that each organization designate a representative to serve on an advisory committee to work with the Authority in designing and developing open space and housing on Parcel 1.

Kendall Square Urban Renewal Area / Parcel 2

A series of four Project Team meetings were held at Biogen during the winter to discuss the progress of construction on 15 Cambridge Center, and a “Topping-off” ceremony was held in early April.



Joe Tulimieri and Biogen CEO, Jim Mullen, at Topping Off Ceremony for 15 Cambridge Center

In mid March, the Cambridge Pole and Conduit Commission held a hearing to review Biogen’s petition to construct an underground fiber optic cable conduit for telecommunications/ data networking. Abutters were notified of the hearing. The Commission approved the petition.

At a mid-May meeting with Biogen and Sasaki Associates, the Authority’s landscape consultant reviewed and, with some comments, approved proposed modifications to the landscaping plan for 15 Cambridge Center.

The Authority and its consultants gave their comments on a Sasaki memo and drawings for the Pedestrian Walkway around the North Garage. Biogen notified the Authority that they had investigated two alternative plans for the Pedestrian Walkway. Based on the anticipated costs, Biogen was allowed to proceed with the original plans for the crosswalk between 15 Cambridge Center and the North Garage pedestrian entrance.

In November, the Authority and Biogen jointly drafted a letter to the Community Development Department in order to update the CDD on IPOP (Special Permit) conditions related to 15 Cambridge Center. Biogen announced to Boston Properties and to Spaulding and Syle its initiatives designed to reduce the number of single occupancy vehicles and to promote alternative forms of transportation for Biogen employees. In order to provide additional incentive to Biogen employees, Biogen asked Boston Properties and Spaulding and Syle to set aside a certain number of preferential



North Garage

parking spaces for those who carpool to work in the North Garage and the East Garage.

In June, the Executive Director presented the Good Scout Award from the Cambridge Council of Boy Scouts to James C. Mullen, President and CEO of Biogen, Inc.

In mid-May, the Authority's landscape architect consultant advised the Authority of his approval of proposed modifications to Biogen's Binney Street Courtyard.



Biogen's Binney Street Courtyard

At a July meeting, the Authority voted to ratify, approve and affirm modifications to the 15 Cambridge Center Plan as identified in a letter from Sasaki Associates, the project's landscape architect.

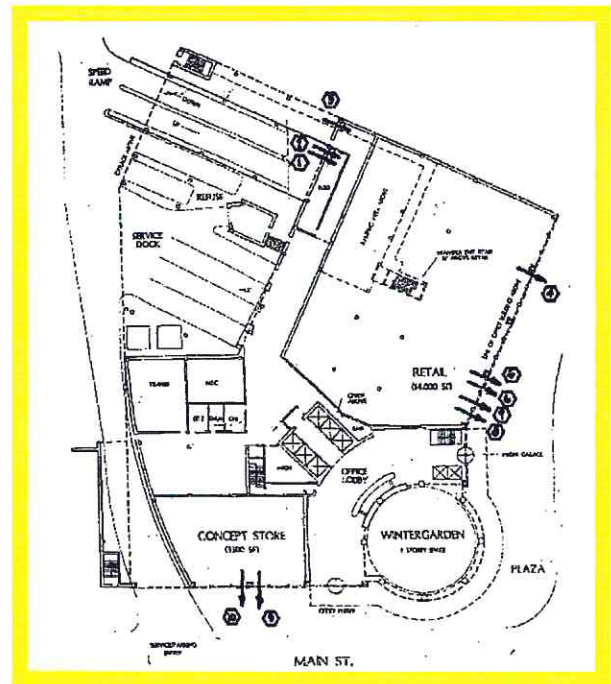
In mid October, the Authority voted to ratify, affirm and approve the relocation and installation of two cooling pumps and a control panel at 11 Cambridge Center, subject to final review of proposed screening by Authority staff.

*See next page for Sasaki drawings
for Pedestrian Walkway*

Kendall Square Urban Renewal Area / Parcel 3

In April, the Authority voted unanimously to authorize the filing of an IPOP application for 7 Cambridge Center jointly with Boston Properties.

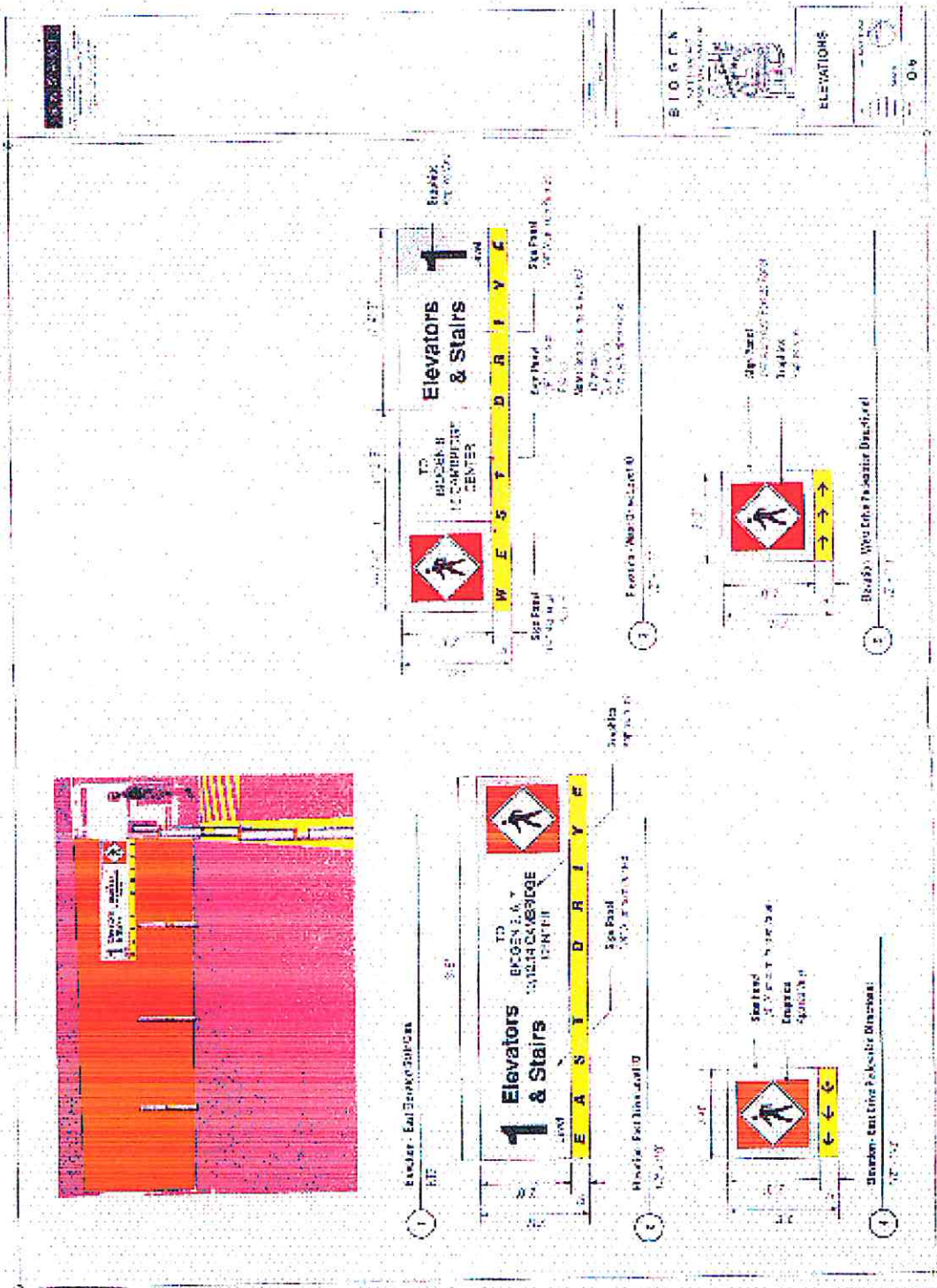
In July, the Authority received the report of the Design Advisory Group and a memo from the Executive Director recommending conditional approval of the Schematic Design Phase Submission transmitted by Boston Properties for the development of 7 Cambridge Center. The Authority voted to ratify, affirm, and conditionally approve said Schematic Design Phase Submission.



Schematic Design for 7 Cambridge Center

In June, a revised legal description of "Sign Easement" (required in connection with the so-called "tombstone" sign for 6 Cambridge Center) was inserted into the Easement, and the Second Amendment to the Parcel 3 Easement Agreement, with said revised legal description, was approved at the July Authority meeting.

In June, the Authority advised Boston Properties of its concerns regarding the Plaza Waterproofing Project and other Plaza renovations.



Kendall Square Urban Renewal Area/ Parcel 4

In October, the Cambridge Superintendent of Streets sent a letter to all newspaper vendors requesting removal of newsracks prohibiting handicap access and egress from MBTA buses and other transportation services. The Authority, on the advice of Foley, Hoag and Eliot, drafted a letter to publishers giving notice of a violation of the Policy Regarding Newsracks, a Cambridge Ordinance, and requesting that newsracks be removed within 10 days of the date of the letter.



In October, the Authority notified Spaulding and Slye of the results of its review of the concept design for the Garage Rooftop, the general concern being that the design lacked focus and definition. In November, the Authority completed its review of the Garage Rooftop design and sent its comments to Spaulding and Slye. The Authority advised that it was awaiting further submissions with respect to



Rooftop Garden at East Garage

the pavilion/pergola designs by the project's architect before making a decision. The Authority indicated that they would also review subsequent design proposals regarding electric and telecommunications outlets on the rooftop, pedestrian lighting, signage/graphics/artwork, as well as sculptural elements at the west and southwest corners of the rooftop garden.



Rooftop Garden at East Garage

Kendall Square Urban Renewal Area/ Parcel 7

In March, the Chairman and a ranking member of the Subcommittee on VA-HUD-Independent Agencies was asked by Representative Michael Capuano to include the Authority's request for \$1.9-million in Federal assistance to implement the Cambridge Center public space initiative in its 2001 Appropriations bill.

The Authority met with Senator Kennedy's staff and Representative Capuano in connection with the filing of legislation with the Senate and House Appropriations Committee for development of open space in Kendall Square. Then follow-up letters were written by the Authority, Neighbors for a Better Community, and others. In April, Jacqueline Carroll, President of Neighbors for a Better Community, Inc., advised Capuano and Kennedy's staff of a pressing community issue. They articulated the need for capital funds to make the necessary physical improvements as the City combined the enrollments of two neighborhood schools. In early May, Authority Board member Alan Bell, on behalf of the Authority, thanked the Kennedy staff and Capuano for their support and advised them that the Authority had reviewed the concept design, authorized the preparation of schematic drawings,

refined cost estimates and made a report on the demographics of the abutting residential neighborhoods.

At the April Authority meeting, the Executive Director reported on a request from Amgen and ComEnergy Steam Company for a temporary license to install a 36-foot conduit containing steam and condensate lines to serve Amgen's new building and on a permanent easement running to the Steam Company for such use. The Authority voted unanimously to approve a temporary license agreement with Amgen and its general contractor to install the conduit and to compensate the Authority with not less than \$17,500 for the term of the agreement. In May, Walsh Brothers notified the Authority that as construction manager for the Amgen Center project, they would be responsible for paying the monthly usage fee for utilizing a portion of Parcel 7 for construction staging purposes, and they asked the Authority to address all invoices to them.

In May, the Authority granted Lyme Properties a license agreement for temporary use of Authority-owned land for construction staging purposes (namely 320 Bent Street and 301 Binney Street). At its July meeting, the Authority voted to approve, ratify and affirm this temporary License Agreement with Lyme Properties involving 25,000 square feet of land on Parcel 7 with a monthly user fee paid to the Authority in the amount of \$3,750.

In a June 13 letter to AK Media/MA, the Authority re-capped a telephone conference it conducted on June 7 with AK Media's Operations Manager during which it was established that a representative of AK Media entered upon Authority-owned land and "topped-off" a London Plane tree owned by the Authority, without prior notice to or authorization from the Authority. The letter reiterated AK Media's commitment to reimburse the Authority for the replacement of the tree and described the steps the Authority had already taken to replace the tree.

Election of Officers

At its September meeting, the Authority Board elected the following as Board officers for 2001: Jacqueline Sullivan to serve as Chair; Alan Bell to serve as Vice-Chair; and Karen Swaim Babin to serve as Treasurer