

City of Cambridge, Massachusetts
Planning Board
City Hall Annex, 344 Broadway, Cambridge, MA 02139

a. AMENDED SPECIAL PERMIT APPLICATION – COVER SHEET

To the Planning Board of the City of Cambridge:

The undersigned hereby petitions the Planning Board for one or more Special Permits in accordance with the requirements of the following Sections of the Zoning Ordinance:

1. 5.28.2 2. 6.44.1 (a) & (b)

3. 8.22.1 (d) 4. _____

Applicant: La Court Family LLC c/o Sean D. Hope Esq.

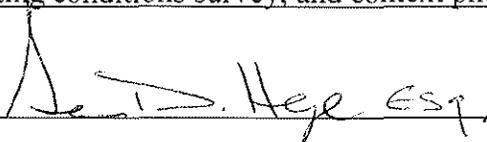
Address: 40 Norris Street

Telephone: 617-872-4499 or 617-492-4100 Ext. 118 FAX: (888) 371-6130

Location of Premises: 40 Norris Street

Zoning District: Residence B

Submitted Materials: Application, project narrative, dimensional form, ownership certificate, architectural drawings package (proposed unit floor plans, building elevations, building section plans, existing conditions survey, and context photos) and parking site plan and study.

Signature of Applicant:  Sean D. Hope Esq.

For the Planning Board, this application has been reviewed and is hereby certified complete by the Community Development Department:

Date Signature of CDD Staff

b. AMENDED SPECIAL PERMIT APPLICATION – SUMMARY OF APPLICATION

Project Name: 40 Norris Street Address of Site: “ “ Applicant: La Court Family LLC Planning Board Project Number: (CDD)
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Hearing Timeline (CDD)

Application Date:		
Planning Board 1 st Hearing Date:	_____	*
<i>(PUD Development Proposal, other special permit)</i>		
Planning Board Preliminary Determination:	_____	*
<i>(PUD Development Proposal)</i>		
Second Submission Date:	_____	*
<i>(PUD Final Development Plan)</i>		
Planning Board 2 nd Hearing Date:	_____	*
<i>(PUD Final Development Plan)</i>		
Final Planning Board Action Date:	_____	*
<i>(PUD Final Development Plan, other special permit)</i>		
Deadline for Filing Decision:	_____	*

**Subject to extension by mutual agreement of the Applicant and the Planning Board*

Requested Relief: (include other boards and commissions)

- 5.28.2 6.44.1 (a) & (b) Planning Board Special Permit

Project Description

Brief Narrative: Adaptive reuse project to convert existing non-residential school house (North Cambridge Catholic High School) into 27 residential units, 2 commercial spaces with 28 parking spaces.

Project Size: 27 residential units, 2 commercial units and 28 parking spaces.

- Total GFA: 45,578sf
- Non-residential uses GFA: 1,796sf
- Site Area (acres and SF): 25,700sf
- # of Parking Spaces: 28

Proposed Uses:

- # of Dwelling Units: 27
- Other Uses: General Office Use (*see article 5.28.20*)
- Open Space (% of the site and SF) .11

Proposed Dimensions:

- Height: Range of Heights Maximum 77'
- FAR: 1.8

X

OWNERSHIP CERTIFICATE - PLANNING BOARD SPECIAL PERMIT

This form is to be completed by the OWNER, signed, and returned to the Office of the Planning Board:

I hereby authorize: LACOURT FAMILY LLC MANAGER MOUHAB RIZKALLAH
(Petitioner)

Address 30 College Ave City or Town SOMERVILLE MA 02144

to apply for a special permit for APARTMENT BUILDING on premises
(Type of Development)

located at: 40 NORRIS ST 192-151 CAMBRIDGE
(Street and Number) (Assessor Plat and Lot Number (s)) (City)

for which the record title stands in the name of: LACOURT FAMILY LLC

whose address is: 30 COLLEGE AVE
(Street and Number) (City or Town) (State)

by a deed duly recorded in the SOUTHERN MIDDLESEX County Registry of Deeds

in Book 55397 Page 563; or Registry District of the Land Court, Certificate

No 2010 00163224 Book SS397 Page 563

Mouhab Rizkallah, MANAGER.
Signature of Land Owner MOUHAB RIZKALLAH, MANAGER.
(If authorized Trustee, Officer or Agent so denitrify)

Commonwealth of Massachusetts, County of MIDDLESEX

The above-named MOUHAB RIZKALLAH personally appeared before me, this 12th
(Day)

of OCT., 2010, and made oath that the above statement is true.
(Month) (Year)

T. Scott Vantonger Notary

My Commission expires _____ (Notary Seal)



14



Bk: 55397 Pg: 563 Doc: DEED
Page: 1 of 4 09/17/2010 02:30 PM

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 09/17/2010 02:30 PM
Ctrl# 145210 15153 Doc# 00163224
Fee: \$16,416.00 Cons: \$3,600,000.00

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS that the Roman Catholic Archbishop of Boston, A corporation sole duly and legally organized and existing under the laws of the Commonwealth of Massachusetts, (the "Grantor") for consideration paid of Three Million Six Hundred Thousand (\$3,600,000.00) Dollars grants to

LACOURT FAMILY LLC, a Massachusetts limited liability company, maintaining an address at 30 College Avenue, Somerville, Massachusetts 02144 (the "Grantee")

A certain parcel of land with the building thereon situated in Cambridge, bounded and described as follows:

Beginning at a point in the southerly line of Norris Street, said point being at the intersection of the easterly line of Drummond Place;

Thence, southerly by said easterly line of Drummond Place one hundred (100.0) feet to an angle;

Thence, easterly five (5.0) feet to an angle;

Thence, again, southerly forty (40.0) feet to a point in the southerly line of Drummond Place;

Thence, easterly one hundred eighty (180.0) feet to a corner;

Thence, northerly by Lot No. 70 division line, one hundred forty (140.0) feet to a point in the southerly line of Norris Street;

Thence, westerly by said, southerly line of Norris Street one hundred eighty-five (185.0) feet to the point of beginning.

Containing twenty-five thousand seven hundred (25,700) square feet as shown as Lot. No 151 on Assessors' Block Plan 191. All the above described dimensions and area are more or less.

Gerard Fong, Esq.
Fong & Kaston, LLP
24 School Street
Suite 720
Boston, MA 02108

This conveyance is subject to the following covenants: The Grantee agrees for itself or another entity in which the Grantee holds a controlling legal or beneficial interest and its successors in title and assigns to covenant that: (a) it shall not use the Premises for a church chapel or other house of religious worship; (b) an abortion clinic; (c) the operations of professional counseling services which advocate abortion or euthanasia; or (d) the operation of any embryonic stem cell research facility or services implementing embryonic stem cell research ((a) through (d) collectively the "Use Restrictions"). The Use Restrictions described above shall expire upon the ninetieth (90th) year from the date of recording of the Deed. The Roman Catholic Archbishop of Boston, A Corporation Sole, with an address of 66 Brooks Drive, Braintree, Massachusetts 02184 is benefitted under the provisions of Massachusetts General Laws, Chapter 184, Section 27 (the Benefitted Parcel"). The Grantee acknowledges that these Use Restrictions are imposed for the benefit of the Grantor and are of actual and substantial benefit to the Grantor. At such time as the Grantor ceases to operate a Roman Catholic Parish at, or from, the Benefitted Parcel, these Use Restrictions shall automatically terminate and shall not then after be enforceable. In such event, upon request of the Grantee, or its successors in title or its assigns, Grantor shall execute a written and recordable instrument confirming such termination.

Grantee, on behalf of itself and its successors and assigns, waives any and all claims and defenses as to the enforceability of the Use Restrictions and the Covenant, as the case may be, in accordance with their terms. The Grantee acknowledges and agrees, on behalf of itself, and its assigns and successors in title that the Grantor will from time to time record notices of extensions of the Use Restrictions and Covenant as such notices and extensions are provided for in Massachusetts General Laws, Chapter 184, Sections 27 and 29.

In the event of a breach of the Covenant and/or Use Restrictions at any time during the duration of same as set forth herein, the Grantor, and its successors in title ("Specific Performance of Covenant and Use Restrictions") may seek specific performance of the Use Restrictions in a Court of Law having jurisdiction over the matter and obtain from the Grantee or its successors in title, all costs and expenses, including attorney's fees, incurred in the enforcement of defense of the Use Restrictions, and any other damages (excluding any consequential, indirect or punitive damages) suffered by the Grantor arising or resulting from a breach of the Use Restrictions. In no event shall the Grantee, or any successor or assign of the Grantee, be responsible or liable in any way for a breach of the Use Restrictions occurring outside of Grantee's (or such successor's or assign's, respectively) term of ownerships of the premises.

The Grantee agrees, on behalf of itself, its assigns and its successors in title that if the Grantee, its assigns, and its successors in title make an arms-length fair market conveyance of the Property in its entirety within five (5) years of the date of the recording of the Deed from the Seller, to the Grantee, the Grantee, its assigns and its successors in title shall pay the Seller as follows (being the "**Unjust Enrichment Covenant**");

Fifty (50%) of the difference between the consideration paid by the Purchaser to the Seller for the Property, and any increased sale price of the subsequent initial arms-length fair market conveyance, less (i) the actual documented acquisition, development and disposition

For title of said Roman Catholic Archbishop of Boston, see Deed recorded in Book 8975, Page 262 of Middlesex South District Registry of Deeds (see also Book 10510, Page 155).

See Certificate of Merger of Archdiocesan Central High Schools, Inc. into the Roman Catholic Archbishop of Boston, a Corporation Sole to be recorded herewith.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 15 day of September, 2010.

ROMAN CATHOLIC ARCHBISHOP OF BOSTON,
A CORPORATION SOLE

Sean Cardinal O'Malley
Sean Cardinal O'Malley, O.F.M., Cap.

COMMONWEALTH OF MASSACHUSETTS

Norfolk, SS.

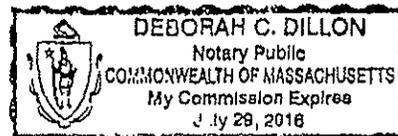
Sept. 15, 2010

Then personally appeared before me, the undersigned notary public, the above-named Archbishop of Boston, his Eminence, Sean Cardinal O'Malley, O.F.M., Cap., of the Roman Catholic Archbishop of Boston, a Corporation Sole, and proved to me through satisfactory evidence of identification which was personal knowledge to the person's whose name is stated on the preceding document, and acknowledged to me that they signed it for its stated purpose.

Deborah Dillon

Notary Public

My commission expires: 7/29/16



AMENDED SPECIAL PERMIT DIMENSIONAL FORM

APPLICANT: LaCourt Family PRESENT USE/OCCUPANCY: School

LOCATION: 40 Norris Street ZONE: Res B

PHONE: _____ REQUESTED USE/OCCUPANCY: Residential

	EXISTING CONDITIONS	REQUESTED CONDITIONS	Required
REQUIREMENTS¹			
TOTAL GROSS FLOOR AREA:	<u>45,654sf</u>	<u>45,578sf</u>	<u>12,850sf</u>
LOT AREA:	<u>25,700sf</u>	<u>No Change</u>	<u>5,000sf (min)</u>
Total FAR	<u>1.6</u>	<u>1.8</u>	<u>.5</u>
residential	<u>N/A</u>	<u>1.7</u>	<u>.5</u>
non-residential	<u>1.6</u>	<u>.55*</u>	<u>.5</u>
Inclusionary	<u>N/A</u>	<u>.15</u>	<u>.15</u>
LOT AREA FOR EACH DWELLING UNIT: <u>2,500</u>	<u>N/A</u>	<u>952sf</u>	
SIZE OF LOT: WIDTH:	<u>185'</u>	<u>No Change</u>	<u>50</u>
SET-BACKS: (in feet)	FRONT: <u>10</u>	<u>No Change</u>	<u>15</u>
	REAR: <u>59'-62'</u>	<u>No Change</u>	<u>25</u>
	LEFT SIDE: <u>23'</u>	<u>No Change</u>	<u>7'6" (sum of</u>
20)			
	RIGHT SIDE: <u>4'10"</u>	<u>No Change</u>	<u>7'6" (sum of 20)</u>
Max. Height:			
Range of Heights:	<u>77'</u>	<u>77'</u>	<u>35'</u>
RATIO OF USABLE OPEN SPACE TO LOT AREA: ²	<u>.015 %</u>	<u>.11 %</u>	<u>(see 5.28.25)</u>
TOTAL DWELLING UNITS:	<u>N/A</u>	<u>27</u>	<u>7 (as vacant lot)</u>
BASE UNITS	<u>0</u>	<u>23</u>	<u>7 (as vacant lot)</u>
INCLUSIONARY UNITS	<u>0</u>	<u>4</u>	
OFF STREET PARKING SPACES:	<u>35</u>	<u>28</u>	<u>1 Per unit</u>

¹ *Does include common area space. As required, the common area space total 12,435sf or 31.2% and includes hallways, stairs, exercise room tenant storage, housekeeping facilities and laundry.

** Existing landscaped area 395sf & Proposed landscaped area 2,800sf. Existing paved area 14,875sf & Proposed paved area 12,463sf.

<u>NO. OF HANDICAPPED:</u>	<u>0</u>	<u>2</u>	<u>2</u>
<u>Bicycle Spaces</u>	<u>N/A</u>	<u>48</u>	<u>0</u>
<u>Loading Bays</u>	<u>N/A</u>	<u>N/A</u>	
<u>N/A</u>			

40 Norris Street
Proposed Adaptive Reuse Conversion

NARRATIVE FOR SPECAIL PERMIT APPLICATION

11/01/2011

Prepared by Hope Legal Law Offices and the Applicant

A. General Narrative

The project is sited at 40 Norris Street formerly the North Cambridge Catholic High School located on the midway between Massachusetts Avenue and Cedar Street on the south side of this one block street. It is the only building on the 25,700 square foot lot (Map 192/Parcel 151). The lot has a frontage of 185' on Norris Street and a depth of 140'. The property, which was formerly in institutional use, is located in a Residence B zoning district.

The street is characterized by a variety of one-, two- and three-family residential buildings, built between 1870 and 1924. Most are two or three stories in height.

The lots on this block and the neighboring Rice and Hollis streets are characterized by a medium density, with the homes clustered close to the street with moderate front and side set-backs, but generous rear yards provide considerable light and air through the center of the block.

The Cambridge Historic Commission initiated a landmark study and has recommended the building be eligible for landmark designation and will make it recommendation to the City Council prior to the end of 2011.

B. Building Use and Areas

The proposed adaptive reuse conversion will utilize all of the existing 45,654sf of Gross Floor Area as defined by Article 2.00 of the Cambridge Zoning Ordinance and add an additional 878sf to produce 27 dwelling units with a total of 46 Bedrooms.

The proposed uses are as follows.

- **Lower Level:** Two dwelling units facing the front of the building along Norris street; two commercial spaces at the rear corners of the building facing the parking lot, and tenant amenities including laundry, bicycle/tenant storage, exercise room, housekeeping area and building mechanicals.
- **First Level:** Eight dwelling units and Sixteen total bedrooms.
- **Second Level:** Eight dwelling units and Seventeen total bedrooms.

- **Third Level:** Nine dwelling units and Nine Total bedrooms. Five of the Nine dwelling units are will be multi-level loft style units that extend into the upper third floor. Two additional loft style units will encompass the two wing portions of the building. The remaining two units will be traditional studio style units.

PROPOSED GROSS SQUARE FOOTAGE CALCULATIONS

USE GROUP	FLOOR	LOWER LEVEL	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL	UPPER THIRD FLR LEVEL - 1	UPPER THIRD FLR LEVEL - 2	TOTAL GROSS FLOOR AREA
COMMON SPACE		6,185	2,030	2,030	1,677	55	558	12,435
RESIDENTIAL SPACE		2,532	8,219	8,219	7,922	--	3,577	30,469
COMMERCIAL SPACE		1,796	--	--	--	--	--	1,796
FLOOR AREA REMOVED		--	--	--	--	--	.969	- 969
RESIDENTIAL FLR AREA ADDED		--	--	--	--	878	--	878
TOTAL GROSS FLOOR AREA		10,413	10,249	10,249	9,599	933	4,135	45,578

Relief Requested:

The proposed conversion requires special permit relief under the provisions of the amended 5.28.2, to convert the existing school building to residential use. In addition Petitioner will request special permit relief for setbacks under Article 6.44.1 (a) and (b) as well as implement design solution to mitigate adverse impacts where applicable. No other special permits or variances are needed.

The project will satisfy or exceed the requirements for automobile and bicycle parking under Article 6.00. Additionally the parking area (*see parking site plan*) will satisfy the requirements for screening and landscaping (6.47 & 6.48), lighting (6.46), parking spaces and access routes (6.34 and 6.40) for parking facilities of five or more cars.

A. Special Permit Criteria Sections 10.43, 10.47, and 10.47.1

Article 10.43 Criteria for Special Permits will be normally granted where provision of the this Ordinance are met, except when particulars of the location or use, not generally true

of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public good because:

- a) *It appears that requirements of this Ordinance cannot or will not be met*
- b) *Traffic generated and or patterns of access or egress would cause congestion, hazard or substantial change in established neighborhood character.*
- c) *The continue operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use or*
- d) *Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed or the Citizens of the City or*
- e) *For other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this ordinance and*
- f) *The new use or building construction is inconsistent with the Urban Design Objective set forth in Section 19.30*

Response:

The amendments to Article 5.28.2 recently adopted by the City Council created a framework for determining the appropriate density and scale for adaptive reuse projects to promote economic reuse of buildings and preservation of historic buildings such as 40 Norris Street. Specifically section 5.28.21 (Gross Floor Area) created a basis for objectively determining appropriate densities, maximums number dwelling units and percentage of Gross Floor area that should be utilized for private living space. One of the stated goals of the lengthy amendment process was to allow both neighbors and developers a reasonable expectation of how these structures would be developed.

The building is located in a residential district and the proposed residential development will be compatible with the neighborhood character, not cause nuisance or hazard to the occupants, citizens or the City and will be consistent with the adjacent residential uses.

Secondly, the proposed reuse will not detrimentally affect the patterns of access or egress because the site provides one parking space per dwelling unit, a parking space for the commercial uses, bicycle parking exceeding ordinance requirements and is located within 300 yards of MBTA bus service. The projects extremely close proximity to Mass transit encourages pedestrian and bike use for all residents as well as the small general office use.

Additionally, the existing Curb Cut at 40 Norris street provides for a 20' wide driving isle ample for emergency vehicle, maintenance trucks and two way traffic. Further the North Cambridge Catholic High School reserved as many as seven spaces in the front of the building for bus/student pick up and drop-off. The spaces will permanently be returned to the neighborhood alleviating pressure for on-street parking.

The Cambridge Historical Commission, with full support by the property owner, is in the processes of recommending the building be designated as a Historical landmark building. This designation will allow for a coordinated restoration and preservation of this historic building as well facilitate the structural improvements necessary for modern residential dwellings.

Lastly, the new use will not be inconsistent with the Urban Design Objectives of section 19.30 as any changes to the exterior façade will be approved by the Cambridge Historical Commission to ensure the integrity and character of the building is preserved.

B. Response to Criteria in 5.28.20 *Allowed Uses*

The conversion will include uses not otherwise allowed in the base zoning district but specifically permitted by section 5.28.20 (3). This non-residential use will be General Office use (section 4.34.d) sited on the lower level. This general office use was added to the project because of the limitations on private dwelling GFA to 70% of the overall Gross Floor Area.

The two commercial spaces totaling 1,796sf are sited in the rear corners of the building adjacent to the parking lot (*see plan A-100*). This positioning was intentionally designed to utilize the areas on the Lower Level least suitable for living space because of the limitations of light, air and proximity to the parking area. The windows facing the parking lot will be installed with a special glass to lessen glare from cars entering and exiting the parking lot. While these commercial spaces will be accessible to the public from the sides of the property it is likely that resident of the building will lease these spaces as a live-work/general office use. These commercial uses will have minimal impact on the parking demand due to the close proximity to public transportation, the modest size of the commercial spaces and the difference in parking demand times for the commercial and residential use.

C. Response to Criteria in 5.28.28.1 *Applicable to All Projects*

(a) Parking: (Insert parking study information)

(b) Privacy consideration:

Windows: The conversion project will maintain all existing windows of the building. For purposes of light and air necessary for habitable dwellings the project will add twenty one additional skylight to the roof structure. The number and positioning of the skylights are limited to the number necessary and will have minimal affects on privacy of abutters due to the height of building that dwarf many of the surrounding properties.

Landscaping/Screening: The exterior grounds will be developed consistent with the landscaping plan to maintain the maximum amount of privacy. Specifically the parking area in the rear and on the sides will be border by 6' wood board

fence with a 2' lattice topper. Along the inside perimeter will be a 5' planting that in conjunction with the wood board fence will lessen the glare from night time vehicles entering and exiting the parking area. Every effort will be to maintain existing trees located on or adjacent to the property. New tree planting shall be a minimum of three inch caliper and will be selected from the recommended species list in section 11.16.4(4)(b).

The lighting fixtures for the parking area will be installed with shoebox coverings to limit excess lighting on adjacent homes and only to the extent necessary for safety and functionality.

(c) Reduction in Private Open Space:

In accordance with the Landscaping and screening requirements of section 6.48.1 the lot will have increased green space in the front and rear of the property. The existing conditions on the site contained minimal green space in the front and none in the rear parking area which was entirely paved for parking. The proposed rear yard adds three additional trees and several dense planting beds for privacy and noise attenuation.

(d) Community Outreach

Since Developer purchased the property in September 2010 and throughout the 5.28.2 zoning amendment process the issues of density, parking, privacy, preservations of neighborhood character have remained the keys issues for neighbors. Many of these issues were addressed by the 5.28 amendments which reduced the total maximum allowable residential units from 40 to 27, limited the amount of private living space to 70% of the overall GFA and capped inter-flooring. In response to neighborhood feedback the owner retained an architect (Jai Singh Khalsa) familiar with adaptive reuse projects in Cambridge and held a series of group and one on one meetings/conversations with abutters and neighbors of 40 Norris Street.

**NEIGHBORHOOD OUTREACH DATES/MEETINGS
40 NORRIS STREET, CAMBRIDGE**

(5.28.2 Adaptive Reuse of School Building to Residential Use)

September 2010

- Developer Acquired School Building on September 18, 2010.
- Developer met with CDD to present working plans and incorporate modifications as advised by CDD.
- Developer attended North Cambridge Stabilization Committee (NCSC) meeting to introduce project and ask for an opportunity to address NCSC at the next meeting.
- Developer flyered Norris & Rice Streets on 3 separate occasions, inviting neighbors to meet developer at School Building for a Saturday-Morning walk-through.

October 2010

- Developer presented preliminary development plans at the Cambridge Stabilization Committee.
- Developer walked approximately 45 people through the School Building on 3 different Saturday Mornings, spending 2-3 hours going through the preliminary development plans.
- Developer obtained telephone numbers and email addresses from attendees of walk-through.
- Developer created a Yahoo Group (norrisstreet@yahoo.com) communication system to communicate meeting schedules and timing of relevant events to neighbors.
- Developer provided his personal cell-phone numbers to all neighbors/ attendees to contact him at any time to discuss questions or concerns.
- Developer allowed neighbors to take storage items, pianos, and other interesting items that they desired from the school building and aided in delivery of large items to neighbor's homes.
- Developer removed barbed-wire fencing from around the school building at the request of neighbors to improve esthetics.
- Developer invited any person wanting a copy of the current plans to contact him for hand-delivered copies.

November 2010

- Developer met with neighbors and the North Cambridge Stabilization Committee at their request five times.
- Neighborhood meeting (Peabody School): Development team presented proposed plans and opened discussion to changes. Development team and neighbors agreed to meet again to discuss changes to unit layouts.

December 2010

- FAILED MEETING: After agreeing to meet to discuss unit layouts that would be congruent with current units on Norris Street, Neighbors decided not to respond to multiple requests by developer to have this meeting.
- Development team reached out to Neighbors to discuss what changes they would like to the proposed development, and was advised that the position of the neighborhood is to let the 5.28.2 Zoning Amendment complete before having further discussion.

December 2010 – August 2011

Zoning Amendment Process

August 2011

- Developer reached out to more vocal neighbors to have productive one-on-one (two people: developer only and single neighbor only) discussion of what their individual concerns are and mitigation solutions. *Only one neighbor (Kevin Crane) was willing to meet with the developer, while the others refused to meet in a one-on-one situation.*

September 2011

- Advised by neighbors that they would like to meet with developer as large group. Neighbors wanted working plans 1 week in advance of meeting.
- Development team asked neighbors to provide a list of questions for the meeting, so that development team would be prepared with answers (see list below).

- Provided Working Plans to Neighbors 1 week in advance of meeting.
- Development team met with Neighbors on September 29th 2011 (at Peabody School) to discuss Working Plans of project and incorporate various neighborhood perspectives.

October 2011

- Presented Working Plans and neighborhood perspectives to CDD and incorporated CDDs perspectives into working plans.

November 2011

- Proposed Neighborhood Meeting: Meeting is schedule for November 29th at Peabody school. An attempt was made by both parties to schedule this meeting prior to submitting amended special permit to the planning board. This meeting was unable to be schedule due to the time constraints surrounding the Thanksgiving Holiday and the desire for neighbors to have sufficient time to review the final plans prior to meeting.

Questions/Comments submitted by neighbors and discussed at September 29th 2011 meeting

1. Exercise room, complete with kitchenette and nearby bathrooms, in the basement; the tenant storage area; and the duplex/triplex in the center wing with open space are welcome additions. Thank you for researching and incorporating great design concept from the Bigelow School building as the mezzanine with open space will preserve the architectural integrity and thus the values of the tall windows.
2. Under the newly amended 5.28.2, please explain how your building with 27 residential units and 2 commercial units will satisfy the maximum number of unit limitation. Existing GFA per CDD 6/15 handout (see attached) is 36,232 square feet. The total GFA for the Sept. 22, 2011 plan is similar to the one in the plan submitted on Nov. 15, 2010 except for the open space on level 1 and level 2 of the upper 3rd floor. Therefore, the added GFA > 2x base should be around 10,000 square feet. Whether floor area where the ceiling height is less than 7 feet should be counted towards GFA should be determined by the CDD. Based on our analysis, the maximum number of residential units should be around 24 given your estimate of 2600 square feet of commercial space.

Response: Provided neighbors with the existing conditions survey showing how the existing GFA was calculated as well as how we meet the requirements of Gross Floor area in 5.28.21. We also clarified pursuant to article 2.00 of the Cambridge Zoning Ordinance how GFA area is defined which includes areas where ceiling heights at least 5ft. In addition we explained the Gross floor area calculation produced by the CDD handout was based on the assessor's database and not actual measurements which we produced at the meeting.

3. Please have your architect walk us through the building and site plans. In particular we would very much like to hear how your plans fit into our goal of “preserving the fabric” of our neighborhood.
4. The plan shows individual AH (Air Conditioning/Heating) units. Thank you for consulting with Mr. Bill Hammer (architects for the Society of St. John the Evangelist Monastery) to come up with innovative AC solution. Please verify that each unit will have such a system. Please elaborate how this system will work as well as the number and location of the condenser units?

Response: The HVAC SYSTEM:

Each unit will have individual heating and cooling system. The heating system is called a hydro-air system; with an individual air handler with a hot water coil heated from an individual hot water heater within each of units. The cooling is via the same air handler with an individual cooling coil. The condensate cooling water is central with one cooling tower for all units located in the ground in the front yard landscape area. So the need for 30+ individual condenser units is eliminated. Domestic hot water is individual per unit as part of the same system that heats the water for the air handler.

5. Parking at 40 Norris Street – There was only 20 parking spaces when the building was used as NCCHS. We have expressed before that any more than that would severely impact the quality of life of neighbors. Snow removal from the driving lane will be very difficult without any staging area. Even if the lane is cleared, there is no place for tenants to place the snow as they dig their cars out. A staging area at the end of the parking lot would allow for more green space the rest of the year and temporary snow storage until a dump truck can be scheduled.
- 6.

Response: We explained to neighbors that the site contained more than 20 parked cars when the property was in use by North Cambridge Catholic. The 20 parking spaces were based on an audit by Cambridge traffic and parking that used the lined spaces as the number of counted spaces not the actual use. Most importantly we explained to the neighbors that because of the conversion from institutional to residential use any previous parking would not be grandfathered and we would have to satisfy the one parking space per dwelling unit. We presented to the neighbors the proposed parking site/landscaping plan that added much needed green space/mature trees to the previously paved lot, the proposed wood stockade fence that would improve screening from car lights in the evening and installation of shoebox lighting to minimize unnecessary glare for rear and side abutters.

Regarding snow removal we explained that developer would utilize his construction crew and snow removal equipment to pick up snow and remove it from the site to the extent

possible. Similar to other parking areas in Cambridge, proper use of the driving isles for snow plow/pickup and the frequency of salting and sanding measures will help manage the snow throughout the winter.

7. Lower Floor Plan – Thank you for locating the 2 residential units on the street side to stay away from the car exhaust from the ten cars parked along the back wall. Doesn't the presence of those cars also impact the commercial space? And the cars will be within ten feet of the first floor windows too.

Response: The commercial space was specifically located in the area least suitable for residential living. The rear facing windows that are $\frac{3}{4}$ above grade will be installed with a frosted glass specifically to lessen the glare from vehicle lights. In addition and to the extent need the special permit application will request relief under article 6.44.1 (a).

8. We believe a large U-Haul or fire truck cannot negotiate the tight turn caused by the cars parked next to the building. Even if it is possible for a truck to make the turn there is then the much harder problem of backing out in the narrow confines. Have you or do you have a plan to invite Fire Department to examine the ease within which emergency vehicles could access the driveway and building?

Response: We highlighted to 20' driving isle on the proposed site plan that became available by eliminating parking along the side of the building. We also stated that the required emergency vehicle width under the CMR Fire and prevention code requires a minimum of 18' for clearance. In addition we explained that we are have been working closely with Adam Shulman at traffic and parking to ensure that the driveway and parking area were safe and functional.

9. Handicap parking spaces are away from the main entrance. ADA requirements were brought up during the PB hearing. Please explain how the ADA requirements are addressed.

Response: The ADA parking requirements were discussed and an explanation was given as shown on the proposed parking plan. Again we assured neighbors that we were coordinating with the Traffic and Parking Department to comply with ADA requirements.

10. Parking at 54R Cedar Street – Is the proposed 11 car parking lot for 40 Norris Street residents? Now that you also own 57 Norris Street, will the tenants of 57 Norris Street allowed to park at 54R Cedar Street in addition to the 11 cars in the proposed parking lot? The proposed parking lot will remove much needed green space and completely destroy the character of the neighborhood and livability of the direct abutters, especially 54 Cedar Street. We urge you strongly not to implement this parking lot.

Response: We informed neighbors that owner had purchased adjacent lots including 54 Cedar as an option to add more parking if neighbors and or planning board felt appropriate. We stated that we believed there was sufficient parking at the 40 Norris Street itself based on our layout of the parking lot and close proximity to the public transportation. We agreed that if the neighbors and planning board did not require us to utilize the additional parking as accessory parking it would remain as is.

11. Green Space/Screening –

- Although you did provide a site plan indicating the open space calculations, there is no indication of any landscaping in particular. Is there such a plan? If so, can we see a copy? The front of the building does not show any sidewalks or anyway to access the front door – will there still be access here (this would affect the overall open space calculations). Also, is there a way to landscape this area that would work well with the scale of the neighborhood?
- How will the edges be dealt with (screening for car lights/noise)? Will any of the current fencing be replaced or amended with something more appropriate?
- There does not seem to be a 5' landscape setback from the side and rear fences – since the neighbors are all so close, adhering to this setback is quite important to the direct abutters. How do you plan to deal with this?
- Are there any considerations for any sort of permeable paving in either parking lot? Will there be any other “greening” alternatives that will be incorporated into the larger plan?
- Screening measures should also consider protecting the neighbor’s privacy from the light pollution from the large windows. Recommend installing room darkening shades for each window.

Response: At that time we did not have a completed landscaping plan but did discuss aspects of landscaping plan which is submitted with this application and passed out to neighbors including 6' wood stockade fence with lattice, additions of mature trees and vegetation meeting the screening requirements of the ordinance, and shoebox lighting to reduce glare from parking lot lighting.

12. What are your plans for the buried oil tank in the basement? How will that be removed? Would it be possible to put parking in the basement as part of this removal process?

Response: We explained the Developer would remove the underground oil tank. We informed the neighbors that the feasibility of basement and it was determined that

13. The drawing shows skylights on the roof. These skylights destroy the beauty of the slate roof of this historic building. The building is under consideration for landmark status and while it is under consideration, any alteration must be reviewed by the Historical Commission.

Response: we agreed and informed neighbors that we would commence a parallel track with the Historical Commission to approve the additional skylights as required.

14. Snow and ice from the slate roof is a proven hazard for vehicles parking next to the building and pedestrians walking from sidewalk to the rear of the building. What mitigation plans have you considered?
15. Trash/Recycling – Thank you for placing a dumpster outside the building. What types of waste management plans have you considered to prevent vermin problems? The size of the dumpster must be big enough to handle the surges of trash which will naturally occur around September 1 when many units will turn over, not just the normal steady stream of trash. Finally, what recycling services will be provided? Will you have a live-in building superintendent to ensure the waste management/recycle policies are followed through?

Response: Discussed different option for waster management and recycling. Owner will work with existing city program and requirement for recycling and waste management.

16. Exercise Room – Since the residents of 40 Norris Street will be expected to make use of the neighboring recreational facilities, will you open up the exercise facilities to the residents of immediate neighborhood?

Response: The exercise room would be building amenities for tenants of the building.

17. Please explain how you will ensure that the residents will respect the “fabric of our neighborhood”? Will you have tenant’s handbook that we can agree to? And how would you enforce the terms of the handbook and how would you resolve complaints from the neighborhood?

Response: Discussed what potential tenant issues may occur and explored options on ways to resolve them.

D. Response to Criteria in 5.28.21 Gross Floor Area

Response: See square footage table on plan (Z-2)

