



City of Cambridge

Communication # 17

IN CITY COUNCIL

June 16, 1997

COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU
COUNCILLOR GALLUCCIO

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and other appropriate City Officials to determine how many people were granted variances before the Pitkin petition was advertised and did not get building permits before the petition was advertised and therefore received building permits stamped with a warning as to the potential affect of the down zoning; and be it further

ORDERED: That the City Manager and the City Solicitor review and report back with a legal opinion as to whether there is a possibility of some legal relief such as an amendment to the petition to alleviate the situation in which those who were granted variances prior to the date of publication and were granted building permits after the date of advertising; and be it further

ORDERED: That the City Manager determine if the petition could be withdrawn and refiled without detrimental impact to the petition.

In City Council June 16, 1997.

Adopted by a yea and nay vote:-

Yeas 7: Nays 2; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in black ink, reading "D. Margaret Drury", written over a circular embossed seal.

D. Margaret Drury
City Clerk



City of Cambridge

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IN CITY COUNCIL

June 16, 1997

COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

AG

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and other appropriate City Officials to determine how many people were granted variances before the Pitkin petition was advertised and did not get building permits *before the petition was advertised and therefore received bldg permits* stamped with a warning as to the potential affect of the down zoning; and be it further

ORDERED: That the City Manager and the City Solicitor review and report back with a legal opinion as to whether there is a possibility of some legal relief such as an amendment to the petition to alleviate the situation in which those who were granted variances prior to the date of publication and were granted building permits after the date of advertising; *and be it further*

Ordered: CM determine if the pet. it can be withdrawn + replied w/o detrimental impact to the pet. it

City of Cambridge

MASSACHUSETTS

Comm #17

In City Council 6-16, 1997

KK
~~At~~ Order Re: Drunzy Pehm.

YEA	NAY	ABSENT	PRESENT	
✓				V.M. Kathleen L. Born
✓				Ms. Henrietta Davis
.	✓			Mr. Francis H. Duehay
✓				Mr. Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Mr. Michael A. Sullivan
	✓			Mr. Timothy J. Toomey, Jr.
✓				Ms Katherine Triantafillou
✓				Mayor Sheila T. Russell

7 2



City of Cambridge

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IN CITY COUNCIL

June 16, 1997

COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and other appropriate City Officials to determine how many people were granted variances before the Pitkin petition was advertised and did not get building permits stamped with a warning as to the potential affect of the down zoning; and be it further

ORDERED: That the City Manager and the City Solicitor review and report back with a legal opinion as to whether there is a possibility of some legal relief such as an amendment to the petition to alleviate the situation in which those who were granted variances prior to the date of publication and were granted building permits after the date of advertising.

①

② Ordered: That the City Manager determine if the petition can be withdrawn and refiled without detrimental impact to the petitioners.

Ordered:

~~That the City Manager determine~~

~~how many Pre-June 9, 1997, variances were granted for which building permits were not pulled by June 9, 1997.~~

~~Ordered: Request that the City Manager in consultation with the~~

~~City law office and Specialized
zoning counsel determine
if there is any form
of ~~legal~~ relief which may
be available to those hold-
ing variances prior to June 9th,
1996, but did not have a
building Permit as of 6/9/97.~~

Ordered

~~That it be determined for
accurate decision making purposes
if ^{pending} the petitioners can amend
the ^{a Citywide Downzoning} and, if so,
how.~~

Ordered



City of Cambridge

Communication # 17

IN CITY COUNCIL

June 16, 1997

COUNCILLOR REEVES
COUNCILLOR TRIANTAFILLOU

Amelia AB

ORDERED: That the City Manager be and hereby is requested to confer with the City Solicitor and other appropriate City Officials to determine how many people were granted variances before the Pitkin petition was advertised and did not get building permits stamped with a warning as to the potential affect of the down zoning; and be it further

before the petition was advertised and now have

ORDERED: That the City Manager and the City Solicitor review and report back with a legal opinion as to whether there is a possibility of some legal relief such as an amendment to the petition to alleviate the situation in which those who were granted variances prior to the date of publication and were granted building permits after the date of advertising. *now find themselves*

received at rostrum at 6/16/97 @w

June 16, 1997

Cambridge City Council
City Hall
Cambridge, MA 02139

To the Honorable, the City Council:

We are signers and supporters of the Cambridge Residents for Growth Management Zoning Petition that is now before the City Council. It has come to our attention that it is the policy of the Inspectional Services Department to stamp all building permits as "at risk," now that the petition has been publicly advertised.

This policy seems to be unnecessarily cautious and may cause needless hardship to property owners who seek permits for construction that has already received a variance or for construction that complies with the petition. It is not and has never been our intention to impede such projects.

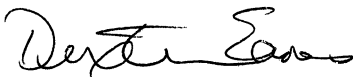
A prudent alternative policy would be for the Department to analyze each permit application for compliance with the provisions of the petition proposal and only to stamp "at risk" on those permits which are not in accord with these provisions. In those rare instances where there may be genuine ambiguity about compliance with the proposed zoning changes, the permit could also be stamped "at risk." Since only a few provisions are changed in any zoning district, a determination of compliance or noncompliance should be straightforward in the vast majority of cases.

We respectfully request your assistance in seeking this change in City policy during the period when the zoning petition is being considered by the Council and would, if necessary to make this possible, support an amendment to the petition to exempt projects which had been granted variances before June 9, 1997.

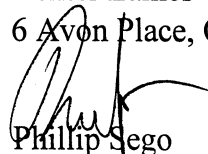
Sincerely,



John Pitkin
18 Fayette Street, Cambridge, MA 02139



Dexter Eames
6 Avon Place, Cambridge, MA 02138



Phillip Sego
221 Norfolk Street, Cambridge, MA 02139

Consent Communication #17

S-379

Communication was received from
John Pitkin, Dexter Eames and
Phillip Sego, regarding the process
used by Inspectional Services
Department on building permits
as it relates to the Growth
Management Petition.

In City Council June 16, 1997

Order Adopted