

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE

RECEIVED BY
OFFICE OF CITY CLERK
SEP 19 10 20 AM '79
CAMBRIDGE, MASS

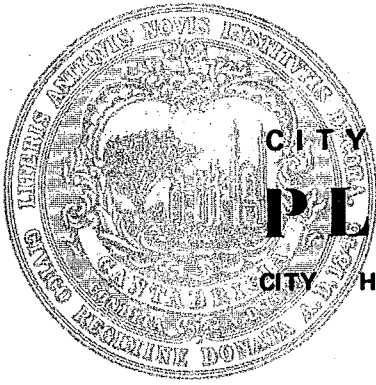
In reference to the petition of URBAN DEVELOPMENT AND INVESTMENT CORP. for a Special Permit to allow construction of ten townhouses on premises located on 457-459 MOUNT AUBURN STREET, CAMBRIDGE, MASSACHUSETTS, the petition has been GRANTED with the following conditions:

1. That "unit 5" formerly located at the rear of "Building B" as shown on the plans submitted with the application, be relocated to the rear of "Building D" as shown on the same plans and that this revision include only those changes indicated on the revised site plan submitted on September 14, 1979.
2. That the fence along the front property line be lowered to two (2) feet in height to assure proper visibility of traffic.
3. That the driveway be flared out towards Mount Auburn Street and that the driveway be at least eighteen (18) feet in width to allow cars to enter and exit at the same time.
4. That the developer carefully check the access route to each garage to ensure that there is adequate maneuvering room.
5. That the final development plans submitted for acquisition of a building permit (or permits) conform with all of the regulations set forth in the Ordinance except as modified in the foregoing conditions.

A copy of this decision has been filed with the office of the City Clerk, this date. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty days after the date of filing of such notice in the office of the City Clerk.

Mary T. Flynn

Mary T. Flynn
Secretary to the Planning Board



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO.: PB-4

PREMISES: 457-459 Mount Auburn Street Zoning District:
Residence B

PETITIONER: Urban Development and Investment Corporation

OWNER (if other than PETITIONER): Rhoda E. Finley
209 Commonwealth Avenue
Newton, Mass.

APPLICATION DATE: July 30, 1979

DATE OF HEARING: September 11, 1979

PETITION: Special Permit for Townhouse Development (Article
11, Section 11.121)

DATE OF PLANNING BOARD DECISION: September 17, 1979

The Hearing

At the public hearing held on September 11, 1979, Douglas Bell outlined for the Board and the public, the UDIC proposal for ten townhouse units and gave a detailed description of the site plan. No one else spoke in favor of the petition. In opposition, Ms. Pat Galvin submitted a letter stating objection to the project. She expressed concern that the development would infringe on the privacy of her family's property which abuts the project site. She further stated that the proposed development was not in keeping with the neighborhood and would create serious traffic problems. Ms. Galvin also raised the issue of difficult access for fire equipment. Ms. Galvin also submitted a petition signed by 41 neighborhood residents stating general opposition to the proposed project. Letters were also submitted by Eleanor Appel, an abutter, and the Traffic Department. Each stated concerns but did not oppose the project. Other individuals stated objection to the height of the buildings and concern over the loss of privacy.

Findings

After hearing the evidence above, the Board makes the following findings:

- 1.) In accordance with Section 10.43 of the Zoning Ordinance concerning criteria for granting special permits, the Board finds that:
 - a) the proposed development meets the requirements of the Ord-

nance; b) the proposed development would not adversely affect adjacent uses by nature of its allowed use and furthermore would replace a nonconforming commercial use with an allowed residential use; c) the proposed development would not be detrimental to occupants of the proposed use nor to the citizens of the city; and d) the proposed development does not derogate from the intent and purpose of the ordinance.

- 2.) In accordance with Section 10.464 of the Zoning Ordinance concerning criteria for approval of townhouses, the Board finds that:
 - a) trees and other natural features of the site are being preserved to the maximum extent feasible; b) the location, arrangement and landscaping of open space is satisfactory; and c) parking and vehicular circulation areas are sufficiently landscaped and include eight extra spaces to accommodate visitors.
- 3.) However, the Board further finds that in line with criteria listed in Section 10.464(2) of the ordinance, the location and massing of structures in the proposed development, although clearly in compliance with the regulations of the Zoning Ordinance, could be more responsive to the specific edge conditions of this site. The eastern edge of the property abuts heavily planted public open space while the western edge abuts residential lots with nonconforming buildings set very close to the lot lines. The flexibility provided by the special permit review process allows for the site plan to be altered slightly and the setbacks varied from the standard ordinance requirements so that the site design may be more compatible with the specific conditions of the site. By relocating "unit 5" from "Building B" to "Building D" as shown on the plans submitted with the application, the building mass adjacent to the privately-owned residential properties is reduced. Also, the distance between the northwestern building (Building B) and the abuttor to the north is doubled, significantly lessening the impact of the proposed development on the southern exposure for which said abutting property is oriented. By allowing a reduction of the rear setback from the public park, it is possible to reduce the amount of development in the northwestern corner of the site which abuts the residential property on which buildings were previously erected very close to the lot lines. This is preferable to strict application of the setback requirements for townhouse developments not subject to special permit review. This relocation should not detract from the financial or environmental attributes of the proposed development.
- 4.) The Board also finds that the recommendations of the Traffic Department as contained in their letter to the Board dated August 16, 1979, should be included to ensure that parking and vehicular circulation areas are safe and convenient as required by Section 10.464(4) of the Ordinance. These recommendations include lowering the front fence, widening the driveway and ensuring adequate maneuvering room for access to each garage.

- 5.) The Board finds that objections notwithstanding, the plans as submitted by the petitioner satisfy the requirements for special permit applications and are sufficient for making a decision on the case.
- 6.) The Board finds that the disputed property ownership mentioned in the letter from Mr. & Mrs. William L. Galvin, abutters, must be settled by the respective property owners not by the Board and that the Board's consideration of the townhouse development plans is separate from this dispute.
- 7.) The Board finds that the density for the proposed townhouse development, which equals the maximum allowed by zoning, should not create overcrowding problems in the neighborhood. The Residence B district in which the development site is located has been in existence at that location for over 35 years. Residence B has always allowed one and two family houses and more recently townhouses. The existing residential properties in the district are one and two family dwellings. The lot area for the ten townhouses proposed is approximately five times the average lot size in the same district. Therefore, the development of ten townhouses, each about 1500 square feet, is not radically different in terms of total floor area or projected population from five, one-or two-family houses, each twice that size, on the same area of land.

Planning Board Decision

The Planning Board directed the staff to meet with the petitioner to discuss site plan modifications in response to the above-mentioned findings. The petitioner agreed to the recommended changes and submitted drawings of the revisions.

THEREFORE, by a unanimous vote of 5 members of the Planning Board, a Special Permit for ten townhouse units was GRANTED with the following conditions:

- 1.) That "unit 5" formerly located at the rear of "Building B" as shown on the plans submitted with the application, be relocated to the rear of "Building D" as shown on the same plans and that this revision include only those changes indicated on the revised site plan submitted on September 14, 1979.
- 2.) That the fence along the front property line be lowered to two (2) feet in height to assure proper visibility of traffic.
- 3.) That the driveway be flared out towards Mount Auburn Street and that the driveway be at least eighteen (18) feet in width to allow cars to enter and exit at the same time.
- 4.) That the developer carefully check the access route to each garage to ensure that there is adequate maneuvering room.

5.) That the final development plans submitted for acquisition of a building permit (or permits) conform with all of the regulations set forth in the Ordinance except as modified in the foregoing conditions.

If the parcel is developed under these five conditions, the criteria for issuance of a special permit for townhouse development specified in Section 10.43 and 10.464 of the Ordinance will be satisfied.

For the Planning Board

Arthur C. Parris
Chairman

ATTEST: A true and correct copy of decision filed with the offices of the City Clerk on _____ by _____,
Authorized Representative of the Cambridge Planning Board.

Twenty days have elapsed since the date of filing of this decision.
NO appeal has been filed _____
Appeal has been filed and dismissed or denied _____

Date: _____

City Clerk, City of Cambridge