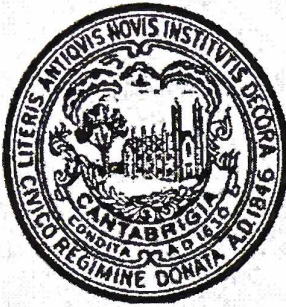

48 PEARL STREET – SPECIAL PERMIT PROPOSAL
AMENDMENT COVER MEMO – JULY 15TH, 2021

The applicant at 48 Pearl Street seeks to amend their application request for height relief under section 20.304.2 (2) (a) to clarify that the requested relief for the extension of nonconforming height falls under section 8.22.2 (d) of the Cambridge Zoning Ordinance (implementation of Mass. Gen. Laws c. 40A, § 6).¹ The applicant makes no amendments with regard to the three special permit requests for open space reduction and setback relief per sections 20.304.4 (2) and 20.304.4 (1), respectively. The applicant does not seek to alter the nature of the proposed building changes.

The applicant makes this request because it is their belief that the Planning Board has the authority to vote on and issue a special permit for the applicant’s height extension request under section 8.22.2 (d) and M.G.L. c. 40A, § 6. They submit this amendment to clarify the scope and nature of the zoning relief sought, and with the understanding that, following the public hearing held on July 13, 2021, at which a unanimous vote of the Planning Board members in attendance was taken to continue the matter and seek a legal opinion from the City Law Department on said authority, the Planning Board will be in an informed position to vote on the amended application at the continued hearing scheduled for August 17, 2021.

¹ The original reference to section 20.304.2 is the section of the Cambridge Zoning Ordinance that sets the maximum height applicable to the Residential C-2A zoning district within the bounds of the Central Square Overlay District. Section 8.22.2 (d) is the section of the Cambridge Zoning Ordinance implementing M.G.L. c. 40A, § 6, which permits certain preexisting nonconforming residential structures to be extended notwithstanding other sections of the Ordinance.



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

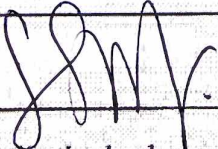
Location of Premises: 48 Pearl Street, Cambridge, MA 02139
Zoning District: C-2A, Central Square Overlay District
Applicant Name: Jonathan Miller, Frank Shirley Architects
Applicant Address: 40 Pearl Street, Cambridge, MA 02139
Contact Information: 617-547-3355 jmiller@frankshirleyarchit _____
Telephone # Email Address Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

- Special Permit for expansion of connector within side yard setback per Section 20.304.4 (1)
- Special Permit for replacement head-house within side yard setback per Section 20.304.4 (1)
- Special Permit for height of replacement head-house per Section 8.22.2 (d)
- Special Permit for reduced open space per Section 20.304.4 (2)

List all submitted materials (include document titles and volume numbers where applicable) below.

- Dimensional Form
- Plot Plan
- Proposal by Architect including: As-built and Proposed Plans and Elevations, Existing Conditions Images, and View Studies including Proposed Views
- GIS and Zoning Maps
- Community Meeting Report

Signature of Applicant: _____


For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date _____

Signature of CDD Staff _____

48 PEARL STREET – SPECIAL PERMIT PROPOSAL
NARRATIVE SUPPLEMENT – JULY 15TH, 2021

The applicant seeks to amend their application request for height relief under section 20.304.2 (a) to clarify that the requested relief for the extension of nonconforming height falls under section 8.22.2 (d) of the Cambridge Zoning Ordinance (implementation of Mass. Gen. Laws c. 40A, § 6). The proposal describing the relief sought is unchanged from the original request, and is outlined below:

- Replace the existing head-house on the roof, which houses the access stair to the roof deck, with a new head-house in order to construct a safer access stair. No changes to the roof deck are proposed. The replacement head-house will be in a similar location as the existing, illustrated in the attached documents.

The proposal is illustrated in the original attached plans, elevations, and renderings. The requested height, as described in the originally submitted dimensional form, is 48.2'. The existing height is 47.1'. The maximum applicable height, per section 20.304.2 (a), is 45'.

The proposal meets the requirements of 8.22.2 (d) and M.G.L. c. 40A, § 6 (the board must find that the enlargement of the existing nonconformity is not substantially more detrimental to the neighborhood than the existing nonconforming structure) for the following reasons:

- The increase in height is minimal (+/- 1.1').
- The increase in area due to the replacement head house is minimal (+/- 2 sf).
- The change in GFA (which is conforming for both the existing and proposed conditions) is minimal (+/- -2 sf).
- The reconstructed headhouse will not be visible from nearby sightlines across the street on either Franklin Street or Pearl Street
- The design of the proposed structure is consistent with the bulk, look, and design of the existing residence's façade, and is harmonious in design with the adjacent and nearby residences and buildings in the neighborhood
- The proposal creates a safer and building code-compliant stair and head house structure, remedying a currently uncomfortable and unsafe condition.