



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## 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. 5.53 2. \_\_\_\_\_

3. \_\_\_\_\_ 4. \_\_\_\_\_

Applicant: KEVIN EMERY + EAMON FEE

Address: 9 GREGORY LANE

READING, MA. 01867

Telephone: 617-592-3921 FAX: N/A

Location of Premises: 11 BROOKFORD STREET

Zoning District: RB - RESIDENTIAL

Submitted Materials: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signature of Applicant: Kevin Emery

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

Date

Signature of CDD Staff

\_\_\_\_\_

### Appendix I – Dimensional Form

Special Permit #	Address:			
	Allowed/Required	Existing	Proposed	Granted
<b>Total FAR</b>				
<b>Residential</b>	.466/.466	.384	.466	
<b>Non-Residential</b>	N/A	N/A	N/A	
<b>Inclusionary Bonus</b>	N/A	N/A	N/A	
<b>Total GFA in Sq. Ft.</b>				
<b>Residential</b>	3000sf/3000sf	2475sf	3001sf	
<b>Non-Residential</b>	N/A	N/A	N/A	
<b>Inclusionary Bonus</b>	N/A	N/A	N/A	
<b>Max. Height</b>				
<b>Range of heights</b>	31ft-34ft	34ft	31ft	
<b>Lot Size</b>	5000sf	6431sf	5000sf	
<b>Lot area/du</b>	3215.5sf	3215.5sf	2500sf	
<b>Total Dwelling Units</b>	2/2	2	2	
<b>Base units</b>	N/A	N/A	N/A	
<b>Inclusionary units</b>	N/A	N/A	N/A	
<b>Min. Lot Width</b>	50ft/50.23ft	50.23ft	50.23ft	
<b>Min. Yard Setbacks</b>				
<b>Front</b>	15ft	13ft	13ft	
<b>Side, Left</b>	12.5ft	7.1ft	13.5ft	
<b>Side, Right</b>	7.5ft	6ft	7.75ft	
<b>Rear</b>	35ft	62.5ft	35.25ft4	
<b>Total % Open Space</b>				
<b>Usable</b>	40%	74%	53.02%	
<b>Other</b>	N/A	N/A	N/A	
<b>Off Street Parking</b>				
<b>Min #</b>	2	2	2	
<b>Max #</b>	N/A	N/A	N/A	
<b>Handicapped</b>	N/A	N/A	N/A	
<b>Bicycle Spaces</b>	N/A	N/A	N/A	
<b>Loading Bays</b>	N/A	N/A	N/A	

**BZA APPLICATION FORM - OWNERSHIP INFORMATION**

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I (We) KEVIN M. EMERY + EAMON FEE  
(OWNER)

Address: 9 GREGORY LANE, READING, MA. 01867 (2 RICHARDSON STREET WINCHESTER, MA.)

State that I (We) own the property located at 11 BROOKFORD STREET which is the subject of this zoning application.

The record title of this property is in the name of EMERY HOMES LLC.  
9 GREGORY LANE, READING, MA. 01867

\*Pursuant to a deed of duly recorded in the date 8/2/11, Middlesex South County Registry of Deeds at Book 57240, Page 475; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Kevin M. Emery (MANAGER)  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

\*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Kevin Emery personally appeared before me, this 11 of Oct, 2011, and made oath that the above statement is true.

Laurence Maguire Notary

My commission expires 28 JULY 17 (Notary Seal).



• If ownership is not shown in recorded deed, e.g. if by court order, resale deed, or inheritance, please include documentation.

**Chairmen and Members of the Board,**

**We have an existing two-family structure located at 11 Brookford Street.. We plan on reducing the size of the building 15 feet in length and 24 feet in width and making it a single residence structure.**

**The plan is construct another single residence detached building behind the existing structure.**

**We have met with Historical Commission and they have determined that the existing building does have some historical significance. They would prefer to see the existing building remain.**

**The project is consistent with the required findings in Section 5.53, Paragraph 2a that the new construction proposed in the application would have less impact on its immediate abutters and the neighborhood as a whole, than the would as-of-right construction project consisting of a single structure with two attached dwelling units. Such an alternate scheme was presented to the Historical Board and denied. By establishing two separate buildings with ample green space and private yards surrounding each of the two units, the development will be more consistent with the character of the neighborhood, will not present a very long uninterrupted wall to adjacent properties and will provide valuable open space amenities to the future residents of the project, as well as to residents on abutting lots.**

**Thank You,  
Kevin Emery & Eamon Fee  
(Owners)**

## NARRATIVE COMPLIANCE WITH ZONING

Zoning analysis for proposed 2 unit development located at 11 Brookford St Cambridge. This analysis is based on proposed site plan and drawings by Robert M Connell dated 9/10/2011

### Scope of work

The lot is a large 6450sf irregular shaped lot with a existing 2 family dwelling located at the front of the lot and a large yard. We hope to preserve a large portion of the front building in order to maintain the buildings historical significance in the neighborhood. While adding a second unit at the rear of the lot.

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>TOTAL GROSS FLOOR AREA:</u>	<u>2,475SF</u>	<u>3,000SF</u>	<u>3,000(MAX)</u>
The existing two family located on the lot is approximately 25ft wide x 41ft. there is a covered deck attached to the existing building 25ft x 6ft. The requested conditions would call for removing 20ft from the rear of the structure and renovating the building as one dwelling unit , then another proposed dwelling structure would be built in the rear yard.			

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>LOT AREA:</u>	<u>6431SF</u>		<u>5,000(MIN)</u>
The lot is a trapezium quadrilateral shaped lot ,narrow at the front and wide at the rear			

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u>	<u>.384</u>	<u>.466</u>	<u>.466 (max)</u>
the requested conditions is got by adding .5 of the first 5000ft and .35 of the remaining 1450			

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>LOT AREA FOR EACH DWELLING UNIT</u> (i)	<u>3215.5 sf</u>	<u>3,215.5sf</u>	<u>2500sf(min)</u>

<u>SIZE OF LOT</u>	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>lot width</u> the lot is 35.47 at the front and 65ft long at the rear averaging 50.23ft	<u>50.23ft</u>	<u>n/a</u>	<u>50ft(min)</u>

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u>
<u>lot dept</u> The left lot line is 121.48ft while the right lot line is 147.27ft the average being 134.37	<u>134.37ft</u>	<u>n/a</u>	<u>n/a</u>

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>SETBACKS IN FEET:</u>			
FRONT	<u>13FT</u>	<u>13FT</u>	<u>15ft (min)</u>
REAR	<u>62.5FT</u>	<u>35.25FT</u>	<u>35FT(MIN)</u>
LEFT SIDE	<u>7.1FT</u>	<u>13.5FT</u>	<u>12.5FT (MIN)</u>
RIGHT SIDE	<u>6.1FT</u>	<u>7.75FT</u>	<u>7.5FT(MIN)</u>
<p>The front setback of the existing shall not be changed.  the rear setback of the project shall be less because of the addational building but will not be less than the ordinance required.  the left set back of the existing building shall remain the same but any new construction shall meet or exceed the ordinance requirements.  the right set back of the existing building shall remain the same but any new construction shall meet or exceed the ordinance requirements.</p>			

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>SIZE OF BUILDING:</u>			
HEIGHT	<u>34FT</u>	<u>31FT</u>	<u>35ft (max)</u>
LENGTH	<u>49FT</u>	<u>28.5FT</u>	<u>N/A</u>
WIDTH			
width of existing front bldg	<u>25ft</u>	stays the same	N/A
width of new structure	n/a	27ft	n/a

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA</u>	74.7%	53.02%	40%

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>NO OF DWELLING UNITS::</u>	2	2	2 (max)

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>NO OF PARKING SPACES:</u>	2	2	2 (MIN)

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>NO OF LOADING AREAS :</u>	N/A	N/A	N/A

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENT</u>
<u>DISTANCE TO NEAREST BUILDING ON SAME LOT :</u>	41FT	15FT	NONE
<p>The existing forty one feet represents the existing distance between the existing garage to the rear of the existing building. the requested 15ft is the distance between the new structures when completed.</p>			

BZA APPLICATION FORM

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g., fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 11 BROOKFORD ST. (location) would not be a detriment to the public interest because:

- A) Requirements of the Ordinance can or will be met for the following reasons:  
EXISTING TWO-FAMILY THAT IS NON-CONFORMING, GOING TO REDUCE THE NONCONFORMITY OF BUILDING BY 15' MAKING IT ONE UNIT AND BUILD AN ADDITIONAL DETACHED UNIT. THE REQUIREMENTS OF THE ORDINANCE WILL BE MET WITH THE GRANTING OF THE PERMIT
- B) Traffic generated or patterns of access or egress would not cause special congestion hazard, or substantial change in established neighborhood character for the following reasons:  
THE HOUSE IS AN EXISTING TWO-FAMILY. THE PROPOSED USE IS STILL GOING TO BE TWO-UNITS, THUS NO ADDITIONAL ACCESS, HAZARD, OR SUBSTANTIAL CHANGE IN NEIGHBORHOOD. DUE TO THE SMALL SCALE OF THE PROJECT, NO CONGESTION, HAZARD OR SIGNIFICANT CHANGE.
- C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:  
THE SAME USE WOULD STAY IN EFFECT!  
TWO-UNITS IN RB ZONE!  
NO ADJACENT USES WILL BE ADVERSELY AFFECTED.
- D) Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:  
NO NUISANCE OR HAZARD BECAUSE SAME USE REMAINS.
- E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:  
SAME USE! NO CHANGE!

(ATTACHMENT B - PAGE 6)

THE INTEGRITY OF THE DISTRICT  
WILL NOT BE IMPAIRED

## **Conformance with urban design findings required in Section 19.25.2--Citywide Urban Design Objectives.**

19.31-- The proposed project is responsive to the existing patterns of development.

19.32--The site will be developed into two single family dwelling units, where individual owners will have many options for making their environments pedestrian and bicycle friendly.

19.33-- The proposed project will have significantly less negative impact on its neighbors than as of right project.

19.34-- Given the modest scale of the building, there will be no negative impact on city services.

19.35 The project keeps the existing building, which in returns keeps the pattern of single, two-family construction in the neighborhood.

19.36 Two new detached single families homes will be created.

19.37-- No publicly accessible open space will be created.

**2. Conformance with General Special Permit Criteria in Section 10.43.**

*A special Permit will normally be granted where specific provisions of this Ordinance are met, except when the 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 interest because:*

*a. It appears that the requirements of the ordinance cannot or will not be met.*

The requirements of the Ordinance will be met with the granting of this special permit.

*b. The traffic generated or patterns of access or egress will cause congestion hazard, or substantial change in established neighborhood character.*

Due to the small scale of the project, no congestion, hazard or significant change will be created in the neighborhood.

*c. The continued operation of, or development of, adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use.*

No adjacent uses will be adversely affected.

*d. Nuisance or hazard would be created to the detriment of the health, safety, and/or welfare of the occupant of the proposed use or the citizens of the City*

No nuisance or hazard will be created.

*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*

The integrity of the district will not be impaired.

*f. The new use or building construction is consistent with the Urban Design Objectives set forth in Section 19.30*