

Thursday, February 10th, 2022

Dear CHC, Fellow ECNCD Study Committee Members, and other Interested Persons,

After last month's ECNCD meeting, and in response to community feedback, [the most recently published version of the ECNCD Preliminary Report](#), and CHC Director Charlie Sullivan's request for specific words/language, I propose the attached agenda items and language for the upcoming meeting. CHC, please post this letter, as well as the [Report on the Hidden Costs of Historic and NCDs](#), the attached two letters from the East Cambridge Business Association, and the attached PDF email from the East Cambridge Resident on the [ECNCD Study Web Page](#) in the "Documents to be discussed" section for the upcoming February 16, 2022 meeting.

1- Omission/Failure to Acknowledge ECBA's (East Cambridge Business Association) Feedback

On page 47 of the January 14th Draft, the report outlines how it directed the petitioners to present to the ECBA as part of its recommended, further community outreach and that the presentation was held on September 10, 2019. While the CHC felt the ECBA was significant enough of an interested community organization to recommend this presentation, the report fails to mention the ECBA's response.

To fix this omission, I **propose** the following language be included in the draft, on page 47, directly after "The East Cambridge resident group presented to the East Cambridge Business Association (ECBA) on September 10, 2019. Staff attended the meeting to answer questions."

"After the presentation, on September 30, 2019, and again on September 8, 2020 the ECBA responded to the CHC with its concerns and outlined its reasons for not supporting the ECNCD as proposed by the petitioners."

For completeness, please include the two attached ECBA letters in the appendix of the study draft.

2- Accurately Describe the March 2, 2020 In-Person Meeting

The discussion at our last meeting, and the email sent to the Study Committee the following day from an East Cambridge resident made it clear that the current draft's account of the March 2nd, 2020 meeting falls well short of describing what actually happened. While we clearly mustn't omit what transpired at this pivotal meeting, it would also be unfair and inaccurate to oversimplify it as it now represented in the draft:

"When public comment was solicited, the meeting become disorderly with some members of the public speaking over each other and making personal attacks on study committee members and to other members of the public. The primary contention of the opponents seemed to be that the study represented an attempt by older, white property owners to prevent new development for their own enrichment. City staff were unable to regain control and concluded the meeting ten minutes early. The sign-in sheet for the meeting included a dozen attendees who lived outside of the study area, many of whom participated in the disruptive behavior."

As a Study Committee member in attendance, the above account does not accurately reflect my experience, and that of many others who attended the meeting. The current account in the draft oversimplifies and understates attendees concerns, chooses an arbitrary "primary contention", attempts

to blame all the disruption on outsiders (non East Cambridge residents or property owners), and therefore summarily dismisses the valid concerns and frustration experienced by many of those in attendance that evening.

I **propose** we replace the text above with:

Many in attendance were under the impression that the meeting would be more interactive — that they would be allowed to ask questions and voice their concerns regarding a potential ECNCD. When it became clear that attendee participation would be limited due to the length of the [slide presentation](#), many attendees, having made arrangements and taken time out of their days in order to weigh in on the issues, grew frustrated. Tempers flared on both sides and City staff were unable to regain control of the meeting which was concluded ten minutes early. Many attendees left the meeting frustrated, feeling that their input was not welcomed or valued by the process.

One East Cambridge resident was called out at the last ECNCD January meeting and he took the time to summarize his experience at the March 2020 meeting in a detailed letter to the entire ECNCD Study Committee. I **propose** we include this (PDF attached) letter in the public record, complete with all active links in the appendix of the forthcoming ECNCD Study Commission Report.

3- Housing Costs: Not Settled Business

On page 33 of the current draft, under “II C. Property Values and Rents in Historic Districts and NCDs”, the report acknowledges “A study conducted in New York City between 1980 and 2000 found that local historic district properties on a price per square foot basis increased in value significantly more than non-designated properties” and that ‘Similarly, a study of four towns and cities in Connecticut in 2011 determined “in head-to-head square-foot comparisons based on age and style, properties within local historic districts were worth more than similar properties not within the districts”.’ It goes on to describe a 2008 Dallas study which demonstrated “a positive and statistically significant relationship between residential sales prices and properties located within conservation districts”.

The CHC then goes on in the report to repudiate, discredit and otherwise discount the relevance of these studies to the circumstances we have in Cambridge. The CHC then takes it upon itself (Study Committee was not consulted at all) to conduct their own study with the help of other City Departments.

The report then dedicates six pages to their study and concludes on page 39 that:

“NCDs do not materially affect property values or rents”

The report fails to mention however the many problems and issues with the study’s methodology as avowed by Clifford Cook, Senior Planning Information Officer for the City of Cambridge at the March 17, 2021 meeting. ([Video available here](#). Password: tC+u#1v8) When questioned, Mr. Cook admitted that the methodologies were dated — using Craigslist listings vs. the current market preference of posting listings on FaceBook, the methodologies were “Far from perfect”, “skewed”, had “biases”, and likely tainted by a myriad of other factors.

The study was deeply flawed and would never stand up to peer review, let alone the most basic scrutiny of scientific methods. While the City is to be commended for their efforts, to omit these critical facts about the study's methodology and then go on to conclude that "NCDs do not materially affect property values or rents" is not only dishonest and misleading, but is a violation of civic trust which destroys the entire reports credibility.

I **propose** *the entire study and the conclusion both be removed from the report.*

Alternatively, If you feel the need to include the study into the report, at least be honest about its shortcomings, and conclude that the study is inconclusive.

4- Enumeration of Concerns with a Potential ECNCD

It is appreciated that the CHC has finally agreed to share the PDF outlining the hidden costs I experienced with two different historic districts. I **propose** *we add this report to the appendix of all future drafts.*

Further, thank you for acknowledging that others in our community, including this Study Committee member and property owner have many general concerns about a potential ECNCD and what it might do by adding the section "Matters of Public Concern" on January 19, 2022.

However, the rebuttal format you've chosen to list these matters appears rushed, incomplete, misleading, and is ultimately dismissive of what many hold to be valid concerns. Unfortunately, it is yet another example of this Study's long standing reluctance to countenance or even acknowledge views that don't align with its own.

At the last meeting you asked me to provide specific language. Here it is. I **propose** *that you simply and respectfully list these "Matters of Public Concern" as written below, without any attempt at rebuttal.* The language makes it clear that you don't condone the concerns. If you still feel the need to comment or dismiss the concerns, then to be fair, you must allow counter comment. This however, could quickly spiral into an interminable back and forth which nobody wants or needs. It is a very long report. Please allow this small space to let the concerns be enumerated, and trust the reader's judgment and ability to freely determine their relevance and validity.

B. Matters of Public Concern

Some in our community are opposed outright to the establishment of an ECNCD. Others, while they believe East Cambridge could benefit from a moderate level of additional historic preservation efforts, believe that the proposed ECNCD goes too far. While the CHC and the majority of the Study Committee may not agree with and does not condone these concerns, they are enumerated here, unedited, along with a report from one Study Committee member's experience with historic districts in the appendix out of respect for those in our community opposed to or having concerns with the ECNCD as outlined in this report.

- 1) **Increased Financial Costs Borne by Home and Property Owners** - In both Historic and NCDs many applicants find the added historic/conservation layer to be an intimidating prospect.

Interpretation of the guidelines, required applications, drawings/sketches, description of materials, and their correct submission take time, money and effort. While not required, many applicants feel more comfortable paying their architect and/or lawyer to help shepherd them through this process and any subsequent appearances at hearings, if required. Preservation and Conservation projects tend to, by definition, steer applicants towards specific styles and materials that are often non-stock items at home improvement stores. This can often lead to far more expensive custom designs, special order materials, millwork, and expertise required to install and complete projects.

- 2) **Negative Impact of Historic and NCDs on Housing Affordability & Diversity** - Many believe the increased financial costs of projects in these districts will inevitably lead to increased rents and housing prices which in turn will discourage demographic diversity, long a treasured hallmark of our community.
- 3) **Negative Impact on the Local Business Community** - Unopposed generally to preservation efforts in residential areas, the East Cambridge Business Association (ECBA) expressed their concerns that a potential ECNCD would have on our diverse but struggling, small business community, already facing a myriad of challenges as a result of Covid-19. They also expressed concerns that the adoption of an ECNCD would create an unnecessary bureaucratic and financial burden on tenants, and discourage necessary work and upkeep required to adequately serve the East Cambridge community in the future.
- 4) **Loss of Enjoyment & Use Due to Long Delays** - In addition to the time devoted to prepare & deliver project applications to historic/NCDs, the process can often lead to long, unanticipated delays while contemplating and submitting alternative designs, awaiting approvals, the availability of professionals (architects, designers), custom or specialized material orders and contractor availability. These delays can easily compound and can result in a significant loss of enjoyment and use by homeowners.
- 5) **Stifling of Creativity & Deferral of Necessary Upkeep** - Despite the ECNCD's stated goal of encouraging creativity, faced with the perceived added bureaucratic and financial requirements of obtaining historic/NCD approval, some applicants determine the process too burdensome and therefore defer or indefinitely postpone both desired, and at times, necessary improvements. Others, fearing rejection, delays and wasted expense, may naturally scale back their designs in order to safely conform to what they believe will ensure swift approval of their application.
- 6) **Unintended Consequences of Vague, Inconsistent and Conflicting NCD Goals & Guidelines** - During our study, the CHC has admitted that the goals and guidelines of the proposed ECNCD are purposely vague and at times conflict with each other. Opponents fear that, over time, this will lead to the inconsistent interpretation and application of the goals and guidelines at hearings by an ever changing cast of future volunteer ECNCD commissioners.
- 7) **Potential for Arbitrary and Capricious ECNCD Decisions** - At an earlier ECNCD meeting, the CHC admitted that "Some of the early NCDs did veer into being arbitrary and capricious". Many are concerned that despite the best of intentions, this is likely to happen again and would unnecessarily impinge on the rights of community home and property owners.
- 8) **Lack of Transparency, Legitimacy and Community Consensus for an ECNCD** - Many in our community feel that their concerns have been ignored and excluded from what they believe to be a closed study process. This, they believe, led to many of the unresolved frustrations that boiled over at the March 2020 meeting and continue to the present day. At best, they believe, the community is deeply divided. The CHC's and study commissions' reluctance to acknowledge this fact speaks to one of the many problems with the flawed process.

5- The Poll In Lieu of Consensus

Both the East Cambridge Community and the Study Committee members were assured two years ago by CHC Director, Charlie Sullivan that unless the community reached a consensus in support for an ECNCD, the study would not continue and the CHC would not recommend the adoption of an ECNCD to City Council.

The few in our community who still follow the ECNCD proceedings are clearly divided and have been so since the ECNCD's inception. The March 2020 meeting was a significant turning point. The zoom format of all future meetings discouraged the natural participation level regularly experienced at the traditional in-person meetings. Disillusioned, many who felt shut out by the process have long since left, and the vast majority of others don't seem to care at all about a potential ECNCD. Despite significant CHC & petitioner outreach, this needle has not moved in two years. Here we are.

To now lean on a subjective, inherently biased (proposed wording), wholly unscientific and undemocratic postcard mailing, which can be easily manipulated or gamed to determine consensus is a fool's errand and a sure recipe for further discreditation of the study.

For these reasons I strongly **propose** that *we drop the idea of the flawed poll, as currently conceived, altogether.*

In the event that my fellow Study Committee members insist on going ahead with this ill-advised poll, I **propose** that you at least temper the poll's current pro ECNCD biased description and acknowledge that there are some who have doubts and reservations concerning the potential ECNCD by including the following language in the poll's overview text:

"While the CHC and majority of the study committee believe they are recommending a non-intrusive neighborhood conservation district, others in the neighborhood, including a study committee member, disagree. They cite a clear lack of community consensus and a non-transparent and deeply flawed study process. And they fear many unintended consequences that an ECNCD would bring including increased costs that would negatively affect housing costs and our community's diversity, deferred maintenance, a stifling of creativity, unnecessarily long delays, the dangers of the vague and contradictory nature of the stated NCD goals

Sincerely,



Ronald A. Creamer, Jr.
ECNCD Study Committee Member, East Cambridge Property Owner