



AGASSIZ NEIGHBORHOOD COUNCIL

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March 23, 2012

TO: Cambridge Board of Zoning Appeals (BZA) Cambridge City Council
Brian Murphy, Assistant City Manager Suzan Glazer, Community Development
Ranjit Singanayagam, BZA Sean O'Grady, BZA
Maria Pacheco, BZA

FROM: Agassiz Neighborhood Council

Re: **PROTEST AGAINST THE PROCESS**
Cambridge Board of Zoning Appeal (BZA), Fast Food Zoning Variance
1678 Massachusetts Avenue

The Agassiz Neighborhood Council has worked long and hard with the City of Cambridge, local businesses, and residents – over many, many years – to build a productive and collaborative working relationship that has been mutually beneficial, we believe, to EVERYONE in our extended community.

This is why it's disconcerting to watch the variance process for a fast-food establishment on Mass. Ave. be pushed through with so little regard for community input and involvement.

The Agassiz Neighborhood Council voted unanimously at our March 13 meeting to:

1. Formally protest the process by which the variance has been handled
2. Indicate that we cannot support what is happening
3. Request that the variance process be **RE-STARTED** – this time *correctly* – so that the “hardship” can be properly reviewed
4. Request that the developer meet with the Agassiz Neighborhood Council at a future monthly Agassiz meeting to discuss the variance

The Process

The process was broken. There was no attempt to reach out and involve anyone in the Agassiz or Neighborhood Nine communities, other than the mysterious and misleading public notice on the door of 1678 Mass. Ave. for the first hearing on March 8, 2012. See Attachment A, photo of the notice.

Please note:

- The notice did not refer to fast food. The description said a *Café/Coffee Shop*.
- The notice included only *the zoning article numbers*. Who is supposed to memorize those and know what they mean? It's only when you break it down that you learn “café/coffee shop” is code name for fast food.
- On the next day, March 9, the notice it was taken down.

The notice did not match the listing on the City's online calendar entry for the BZA March 8 meeting (the calendar did include the words, Fast Order Food Establishment). It goes without saying, navigating the City's website to get the information on the BZA hearings is difficult.

A second notice for the April 12 BZA hearing went up sometime between March 9-16. This second notice included the words, Fast Order Food Establishment. While this second notice says that the hearing is public, the deadline for public comments is April 9 before 5:00 PM. Therefore, a citizen reading the sign would not know that public comments, either spoken or written, CANNOT be presented at the April 12 BZA hearing. Our understanding is that this second hearing is only for how the Dunkin Donuts (the proposed new tenant) looks, and not for the zoning fast food variance itself.

All in all, this was a completely unacceptable variance process that must be re-started.
The Variance

To obtain a zoning variance, the owner must show a "hardship". Please explain – what is the hardship?

A second question is this: *Why the rush to locate another fast food chain between Harvard Square and Porter Square?*

There are at least 14 businesses between the Cambridge Common and Porter Square on Mass. Ave. that serve take-out coffee and food. Most are locally owned and reasonably priced: Montrose Spa, Starbucks, High Rise Bakery, WraPro, City Market, Harvard House of Pizza, Simon's Coffee Shop, Stone Hearth Pizza, Half Shell Pizza, Rosie's Bakery, Bourbon Coffee, Japonaise Bakery & Cafe, Gourmet Market, and Bruegger's Bagels. Most of these have seating for customers.

And of course if you want Dunkin Donuts, you've already got 10 choices within a couple of miles – JFK St.; Harvard MBTA Station; Bow St.; Porter Sq.; North Mass. Ave.; Cambridgepark Dr.; Alewife Brook Pky.; Concord Ave.; Broadway St., Somerville; and Elm St., Somerville.

The Relationship

We are concerned about what this process says about the relationship between the City and its residents.

Mass. Ave. is the crown jewel of this part of the City and has received an enormous amount of attention over the past few years as the City and neighborhoods – Agassiz and Neighborhood Nine – have worked together to develop a proposed Master Plan for Sustainable Improvements.

The Mass. Ave. Master Plan reflects an enormous commitment of time, expertise, and collaboration by private residents, who have volunteered literally thousands of hours working with the City to help Mass. Ave. plan for the future and reach its full potential. Some very smart and committed people have brought a wealth of expertise from both sides of the aisle – City and neighborhoods. We are pleased and gratified at the progress so far, believing our participation has been a fruitful one.

Now this? It simply makes no sense.

Please **RE-START THE VARIANCE PROCESS FROM THE BEGINNING** so the community has a chance to hear from the developer and to understand what is going on here.

How can we make an informed decision about whether we support or oppose this variance when there's been no opportunity to *evaluate* it?

Thank you,



Stephen Diamond, Chair, Agassiz Neighborhood Council, Agassiz Baldwin Community Board Director



Miriam Goldberg, Agassiz Baldwin Community Board



Andrea Walsh, Agassiz Baldwin Community Board



Notice of Public Hearing

PETITIONER: *Boston Postals*

CASE: *10212*

ADDRESS/LOCATION: *1677 Mass Avenue*

The Board of Zoning Appeal will hold a public hearing

on *March 8, 2002* at *9:35 AM* on
South Corner 1st Floor
1677 Mass Ave Cambridge MA

Application for: *variance to convert existing structure into day care center*

Action or Relief Sought is:
Ord. 11000, Sec. 4.35.0.1
Ord. 11000, Sec. 4.35.0

Copies of the application are on file at the City Clerk's Office, City Hall, 225 Massachusetts Avenue, and at the Inspectional Services Department, 400 Grand Building, 811 Massachusetts Avenue, Cambridge, Massachusetts.

Interested parties should comment to the Board of Zoning Appeal, 400 Grand Building, Cambridge, MA 02140.

For more information please call 343-6100, TTY: 343-4112

Advertisement is: Vinance to convert existing store into Suburban
Shop.

Action or Relief Sought is:

Deb. 4,000, Sec 4,550 &

Ext 11,000, Sec 11,30