CAMBRIDGE MATTERS

By: Commissioner Steve Rideout

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A Special Regular Session of the Cambridge City Council met on the evening of March 5th to consider two proposed ordinances. The meeting was held at the Public Safety Building, where there was more space for the public in light of the anticipated community interest in both proposed ordinances. The meeting room at the Public Safety Building was filled to overflowing by residents and other supporters of Shane Foxwell and his father. The supporters came from Cambridge, Dorchester County, neighboring counties, and at least one person from Delaware.

Both ordinances were on for a second reading, public hearing, and consideration and vote by City Council. Before either ordinance was considered, Commissioner Dave Cannon recused himself from participation in the hearings and votes on both ordinances and removed himself from the meeting due to his belief that there might be a perception that he had a conflict of interest due to his residing across the street from a City Industrial Zone.

The ordinance that allows breweries as a permitted use in the Industrial Zone was the first to be considered. There was brief comment from one of the owners of RAR brewery and a citizen after which the public hearing was closed and vote to approve the ordinance was taken with unanimous support from the remaining four commissioners.

The second ordinance involved the allowance of Auctions in the Commercial Zones and Industrial Zones in the city. Almost an hour was taken up by speakers supporting the Foxwell Auctions and in opposition to the proposed ordinance that would allow auctions as a Special Exception in both zones.

While there was no objection from the public for there to be a Special Exception in the Industrial Zones of the City, there was objection to it being required in the Commercial Zones. The challenge for the City Commissioners was that the one ordinance addressed both zones. Speakers asked that the ordinance be rejected and returned to the Planning and Zoning Commission for further consideration of that portion of the ordinance that dealt with the Commercial Zones.

The change that the Foxwells’ and their supporters were requesting was to allow auctions to take place in Commercial Zones with certain limitations including parking, storage of goods for sale, and holding auctions entirely indoors. What was proposed would have only allowed auctions as a Special Exception in Commercial Zones.

While there might not appear to be much difference between the two options, there are some important differences. In addition, I had a concern about the definitions of Auctioneer and Auction House that included language about them being licensed without there being any criteria for the licensing.

After the speakers concluded their remarks, the public hearing was closed, and the Commissioners discussed the matter. Upon separate motions to reject the proposed ordinance and remand the matter to the Planning and Zoning Commission, the Commissioners unanimously approved those motions.

The Planning and Zoning Commission will consider request to separate the zoning proposals for Commercial and Industrial into two proposed ordinances. This would allow Commissioner Cannon to vote regarding the Commercial Zone, as he would not have a conflict of interest regarding it. Additional concerns were raised by myself and others regarding the Special Exception for Auctions in Commercial Zones that, hopefully, will be addressed when the matter is returned to City Council for decision.

Before the City Council adjourned, it also voted unanimously to allow Foxwell Auctions to continue to run its business at the Metro Building at Dorchester Square for a period of 60 days or until the matter was returned from the Planning and Zoning Commission to City Council for a second reading, public hearing, and vote on two separate ordinances that hopefully will be forthcoming.

With no further business, the meeting was adjourned.