



## ORDINANCE COMMITTEE

### COMMITTEE MEETING

~ MINUTES ~

Tuesday, February 14, 2023

3:00 PM

Sullivan Chamber  
795 Massachusetts Avenue  
Cambridge, MA 02139

- I. The Ordinance Committee will hold a public meeting to continue the discussion on Citizen's Zoning Petition from Suzanne P. Blier, et. al Harvard Square Zoning Petition Modification regarding Frontage of Financial Institutions – APP 2022 #46.

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Dennis J. Caralone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3:20 PM
Alanna Mallon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3:26 PM
Paul F. Toner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Quinton Zondervan	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council's Ordinance Committee was held on Tuesday, February 14, 2023. The meeting was called to order at 3:00 p.m. by the Chair, Councillor Zondervan. Pursuant to Chapter 20 of the Acts of 2022 adopted by Massachusetts General Assembly and approved by the Governor, this public meeting was hybrid, allowing participation in person, in the Sullivan Chamber, 2<sup>nd</sup> Floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA and by remote participation via Zoom.

**City Clerk LeBlanc called the roll.**

**Councillor Azeem – Absent**

**Councillor Caralone – Absent\***

**Vice Mayor Mallon – Present/In Sullivan Chamber**

**Councillor McGovern – Present/In Sullivan Chamber**

**Councillor Nolan – Absent**

**Councillor Simmons – Absent\***

**Councillor Toner – Present/In Sullivan Chamber**

**Councillor Zondervan – Present/Remote**

**Mayor Siddiqui – Present/Remote**

**Present – 5, Absent – 4. Quorum established.**

\*Councillor Caralone was marked present and remote at 3:20 p.m.

\*Councillor Simmons was marked present and remote at 3:26 p.m.

The Chair, Councillor Zondervan noted that the call of the meeting was to continue the discussion on Citizen's Zoning Petition from Suzanne P. Blier, et. al Harvard Square Zoning

Petition Modification regarding Frontage of Financial Institutions – APP 2022 #46. Councillor Zondervan introduced the petitioner, Suzanne Blier, President of the Harvard Square Neighborhood Association and was accompanied by Brad Bellows. Suzanne Blier did an overview of her presentation, “Harvard Square Zoning Petition Amendment Planning Board meeting December 6, 2022” (Attachment A).

**The Chair, Councillor Zondervan opened Public Comment**

Heather Hoffman, 213 Hurley Street, Cambridge, MA, spoke in support of the Petitioner and the language provided by CDD.

Nicola Williams, 8 Brewer Street, Cambridge, MA, shared that she supported banks, and will continue to work with the Business Association, and sometimes it's ok to agree to disagree.

John DiGiovanni, 50 Church Street, Cambridge, MA, spoke on a zoning amendment from three years ago that was passed and advanced zoning work for Harvard Square and offered comments against the current zoning petition, and asked that the City focus on ways to improve public space in Harvard Square.

Denise Jillson, 2203 Massachusetts Avenue, Cambridge, MA, from the Harvard Square Business Association, spoke against the petition and asked that the City focus on working towards a robust, relevant, fun, clean, welcoming, and safe Harvard Square.

The Chair, Councillor Zondervan introduced Jeff Roberts, Zoning and Development Director for the Community Development Department (CDD) who was joined by Megan Bayer, Deputy City Solicitor. Mr. Roberts reviewed the response to Policy Order 2023 #7 (Attachment B) from CDD and the Law Department.

The Chair, Councillor Zondervan recognized Councillor McGovern who had clarifying questions for the Petitioner regarding linear square footage and offered comments about banks in Harvard Square and the zoning petition. Suzanne Blier responded.

The Chair, Councillor Zondervan recognized Councillor Carlone who shared comments and concerns regarding the petition and Harvard Square, noting that it is worth having further discussions around the petition to get it right in the future.

The Chair, Councillor Zondervan recognized Councillor Toner who shared that he would side with property owners and feels they should be able to rent to whomever they like. He shared that he would like to see the petition expire so more work can be done on it.

The Chair, Councillor Zondervan recognized Vice Mayor Mallon who shared that she would like to see the petition expire so the Petitioners are able to go back to CDD to work out some of the issues with the petition.

The Chair, Councillor Zondervan recognized Councillor Simmons who echoed comments made by Vice Mayor Mallon about the petition expiring and noted that collaboration and cooperation is a way to move forward.

The Chair, Councillor Zondervan offered comments around the petition and noted that CDD has provided improved language to amend it.

The Chair, Councillor Zondervan recognized Mayor Siddiqui who shared support for the petitioners but also agree with some of the statements made by other Council members.

The Chair, Councillor Zondervan recognized Councillor Toner who asked the Law Department if the Council voted a negative recommendation, because the Planning Board has made a positive recommendation, would the petitioner be able to bring it back without the two year moratorium. Deputy Solicitor Megan Bayer responded noting that Councillor Toner was correct, and shared language from the zoning ordinance that would allow that.

**The Chair, Councillor Zondervan recognized Vice Mayor Mallon who made a motion to amend the Petition from Suzanne P. Blier, et.al Harvard Square Zoning Petition by substitution with the language provided by CDD and the Law Department, Attachment B. City Clerk LeBlanc called the roll.**

Councillor Azeem – Absent

Councillor Carbone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan – Absent

Councillor Simmons – Absent

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Yes

**Yes – 6, No – 0, Absent – 3. Motion passed.**

**The Chair, Councillor Zondervan made a motion to amend the language provided by CDD to include the suggestion made by the Petitioner to remove the words “street line” and replace them with “building façade”.**

City Clerk LeBlanc called the roll.

Councillor Azeem – Absent

Councillor Carbone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan – Absent

Councillor Simmons – Absent

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Yes

**Yes – 6, No – 0, Absent – 3. Motion passed.**

The Chair, Councillor Zondervan recognized Councillor McGovern who made a motion to forward the Petition from Suzanne P. Blier, et.al Harvard Square Zoning Petition, as amended to the full City Council with a negative recommendation.

City Clerk LeBlanc called the roll.

Councillor Azeem – Absent

Councillor Carfone – No

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan – Absent

Councillor Simmons – Absent

Councillor Toner – Yes

Councillor Zondervan – No

Mayor Siddiqui – No

Yes – 3, No – 3, Absent – 3. Motion failed.

The Chair, Councillor Zondervan recognized Councillor Carfone who made a motion to send the Petition from Suzanne P. Blier, et.al Harvard Square Zoning Petition as amended to the full City Council with no recommendation.

City Clerk LeBlanc called the roll.

Councillor Azeem – Absent

Councillor Carfone – Yes

Vice Mayor Mallon – No

Councillor McGovern – No

Councillor Nolan – Absent

Councillor Simmons – Absent

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Yes

Yes – 4, No – 2, Absent – 3. Motion passed.

**ORDERED:** That the Petition from Suzanne P. Blier, et.al Harvard Square Zoning Petition as amended be sent to the full City Council with no recommendation. A clean copy is provided as Attachment C.

The Chair, Councillor Zondervan made a motion to adjourn the meeting.

City Clerk LeBlanc called the roll.

Councillor Azeem – Absent

Councillor Carfone – Yes

Vice Mayor Mallon – Yes

Councillor McGovern – Yes

Councillor Nolan – Absent

Councillor Simmons – Absent

Councillor Toner – Yes

Councillor Zondervan – Yes

Mayor Siddiqui – Yes

Yes – 6, No – 0, Absent – 3. Meeting adjourned at approximately 4:23 p.m.

Attachment A – Presentation titled, “Harvard Square Zoning Petition Amendment Planning Board meeting December 6, 2022”.

Attachment B – Memorandum from CDD and the Law Department to the City Manager

Attachment C – Petition as further amended to include Petitioners suggestion

Attachments D-K - Written Communications Received from the Public

**Clerk’s Note:** The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. This is a permanent record.

The video for this meeting can be viewed at:

[https://cambridgema.granicus.com/player/clip/443?view\\_id=1&redirect=true&h=629be383d164f7b479cf13dcfb81b8f4](https://cambridgema.granicus.com/player/clip/443?view_id=1&redirect=true&h=629be383d164f7b479cf13dcfb81b8f4)

**A Zoning Petition Has been received from Suzanne P. Blier, et al. Harvard Square Zoning Petition Modification regarding Frontage of Financial Institutions REFERRED TO ORDINANCE COMMITTEE AND PLANNING BOARD FOR HEARING AND REPORT IN CITY COUNCIL OCTOBER 17, 2022**

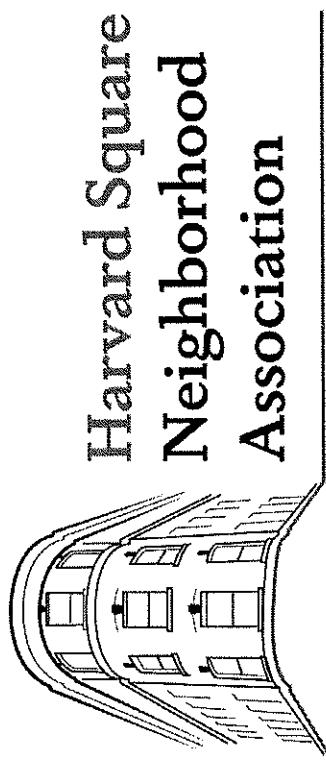
**A communication transmitted from Yi-An Huang, City Manager, relative to Policy Order 2023 #7, regarding Information on Blier, et al., Zoning Petition. FINAL FEBRUARY 13, 2023**

**A communication was received from the Planning Board, transmitting the Planning Board recommends ADOPTION, with additional considerations.**

**A communication was received from Suzanne P. Blier, regarding a presentation for the Ordinance Committee meeting.**

# Attachment A

Harvard Square Zoning Petition Amendment  
Planning Board meeting December 6, 2022



AIMS: to modify the existing language to conform with:

- The intent of the original Harvard Square zoning petition
- To conform with the language of the Harvard Square Conservation District Goals and Guidelines

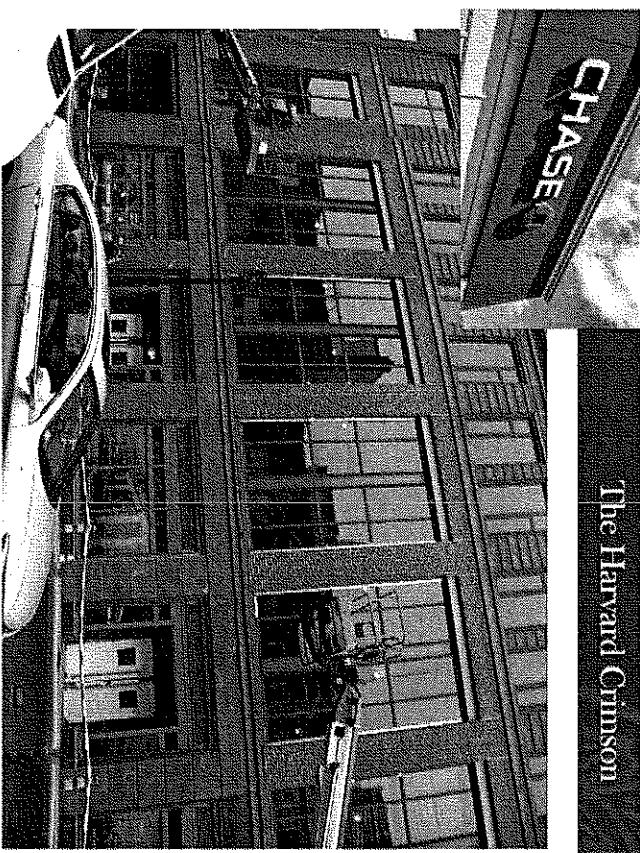
# Harvard Square Zoning Petition Amendment Ordinance Committee meeting Wed. December 14, 2022

The Harvard Crimson



Harvard Square will soon be home to a Chase Bank branch, slated to arrive on JFK St. in 2022. By Aiyana G. White

By Leah J. Teicholtz, Crimson Staff Writer  
September 29, 2021



Two recent Harvard Square bank-related decisions urged the writing of this amendment: Chase Bank and Santander Bank This amendment brings into conformity the intent of the original zoning petition, for more pedestrian vitality, active street scape consistent with the 2019-2020 Harvard Square Conservation District guidelines and goals.

## Key Points

**Original intent: to limit bank frontage (problem with non-transparent windows and lengths).**

- We are simply seeking to realize original intent of petition and already approved twice.

**Harvard Square Advisory Committee met on this Nov. 16, 2022**

- HSBA (John DiGiovanni) and Harvard University Rep. among others were present.
- No vote taken. Comments forwarded to the Planning Board.

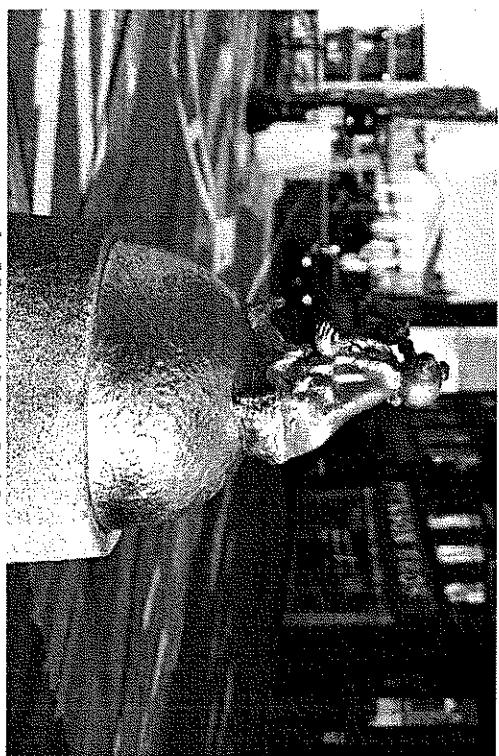
**At the Dec 8, 2022 meeting of the Planning Board, they voted unanimous support for HSNA petition amendment**

- They opposed banks on corner locations
- They do not support brick walls or other non-transparent wall-window changes to enable banks to expand beyond the 25 linear ground floor length on street visible sites
- They do not support adding multiple banks on the same property
- They urged CDD and the legal department to provide the clearest and best language possible to achieve these ends.
- Harvard Square property owner Raj Dhandha was at the Planning Board and voiced support.

**In January 2023, HSNA leaders met twice with HSBA Executive Director and a property owner, proposing further edits.**

- These proposed revisions were not supported.

## Harvard Square Conservation District Goals & Guidelines 2019, 2020



Igor Fikol Memorial Sculpture, Brattle Square

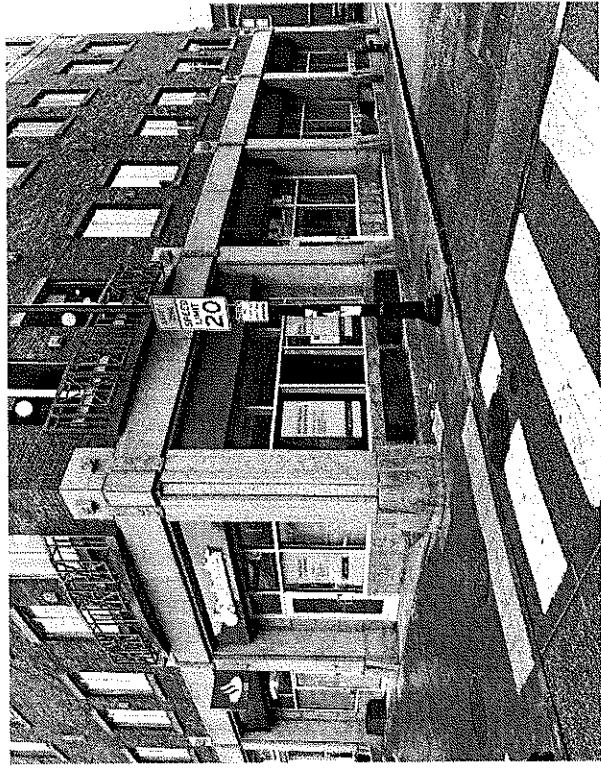
### Goals and Guidelines

...**discourage homogeneity** by encouraging diversity of development and open space patterns and building scales and ages.

**The District must remain a pedestrian-friendly, accessible, human-scale, quirky, mixed-use environment that supports dynamic urban experiences, complements nearby neighborhoods, and respects the history and traditions of its location...**

When possible, retail functions required by law to be screened from public view, such as marijuana dispensaries, should be located so as to preserve the front of the store for retail **activity or other active uses**.

- Sustain the Vitality of the Commercial Environment: ...encourage creative contemporary commercial design inside the restored framework of storefront openings. **Encourage creative signage**....Regardless of use, **encourage** architectural solutions that preserve storefront fabric, **transparency, and utility**.
- Diversity of Form: ...**Support small-scale storefronts to preserve the vitality and character of the streetscape**.
- Pedestrian Experience. **Protect and enhance the pedestrian experience**.
- Residential Development. **Enhance the all-hours neighborhood quality of Harvard Square...**
- Compatible Design. **Encourage compatible design...serving the needs of surrounding neighborhoods, students, workers and visitors** from around the world.

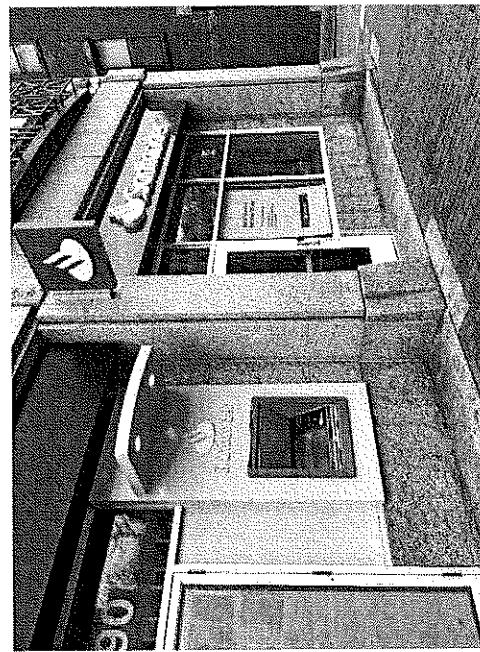
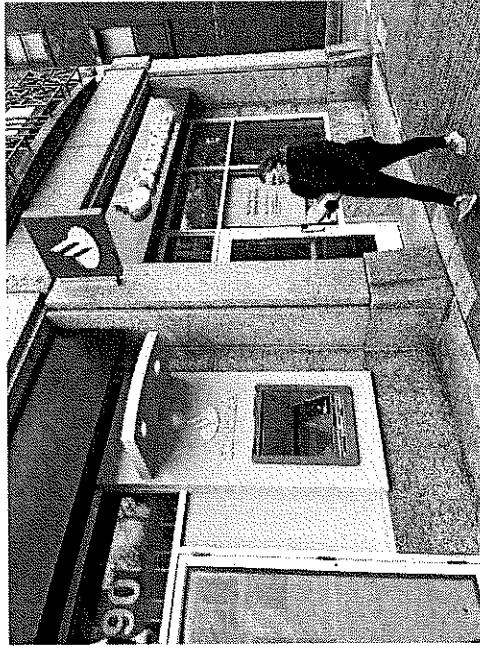


## Precipitating Event

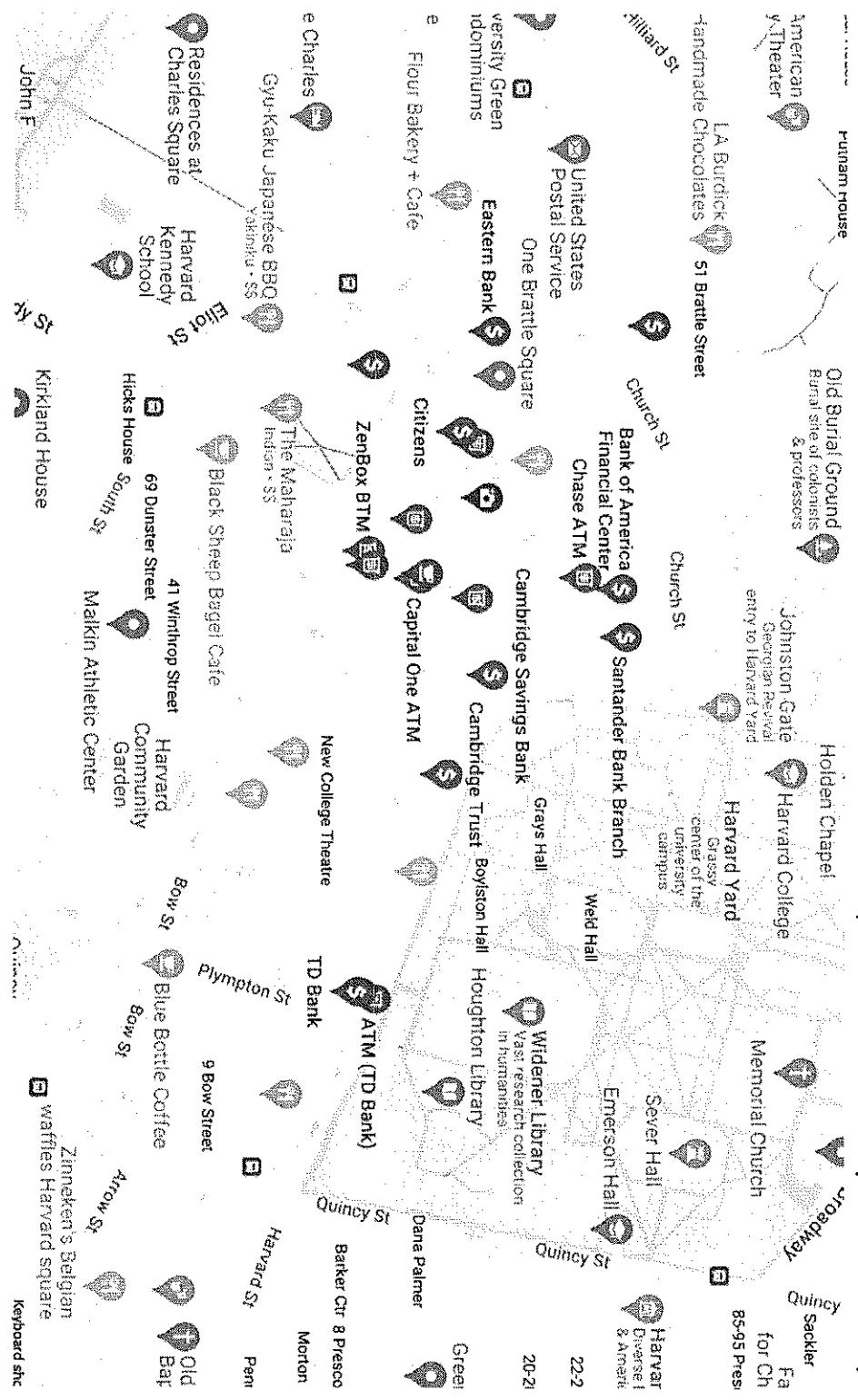
Santander Bank

MA Ave & Linden St.

- length/scale
- building type
- monotony
- repetitive
- dead space
- against HSCD guidelines
- dark at night
- does not enhance
- not eclectic signage



Today there are as many banks as food establishments in Harvard Square –situated at prime corners/locales



This change will likely lead to fewer vacancies not more since larger facades/properties are harder to lease.

- **Banks as Billboards in Harvard Square**
- few people use them as walk-ins
- largely all about branding
- detract from streetscape & pedestrians

## Harvard Square bank asks to quadruple signage

Council, zoning board asked to approve Citizens Bank, Leather World signs on 30 Brattle St.; city removes variance information from website.

By John Hawkinson  
Monday, April 27, 2015



A rendering shows the signs requested by companies at 30 Brattle St. in Harvard Square. (Image: Philadelphia Design)



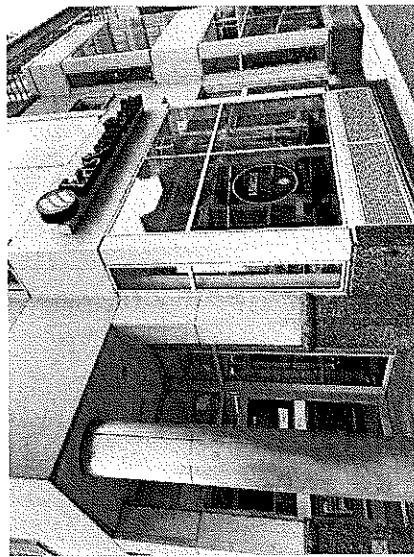
***Massive scale & amount of space***

Take place of other key businesses needed in the Square for neighbors, students and works.



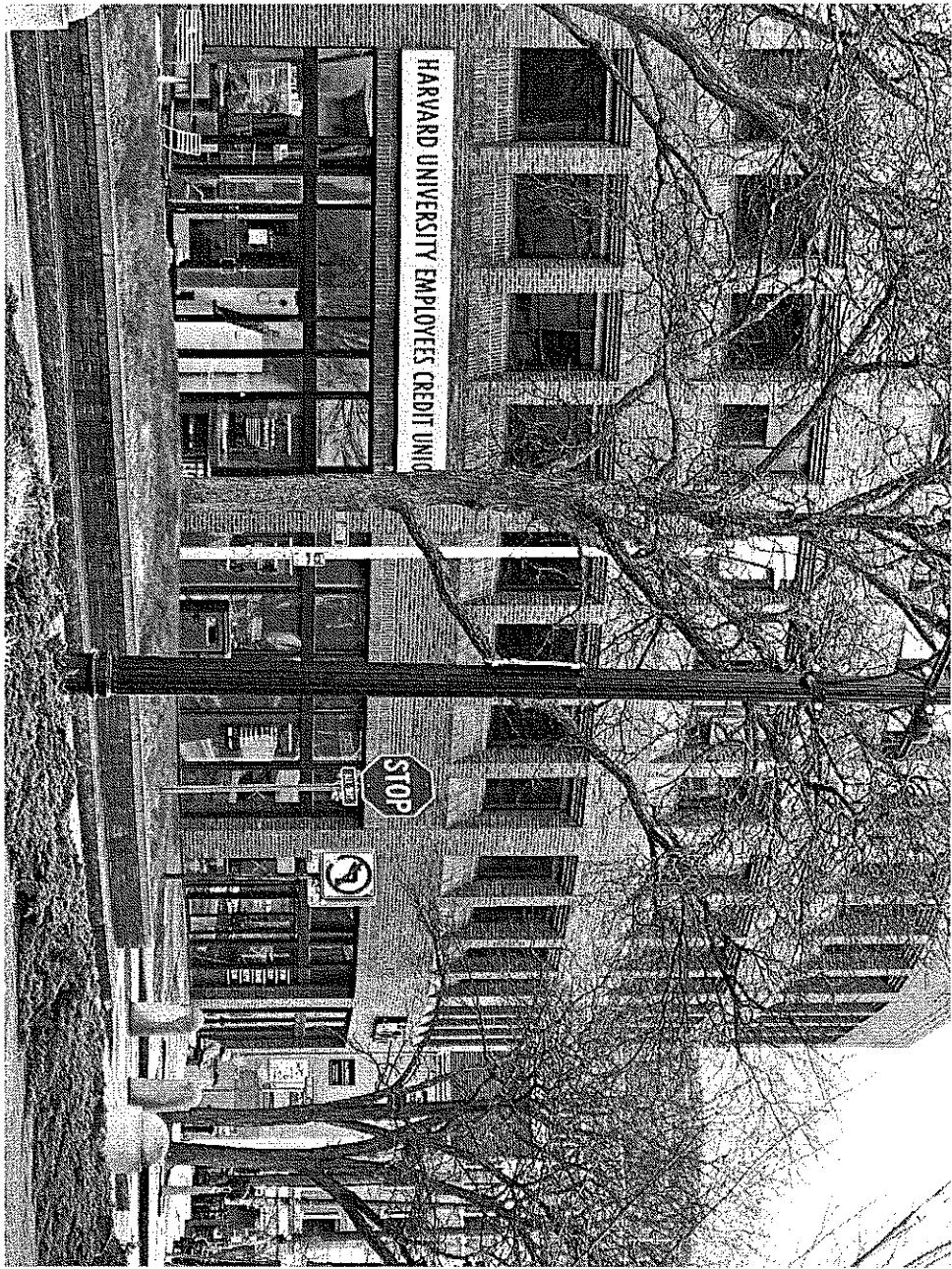


Number of banks in Harvard  
Square is crazy. And still  
prime places for more.

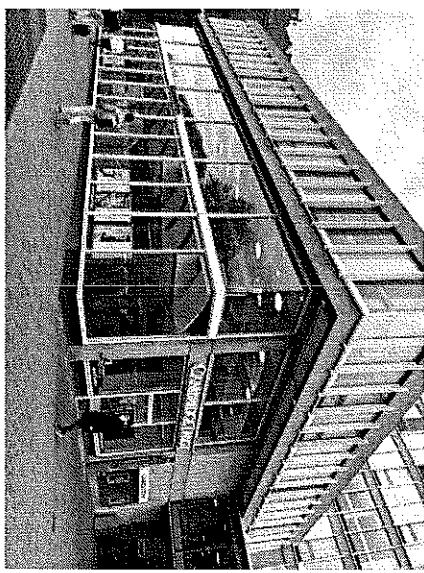


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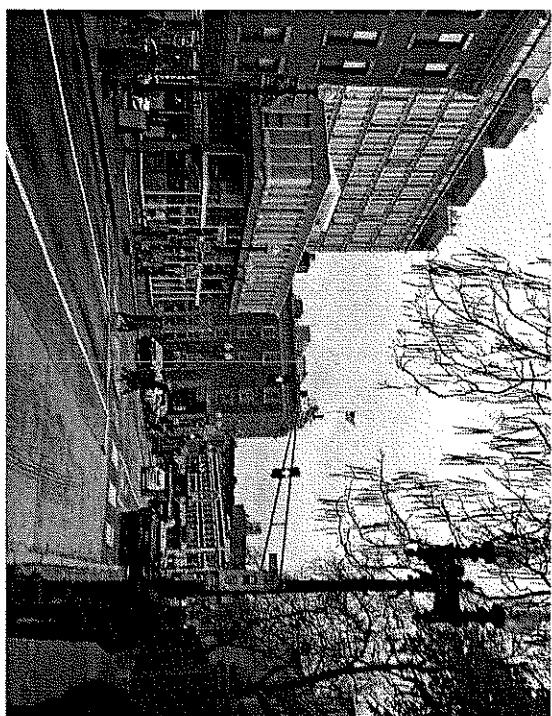


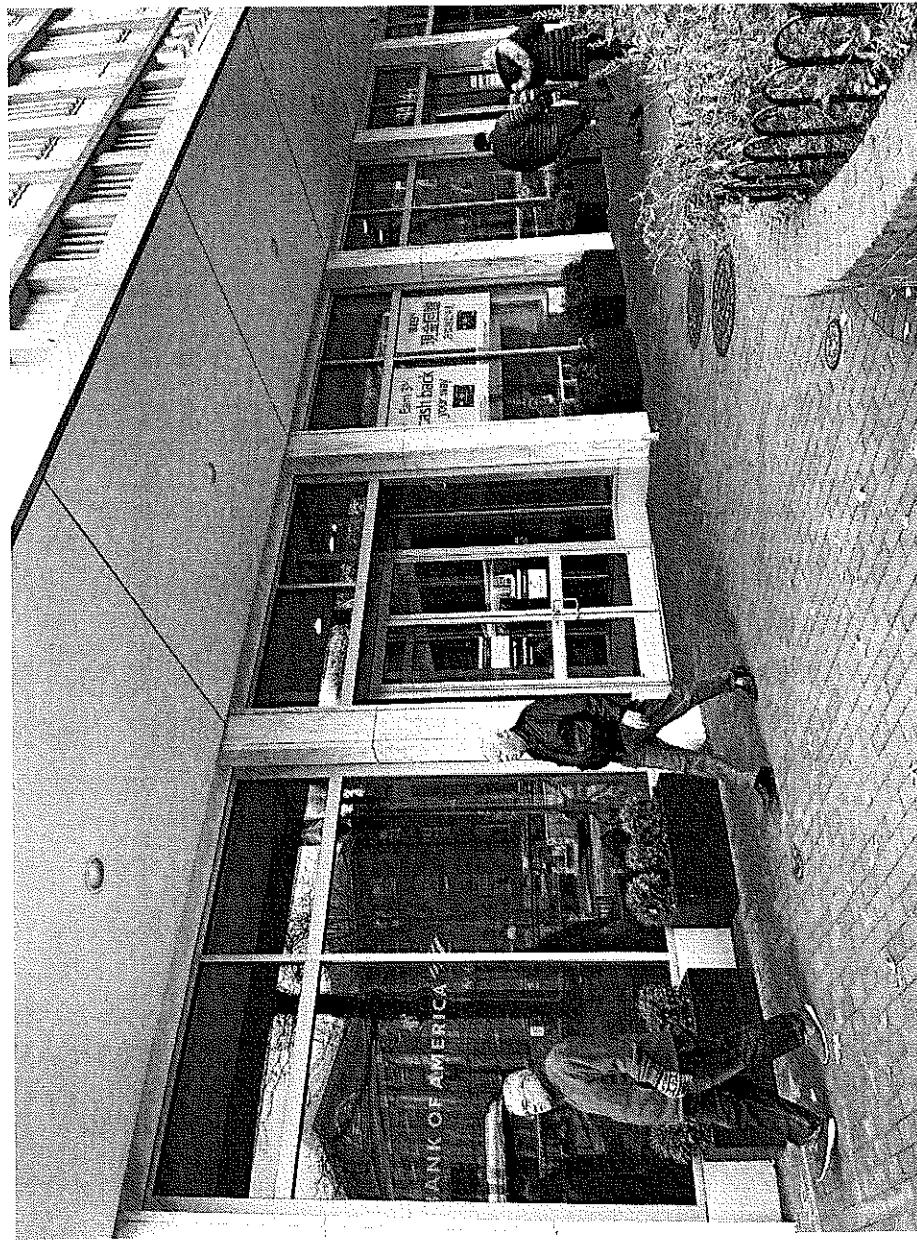
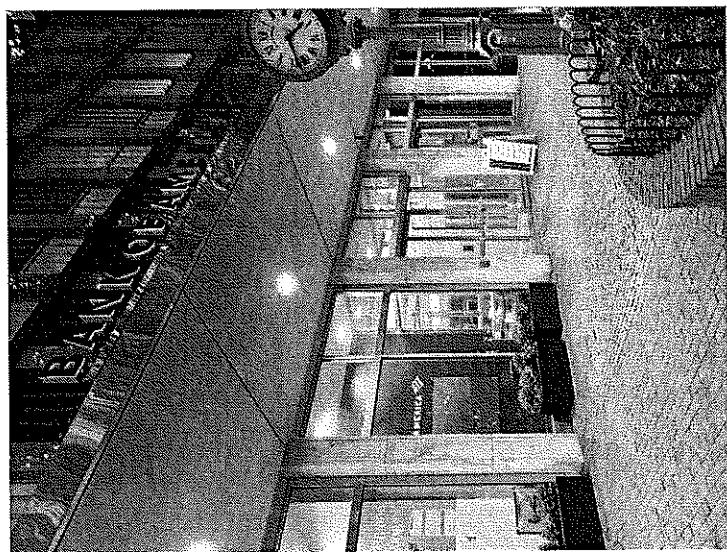
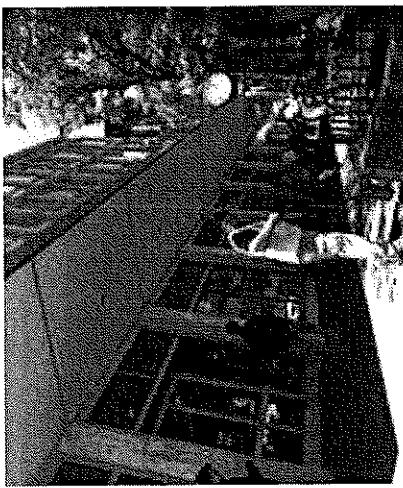


Percentage of bank frontage prime street locales is over the top  
HSCD language opposes such practices in its goals and guidelines  
- we can't change the past, but we can the future.



Cambridge Trust to move?  
Former Santander Bank space  
now empty (grandfathered).

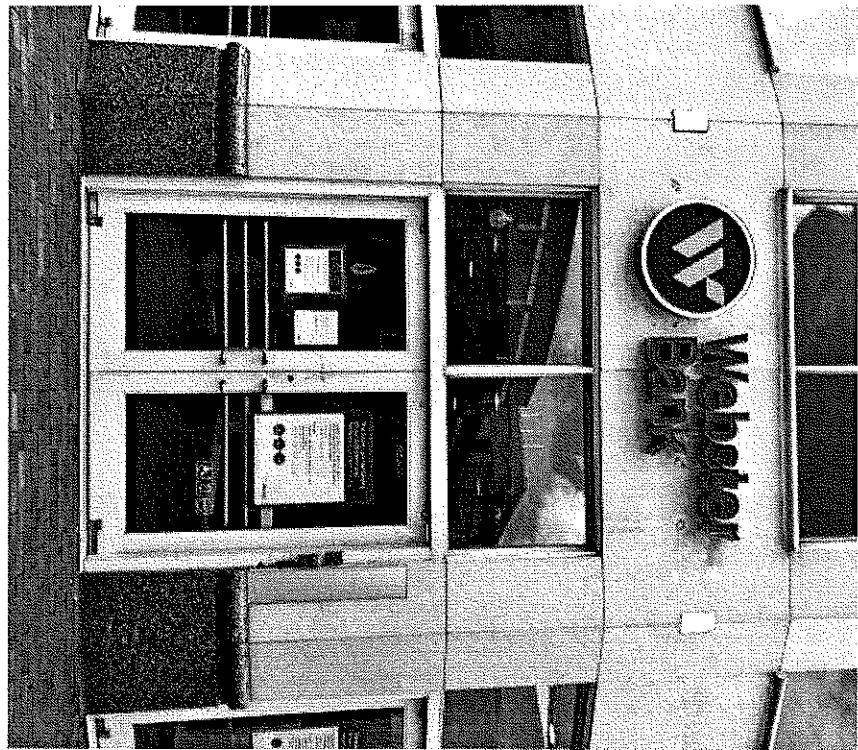




Bank of America – dominates streetscape Too dark and people avoid walking nearby at night.  
Safety concerns. HSAC concerns.



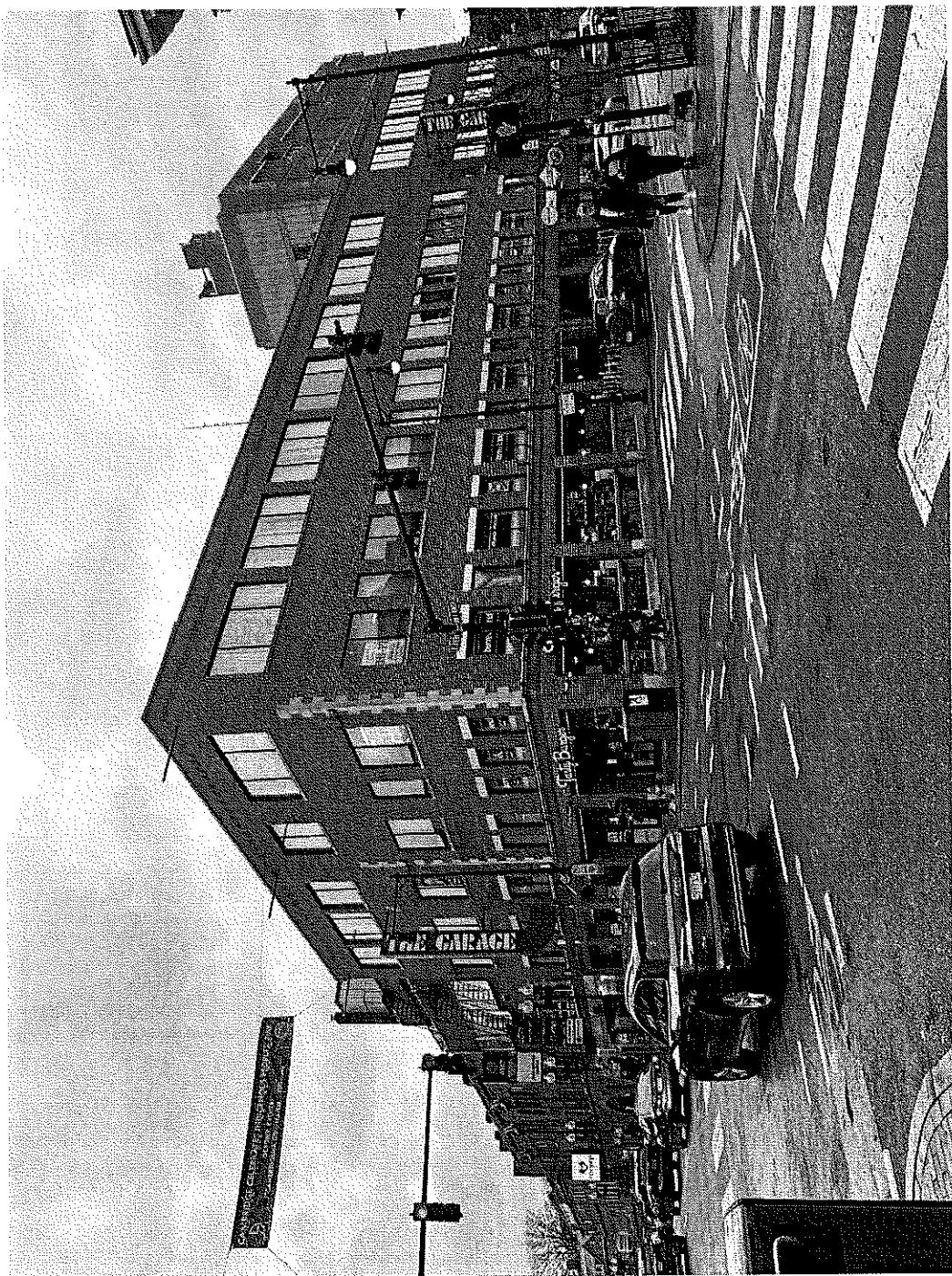
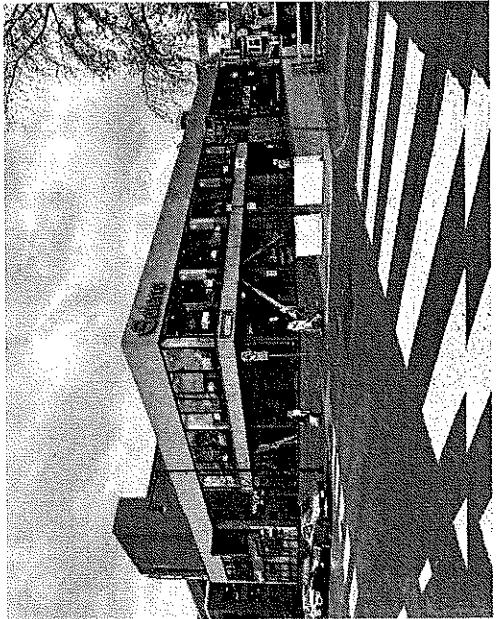
**Webster  
Bank**

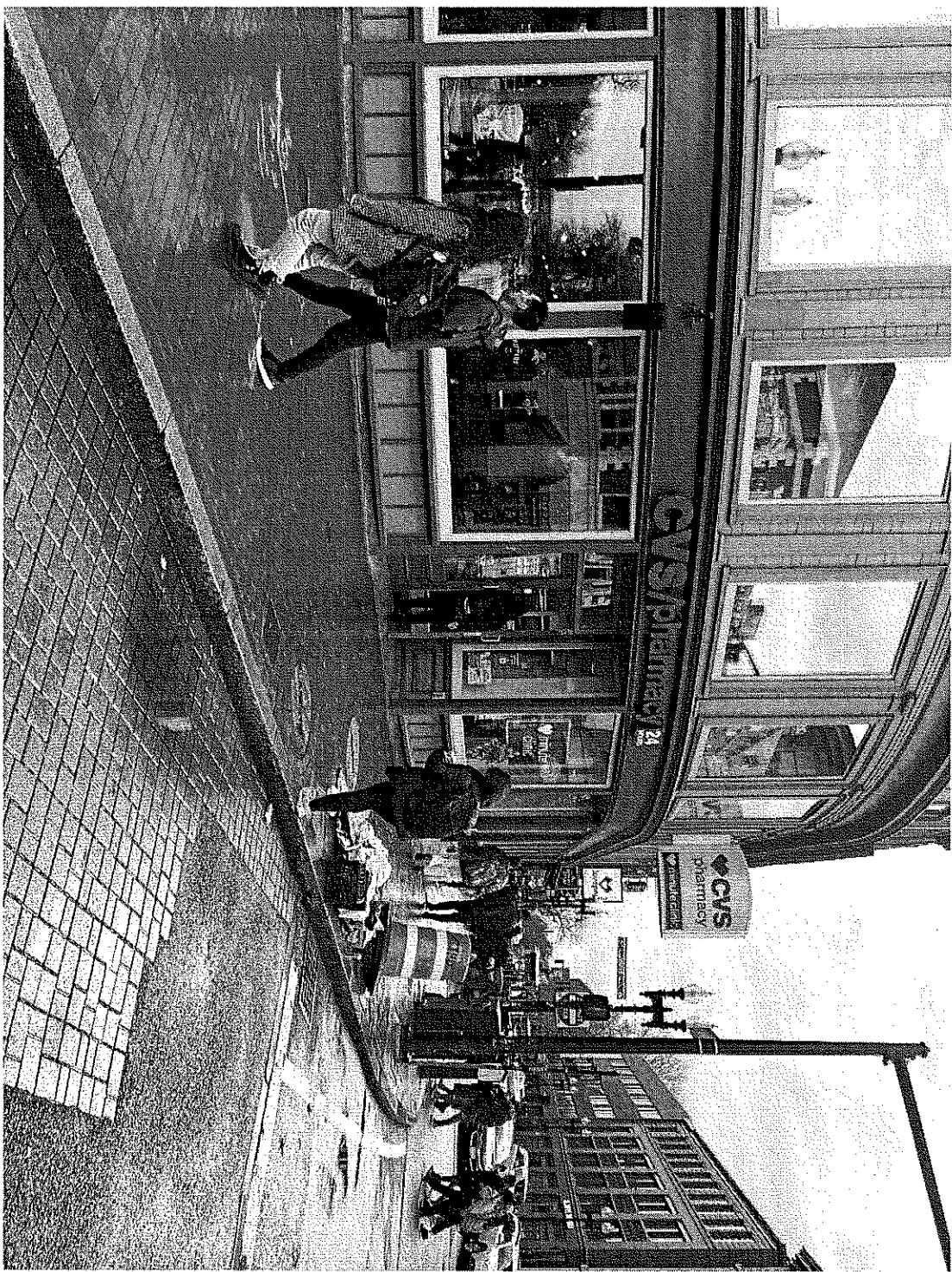


Financial institutions in prime Harvard Square locales -- become a  
pedestrian wasteland.



Awaiting bank opportunities  
The Garage, 57 JFK, and  
other prime corner locales

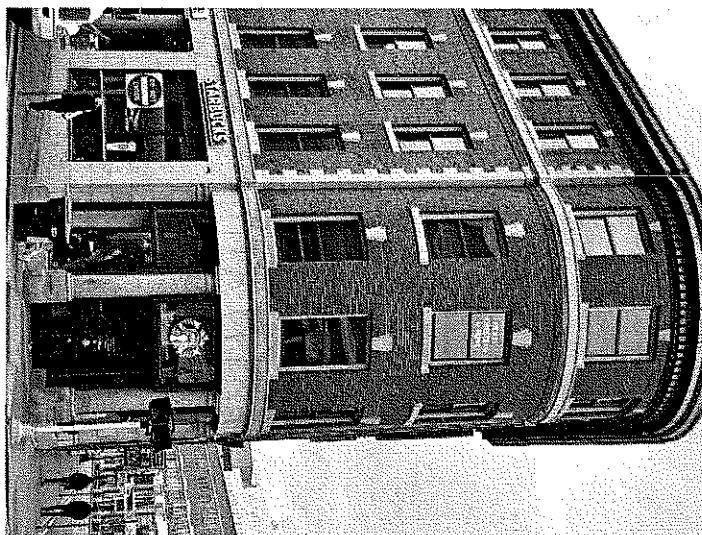


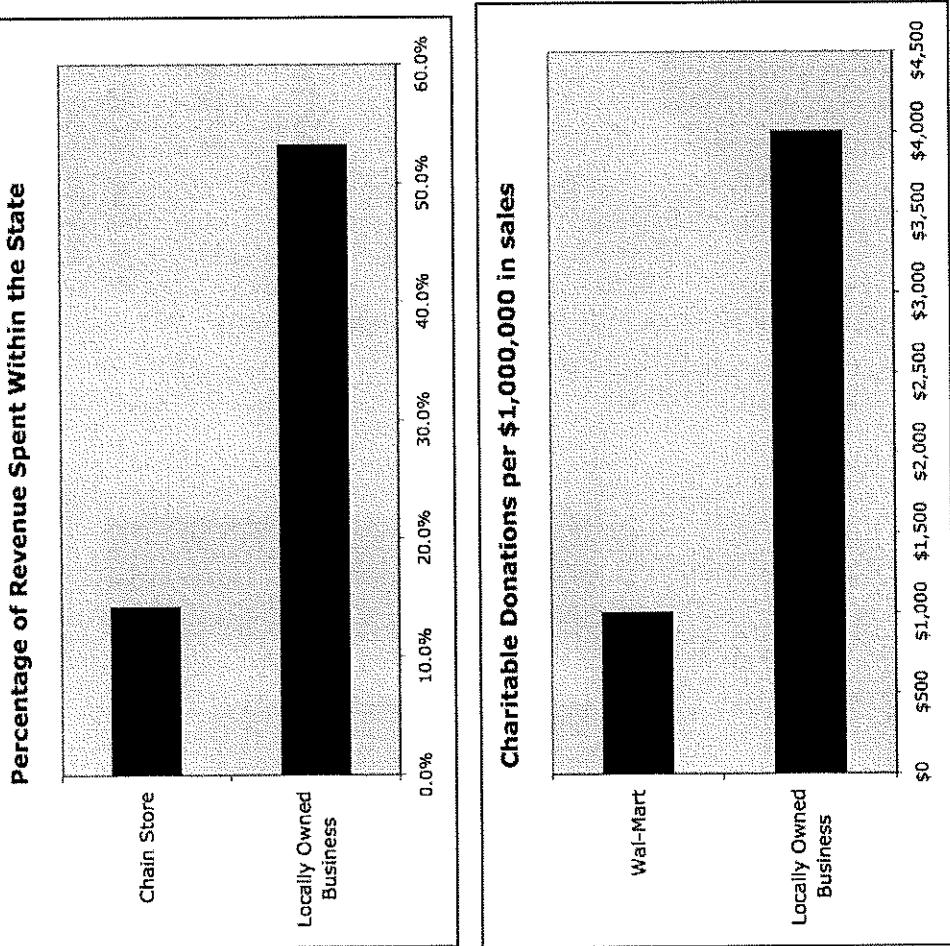


Prime locales that also could become banks.

Note: these have transparent windows which banks cannot have (HSCD guidelines)

Monotony  
Needs





Opaque facades go against HSCD

Large facade banks take up key spaces from other commerce

Banks  
Drive up lease prices  
Drive away shoppers  
Drive away local businesses

Why local businesses matter.....

## Average Facade Length for a Single Business by Type

**Banks are 6.1% of businesses  
BUT take up 44% of facade use**

50  
44.033333333

34.57142857  
25.255555554

21.73148148  
14.17939815

11.29166667  
8.166666667

5.833333333  
3.333333333

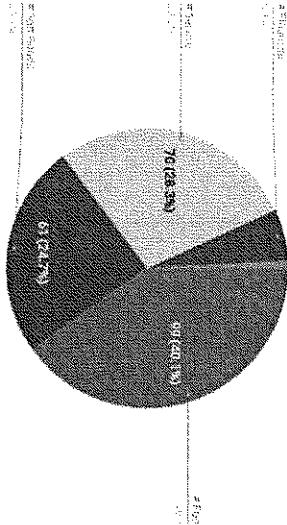
0  
20  
30  
40

- \*likely even more now
- \*counteracting HSAC guidelines & goals
- \*\* counteracting Harvard Square zoning petition goals
- \*\* more possibilities await

Facade Length (ft)

44.033333333  
34.57142857  
25.255555554  
21.73148148  
14.17939815  
11.29166667  
8.166666667  
3.333333333  
0

Business Makeup

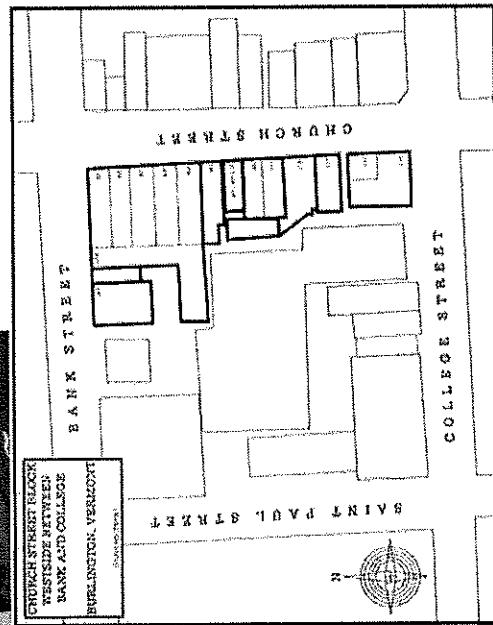


Current Business Makeup in Harvard Square

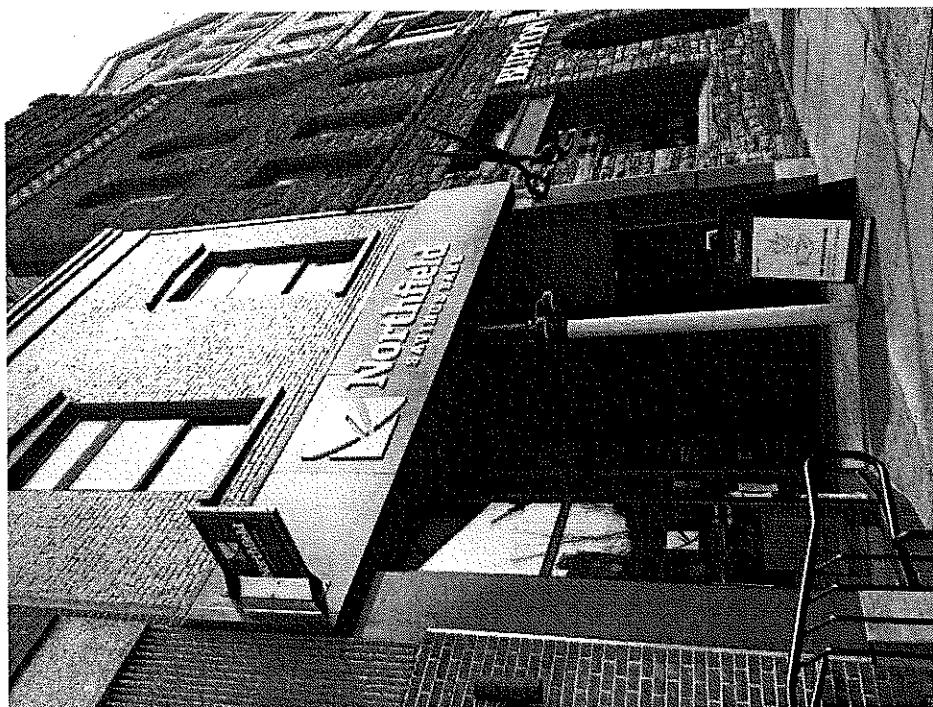
## Average Facade Length by Business Type

- \*\* disproportional length for financial institutions (to actual numbers)
- \*\* the larger the facade length the greater chance of vacancy

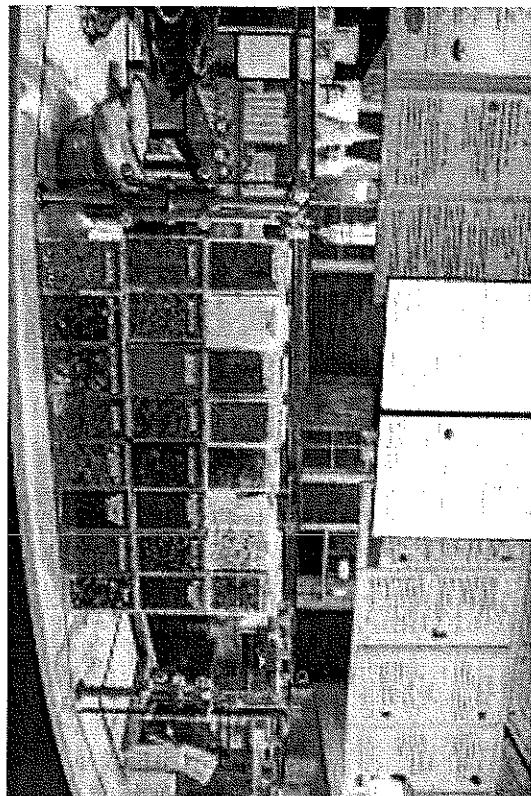
(Financial is green and 6.1% of whole)

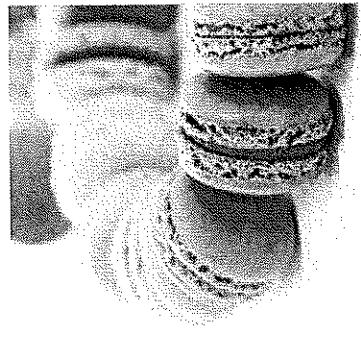
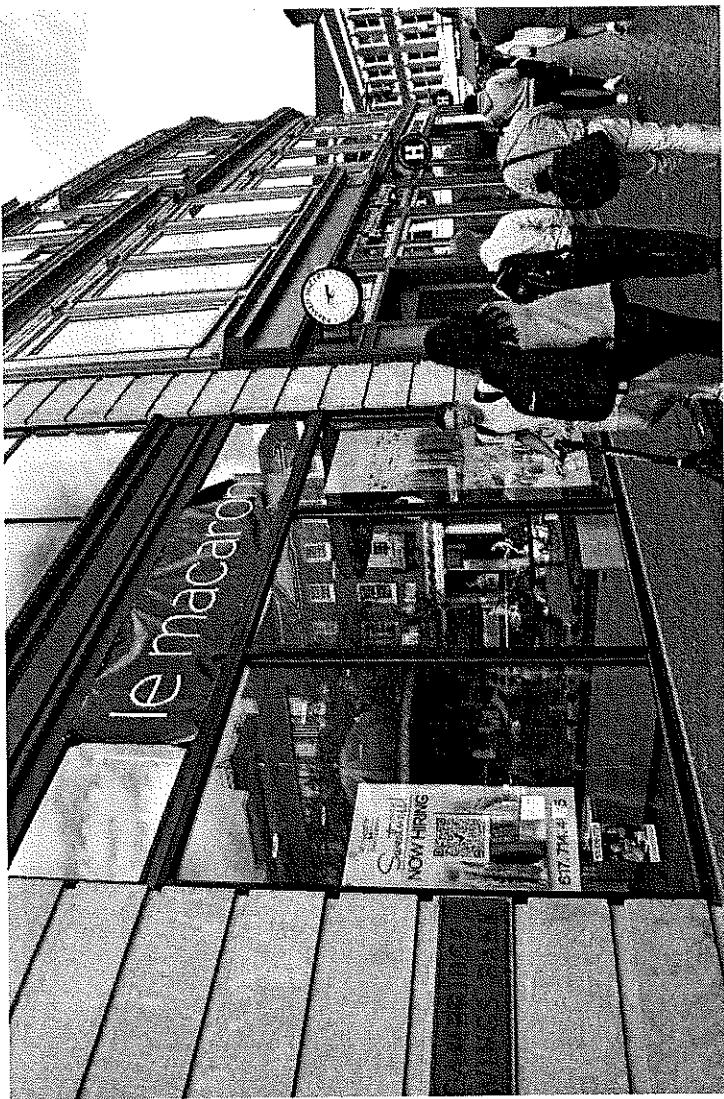


**The model: Burlington Vt.**  
Smaller bank facades  
Irish pub in Chittenden Bank

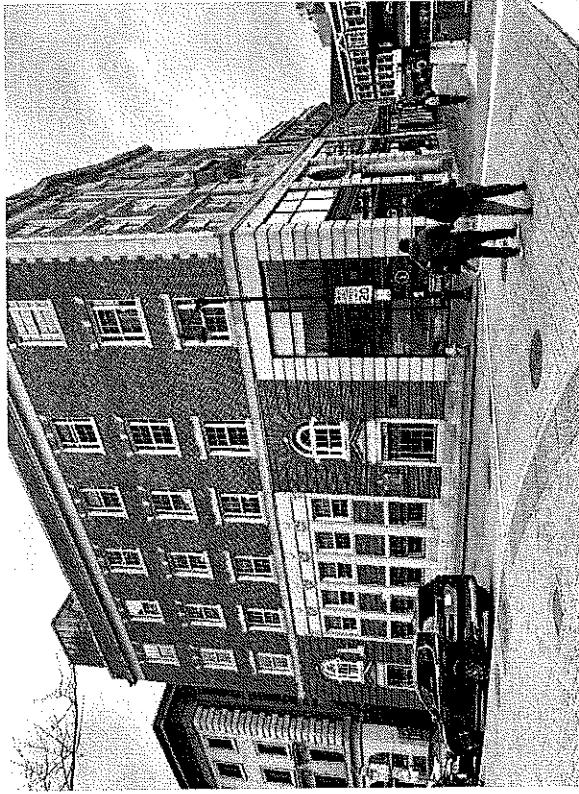


Cambridge Ice Cream in a (*smaller*) bank

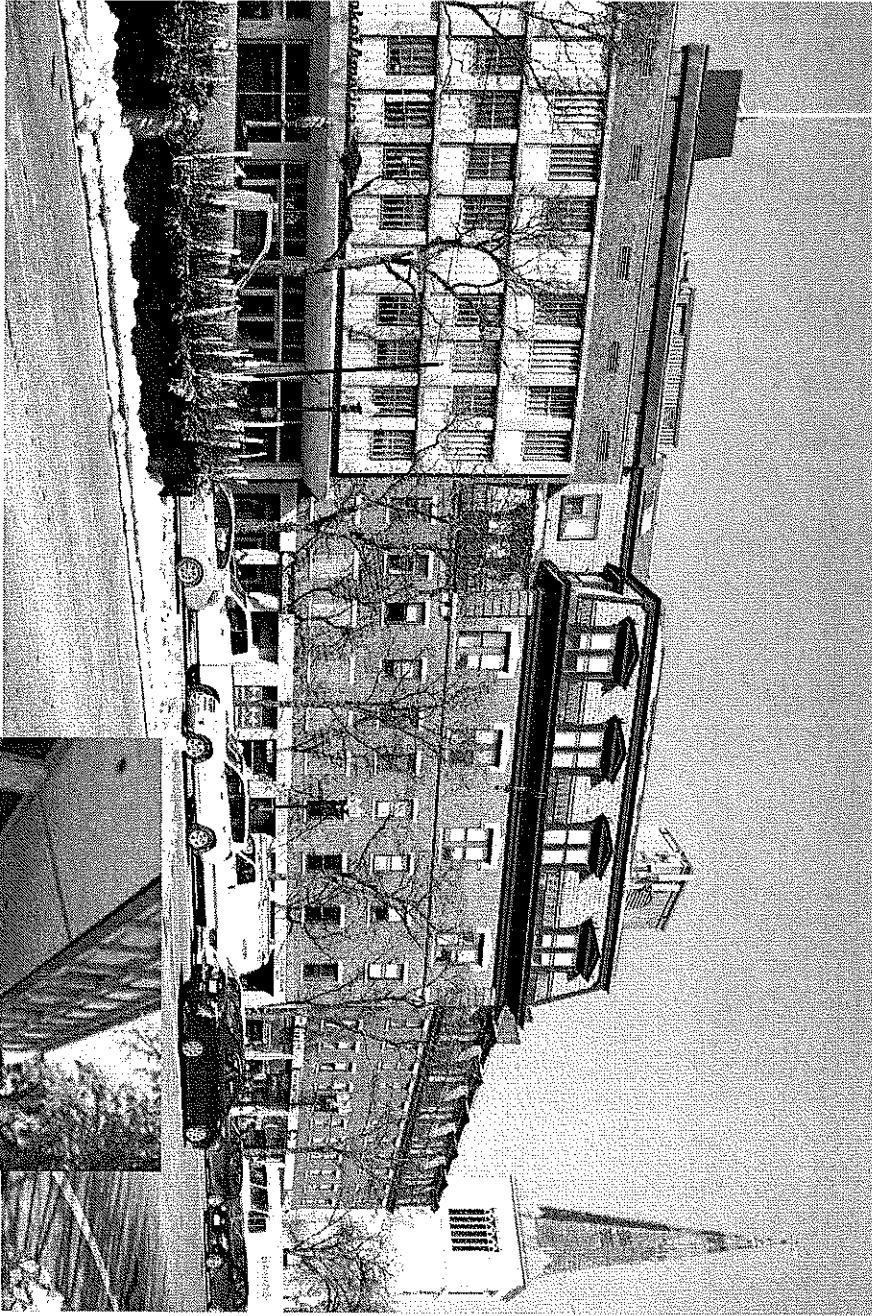




Cambridge Savings Bank added  
Le macaron  
A positive step, however, bank's  
street space still very large



**Impact of long-facade banks on  
street scape.  
*Finding space for eclectic businesses  
that bring business to the Square***



Harvard Square Zoning Information – Community Development Department – Cambridge, MA

Harvard Square Overlay District [HSOD] Use Table		Base Districts in HSOD						
		O-8	O-3	O-2	C-3	C-3B	C-1	
Residential Uses – Section 4.31 (generally)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Transportation, Communication, and Utility Uses – Section 4.32 (generally)	varies	varies	varies	varies	varies	varies	varies	
Institutional Uses – Section 4.33 (generally)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Office and Laboratory Uses – Section 4.34 (generally)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Retail and Consumer Service Uses – Section 4.35 (uses listed below)	Business: Indoor, Indoor/Outdoor, Indoor/Outdoors, Below/below/below							
Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores, provided that the establishment is located in a structure also containing retail units, and that no establishment shall exceed two thousand five hundred (1,500) square feet gross floor area. (a.1)								
Store for retail sale of merchandise where all display and sales are conducted within a building or where a permit has been issued by City Council for an outdoor sale, and where no manufacturing, assembly, or packaging occur on the premises, except in industrial districts. (a.2)	Yes	Yes	PB	PB	PB	PB	PB	
Place for the manufacturing, assembly or packaging of consumer goods, provided that at least fifty (50) percent of such merchandise is sold at retail on the premises and that all display and sales are conducted within a building. (b)	Yes	SP	PB	PB	PB	PB	PB	
Barber shop, beauty shop, laundry and dry cleaning, pickup agency, shoe repair, self-service laundry or other similar establishment. (c)	Yes	PB	PB	PB	PB	PB	PB	
Hand laundry, dry cleaning or tailoring shop, provided that only nonflammable solvents are used for cleaning and not more than nine (9) persons are employed. (d)	Yes	Yes	PB	PB	PB	PB	PB	
Lunchroom, restaurant, cafeteria, provided that no alcoholic beverages are sold or consumed on the premises. (e)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Lunchroom, restaurant, cafeteria where alcoholic beverages are sold and consumed and where no dancing or entertainment is provided. (f.1)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Bar, saloon, or other establishment serving alcoholic beverages for which is not licensed to prepare or serve food and where no dancing or entertainment is provided. (f.2)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Bar or other establishment where alcoholic beverages are sold and consumed and where dancing and entertainment is provided. Dance hall or similar place of entertainment. (g)	Yes	SP	SP	SP	SP	SP	SP	
Theatre or hall for public gatherings. (h)	SP	SP	SP	SP	SP	SP	SP	
Commercial recreation, <i>Defined in Article 2,000. (i)</i>	Yes	Yes	SP	SP	SP	SP	SP	
Mortuary, morticians, on funeral establishment. (j)	SP	SP	SP	SP	SP	SP	SP	
Printing shop, photographer's studio. (k)	Yes	SP	SP	SP	SP	SP	SP	
Veterinary establishment, kennel, pet shop or similar establishment, provided that all animals are kept indoors and that no noise or odors are perceptible from adjoining lots. (l)	SP	SP	SP	SP	SP	SP	SP	
Sales place for new and used car, rental agency for autos, trailers and motor vehicles, conducted entirely within a building and provided no major repairs are made. (m)	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
Office, including display or sales space of a wholesale, jobbing, or similar establishment, where no more than twenty-five (25) percent of the floor area is used for assembling, packaging, or storage of merchandise. (n)	SP	SP	SP	SP	SP	SP	SP	
East Order Food Establishment, <i>Defined in Article 2,000. (o)</i>	SP	SP	SP	SP	SP	SP	SP	
Art-Craft Studio, <i>Defined in Article 2,000. (q)</i>	Yes	Yes	SP	SP	SP	SP	SP	
Bakery, Retail, <i>Defined in Article 2,000. (r)</i>	SP	SP	SP	SP	SP	SP	SP	
Registered Marijuana Dispensary, <i>Defined in Article 2,000. (s)</i>	SP	SP	SP	SP	SP	SP	SP	
Open Air and Drive-In Retail – Section 4.36 (generally)	Yes	Yes	SP	SP	SP	SP	SP	
Light/Heavy Industry – Sections 4.37/4.38 (generally)	Varies	Varies	Varies	Varies	Varies	Varies	Varies	

Beyond purview of this zoning petition amendment  
to address usage, though perhaps going forward....

- Residential uses
- Transportation, Communication and Utility
- Institutional Uses
- Offices and Laboratory Uses
- Retail and Consumer Services
- Convenience goods – drug store, food, tobacco, liquor, Retail sales
- Manufacturing
- Barber shop, beauty shop, shoe repair
- Hand laundry, dry cleaning
- Restaurant, cafeteria
- Bar, saloon
- Dance Hall
- Theatre
- Commercial recreation
- Mortuary, funeral establishment
- Printing shop, photographer's studio
- Veterinary establishment, kennel, pet shop

Here is the CDD proposed language (our edits in blue):

20.54.9 No more than 25 feet of the ground story street frontage of a building may be occupied by banks, trust companies, or similar financial institutions. The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met. (a) For the purpose of this Section 20.54.9, a building's ground story street frontage shall mean the cumulative length of all exterior building facades fronting all abutting streets, measured parallel to the street lines. (b) A bank, trust company, or similar financial institution shall be considered to occupy ground story street frontage if it is contained within any portion of the ground story that is within 20 feet of the exterior building facade, measured perpendicular to the ~~street-line building~~ façade.

Jeff Roberts' proposed language changes make sense, except we hope that you will consider changing the measurement of interior setback (where "faux galleries" can be created) from 20 feet to the street (as we had originally written, and CDD supported), instead to measure this 20' setback perpendicular to the facade as our architect advisor has proposed.

One of the issues in Harvard Square with its many plazas is that often streets can be a sizable distance from the facades (over 20' in some cases) and/or with corner properties there is a significant difference between the distances to the two streets. If the original petition language is kept, it is important that any additional frontage beyond the 25 feet allowable ground floor frontage have transparent windows and be delimited as "active use."

If there are further amendments, we hope they will include the following:

Frontage shall not include street-facing separate use space within the tenant's property unless it qualifies as "Active Use" with independent signage, transparent windows, and a separate handicapped-accessible exterior entry. "Active Use" in this context refers to cultural, entertainment and recreation use, or "retail" and "services" (insurance, real estate services; barber and beauty shops; photography studios; shoe repair, and travel agencies).



The City went against the business association on bicycle lanes; HSNA stayed neutral because we saw it as for the greater good. We hope on banks the Council will support this “greater good” argument as well.

The End...

Thank you



## Attachment B

### CITY OF CAMBRIDGE

#### Community Development Department

**IRAM FAROOQ**

Assistant City Manager for  
Community Development

**SANDRA CLARKE**

Deputy Director  
Chief of Administration

**KHALIL MOGASSABI**

Deputy Director  
Chief Planner

To: Yi-An Huang, City Manager

From: Iram Farooq, Assistant City Manager for Community Development  
Nancy Glowa, City Solicitor

Date: February 9, 2023

Re: **Policy Order 2023 #7 – Information on Blier, et al., Zoning Petition**

This memo contains the following information requested by Policy Order 2023 #7 at the City Council meeting on January 9, 2023, regarding the Blier, et al., Zoning Petition.

- That the City Manager is hereby requested to direct the CDD and the Law Department to examine the Citizen's Petition submitted by Suzanne P. Blier, et. al on the Harvard Square Zoning Petition Modification regarding Frontage of Financial Institutions and make recommendations for any amendments that are needed.

The staff suggested revisions included in this memo are primarily intended to respond to the Planning Board Recommendations made in their December 14, 2023 memo to the City Council (attached) and to clarify the following aspects of the text that seemed ambiguous:

- There was some uncertainty in the original text about whether the limitation is meant to apply to a single establishment or to all establishments within the building. For example, could two banks each occupy 25 feet of ground story frontage in the same building? The alternative text clarifies that the limitation applies to the entire building, which would not allow multiple banks to collectively exceed the limitation.
- There was concern about banks avoiding the frontage limitation by setting back behind a narrow section of the building façade. The alternative text clarifies that any bank use within 20 feet of the exterior ground story façade would be considered to "occupy" that frontage. The concept is that if the bank use is set 20 feet back from the façade, another principal use could reasonably occupy that space.

Additionally, Council Members at the January 9, 2023 meeting requested that the petitioners work with the Harvard Square Business Association (HSBA) and other local stakeholders to develop consensus on proposed zoning revisions. The petitioners have subsequently notified CDD staff of ongoing discussions with HSBA and possible amendments to the proposal.

***Original Petition Text***

The following is a markup version of the Petition that compares it to the current zoning (additions are underlined, deletions in strikethrough):

~~"20.54.9 Frontage Restrictions. Banks, trust companies, or similar financial institutions as identified in Section 4.34e shall occupy no more than twenty-five feet (25') of the ground-floor level frontage of a building facing any a street, aggregated over one or more streets and measured horizontally parallel to the that street and wall faces. This limitation shall apply to the sum of all ground-floor frontage to a depth of 20 feet measured from the street. In addition, such uses shall not occupy more than thirty percent (30%) of a building's total horizontal ground floor building frontage aggregated over one or more streets.~~ The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met."

***Alternative Zoning Text***

The text suggested by staff below would better match the intended outcomes as discussed at the Planning Board hearing.

**20.54.9** No more than 25 feet of the ground story street frontage of a building may be occupied by banks, trust companies, or similar financial institutions. The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met.

- (a) For the purpose of this Section 20.54.9, a building's ground story street frontage shall mean the cumulative length of all exterior building façades fronting all abutting streets, measured parallel to the street lines.
- (b) A bank, trust company, or similar financial institution shall be considered to occupy ground story street frontage if it is contained within any portion of the ground story that is within 20 feet of the exterior building façade, measured perpendicular to the street line.

## **ATTACHMENT C**

**ORDERED: That the Petition from Suzanne P. Blier, et.al Harvard Square Zoning Petition as amended be sent to the full City Council with no recommendation.**

**20.54.9** No more than 25 feet of the ground story street frontage of a building may be occupied by banks, trust companies, or similar financial institutions. The Planning Board may grant a special permit to allow a minor increase in the permitted frontage upon finding that such increase would create a result that is more compatible with the unique conditions of a particular building or site and that the criteria set forth in Section 20.53.2 above are met.

- (a) For the purpose of this Section 20.54.9, a building's ground story street frontage shall mean the cumulative length of all exterior building façades fronting all abutting streets, measured parallel to the street lines.
- (b) A bank, trust company, or similar financial institution shall be considered to occupy ground story street frontage if it is contained within any portion of the ground story that is within 20 feet of the exterior building façade, measured perpendicular to the building facade.

**Erwin, Nicole**

**Attachment & D**

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**From:** fritzdonov@aol.com  
**Sent:** Tuesday, February 14, 2023 1:16 PM  
**To:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Subject:** Please support HSNA zoning amendment APP 2022 #46 to its fullest extent

Dear Members of the Ordinance Committee:

Please count me as an enthusiastic supporter of the subject amendment to preserve the full, original intent of the Harvard Square Neighborhood Association zoning ordinance designed to limit bank frontage to a real maximum of 25 total feet.

Having arrived in Harvard Square in 1955 and lived in or next to Cambridge for all of the nearly seven decades since, I have seen firsthand the dramatic shift from bustling bank lobbies full of customers waiting to be served to the modern era where virtually everything is accomplished on line. The previous exciting Harvard Square commercial environment has drastically changed, and today's brick and mortar bank windows and lobbies are now long, cold, empty expanses serving only as vast billboards.

The banks can afford that because they just pass the cost on to us customers. But Cambridge can no longer afford to waste this valuable street-level retail space. Eager small businesses seeking scarce space in Harvard Square need help and encouragement from the City of Cambridge, and the HSNA zoning amendment on your agenda for discussion this afternoon is exactly what those businesses – and our City - need.

Please join Cambridge's own Planning Board in strongly supporting HSNA's zoning amendment APP 2022 #46 to its fullest intent, and vote down any attempts to thwart its important goal of revitalizing Harvard Square with new businesses occupying what is now essentially dead space.

Yours sincerely –

Fritz Donovan  
42 Irving Street, Cambridge 02138

**Law Offices of Francis E. Donovan**  
**Immigration Law**  
42 Irving Street  
Cambridge MA 02138-3007  
857 222-9222 (cellphone)

**From:** Ellen Blumenthal <eb@blumenthalmd.com>  
**Sent:** Tuesday, February 14, 2023 12:56 PM  
**To:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Cc:** David Blumenthal  
**Subject:** Support planning board on HSNA zoning petition

Dear Councillors:

We support the planning board's opinion to limit bank frontage.

Thank you for your consideration.

Ellen Blumenthal  
Linnaean St, Cambridge

---

Ellen Blumenthal, MD  
eb@blumenthalmd.com  
617-312-6792

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**Erwin, Nicole**

**Attachment F**

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**From:** Elizabeth Gombosi <egombosi@gmail.com>  
**Sent:** Tuesday, February 14, 2023 11:45 AM  
**To:** Azeem, Burhan; Carlone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Subject:** HSNA zoning petition amendment (APP 2022 #46)

Dear Ordinance Committee Members,

I urge you to support the HSNA zoning petition amendment limiting bank frontage to a total of 25 feet, as clearly intended in the original petition. It has been strongly supported by the Planning Board. Increased frontage does nothing to enhance the appeal of the Square to Cambridge residents and visitors and serves only as advertising backdrops for the banks. At a time when the City should be encouraging small businesses and doing everything possible to enliven our Squares, it makes no sense to allow these financial institutions, which now operate mostly online, to thwart the intent of the original petition.

Elizabeth Gombosi  
42 Irving Street

**Erwin, Nicole**

**Attachment X 6**

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**From:** Christopher Mackin <cm@ownershipassociates.com>  
**Sent:** Tuesday, February 14, 2023 10:56 AM  
**To:** Siddiqui, Sumbul  
**Cc:** City Council; City Manager; City Clerk; Blier, Suzanne; Phil Wellons; Marilee Meyer; Nicola Williams; Denise Jillson  
**Subject:** Harvard Square Zoning Petition Amendment

Mayor Siddiqui and Cambridge City Councillors,

This note pertains to the Harvard Square Zoning Petition Amendment that will come before the Ordinance Committee today. I am a long-time resident (since 1974) and business owner (since 1987) living and working in various corners of Harvard Square. I presently live at 48 JFK Street and my business is located at 17 Story Street. A refrain in our City more common than ‘How do you do?’ - which is at least pleasant – is ‘Whatever happened to Harvard Square?’

While I see and know about a lot of what remains wonderful about Harvard Square, including the good work of the Harvard Square Business Association and its leader Denise Jillson, the familiar refrain cannot be denied. Among the various causes of this complaint, it is undeniable that the proliferation of banks with few, if any customers (and fewer every day due to technology), occupying far too much scarce retail frontage tops this list.

As a member of the Harvard Square Neighborhood Association, I can state that our efforts to address this issue have been measured and factual and informed by constructive alternatives that would limit this trend without unfairly ‘kicking the banks out of Harvard Square.’ I will not recapitulate our positions in this note. They have been made available to you by our President Suzanne Blier and were found to be persuasive to the Zoning Board when they took them up at length in their recent meeting. I would ask you to support our efforts to limit retail frontage for banks in Harvard Square so we can turn our efforts to other initiatives that will make Harvard Square a more inclusive and enjoyable public space for our citizens and for visitors.

Christopher Mackin  
48 JFK Street

**Christopher Mackin**  
**Ownership Associates, Inc.**  
**17 Story Street**  
**Cambridge, MA 02138**  
**www.ownershipassociates.com**  
**Tel.: 617-868-4600**  
**Cell: 617-388-0650**  
**Skype: ChrisMackin**

Erwin, Nicole

Attachment A H

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**From:** Carol Birnbaum <cbirnbaum@icloud.com>  
**Sent:** Tuesday, February 14, 2023 10:46 AM  
**To:** Cetrulo, Lawrence  
**Cc:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk; ltcestrulo@gmail.com; cbirnbaum@comcast.net; eb@blumenthalmd.com; Eben Moulton; Fred Eustis; Blier, Suzanne  
**Subject:** Re: HSNA Zoning Petition

Dear City Council Members,  
I urge you to support the excellent opinion of the Planning Board.  
Sincerely,  
Carol Birnbaum

Carol Birnbaum, M.D.  
617-868-9302  
cbirnbaum@icloud.com

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Erwin, Nicole

Attachment ~~X~~ I

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**From:** pwellons <pwellons@earthlink.net>  
**Sent:** Tuesday, February 14, 2023 10:34 AM  
**To:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Cc:** City Clerk  
**Subject:** Ordinance Committee meeting, 3pm today limit Harvard Square Bank Frontage

Dear Councilors:

I write to support the HSNA zoning petition that would limit bank frontage to 25'. Please recall the maxim that when banks dominate a city center you know it's in decline.

Phil Wellons

651 Green St.

Erwin, Nicole

Attachment XJ

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**From:** Cetrulo, Lawrence <LCetrulo@cetllp.com>  
**Sent:** Tuesday, February 14, 2023 10:17 AM  
**To:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Cc:** ltcestrulo@gmail.com; cbirnbaum@comcast.net; eb@blumenthalmd.com; Eben Moulton; Fred Eustis; Blier, Suzanne  
**Subject:** HSNA Zoning Petition

Dear City Council Members,

1. Please support the opinion of the Planning Board.
2. We want more vital use of space that benefits local neighbors and local businesses.

Respectfully submitted,

Larry and Lynn Cetrulo  
46 Grozier Road  
Cambridge, MA

Lawrence G. Cetrulo, Esq.  
CETRULO LLP  
Two Seaport Lane  
Boston, MA 02210  
email: [lcetrulo@cetllp.com](mailto:lcetrulo@cetllp.com)  
Office: (617) 217-5210  
Telephone: (617) 217-5500  
Fax: (617) 217-5200

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Cetrulo LLP Boston MA

\*\*\*\*\*

**Erwin, Nicole**

**Attachment JK**

**From:** Blier, Suzanne <blier@fas.harvard.edu>  
**Sent:** Tuesday, February 14, 2023 11:03 AM  
**To:** Azeem, Burhan; Carbone, Dennis; Mallon, Alanna; McGovern, Marc; Nolan, Patricia; Siddiqui, Sumbul; Simmons, Denise; Toner, Paul; Zondervan, Quinton; City Clerk  
**Cc:** Roberts, Jeffrey  
**Subject:** Letter from HSNA - Harvard Square Zoning Petition Amendment  
**Attachments:** HSNA letter on Harvard Square Zoning Petition amendment.pdf

Honorable Mayor Siddiqui and Cambridge City Councillors,

I write to you regarding the Harvard Square Zoning Petition Amendment that will come before the Ordinance Committee today.

Our concern from the outset, with the original petition and the amendment, is that large bank facades go against both Harvard Square Conservation District guidelines (which seek to promote pedestrian interest and active engagement) and against Envision guidelines that seek to have transparent windows in commercial areas. Large bank facades in Harvard Square additionally go against common sense, since most people bank online now, and large bank facades simply serve at this point as advertisements (large billboards). Equally importantly large bank facades limit the possibilities for other uses, particularly by local business.

Our understanding of the original petition language limiting ground floor façade length to 25 feet was that it would do just that, however on corner properties and buildings on two streets, our original petition was being read to allow double that length. We wrote the amendment to limit that possibility going forward and because this was also what the original petition was intended to do, we assumed the amendment would have broad support.

The Planning Board gave a unanimous positive recommendation to our amended petition.

After the first Ordinance Committee meeting, leaders of the Harvard Square Neighborhood Association (HSNA) met with both the Harvard Square Business Association (HSBA) Executive Director and a local property owner who had raised concerns over this petition amendment. Joining us at this meeting was a local zoning expert who had drafted the original Harvard Square Zoning Petition, as well as a local architect. Our aim was to find language that would work for both parties. In the end nothing we offered, including retaining the original petition language but eliminating “faux art galleries,” met their approval.

More recently we met with Ranjit Singanayagam of ISD and Jeff Roberts of CDD to come up with clearer language.

Jeff Roberts’ proposed language changes make sense, except we hope that you will consider changing the measurement of interior setback (where “faux galleries” can be created) from 20 feet to the street (as we had originally written, and CDD supported), instead to measure this 20' setback perpendicular to the facade as our architect advisor has proposed. One of the issues in Harvard Square with its many plazas is that often streets can be a sizable distance from the facades (over 20’ in some cases) and/or with corner properties there is a significant difference between the distances to the two streets. If the original petition language is kept, it is important that any additional frontage beyond the 25 feet allowable ground floor frontage have transparent windows and be delimited as “active use.”

We appreciate your support in ordaining this petition.

Sincerely

Suzanne Preston Blier

President, Harvard Square Neighborhood Association