

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#27, Major Amendment #3

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfellow
Place, Suite 3612, Boston, MA 02114

Applicant: **Boston PCS, LLC, Northcoast Communications, LLC, c/o
Atlantic Western Consulting, Inc., 800 West Cummings Park,
Suite 4500, Woburn, MA 01801**

Original Planning Board Decision: November 16, 1982

Major Amendment Application Date: November 15, 2001

Date of the Public Hearing: January 8, 2002

Date of Decision: January 8, 2002

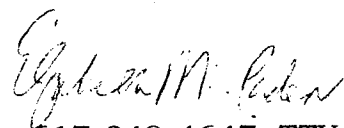
Date of Filing the Major Amendment Decision: February 13, 2002

Application: Major Amendment for a use special permit to install
telecommunication antennas and equipment in the Office 2 district
and Parkway Overlay District (section 4.32.g).

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



For more information, contact Liza Paden at voice: 617-349-4647; TTY:
617-349-4621, or email lpaden@ci.cambridge.ma.us, at the Cambridge
Community Development Department.

2002 FEB 13 P 2:44
CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Case No.: PB#27, Major Amendment #3

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfellow Place, Suite 3612, Boston, MA 02114

Applicant: **Boston PCS, LLC, Northcoast Communications, LLC, c/o Atlantic Western Consulting, Inc., 800 West Cummings Park, Suite 4500, Woburn, MA 01801**

Original Application Date: August 9, 1982

Original Planning Board Decision: November 16, 1982

Application Date: November 15, 2001

Date of the Public Hearing: January 8, 2002

Date of Decision: January 8, 2002

Date of Filing the Decision: February 13, 2002

Application

Special permit major amendment application to install and operate a wireless telecommunications facility (Section 4.32.g.1. Telephone exchange) on the existing building at 10 Fawcett Street/617 Concord Avenue, dated November 15, 2001. The application includes a description of the installation as well as the design of the structures, a supporting statement of the criteria for issuing the permit, photographs of the location of the proposed installation, photo simulations of the proposed installation, and the roof plan and elevations, dated 11/14/01.

Findings

The Planning Board reviewed the application documents, the site plan and information presented by the applicant and his attorney at the public hearing and found the following:

- 1. Conformance with the Requirements of Telephone exchange, (including, switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto, Section 4.32.g.1.**

- a. *The scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.*

The required licenses have been secured and the proposed installation has been reviewed by the appropriate agencies: the Massachusetts Department of Public Health and the Federal Communications Commission for radio emissions.

- b. *Use of existing building/roof elements as support/background.*

The applicant proposes to utilize the existing building and rooftop mechanical elements to support the antennas and serve as background to minimize their visual impact. The antennas are to be finished in a material to match appropriately with the background surfaces. The equipment boxes are to be mounted to the existing mechanical penthouse.

The applicant amended the application to delete the proposed parabolic antenna, which was proposed to be located on top of the existing penthouse where it would be extremely visible from the Parkway.

- c. *Location of the facility with respect to residential zoning districts.*

The site is located in the Parkway Overlay District, Concord Avenue Parkway Subdistrict and Office 2 base district, where telecommunication use is allowed by Special Permit. The nearest residential zoning district is approximately 1,000 feet away: the Residence B district at the Cambridge Highlands neighborhood.

2. Conformance with the criteria for Special Permits, Section 10.40

- a. *The requirements of the Ordinance can be met.*

This installation meets the special permit requirements now imposed for the installation of new facilities.

- b. *Traffic patterns will not cause congestion, hazard, or substantial change in the established neighborhood character.*

The facility is fully automated and will not generate any traffic congestion, hazard or a substantial change in the established character of the neighborhood. A small maintenance crew in a single vehicle visits the facility monthly.

- c. *Continued operation or development of adjacent uses will not be adversely affected.*

The proposed facility will enhance the operation of surrounding business and commercial uses by providing wireless service. Visually, the installation will be consistent with mechanical elements found on other office buildings in the district and existing antenna on the building. The visual impact will be minimized from the parkway.

- d. *No nuisance or hazard will be created to the detriment of the health, safety, and welfare of the occupants or the citizens of the City.*

The proposed use is passive in nature and will create no noise, traffic, smoke, dust, odors, disruptive lighting or other nuisance. The health aspects of the facility are reviewed and monitored by state and federal agencies having appropriate jurisdiction in such matters.

- e. *The use will not impair the integrity of the district or adjoining districts or derogate from the intent or purposes of the Ordinance.*

The proposed use would not impair the integrity of the Office 2 or Parkway Overlay District or its Subdistrict, which permit and are the site of active office and business uses; the use would generally enhance their operations. Any potential negative visual aspects have been mitigated to the satisfaction of the Planning Board.

Decision


After review of the application documents, discussions at the public hearing and based on the above findings, the Planning Board **GRANTS** the Major Amendment #3, for Special Permit #27 for the construction of a telecommunication tower in the Office 2 district with the following conditions.

1. The facility be installed in conformance with plans as revised and submitted and reviewed by the Board, dated 11/14/01 (plans labeled as Title sheet, abutters & existing conditions plan, site plan, south elevation, and north elevation, T-1, Z-1 – Z-4), exclusive of the parabolic antenna, which is not approved by the Planning Board.

2. The antennas be removed within 30 days of the termination of its use.
3. The facilities approved in paragraph 1 above may be replaced, after review and approval by the Planning Board at a regular Planning Board meeting, provided the Board finds that the new facilities occupy no more of the surface area of the building and are in the same approximate location as approved herein, and are no more visible than those in this approved plan.
4. The parabolic antenna on the penthouse rooftop, proposed and illustrated in the application documents, be deleted from the installation.

Voting in favor to GRANT the major amendment to the special permit and to grant the special permit use were: T. Anninger, H. Russell, P. Winter, F. Darwin, B. Shaw and L. Stanley (associate appointed to sit on this case) constituting more than two thirds of the Board.

For the Planning Board


Thomas Anninger, Vice 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 February 13, 2002, 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



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#27, Major Amendment #2

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfellow
Place, Suite 3612, Boston, MA 02114

Original Application Date: August 9, 1982

Original Planning Board Decision: November 16, 1982

Applicant: **Omnipoint Communications, Inc., 705 Myles
Standish Blvd, Taunton, MA 02780, (508) 884-2700**

Application Date: September 16, 1997

Date of the Public Hearing: October 14, 1997

Date of Decision: October 14, 1997

Date of Filing the Decision: December 1, 1997

Application: Major Amendment for a special permit use
(telecommunication antenna) in the Office 2 district (section
4.32.g), a Parkway Overlay District Planning Board Special Permit.

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

For more information, contact Liza Paden at voice: 349-4647; TTY: 617-
349-4621, or email lpaden@ci.cambridge.ma.us, at the Cambridge
Community Development Department.

RECEIVED BY
OFFICE OF CITY CLERK
97 DEC - 1 PM 4: 51
CAMBRIDGE MA.

Case No.: PB#27, Major Amendment #2

Address: 617 Concord Avenue/10 Fawcett Street

Owner: New Boston Fawcett, Limited Partnership, One Longfellow
Place, Suite 3612, Boston, MA 02114

Original Application Date: August 9, 1982

Original Planning Board Decision: November 16, 1982

Applicant: **Omnipoint Communications, Inc., 705 Myles
Standish Blvd, Taunton, MA 02780, (508) 884-2700**

Application Date: September 16, 1997

Date of the Public Hearing: October 14, 1997

Date of Decision: October 14, 1997

Date of Filing the Decision: December 1, 1997

Application

1. The special permit application, Section 4.32.g.1. Telephone exchange, (including, switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto⁴⁹, for a major amendment to install cellular antenna to the existing building at 10 Fawcett Street/617 Concord Avenue, dated September 16, 1997. It included a narrative describing the company, Omnipoint Communications, the installation and the design of the structures, a discussion of the criteria for issuing the permit, photographs of the location of the proposed installation, plans showing the vicinity of the installation, the roof plan and elevations, dated September 16, 1997.

Other Documents

Submittal for Omnipoint Communications, Inc., by Donald L. Haes, Jr., MS, CHP, Consulting Health Physicist, dated 10/14/97.

Public Hearing

The Planning Board held a public hearing on October 14, 1997, where Phil Hammond, consultant to Omnipoint, presented the application along

with the consultants: Mohamed Noii; Bill Hogan, engineer; and Don Haes, the health consultant.

The installation consists of antennas 7' tall by 6 inches deep, and 3 inches wide, mounted on the building at 91 feet. There was a discussion of the existing antenna installation.

The Base Transmitting Station will be installed, set back from the parapet and near the antenna, it will be set back more than originally proposed.

There were no statements in support or in opposition to the application.

Findings

The Planning Board reviewed the application documents, the site plan and information presented by the applicant and his attorney at the public hearing and found the following.

1. Conformance with the Requirements of Telephone exchange, (including, switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto, Section 4.32.g.1.

- a. The scope of or limitations imposed by any license secured from any state or federal agency having jurisdiction over such matters.

The required licenses have been secured and the proposed installation has been reviewed by the appropriate agencies, the Massachusetts Department of Public Health and the Federal Communications Commission for radio emissions.

- b. Use of existing building/roof elements as support/background

The applicant proposes to utilize the existing building and rooftop mechanical elements to support the antennas and as background to minimize their visual impact. The antennas are to be finished in a material to match appropriately with the background surfaces. The Base Transmitting Station is to be located on the roof and set back from the parapet as much as possible to minimize the visibility from the parkway.

- c. Location of the facility with respect to residential zoning districts.

The site is located in the Parkway Overlay District and Office 2 base district, where and telecommunication use is allowed by Special Permit.

2. Conformance with the criteria for Special Permits, Section 10.40

- a. The requirements of the Ordinance can be met.

This installation meets the special permit requirements now imposed for the erection of new facilities.

- b. Traffic patterns will not cause congestion, hazard, or substantial change in the established neighborhood character.

The facility is fully automated and will not generate any traffic congestion, hazard or a substantial change in the established character of the neighborhood. The facility is visited monthly by a small maintenance crew in a single vehicle.

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

The proposed facility will enhance the operation of surrounding business and commercial uses by providing wireless service. Visually, the installation will be consistent with mechanical elements found on other office buildings in the district. The visual impact will be minimized from the parkway.

- d. No nuisance or hazard will be created to the detriment of the health, safety, and welfare of the occupants or the citizens of the City.

The proposed use is passive in nature and will create no noise, traffic, smoke, dust, odors, disruptive lighting or other nuisance. The health aspects of the facility are reviewed and monitored by state and federal agencies having appropriate jurisdiction in such matters.

- e. The use will not impair the integrity of the district or adjoining districts or derogate from the intent or purposes of the Ordinance.

The proposed use would not impair the integrity of the Office 2 or Parkway Overlay Districts, which are a office and business district; the use would generally enhance their operations; any potential negative visual aspects have been mitigated.


Decision

After review of the application documents, and discussions at the public hearing and based on the above findings, the Planning Board **GRANTS** the Major Amendment #2, for Special Permit #27 for the construction of a telecommunication tower in the Office 2 district with the following conditions.

1. That the facility be install in conformance with plans as revised and submitted and reviewed by the Board, dated 7/7/97 (plans labeled as Title sheet, vicinity map, general info, sheets T-1, C-1, A-1, and A-2)
2. That the antennas be removed within 30 days of the termination of its use.
3. That the facilities may be replaced, after review and approval by the Planning Board at a regular Planning Board meeting, provided the Board finds that the new facilities occupy no more of the surface area of the building and are in the same approximate location as approved herein; and are no more visible than this approved plan.

Voting in favor to GRANT the major amendment to the special permit and to grant the special permit use were: H. Salemme, C. Mieth, S. Lewis, F. Darwin, H. Russell and A. Cohn constituting more than two thirds of the Board.

For the Planning Board

A handwritten signature in cursive script that reads "Carolyn Mieth" with a circled "EM" to the right of the name.

Carolyn Mieth, Vice 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.

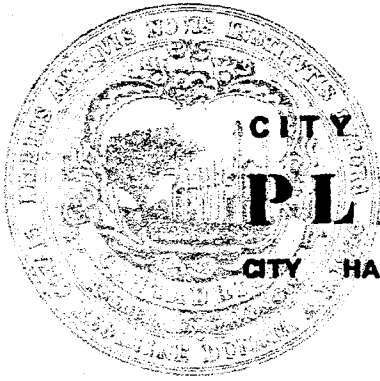
ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on **December 1, 1997** by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

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

No appeal has been filed.

DATE:

City Clerk
City of Cambridge



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#27, Major Amendment #1

Address: 617 Concord Avenue

Owner: New Boston Fawcett, Limited Partnership, One Longfellow Place, Suite 3612, Boston, MA 02114

Applicant: Sprint PCS, (SBA, Inc., William J. Proia), 201 Edgewater Drive, Wakefield, MA

Application Date: October 1, 1996

Public Hearing: November 12, 1996

Planning Board Decision: November 12, 1996

Date of Filing Decision: November 20, 1996

Application: Major Amendment for a special permit use (telecommunication antenna) in the Office 2 district (section 4.32.g), a Parkway Overlay District Planning Board Special Permit.

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

COMMUNITY DEVELOPMENT
1996 NOV 20 PM 9:50
CITY OF CAMBRIDGE

RECEIVED BY
OFFICE OF CITY CLERK
96 NOV 20 PM 3:26
CAMBRIDGE MA

Case No: PB#27, Major Amendment #1

Address: 617 Concord Avenue

Owner: New Boston Fawcett, Limited Partnership, One Longfellow Place, Suite 3612, Boston, MA 02114

Applicant: Sprint PCS, (William J. Proia of SBA, Inc.), 201 Edgewater Drive, Wakefield, MA

Application Date: October 1, 1996

Public Hearing: November 12, 1996

Planning Board Decision: November 12, 1996

Date of Filing Decision: November 20, 1996

Application

1. The special permit application filed on October 11, 1996, containing photographs of the existing site, the proposed location of the antenna, and finished appearance, and text in support of the special permit application.

Public Hearing

The Planning Board held a public hearing on November 12, 1996, where James Rafferty, of Adams and Rafferty, attorney representing the applicant, presented the application and the applicant, Bill Proia. Mr. Proia showed a sample of the proposed antenna, and its finish, and discussed the location on the building and the number of antenna proposed. He also presented information regarding the licensing required by the Federal Communications Commission and the State Board of Health for radio wave emissions regulations.

The Board discussed the location of other antennas in the city, belonging to Sprint and other communication carriers, as well as the finish on the antenna. There was a question of the durability of the finish over time.

The Board asked if there were any additional sites proposed. Mr. Proia answered that there are no further sites needed at this time for the number of customers and the geography of the area.

The Board also discussed the issue of this as a major amendment from the Planning Board. It is BZA special permit in the Office District, but the building itself is a Planning Board Parkway Overlay District Special Permit which permits the Board to issue the BZA permit.

There were no statements in support or in opposition to the application.

Findings

The Planning Board reviewed the application documents the site plan and information presented by the applicant and his attorney at the public hearing and found the following.

1. The telecommunications use is allowed in the Office 2 district with review. There will not be any change in traffic generation to the site. There will not be any nuisance or hazard created by allowing this use. The applicant will be securing the appropriate permits and licenses from the Massachusetts Department of Public Health and the Federal Communications Commission for radio emissions.
2. The telecommunications antenna will be finished to blend with the surface of the wall and will not be visible from the public way.

Decision

After review of the application documents, and discussions at the public hearing and based on the above findings, the Planning Board GRANTS the Major Amendment #1, for Special Permit #27 for the construction of a telecommunication tower in the Office 2 district with the condition that the Community Development Department staff review and approve the final design for the exterior finish of the antenna and the applicant provide information regarding the durability of that finish .

Voting to GRANT the special permit were P. Dietrich, H. Salemme, S. Lewis, A. Cohn, H. Russell, C. Mieth, and F. Darwin constituting two-thirds or more of the membership of the Planning Board.

For the Planning Board

Paul Dietrich (m)

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.

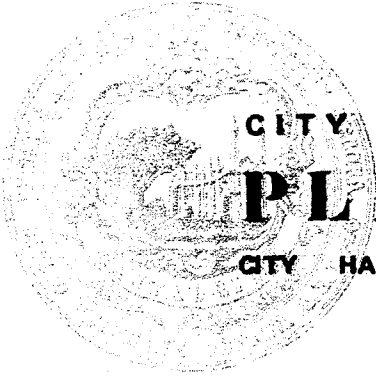
ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on November 20, 1996, by Elizabeth J. Malenfant, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have likewise been filed with the City Clerk on such date.

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

No appeal has been filed.

DATE:

City Clerk
City of Cambridge



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

AMENDED NOTICE OF DECISION

Minor Amendment #3

Case No.: #27

Premises: 617 Concord Avenue

Zoning District: Office 2/Parkway Overlay District

Petitioner: Fantasia Land Corporation and Fantasia Trust

Application Date: August 9, 1982

Public Hearing: September 7, 1982

Extension of Decision Deadline: Letter of extension, November 10, 1982, extension to November 19, 1982

Planning Board Decision: November 16, 1982

Date of Filing the Decision: November 19, 1982

Minor Amendment #1: October 18, 1983

Minor Amendment #2: September 25, 1990

Minor Amendment #3: August 18, 1992

Decision: GRANTED with conditions.

Documents submitted

1. Letter to Paul Dietrich, Chairman, from Daniel O'Connell, Gadsby & Hannah, applicant's attorney, dated July 31, 1992, requesting a minor amendment a two year extension of time for the construction of a single level parking deck.

Discussion

At a public meeting on August 18, 1992, the Cambridge Planning Board discussed the request for the extension with Mr. O'Connell.

RECEIVED
CITY OF CAMBRIDGE MA.
NOV 20 1982

At present, the building is 70% vacant and therefore the owner wishes not to construct the parking structure at the present time. He would like to be allowed to construct the parking when he has a tenant in place.

The Planning Board GRANTS the two year extension, as permitted in Section 10.46, for cause as indicated in the applicants's letter to the Planning Board. The extension shall be through September 25, 1994 and shall include corresponding extensions of the conditions of the permit as originally imposed.

Voting to GRANT the extension: P. Dietrich, H. Russell, A. Cohn, H. Salemme, V. Mathias, and C. Mieth.

For the Planning Board,

A handwritten signature in cursive script, appearing to read "Paul Dietrich".

Paul Dietrich, Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

Case: PB #27 Minor Amendment #2

Petition: Special Permit for Parkway Overlay District for a six story, 132,000 square foot office building with a two level garage, with 12,900 square feet of restaurant.

Applicant: Fantasia Land Corporation and Fantasia Trust

District: Office 2/Parkway Overlay District

Application Date: August 9, 1982

Public Hearing: September 7, 1982

Extension of Decision Deadline:
Letter of extension, November 10, 1982
Extension to November 19, 1982

Date of Planning Board Decision: November 16, 1982

Date of filing the Decision: November 19, 1982

Minor Amendment #1: October 18, 1983

Minor Amendment #2: September 25, 1990

DECISION: GRANTED with conditions

Documents Submitted

1. Letter to Lester Barber of the Community Development Department, from Joseph P. Fantasia of Fantasia Land Corporation and Fantasia Trust, dated September 5, 1990, requesting a minor amendment for the construction of a single level parking deck.
2. Plans entitled "Fresh Pond Square Parking Deck," including the floor plan, (sheet A-1, scale 1/16" = 1', dated May 21, 1990) and elevations (sheet A-2, scale as noted, dated May 21, 1990) of the parking deck and the landscaping plan for the site. Also included was the site plan, labeled sheet C-2, scale 1" = 20', dated November 9, 1983.

Also Submitted

1. Letter to Joseph Fantasia from George Teso, Traffic Director for the City of Cambridge, dated July 30, 1990, outlining the conditions under which the application for additional employee/customer parking spaces under the parking freeze Memorandum of Agreement can be approved.

Discussion

At a public meeting of the Cambridge Planning Board on September 11, 1990, Mr. Fantasia explained the application for the minor amendment. He pointed out that the current tenant for the building, Bolt, Beranek and Newman, has been using off site parking facilities and this tenant would be leaving at the end of the year. Successful leasing of the office space requires that parking be provided on site. The architect for the proposal reviewed the landscaping plans requested by the CDD staff at the initial consultation meeting held on April 11, 1990.

The following concerns were expressed or comments made.

1. The materials for the parking deck are not the same as the office building but the colors will match and it is designed to be compatible.
2. The types and conditions of the abutting uses was reviewed. Setbacks are increased from original proposals. No side yard variances are needed.
3. The parking ratio will still be within the range allowed for the Office 2 district. The applicant is applying for 245 spaces, and is required to have a minimum of 166 and allowed a maximum of 332. Community Development Department staff pointed out that the number proposed is very close to that allowed under the proposed traffic mitigation zoning petition.
4. There was discussion regarding the issue of the traffic freeze and reference made to the letter from the Traffic and Parking Department which indicates that the site is permitted the additional spaces.
5. There was some concern regarding the length of time between the minor amendment and the original special permit.
6. The applicant agreed to confer with the Cambridge Highlands Neighborhood Committee regarding this application. The Board agreed to a motion to continue the discussion on the minor amendment until the next Planning Board meeting.
7. There was one question and one statement in opposition from the Public:

Stephen Kaiser, 191 Hamilton Street, asked if any

traffic study had been conducted specifically to investigate the affect of this parking deck, and the increased number of parking spaces on the intersection at Alewife since that intersection is at full capacity now. The answer was no.

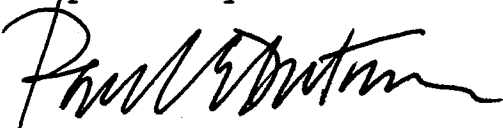
At the September 25, 1990 meeting Mr. Barber indicated that Mr. George Spartichino, Cambridge Highlands Neighborhood Committee, confirmed by telephone that the Committee has reviewed the proposal and had no objection. Mr. Barber requested that a letter to that effect be forwarded to the Board for incorporation into the files.

After review of the application, documents and discussions at the two Board meetings the Board GRANTED requested minor amendment #2 with the following conditions:

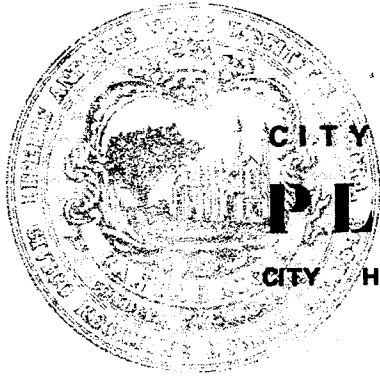
1. The plans for which a building permit is issued shall generally conform to the application documents referenced above.
2. Any design changes to structures shall be approved by the Community Development Department as part of continuing design review for the project.
3. A final landscape plan shall be approved by the Community Development Department before installation which shall be completed before October 31, 1991.
4. The permittee shall submit to the Planning Board for approval and shall thereafter implement, a traffic mitigation plan. The applicant shall consult with the Community Development Department in the development of the plan which in its details shall be appropriately scaled to the limited size of the project approved and its limited impact on the traffic generated in the district. The plan must be approved by the Planning Board before the Superintendent of Buildings may issue a Certificate of Occupancy.

Voting to GRANT the amendment were Board Members David Kennedy, Acheson Callaghan, Alfred Cohn, Hugh Russell, and Paul Dietrich.

Respectfully submitted for the Planning Board,



Paul Dietrich, Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO: PB 27 - Minor Amendments to Permit
PREMISES: 617 Concord Avenue
ORIGINAL APPROVAL: November 16, 1982
DATE OF AMENDMENT
APPROVAL October 18, 1983

Documents

Site Plan (L-1) and Garage Plan (A-8), Fresh Pond Square, Joseph Fantasia and the Codman Company, ADD Inc. Architects, Dated 9/27/83, Scales 1"=20' and 1/8"=1'.

Amendments

1. Alteration to the site plan as indicated in the above referenced plan through the elimination of the previously approved parking deck to the rear of the office building and the creation of a surface parking lot for 122 cars meeting all requirements of the zoning ordinance including Article 6.000; minor changes to landscaping and slight reduction in the size of the restaurant.
2. Provision of parking for 47 cars in the basement of the office building which meet all requirements of Article 6.000.
3. All other aspects of the previously granted permit remain generally as approved.

Approved by the Planning Board as minor amendments to the Permit at its regular meeting on Tuesday, October 18, 1983.

For the Planning Board

Arthur C. Parris

Arthur Parris,
Chairman

13 October 1983

FRESH POND SQUARE - 8206
PARKWAY OVERLAY DISTRICT DIMENSIONAL SHEET

- 11.641 (1) Front yard setback.
requirement 25' min
provided 25'
- 11.641 (2) Vehicular access.
requirement 1-24' driveway/each 100' max.
provided 1-22' driveway in 225'+
- 11.641 (3) Street trees.
requirement 1-3" caliper tree/25' min.
provided 1-3" caliper tree/25'
- 11.641 (4) Fences.
not applicable
- 11.642 Building height and setback.
requirements 55' max. height of front wall
10' min. setback to higher wall
60° max. building bulk plane
provided 55' height of front wall
10' setback to higher wall
54° + building bulk plane
- 11.643 (1) Principal building entrance.
requirement must face parkway (Concord Ave.)
provided off Fawcett St.
- 11.643 (2) Parkway facade and roof.
requirement 35' max. of unbroken plane
provided under 10'+ typical
- 11.643 (3) Ground floor transparency.
requirement 30% min. transparent
provided 34%+ transparent

Fresh Pond Square
8206
Parkway Overlay District
Dimensional Sheet

2

13 October 1983

- 11.65 Fences
 not applicable
- 11.66 Signs
 no signage has been designed at this time;
 any signage provided will comply with zoning
 in all respects.
- 11.67 Parking standards.
 not applicable
- 11.68 Mechanical equipment and refuse storage.
 not applicable
- 20-40

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

NOTICE OF DECISION

CASE NO: PB #27
PREMISES: 617 Concord Avenue
ZONING DISTRICT: Office 2/Parkway Overlay District
PETITIONER: Fantasia Land Corporation and Fantasia Trust
APPLICATION DATE: August 9, 1982
DATE OF HEARING: September 7, 1982
PETITION: Special Permit for Development in the Parkway
Overlay District

DATE OF PLANNING BOARD DECISION: November 16, 1982
DATE OF FILING THE DECISION: November 19, 1982

Decision (summary):

see attached

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 date of 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 Community Development and the City Clerk.

November 19, 1982
Date

Elizabeth McGee
Authorized Representative
to the Planning Board

NOTICE OF DECISION (Summary)

In reference to the petition of Fantasia Land Corporation and Fantasia Trust for a special permit for the construction of a six story office building with a two-level parking garage and 12,900 square feet of restaurant space at 617 Concord Avenue, the petition has been GRANTED by the Planning Board on November 16, 1982 with the following conditions:

1. The location, size and design of the building, and other development features shall remain generally as indicated in the application and plans as submitted except as modified below.
2. Continuous landscaped edge shall be provided between the easterly property line and the proposed service drive to provide an effective screen to the adjacent lot. The screening shall consist of densely planted shrubs or trees which are at least two (2) feet high at the time of planting.
3. The Board waives those zoning violations detailed in finding number 1, which would customarily require a variance.
4. Any future signs shall be reviewed and approved by the Community Development Department before the issuance of any building permit for such signs.
5. A revised site plan reflecting the conditions of this decision shall be submitted to the Community Development Department prior to filing the decision in the office of the City Clerk. Failure to submit such revised plan within 30 days shall render the granting of this Special Permit null and void.

A copy of the complete decision has been filed with the Office of the City Clerk on November 19, 1982. 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 this notice in the Office of the City Clerk.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

02139
11-15-82
02

CASE NO.: PB #27

PREMISES: 617 Concord Avenue

ZONING DISTRICT: Office 2; Parkway Overlay District

PETITIONER: Fantasia Land Corporation & Fantasia Trust

APPLICATION DATE: August 9, 1982

PUBLIC HEARING DATE: September 7, 1982

PETITION: Special Permit for Development in the Parkway Overlay District

EXTENSION OF DECISION DEADLINE: Letter of extension: November 10, 1982
Extended to: November 19, 1982

DATE OF PLANNING BOARD DECISION: November 16, 1982

The Petition

The applicant proposes to construct a six story, 132,000 square foot office building at the corner of Concord Avenue and Fawcett Street with a two-level parking garage and 12,900 square feet of restaurant space.

Documents

The following documents were submitted in support of the petition:

1. Special Permit application submitted on August 5, 1982 and certified complete on August 9, 1982.
2. Site Plan and Elevations, numbered A-1 to A-6 by ADD, Inc. Architects dated August 2, 1982.

Public Hearing

Fresh Pond Square - Parkway Overlay Special Permit - PB #27

The applicant, Joseph Fantasia, explained the general concept of the proposed development which includes the construction of a new six-story office building along Concord Avenue, elimination of approximately one-half of the existing restaurant space and the construction of a two-level parking garage. Mr. Fantasia stated that one of the prerequisites of the office development is that the restaurant remain open during all phases of development.

Michael Hass of ADD Inc., explained the details of the project design and presented plans and illustrations to the Board. They are requesting three variances within the parkway overlay district, one is to allow the major entrance location along Fawcett Street rather than at the required location along Concord Avenue, the second and third are for relief from the sideyard setback along the service drive edge of the office building and loading bay. Mr. Hass explained that they would be going to the Board of Zoning Appeals for violations in the setback of the garage as well as the sideyard setback of the office building and loading bay. Mr. Hass indicated that the location of the major entrance on Fawcett Street did not contradict the intent of the overlay district. As the building is on a corner lot the presence of a major entrance is carried over from Concord Avenue into the court yard area. In order to create this major entrance effect, the building is set back from Fawcett Street further than required which in turn creates the setback violation to the rear of the building. The building and garage would be of brick material with three bands of varying color brick along the office building.

No one spoke in opposition nor in favor of the proposed development.

Following the public hearing the Board discussed the proposal and concluded that the major entrance on Fawcett Street and the sideyard setback violations did not derogate from the intent of the overlay district. The effect of an active ground floor along the Avenue is maintained and the setback violations are minor. The Board did suggest that plantings be required along the service drive to screen it from the abutting property.

Findings

After review of the documents submitted and discussion with the staff, the Planning Board makes the following findings:

1. In accordance with the requirements of Section 10.43, Special Permit Criteria, the Board finds that:
 - a. The requirements of the zoning ordinance will be met with the exception of the following minor violations:
 - (1) Section 11.643 - Requires that the principal building entrance shall face Concord Avenue. The proposed principal building entrance is on Fawcett Street.
 - (2) Section 5.32 - The required side yard setback from the office building to the easterly lot line is 50'. The proposed setback is 30'.
 - (3) Section 6.92 - Loading Bays shall not infringe on any required yard setback. The proposed loading bay area is within the required side yard setback.

The applicant is seeking relief of three violations from the Planning Board within the scope of the Parkway Overlay Special Permit. Additional violations are scheduled to be heard before the Board of Zoning Appeal later this fall.

- b. Anticipated traffic generation and patterns of access and egress will not create additional congestion, hazard or substantial change in the area.

The proposed layout and design of the site is such that vehicular traffic will be directed from Concord Avenue to the Fawcett Street parking garage, thus eliminating potential congestion problems on heavily trafficked Concord Avenue. The separation of the service vehicle access from the main vehicular entrance will also help alleviate potential traffic problems in the area.

- c. The proposed office and restaurant uses are permitted in the district and will not adversely affect existing or permitted uses on adjacent properties.
- d. No nuisance or hazard will be created,
- e. The use will not impair the integrity of the district or otherwise derogate from the intent and purpose of the zoning ordinance.

- 2. In accordance with Section 10.45, the Planning Board finds that the proposed violations mentioned in paragraph 1.a.(1)(2) and (3) above, are minor and will not nullify nor derogate from the intent of the Parkway Overlay District.

In addition to the requested variance to the Planning Board, the applicant is seeking relief from the required setbacks for the parking garage and side yard setbacks from the loading bay and easterly side of the office building from the Board of Zoning Appeal. Though the garage is not within the limits of the Planning Board's authority, the Planning Board strongly suggests that additional tree plantings be placed along the Fawcett Street edge of the parking garage.

- 3. In accordance with Section 11.60 Parkway Overlay District, the Board finds that:
 - a. The proposed development is consistent with the overall intent and purpose of the Parkway Overlay District.
 - b. The proposed development is in conformance with the dimensional standards of the Parkway Overlay District with the exception of those violations previously mentioned.

- c. The fact that the location of the principal building entrance is not on Concord Avenue, as required does not nullify the intent of the Parkway Overlay District. The effect of a major entranceway from Concord Avenue is created due to the location of the building on a corner lot, the additional building setback from Fawcett Street and the architectural design of the building.
 - d. The Board finds that the easterly sideyard setback violations are reasonable and minor violations since the abutting parcel is within a Business C district which has no required setbacks.
4. The abutting lot, adjacent to the proposed service drive will not be adequately screened. A landscaped buffer along the easterly boundary line would provide adequate screening of this area.

Decision

Based upon the above findings, the Planning Board grants the requested special permit with the following conditions:

1. The location, size and design of the building, and other development features shall remain generally as indicated in the application and plans as submitted except as modified below.
2. A continuous landscaped edge shall be provided between the easterly property line and the proposed service drive to provide an effective screen to the adjacent lot. The screening shall consist of densely planted shrubs or trees which are at least (2) two feet high at the time of planting.
3. The Board waives those zoning violations detailed in finding number 1, which would customarily require a variance.
4. Any future signs shall be reviewed and approved by the Community Development Department before the issuance of any building permit for such signs.
5. A revised site plan reflecting the conditions of this decision shall be submitted to the Community Development Department prior to filing the decision in the office of the City Clerk. Failure to submit such revised plan within 90 days shall render the granting of this Special Permit null and void.

This conditional approval of the special permit application has been made by a unanimous vote of six (6) members of the Planning Board on November 16, 1982.

For the Planning Board

Arthur C. Parris
Arthur C. Parris
Chairman