



# ORDINANCE COMMITTEE

## COMMITTEE MEETING

~ MINUTES ~

Tuesday, October 7, 2025

3:00 PM

Sullivan Chamber

The Ordinance Committee, comprised of the entire membership of the City Council, will hold a public hearing on Tuesday, October 7, 2025 on a Zoning Petition by Martin Bakal, et al., to amend the Cambridge Zoning Ordinance in Sections 4.30 and 4.40 with the intent to restrict increasing pavement in Open Space districts by establishing “Paved way greater than 10’ wide” as a principal use within the Table of Use Regulations that would be prohibited in Open Space districts and permitted in all other

Attendee Name	Present	Absent	Late	Arrived
Burhan Azeem	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	3:02 PM
Marc C. McGovern	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Patricia Nolan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sumbul Siddiqui	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Jivan Sobrinho-Wheeler	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	
Paul F. Toner	<input type="checkbox"/> Remote	<input type="checkbox"/>	<input type="checkbox"/>	3:07 PM
Ayesha M. Wilson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Catherine Zusy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
E. Denise Simmons	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

A public meeting of the Cambridge City Council’s Ordinance Committee was held on Tuesday, October 7, 2025. The meeting was Called to Order at 3:00 p.m. by the Chair, Vice Mayor McGovern. Pursuant to Chapter 2 of the Acts of 2025 adopted by Massachusetts General Court and approved by the Governor, the City is authorized to use remote participation. 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.

**At the request of the Chair, Interim City Clerk Crane called the roll.**

- Councillor Azeem – Absent\*
- Vice Mayor McGovern – Present/In Sullivan Chamber
- Councillor Nolan – Present/In Sullivan Chamber
- Councillor Siddiqui – Present/Remote
- Councillor Sobrinho-Wheeler – Present/Remote
- Councillor Toner – Absent\*
- Councillor Wilson – Absent
- Councillor Zusy – Present/In Sullivan Chamber
- Mayor Simmons – Absent

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

\*Councillor Azeem was present and remote at 3:02p.m.

\*Councillor Toner was present and remote at 3:07p.m.

The Chair, Vice Mayor McGovern offered opening remarks and noted that the Call of the meeting was on a Zoning Petition by Martin Bakal, et al., to amend the Cambridge Zoning Ordinance in Sections 4.30 and 4.40 with the intent to restrict increasing pavement in Open Space districts by establishing “Paved way greater than 10’ wide” as a principal use within the Table of Use Regulations that would be prohibited in Open Space districts and permitted in all other zoning districts, with a footnote providing further clarifications and restrictions on the establishment of “paved ways.” Present at the meeting were Melissa Peters, Assistant City Manager for the Community Development Department (CDD), Jeff Roberts, Director of Zoning and Planning,

and Elliott Veloso, First Assistant City Solicitor. The Petitioner, Martin Bakal was present and joined by Heather Hoffman and Charles Teague.

Vice Mayor McGovern recognized Martin Bakal who gave a presentation titled “Limit Pavement in Parks”. The presentation was provided in advance of the meeting and included in the Agenda Packet.

**Vice Mayor McGovern opened Public Comment.**

Jeb Mays, 175 Harvey Street, Cambridge, MA, spoke in strong support of the petition.

**Vice Mayor McGovern recognized Councillor Nolan who made a motion to close public comment. Interim City Clerk Crane called the roll.**

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Toner – Yes

Councillor Wilson – Absent

Councillor Zusy – Yes

Mayor Simmons – Absent

**Yes – 7, No – 0, Absent – 2. Motion passed.**

Vice Mayor McGovern recognized Jeff Roberts who gave a brief overview of the Planning Board report and decision related to the Martin Bakal et al. Zoning Petition. The Planning Board report and a memo from CDD to the Planning Board on the Zoning Petition were provided in advance of the meeting and included in the Agenda Packet.

Vice Mayor McGovern recognized Councillor Zusy who shared she was sympathetic to the goals and intentions of the Petitioner. Councillor Zusy asked Melissa Peters to share the concerns CDD have related to the petition and how the zoning could be achieved in a different approach. Melissa Peters spoke on the importance of balancing multiple goals and having flexibility when reviewing approaches to the planning and design of open space, while also considering what is the most beneficial approach for the community. Councillor Zusy asked how the City could support the goals of the Petitioner. Melissa Peters explained how community goals and feedback play a role when reviewing priorities and creating designs that reflect those priorities. Councillor Zusy recognized Martin Bakal to highlight their main concerns as they relate to parks and trees.

Vice Mayor McGovern recognized Councillor Nolan who shared that she is in favor of the intent of the petition. Councillor Nolan asked the Petitioner to share their response to the concerns that were expressed by the City and by the Planning Board. Heather Hoffman responded by explaining how they understood the concerns that were raised by the Planning Board and the City and shared why they believe those concerns are not valid. Charles Teague spoke on the importance of trees in parks and offered comments and concerns related to the Urban Forest Master Plan, pointing out that there needs to be better communication with City officials to achieve the goals of the Plan. Heather Hoffman emphasized that the Zoning Petition would only apply to open space districts. Councillor Nolan provided an overview of the current work involved with green space and trees that are being done throughout the city.

Vice Mayor McGovern asked Melissa Peters for clarification on ADA Compliance and how that would relate to pathways in parks. Melissa Peters briefly explained how certain park amenities are accessible for all mobility levels.

Vice Mayor McGovern recognized Councillor Zusy who asked the Petitioners how this zoning would affect Danehy Park. Charles Teague responded by sharing examples of the current layout of Danehy Park and what possible changes could happen with this zoning. Councillor Zusy expressed her support for the intentions of the Petition but noted that she also understands the concerns that have been raised. Councillor Zusy agreed that it is important to have more green spaces in the city.

Vice Mayor McGovern shared that it may be a good idea to review the current Tree Protection Ordinance to see if it could be strengthened. The Vice Mayor noted that he understands the concerns the Petitioners were raising and added that there could be alternative ways to address those concerns without limiting the flexibility of park design.

**Vice Mayor McGovern recognized Councillor Nolan who made a motion to forward the Martin Bakal et al. Zoning Petition to the full City Council with an unfavorable recommendation.**

**Interim City Clerk Crane called the roll.**

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Toner – Absent

Councillor Wilson – Absent

Councillor Zusy – No

Mayor Simmons – Absent

**Yes – 5, No – 1, Absent – 3. Motion passed.**

**Vice Mayor McGovern recognized Councillor Zusy who made a motion to adjourn the meeting.**

**Interim City Clerk Crane called the roll.**

Councillor Azeem – Yes

Vice Mayor McGovern – Yes

Councillor Nolan – Yes

Councillor Siddiqui – Yes

Councillor Sobrinho-Wheeler – Yes

Councillor Toner – Absent

Councillor Wilson – Absent

Councillor Zusy – Yes

Mayor Simmons – Absent

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

**The Ordinance Committee adjourned at approximately 4:18p.m.**

**Attachment A** – Communications from the public.

**Clerk’s Note:** The City of Cambridge/22 City View records every City Council meeting and every City Council Committee meeting. The video for this meeting can be viewed at:

[https://cambridgema.granicus.com/player/clip/1082?view\\_id=1&redirect=true](https://cambridgema.granicus.com/player/clip/1082?view_id=1&redirect=true)

**A communication was received from the Petitioner, Martin Bakal, transmitting a presentation related to the Martin Bakal et al. Zoning Petition.**

**A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting the Planning Board report on the Bakal et al. Zoning Petition.**

**A communication was received from Jeff Roberts, Director of Zoning and Development, transmitting a memo from the Community Development Department to the Planning Board regarding the Martin Bakal, et al. Zoning Petition.**

**A Zoning Petition Has been received from Martin Bakal in regard to Table 4.30, Sec. 4.40 Footnote with the intent of Restrictions on increasing pavement in Open Space Districts.**

#### **Discussion**

**A communication was received from Marty Bakal, regarding All of the letters that were sent into the Planning board.**

**From:** Benjamin Bayes <bayesb@gmail.com>  
**Sent:** Wednesday, October 8, 2025 11:20 AM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Thank you for the Negative recommendation of the Bakal Petition. Additional clarifications still necessary

Dear Cambridge City Council,

Thank you for the Negative recommendation of the Bakal Petition as the Ordinance Committee, which was also given negative recommendations by the CDD and the unanimous Planning Board for the various negative consequences to Plazas, Accessible Pathways, Fresh Brook Pond Reservation, etc. including potential for frivolous litigation.

I watched this meeting, and despite a great outcome, I feel compelled to correct the record on some of the specific, **deeply problematic** claims of the petitioners before the final City Council vote.

1. Petitioners presented a slide on Motorized Bicycles (gasoline powered, up to 30 MPH) under MA law, then claimed an **abridged** version of MGL Chapter 90 Section 1B mandates Motorized Bicycles must have full access to all public ways and therefore parks such as Linear Park, Danehy Park, etc.

This is simply **false**. Please see the complete text of the law.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXIV/Chapter90/Section1b>

*Motorized bicycles may be operated on bicycle lanes adjacent to the various ways, but shall be excluded from off-street recreational bicycle paths.*

In fact, under Massachusetts law, the only bicycles with motors that can be legally permitted on any shared use path in Massachusetts, like Linear Park, are eBikes limited to 20 MPH maximum assist.

<https://www.massbike.org/ebikes>

I would encourage Cambridge to focus on enforcement of existing laws in parks, rather than adopting poorly written, overreaching zoning changes which, even if enacted, **still do nothing** to enforce the existing State bicycle laws.

2. During the meeting there was discussion that the Petitioners/Plaintiffs costly lawsuit against the Linear Park Reconstruction Project, which a Superior Court Judge already ruled will cause harm to Cambridge, the Cambridge Urban Forest, and Cambridge Taxpayers, is over. (Please see the ruling posted by Cambridge, pages 25-26: <https://www.cambridgema.gov/-/media/Files/publicworksdepartment/Engineering/cityprojects/linearpark/Sept2025Decision.pdf>)

Plaintiff's lawsuit is not over. In fact, Cambridge is now being forced to fight the costly, frivolous lawsuit brought by Plaintiffs in **TWO** different venues.

- On 9/23/2025, Plaintiffs gave notice to Appeal the Superior Judge's ruling denying their Motion for a Preliminary Injunction to halt construction of the Linear Park reconstruction project. Plaintiffs are taking Cambridge to MA Appeals Court, despite an extremely strong ruling at Superior Court in favor of Cambridge's position.

- On 9/30/2025, Cambridge was forced to file a Motion to Dismiss at Superior Court, because Plaintiffs have not in fact dropped their original case, either. As of this writing on 10/8/2025, Plaintiffs have not yet responded to Cambridge's Motion to Dismiss.

During the 10/7/2025 meeting, it was claimed by Petitioners that CDD concerns of their Zoning petition causing additional frivolous lawsuits against Cambridge were "overblown" and "unlikely". Please weigh these claims against the fact that Plaintiffs are **still** currently suing Cambridge at MA Appeals Court and MA Superior Court over the very same issues.

Thank you.  
Ben Bayes

## Erwin, Nicole

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**From:** nonie valentine <nonie.valentine1@gmail.com>  
**Sent:** Tuesday, October 7, 2025 12:00 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Support Bakal petition please

Greetings Ordinance Committee,

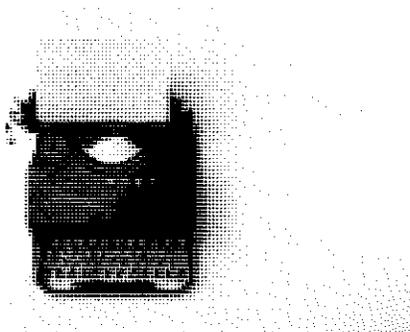
I'd like to speak up again on the Bakal petition before you because I'm now alarmed by the trend of "asphaltification" of parks, for commuting mainly. I wrote about this more specifically in The Cambridge Day about Linear Park some time ago, but now I see it's a trend - Raymond Park and Danehy Park are in for the same fate. I'm disturbed by wide asphalt paths for the sidelining and endangerment of trees of course, the nonsensical proliferation of heat islands, and traffic hurrying rather than slowing measures.

But more than anything really, it's about the seismic shift *from a park ethos*: being slower places about the natural world where you can take a breath, amble pleasantly and spot a woodpecker, *not* have to watch your back for someone on wheels who wants a real workout. Everything else is fast and productive. Normalizing speed in parks - because that's what wider does - is a loss of a nourishing way to balance the rush and grit of city life. Soon no-one will remember you could take that breath.

I want people to commute, even to get to work on time. But gently, as if they were from Copenhagen where you're expected to be nice, to give way, and care about other living things. In our current context of limited infrastructure and the individual as hero, there are clashes over rules of the road and a tendency to dominate the scene with speed. I don't want this anymore. And I don't want small parks to have to be gyms.

Sincerely,

Nonie Valentine  
4 Washington Ave.



Linear Park was given to Cambridge as a park;  
staffers are ignoring public to make a roadway  
[cambridgeday.com](http://cambridgeday.com)

## Erwin, Nicole

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**From:** Randall, Janet <j.randall@northeastern.edu>  
**Sent:** Monday, October 6, 2025 11:41 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Bakal Petition

M. Clerk, please enter this into the council record.

Dear Councilors,

Please vote to approve the Bakal Petition. We must preserve parks as safe spaces for both trees and people. We must limit the heat islands from pavement. We must use extraordinary measures to preserve the existing trees that cool the parks. We must preserve space to plant more trees.

The very best way to do this is to follow the rather wonderful Urban Forest Master Plan. One of the experts was the Conservation Law Foundation who did a nationwide review of laws about trees. The UFMP has at least four of the CLF's action items, one being to amend the Zoning Ordinance to reduce impervious areas which is exactly what this does.

The petition will also encourage other city designers to address these climate issues. The Dept. of Transportation is especially committed to its mission (to its credit). Parks must also be treated as "critical infrastructure" as stated in the council's 2021 Policy Order and this seeks mild limitation on paths ... far from onerous.

Janet Randall

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64 Granville Road  
Cambridge, MA 02138  
617-510-9550  
[randall@neu.edu](mailto:randall@neu.edu)

## Erwin, Nicole

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**From:** Maureen Whitehouse <experienceaxiom@gmail.com> on behalf of Maureen Whitehouse <Maureen@experienceaxiom.com>  
**Sent:** Monday, October 6, 2025 11:09 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** APPROVE Bakal petition

M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. Keep our parks green.

YOUR NAME  
YOUR STREET  
Cambridge

## Erwin, Nicole

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**From:** Jeb Mays <jebmays@gmail.com>  
**Sent:** Monday, October 6, 2025 8:16 PM  
**To:** City Council; Jeb Mays  
**Cc:** City Clerk  
**Subject:** Please APPROVE Bakal petition; parks are for green space, not more pavement

M. Clerk, please enter this into the council record.

Dear councillors, I write urging you to approve the Bakal Petition. Our limited green space and parks are precious, especially as parts of Cambridge are known heat islands. Limiting pavement can protect the mature trees that cool our neighborhoods, and provide more space for new canopy.

Projects like the Linear Park redesign are slated to increase the impermeable surface of this small green space from 19% to 35%, when you include the stone dust edges which quickly compact down. From 1/5 to more than 1/3 of the park becomes pavement!

I refer you to the City's own Urban Forest Master Plan. Among other strong recommendations is reducing impervious areas, which is exactly what this petition seeks to do. As the City Council states in its 2021 Policy Order, parks are "critical infrastructure". Preserving our limited green space by keeping park paths to 10 feet insures that they do not become "commuter speedways", but rather remain safe for ALL users - strollers, wheelchairs, toddlers on tricycles, kids learning to ride a bike, people using scooters, dog walkers, people who cannot move quickly. Every Cambridge resident deserves safe and peaceful park paths.

Jeb Mays

175 Harvey Street, Cambridge

## Erwin, Nicole

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**From:** helen snively <hmsnively@aol.com>  
**Sent:** Monday, October 6, 2025 7:16 PM  
**To:** City Council; City Clerk  
**Subject:** Please APPROVE the Bakal Petition, to provide more room for green space in parks

Dear City Council and city clerk,

I hope you will vote to approve the Bakal Petition. It's only common sense! We need to preserve our existing parks as safe spaces for both trees and people, and hold on to every square foot to plant more trees.

It will take extraordinary measures to preserve the existing trees that cool the parks, and compensate for our city's many urban heat islands that develop around pavement, given the many trees that are being taken for development and others that are dying in the drought.

A good way to do this is to follow the Urban Forest Master Plan. One expert involved in that plan was the Conservation Law Foundation which did a nationwide review of laws about trees. The UFMP includes at least four of the CLF's action items; one is to amend the Zoning Ordinance to reduce impervious areas, and that is exactly what the Bakal petition does.

Please write back and say you're voting for it. If you're not, can you explain why?

Thank you

Helen Snively  
Fayette Park

## Erwin, Nicole

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**From:** Gabriel Robinson <robinsongabriel64@gmail.com>  
**Sent:** Sunday, October 5, 2025 3:49 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** APPROVE Bakal petition

M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. Keep our parks green.

We are struggling to hold onto our green spaces. A paved outdoor area is a road or a parking lot, not a green space. It defeats the purpose of parks.

Gabriel Robinson  
26 McTernan St. #3  
Cambridge

## Erwin, Nicole

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**From:** Benjamin Bayes <bayesb@gmail.com>  
**Sent:** Monday, September 22, 2025 7:25 PM  
**To:** City Council  
**Cc:** City Clerk  
**Subject:** Urge vote against Bakal Amendment on October 7

Dear Cambridge City Council,

My name is Ben Bayes. I am not a Cambridge resident, but I am a bike commuter, and I frequently enjoy your wonderful Linear Park. I often use the Linear Park to frequent businesses in Cambridge, particularly after biking a route through Linear Park, to the Somerville Community Path, and back to Cambridge Crossing (with destinations including Lamplighter Brewing CX, Cafe Beatrice, Tatte Bakery at CX, etc); my children often accompany me on these rides and to these wonderful parks. Finally, I also volunteer on the board of the Mass Central Rail Trail Alliance, supporting the build-out and operation of a 104 mile rail trail from Boston to Northampton, which already includes the Linear Park. Today, the Mass Central Rail Trail has over 60 miles completed, and the Linear Park is the *very first* completed segment of the Mass Central Rail Trail, as it was built in 1985!

I am writing to urge you to vote against the Bakal Amendment at the Ordinance Committee meeting of October 7th. The Amendment seeks to make it difficult, or impossible, to build or improve ADA accessible shared use paths, consistent with Federal and City safety guidelines and recommendations for safe multimodal travel. The Amendment seeks to curtail the use of **any** practical material, including, but not limited to, brick, stone dust, wood (for boardwalks), etc., anywhere in Cambridge. When considering your vote, it is essential to note: Mr. Bakal is currently a Plaintiff among others in *Middlesex, SS. Superior Court, Docket No. 2581CV1914, Charles Teague & others, Plaintiffs, v. City of Cambridge, Defendant.*

I will end my email by quoting the conclusion of the recent 26 page ruling by Superior Court Judge Sarah Weyland Ellis, denying a Preliminary Injunction and Temporary Restraining Order, a motion filed by an attorney representing Mr. Bakal and others. I hope the Judicial ruling speaks for itself (I have bolded for emphasis):

*...The potential harm to the Plaintiffs has been discussed previously and the **Plaintiffs have not met their burden of demonstrating irreparable harm.***

*In contrast, **Cambridge has demonstrated it will suffer irreparable harm from an injunction.** The aforementioned improvements to Linear Park will be delayed, or possibly canceled, if the court grants the Plaintiffs injunctive relief. **The results would include further health erosion of Linear Park's existing urban forest and foliage.** Halting or delaying the Project would also **increase the costs to Cambridge and the public**, as a contractor has already been hired and is ready to perform the work. Prior to the ordered halt in construction, Cambridge's contractor had plans to start work on Linear Park's pathway immediately, including demolition, utility improvements, and repaving of the pathway. This work was scheduled to be performed this fall. Cambridge's contractor has informed Cambridge that, due to the currently ordered hold, the contractor must delay the proposed fall repaving work. If the Plaintiffs' preliminary injunction is granted and the ordered hold extended, Cambridge's contractor may be unable to perform the scheduled paving of the path within the fall construction season. Cambridge cannot perform construction past November due to cold weather conditions. **Cambridge is also likely to incur additional costs in the event of an extended construction period due to holds.** For example, if construction is further delayed for this year's fall season, Cambridge's contractors may have to submit change orders to address any costs incurred due to the delays. I conclude that Cambridge may suffer irreparable harm should a preliminary injunction enter halting the Project.*

Where the Plaintiffs' motion seeks to enjoin governmental action, the judge must also find that "the requested order promotes the public interest, or, alternatively, that the equitable relief will not adversely affect the public." *Commonwealth v. Mass. CRINC*, 392 Mass. 79, 89 (1984). As Cambridge points out, halting the Project by granting the Plaintiffs injunctive relief would **negatively impact the public by delaying the installation of vital safety improvements and amenities**. Such safety improvements include fixing the drainage issues that presently exist and pose a public safety concern to pedestrians and bicyclists, as ice and pools of water can easily form and create slippery conditions. The installation of new lighting and call boxes will increase illumination and access to emergency assistance. **The Project will also remove dangerous obstacles in Linear Park that currently exist to facilitate travel and accessibility**. These public safety improvements are at risk if the Project is halted. The issuance of a preliminary injunction now would adversely affect this public interest.

### ORDER

For the reasons stated above, the Plaintiffs' Motion for a Preliminary Injunction and Temporary Restraining Order is **DENIED**.

So ordered this 19<sup>th</sup> day of September 2025.

Sarah Weyland Ellis  
Justice of the Superior Court

Thank you for your time and consideration.

Ben Bayes  
Mass Central Rail Trail Alliance

**From:** [Gabriel Robinson](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 3:49:44 PM

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M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. Keep our parks green.

We are struggling to hold onto our green spaces. A paved outdoor area is a road or a parking lot, not a green space. It defeats the purpose of parks.

Gabriel Robinson  
26 McTernan St. #3  
Cambridge

**From:** [Kitty Beer](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 5:25:20 PM

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M. Clerk, please enter this into the council record.

Dear Councilors, Please vote to approve the Bakal petition. Keep our parks green. Cambridge has always nurtured and respected its rich canopy of trees. Green and natural spaces are requisite for kids.

Kitty Beer  
Haskell Street  
Cambridge

**From:** [S. Ringler](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 7:59:40 PM

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M. Clerk, please enter this into the council record.  
Dear Councillors,

**Please vote to approve the Bakal petition.**

We desperately need to maintain our green space and TREES. E-whatevers are allowed to be ridden/driven in our parks and if you widen the paths they will go WAY TOO FAST. Trees are much more important than getting somewhere a few minutes faster.  
Thank you for your work.

Susan Ringler  
82 Kinnaird St.

Cambridge

**From:** [Alison Sanders-Fleming](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 11:56:42 PM

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M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. Keep our parks green.

I am a regular cyclist, but parks are for green space, not transportation corridors

Alison Sanders-Fleming  
Pemberton St  
Cambridge

**From:** [Charles Teague](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition: more room for green space in parks  
**Date:** Monday, October 6, 2025 4:40:20 PM

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M. Clerk, please enter this into the council record.

Dear councillors, please vote to approve the Bakal Petition. We must preserve parks as safe spaces for both trees and people. We must limit the heat islands from pavement. We must use extraordinary measures to preserve the existing trees that cool the parks. We must preserve space to plant more trees.

The very best way to do this is to follow the rather wonderful Urban Forest Master Plan. One of the experts was the Conservation Law Foundation who did a nationwide review of laws about trees. The UFMP has at least four of the CLF's action items, one being to amend the Zoning Ordinance to reduce impervious areas which is exactly what this does.

The petition will also encourage other city designers to address these climate issues. The Dept. of Transportation is especially committed to its mission (to its credit). Parks must also be treated as "critical infrastructure" as stated in the council's 2021 Policy Order and this seeks mild limitation on paths ... far from onerous.

Charles Teague

90 Jackson St  
North Cambridge

**From:** [Randall, Janet](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 11:29:40 PM

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M. Clerk, please enter this into the council record.

Dear Councillors,

Please vote to approve the Bakal petition. Keep our parks green.

Janet Randall  
64 Granville Road  
Cambridge 02138

**From:** [Madeleine A](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Monday, October 6, 2025 10:25:37 AM

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Dear City Council,

The more pavement we have, the less room for trees, green space, and people. We don't need more roadways. We don't want to encourage more traffic in our parks. We need more green and less noise.

Thank you,

Madeleine Aster  
North Cambridge

**From:** [Leslie Ballou](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 3:52:49 PM

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M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. Keep our parks green.

YOUR NAME Leslie Ballou  
YOUR STREET 106 Reed Street  
Cambridge

**From:** [Henn, John](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Sunday, October 5, 2025 5:44:29 PM

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M. Clerk, please enter this into the council record.

Dear Councillors ,

Climate change and global warming are existential issues for everyone, including those councillors who are blind to these issues in supporting affordable housing development and for-profit affordable housing developers, no matter how many trees are cut down and how many more treeless heat sinks are created. That blindness extends to widening the paving on park paths, cutting down mature trees on each side, and opening the paths to electrically motorized two wheel vehicles. Pedestrians — often the more elderly citizens, who also vote and are capable of making non-trivial political contributions — will in many more cases be injured by such fast moving vehicles. Please vote to approve the Bakal petition. Keep our parks green.

John Henn  
Walnut Ave  
Cambridge

**From:** [Martin Bakal](#)  
**To:** [City Council](#)  
**Cc:** [City Clerk](#)  
**Subject:** APPROVE Bakal petition  
**Date:** Monday, October 6, 2025 4:36:39 PM

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M. Clerk, please enter this into the council record.

Dear Councillors, Please vote to approve the Bakal petition. We need to protect our tree canopy.

Marty Bakal

120 Reed Street, Cambridge

**From:** [Mary Jane Kornacki](#)  
**To:** [City Manager](#); [City Clerk](#); [City Council](#)  
**Subject:** Please support the Bakal petition  
**Date:** Sunday, October 5, 2025 6:03:53 PM

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Dear councillors -

I urge you to vote in favor of the Bakal Petition.

Our residents need parks and green spaces. And, as the city grows and develops, we absolutely need to prioritize our green canopy. Climate change already produces heat islands in parts of the city.

Please approve the petition to preserve existing trees and to set aside space for new trees.

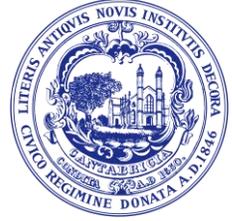
Sincerely,

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To: Planning Board Members

From: CDD Staff

Date: September 23, 2025

Re: **Bakal, et al., Zoning Petition**

## Overview

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**Petitioner:** Martin Bakal, et al. (group of 10 or more individuals registered to vote in Cambridge)

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**Zoning Articles:** 4.000 – Use Regulations

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**Petition Summary:** Add “paved way greater than 10’ wide” to the Table of Use Regulations in Section 4.30 as a prohibited use in Open Space districts and a permitted use in all other districts; add a footnote to Section 4.40 with further stipulations for what constitutes a “paved way” and stating that the area of paved ways in contiguous Open Space Districts “shall not be increased by more than 2% of the total of said contiguous area within a two-year period.”

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**Planning Board Action:** Recommendation to City Council.

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**Memo Contents:** Summary of the proposed zoning, background information on the topic of the Petition, and considerations and comments from staff.

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## Effects of Petition

The Petition includes a few substantive components:

- Establishing “paved way greater than 10’ wide” as a principal use in the Zoning Ordinance, which is further defined in the footnote to include “all forms of paving materials, permeable and impermeable, including, but not limited to, concrete, bituminous concrete, stone, curbstones, pavers, brick, stone dust, wood, plaster, and metal.” This approach would define many areas throughout the city with diverse types of functions as a distinct principal use and would diverge from the traditional view of a “principal land use” as the main or dominant use of land such as a residential or commercial building or public park.
- Prohibiting the “paved way greater than 10’ wide” use in Open Space zoning districts. The result is that such a use could not be established without a use variance from the Board of Zoning Appeal (BZA), which requires meeting a high legal standard for hardship. Such a use could be maintained where previously established, but the alteration or enlargement of such a use would be limited by the Nonconformance provisions of Article 8.000 of the Zoning Ordinance and applicable provisions of state law.
- Stating in a footnote that “In an Open Space District, for a contiguous area of Open Space bounded by streets, roadways, highways, or non-Open Space Districts, the areas of paved ways within said area shall not be increased by more than 2% of the total of said contiguous area within a two-year period.” The intent of this addition is unclear as the prior two points would make the use prohibited in Open Space Districts altogether, and this provision may conflict with the aforementioned nonconformance provisions already applicable to the enlargement of prohibited uses.

## Background

### *Open Space Districts*

The Open Space zoning designation is unique. Most zoning districts are intended to regulate the uses within a district so that the owner can make economic use of the land within a set of constraints. Open Space districts severely limit the use of land to civic uses such as public parks and recreation and impose dimensional requirements that strictly limit building construction. Therefore, it can only reasonably be applied to land owned by the City or other public entity and used for a public purpose.

In that regard, the intent of Open Space districts is less for the City to broadly influence land use than for the City to set expectations for land that it owns and maintains. Because higher jurisdictions like state and federal agencies can be immune from local zoning, it is primarily an instance of the City regulating the City, with the City Council having the authority to set or change regulations and the City’s BZA having the ability to grant relief.

### *Open Space Planning*

Cambridge’s decisions about the development and improvement of open space are informed by several factors, including broad citywide open space planning goals, neighborhood planning goals, site-specific studies and design processes, and applicable local, state, and federal regulations. Each stage of the planning process involves extensive public engagement and input.

The following are some examples of open space planning initiatives and goals.

- Open Space and Recreation Plan Update // Our Parks, Our Plan (2023-2032). One theme of this plan is expanding and improving park access for all, and goals include making parks and park programs welcoming for all and making it easier for people to get to and travel through parks and open space in ways that are active and sustainable. Another theme is activating and enhancing public spaces, with a goal of promoting healthy play and active recreation for people of all ages, abilities, genders, and backgrounds.
- Envision Cambridge (2019), the city’s most recent comprehensive plan. Action items include providing open space for both athletic and non-athletic activities, including both organized and spontaneous games and events, and providing a diverse range of play environments across the city to serve a full range of age groups, ability levels, and interests. Other goals in Envision Cambridge include creating a connected network of high-quality open spaces that links all residents to local and regional natural assets, provides a range of activities and experiences, encourages social connections, and is inclusive of all people.

### **Discussion on Proposed Zoning**

By creating sweeping restrictions that limit the type and extent of surfacing that can be used in Open Space Districts, the Petition would have substantial impacts on the City’s ability to plan and program Open Space. The Petitioners cite urban heat impacts as a consideration, which is an important factor that informs the City’s open space planning. However, the Petition would also prohibit or severely restrict the following uses:

- Play courts such as basketball and tennis, including accessible play areas designed for people with disabilities
- Accessible pathways that accommodate active movement such as bicycling, running and walking
- Accessible plazas and seating areas that often require paved surfaces
- Active and passive recreation that uses permeable paving materials such as stone dust, like Fresh Pond Reservation

In addition to these potential planning conflicts, the approach of defining and regulating any type of paved area as a principal land use is an unprecedented application of zoning in Cambridge. One likely effect is that City attempts to plan or program open space for activities such as those listed above would require a use variance from the BZA, which, even if granted, would be vulnerable to

appeal. There are also likely to be unexpected consequences to classifying all paved surfaces more than 10’ wide as a principal land use, which diverges from the typical understanding of what constitutes a principal land use. “Paved ways more than 10’ wide” would exist on many lots throughout the city that are characterized by other principal land uses.

As a result of these two issues, a major concern with the Petition if adopted is that it would weaken any planning process conducted to establish goals, consider tradeoffs, and make decisions about the use of a public space in favor of a process adjudicated by the Board of Zoning Appeal and potentially the Massachusetts Land Court or Superior Court. Due to the nature of zoning processes, this would likely elevate the influence of abutting property owners, who have standing to appeal land use decisions, over the interests of the broader public that uses the park or open space. It could also result in extensive delays implementing improvements due to additional permitting and legal processes.