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1 appeal of the Commissioner's approval of a parking plan for
2 a curb cut at 33 Walker Street be denied, therefore
3 upholding the Commissioner's decision to grant that approval
4 for that application for the curb cut, based on the
5 testimony that we've heard tonight.

6 All those in favor of supporting the Commissioner
7 and denying the appeal?

8 (Show of hands)

9 TOM SIENIEWICZ: Five in favor, Mr. Sullivan, Mr.
10 Truant, Mr. Clemons, Mr. Sieniewicz, Mr. O'Connell.

11 (Off the record)

12 TOM SIENIEWICZ: The Chair wants to add a motion
13 to the previous case, 8630. We're going to open that
14 briefly. At 33 Walker Street.

15 The Chair is merely adding the motion that --

16 (Off the record)

17 TOM SIENIEWICZ: The Chair wants to add the motion
18 that relative to the previous hearing which was the appeal
19 that the Chair of the Zoning Board recommends that the
20 language under the sections referenced, specifically in the
21 setbacks and the dimensions of parking spaces under Section
22 6.42 be referred to the City Council, in particular in

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1 reference to the testimony that was -- and the proposed
2 ordinance changes that were outlined in the document
3 submitted Commissioner Bersani that the City Council take
4 the time to once again review these sections of the
5 ordinance as they are being interpreted in a way that has
6 consequences that may not be the intended consequences of
7 the Council.

8 So they need to have a look at those sections of
9 the ordinance and review the recommendations specifically
10 from the Community Development Department and testimony from
11 the Community Development Department as to the ways in which
12 those sections are being applied in the community today.

13 So it's a motion to send that language and urge
14 the City Council to clarify those sections in the ordinance,
15 specifically Section 6.42 as it relates to setbacks from
16 buildings.

17 All those in favor of referring those sections
18 back to the City Council?

19 (Show of hands)

20 TOM SIENIEWICZ: Five in favor, Mr. Sullivan, Mr.
21 Truant, Mr. Clemons, Mr. Sieniewicz, and Mr. O'Connell.

22 RANJIT SINGANAYAGAM: 44.

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**FACSIMILE TRANSMISSION
COVER SHEET**

TO: City Clerk
City of Cambridge

FAX: 617-349-4269

RE: Zoning Ordinance
Off-Street Parking Requirements
BZA Motion Referring Matter to City Council

FROM: Thomas B. Bracken

DATE: February 27, 2003

NUMBER OF PAGES (INCLUDING THIS SHEET): 3

At the conclusion of the of its hearing on Case No. 8630 (33 Walker Street) on January 23, 2003, in which I represented the Appellants, the Board of Zoning Appeal unanimously adopted a Motion requesting the City Council to clarify the off-street parking requirements in the Zoning Ordinance, and in particular §6.44.1(a) as it relates to setbacks from buildings. Attached are the two pages of the transcript containing the Motion. Please take the necessary action to bring the Motion before the Council.

S-90

Communication #8

A communication was received from Thomas B. Bracken, regarding Zoning Ordinance, Off-Street Parking Requirements, BZA motion referring matter to City Council.

In City Council March 17, 2003

**REFERRED TO THE
CITY MANAGER.**