Central Square Restoration Petition

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Introduction

Central Square has been the subject of many planning studies over the past four decades, most, if not all, recommendations that have come from these studies have largely gone ignored or only partially implemented. Central Square is a shadow of the commercial hub it once was and remains dismantled, an after effect of depression era politics that pushed some property owners to remove multiple stories from their buildings to alleviate tax burden. Today, the area remains the most talked about, the most studied, and least acted upon part of Cambridge.

The petition presented aims to return Central Square to its former pre-depression era status and a place befitting its designation as a State Cultural District. Thus the zoning recommendations herein aim to increase the potential for housing, expand the local retail footprint, enliven side streets, and activate the streetscape.

The 1987 Action Plan is the current City Council adopted plan for Central Square. We believe it to be antiquated, largely unimplemented, and not sensitive to the needs of today. Thus we have largely drawn zoning language and ideas from the last Cambridge study on Central Square; C2 (2013) and the Mayor's Red Ribbon Commission which concluded in 2011. The C2 plan has been lauded by City Councilors, Planning Board, and residents. It is referenced in the current Zoning Ordinance as motivation behind the newly created and extremely exclusive Mass & Main Overlay district. It has been recognized by the Community Development Department as the plan for the area. Thus we humbly submit this petition that will finally put action to word and restore Central Square.

Statement of Facts

WHEREAS Inaction has left Central Square frozen without any reasonable potential development opportunity; and

WHEREAS Housing is in limited supply and our Business Districts, especially Central Square, are the most logical choices to increase stock; and

WHEREAS The financial climate is more favorable now or is ever likely to be again in the near or distant future to attain capital to revitalize the area; and

WHEREAS The Cambridge Zoning Ordinance is extremely prohibitive in the Central Square Overlay; and

WHEREAS The zoning recommendations herein represent and address those issues that had the most concensus of residents, Planning Board, and City Council; and

WHEREAS The citywide master planning process is painfully slow and at least three years from being completed with absolutely no certainty of when the following zoning recommendations would be drafted or presented; and

WHEREAS Central Square is in need of restoration. To make it wait arbitrarily for another decade undermines the hard work, patience, desire, and unity the business owners, residents, and property owners have shown over 30 years to improve the condition of the area.

NOW THEREFORE we the Undersigned respectfully petition the honorable City Council of Cambridge to amend the Cambridge Zoning Ordinance by amending Article 2.000 ("Definitions") and Article 20.300 ("Central Square Overlay District") to read as follows:

Suggested New Language for Article 2 (Definitions)

Formula Business. An individual Retail or Consumer Service establishment that is required by virtue of a contract, franchise agreement, ownership or other similar legal obligation to conform or substantially conform to a set of common design and operating features that serve to identify the establishment as one of a group of establishments for business, marketing and public relations purposes. Specifically, an establishment shall be considered a Formula Business if it shares at least two (2) of the following three (3) characteristics with ten (10) or more other establishments in Massachusetts or with twenty (20) or more other establishments:

- 1. Trademark, service mark or logo, defined as a word, phrase, symbol, or design or combination thereof that identifies and distinguishes the source of the goods or services from others;
- 2. Standardized building architecture including but not limited to façade design and signage;
- 3. Standardized color scheme used throughout the exterior of the establishment, including color associated with signs and logos.

Suggested New Language for Article 20.300 (Central Square Overlay District)

20.304.3 Floor Area Ratio Limitation. The maximum floor area ratio Floor Area Ratio (FAR) limitations established in the applicable base zoning district shall continue to apply to any lot in the Central Square Overlay District unless specifically modified by the following provisions:

1. As Of Right Limitation.

The maximum as of right FAR shall be 3.0 in the Office 3 base zoning district for Residential Uses, Section 4.31 a-h, and 2.0 for all other uses; 4.0 for all Residential uses in the Business B base zoning district; and 2.0 in the Residence C-3 and Residence C-2A base zoning districts

4. Additional FAR for Residential Uses

Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Central Square Overlay District to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12. However, the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district.

5. FAR Exemption for Residential Balconies

Notwithstanding any other provision of this Zoning Ordinance, the Gross Floor Area of balconies, terraces, porches, stoops, or mezzanines on any floor of a structure that are accessory to residential uses and not exceeding five (5) feet in depth measured from the principal front wall plane of a building shall be exempted from the calculation of Gross Floor Area permitted on the applicable lot.

6. FAR Exemption for Rooftop Spaces

Notwithstanding any other provisions of this Zoning Ordinance, the Gross Floor Area of open-air spaces on the roofs of buildings, such as roof gardens, terraces, walk ways, including open or enclosed egresses, covered Staircase head-houses, or observation spaces shall be exempted from Gross Floor Area and FAR limitations upon the granting of a special permit by the Planning Board. In granting the special permit, the Planning Board may place further requirements on the design or operational aspects of spaces exempted pursuant to this Paragraph, including hours of operation, range of activities permitted, signage, sound mitigation, or other measures to ensure that the use of the space is consistent with the intent of this Section.

7. FAR Exemption for Ground Floor Retail

Retail spaces of 1,500 square feet or less shall be excluded from the calculation of floor area ratio.

20.304.5. Use Limitations and Restrictions. In addition to the use regulations applicable in each base zoning district the following use restrictions and limitations shall apply in the Central Square Overlay District:

3. Restricted Uses.

- (a) In the Central Square Overlay District, an establishment where alcoholic beverages are consumed and where dancing and entertainment is provided, dance hall or similar place of entertainment (Section 4.35g) shall be permitted by right if the principal public entrance or entrances that are directly from Massachusetts Avenue, Prospect Street between Massachusetts Avenue and Bishop Allen Drive, or Main Street or by Special Permit where the base zoning allows such use. In considering an applicant's the Planning Board may consider hours of operation, proximity to a residential neighborhood, signage, lighting, and sound mitigation.
- (b) Unless specifically waived upon the granting of a special permit by the Planning Board, no individual bank or financial institution (Section 4.34e) shall occupy more than twenty-five (25) feet of building frontage facing Massachusetts Avenue or Main Street, and no more than thirty percent (30%) of a lot's aggregate building frontage facing one or more public streets may be occupied by such uses.
- **4. Formula Business District.** A Formula Business as defined in this Ordinance may be established in the Central Square Overlay District only after the issuance of a special permit from the Planning Board. In reviewing an application the Planning Board shall take the following into consideration:
- (a) The extent to which the design of the proposal reflects, amplifies, and strengthens the established historical character of existing buildings and store fronts in Central Square.
- (b) The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.
- (c) The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other locations of the Formula Business.

- **20.304.4 (a) Waiver of Setback Requirements.** Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts a lot, but not a public way, outside the Overlay District
- **20.304.4 (b)Waiver of Open Space Requirements.** Open Space shall be provided as required in the Base Zoning District, however the Planning Board may allow, by Special Permit, the reduction of required Open Space, and permit such Open Space to be located at levels other than at grade if the applicant can demonstrate that the urban design objectives as set forth in the Central Square Overlay District can be met.
- **20** .304.6 Wavier of Parking and Loading Requirements. The provisions set forth in Article 6.000 shall apply except as modified by the provisions set forth below.
- 1. Maximum Parking. Where any of the following listed uses are established in the Central Square Overlay District as of August 1, 2016, the accessory off-street parking for such uses shall be limited by the maximum rates set forth below. For uses not listed below, any maximum rate set forth in Article 6.000 shall apply. When applying such a rate results in a maximum allowed number of parking spaces that is less than the minimum number of parking spaces required by Section 6.36 or other provisions of this Section, then the minimum required number of parking spaces shall be waived so that the maximum limitation may be met. Exceeding the maximum allowed parking shall require a waiver of maximum parking under the general provisions of Article 6.000.
- (a) Residential Uses (6.36.1), excluding Hotel and Motel (i-2 and i-3): 0.5 space per dwelling unit maximum
- (b) Hotel or Motel Uses (6.36.1 i-2 or i-3): 0.25 space per sleeping room maximum
- (c) Office Uses (6.36.4), excluding Technical Office (f): 1 space per 500 square feet maximum
- (d) Technical Office Uses (6.36.4 f): 1 space per 800 square feet maximum
- **2. Minimum Parking and Loading.** The minimum parking and loading requirements as specified in Section 6.36 Schedule of Parking and Loading Requirements shall be modified in the following ways:

<u>Parking and Loading Requirements</u>. Uses in the Central Square Overlay District which meet the following requirements shall be exempt from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements.

- 1. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or
- 2. The use is contained in a new structure or new addition to a structure identified in (1.) above, after the issuance of a special permit by the Planning Board provided:
- a. The total development authorized on the site is reduced to ninety (90) percent of the maximum permitted on the lot; or a cash contribution is made to the Central Square Improvement Fund to be established by the City of Cambridge in an amount equal to the per foot permit cost of construction of the parking spaces not provided (Calculation of parking space square footage to be determined by Article 6 Section 6.42 "regular" off-street parking space width and depth only), said contribution to be used by the City of Cambridge for one or more of the following capital improvements in the Central Square Overlay District:
- (i) Provision of public parking, preferably for short term users;

- (ii) Programming, events, and infrastructure that contribute to the Cultural District established in Central Square;
- (iii) Improvements to public parks, or restoration of historic structures, monuments and other features owned by the City of Cambridge or other public agency or a nonprofit organization;
- (iv) Improvements to public pedestrian and bicycle facilities such as sidewalks, crosswalks, dedicated cycling paths and bicycle parking. The Central Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions. The funds shall not be used for ordinary maintenance activities normally undertaken by the City of Cambridge. The value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge.
- **b.** The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met).
- c. The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in Central Square Development Guidelines.
- **d**. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- e. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in the Central Square Development Guidelines.

(4) Location of Parking. For any new development in the Central Square Overlay District that requires a special permit from the Planning Board, notwithstanding anything to the contrary in Article 6.000, the accessory parking may be provided on-site or within existing parking facilities elsewhere in the Central Square Overlay District, subject to Planning Board Approval. In general, new development shall use structured parking instead of existing surface parking lots; however, the Planning Board may approve the use of existing surface parking in special circumstances, such as temporary parking for a phased development or special permits for small-scale retail uses in existing buildings.

Line by Line Comparison of New and Existing Language with Explanations for Each Change

EXISTING LANGUAGE	NEW LANGUAGE	EXPLANATION
Article 2.000: Definitions There is currently no definition of "Formula Business"	See Above	The goal of this section is to address the growing concern of the proliferation of banks and other chain type retail stores specifically their impact on the aesthetic of the Central Square Overlay and Cultural District
20.304.3 Floor Area Ratio Limitation. The maximum floor area ratio applicable to any lot in the Central Square Overlay District shall be governed by the requirements of this Section 20.304.3; however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive shall apply.	20.304.3 Floor Area Ratio Limitation. The maximum floor area ratio Floor Area Ratio (FAR) limitations established in the applicable base zoning district shall continue to apply to any lot in the Central Square Overlay District unless specifically modified by the following provisions:	The goal was to simplify the language and remove the last section that reads: "however, at locations where the base zoning district establishes a more restrictive FAR limit the more restrictive shall apply."
 As Of Right Limitation. The maximum as of right FAR shall be 3.0 in the Office 3 base zoning district for Residential Uses, Section 4.31 a-h, and 2.0 for all other uses; 3.0 for all uses in the Business B base zoning district; and 2.0 in the Residence C-3 and Residence C-2A base zoning districts. Special Permit for additional FAR. The maximum FAR on any lot in a Residence C-3 or Residence C-2A district may be increased to 3.0 and 2.5 respectively upon issuance of a special permit from the Planning Board. Special Permit for Additional FAR for Affordable Housing. The maximum FAR on any lot in an Office 3 District may be increased to 3.75 upon issuance of a special permit from the Planning Board provided a minimum of twenty (20) percent of the total gross floor area authorized is devoted to affordable housing as defined in Section 11.201. The affordable housing shall conform to the standards of Section 11.204 except that lodging housing or single room occupancy facilities shall be specifically 	 As Of Right Limitation. The maximum as of right FAR shall be 3.0 in the Office 3 base zoning district for Residential Uses, Section 4.31 a-h, and 2.0 for all other uses; 4.0 for all Residential uses in the Business B base zoning district; and 2.0 in the Residence C-3 and Residence C-2A base zoning districts Additional FAR for Residential Uses Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Central Square Overlay District to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12. However, the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district. FAR Exemption for Residential Balconies Notwithstanding any other provision of this Zoning Ordinance, the Gross Floor Area of balconies, terraces, porches, stoops, or mezzanines on any floor of a 	 Increased Residential FAR to 4.0 for residential uses in Business B ("BB") district by right #4 Allows FAR to increase to a 4.0 for all other base zoning districts within the Overlay with a special permit. #5 Exempts balconies from a gross floor area calculation to encourage livelier streetscapes. #6 adds incentive to use rooftop spaces and provides the planning board with a set of guidelines to minimize nuisance to abutting residential districts. #7 incentivizes smaller ground floor retail footprints by granting a GFA exemption for spaces at 1500 sqft or under.

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permitted. The additional FAR bonus 20-64	structure that are accessory to residential uses and not	
permitted in Section 11.203.2, however, shall not	exceeding five (5) feet in depth measured from the	
apply to developments employing this Section	principal front wall plane of a building shall be	
20.304.3c	exempted from the calculation of Gross Floor Area	
	permitted on the applicable lot.	
	6. FAR Exemption for Rooftop Spaces Notwithstanding any other provisions of this Zoning Ordinance, the Gross Floor Area of open-air spaces on the roofs of buildings, such as roof gardens, terraces, walk ways, including open or enclosed egresses, covered Staircase head-houses, or observation spaces shall be exempted from Gross Floor Area and FAR limitations upon the granting of a special permit by the Planning Board. In granting the special permit, the Planning Board may place further requirements on the design or operational aspects of spaces exempted pursuant to this Paragraph, including hours of operation, range of activities permitted, signage, sound mitigation, or other measures to ensure that the use of	Intentionally Left Blank
	the space is consistent with the intent of this Section.	
	7. FAR Exemption for Ground Floor Retail	,
	Retail spaces of 1,500 square feet or less shall be	
	excluded from the calculation of floor area ratio.	
20.304.4 Waiver of Setback Requirements. Upon	20.304.4 (b)Waiver of Private Open Space	Part (a) is existing language; part (b) is
issuance of a special permit from the Planning Board	Requirements. Open Space shall be provided as	completely new language.
the yard requirements of a base zoning district may	required in the Base Zoning District, however the	• Part (b) aims to encourage the
be waived except where such yard abuts a lot, but not a public way, outside the Overlay District.	Planning Board may allow, by Special Permit, the reduction of required Open Space, and permit such Open Space to be located at levels other than at grade if the applicant can demonstrate that the urban design objectives as set forth in the Central Square Overlay District can be met.	redevelopment of existing buildings that do not have open space and could not without complete demolition of the parcel. Given other sections of this petition we are trying to encourage the creative use of rooftop and balcony spaces to supplement the lack of private open space.
20.304.5 Use Limitations and Restrictions. In addition to the use regulations applicable in each	20.304.5. Use Limitations and Restrictions. In addition to the use regulations applicable in each base	• This replaces #3 and #4 with language
base zoning district the following use restrictions and	zoning district the following use restrictions and	adopted from C2 and adheres to the recommended guidelines of the Attorney
limitations shall apply in the Central Square Overlay District:	limitations shall apply in the Central Square Overlay	General regarding the creation of a Formula Business District.
3. Restricted Uses.	3. Restricted Uses.	Added "In Central Square Overlay
a. Fast Order Food Establishments (Section 4.35 o)	a. In the Central Square Overlay District, an	District" and removed the word "bar"

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shall be limited to fourteen (14) in the Central Square	establishment where alcoholic beverages are consumed
Overlay District; Section 11.33, shall not apply. No	and where dancing and entertainment is provided,
special permit or occupancy permit shall be issued	dance hall or similar place of entertainment (Section
which will permit the number of such establishments	4.35g) shall be permitted only if the principal public
in the Central Square Overlay District to exceed	entrance or entrances that are directly from
fourteen (14).	Massachusetts Avenue, Prospect Street between
b. Bar or establishment where alcoholic beverages	Massachusetts Avenue and Bishop Allen Drive, or
are consumed and where dancing and entertainment	Main Street.
is provided, dance hall or similar place of	(b) Unless specifically waived upon the granting of a
entertainment; Section 4.35 g shall be permitted only	special permit by the Planning Board, no individual
if the principal public entrance or entrances are	bank or financial institution (Section 4.34e) shall
directly from Massachusetts Avenue, Prospect	occupy more than twenty-five (25) feet of building
Street between Massachusetts Avenue and Bishop	frontage facing Massachusetts Avenue or Main Street,
Allen Drive or Main Street.	and no more than thirty percent (30%) of a lot's
4. Uses permitted by Special Permit.	aggregate building frontage facing one or more public
In addition to those uses currently allowed	streets may be occupied by such uses.
only by special permit in Section 4.30 - Table of Use	4. Formula Business District. A Formula Business as
Regulations, the following uses shall also require a	defined in this Ordinance may be established in the
special permit from the Board of Zoning Appeal:	Central Square Overlay District only after the issuance
Retail bakery where it is proposed to sell beverages,	of a special permit from the Planning Board. In
sandwiches, or similar fast order food as an	reviewing an application the Planning Board shall take
accessory use provided, however, that the bakery use	the following into consideration:
shall have been in full operation for a minimum of	(a) The extent to which the design of the proposal
six (6) months prior to the application for a special	reflects, amplifies, and strengthens the established
permit	historical character of existing buildings and store
	fronts in Central Square.

from 3a and add a special permit caveat for establishments that serve alcohol and have entertainment.

- The goal is to remove the fast food cap that has prohibited many businesses from coming into the Overlay, limit the presence of Banks, and encourage non-formula businesses, and to clarify restrictions on businesses serving alcohol on side streets.
- #4 Establishes a Formula Business District in the Central Square Overlay replacing existing language. This does not prevent chains from coming (that is not legal) but it does force them to conform to the area and go through special permitting to enforce this restriction.

20.304.6 Wavier of Parking and Loading

Uses in the Central Square Overlay District which

Requirements.

See Above

locations of the Formula Business.

(b) The extent to which the particulars of the building or storefront design is varied from the formula or standard design of the chain in order to reflect the unique character and conditions of Central Square generally or the specific location in particular.

(c) The extent to which the standard elements of the enterprise as they define it as a Formula Business are modified to respect and provide unique expressions of Central Square history and traditions as well as innovation in physical design and marketing that will distinguish the Central Square location from other

 The language has been changed to adopt recommendations of C2 to reduce the required amount of parking for various residential and commercial uses.

meet the following requirements shall be exempted from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements. 1. The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or 2. The use is contained in a new structure or new addition to a structure identified in (1) above, after the issuance of a special permit by the Planning Board provided: a. The standards set forth in Section 6.35 of this Zoning Ordinance are met; and b. The standards set forth in Section 20,305 are met. c. The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in the "Central Square Development Guidelines".

- An in lieu parking fee has been added, which mirrors the one already in existence in Harvard Square. The fee scales with project size and cost; basing its required payment on the cost per square foot of the permit.
- Many possible sites to redevelop do not have parking and could not reasonably create parking without extreme financial hardship or razing the structure.

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23	My Jan	Thromas Larney 35 Grant St. Apt 3 Mil Ford, MA 01757
24	Lead and	COURTNEY MUSSELL 35 ALLSTON ST. UNIT 3, ALLSTON, MA
25	Alest Vin	Amenda Visvis 35 Aliston St. #3 Aliston, MA 02134
26	Kimill Gad	RONALD G. 67 PLYMOUTH ST #3 EAD CAMBRIDGE MA 02141
27	Klis Muhinda	Claude Muliule Cambridge 0213p
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5	D ~ B	Dennis & Benzas / Prus strat. Carlangu, MA 02139
6	Jone Jungan	Jesse Kanson-Benanav 26 Willow St #2, Cambridge, MA 02/4/ Kiril Alexandrov
7	Man	406 Franklin St. 12139
8	Dow Kn	David Levile 6 SB MASS A'C DOLLS9
9	john	J. SHULMAN 92 PEARLST. CAMB 02139
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1	Sarah Waddington	33 WILSON PARK BOSTON 02135
2	Saad Plwalon	\$ 55 GICBERT ST WATEROWN, MA 02472
3	Alex L	37 Maywood St Boston MA 02119
4	awglathigo	516 Drein Dh. Calmer M.
5	philan	10 Soder 82, A+57 612 del 1
6	Paul Miller	516 Gren 87. Cantridgem
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8	They Miland	254 Sidney St Cambridge MA Helsey McDaniel & Cambridge MA
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10	Man	70 Rurk, Drive, Boston
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12	DICKSNATER	POCK NROLL, USA
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14	Stan Francisco	520 N. Rry J.
15	Juie Masis	2 Wildwood Drive menbupypert, MA



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19	Tom Symes	Brighton, MA The
20	Joe Corlula	3c clinks (La) 2 merille 02143
21	Mary Corlula	3c Clark St / Somerville. MA 02143
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23	Millian	Milhoel Henriksen 57 Cherry St H& Control de Ohlze
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25	for Sal	101 Brookline Street Unit A Cambridge 190A 02139
26	Simone Nemes John	Sinione Nemes - 28 Marcella St. Roxbury
27	Chry Ju	Christopher / Jegran
28	Sai Boddupalli	4 Charlesgale East +3 Boston, Mx 02215
29	Davidletate	28 Marcola St Roxburg, MA 02119 DAVID LETARTE
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18	Yamse feering	Vanessa Ferreira 12 Terrace Hall Ave Burlington, MA 01803
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