

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case No: 213
Address: 16-18 Bellis Circle
Zoning: Residence B
Applicant Owner: Baker Pond, LLC
Application Date: April 4, 2006
Date of Planning Board Public Hearing: May 2, 2006
Date of Planning Board Decision: May 2, 2006
Date of Filing Planning Board Decision: June 1, 2006

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CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

Application: Special Permit to construct some or all of the residential structures further than 75 feet from the front lot line in Residence B district, Section 5.53.1-6.

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.

Application Documents Submitted

1. Special Permit Application containing ownership certificate, fee schedule, dimensional form, narrative, photos of the existing use and abutting uses.
2. Drawings dated March 20, 2006, various scales: Zoning Site Plan; first floor plan, second floor plan, basement plan, north elevation, west elevation, south elevation, east elevation, for both front and rear structures. Plan of land showing existing conditions dated 3/13/06. As of Right site plan and proposed site plan dated 4/19/06

Other Materials Submitted

1. Letter to the Planning Board from James L. Mitchell, AIA emeritus, NCARB, 6 Bellis Circle, dated 4/14/06.
2. Copy of letter to Duncan MacArthur, from Charles M. Sullivan, Executive Director of the Cambridge Historical Commission, dated 5/11/06.

Findings

Based on its review of the application documents, supplemental materials, and other documents submitted to the Board, testimony taken at the public hearing and submitted in written form to the Board, and the review and consideration of the relevant special permit criteria, the Planning Board makes the following findings:

I. Conformance to General Special Permit Criteria - Section 10.43

A special permit will normally be granted where specific provisions of this Ordinance are met, except when the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

a. The requirements of the Zoning Ordinance cannot be met.

With the issuance of this special permit by the Planning Board and variances by the Board of Zoning Appeal, which have been requested, the project will meet the requirements of the Zoning Ordinance.

b. Traffic and patterns of access and egress will not cause hazard or congestion or change in neighborhood character.

The traffic generated by the one additional residential unit will not cause a hazard or congestion in the Bellis Circle neighborhood; the additional unit to be added to the site will comply with the density standards of the neighborhood.

c. The operation or development of adjacent uses will not be adversely affected.

The construction of two new units in two freestanding structures will compliment the existing residential neighborhood.

d. No nuisance or hazard will be created to the detriment of the health, safety and welfare of future residents or citizens of Cambridge.

The project will comply with the applicable health, safety, and building code requirements.

e. The use will not impair the integrity of the District or adjoining districts or otherwise derogate from the intent and purpose of this Ordinance.

This is a residential district.

f. The new use or building construction is consistent with the Urban Design Objectives set forth in Section 19.30.

The new use is consistent with those objectives as set forth below:

(i) Section 19.31. A new project should be responsive to the existing or the anticipated pattern of development.

The new structures are consistent with abutting residential uses.

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

The new structures will meet the front yard setback and provide off street parking that maintains a pleasant pedestrian streetscape.

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

The location of the second structure set back more than 75 feet from the front lot line will allow more visual open space for the abutting residences than would a single structure conforming to the 75-foot rule.

(iv) Section 19.34: The project should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.

Two units in two separate structures will not burden the infrastructure.

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

The new construction is consistent with the existing residential building pattern in the neighborhood, which is single and two family buildings.

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

One additional unit will be added to the housing inventory.

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

The site plan will provide for more open space between the two structures with more visual open space available to the abutting residences.

II. Conformance to the requirements of Section 5.53, Paragraph 2 a and b(1-6)

The Planning Board must find:

a. That development in the form of two or more structures on the lot will not significantly increase or may reduce the impact of the new construction should it occur in a single structure

The proposed design makes sense in the way it provides more visual openness to the abutting residential uses than would a single structure presenting a long building wall to abutters.

b. That two or more structures may provide identifiable benefits beyond that provided should all construction be in a single structure. In making its findings the Board shall consider the impact of the new construction on the following:

1. The extent to which the preservation of a large contiguous open space in the rear of the lot or series of adjacent lots is achieved through the provision of a rear yard setback significantly greater than that required and through the dedication of that rear yard as Green Area, as defined in this Ordinance,

The proposal will provide 35 feet of rear setback and because it abuts the existing open space at Danchy Park, providing open space between the two new structures will be of more valuable to the abutters whose rear yards abut the side yard of this lot.

2. Incentives for the location of buildings and parking facilities in the front half of a lot in a pattern compatible with the development pattern prevailing in the neighborhood.

The parking will be located within garages in the structures.

3. The extent to which two or more structures provides an enhanced living environment for residents on the lot.

The residents will have private open space on the lot.

4. *Incentives to retain existing structures on a lot, particularly any structure determined to be a Preferably Preserved Significant structure by the Cambridge Historical Commission,*

The Historical Commission has determined that the existing structure is being replaced with buildings of reasonable design and has thus not imposed a demolition delay.

5. *The opportunities presented to reduce the visual impact of parking from the public street and from adjacent lots.*

The parking is to be located within the garages attached to the new structures.

6. *The increased opportunities to reduce the height and bulk as new construction is deeper into a lot or closer to structures on abutting lots.*

All of the side yard setbacks are being met in the design dated 4/19/06.

Decision

Based on a review of the application documents, comments made at the public hearing, and the above findings, the Planning Board **GRANTS** the requested Special Permit for Construction of residential structures further than 75 from the front lot line - Section 5.53.1-6.


1. All use, building construction and site plan development shall be in substantial conformance with the plans and application documents submitted to the Planning Board as referenced above, dated March 20, 2006 and April 19, 2006 and as referenced by the Historical Commission on May 11, 2006. 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 the Building Permit for the project, the 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 Permit.

3. All authorized development shall conform to the requirements of the City of Cambridge *Noise Control Ordinance*, Chapter 8.16 of the City Municipal Code.

Voting in the Affirmative to **GRANT** the Special Permit were B. Shaw, H. Russell, P. Winters, T. Anninger, T. Carpenter, J. Molinski, and A. Finlayson, associate member appointed by the Chair to act on this matter, constituting at least two thirds of the members of the Planning Board necessary to grant a Special Permit.

For the Planning Board


Barbara Shaw, Chair

A copy of this decision #213 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 June 1, 2006, 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

Special Permit # 213 Address: 16-18 Bellis Circle

	Allowed/Required	Existing	Proposed	Granted
Total FAR				
Residential	4,185	664	4,662	4,662
Non-Residential	0	0	0	0
Inclusionary Bonus	0	0	0	0
Total GFA in Sq. Ft.				
Residential	4,185	664	4,662	4,662
Non-Residential	0	0	0	0
Inclusionary Bonus	0	0	0	0
Max. Height	35 feet	35 feet	Less than 30 feet	Less than 30 feet
Range of heights				
Lot Size	5,000	9,808	9,808	9,808
Lot area/du	2,500	9,808	4,904	4,904
Total Dwelling Units	3	1	2	2
Base units				
Inclusionary units				
Min. Lot Width	50	62.5	62.5	62.5
Min. Yard Setbacks				
Front	10	3.5 feet	10	10
Side, Left	7'6" sum of 20	6.3 feet	20	20
Side, Right	12'6" sum of 20	38.1 feet	9' 10.5"	9' 10.5"
Rear	35	126.25	35	35
Total % Open Space	40	96	57	57
Usable			57	57
Other			51	51
Off Street Parking	2	2	4	4
Min #				
Max #				
Handicapped	0	0	0	0
Bicycle Spaces	0	0	0	0