

February 4, 1999

Cambridge City Council
C/O
Margaret Drury
Cambridge City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

1999 FEB -4 A 11: 35
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

RE: City Council Order 16 (February 1, 1999)

At the February 1, City Council meeting, matters were discussed pertaining to the feasibility of having the City Management mail explanations of zoning petitions to affected households.

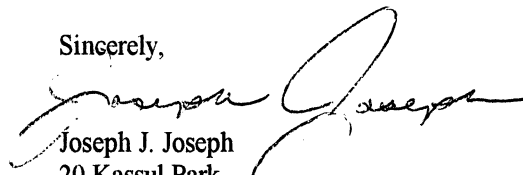
It is understood that the reason for this request is that certain city councilors maintain that persons affected by zoning petitions do not always understand the meaning and effect of these petitions, and that the city management could perform a public service by translating these petitions into more readily understandable language.

Questions arise immediately as to the nature of this proposed translation, and to the method employed and the legal implications of such practice. The right of petition is at least as old as the English Constitution. Additionally, it is a fair presumption that one of the disciplines of democracy is that its citizenry be obligated to familiarize itself with its laws, existing as well as prospective. Since zoning petitions require both advertisement and a series of public hearings, it is difficult to comprehend the intent and net effect of this inquiry.

Let us assume that the Council's intent in this matter is to better educate its citizenry. If this is so, it is perplexing as to why the Council would not likewise condition its own right to alter zoning petitions. As it stands, the Council can make zoning petitions that are fully advertised and fully heard substantially more permissive in any aspect without one public word of notification. The Council has done this often. This being the case, it strains credulity, that individual Councilors would blame 'activists' for 'misinforming the public', when in fact the Council routinely adds wholly inappropriate and undesirable use categories and dimensional allowances to zoning petitions that are in most cases well known to be undesirable to host neighborhoods. These alterations are included with no public review and with no way in which to measure public approval. They are often done at the behest of particular individuals and most commonly at the expense of host neighborhoods literally in the 'dead of Monday night'.

I would request for the sake of consistency and public interest that the Council limit its power of amendment with respect to zoning petitions. At the very least, the Council should advertise prospective amendments to zoning petitions either through local newspapers or by direct mail so that the 'citizenry' can better inform the Council as to their disposition in a useful and timely manner. Additionally, the Council ought to consider a bylaw restricting zoning decision reconsiderations to subsequent meetings. This last 'safety valve' action would give Councilors the ability to determine through meaningful consultation with their constituents whether what they have enacted by amendment or otherwise is in fact desirable. There should be no objection to this unless the Council feels that their purpose is something other than public interest.

Sincerely,


Joseph J. Joseph
20 Kassul Park
Cambridge, MA

Consent Communication #1 *ST-19* *8*

A communication was received from Joseph J. Joseph, pertaining to the feasibility of having the City Manager mail explanations of zoning petitions to affected households.

In City Council February 22, 1999

PLACED ON FILE