



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

## NOTICE OF DECISION

Case No: PB#142  
Address: 100 Erie Street  
Zoning: Special District 10/Residence C  
Owner: Albert W. Brown, Trustee, 303 Binney St., Cambridge, MA 02142  
Applicant: Guy Asaph, 81 Sherman Street, Cambridge, MA 02140  
Application Date: October 28, 1998  
Public Hearing: December 15, 1998  
Planning Board Decision: December 15, 1998  
Date of Filing Decision: March 10, 1999

Application: Multifamily Special Permit (Section 4.26) to convert an existing industrial building into 16 residential units, of which two will be affordable. This application also requires relief from the Board of Zoning Appeal.

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 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 Department and the City Clerk.

Authorized Representative  
to the Planning Board *Liza M. Paden*

For further information concerning this decision, please call Liza Paden at 349-4647, TTY: 349-4621, email [lpaden@ci.cambridge.ma.us](mailto:lpaden@ci.cambridge.ma.us).

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#### Application

1. Special Permit application, with ownership certificate, dimensional form and supporting statement dated complete 10/28/98
2. Plans, scale as noted on plans, dated 10/27/98, site plan, A1.2 - A1.4, floor plans, A2.1- A2.3, elevations, and building sections.
3. Supporting statement for a variance, zoning provisions cited for the special permit and supporting statement for the special permit.

#### Other Documents Submitted

1. Board of Zoning Appeal Case #7836 requesting relief from Section 5.31, Table of Dimensional Regulations, for the third floor additions within the front, rear and east side yard setbacks; total gross floor area of 26,602 square feet exceeding the maximum allowed of 17,542 square feet; and Section 6.42, off street parking space dimensions, to allow a clearance of 6'8" rather than the required 7'6" in the existing basement.

#### Public Hearing

Mr. Guy Asaph, the applicant, and his architect, Mark Boyes-Watson, described the project to the Board. They indicated that the existing industrial building would be reconstructed to create courtyard areas for air and light for some units, and that lost floor area would be relocated to

other areas of the building (principally on roof-top penthouse areas. The 16 units would be fewer than the maximum allowed on the site. The proposal requires a number of variances from the Board of Zoning Appeal, as the GFA of the building is being rearranged and the existing basement is to be used for the accessory parking.

The exterior material will consist of several materials: clapboard on the penthouses, existing brick rehabbed, and stucco on the remaining portions of the building.

The courtyard will have a metal gate but will be visually accessible to the public from the street.

The Board discussed the parking garage layout and the possibility of reconfiguring the basement to fit more cars. More parking might be accommodated but the developer would prefer to use the basement for storage, utilities, mechanical services and laundry facilities.

The Floor Area Ratio is greater than that allowed in the District, but less than the existing building.

The Board discussed the impact of the back yard infill rezoning currently being reviewed by the City Council. The Board suggested that there be flexibility in the permit, if granted, to accommodate any changes that might be necessary to meet those new requirements, should they pass, so as to required the applicant to return to the BZA for additional variances.

One abutter, who spoke to staff by telephone, indicated opposition to the new construction on the roof, but not to other aspects of the proposal. No one elsewhere spoke in favor or in opposition to the proposal.

### Findings

In reviewing the proposal the Board finds that the standards for the issuance of a special permit are either met, are not applicable, or, because of the unique nature of this proposal in significantly increasing the amount of open space on the lot, the project is fully consistent with the intent of the regulations.

**1. Section 10.47.4 Criteria for Townhouses and Multifamily Dwellings.**

- a) Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.

The industrial building, substantially filling out the lot, leaves little room for natural features. New open space is to be created and landscaped in the courtyards as well as on the edges of the site.

- b) New buildings should be related sensitively to the existing built environment. The location, orientation, and massing of structures in the development should avoid overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.

The proposal is a renovation of an existing industrial building to residential use; such a conversion is one of the goals of the Special District 10. The proposed additions to the roof are within the height limit of the district and will not overwhelm or negatively impact adjacent uses.

- c) Parking areas, internal roadways and access/egress points should be safe and convenient.

Parking is to be located in the basement of the existing building. The existing curb cuts will be used.

- d) Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.

The parking is in the basement; therefore there is no need for landscaping.

- e) Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for residents, yet unobtrusive.

Service facilities will be located in the basement/parking garage and will be convenient to the residents while not being open to the abutters.

**2. Section 17.107 In addition to the general standards for the issuance of a special permit found in Section 10.40 of the zoning Ordinance, the special permit granting authority shall make the following findings:**

1. the proposed development is consistent with the following goals and objectives:

- to encourage mixed used development compatible with the Cambridgeport residential neighborhood with housing uses strongly encouraged along Brookline Street and over to Sidney Street;

The development will be residential and is located between Brookline and Sidney Streets.

- to promote street and sidewalk improvements to create a unified image and improve the physical and visual environment and tie the existing nonresidential district to the existing residential neighborhood; and

The landscaping will be improved on the site and the residential use will create a more unified residential environment.

- to promote strong visual and pedestrian connections between the residential neighborhood and the MIT campus and the Charles River.

The residential use will enliven the connection between the existing residential neighborhood and the MIT campus.

2. The development is consistent with the provisions of the South Cambridgeport Development Guidelines;

The development is consistent with the guidelines which call for conversion of the nonresidential uses to residential use in those portions of the district abutting the existing residential neighborhood.

3. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and

No National Register building will be demolished.

4. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within five years preceding the application.

No National Register building will be demolished.

**3. Section 10.40 of the Zoning Ordinance indicates that a special permit should be granted unless the specifics of the proposal would cause the granting of the special permit to be a detriment to the public interest because :**

- a) The requirements of the Ordinance cannot be met.

With the granting of this special permit and the granting of the requested variances, which are acceptable to the Planning Board, the requirements and intent of the Ordinance will be met.

- b) Traffic generated or patterns of access and egress will cause congestion, hazard, or substantial change in established neighborhood character.

The proposal will replace an industrial use with a residential use, resulting in significant improvement in the amount and character of the traffic generated from this site, to the positive benefit of the neighborhood as a whole.

- c) The continued operation of or the development of adjacent uses as permitted in the Zoning ordinance will be adversely affected by the nature of the proposed use.

Non residential uses will be able to continue, and do continue within the district at other locations where they are abutting residential uses. It is the intent of the Ordinance to encourage conversion of non residential uses to housing over time, thus increasing the residential character of the district

- 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.

It is likely that existing or potential nuisances or hazards will be eliminated as a result of the permanent replacement of a non residential use with housing

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

The proposed development is in every aspect a fulfillment of the intent of the ordinance generally and the Special District 10 specifically.

Decision

Based on the above findings and comments made at the public hearing, the Planning Board, on a motion by Scott Lewis, and Hugh Russell, **GRANTS** the requested special permit with the following conditions.

1. The project shall continue to undergo design review with the staff of the Community Development Department; in reviewing the design the staff shall ensure that the submitted calculations are checked for accuracy. The Department shall certify to the Superintendent of Buildings that the plans submitted for a building permit are in conformance with the conditions of this Special Permit.
2. Minor changes to the plans to accommodate any requirements of the Board of Zoning Appeal or to accommodate any changes in the Residence C regulations that may result from adoption of any "Backyard Open Space Protection" provisions currently under consideration by the City Council, as determined by the Community Development Department, shall not require further amendments to this Special Permit.

Voting in the affirmative to grant the Special Permit were P. Dietrich, H. Russell, A. Cohn, W. Tibbs, F. Darwin, H. Salemme, S. Lewis, and C. Mieth constituting more than the two thirds of the members of the Board necessary to grant a special permit.

Respectfully Submitted,

Handwritten signature of Paul Dietrich in cursive script, with the initials "EM" written in parentheses at the end of the signature.

Paul Dietrich, Chair

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 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 March 10, 1999, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

Twenty (20) days have elapsed since the filing of this decision.

No appeal has been filed.

DATE:

City Clerk  
City of Cambridge



APPENDIX I - Dimensional Form Special Permit #142

	Allowed/Required	Existing	Proposed	Granted
<b>FAR</b>	.75 <sup>1</sup>	1.48	1.48	1.48
<b>Floor Area</b>	17,452 SF <sup>1</sup>	26,610 SF	26,602 SF	26,602 SF
<b>Max Height</b>	35 ft	22 ft	35 ft	35 ft
<b>Max Angle above cornice line</b>				
<b>Min Lot Size</b>	5,000 SF	17,900 SF	17,900 SF	17,900 SF
<b>Min Lot area/du</b>	1,200 SF	NA	1,118 SF	1,118 SF
<b>Max # du</b>	14/18 <sup>2</sup>	NA	16	16
<b>Min Lot Width</b>	50 feet	99.86 feet	99.86 feet	99.86 feet
<b>Min Yard Setbacks</b>				
<b>Front</b>	10.0	.3 feet	0 feet <sup>3</sup>	0 feet <sup>3</sup>
<b>Side east</b>	17.1 feet	.5 feet	.5 feet	.5 feet
<b>Side west</b>	17.1 feet	21.4 feet	21.4 feet	21.4 feet
<b>Rear</b>	20 feet	1.56 feet	1.56 feet	1.56 feet
<b>Ratio Usuable O.S.</b>	18%	15%	21.6% <sup>3</sup>	21.6% <sup>3</sup>
<b>Off Street Parking</b>				
<b>Min #</b>	16	NA	16	16
<b>Max #</b>				
<b>Handicapped</b>				
<b>Bicycle spaces</b>				
<b>Loading Bays</b>	NA	NA	NA	NA

1. FAR .75 (17,900 SF) = 13,425 SF (IHP .3) = 4,027 SF + 13,425 = 17,452 SF

2. Lot Area per Unit 17,900/1,200 = 14 units (.3) = 4 units + 14 = 18 units total

3. Changes made during the Public Hearing process at the Board of Zoning Appeal