

OWNERSHIP CERTIFICATE

Project Address: 19-21 Wendell Street

Application Date: _____

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: Chestnut Hill Realty
at the following address: 300 Independence Drive
to apply for a special permit for: 20.600 Basement Apartment Overlay
on premises located at: 19-21 Wendell Street
for which the record title stands in the name of: Wendell Terrace, LLC
whose address is: 300 Independence Drive Chestnut Hill, MA 02467

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex S_{ff} Book: 35599 Page: 12
OR Registry District of the Land Court, _____
Certificate No.: _____ Book: _____ Page: _____

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

To be completed by Notary Public:

Commonwealth of Massachusetts, County of _____

The above named _____ personally appeared before me,
on the month, day and year _____ and made oath that the above statement is true.

Notary: _____

My Commission expires: _____

FEE SCHEDULE

Project Address: 19-21 Wendell Street

Application Date:

The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

Fee Calculation

New or Substantially Rehabilitated Gross Floor Area (SF): × \$0.10 =

Flood Plain Special Permit Enter \$1,000.00 if applicable:

Other Special Permit Enter \$150.00 if no other fee is applicable: 150

TOTAL SPECIAL PERMIT FEE **Enter Larger of the Above Amounts: 150**

DIMENSIONAL FORM

Project Address: 19-21 Wendell Street

Application Date:

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	9,724	5,000	No Change	
Lot Width (ft)	50'	88'	No Change	
Total Gross Floor Area (sq ft)	26,892		No Change	
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Floor Area Ratio	2.77	.75	No Change	
Residential Base				
Non-Residential Base				
Inclusionary Housing Bonus				
Total Dwelling Units	38	7	42	
Base Units				
Inclusionary Bonus Units				
Base Lot Area / Unit (sq ft)				
Total Lot Area / Unit (sq ft)				
Building Height(s) (ft)	4 Stories	35'	No Change	
Front Yard Setback (ft)	4.97		No Change	
Side Yard Setback – Side? (ft)	0		No Change	
Side Yard Setback – Side? (ft)	0		No Change	
Rear Yard Setback (ft)	16.96		No Change	
Open Space (% of Lot Area)		30%	No Change	
Private Open Space				
Permeable Open Space				
Other Open Space (Specify)				
Off-Street Parking Spaces	0	4	No Change	
Bicycle Parking Spaces	24		28	
Loading Bays				

Use space below and/or attached pages for additional notes:



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TRAFFIC, PARKING & TRANSPORTATION

City Department/Office:

Project Address: 19-21 Wendell Street

Applicant Name: Wendell Terrace LLC

For the purpose of fulfilling the requirements of Section 19.20 and/or 6.35.1 and/or 5.28.2 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) Certified Traffic Study. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE DEPARTMENT OF PUBLIC WORKS

City Department/Office:

Project Address: 19-21 Wendell Street

Applicant Name: Wendell Terrace LLC, c/o Chestnut Hill Realty

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE TREE ARBORIST

City Department/Office:

Project Address: 19-21 Wendell Street

Applicant Name: Wendell Terrace LLC, c/o Chestnut Hill Realty

For the purpose of fulfilling the requirements of Section 4.26, 19.20 or 11.10 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a MultiFamily, Project Review or Townhouse Special Permit for the above referenced development project: a Tree Study which shall include (a) Tree Survey, (b) Tree Protection Plan and if applicable, (c) Mitigation Plan, twenty one days before the Special Permit application to Community Development.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE WATER DEPARTMENT

City Department/Office:

Project Address: 19-21 Wendell Street

Applicant Name: Wendell Terrace LLC, c/o Chestnut Hill Realty

For the purpose of fulfilling the requirements of Section 19.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Project Review Special Permit for the above referenced development project: (a) an application narrative and (b) small format application plans at 11" x 17" or the equivalent. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

CERTIFICATION OF RECEIPT OF PLANS BY CITY OF CAMBRIDGE LEED SPECIALIST

City Department/Office:

Project Address: 19-21 Wendell Street

Applicant Name: Wendell Terrace LLC, c/o Chestnut Hill Realty

For the purpose of fulfilling the requirements of Section 22.20 of the Cambridge Zoning Ordinance, this is to certify that this Department is in receipt of the application documents submitted to the Planning Board for approval of a Special Permit for the above referenced development project: (a) an application narrative, (b) small format application plans at 11" x 17" or the equivalent and (c) completed LEED Project Checklist for the appropriate LEED building standard, accompanying narrative and affidavit. The Department understands that the receipt of these documents does not obligate it to take any action related thereto.

Signature of City Department/Office Representative

Date

**19-21 WENDELL STREET, CAMBRIDGE
BASEMENT APARTMENT OVERLAY DISTRICT
SPECIAL PERMIT SUMMARY**

Project Overview

Chestnut Hill Realty's (CHR) property at 19-21 Wendell Street currently contains 38 apartments. CHR is proposing to add 4 apartments at the basement level pursuant to the Basement Apartment Overlay District, Cambridge Zoning Ordinance 20.600 (the "Project"). The Basement Apartment Overlay District was adopted by the Cambridge City Council in December 2012. The purpose of the Basement Apartment Overlay District is "to allow for the creation of studio or one-bedroom apartment units in appropriate unused basement level space of certain existing multifamily residential buildings that have one or more existing basement level apartment units." In addition "given the increasing expense of unsubsidized rental housing in Cambridge, the shortage of reasonably priced, affordable studio and one bedroom units, and the difficulty this poses for local workers, students and the elderly, it is in the public interest to permit the creation of additional units under circumstances which promote the maintenance and improvement of older buildings, including improved storm water and wastewater management, and which provide additional housing without building new structures or increasing the size of existing structures."

The Project meets the specific conditions and criteria of the Basement Apartment Overlay District as well as the general Special Permit criteria found in Section 10.43 of the Zoning Ordinance.

Compliance with Zoning

19-21 Wendell Street is in a C-1 Zone. The following is a zoning chart of the relevant zoning elements:

Analysis	C-1	Existing	Proposed	Notes
Area	5,000	9,724		No Change
Density	1 Unit Per 1,500 SF	38	6.48	No Change
Allowed Units	7	38	42.00	Proposed Allowed with Special Permit
Gross Floor Area	7,293	26,892	26,892.00	No Change
Floor Area Ration (FAR)	0.75	2.77	3	No Change
Frontage	50'	88'	88'	No Change
Front Setback	(H+L)/4, At least 10'	4.97'	10	No Change
Side Setback	(H+L)/5	0.0	23.60	No Change
Rear Setback	(H+L)/4, At least 20'	16.96'	16.96'	No Change
Usable Open Space (Min)	30%			No Change
Height	35'	4 Story		No Change
Bicycle Spaces		24	28	Meets Special Permit Criteria
Parking	1 Per Unit			No Change

The project is not increasing any of the Existing Non-Conforming elements noted above except for the Density and Allowed Units which the Basement Apartment Overlay District was created to allow with a Special Permit from the Planning Board.

Compliance with Criteria Specific to Special Permits under 20.600

Section 20.600 outlines a number of criteria that the Project must met in order to qualify for the Basement Apartment Overlay District:

- a. the structure is located within a Residence C, C-1, C-1A, C-2A, C-2, C-2A, C-2B, C-3, C-3A, or C-3B base zoning district: *19-21 Wendell Street is located in a C-1 district;*

- b. the structure is currently occupied by at least thirty (30) dwelling units: *19-21 Wendell currently contains thirty four (34) units;*
- c. the structure was built before 1930 and its footprint or foundation has not been expanded or altered after the effective date of this Section 20.600 except as may be required and approved as a condition to the grant of a special permit hereunder: *19-21 Wendell St. was built in 1900;*
- d. the structure currently contains at least one dwelling unit located entirely at the basement level: *19-21 Wendell Street currently contains two (2) basement dwelling units.*

In addition the Planning Board may waive some or all of the dimensional and parking standards generally applicable in the base district upon issuance of a special permit, subject to the following limitations:

- a. Where the Floor Area Ratio of the existing structure exceeds the maximum Floor Area Ratio allowed in the base zoning district, the Gross Floor Area of the existing structure shall not be increased: *The current Floor Area Ratio at 19-21 Wendell Street is greater than the allowed Floor Area Ratio in that district, however this project will not increase the Gross Floor Area as the area that is being converted to dwelling units is already included in the Gross Floor Area calculations.*
- b. Where the existing structure or lot does not conform to the height, yard, or private open space requirements generally applicable in the district, the Planning Board may approve those dimensional characteristics of the existing building or lot. However, no nonconforming element or aspect of the existing structure shall be extended or increased, with the exception that the permitted lot area per dwelling unit may be decreased, and incursions into setback areas may be approved by the Planning Board only for the purpose of providing or altering window wells or egress stairs as may be deemed advisable in response to safety and flooding concerns: *19-21 Wendell does not currently conform to the front yard, side yard and rear yard setback requirements, the height requirement and the open space requirement. However these nonconforming elements are preexisting and the Project will not result in any extension or increase in them except for projections into the rear yard setback for areas necessary to provide safe egress from the proposed dwelling units. The lot area per dwelling unit currently does not conform and will be decreased pursuant to 20.600.*
- c. The number of dwelling units in the existing structure shall not be increased by more than ten (10) units or fifteen percent (15%) of the number of dwelling units in the existing building, whichever is fewer: *The Project is adding four (4) units which is approximately 10% of the existing units.*
- d. Newly created dwelling units shall be restricted to studio or one-bedroom apartments only: *All four proposed dwellings are one-bedroom units.*
- e. The Planning Board may reduce or waive the number of accessory off-street motor vehicle parking spaces required by Article 6.000 upon making a finding that such reduction will not result in substantial adverse impacts to on-street parking, based on information provided by the Applicant regarding the availability of alternate transportation options or other factors that would result in a reduced demand for parking. As a condition of a special permit, the Planning Board may require measures to minimize parking demand generated by the building. The requirements of Article 6.000 may not otherwise be waived: *Adding four dwelling units will have a de minimis effect on parking. CHR conducted a parking survey of its residents in the building and determined that less than 50% have and use their own vehicles. This Project is projected to result in the need for 2 or less additional off-street parking spaces which is a negligible increase in the current off-street parking in this neighborhood. The Basement Apartment Overlay District was created in areas with close proximity to public transportation to encourage the use of using public transportation. In addition CHR has a Transportation Advisor on staff who advises our leasing professionals and residents on such things as public transportation providing maps and information and walking directions to nearby amenities. Furthermore CHR has rental car services nearby that residents can take use when a car is necessary.*
- f. At least one additional secure long-term bicycle storage space shall be created on the lot for each new dwelling unit created under the provisions of this Section: *The Project will result in the creation of four additional bicycle storage spaces in the building and such bicycle parking spaces shall conform to the design standards of Section 6.49.*

Prior to granting a special permit pursuant to Section 20.600 the Planning Board shall determine that the proposed conversion of basement space to dwelling units complies with the General Special Permit Criteria set forth in Section 10.43 as well as with the following requirements:

- a. Each new unit converted from existing basement space shall comply with all building, health, and accessibility codes applicable to residential dwelling units in the basement of structures: *The Project is designed to meet all building and sanitary code requirements applicable to basement units.*
- b. Buildings must contain, or install, full separation between storm water and sanitary sewer lines from the building to the connection in the street regardless of whether the street in which the building is connected currently is separated: *19-21 Wendell Street currently has a full separation between storm water and sanitary sewer lines. As part of the Project, the storm water and sanitary lines will be replaced from the building to the street connection. In addition, the four proposed dwelling units will have a separate sanitary line from the building to the street connection.*
- c. Adequate, properly installed, backflow prevention devices that comply with all building code and other applicable requirements must be installed for all newly created units along with any additional measures determined to be advisable by the City Engineer: *The four proposed dwelling units will have backflow preventers on all plumbing fixtures.*
- d. An application for a special permit pursuant to this Section shall include a report on historical occurrences and future likelihood of basement flooding in the area of the proposed conversion, prepared by a registered professional engineer, with a functional scope determined by the City Engineer to be appropriate to the location of the project: *A Report was submitted to the City Engineer on July 16, 2012, as revised on October 10, 2012 and January 7, 2013, and was approved by the City Engineer on January 15, 2013. The report concluded there was a minimal likelihood of flooding in the basement units by way of sewer system backups or overland flooding. In addition, the Report identified proposed mitigation measures to prevent any such flooding including increasing the size of the sanitary line in the building from 4" to 6", increasing the size of the storm drain line from the building to the street connection from 4" to 6" and adding additional leaching pits for any proposed egress areas.*
- e. The Inclusionary Housing requirements of Section 11.200 shall apply to any new dwelling units that exceed the threshold for an Inclusionary Project as set forth in Section 11.201. Any project which receives a special permit pursuant to this Section, but does not exceed the threshold for an Inclusionary Project, shall provide no less than one Affordable Unit, as defined in section 11.201 and subject to the Standards for Construction and Occupancy of Affordable Units set forth in Section 11.204: *One (1) of the four (4) proposed dwelling units will be an Affordable Unit.*

Compliance with General Special Permit Criteria under 10.300

Special permits will normally be granted where specific provisions of this Ordinance are met, except when 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. It appears that requirements of this Ordinance cannot or will not be met: *The Project meets the requirements of the Basement Apartment Overlay District and will not result in any extension or increase to preexisting nonconforming elements;*
- b. traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character: *The addition of four dwelling units in a densely populated residential district is a negligible increase in population, results in a de minimis increase in traffic and keeps with the residential character of the neighborhood;*
- c. the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use: *The Project will have no adverse effect on any other adjacent uses because it is a residential use in a residential 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: *The Project is designed to meet all building and health codes and to provide a similar quality of life to its occupants as any other dwelling units and in addition will present no nuisance or hazard to the citizens of the City;*

- e. for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance: *The residential use in a residential district does not impair the integrity of the district and is promotes the intent and purpose of the Zoning Ordinance by making appropriate use of wasted underutilized basement space, which is in line with it's purpose "to encourage the most rational use of land throughout the City", provides needed moderately priced housing, which is in line with it's purpose "to encourage housing for persons of all income levels" and encourages the use of mass transit while mitigating the need for on-street parking, which is in line with it's purpose to "lessen congestion in the street."*

Summary

In summary, the proposal to add four dwelling units at 19-21 Wendell Street pursuant to the Basement Apartment Overlay District meets the specific criteria and conditions for granting a Special Permit found in Section 20.600, meets the general special permit criteria of Zoning Ordinance, is not detrimental to the public interest, and does not derogate from the intent and purpose of the Cambridge Zoning Ordinance. For all the reasons stated herein the Planning Board should grant the Special Permit to add four dwelling units at 19-21 Wendell Street.