

**Subject:** SUPPORT for Policy Order O-13 Re: the Sullivan Courthouse

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**To:** Council@CambridgeMA.GOV

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Dear Council Members,

Policy Order O-13 put forth by Councillors Carlone, Mazen, McGovern and Toomey merits adoption by the full Council. As you are surely receiving a lot of email on this topic, I will keep this one as brief as possible. Note that I am writing as an individual, though I am a member of the NAEC. Several of my fellow NAEC members are copied.

This order merits adoption because the proposal put forth by the developer is simply inappropriate, and inadequately supported, and should be firmly blocked by all relevant City bodies, including the Planning Board, the CDD, the ZBA, and of course the Council.

The proposal is inappropriate because it seeks to jam a giant office tower, full of 2,000 commuters and with lights blazing 24 hours a day, into a quiet residential neighborhood. No sane planning process would produce this outcome. The fact that the site formerly had a public use doesn't change anything; if anything, it **\*increases\*** the burden on the developers, since under Cambridge's Zoning Articles, they must show that the proposed use would be no more detrimental to the neighborhood than the former use. Plainly that is not the case here; in at least seven respects (traffic, parking, wind, solar glare, night-time light pollution, noise, privacy) the proposed building will add detriment.

The proposal is inadequate because Leggat-McCall (LMP) simply has not put forth any compelling justification for it. Their proposal is not responsive to the State's RFP, which noted that the site lies within a "Zoning District" with "Maximum Height 80 Feet." LMP has not said why they, as a private entity, should enjoy the public exemption that the State enjoyed when it forced the Courthouse onto the City in the 60's. They have put forth two sets of traffic numbers, one to the City and one to the State; plainly both cannot be correct. At community meetings in East Cambridge, LMP has presented incoherent "studies" about the impact of the building, and has done so in what seemed to be a deliberately misleading (not simply incompetent) way. They have asked that any MEPA review of the project be waived, even though the project would plainly have a massive environmental impact; the site spans a full city block and holds a ~600,000 sq. ft. building full of friable asbestos!

In the present instance, LMP has put forward parking numbers that simply do not add up. The City should not for a moment contemplate blessing their proposal with an agreement to lease municipal parking to LMP. To be clear, refusing the lease means rejecting the proposal in full.

And that is really the goal of this Policy Order: to stop this unwise proposal from going forward. The City should use all means at its disposal to send a strong message to the State:

"Do not think that you can ram another mistake like the Courthouse down our throats. We have zoning rules that constrain private development, and we intend to apply them here. Proposals to convert public structures to private use should and will undergo heightened scrutiny, as in this case."

As you know, we are advancing this stance to the Planning Board as well, where we ask for Denial of LMP's Special Permit application #288. Not delay, but Denial, in order to send DCAMM back to the drawing board so that they will put out an RFP that respects this City and its residents.

Finally, when studying Council Policy Order O-2 adopted 22 April 2013, which resolved that the Council "go on record asking the Governor" to explain his role in the Courthouse fiasco, I learned from the Clerk that "This order did not instruct the City Clerk to forward this resolution to the Governor so this was not sent by the City Clerk's Office." This is regrettable; presumably the Council wants the subject of its Orders to know what you have so thoughtfully Resolved. Thus, should the Council adopt the present Order, I suggest that you also direct the Clerk, in clear terms, to communicate its full text to "DCAMM and the developer."

Thank you for your consideration of this important matter.

Sincerely,

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