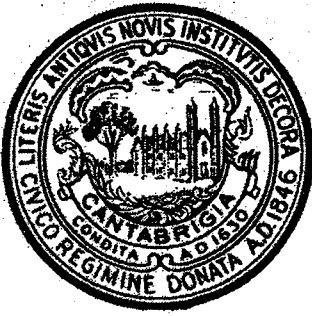




CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	280
Address:	19-21 Wendell Street
Zoning:	Residence C-1 / Basement Housing Overlay District
Applicant:	Wendell Terrace, LLC
Owner:	Wendell Terrace, LLC c/o Chestnut Hill Realty 300 Independence Drive, Chestnut Hill, 02467
Application Date:	February 11, 2013
Date of Planning Board Public Hearing:	March 12, 2013
Date of Planning Board Decision:	March 12, 2013
Date of Filing Planning Board Decision:	April 17, 2013
Application:	Special Permit to add four (4) apartments at the basement level pursuant to the Basement Apartment Overlay District Section 20.600.
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 617 349 4647, or lpaden@cambridgema.gov.

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OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

DOCUMENTS SUBMITTED

Special Permit application dated February 7, 2013, Cover Sheet, Ownership Certificate, Dimensional Form, Special Permit Summary, Plans of the basement existing and proposed conditions, Lowe Associates Architects, Inc., dated 1/23/13.

Letter to Brian Murphy, Assistant City Manager for Community Development from Owen O'Riordan, City Engineer, Department of Public Works, dated 3/6/13.

Memorandum to the Cambridge Planning Board from Sue Clippinger, Traffic, Parking and Transportation Director, dated 3/11/13.

Email to Liza Paden from Mark Jacquith, dated 3/12/13.

FINDINGS

During the public hearing on March 12, 2013, the Applicant agreed to be heard by six Planning Board members. The Planning Board reviewed Sue Clippinger's memo and heard public comment from one member of the public. After review of the application materials and testimony heard at the public hearing, the Board makes the following findings with regard to the criteria for issuance of this Special Permit:

20.620 Applicability

- a. The project is in a structure designed and built for residential use located within the Basement Housing Overlay District and the Residence C-1 District, one of the allowed base districts.
- b. The structure is currently occupied by 34 dwelling units, more than the minimum 30 required.
- c. The structure was built in 1900, prior to 1930.
- d. The structure currently contains two dwelling units at the basement level, more than the minimum one required.

20.630 Standards

- a. The Planning Board finds the existing structure exceeds the allowed Gross Floor Area in the base district; however, this proposal will not increase the Gross Floor Area. All the units to be created will occupy existing GFA.
- b. The Planning Board finds the existing structure does not comply with the dimensional regulations for the Residence C-1 District; however, this proposal will not alter the existing building footprint nor increase the height. The lot area per dwelling unit does not currently conform and will be further reduced with the four additional basement units.

- c. The Planning Board finds that the number of dwelling units in the existing structure will increase by four units, approximately an 11.8% increase, less than 10 units or 15% of the existing units, which is the maximum allowed under the provisions of the Basement Housing Overlay District.
- d. The Planning Board finds that the four dwelling units will be one-bedroom units.
- e. The Planning Board finds that the additional four basement units will not negatively impact the on-street parking supply. The Applicant surveyed residents currently living in Chestnut Hill Realty basement apartments and found that none owned a car. The new residents will have access to two car-sharing vehicles currently located at the Applicant's site located one block away.
- f. The Planning Board finds that the additional basement units as well as the existing dwelling units will benefit from the creation of four additional bicycle storage spaces in the building and the upgrade of existing bicycle storage.

20.640 Conditions for Grant of Special Permit

- a. Each new unit converted from existing basement space is designed to meet all building and sanitary code requirements applicable to basement units.
- b. This building currently has a full separation between storm water and sanitary sewer lines. As part of this proposal, the storm water and sanitary lines will be replaced from the building to the street connection.
- c. The four proposed units will have backflow preventers on all plumbing fixtures.
- d. The City Engineer has reviewed and approved the proposed measures for reducing the risk of sewer back-ups and overland flooding as set forth in a memo dated March 6, 2013 which is attached to this Decision. Execution of these measures shall be a condition of this Special Permit.

20.650 Affordability

One of the four new basement units will be an Affordable Unit as defined in Section 11.201 of the Zoning Ordinance and subject to the Standards for construction and Occupancy of Affordable Units set forth in Section 11.204.

10.43 Criteria for Special Permits

The Planning Board finds that the granting of the requested special permit shall not be to the detriment of the public interest because:

- (a) The proposal meets the requirements of the Zoning Ordinance, in particular the provisions of the Basement Apartment Overlay District.
- (b) The addition of four basement apartments will not have a substantial impact on traffic and will have no effect on patterns of access or egress.
- (c) The addition of four basement apartments will not negatively impact the operation of adjacent residential uses.
- (d) The additional dwelling units are designed to meet all building and health codes and to provide a similar quality of life to its occupants as any other residents, and will not otherwise create any nuisance or hazard.
- (e) The additional dwelling units will not impair the integrity of the district, which is characterized by residential uses at a range of different scales.
- (f) No new structures or exterior alterations are proposed, and therefore the project will have no impact with relation to the Citywide Urban Design Objectives.

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:

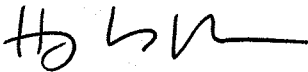
1. All use, building construction, and site plan development shall be in substantial conformance with the application documents dated February 7, 2013 as referenced above. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review 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.)
4. The Permittee shall complete all improvements identified in the memorandum from Owen O'Riordan, City Engineer, dated March 6, 2013 (attached to this Decision), including the full separation of sewer and drainage systems by way of the installation of two new sewer service laterals and one new drain service lateral, the installation of backflow prevention devices throughout the basement, and the installation of an underground flood storage and infiltration

system. Prior to the issuance of a Certificate of Occupancy for development authorized by this Special Permit, the City Engineer shall certify that all construction conforms to the measures identified in the aforementioned memorandum.

5. One new dwelling unit shall be provided as an Affordable Unit to be administered by the Housing Division of the Community Development Department in a manner consistent with other Affordable Units required by the Zoning Ordinance. Prior to the issuance of a Building Permit for development authorized by this Special Permit, the Housing Division shall certify that necessary covenants have been enacted to ensure that this Condition shall be met.

Voting in the affirmative to GRANT the Special Permits were Planning Board Members H. Russell, H T. Cohen, P. Winters, S. Winter, T. Anninger, 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,



Hugh Russell, Chair

A copy of this decision PB#280 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 filed with the Office of the City Clerk on April 17, 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.

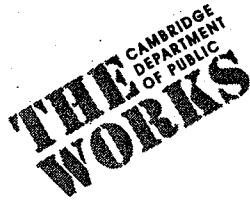
DATE:

City Clerk of Cambridge

Appendix I – Dimensional Form

	Existing	Allowed or Require	Proposed	Granted
Total FAR	2.77	.75	2.77	2.77
Residential				
Non-Residential	0	0	0	0
Inclusionary Bonus				
Total GFA in Sq. Ft.	26,892 SF		26,892 SF	26,892 SF
Residential				
Non-Residential	0	0	0	0
Inclusionary Bonus				
Max. Height	4 stories	35	No change	No change
Range of heights				
Lot Size	9,724 SF	5,000 SF	9,724 SF	9,724 SF
Lot area/du				
Total Dwelling Units	38	7	42	42
Base units				
Inclusionary units			N/A*	N/A*
Min. Lot Width	50	88	88	88
Min. Yard Setbacks				
Front	4.97 ft		No change	No change
Side, Left	0		0	0
Side, Right	0		0	0
Rear	16.96 ft		16.96 ft	16.96 ft
Total % Open Space		30%	No change	No change
Usable				
Other				
Off Street Parking	0	4 new	0	0
Min #				
Max #				
Handicapped				
Bicycle Spaces	24	4 new	28	28
Loading Bays	NA	NA	NA	NA

* One Affordable Unit shall be provided pursuant to Section 20.650.



March 6, 2013

To: Brian Murphy,
Assistant City Manager for Community Development,

From: Owen O' Riordan
City Engineer, Department of Public Works,

Re: Chestnut Hill Realty 19-21 Wendell Street, Cambridge MA proposal to add basement unit apartments

Please be informed that the Engineering Department at the Department of Public Works has completed its review of the Chestnut Hill Realty proposed creation of four (4) basement apartment units at 19-21 Wendell Street, Cambridge. This review was completed in accordance with Basement Housing Overlay District Ordinance No# 1345, Section 20.640.

In accordance with the provisions of the ordinance, the proponent has agreed to and has design drawings that provide for fully separate sewer and drainage systems associated with the building. The proposal includes the incorporation of two new sewer service laterals extending from the building to the municipal sewer and one new drain service lateral from the building to the street drainage line. One of the sewer service laterals will service the basement units exclusively and the other those units which are above grade.

In accordance with Section 20.640 paragraph (c) Chestnut Realty is providing backflow prevention devices throughout the basement at each of the plumbing fixtures, the installation of which will be inspected by the plumbing inspector. Given that the full building will be properly separated and that the above grade units will be provided with a separate sewer service lateral connection the probability of back-ups in the basement units is greatly reduced.

The Engineering Department was particularly concerned about the existing window well and proposed patios at the rear of the building. Such are placed below the elevation of the adjacent landscaped area and thus positive overland flow away from doors and windows was not possible. The initial drainage design proposed by the engineer was inadequate from our perspective as sufficient storage was not provided by the below grade "Cultec" storage and infiltration system for larger storm events. The revised proposal submitted in January 2013 doubles the size of the storage system provided. Given the additional storage provided by the underground system together with the 6" of freeboard provided between the patio floors and the door and window sills a reasonable level of flood protection has now been provided for the basement units with regard to overland flow.

In summary we find that the proponent complies with the requirements of the ordinance. As this project moves through the permitting process to the Department of Public Works the proponents will be further informed of the critical importance of maintaining the systems proposed. That responsibility is exclusively theirs and will not be subject to continuous inspection, after construction, by the City.

cc Lisa Peterson James Wilcox; Jeya Niranjana