

11

**Lopez, Donna**

---

**From:** Patrick W Barrett III [jbrealtyllc@gmail.com]  
**Sent:** Monday, September 22, 2014 12:09 PM  
**To:** City Council; Lopez, Donna  
**Subject:** RE: Policy Order Resolution on Use

Dear Cambridge City Council,

The world isn't changing; it has already changed and now we must play catch up. The uses that the zoning act first sought to prohibit are all but extinguished and now we hem and haw over nuisances that artificially increase the cost of rents, inhibit the creation of viable local businesses, and squelch start-up creativity. Zoning is something we do to ourselves and it is something that we can amend to suit our evolving ways of living. I have often heard members of the planning board mention that zoning is something that should be looked at every twenty years or so. When was the last time we looked at use? As a tightly knit community we must show both patience for one another and accept the minor inconveniences that proximity can create. As a property owner I can attest to the dozens of groups that have approached me looking for office space, startup space, anywhere where they can work/live and attempt to offset the challenges of entrepreneurship and the realities of the cost of living. I work in an office space now, a commercial building built in the 1800's that, due to a petition in 2004, altered the available uses allowed in it; an amendment that changed a BA zone to BA-3 (neighborhood business). Now in this district any change in use to a free standing commercial structure requires a variance. A standard of review so strict that very few granted pass legal muster. Where the intent of the amendment was to preserve local businesses how is this result acceptable? This isn't my first instance of befuddlement with this city and I doubt it will be my last. The main difference between when I first arrived and was forced to seek a variance to live in my home (in a residential district) and today is a law degree. I will not be pigeonholed into subjecting small projects to the whim of ISD or to the impossibly high standards of variance relief; and nor should anyone else in this city. I want a BZA that works with the people. I want an ISD that works with the people. I want a zoning ordinance that is clear, modernized, enforceable, and understands the difference between a single family house, a ten unit project, a thousand unit project, and a gas station. The issue is the community; whether or not such use or new structure is a detriment to the area not whether I can check off three boxes to fit within the confines of a variance. Make some uses by right, give our volunteer boards a break and stop setting yourselves up for lawsuits.

The council order brought by Marc McGovern, Vice Mayor Benzan, and Mayor Maher may be a first step in challenging and ultimately re-writing an ordinance that no longer protects as much as it inhibits. However, I warn this council that sending any policy order off to the community development department without specificity or direction will be met with a petition after petition for action by the community at large. I spent two years in the Central Square Advisory Study only to see all of our recommendations die on the political vine without so much as a debate. Me and twenty other good people spent time away from families and our regular lives to help usher this city into the modern age and we were abandoned. How can I, or anyone involved have faith in the city process if this is the kind of result we can expect? Thus I have lost faith in the ability of CDD to move meaningfully on any topic brought forth without this council solidly behind them and reinforcing the need for change. Which is why I urge you to engage the community at large, quickly, efficiently, both residential and the business community and act. I implore you to support this order brought forth by councilor McGovern, Vice Mayor Benzan, and our Mayor. Help alleviate the unnecessary tension between city and residents by allowing meaningful use of special permit review instead of the road block that a variance equates to. Show the community that you understand that the world has changed, that residential

and commercial uses can be mingled (as they have been in nearly 280+ other municipalities) and put the community to work. Support this order, but don't stop there; appoint an action committee, put changes on the table and show us that the process can work. I have many suggestions in mind, what are yours?

Warm Regards,

Patrick W. Barrett III

Patrick W. Barrett III  
41A Pleasant St.  
Cambridge, Ma 02139  
[www.linkedin.com/in/pwbarrett/](http://www.linkedin.com/in/pwbarrett/)

Cell: 617 778 3521

Fax: 617 714 5857

This email message may contain legally privileged and/or confidential information. If you are not the intended recipient(s), or the employee or agent responsible for delivery of this message to the intended recipient(s), you are hereby notified that any dissemination, distribution or copying of this e-mail message is strictly prohibited. If you have received this message in error, please immediately notify the sender and delete this e-mail message from your computer. Emails sent or received shall neither constitute acceptance of conducting transactions via electronic means nor shall create a binding contract in the absence of a fully signed written contract.