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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

October 19, 1983

Unihab/Cambridge, Inc.
14 Arrow Street
Cambridge, MA 02138

Attention: Jeffrey Baron, Project Manager

Dear Mr. Baron:

Re: Planned Unit Development Special Permit PB #17 -
Lechmere Canal Condominiums "Graves Landing"

The Planning Board, at its regular meeting on October 18, 1983, upon a finding of good cause as outlined in a letter to Arthur Parris, dated October 13, 1983 (enclosed), grants an extension of the effective date of the permit PB #17 to a date 30 days after the City's offer to Unihab of the right to purchase the surplus land from the Phase II roadway takings as described in the October 21, 1981 Development Agreement, or November 10, 1984, whichever comes first.

Voting to extend the permit were Arthur Parris, John Woolsey, Carolyn Mieth, Joyce Bruckner and Alfred Cohn.

Respectfully yours,

For the Planning Board

Arthur C. Parris
Chairman

ACP:jp

cc: Richard Horgan, Inspectional Services
Paul Healy, City Clerk

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CITY HALL, MASS.

unihab

October 13, 1983

Mr. Arthur C. Parris
Chairman, City of Cambridge Planning Board
City Hall Annex
57 Inman Street
Cambridge, MA 02139

RE: PB-17 Thomas Graves Landing
Lechmere Canal, Cambridge, MA

Dear Mr. Parris:

The special permit granted by the Planning board on November 10, 1981 for the above referenced project was due to expire on November 10, 1982. Last year the Board approved a one year extension to November 10, 1983, as provided for in Article 12.41 of the Cambridge Zoning Ordinance. Several factors beyond our control continue to prevent us from proceeding with construction and we need to obtain an extension of our Special Permit in order to proceed with construction after November 10, 1983.

Our attorneys have informed us that the statute governing all special permits in Massachusetts, M.G.L.C. 40A, S 9, provides that all such special permits shall lapse in the period of time specified in the local ordinance or by-law, not to exceed two years, if construction has not begun by that date. That same statute provides, however, an exception to that limitation "for good cause". We believe that there is ample evidence of "good cause" in the case of our special permit arising out of delays in public actions essential to the development of our project including, among others, the completion of the Lechmere Canal Park and the proposed land takings associated with the widening of the Monsignor O'Brien Highway and Commercial Street. Accordingly, we respectfully request that the Planning Board make an express finding of "good cause" and vote to extend Special Permit #PB-17 as hereinafter provided.

We would like to review the history of our involvement in the Redevelopment of East Cambridge in order to fully demonstrate our diligence and best efforts to move our project forward.

In May of 1978 the East Cambridge Riverfront Plan was published by the Community Development Department. On June 6, 1978 we entered into an agreement with the Museum of Science to purchase the land included in the development of Thomas Graves Landing with the expectation that we would be following the schedule shown on page 33 of the East Cambridge Riverfront Plan.

This schedule called for the completion of all major elements of the public infrastructure by the end of 1983. Unfortunately, none of the public improvements has been completed and most are several years behind schedule.

We were scheduled to start construction in the Spring of 1981 with the expectation that the Canal Park would be completed by the Spring of 1982. By early 1981 it was apparent that virtually all of the projects in the Lechmere Triangle would experience significant delays. We were hopeful that the delays we had seen would not continue and on July 9, 1981 we submitted our P.U.D. application for Graves Landing. We received final approval on November 10, 1981, by which time it was clear that there would be further delays.

On October 21, 1981 we signed a Development Agreement with the City of Cambridge concerning several land transfers from us to the City for park use. At that time the City agreed to complete the Lechmere Canal Park no later than September 1, 1983, however, the present completion date is now projected to be May, 1985.

This October 21, 1981 agreement also stipulates that we are to be given the opportunity to purchase surplus land that the City may acquire as a result of the takings for the Phase I (Monsignor O'Brien Highway) and Phase II (Commercial Ave. and Bridge) roadway improvements. These land takings, originally scheduled to occur in 1980, are now tentatively scheduled for the winter of 1983-84. Our development, as outlined in the City's East Cambridge Riverfront Plan and as approved by the Planning Board, includes these parcels which we are as yet unable to acquire.

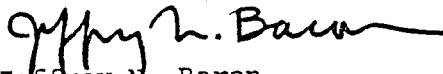
Because of the above delays we think that there is good cause for granting an extension for the start of construction, and that the start of construction should be tied to our ownership of the Phase II roadway surplus land. If this extension is granted and the taking of the roadway parcels happens as now scheduled, we will be able to proceed with construction in one phase and complete construction by the end of 1985.

We therefore request that the date for commencing construction be extended to a date 30 days after the City's offer to Unihab of the right to purchase the surplus land from the Phase II roadway takings as described in the October 21, 1981 Development Agreement, or November 10, 1984, whichever comes first. The Phase II roadway taking is scheduled to be the last of three events (Park construction, Phase I roadway taking and Phase II roadway taking) upon which our construction commencement is dependent.

We look forward to meeting with the Board and answering any questions the members might have regarding the status of our development.

Thank you for consideration of our request.

Sincerely,
UNI HAB/CAMBRIDGE, INC.


Jeffrey N. Baron
Vice President