

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## NOTICE OF DECISION

Case Number:	291
Address:	16-18 Bellis Circle
Zoning:	Residence B
Applicant/ Owner:	Duncan McArthur, Baker Pond LLC 67 Smith Place, Unit 12A, Camb. 02138
Application Date:	April 10, 2014
Date of Planning Board Public Hearing:	May 6, 2014
Date of Planning Board Decision:	May 6, 2014
Date of Filing Planning Board Decision:	May 22, 2014
Application:	Special Permit to construct two single family structures, one of which is further than 75 feet from the front lot line, Section 5.53 of Cambridge Zoning Ordinance.
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](mailto:lpaden@cambridgema.gov).

2014 MAY 22 PM 12 31  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## DOCUMENTS SUBMITTED

### Application Documents and Supporting Material

1. Planning Board Special Permit application containing the cover sheet, revised Dimensional Form dated 3/26/14, Narrative for Special Permit Application, Summary of Application, Ownership Certificate, and copy of PB#213 Special Permit.
2. Plans and elevations dated 2/10/14 by John Lodge Architects, containing zoning calculations, floor plans and elevations for 16 and 18 Bellis Circle.

### Other Documents

3. Letter to the Planning Board from David Vise and Roberta Turri Vise, dated 4/25/14.

## FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. More than one structure containing a principal residential use is allowed on a lot. (5.53)

The Board finds that the impact of the proposed two separate residential structures is less than the impact that would occur if a single structure were constructed. The proposed design is attractive and appropriate for the neighborhood as well as for the location on Bellis Circle. The proposed project consisting of two detached dwellings will be consistent with the character of the neighborhood and will provide open space amenities and views to the benefit of future residents on abutting lots.

2. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

*10.43 Criteria. 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, or ...*

With the requested Special Permit, the Project will meet all requirements of the Ordinance. The Board of Zoning Appeal granted a dimensional variance for additional gross floor area on April 24, 2014. (BZA-003267-214)

- (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...*

The total number of units proposed will be what is allowed on this lot in the Residence B district. No congestion, hazard, or significant change is anticipated.

- (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, or ...*

The adjacent uses are residential; this permitted residential use is in keeping with those in the area and does not adversely affect the abutting properties.

- (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, or ...*

The project shall comply with all applicable health and safety regulations. No nuisance or hazard will be created.

- (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, and ...*

The design will benefit the district with extensive landscaping, enclosed parking within the structures and open space between the two structures.

- (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.*

*(19.31) New projects shall be responsive to the existing or anticipated pattern of development.*

The existing pattern of development in the neighborhood consists of one and two family houses.

*(19.32) Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.*

The site is within walking distance of shopping and opportunities for walking and biking through Danehy Park. No aspect of the project's design will discourage residents from traveling by foot or bicycle.

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

A residential development of this scale will have minimal environmental impact. The proposed project will have less of an impact on the immediate abutters than an as of right building with two attached units. The proposal has open space between the two structures which minimizes the bulk for the adjoining neighbors. The project will also include improvements to mitigate existing standing water issues at the rear of the lot.

*(19.34) Projects should not overburden the City infrastructure, services, including neighborhood roads, city water supply and sewer system.*

The project will add two residential units, which will not significantly impact city services.

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

The proposal for two single-family houses on the lot is consistent with the existing character of the street.

*(19.36) Expansion of the inventory of housing in the city is encouraged.*

Two new single family houses will be created.

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

Constructing two separate single family houses creates open space between the two houses on the lot, which is preferable to the bulk of an attached two family structure. The project will provide open space amenities to the benefit of the future residents of the project. Enclosing the parking spaces within garages in the structures will provide for more open space on the lot.

## **DECISION**

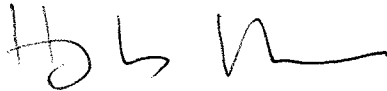
Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permit subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated 2/10/14 and signed at the meeting of 5/6/14, and all supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. 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 each Building Permit for the project, 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 Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.
3. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code).

Voting in the affirmative to GRANT the Special Permits were Planning Board Members H. Russell, T. Cohen, P. Winter, S. Winters, and S. Cohen, and Associate Members A. Nur and C. Preston Connolly, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,



Hugh Russell, Chair

A copy of this decision PB#291 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 May 22, 2014, 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: Approved Dimensional Chart**

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	9808 SF	5000 SF	9808	No change
Total GFA (sq ft)	0	4183 SF	4751 SF	4751 SF <sup>1</sup>
Residential Base	0	4183 SF	4751 SF	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	0	NA	0	
Inclusionary Bonus	NA	0	0	
Total FAR	0	0.43	0.48 <sup>1</sup>	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	0.43	0.48	
Non-Residential Base	0	0	0	
Inclusionary Bonus	0	0	0	
Total Dwelling Units	0	3	2	2
Base Units	0	3	2	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	0	0	0	
Base Lot Area / Unit (sq ft)	0	2500 SF	4904 SF	
Total Lot Area / Unit (sq ft)	9808 FT	2500 SF	4904 SF	
Lot Width (ft)	62.5 FT	62.5 FT	62.5 FT	62.5 FT
Height (ft)	0	35 FT	32 FT	Consistent with Application Documents and applicable zoning requirements
Front Setback (ft)	0	10 FT	~10 FT	
Side Setback –(ft)	0	7.5' sum 20'	19.8'/13.1'	
Side Setback –(ft)	0	12.5' sum 20'	11.8'/8.6'	
Rear Setback (ft)	0	35 FT	35 FT	
Open Space (% of Lot Area)	100%	40%	53%	Consistent with Application Documents and applicable zoning requirements
Private Open Space	100%	40%	53%	
Permeable Open Space			53%	
Off-Street Parking Spaces	0	2	2	2
Handicapped Parking Spaces	0	0	0	Consistent with Application Documents, PTDM and other applicable requirements
Bicycle Spaces	0	0	0	
Loading Bays	0	0	0	

<sup>1</sup> Exceedence of FAR limitations permitted by variance granted by the Board of Zoning Appeal on April 24, 2014 (case # 003267-214)