



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	274
Address:	51 Cedar Street
Zoning:	Residence B
Applicant:	Rich Braun, c/o Hope Legal Offices
Owner:	Rich Braun
Application Date:	September 18, 2012
Date of Planning Board Public Hearing:	October 16, 2012
Date of Planning Board Decision:	October 30, 2012
Date of Filing Planning Board Decision:	January 9, 2013

Application: Special Permit to construct a second principal residence on a lot further than 75 feet from the front lot line, Section 5.53.

Decision: GRANTED with conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board:

For further information concerning this decision, please contact Liza Paden at 617-949-4647, or lpaden@cambridgema.gov.

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OFFICE OF THE CITY CLERK
CAMBRIDGE MASSACHUSETTS

DOCUMENTS SUBMITTED

Special Permit application with cover sheet, dimensional form, narrative of the zoning compliance, ownership certificate, project narrative, Section 10.43 and 19.30 narratives, plans illustrating the existing conditions, context maps and photographs, proposed elevations, floor plans, perspective of as-of-right proposal, dated September 18, 2012.

Plans and elevations dated 10/12/12, by Peter Quinn Architects.

Plans Revised 10/25/12, site plan, New Building Unit 3, and Shadow Study for December 1st.

Revised Plans and narrative dated October 2, 2012.

Email to the Planning Board from Rich Braun, dated 10/25/12.

Email to the Planning Board from Amy Tien, 49 Cedar Street, dated 10/9/12 and photographs.

Email from Hugh Russell, Planning Board Chair recusing himself from acting on the case, dated 10/9/12

Email from Tom Anninger, Planning Board Vice Chair, dated 10/15/12.

Letter to the Planning Board from Caroline Stowell, dated 10/25/12

Letter to the Planning Board from Amy Tien, 49 Cedar Street, dated 10/25/12

Letter to the Planning Board from Jennifer Tuccinardi, 49 Cedar Street, #1, dated 10/30/12.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearings on October 16 and 30, 2012, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. General Criteria for Issuance of a Special Permit (1043)

The Planning Board finds that the project meets the General Criteria for issuance of a Special Permit, as set forth below:

10.43 Criteria. Special permit will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or 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 requirements of this Ordinance cannot or will not be met.

With the granting of this Special Permit, the requirements of the Ordinance will be met.

(b) Traffic generated or patterns of egress would cause congestion, hazard, or substantial change in neighborhood character.

The total number of units proposed will be what is allowed on this lot in the Residence B district. The existing driveway will continue to serve the lot. No congestion, hazard, or significant change is anticipated.

(c) The continued 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.

The adjacent uses are residential; this permitted residential use is in keeping with those in the area and does not adversely affect the abutting properties.

(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.

The project shall comply with all applicable health and safety regulations. No nuisance or hazard will be created.

(e) For other reasons, the proposed use would impair the integrity of the district of adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.

The design addresses the issues of the additional structure in the rear yard of the existing house, which shall be extensively renovated.

(f) The new use or building construction is inconsistent with the Urban Design Guidelines set forth in Section 19.30.

(19.31) New projects shall be responsive to the existing or anticipated pattern of development.

The existing pattern of development in the neighborhood consists of one and two family houses. The existing residential structure on this lot will remain on the street and the driveway will remain.

(19.32) Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.

The site is within walking distance of the Alewife and Davis Square T Stations, Massachusetts Avenue and the Minuteman Bike Path affording many opportunities for walking and biking.

(19.33) The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.

The proposed project will have less of an impact on the immediate abutters than an as of right building with two attached units. The proposal has open space between the two structures which minimizes the bulk for the adjoining neighbors.

(19.34) Projects should not overburden the City infrastructure, services, including neighborhood roads, city water supply and sewer system.

The project will add one residential unit, which will not significantly impact city services.

(19.35) New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.

The existing residential structure on the site has been significantly renovated and rehabilitated. The proposal for two structures on the lot is consistent with the existing character of the street.

(19.36) Expansion of the inventory of housing in the city is encouraged.

A new single family house will be created and the existing house will be rehabbed.

(19.37) Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

Constructing a separate single family house creates open space between the two houses on the lot, which is preferable to the bulk of an attached two family structure. The project will provide open space amenities to the benefit of the future residents of the project.

2. More than one structure containing a principal residential use is allowed on a lot. (5.53)

The Board finds that the impact of the proposed two separate residential structures is less than the impact that would occur if a single structure were constructed. The proposed design is attractive and appropriate for the neighborhood as well as for the location on Cedar Street. The proposed project consisting of two detached dwellings will be consistent with the character of the neighborhood and will provide open space amenities and views to the benefit of future residents on abutting lots.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits subject to the following conditions and limitations:

1. All use, building construction, and site plan development shall be in substantial conformance with the application documents dated October 30, 2012 and plans dated October 30, 2012 as referenced above. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD). Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD's administrative review of the project and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.
3. All authorized development shall abide with all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code.)

Voting in the affirmative to GRANT the Special Permits were Planning Board Members T. Anninger, P. Winter, W. Tibbs, T. Cohen, S. Winter, and Associate Member A. Nur, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,


Thomas Anninger, Vice Chair

A copy of this decision #274 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision was filed with the Office of the City Clerk on January 9, 2013, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	9175	5,000	9175	9175
Total GFA (sq ft)	2099	3961	3960	3960
Residential Base	N/A	N/A	N/A	
Non-Residential Base	N/A	N/A	N/A	
Inclusionary Bonus	N/A	N/A	N/A	
Total FAR	.23	.43	.43	.43
Residential Base	N/A	N/A	N/A	
Non-Residential Base	N/A	N/A	N/A	
Inclusionary Bonus	N/A	N/A	N/A	
Total Dwelling Units	2	3	3	3
Base Units	N/A	N/A	N/A	
Inclusionary Bonus Units	N/A	N/A	N/A	
Base Lot Area / Unit (sq ft)	N/A	N/A	N/A	
Total Lot Area / Unit (sq ft)	N/A	N/A	N/A	
Lot Width (ft)	50	50	50	50
Height (ft)	24	35	32	Consistent with Application Documents and applicable zoning requirements
Front Setback (ft)	10.6'	15'	10.6'	
Side Setback- Right (ft)	3.7'	7.5'	12.3'	
Side Setback –Left (ft)	11.5'	7.5'	7.5'	
Rear Setback (ft)	111.8'	35'	46'	
Open Space (% of Lot Area)	52%	40%	56%	Consistent with Application Documents and applicable zoning requirements
Private Open Space		20%	35%	
Permeable Open Space		20%	21%	
Off-Street Parking Spaces	2	3	3	3
Handicapped Parking Spaces	N/A	N/A	N/A	Consistent with Application Documents, PTDM and other applicable requirements
Bicycle Spaces	N/A	N/A	N/A	
Loading Bays	N/A	N/A	N/A	