



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinance of the City of Cambridge" is hereby amended by amending both the text of the Zoning Ordinance and the map accompanying the Zoning Ordinance as follows:

That the text of the Zoning Ordinances of the City of Cambridge is hereby amended in Article 2.000 entitled "Definitions" by adding at the end thereof the following new definition entitled "Massage Establishment" as follows:

A massage establishment as defined in section 11-10 of the Code of the City of Cambridge.

2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B-1	Bus. B-2	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A						A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP	SP

(49) subject to the requirements of Section 11.90.

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
3. The establishment shall not cause excess traffic generation, congestion or substantial change in an established neighborhood character, nor shall the establishment create a nuisance.
4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."

Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

This is revised edition

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C B-2	Ind. A-1	Ind. A A-2	Ind. B-1	Ind. B B-2	Ind. B	Ind. C
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P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
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(49) subject to the requirements of Section 11.90.

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
3. The establishment shall not cause excess traffic generation, congestion or substantial change in an established neighborhood character, nor shall the establishment create a nuisance.
4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."

Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yeas and nays vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

November 16, 1982

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find two proposed amendments to the Zoning Ordinances of the City of Cambridge on the petition of Councillor David Sullivan relative to Massage Establishments and the petition of Hugh Adams Russell relative to the fee for the Board of Zoning Appeal which were passed to a second reading at the City Council meeting of November 15, 1982.

Would you kindly indicate your approval or disapproval on the bottom of the ordinances and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl

Encs. First publication number 2178
First publication number 2179

OK
RBH
11/17/82



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by amending the text of the Zoning Ordinance by adding a new definition to Article 2.000 which reads as follows:

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

	Open Space	Res. A 1&2	Res. B	Res. C 1, 2 2A, 3, 3A	Off. 1, 2 3, 3A	Bus. A-1	Bus. A	Bus. B B-1 B-2	Bus. C	Ind. A-1 A-2	Ind. A	Ind. B-1 B-2	Ind. B	Ind. C
p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO SP	SP	SP	SP	SP

Keep 49 in
Amend 50 out

City of Cambridge

Passed to a second reading at the City Council meeting held on November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

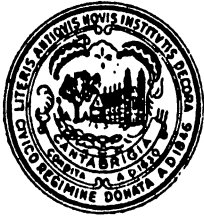
In amendment to an Ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by deleting in Section 10.21 the phrase "...and shall thereupon pay a fee of fifty dollars to the City of Cambridge." and substituting in place thereof the phrase "...and shall thereupon pay a fee as set forth in Section 14 of the Rules of Practice and Procedure of the Board of Zoning Appeal."

Passed to a second reading at the City Council meeting of November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by amending the text of the Zoning Ordinance by adding a new definition to Article 2.000 which reads as follows:

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A 1&2	Res. B	Res. C 1, 2 2A, 3, 3A	Off. 1, 2 3, 3A	Bus. A-1	Bus. A	Bus. B B-1 B-2	Bus. C	Ind. A-1 A-2	Ind. A	Ind. B-1 B-2	Ind. B	Ind. C
p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP

City of Cambridge

Passed to a second reading at the City Council meeting held on November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C B-2	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A					A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
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(49) subject to the requirements of Section 11.90.

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
3. The establishment shall not cause excess traffic generation, congestion or substantial change in an established neighborhood character, nor shall the establishment create a nuisance.
4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."

Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote:
Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

Findings

1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
2. Permitting massage establishments to locate without any conditions as to location or number poses a threat to the environmental quality of surrounding residential and business areas. Examples of the potential adverse effects of a massage establishment or a concentration of such establishments can be seen in other cities such as Boston or communities on the north shore. To minimize these adverse effects special development standards are suggested which prevent the concentration of massage establishments in any one area of the city which concentration would tend to create a skid-row effect and which prevent the location of a massage establishment in an area of close proximity to a residential district.

3. Since massage establishments are retail uses they should be conditionally allowed in certain Business districts. The Business B and Business C districts would be appropriate districts to consider such uses as they allow uses of comparable intensity and characteristics.
4. While a distinction can be made between other retail uses and massage establishments, it is difficult to make a clear zoning distinction between various types of massage establishments. An assumption can be made that it is the larger commercial massage establishments which have characteristics that might cause nuisance or threaten the quality of an area. Therefore, we recommend a distinction be made between a non-profit establishment which offers educational and health related services in association with massage and the commercial massage establishment. This would require an amendment to the General Ordinances regulating massage establishments, Section 12 which specifies exemptions to the massage regulations.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B	Bus. B-1	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A				B-2		A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP	[NU NU] (50)	SP	NO	SP	SP	SP	SP
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(49) subject to the requirements of Section 11.90.

[(50) No in Business 1 and Business 2 Districts]

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
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4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

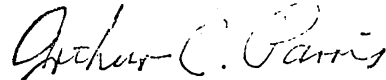
Findings

1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
2. Permitting massage establishments to locate without any conditions as to location or number poses a threat to the environmental quality of surrounding residential and business areas. Examples of the potential adverse effects of a massage establishment or a concentration of such establishments can be seen in other cities such as Boston or communities on the north shore. To minimize these adverse effects special development standards are suggested which prevent the concentration of massage establishments in any one area of the city which concentration would tend to create a skid-row effect and which prevent the location of a massage establishment in an area of close proximity to a residential district.

3. Since massage establishments are retail uses they should be conditionally allowed in certain Business districts. The Business B and Business C districts would be appropriate districts to consider such uses as they allow uses of comparable intensity and characteristics.
4. While a distinction can be made between other retail uses and massage establishments, it is difficult to make a clear zoning distinction between various types of massage establishments. An assumption can be made that it is the larger commercial massage establishments which have characteristics that might cause nuisance or threaten the quality of an area. Therefore, we recommend a distinction be made between a non-profit establishment which offers educational and health related services in association with massage and the commercial massage establishment. This would require an amendment to the General Ordinances regulating massage establishments, Section 12 which specifies exemptions to the massage regulations.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A			B-2		A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP ⁽⁵⁰⁾	SP	NO	SP	SP	SP	SP
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(49) subject to the requirements of Section 11.90.

(50) No in Business 1 and Business 2 Districts

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

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1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
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5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."

Agenda Item Number Four

Re: comm. from the Planning Board regarding
the petition of the Council to amend the
Zoning Ordinances by creating a new use cate-
gory "Massage Establishment" and regulating
same in Section 4.30 Table of Use Regulations

In City Council,

December 13, 1982

12/13/82
Approved by Council #5

TO

Joe

DATE

12/16

TIME

10:30

WHILE YOU WERE OUT

David Sullivan

PHONE

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>

MESSAGE

message ord. 'typo'

Sp 1st industrial A₁ A₂
Call

left most

MESSAGE RECEIVED BY



**PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE
CITY CLERK**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, November 4, 1982 at 8:30 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by **Councillor David Sullivan** to amend the text of the Zoning Ordinance by adding a new definition to Article 2.000 "Massage Establishment" and by creating a new use category subsection 4.35, (p) "Massage Establishment" that would be prohibited in all zoning districts except in the Industry A, B-1, B-2, B and C where it would be permitted by special permit.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Walter J. Sullivan
Chairman

(C)Oct.21,28



**PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE
CITY CLERK**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, November 4, 1982 at 8:30 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by **Councillor David Sullivan** to amend the text of the Zoning Ordinance by adding a new definition to Article 2.000 "Massage Establishment" and by creating a new use category subsection 4.35, (p) "Massage Establishment" that would be prohibited in all zoning districts except in the Industry A, B-1, B-2, B and C where it would be permitted by special permit.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Walter J. Sullivan
Chairman

(C)Oct.21,28



**PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE
CITY CLERK**

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, November 4, 1982 at 8:30 p.m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by **Councillor David Sullivan** to amend the text of the Zoning Ordinance by adding a new definition to Article 2.000 "Massage Establishment" and by creating a new use category subsection 4.35, (p) "Massage Establishment" that would be prohibited in all zoning districts except in the Industry A, B-1, B-2, B and C where it would be permitted by special permit.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Walter J. Sullivan
Chairman

(C)Oct.21,28

City of Cambridge

5

PETITION OF *David Sullivan*
Re: *massage Establishments*

Petition filed with the City Clerk

October 4, 1982

(all hearing to be completed 65 days from filing date with the City Clerk)

27 days October
30 days November
8 days December
65 days = *December 8, 1982 - all hearings*

In City Council

October 4, 1982

Referred to the Planning Board for report

October 4, 1982

Planning Board Hearing

November 9, 1982

(CITY COUNCIL must act within 90 days of the Planning Board's hearing which would be *February 7, 1983*.)

21 days Nov.
31 days - Dec.
31 days - Jan.
7 days - Feb.
90 days = *February 7, 1983*

City Council hearing published

- Chronicle - October 24, 1982
October 28, 1982

Hearing before the City Council

Thursday - November 4, 1982

Report to the City Council

11/15/82

Passed to a second reading published

11/15/82

Ready for Ordination published

11/18/82 - Chronicle
12/13/82 - Copy to be returned
as provided by C. D. Sullivan

COMPLETION DATE:

February 7, 1983

Copy sent to Building Dept &
Comm. Dev. Dept 12/15/82 (dl)
DCA notified 12/15/82 (dl)
C. Solicitor notified 12/15/82 (dl)



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

December 15, 1982

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find a proposed amendment to the Zoning Ordinances of the City of Cambridge relative to Massage Establishments which was passed to be ordained as amended by the City Council at its meeting of December 13, 1982.

Enclosed also you will find a proposed amendment to the General Ordinances of the City of Cambridge relative to the salary for the Mayor and the City Councillors which was passed to a second reading at the City Council meeting of December 13, 1982.

Would you kindly indicate your approval or disapproval on the bottom of the above mentioned ordinances and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl

Encs. - Ordinance #989 - Massage Establishments
First Publication #2181 - Salary - Mayor and City Councillors.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended as follows:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B	Bus. B-1	Bus. B-2	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
1&2			1, 2 2A, 3, 3A	3, 3A						A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP

(49) subject to the requirements of Section 11.90.

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
3. The establishment shall not cause excess traffic generation, congestion or substantial change in an established neighborhood character, nor shall the establishment create a nuisance.
4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."

Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance formerly entitled: "The General Ordinances of the City of Cambridge" as revised in 1972 and now designated as "The Code of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter Two entitled: "Administration", Article XXII entitled: "Officers Generally", Section 2-191 entitled: "List of Salaries in General", is hereby amended by striking out the salaries of the Mayor and City Council Members and by adding at the end thereof a new salary.

Each member shall receive the following salaries and are to be paid monthly or weekly, unless otherwise stated:

	Minimum Annual Salary	Maximum Annual Salary
Mayor		\$16,445.00
City Council Member		\$15,310.00

The effective date of this ordinance shall be January 1, 1983.

Effective July 1, 1983, the above positions shall receive an additional wage increase of 6% of the salary of January 1, 1983.

Passed to a second reading at the City Council meeting held on December 13, 1982 and on or after December 27, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



OFFICE OF
THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

December 15, 1982

Department of Community Affairs
Commonwealth of Massachusetts
100 Cambridge Street
Room 904
Boston, MA 02202

Dear Sir:

Enclosed you will find a zoning amendment relative to Massage Establishments for the City of Cambridge pursuant to the provisions of Chapter 808 of the Acts of 1975 for your files.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl

Enc. Ordinance #989 - Massage Establishments.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

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2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A			B-1 B-2		A-2		B-2		

P. Message Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
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Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.

City of Cambridge

MASSACHUSETTS

In City Council 12/13 1982

5 Unfinished Business

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Wylie	✓			
Mayor Vellucci	✓			

9 0 0

*EPJA
RF
A*

*Passed to be Ordained
As Amended*



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

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	1&2		1, 2 2A, 3, 3A	3, 3A					A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
-------------------------------	----	----	----	----	----	----	----	----	----	----	----	----	----	----

(49) subject to the requirements of Section 11.90.

3. Add a new Section 11.90 as follows:

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11.93 Criteria:

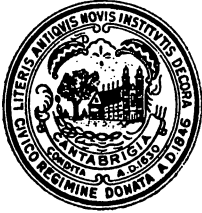
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Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

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	1&2		1, 2 2A, 3, 3A	3, 3A					A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
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Passed to be ordained as amended at the City Council meeting of December 13, 1982 by a yea and nay vote: Yeas 9; Nays 0; Absent 0.

Robert W. Healy, City Manager.

Attest:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

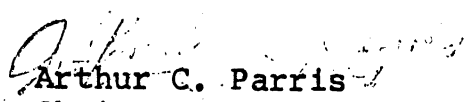
Findings

1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
2. Permitting massage establishments to locate without any conditions as to location or number poses a threat to the environmental quality of surrounding residential and business areas. Examples of the potential adverse effects of a massage establishment or a concentration of such establishments can be seen in other cities such as Boston or communities on the north shore. To minimize these adverse effects special development standards are suggested which prevent the concentration of massage establishments in any one area of the city which concentration would tend to create a skid-row effect and which prevent the location of a massage establishment in an area of close proximity to a residential district.

3. Since massage establishments are retail uses they should be conditionally allowed in certain Business districts. The Business B and Business C districts would be appropriate districts to consider such uses as they allow uses of comparable intensity and characteristics.
4. While a distinction can be made between other retail uses and massage establishments, it is difficult to make a clear zoning distinction between various types of massage establishments. An assumption can be made that if is the larger commercial massage establishments which have characteristics that might cause nuisance or threaten the quality of an area. Therefore, we recommend a distinction be made between a non-profit establishment which offers educational and health related services in association with massage and the commercial massage establishment. This would require an amendment to the General Ordinances regulating massage establishments, Section 12 which specifies exemptions to the massage regulations.

Respectfully submitted,

For the Planning Board


Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. B B-2	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2, 2A, 3, 3A							A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP (50)	SP	NO	SP	SP	SP	SP
-------------------------------	----	----	----	----	----	----	----	---------	----	----	----	----	----	----

(49) subject to the requirements of Section 11.90.

(50) No in Business 1 and Business 2 Districts

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
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5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

Findings


1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
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December 10, 1982

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	1&2		1, 2	3, 3A						A-2					

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP ⁽⁵⁰⁾	SP	NO	SP	SP	SP	SP	SP
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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

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The Petition

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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

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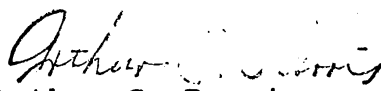
Findings

1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
2. Permitting massage establishments to locate without any conditions as to location or number poses a threat to the environmental quality of surrounding residential and business areas. Examples of the potential adverse effects of a massage establishment or a concentration of such establishments can be seen in other cities such as Boston or communities on the north shore. To minimize these adverse effects special development standards are suggested which prevent the concentration of massage establishments in any one area of the city which concentration would tend to create a skid-row effect and which prevent the location of a massage establishment in an area of close proximity to a residential district.

3. Since massage establishments are retail uses they should be conditionally allowed in certain Business districts. The Business B and Business C districts would be appropriate districts to consider such uses as they allow uses of comparable intensity and characteristics.
4. While a distinction can be made between other retail uses and massage establishments, it is difficult to make a clear zoning distinction between various types of massage establishments. An assumption can be made that if is the larger commercial massage establishments which have characteristics that might cause nuisance or threaten the quality of an area. Therefore, we recommend a distinction be made between a non-profit establishment which offers educational and health related services in association with massage and the commercial massage establishment. This would require an amendment to the General Ordinances regulating massage establishments, Section 12 which specifies exemptions to the massage regulations.

Respectfully submitted,

For the Planning Board


Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A			B-2		A-2		B-2		

P. Massage Establishment ⁽⁴⁹⁾	NO	NO	NO	NO	NO	NO	NO	SP ⁽⁵⁰⁾	SP	NO	SP	SP	SP	SP
--	----	----	----	----	----	----	----	--------------------	----	----	----	----	----	----

(49) subject to the requirements of Section 11.90.

(50) No in Business 1 and Business 2 Districts

3. Add a new Section 11.90 as follows:

"11.90 Massage Service Establishments

11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
3. The establishment shall not cause excess traffic generation, congestion or substantial change in an established neighborhood character, nor shall the establishment create a nuisance.
4. The Board of Zoning Appeal may require as a condition of the special permit standards of exterior repair and maintenance, planting, screening, fencing and conditions regulating any advertising or signage.

5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

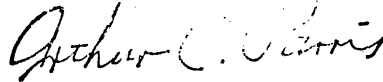
Findings

1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
2. Permitting massage establishments to locate without any conditions as to location or number poses a threat to the environmental quality of surrounding residential and business areas. Examples of the potential adverse effects of a massage establishment or a concentration of such establishments can be seen in other cities such as Boston or communities on the north shore. To minimize these adverse effects special development standards are suggested which prevent the concentration of massage establishments in any one area of the city which concentration would tend to create a skid-row effect and which prevent the location of a massage establishment in an area of close proximity to a residential district.

3. Since massage establishments are retail uses they should be conditionally allowed in certain Business districts. The Business B and Business C districts would be appropriate districts to consider such uses as they allow uses of comparable intensity and characteristics.
4. While a distinction can be made between other retail uses and massage establishments, it is difficult to make a clear zoning distinction between various types of massage establishments. An assumption can be made that it is the larger commercial massage establishments which have characteristics that might cause nuisance or threaten the quality of an area. Therefore, we recommend a distinction be made between a non-profit establishment which offers educational and health related services in association with massage and the commercial massage establishment. This would require an amendment to the General Ordinances regulating massage establishments, Section 12 which specifies exemptions to the massage regulations.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A			B-2		A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP (50)	SP	NO	SP	SP	SP	SP
-------------------------------	----	----	----	----	----	----	----	---------	----	----	----	----	----	----

(49) subject to the requirements of Section 11.90.

(50) No in Business 1 and Business 2 Districts

3. Add a new Section 11.90 as follows:

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11.91 Statement of Purpose. This Section 11.90 has been adopted to regulate the location and operation of massage establishments in the City of Cambridge in order to prevent the concentration of such establishments in any one area of Cambridge and to prevent any nuisances or negative effects on established residential and business areas in the City.

11.92 Permits. No massage establishment shall be established or maintained in Cambridge unless such massage establishment has obtained a Special Permit from the Board of Zoning Appeal, but any such special permit shall be for a term not in excess of two years. Such Special Permit must be reviewed on expiration of the initial Special Permit, and every two years thereafter, after hearing in accordance with the criteria stated below.

11.93 Criteria:

1. The massage establishment and employees shall be duly licensed by the City of Cambridge in accordance with the General Ordinances, Chapter 12, entitled Board of License Commission, Article Massage Service Regulations.
2. A massage establishment shall not be located within 300 feet of a residential district line nor within 1000 feet of an existing massage establishment.
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5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

Findings


1. The zoning ordinance currently does not define "massage establishment" nor does it make any distinction between such an establishment and any other retail use. Massage establishments have characteristics which are different from normal retail uses and have the potential of creating a nuisance. Therefore, massage establishments should be defined and regulated as a separate use in the retail Business/Consumer Service Establishment category.
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December 10, 1982

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Respectfully submitted,

For the Planning Board


Arthur C. Parris
Chairman

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS: (Planning Board Modification 12/7/82)

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	1&2		1, 2 2A, 3, 3A	3, 3A			B-1 B-2		A-2		B-2		

P. Message Establishment ⁽⁴⁹⁾	NO	NO	NO	NO	NO	NO	NO	SP ⁽⁵⁰⁾	SP	NO	SP	SP	SP	SP
--	----	----	----	----	----	----	----	--------------------	----	----	----	----	----	----

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CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 10, 1982

To the Honorable, the City Council:

SUBJECT: Petition by the City Council to Amend the Zoning Ordinance by Creating a New Use Category, "Massage Establishment" and Regulating Said Establishments in Section 4.30 Table of Use Regulations

The Petition

The petition would define a new category Retail Business and Consumer Service Establishment, "Massage Establishment" which would be allowed by special permit only in Industry A, B, B-1 and B-2, and C districts.

Recommendation

The Planning Board recommends the adoption of this proposed amendment with modifications. These modifications would permit massage establishments in certain Business districts as well as Industrial districts and would create special permit criteria specifically designed to minimize the adverse impacts of said establishments on adjacent areas.

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For the Planning Board



Arthur C. Parris
Chairman

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Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B-1	Bus. B-2	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A						A-2		B-2		

P. Massage Establishment (49)	NO	NO	NO	NO	NO	NO	NO	SP (50)	SP	NO	SP	SP	SP	SP
-------------------------------	----	----	----	----	----	----	----	---------	----	----	----	----	----	----

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5. The Board of Zoning Appeal may renew a special permit upon receipt of satisfactory evidence that the establishment has been quiet, orderly and in conformance with this ordinance, has not resulted in complaints to the Police Department and has not been involved in disturbance to the neighborhood."



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by amending the text of the Zoning Ordinance by adding a new definition to Article 2.000 which reads as follows:

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.

2. In Section 4.35, add a new item (p) as follows:

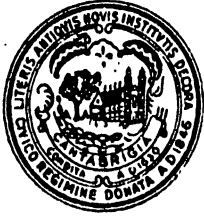
Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B B-1	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A			B-2		A-2		B-2		

p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
--------------------------	----	----	----	----	----	----	----	----	----	----	----	----	----	----

City of Cambridge

Passed to a second reading at the City Council meeting held on November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

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AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B-1	Bus. B-2	Bus. C	Ind. A-1	Ind. A-2	Ind. A	Ind. B-1	Ind. B-2	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A												
p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP	SP

City of Cambridge

Passed to a second reading at the City Council meeting held on November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

November 16, 1982

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA

Dear Sir:

Enclosed you will find two proposed amendments to the Zoning Ordinances of the City of Cambridge on the petition of Councillor David Sullivan relative to Massage Establishments and the petition of Hugh Adams Russell relative to the fee for the Board of Zoning Appeal which were passed to a second reading at the City Council meeting of November 15, 1982.

Would you kindly indicate your approval or disapproval on the bottom of the ordinances and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Paul E. Healy, City Clerk

PEH/dl

Encs. First publication number 2178
First publication number 2179



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by amending the text of the Zoning Ordinance by adding a new definition to Article 2.000 which reads as follows:

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Message Establishment" A message establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

	Open Space	Res. A 1&2	Res. B	Res. C 1, 2 2A, 3, 3A	Off. 1, 2 3, 3A	Bus. A-1	Bus. A	Bus. B B-1 B-2	Bus. C	Ind. A-1 A-2	Ind. A	Ind. B-1 B-2	Ind. B	Ind. C
p. Message Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP

City of Cambridge

Passed to a second reading at the City Council meeting held on November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Two

AN ORDINANCE

In amendment to an Ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zoning Map accompanying ordinance passed to be ordained September 26, 1977 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by deleting in Section 10.21 the phrase "...and shall thereupon pay a fee of fifty dollars to the City of Cambridge." and substituting in place thereof the phrase "...and shall thereupon pay a fee as set forth in Section 14 of the Rules of Practice and Procedure of the Board of Zoning Appeal."

Passed to a second reading at the City Council meeting of November 15, 1982 and on or after November 29, 1982 the question comes on passing to be ordained.

ATTEST:- Paul E. Healy, City Clerk.

City of Cambridge

November 15, 1982

In City Council.....

The Ordinance Committee

comprised of the entire membership of the City Council

to which

was referred a petition submitted by Councillor David Sullivan to amend the text of the Zoning Ordinances of the City of Cambridge by adding a new definition to Article 2.000 entitled "Massage Establishment" and creating a new use category in subsection 4.35 (p) Massage Establishment that would allow said establishments to operate in Industry A, B-1, B-2, B and by special permit only and prohibit their operation in all other zoning districts met on Thursday, November 4, 1982 at 8:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts.

Councillor Walter J. Sullivan, Chairman, presided.

Councillor David Sullivan urged the Committee to take favorable action on the amendment which he had proposed.

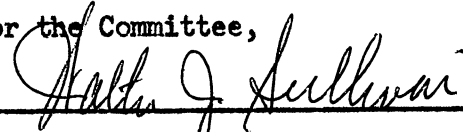
The Chairman called for the proponent to appear.

No one appeared at the call of the Chair and the Chair declared the hearing for the proponents closed and called for the opposition to be heard.

No one appeared at the call of the Chair and the hearing closed.

Councillor Graham now moved that the petition to amend the Zoning Ordinance be referred to the City Council with a favorable report, there being no objection, the motion carried and it was so referred and the Committee adjourned at 8:32 p. m.

For the Committee,



Councillor Walter J. Sullivan
Chairman

~~8.~~ 5

REPORT

Committee on Ordinances

Massage Establishment

In City Council,

November 15, 1982

11/18/82

OPS
Revised to 2nd
Pending -

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council will hold a public hearing on Thursday, November 4, 1982 at 8:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition by Councillor David Sullivan to amend the text of the Zoning Ordinance by adding a new definition to Article 2.000 "Massage Establishment" and by creating a new use category subsection 4.35, (p) "Massage Establishment" that would be prohibited in all zoning districts except in the Industry A, B-1, B-2, B and C where it would be permitted by special permit.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Walter J. Sullivan
Chairman.

RECEIVED BY
OFFICE OF CITY CLERK

OCT 13 2 10 PM '82

CAMBRIDGE, MASS.

1st flr.

City of Cambridge

MASSACHUSETTS

#5

Office of the City Clerk.

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Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Walter J. Sullivan
Chairman.

Amend the text of the zoning ordinance
as follows:

1. In Definitions, add: "Massage establishment. A massage establishment as defined in section 11-10 of the Code of the City of Camb.
2. In section 4.35, add a new item p:
p ~~Massage~~ ~~establishments~~ No OS Res Off Bus. Industrial
SP →

To PB and Com on Ordinance

2. C of A-14A-2

Housing is permitted in A-14A-2
Does he want SP or NO there.

no allow



CITY OF CAMBRIDGE
BUDGET-PERSONNEL DEPARTMENT

POSTING DATE 10/01/82

CLOSING DATE 10/15/82

LOCAL 195 CLERICAL AND TECHNICAL UNION

The following position(s) is/are vacant in the City of Cambridge Clerical & Technical Union.

TITLE OF POSITION	CIVIL SERVICE	FULL OR PART TIME	SALARY RANGE	ADDITIONAL INFORMATION	DEPARTMENT	DEPT. HEAD	GRA FUN
Principal Clerk 107-013	Yes	Full-Time	7.2811 - 7.7995		Hospital Payroll	Melvin Chalfen, M.D	No

All interested employees should (1) contact the Department Head for position description and qualifications and (2) fill out Job Bidding Form in the Budget-Personnel Department.



CITY OF CAMBRIDGE
BUDGET-PERSONNEL DEPARTMENT

Posting Date 10/1/82

Closing Date 10/19/82

The following position(s) is/are vacant in the City of Cambridge.

TITLE OF POSITION	CIVIL SERVICE	FULL OR PART TIME	SALARY RANGE	ADDITIONAL INFORMATION	DEPARTMENT	DEPT. HEAD	GRA FUN
ANIMAL CONTROL OFFICER #209-701	No	Full-time	\$8.2228/hour		ANIMAL COMMISSION	Ginger Gay	No
Compliance Coordinator #208-701 #208-702	No	Full-time	\$8.5300-\$9.4501	New Position	Building	Joseph Cellucci	No

All interested employees should (1) contact the Department Head for position description and qualifications and (2) fill out Job Bidding Form in the Budget-Personnel Department.



City of Cambridge

12.

IN CITY COUNCIL

October 4, 1982

COUNCILLOR DAVID SULLIVAN

ORDERED:

That the attached proposed amendment to the Zoning Ordinances of the City of Cambridge be submitted, and be referred to the Planning Board and the Committee on Ordinances for hearing and report.

In City Council October 4, 1982.
Adopted by the affirmative vote of eight members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy".

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.
2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A 1&2	Res. B	Res. C 1, 2 2A, 3, 3A	Off. 1, 2 3, 3A	Bus. A-1	Bus. A	Bus. B B-1 B-2	Bus. C	Ind. A-1 A-2	Ind. A	Ind. B-1 B-2	Ind. B	Ind. C
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p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
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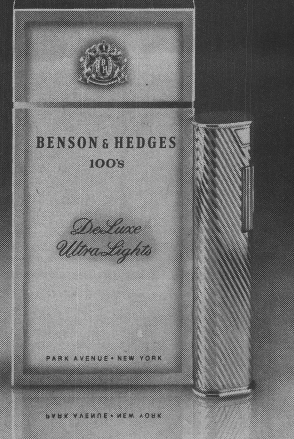
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Arts at a glance

Galleries

Cambridge Women's Quilts and their Stories is a display of a quilt-document of women's history created by 60 Cambridge women. Exhibit also features photographs collected in the Cambridge Women's Oral History Project. Through Oct. 31 at Gallery 57, City Hall Annex, 57 Inman Street, Cambridge.

The Fog Museum is hosting a number of exhibits including Islamic Art: East and West, through Jan. 14; Gandharan Sculpture and its Classical Connections: A Tribute to Benjamin Rowland Jr., through Jan. 30. The Fog is on Quincy Street in Cambridge.

Robin Winter's drawings are on display at the Gallery at Off the Wall Cinema, 15 Pearl Street, Cambridge, through Nov. 3.

Remembrances of the Neats: The Neats Photographs of Bonfils, 1967-1997 is on display through March 6 at the Harvard Museum of Natural History, 6 Divinity Ave., Cambridge, through Nov. 7.

Recent European prints will be displayed through Nov. 7 at the Hayden Gallery, MIT, 180 Memorial Drive, Cambridge.

The Nuclear Threat: Expressions of Concern, an exhibition by artists for survival, through Oct. 29, MIT Museum, 265 Mass. Ave., Monday-Friday, 9am-5pm.

Ahmed's Gallery Lounge, 96 Winthrop Street, displays works by Francis Hamilton, Jack Cliff and Beverly Brown, through Dec. 9.

Edward Giobbi's paintings are on view through Nov. 4 at the VanBuren-Brazelton-Cutting Gallery, 29 Concord Ave., Cambridge.

Painting Show, a juried exhibition at the Cambridge Art Association Gallery, 25r Lowell Street, through Nov. 4.

Myron Goldsmith's design work is on view at Gund Hall Lobby, Harvard Graduate School of Design, 48 Quincy Street, Cambridge, through Nov. 12.

Still life, recent Polaroids by Chris Enos, Jan Groover, Betty Hahn, Barbara Kasten, Olivia Parker and Rosamond Wolff Purcell, Kennedy Gallery, 770 Main St., Cambridge, through Nov. 24.

Boots and Shoes, recent drawings by Don Stinson, Frameworks Gallery, 1967 Mass. Ave., Cambridge, Oct. 28-Nov. 30.

Michael A. Costello's drawings and paintings are on display at Pina's Pantry, 33 Riverside Ave., Medford, through Christmas.

Designs for Living: Symbolic communication in African Art, Carpenter Center for the Visual Arts, 24 Quincy Street, Cambridge, Nov. 2-Dec. 20.

Local Visions II: The Beach is the title of a photo exhibit which will be on display through Nov. 14 at the Hayden Corridor.

Central Square, Cambridge, \$3.25 admission. Beginners welcome. Sponsored by the Boston Country Dance Society. Call 255-6181 for information.

Impulse, jazz dance, Oct. 30 and 31, Nov. 5 and 6, 12, 13, 14, 19, 20, 8 pm. Joy of Movement, 536 Mass. Ave., Cambridge, Tix: \$5.

Talking feet, dances by Alice Trexler, Oct. 28 and 29, 8 pm. First Church, Garden and Mason Streets, Cambridge, Tix: \$5 general, \$3 students and seniors. Call 643-9032.

Dance Party, with live African, Caribbean and Latin rhythms. International Academy of Ethnic Dance, 497 Mass. Ave., Cambridge, Oct. 29, 9pm-midnight. Admission: \$2.

Wearable Art, a collection of unique handmade clothing designed and created by Valerie Beggs, Jo Diggs, Penelope Freeman Jerabek, Juanita Girardin, Adele Lancaster, Karen Norton and Judith Tankard, at the Friends Gallery, 383 Huron Ave., Cambridge, through Nov. 27.

MIT Museum features works of Jan van Goyen through Nov. 15, "The Tech: One Hundred Years of Student Activities," continuing.

Saturday and Sunday, 12-5 on Monday and Tuesday, Proceeds from sale benefit the Cambridge Peace Education Project.

A Look at Papermaking, exhibit through Nov. 5, Project Arts Center, 141 Huron Ave., Cambridge. Works of Bernie Toate.

Paula Gross displays her photographs and cyanotypes through Nov. 12, Cambridge Center for Adult Education, 42 Brattle Street.

Alda Fish, displays of gum bichromate photographs, Project Center for Art, 141 Huron Ave., Cambridge, through Nov. 5. Lou Marcus, color photographs, beginning Nov. 3. Opening reception Nov. 11, 6-8 pm, for Jisue Tamariz hair show. The Art of Japanese Flower Making, which continues through Nov. 12.

Women's Stories in Words and Fabric, celebration of women's quilts, Cambridge Center for Adult Education, 42 Brattle St., Nov. 1-15. Reception Nov. 5, 6-8:45 pm.

Roger Jones exhibits his caricatures and drawings at Off the Wall, 15 Pearl St., Cambridge, Nov. 3-Dec. 1.

Ten Arrow Gallery, 10 Arrow St., Cambridge, features an anniversary show beginning Nov. 4; works by Kathy Ibern, Ellen Schon, Brenda Wrigley, Christina Adcock, Karina Piedra, Lucy Serkin, Bob Green, Vernon Reed, Michelle and David Holzapfel.

Theatre

French Gray, a play by Josef Bush about Marie Antoinette's final hour, will be offered with brunch Nov. 7, 14 and 21, at the Peasant Stock Restaurant, 415 Washington Street, Somerville. Tickets are \$9 and reservations may be made by calling 354-9528.

Marie and Bruce by Wally Shawn, costar and coauthor of "My Dinner with Andre," will be performed Thursday, Friday and Saturday evenings at 8 through Dec. 4 at the Alley Theatre, 123 Cambridge Street, Cambridge, Tickets are \$7 general admission, \$6 for students and senior citizens. Call 492-5667 for reservations.

Blood Babies, by Michael McDowell, will be performed Thursdays through Saturdays through Nov. 12, by Double Edge Theatre Productions, at the Old Cambridge Baptist Church, 1131 Mass. Ave. Tix are \$6 general admission, \$5 for students and senior citizens. Call 776-9474 for reservations.

Working, a musical based on the book by Studs Terkel, staged by the Harvard-Radcliffe Dramatic Club, Oct. 28-30, 8 pm; Oct. 30 at 2 pm, at the Loeb Drama Center, 64 Brattle Street, Cambridge. Tickets on sale at the Loeb, or call 263-2830.

Entertaining Mr. Sloane, by the late Joe Orton, presented by the Adams House Drama Society, Oct. 28-30, Nov. 4-6, 8 pm, Adams House, Harvard University, Tix: \$5.50, general, \$2.50, students. Call 666-3634.

Gypsy, presented by the Mystic Players, Oct. 28-30, 8 pm, Little Theatre, Medford High School, Winthrop Street, Cambridge, call 553-6565 for tickets.

Richard III, MIT Shakespeare Ensemble, MIT Student Center, Oct. 28-Nov. 2, Thursday, 7 pm, Call 253-2903.

Say Goodbye, murder-mystery-musical, by the South House Drama Society, Harvard University, Agassiz Theatre, Harvard Yard, Oct. 27-30, 8pm, Tix: \$4 general, \$3 students. Call 496-6156.

Odyssey Mime Theatre, with "Mystera" Oct. 30, Nov. 6, 8pm, Blacksmith House, 56 Brattle St., Cambridge, Tix: \$4.50.

The Shakespeare Brothers, puppetry, juggling, magic and songs, for preschoolers and parents, Oct. 30, First Church Congregational, Mason and Garden St., Cambridge, 10-30 am, \$1.50 for kids over 2, \$2.50 for adults. To benefit Newtonville School Scholarship Fund.

Kiss Me Kate, MIT Musical Theatre Guild, Oct. 29-30, Nov. 4-6, 8 pm, Oct. 31 at 3:30 pm, Kresge Auditorium, MIT, Tix: \$5, available at the door.

We're All Gonna Die, by the late Joe Orton, King School, 10 Putnam Ave., Cambridge, Tix \$4, \$3 for members of the UAW, District 65, Call 262-6333.

Readings

John Pjiewski, author of Dinner with Uncle Josef, reads from his works at the Blacksmith House, 56 Brattle Street, Cambridge, on Nov. 1 at 8:15 pm. Free. Call 988-5753.

Alexia Ostriker, author of A Woman Under Pressure, reads in the Grolier Poetry Series, Oct. 28, 8 pm, Cronkhite Graduate Center, 4 Ash Street, Cambridge, Admission: \$2. Franz continued on page 3A.

Harshbarger faces Carbone in county DA race

By Laura Barrett Special to the Chronicle

Bitterness has marked the waning weeks of the campaign for Middlesex County district attorney between Republican Guy Carbone and Democrat Scott Harshbarger.

Having won a resounding victory against three tough opponents in the Democratic primary, having received the endorsement of dozens of politicians, unions and organizations, having spent nearly a quarter of a million dollars to run for this office, Harshbarger is clearly favored to win. Carbone has waged a far less visible campaign, but in recent weeks he has begun to lash out against Harshbarger's ideas and integrity.

Carbone's vitriol inspired this response from Harshbarger this week. "I consider Mr. Carbone to be running one of the most negative campaigns I have had the opportunity to experience. He's desperately trying to salvage a sinking campaign and a faltering political career by attacking me personally. I've never experienced anything like it."



SCOTT HARSHBARGER



GUY CARBONE

Not that Harshbarger has much to worry about, by all appearances. He placed first in 48 of the county's 54 cities and towns and second in the remaining six in the Democratic primary. Unofficial tallies from the September 14 primary show he garnered 47 percent of the voter, winning 145,257 compared to 52,281 for incumbent John Dronoy, 35,544 for Register of Probate Paul Cavannagh and 35,395 for former Asst. Dist. Atty. Edward Gargiulo. He did even better in his native city of Cambridge, winning nearly 16,000 votes here, more than four times as much as his nearest challenger.

All three opponents subsequently endorsed him, and Dronoy has been actively raising funds for him.

Harshbarger's other endorsements, including unprecedented unanimous support from the Cambridge City Committee, have also given him a boost in this overwhelmingly Democratic county. What's more, the Harshbarger operatives consider it a feather in their cap this week to have won the endorsement of the MDC police union, in light of the fact that Carbone was the former MDC commissioner.

Carbone, by contrast, ran unopposed in the primary and he admits he's had a difficult time in the final election. "As a Republican, I'm doing better than any other Republican could do, but I'm having a devil of a time raising money," he said this week. "When you have Attorney General Francis Bellotti and Dronoy raising money for me, it's not a picnic."

Asked how much money he has raised to date, Carbone said he didn't know. Asked for the name of his treasurer for some of those financial details, he drew a blank.

Lacking the organization for widespread leafletting and lacking funds for extensive advertising, Carbone admitted that his last resort is to point out what he believes are the tarnishes on Harshbarger's armor. The primary object of his scorn is Harshbarger's "Action Plan," a 24-page document issued in April which spells out Harshbarger's philosophy and intended policies as district attorney.

"I call it his Venus DeMilo plan. It looks good, but it's not all there," he said. For example, he contended that Harshbarger could not institute his proposal to assign an assistant DA to each case involving a juvenile without additional funds, and criticized his opponent's contention that he will not need new funds in the initial stages.

"Harshbarger stands by that contention, saying he can bring about many organizational changes without new revenues," Carbone called "patently stupid." Harshbarger's plan to mandate that cases involving serious crimes be brought to trial within 60 to 90 days.

"Harshbarger stands by that plan, saying that gubernatorial candidate Michael Dukakis is even considering seeking to sponsor a law to that effect."

Carbone stressed that the laws should be changed so that more juveniles can be tried as adults and he suggested that a jail or "detention facility" for juveniles should be erected for serious offenders. Harshbarger emphasized that more care should be taken in dealing with minor offenders before they become hardened criminals and that the state should develop more community-based programs.

Carbone, like Harshbarger, acknowledged that the origin of criminal behavior is generally poverty and troubles at home. "I'm a conservative, but I really think the public has got to understand that most of these youngsters who get themselves in trouble come from broken homes and they are very poor," said Carbone. "A lot of these kids have problems, and we're going to have to spend some money there. But I want these kids to know that if they get into trouble they'll be tried. If they get into trouble the first time, we're going to try to help them. If they're in trouble the second time, they should expect to be dealt with more severely. The third time is a serious matter."

Carbone accused Harshbarger of exaggerating by saying he has been in the criminal justice system for 14 years in light of the fact that he graduated from law school 14 years ago and immediately went to work for a private law firm for two years.

Harshbarger contends he actually worked on his first criminal cases 15 years ago while still a law student, that he worked on some criminal cases his first two years out and that he has been active in the criminal justice system ever since then.

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Harshbarger, like Carbone, said he would make juvenile crime a top priority. He added that he would assign an assistant DA to every juvenile case (unlike the current system of assigning them to only the more serious cases).

"I think it's critical for the district attorney to be supporting and developing alternative sentencing programs and resources," he said. "I intend to focus a great deal on restitution programs, on community work programs, on operating a good probation system and on alcohol and drug abuse treatment."

Carbone said he believes in presumptive sentencing for some offenses and mandatory sentencing for others. Among the latter, for certain drunk driving offenses, for persons convicted of assault and battery with a dangerous weapon during a robbery and for second offenses involving assault and battery with a dangerous weapon.

Both readily agreed it is seen as a revolving door, but Carbone said he believes that may be more image than reality based on a misunderstanding of plea bargaining.

According to Carbone, there are too few judges trying cases and too few jail cells for convicted offenders, so plea bargaining is a necessary tool to speed up the process of litigation.

"The public thinks plea bargaining means a career criminal is going to go back on the streets, but that's simply not so. It just means he can plead guilty to a lesser included offense. He's still going to go to jail."

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NOTICE OF A PUBLIC HEARING

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, November 9, 1982 at 8:30 p.m. in the Community Development Department Conference Room, City Hall Annex, 57 Inman Street, on a petition by City Councillor David Sullivan to amend the text of the zoning ordinance by adding a new definition to article 2.000 "Massage Establishment" and by creating a new use category subsection 4.35, (p) "Massage Establishment" that would be prohibited in all zoning districts except in the Industry A, B-1, B-2, B and C where it would be permitted by special permit.

Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge. Questions concerning this petition may be addressed to Lester Barber at 4989034.

Massage



City of Cambridge

12.

IN CITY COUNCIL

October 4, 1982

COUNCILLOR DAVID SULLIVAN

ORDERED:

That the attached proposed amendment to the Zoning Ordinances of the City of Cambridge be submitted, and be referred to the Planning Board and the Committee on Ordinances for hearing and report.

In City Council October 4, 1982.
Adopted by the affirmative vote of eight members.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "Paul E. Healy", written in a cursive style.

AMEND THE TEXT OF THE ZONING ORDINANCE AS FOLLOWS:

1. In Definitions, add: "Massage Establishment" A massage establishment as defined in Section 11-10 of the Code of the City of Cambridge.

2. In Section 4.35, add a new item (p) as follows:

Open Space	Res. A	Res. B	Res. C	Off. 1, 2	Bus. A-1	Bus. A	Bus. B-1	Bus. B-2	Bus. C	Ind. A-1	Ind. A	Ind. B-1	Ind. B	Ind. C
	1&2		1, 2 2A, 3, 3A	3, 3A						A-2		B-2		

p. Massage Establishment	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	SP	SP	SP	SP
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Order # 12

0-37

C.D. Sullivan order re: proposed amendment to the Zoning Ordinances in Section 11-10 entitled "Definitions" and in Section 4.35 with regard to massage establishments be referred to the Planning Board & Ordinance Committee.

12/13/82 - Passed to be
Ordained as amended
9-0-0

12/15/82 - published -
Orionville

CPJ
Order Adopted

In City Council,

October 4, 1982

copy sent to the Planning Board &
Ordinance Committee 10/6/82 mlh