

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2021 JUN -9 PM 6:15
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	377
Address:	88 Holworthy Street
Zoning:	Residence B District
Applicant:	Stephen Sillari 91 Park Avenue, Cambridge, MA 02138
Owner:	Sillari Enterprises, LLC 91 Park Avenue, Cambridge, MA 02138
Application Date:	February 24, 2021
Date of Planning Board Public Hearing:	April 27, 2021
Date of Planning Board Decision:	April 27, 2021
Date of Filing Planning Board Decision:	June 9, 2021
Application:	Special Permit for more than one structure containing a principal residential use (Section 5.53.2)
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: Swaathi Joseph

For further information concerning this decision, please contact Swaathi Joseph at 617-349-4668, or sjoseph@cambridgema.gov.

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application submitted on 2/24/2021, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Narrative, Community Outreach Summary, plan set titled 88 Holworthy Street Revised Development Package, prepared by Anderson Porter Design, dated 2/10/2021.
2. Presentation slides shown to the Planning Board on 4/27/2021.

City of Cambridge Documents

3. Memorandum to the Planning Board from Katherine F. Watkins, City Engineer, Department of Public Works (DPW), dated 4/18/2021.
4. Memorandum to the Planning Board from Community Development Department staff, dated 4/20/2021.

Other Documents

5. Letter to the Planning Board from Timothy Flynn, dated 12/9/2020.
6. Email communication to the Planning Board from Jason Stonehouse, dated 3/15/2021.
7. Letter to the Planning Board from Fleurette Arseneault, undated.
8. Letter to the Planning Board from Lynne Schiebe, undated.
9. Letter to the Planning Board from Patricia Caldwell, undated.
10. Letter to the Planning Board from Richard Michalowski, undated.
11. Letter to the Planning Board from Jean-Antoine Ribeil and Magali Pederzoli-Ribeil, undated.
12. Letter to the Planning Board from Karen Propp, undated.
13. Letter to the Planning Board from Denise O'Brien, undated.
14. Letter to the Planning Board from Barbara Glick, undated.
15. Letter to the Planning Board from Phyllis Newton, undated.
16. Letter to the Planning Board from Gideon Balloch and Kaitlyn Choo, undated.
17. Letter to the Planning Board from Phyllis Newton, undated.

APPLICATION SUMMARY

The Applicant proposes to rehabilitate an existing two-family structure and construct a new detached two-family structure in the rear yard which would be more than seventy-five (75) feet from Holworthy Street. The base zoning is Residence B and the parcel is located in the Strawberry Hill neighborhood. The requested special permits are discussed in detail in the Findings below.

In addition to the special permits requested, the application requires obtaining zoning relief (described below) through the issuance of variances from the Board of Zoning Appeal to permit aspects of the development that are not zoning compliant.

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. Special Permit for more than one structure containing a principal residential use (Section 5.53.2)

Because the proposal includes two principal residential structures on the lot, and one of those structures is more than seventy-five (75) feet from the abutting street line of Holworthy Street, the following provisions of the zoning ordinance apply.

In Residence B districts more than one structure containing a principal residential use is allowed on a lot by special permit from the Planning Board provided the Board finds:
5.53.2

- (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; or*
- (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,*
 - (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,*
 - (3) *the extent to which two or more structures provides an enhanced living environment for residents 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,*
- (5) *the opportunities presented to reduce the visual impact of parking from the public street and from adjacent lots,*
- (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.*

The proposed development will preserve the existing two-family structure on the lot, but will relocate it in order to be in closer conformance to yard setback requirements in the zoning district. As a separate structure, the proposed additional development will be more harmonious with the existing scale, massing and pattern of development along Holworthy Street than if all development were in a larger multifamily or townhouse structure. Off-street parking will be located between the front and rear structures, which will minimize the visual impact of parking from Holworthy Street and adjacent lots.

For these reasons, the Board finds that development in the form of two structures will not significantly increase the impact of new construction, and therefore the proposal meets the criteria set forth in Section 5.53 Paragraph (a).

2. General Criteria for Issuance of a Special Permit (Section 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 ...*

The development will not conform to the maximum floor area ratio (FAR) and minimum lot area per dwelling unit limitations of the Residence B district. The Applicant will be seeking variances from the Board of Zoning Appeal. Therefore, this Special Permit will be conditioned on receiving the necessary relief from applicable zoning requirements. The proposed two-family dwelling uses are permitted in the district, and the development otherwise appears to conform to the development controls of the Zoning Ordinance.

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

The proposed construction of one new two-family dwelling and rehabilitation to an existing two-family dwelling, to include a total of four off-street parking spaces, is not

anticipated to cause particular congestion or hazard or substantial change in the neighborhood character. With continuing design review and approval of the proposed driveway design, the pattern of ingress and egress from the site will not create hazard.

- (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 proposed residential use complies with allowed uses in this district, and hence will not adversely affect adjacent uses that exist or are anticipated in the future.

- (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 proposed uses will not create nuisance or hazard, and all development activity will adhere to applicable health and safety regulations.

- (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 proposed infill residential use and increase in housing units is encouraged by City plans for the area and the Zoning Ordinance. The neighborhood generally consists of single-family and two-family dwellings, and the proposed development of two detached two-family dwellings would fit the existing pattern of development.

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

The proposal is not inconsistent with the citywide urban design objectives. The urban design objectives are supported in the proposal with the expansion of the inventory of housing, improved streetscape appearance, compatibility with historic patterns of development, minimal environmental impacts on abutters, and minimal impact on City infrastructure.

DECISION

Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits 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.

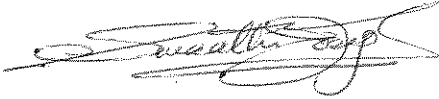
1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents and other supporting materials submitted to the Planning Board, and the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board specifically include all revisions and modifications in the revised plan set titled Special Permit Set 88 Holworthy Street Revised Development Package, prepared by Anderson Porter Design, dated 2/10/2021. Appendix I summarizes the dimensional features of the project as approved.
2. This Special Permit shall be contingent on the project receiving variances from the Board of Zoning Appeal necessary to provide relief from the floor area ratio (FAR), lot area per dwelling unit, and other provisions of the zoning district to which the project does not conform.

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. The Permittee shall address the following comments through the continuing design review process set forth above. Each of the below items shall be subject to CDD review and approval of the final design details prior to issuance of a Building Permit:
 - a. CDD shall review and approve the selection of paving materials and landscaping to minimize the visual impact of the driveway and parking area and reduce the percentage of impervious surface on the lot.
 - b. CDD shall review and approve landscape details, including proposed plantings and treatment of the space between the two dwellings.
4. 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 approve the Development Proposal were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Mary Flynn, Hugh Russell, and Tom Sieniewicz, constituting at least two thirds of the members of the Board.

For the Planning Board,

A handwritten signature in black ink, appearing to read "Hugh Russell", written over a horizontal line.

Representative to the Planning Board, authorized by Catherine Preston Connolly, Chair.

A copy of this decision PB #377 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 has been filed on June 9, 2021 with the Office of the City Clerk, by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or

_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	8,637	5,000	8,637	No Change
Lot Width (ft)	50	50	50	No Change
Total GFA (sq ft)	2,769	3,775	3,795*	3,850
Residential Base	2,769	3,775	3,795*	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	0	0	0	
Inclusionary Bonus	n/a	n/a	n/a	
Total FAR	0.321	0.437	0.439*	Consistent with Application Documents and applicable zoning requirements
Residential Base	0.321	0.437	0.439*	
Non-Residential Base	0	0	0	
Inclusionary Bonus	n/a	n/a	n/a	
Total Dwelling Units	2	2.9	4*	2
Base Units	2	2.9	4*	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	4,318.5	2,978.3	2,159.25*	
Total Lot Area / Unit (sq ft)	4,318.5	2,978.3	2,159.25*	
Height (ft)	30.42	35	35	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	9.1	15	15	
Side Setback (ft)	3.7	7.5 (sum 20)	7.5	
Side Setback (ft)	21.2	12.5	12.5	
Rear Setback (ft)	103.9	35	38.63	
Open Space (sq ft)	7,348	3,454.8	4,496	Consistent with Application Documents and applicable zoning requirements
Private Open Space (sq ft)	3,674	1,727.4	2,324	
Permeable Open Space (sq ft)	3,674	1,727.4	2,149	
Off-Street Parking Spaces	2	4	4	
Long-Term Bicycle Parking	0	0	0	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	0	0	0	
Loading Bays	0	0	0	

*Indicates that a variance will be required by the Board of Zoning Appeal