



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO.: P. B. #37
PREMISES: 7-17 Frost Street
ZONING DISTRICT: Residence B
PETITIONER: Stephen J. Robb
APPLICATION DATE: August 25, 1983
PUBLIC HEARING DATE: October 4, 1983
PETITION: Section 11.10 Townhouse Special Permit for the construction of eight (8) townhouse units. Section 10.45 Variance for increased floor area to .69 (in excess of .60 permitted)

DATE OF PLANNING BOARD DECISION: December 20, 1983

PETITION:

The petitioner proposes to construct eight (8) townhouse units at 7-17 Frost Street. The total lot area, 21,792 square feet, includes lots 7, 8, 64 and 65 as shown on Assessors Plat No. 153. The development is proposed to have a floor area ratio of .69 (in excess of the .60 permitted in a Residence B district).

DOCUMENTS:

The following documents were submitted in support of the special permit:

1. Application form, certificate of ownership, photographs of the site, required site plan and elevations by Bahamon/Dingman Architects and Planners 1430 Massachusetts Avenue, dated July, 1983.
2. Memorandum to the Cambridge Planning Board from Guillermo Bahamon for the owner, Stephen J. Robb, dated October 18, 1983.

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3. A letter from Daniel Candee, 39 Garfield Street, dated October 18, 1983, supporting the proposed townhouse development.

The following documents were submitted in opposition to the special permit request:

1. Memorandum to the Planning Board from Robert J. LaTremouille, Attorney at Law, 348 Franklin Street, Cambridge, MA, dated October 14, 1983.
2. A letter to Joseph Cellucci, Commissioner of Inspectional Services from four tenants of 6 Newport Road dated October 12, 1983.
3. Petition in opposition to the proposed special permit signed by approximately 87 residents of the Frost Street neighborhood.
4. Letter to the Planning Board from Francis H. Duehay, City Councillor, dated October 4, 1984, opposing the proposed townhouse development.
5. Letter to the Planning Board from Elizabeth and Donald Moreland, 10 Frost Street, dated September 22, 1983, opposing "some aspects of the petition."

Other Documents:

1. Letter to the Planning Board from Lauren M. Preston, City Traffic Engineer, dated September 9, 1983, indicating that the proposed parking layout is generally satisfactory.
2. Letter to Stephen Robb from Lester Barber, Community Development Department dated October 14, 1983, requesting documentation as to the status of lot 7.
3. Letter to the Planning Board from Richard Horgan, Zoning Specialist, Inspectional Services Department, dated October 25, 1983, indicating that there are unresolved zoning violations requiring clarification.

THE HEARING

The hearing was called to order by Chairman Arthur Parris with members J. Bruckner, A. Cohn, D. Kennedy, P. Dietrick and C. Meith present. Guillermo Bahamon, architect for the townhouses, presented the plans and described the details of the site plan and building designs. He indicated that the site is used partially for parking for abutters, as well as garden space. The development has an FAR of .69, a maximum height of 34'9", 21 parking spaces, and 40% open space.

Residents of the neighborhood expressed the following concerns:

- a. Impact of additional traffic and reduction in off-street parking in an already congested neighborhood.

- b. Accessibility of emergency vehicles to the Newport Road apartment building and units on Frost Lane.
- c. Increased residential neighborhood where many nonconforming apartment structures exist.
- d. Effect on the two-family home which is surrounded by the development.
- e. Legality of removing the existing parking spaces which, according to Section 6.15 of the Zoning Ordinance, should be considered accessory parking to Newport Road Apartments and therefore not removable.

Mr. Kennedy questioned whether the plan would be better without the surface parking spaces. The Board suggested that the applicants submit whatever documentation available to support their claim that the spaces to be removed are not accessory and therefore eligible to be eliminated.

FINDINGS:

1. Lot 7 of the development parcel, located at 7 Frost Street, is currently used in part as parking by tenants at the adjacent Newport Road Apartments located at 1-7 Newport Road, 2-8 Newport Road and 1775-1783 Massachusetts Avenue. The lot contains approximately thirty (30) off-street parking spaces.
2. Based on a written determination by Richard Horgan, Zoning Specialist, Inspectional Services Department, in a letter dated October 25, 1983, the proposed townhouse development on lot 7 creates the following violations: Section 5.12 (The lot or yard areas required for any new building or use may not include any part of a lot that is required by other building or used to comply with and requirements of this ordinance), and Section 6.15 (Accessory off-street parking facilities established after March 15, 1961, shall not hereafter be reduced below--or if already less than, shall not be further reduced below--the minimum requirements...). The proposed townhouse development includes the removal of required accessory off-street parking to the adjacent Newport Road Apartment Building.
3. Upon the request of Richard Horgan, made to the Planning Board in a letter dated October 25, 1983, the Planning Board took no action on the petition until the legal status of the parking on lot 7 was clarified.
4. The petitioner applied for a special permit from the Board of Zoning Appeals to allow the reduction of required off-street parking accessory to the Newport Road Apartments. In addition, the petitioner appealed the previously mentioned determination by Richard Horgan, Zoning Specialist. Both the special permit and

appeal of Mr. Horgan's determination were denied by the Board of Zoning Appeals at a public hearing on December 8, 1983.

5. The townhouse petition as submitted does not provide for continued accessory parking for Newport Road Apartments following the construction of the townhouse development on lot 7 at 7 Frost Street.
6. The Planning Board's final decision is based on the status of lot 7, as the use of this lot for accessory parking purposes precludes its reuse to residential development under plan details submitted. Therefore, the Board has not considered the merits of the townhouse development proposal itself.
7. Submission of another application adequately meeting the requirement for continued accessory parking for the Newport Road Apartments shall be considered on its merits by the Planning Board.

DECISION:

Based on the above findings, the Planning Board, at its regular meeting on December 20, 1983, unanimously voted to deny the requested townhouse special permit and variance for increased floor area. Voting to deny the application were A. Parris, J. Woolsey, D. Kennedy, C. Meith, P. Dietrich, and A. Cohn.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

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 days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the decision filed with the Office of the City Clerk on December 30 1983 by Walter B. [Signature] 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 days have elapsed since the filing of this decision. No appeal has been filed.

Date _____ City Clerk, City of Cambridge