

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#112

Address: 84 Holworthy Street

Zoning District: Residence B

Owner: Duncan MacArthur

Applicant: Duncan MacArthur

Application Date: January 25, 1996

Public Hearing: March 5, 1996

Petition: Section 5.53.1 of the Zoning Ordinance to construct a second principal residential structure in the rear of the lot, greater than 75 feet from the street line.

Planning Board Decision: April 16, 1996

Filing Decision: May 8, 1996

Decision: GRANTED, for a modified plan increasing the rear yard setback from 25 to 35 feet and reducing the amount of paved area devoted to vehicular parking.

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 the 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 office of the Community Development and the City Clerk.



Authorized Representative to the planning Board



Date

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Application

Documents Submitted:

1. Completed application dated January 25, 1996.
2. Plot plan, with proposed building and existing conditions.
3. Perspective for 84 Holworthy Street, by Silvana T. M. Sawaya, scale 1"=16'0".

Other Documents Submitted:

1. Letter to the Planning Board from Sandra Pilotto, 65 Cushing Street, dated 3/10/96, regarding the proposal.
2. Letter to the Planning Board from Abul Maksud Sayied, 88 Holworthy Street, undated, received at the public hearing on March 5, 1996.
3. Letter to the Planning Board from MacCoCo, dated 3/5/96, outlining the proposal, along with photographs of the existing neighborhood.
4. Memo to the Planning Board from CDD staff regarding standards for review of Holworthy Street Special Permit, dated 3/27/96.

5. Changes to 84 Holworthy Street rear house proposal dated April 11, 1996.
6. Undated photographs of existing structures, similar to that proposed for the lot.

Public Hearing

At the hearing and at subsequent meetings the Board members and residents of property in the vicinity reviewed the proposal and its relationship to the requirements of the zoning ordinance. In general residents who spoke expressed a concern with any new development on the site, believing that the recent zoning text change had been intended to limit future development. There was not a strong objection to the particular design proposed, many residents believing it to be well conceived; rather the objection was to any further development on this lot and in the neighborhood generally. Board members were concerned that the intent of the recent rezoning, which mandated this special permit process, not be subverted immediately with the first application. Therefore they explored with the applicant the various elements of the design and how they might advance the objectives and or address the findings required in Section 5.53. Mr. MacArthur, applicant, advanced his belief that the proposal provides benefits to the abutters on either side of the proposed development as well as providing a significant rear yard that is of benefit to the abutters to the rear of the lot; it was his belief that the ordinance also recognizes the legitimate interests of all abutters and that the proposal addresses positively all concerns outlined in the Ordinance. The Board suggested consideration for certain modifications of the originally submitted plan that might increase the amount of open space to the rear, reduce the area of paving for automobiles, and reduce still further the height of the new building. It was made clear to residents by the Community Development staff that additional development was permitted on the lot as of right, without the need for a public hearing or the issuance of a special permit, if that development occurred in a single structure rather than two.

Findings

As required in Section 5.53 of the Zoning Ordinance, the Planning Board finds that the development of a second structure on a lot, as modified in the drawings dated April 11, 1996, will not significantly increase the impact of the new construction over that which would occur should all construction be in a single structure and further finds that construction in two structures provides benefits that would not occur should all construction be in a single structure. The rear yard is increased from the 25 foot minimum required to 35 feet, preserving a significant area of open space in the rear of the lot. Parking has been located to the front of the lot beside the existing house, removing the extensive parking area from the middle of the lot while reducing the impact of the parking from the public street. The placement of the second structure provides an enhanced living environment for the residents of the two dwellings on the lot as well as benefits, in terms of green space and light and air, to those dwellings abutting to either side of the development site. The existing house will be preserved. The new structure is well below the height permitted in the district.

Decision

After consideration of testimony presented at the hearing and information provided in the application, and subsequent modifications to the proposal discussed at the hearing and presented to the Board at subsequent meetings, and based on the findings above, the Planning Board GRANTS the Special Permit to allow the construction of a second structure on a lot as shown on the revised plans dated April 11, 1996, and grants any setback relief from the existing structure, as permitted in Section 10.45, that may be necessary to permit the construction of a two car parking facility as shown on those plans. The grant is subject to the following conditions:

1. The final plans submitted for a building permit shall be in general conformance with the plans discussed with the Board at the April 16, 1996 meeting and illustrated on plans attached to a letter to the Board from Duncan MacArthur dated April 11, 1996. The Community Development Department shall certify such conformance to the Superintendent of Buildings before issuance of a building permit.

Voting to grant the special permit were: W. Tibbs, P. Dietrich, H. Salemme, A. Cohn, A. Callaghan, and C. Mieth, constituting two thirds or more of the full membership of the Board. H. Russell voted to deny the permit.

A copy of this decision 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 of filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the decision filed with the Office of the City Clerk on 5/8/96 by Ester Barber, authorized representative of the Cambridge Planning Board. All plans referenced in the decision have likewise been filed with the City Clerk on such date.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed.

City Clerk,
City of Cambridge

Date