

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	381
Address:	544-550 Massachusetts Avenue
Zoning:	Business B (BB) / Central Square Overlay District
Applicant:	Central Square Redevelopment LLC 44 Bearfoot Road, Northborough, MA 01532
Owner:	Central Square Redevelopment LLC 44 Bearfoot Road, Northborough, MA 01532
Application Date:	August 3, 2021
Date of Planning Board Public Hearing:	8/31/2021, 5/24/2022, 8/16/2022
Date of Planning Board Decision:	August 16, 2022
Date of Filing Planning Board Decision:	October 25, 2022
Application:	Exclusion of basement gross floor area (GFA) from total GFA calculation (2.000); Additional height in Central Square Sq. Overlay (20.304.2.2(a)); Additional floor area ratio (FAR) for residential uses (20.304.3); FAR Exemption for Rooftop Spaces (20.304.3.6); Waiver of yard setback requirements (20.304.4.1); Waiver of private open space requirements (20.304.4.2); and Waiver of parking and loading requirements (20.304.63(b)) to construct a residential addition of 27 dwelling units to the existing commercial building footprint with total GFA of 18,988 square feet with exemptions allowed by the special permits.
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 8/3/2021, containing *inter alia*, Volume 1 dated 7/20/2021 – Narrative Materials including, Special Permit Cover Sheet, Dimensional Form, Ownership Certificates, Community Outreach Summary, Project Narrative, and Zoning Summary; Volume 2 – Graphic Materials including plan set prepared by Carr, Lynch and Sandell, Inc., dated 4/28/2021; and Volume 3 – Notes and Reports to Application.
2. Revised Special Permit Application submitted on 8/24/2021, containing *inter alia*, Volume 1 dated 7/6/2021 – Narrative Materials including, Special Permit Cover Sheet, Dimensional Form, Ownership Certificates, Community Outreach Summary, Project Narrative, and Zoning Summary; Volume 2 – Graphic Materials including plan set prepared by Carr, Lynch and Sandell, Inc., dated 4/28/2021 and revised through 8/23/2021; and Volume 3 – Notes and Reports to Application.
3. Presentation slides shown to the Planning Board on 8/31/2021.
4. Revised Special Permit Application submitted on 7/7/2022, containing *inter alia*, Volume 1 dated 7/6/2022 – Narrative Materials including, Special Permit Cover Sheet, Dimensional Form, and Project Updates; Volume 2 – Graphic Materials including plan set prepared by Clifford Schorer and Carr Lynch & Sandell, Architects, dated 4/24/2022; and Volume 3 dated July 2022 – Notes and Reports to Application.
5. Revised Special Permit Application submitted on 8/1/2022, containing *inter alia*, Volume 1 revisions dated 7/31/2022 – Narrative Materials including, Special Permit Cover Sheet, Dimensional Form, Ownership Certificates, Community Outreach Summary, Project Narrative, and Zoning Summary; Volume 2 – Graphic Materials including plan set prepared by Clifford Schorer and Carr Lynch & Sandell, Architects, dated 4/24/2022 and revised through July 2022; and Volume 3 dated July 2022 – Notes and Reports to Application.
6. Presentation slides shown to the Planning Board on 8/16/2022.

City of Cambridge Documents

7. Memorandum to the Planning Board from Katherine F. Watkins, City Engineer, Department of Public Works (DPW), dated 8/26/2021.
8. Memorandum to the Planning Board from Community Development Department (CDD) staff, dated 8/26/2021.
9. Memorandum to the Planning Board from CDD staff, 8/10/2022.

Other Documents

10. Email communication to the Planning Board from Jackson Moore-Otto, dated 8/27/2021.
11. Email communication to the Planning Board from Paul E Fallon, dated 8/28/2021.
12. Email communication to the Planning Board from Callie Chapman, dated 8/30/2021.
13. Email communication to the Planning Board from Peter DiMuro, dated 8/30/2021.

14. Email communication to the Planning Board from Carol O’Hare, dated 8/15/2022.
15. Letter to the Planning Board from the Central Square Advisory Committee, 8/26/2021.
16. Letter to the Planning Board from the Central Square Advisory Committee, 6/30/2022.
17. Notice of Extension of Time to February 28, 2022, dated 11/10/2021.
18. Notice of Extension of Time to May 28, 2022, dated 1/27/2022.
19. Notice of Extension of Time to August 30, 2022, dated 5/25/2022.
20. Notice of Extension of Time to October 31, 2022, dated 8/25/2022.

APPLICATION SUMMARY

The Application proposes to construct an addition to the existing building at 544-550 Massachusetts Avenue to create 27 dwelling units. The residential use will be located on the second through sixth stories of the building. The ground story will continue to be retail use and the basement will contain a community room as well as other tenant amenities (e.g., bicycle parking, storage, laundry). There will be a common roof deck and building mechanical equipment located on the roof. The total gross floor area (GFA) of the project is 18,988 square feet and the building height is 66.5 feet. The project will not provide off-street parking, but it will provide 32 long-term bicycling parking spaces on-site, a payment in lieu of providing short-term bicycle parking on-site, and a suite of residential Transportation Demand Management (TDM) measures.

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 Exclusion of basement GFA from total GFA calculation (Section 2.000)

The Zoning Ordinance allows that the definition of Gross Floor Area may be modified by special permit as set forth below.

Gross Floor Area shall not include: ...

(16) Any basement or cellar living space in any other type of structure with the issuance of a special permit. In granting such a special permit, the permit granting authority may approve the exemption of any portion of Gross Floor Area (GFA) located in a basement or cellar from the calculation of GFA, provided the permit granting authority finds that the uses occupying such exempted GFA support the character of the neighborhood or district in which the applicable lot is located.

The proposal for the basement includes a laundry room, community room, and bicycle storage for residents of the building as well as storage for the restaurant use. All of these uses support the character of Central Square, which is a mixed-use neighborhood that includes apartments, restaurants, retail stores, and community-serving uses. The Permittee has expressed a willingness to work with the Central Square Business Improvement District and other community-serving organizations to program the community room.

2. Special Permit for additional building height in Central Square Overlay District (Section 20.304.2.2(a))

20.304.2 Building Height Limitations. The maximum heights of buildings in the Central Square Overlay District shall be governed by the regulations of this Section 10.304.2; however, at locations where the base zoning district establishes a more restrictive height limitation, the more restrictive shall apply

2. Special permit for Additional Height. Additional height may be permitted as follows:

(a) The maximum allowable height in the Central Square Overlay District may be increased up to eighty (80) feet upon issuance of a Special Permit by the Planning Board provided that those portions in excess of sixty (60) feet are set back from the street line at least ten (10) feet and that those portions are also set back from one or more forty-five degree (45°) bulk control planes beginning sixty (60) feet above any streetline in the district and rising over one or more lots at a forty-five degree (45°) angle.

The proposed addition will increase the building height to 66.5 feet with portions above 60 feet set back at least 10 feet from the street line and along a 45-degree angle from the street line. The new addition's height is compatible with other buildings in the area. In particular, the slight stepbacks of the new fourth and fifth floors of the Massachusetts Avenue façade and the larger sixth floor stepback defer to the neighboring Odd Fellows Hall.

3. Special Permit for Additional FAR for residential uses (Section 20.304.3.4)

20.304.3 Floor Area Ratio Limitation. The maximum Floor Area Ratio (FAR) limitations established in the applicable base zoning district shall continue to apply to any lot in the Central Square Overlay District unless specifically modified by the following provisions:

4. Additional FAR for Residential Uses

Upon issuance of a special permit, the Planning Board may increase the allowed FAR on any lot or portion of a lot located within the Business B (BB) portion of the Central Square Overlay District to a total FAR of 4.00 for all non-residential and residential uses combined, notwithstanding the Rules for Calculation of Permitted Gross Floor Area on a Lot as set forth in Section 5.30.12, provided that the maximum FAR permitted for non-residential uses on a lot shall not exceed the limitation on non-residential FAR applicable in the base zoning district and that the proposed FAR of all non-residential uses on the lot shall not exceed the proposed FAR of all residential uses on the lot.

The project has a FAR of 4.32; the proposal is an Inclusionary Housing Project and so the maximum allowed FAR for this site is 5.20, which includes the bonus for Inclusionary Housing. The FAR of all non-residential uses is 0.50, which does not exceed the FAR of all residential uses on the lot, 3.83.

4. Special Permit for FAR Exemption for Rooftop Spaces (Section 20.304.3.6)

20.304.3.6 FAR Exemption for Rooftop Spaces. In the Business B district only, notwithstanding any other provisions of this Zoning Ordinance, the Gross Floor Area of open-air spaces on the roofs of buildings, such as roof gardens, terraces, walk ways, including open or enclosed egresses, covered staircases, mechanical head-houses, or observation spaces shall be exempted from Gross Floor Area and FAR limitations upon the granting of a special permit by the Planning Board. In granting any special permit, the Planning Board must be able to find that the proposed rooftop spaces have been located and designed to minimize impacts on neighboring uses, including but not limited to light trespass, noise or other nuisance, and may place further requirements or conditions on the design or operational aspects of spaces exempted pursuant to this Paragraph, including but not limited to hours of operation, range of activities permitted, signage and lighting fixtures, visual screening devices, sound mitigation, and other measures to ensure ongoing compliance with the Board's findings.

The proposed rooftop spaces have been located and designed to minimize impacts on neighboring uses. The resident deck is centrally located on the roof and will be buffered on one side by the headhouse. A maximum of 10 occupants will be allowed on the roof deck at any one time.

5. Special Permit for Waiver of yard setback requirements (Section 20.304.4.(1))

20.304.4(1) Yard Setbacks. Upon issuance of a special permit from the Planning Board the yard requirements of a base zoning district may be waived except where such yard abuts a lot, but not a public way, outside the Overlay District. However, in waiving or reducing a front yard setback, the Planning Board shall take into account the width of the adjacent public sidewalk and may limit the reduction of the setback in order to provide additional sidewalk width within the front yard setback where appropriate, taking into account applicable City standards and expected pedestrian traffic on the street.

The base zoning for this site, Business B, does not require any setbacks. However, since residential uses in Business B zoning districts must follow the same dimensional requirements and other restrictions as residential uses in Residence C-3 zoning districts per Section 5.28.1, this project would require front, side, and rear yard setbacks. The existing building does not have any setbacks since it extends to the lot line on the Massachusetts Avenue frontage and shares a party wall with buildings on its other three elevations. The facade of the existing building contributes to the definition of the street in its alignment, its materials, and general format. By preserving it, the project maintains the streetwall, provides

spaces for ground floor active uses fronting directly onto the sidewalk, and will help preserve the character of Central Square.

6. Special Permit for Waiver of private open space requirements (Section 20.304.4.(2))

20.304.4(2) Private Open Space. Open Space shall be provided as required in the Base Zoning District, however the Planning Board may allow, by Special Permit, the reduction of required Open Space, and permit such Open Space to be located at levels other than at grade if the applicant can demonstrate that the urban design objectives as set forth in the Central Square Overlay District can be met.

The base zoning for this site, Business B, does not require any open space. However, since residential uses in Business B zoning districts must follow the same dimensional requirements and other restrictions as residential uses in Residence C-3 zoning districts per Section 5.28.1, this project would need to provide private open space on the lot. The project is providing some open space in the form of balconies and a roof deck; however, it is not providing any open space at grade. In order to provide at-grade open space, the building would need to be set back from the property line, which would be out of character with development in Central Square and run counter to urban design guidelines for the area.

7. Special Permit for Waiver of parking and loading requirements (20.304.6.3(b))

20.304.6(3). Zoning Waiver of Parking and Loading Requirements. Uses in the Central Square Overlay District which meet the following requirements shall be exempt from the parking and loading requirements as specified in Section 6.36 - Schedule of Parking and Loading Requirements and the minimum requirements set forth in Paragraph 2 above.

(a) The use is contained within a structure or portion of a structure in existence on or before June 1, 1940 or if constructed later is identified as a National Register or contributing building; or

(b) The use is contained in a new structure or new addition to a structure identified in (1.) above, after the issuance of a special permit by the Planning Board provided:

(i) The total development authorized on the site is reduced to ninety (90) percent of the maximum permitted on the lot; or a cash contribution is made to the Central Square Improvement Fund to be established by the City of Cambridge in an amount equal to fifty (50) percent of the cost of construction of the parking spaces not provided, said contribution to be used by the City of Cambridge for one or more of the following improvements in the Central Square Overlay District:

- (1) Provision of public parking, preferably for short term users;*
- (2) Programming, events, and infrastructure that contribute to the Cultural District established in Central Square;*
- (3) Improvements to public parks, or restoration of historic structures, monuments and other features owned by the City of Cambridge or other public agency or a nonprofit organization;*

(4) Improvements to public pedestrian and bicycle facilities such as sidewalks, crosswalks, dedicated cycling paths and bicycle parking. The Central Square Advisory Committee shall receive and make comments on any proposal for the expenditure of such cash contributions. The funds shall not be used for ordinary maintenance activities normally undertaken by the City of Cambridge. The value of the cash contribution shall be determined by the Community Development Department assuming equivalent structured parking spaces and using generally accepted cost estimation methods customarily used by architects and engineers or using actual construction costs for comparable contemporary parking construction in Cambridge.

(ii) The subject lot is sufficiently small in size as to contribute to a development pattern of diverse, small scale, new structures and the retention of existing structures (for lots exceeding 10,000 square feet a specific finding shall be made that this objective has been met).

(iii) The Planning Board shall specifically find that an exemption from parking and loading requirements will result in a building design that is more appropriate to its location and the fabric of its neighborhood and that it is in conformance with the objectives and criteria contained in Central Square Development Guidelines.

(iv) No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and

(v) No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

The project has a FAR of 4.32, which is 83% of the total amount of development allowed on the lot. In addition, the Applicant has committed to a suite of Transportation Demand Management (TDM) measures to encourage residents to use sustainable modes of travel instead of owning a car.

8. 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 ...

Upon granting of the requested special permits, it appears that the requirements of the Ordinance will be met.

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

No changes to patterns of access or egress are anticipated that would cause substantial adverse impact as a result of the addition of 27 residential units.

(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 development is consistent with the zoning requirements for the area and the proposed residential addition will not adversely impact the operation or development of adjacent uses.

(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 development will not cause nuisance or hazard and will be conducted in accordance with all applicable health and safety requirements.

(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 uses are fully consistent with the anticipated character of the district as established through the City's planning and zoning.

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

The proposed development is generally consistent with the Citywide Urban Design Objectives by preserving and adding to the existing pattern of development in Central Square, prioritizing pedestrian and bicycle access, mitigating impacts on City infrastructure and adjacent uses, preserving historic resources, and adding to the inventory of housing in the city.

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, except as modified by the additional Conditions of this Special Permit Decision. The project plans hereby approved by the Planning Board are the plan set prepared by Clifford Schorer and Carr Lynch & Sandell, Architects, dated 4/24/2022 and revised through July 2022. Appendix I summarizes the dimensional features of the project as approved.
2. The Planning Board approves the uses as described and depicted in the Application Documents, which include ground story retail use with multifamily residential use on the upper stories and a community room in the basement. Any future use that is permitted by zoning shall require approval from the Planning Board.
3. 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.
4. 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. Review of all new exterior materials: color, texture, and details.
 - b. Review of the proportions and mullion patterns and sections of the new windows.
 - c. Review by the Cambridge Historical Commission as well as the Community Development Department of:
 - i. Restoration/repair/alterations to the existing façade, including masonry repair and window replacement, the roof level and second floor level cornices, the detailed design of the ground floor facade and retail shopfronts, the residential entrance, the gate for the alley, and any adjustments that may be needed for accessibility.
 - ii. Preservation of, or repairs to, the existing signage if that is undertaken.
 - d. Review of the rooftop trellis’s design and materials.
 - e. Review of any exterior lighting.
 - f. Review of existing and proposed mechanical equipment and its visual and acoustical screening.
 - g. Collaboration with the Cambridge Arts Council regarding the proposed mural.
 - h. Review of the long-term bicycle storage room and the route to it.

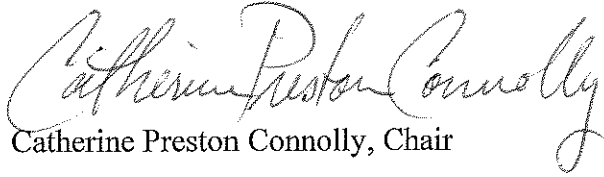
- i. Location of trash and recycling storage for both residents and retail tenants, and the route to where it will be picked up.
 - j. Design of rooftop deck, trellis, and railing.
5. Prior to the final selection of colors and textures for façade materials, the Permittee shall make available a mock-up(s) of an exterior wall section, including rooftop screening elements, to be reviewed by CDD for comment. Members of the Planning Board shall be notified when the mock-up is erected and given an opportunity to view the materials and transmit any comments to CDD. The mock-up's location shall be coordinated with CDD staff prior to construction.
6. Prior to the issuance of a Building Permit, the Permittee shall conduct at least one consultation with the Central Square Business Improvement District (BID), the Cambridge Arts Council, and other cultural and human-service organizations in Central Square to solicit feedback on the design and programming of the basement community room. The Permittee shall provide CDD and the Arts & Cultural Planning Director with documentation describing what consultations were held, what parties attended or otherwise participated, what topics were discussed, and what comments and suggestions were made, along with a written description of the proposed use of the space. Prior to the issuance of a Certificate of Occupancy, the Permittee shall provide CDD and the Arts & Cultural Planning Director with a final plan for the design and programming of the basement community room that includes additional details on the operation of the space, including but not limited to hours of availability, access standards, and booking procedures. This Special Permit shall be conditioned upon ongoing compliance with the approved plan.
7. The Permittee shall make a contribution to the City's Public Bicycle Parking Fund to support the installation or replacement of public bicycle parking in the future in accordance with Section 6.104.2 Paragraph (b) of the Cambridge Zoning Ordinance.
8. The Permittee shall implement the following minimum TDM measures, which are generally consistent with requirements for residential Transportation Demand Management and detailed in the CDD memo dated August 10, 2022:
 - a. To establish the habit of using mass transit, offer each adult member of each household (up to two) upon move-in a Charlie Card loaded with a bus/subway pass paid at 100% of the cost of the pass for two consecutive months. For condominiums, this benefit will apply to original condominium owners only. For apartments, this benefit will end after two months for the household after using the program and begins anew upon unit turnover.
 - b. Offer each adult member of each household (up to two) upon move in a one-year Gold-Level Bluebikes membership. This benefit will end after one year for the household and begins anew upon turnover.
 - c. Prior to the issuance of a Certificate of Occupancy, provide bicycle parking without a charge to users, along with air pumps and other bike repair tools near bicycle parking areas.
 - d. Prior to the issuance of a Certificate of Occupancy, designate a Transportation Coordinator to manage TDM programs for the site, and to coordinate with the city

- and local Transportation Management Associations and oversee the marketing and promotion of transportation options to all residents at the site in a variety of ways:
- i. Posting information in a prominent location in the building and on the Project's website, social media, and property newsletters.
 - ii. Responding to individual requests for information in person and via phone and email.
 - iii. Provide one new resident packet of transportation information to all units upon move-in. Transportation information packets may be purchased from the Community Development Department.
- e. Prior to the issuance of a Certificate of Occupancy, either install a real-time multi-modal display screen in a permanent and central location for residents to show arrival times and availability for nearby buses, trains, shuttles, Bluebikes, and carshare vehicles, etc. or establish a transportation information center located in an area that is central, visible, and convenient and equally accessible to all residents. An information center shall feature information on:
- i. Available pedestrian and bicycle facilities in the vicinity of the Project site.
 - ii. MBTA maps, schedules, and fares.
 - iii. Bluebikes regional bikeshare system.
 - iv. Carsharing.
 - v. Ride-matching; and,
 - vi. Other pertinent transportation information.
9. All plantings proposed in the public right-of-way shall be in accordance with the Tree Planting Standards and the Urban Forestry Master Plan, subject to approval by DPW.
10. The Permittee shall be required to prepare and implement a Construction Management Program in accordance with Section 18.20 of the Zoning Ordinance, which shall be reviewed and certified by TP&T and DPW prior to issuance of a Building Permit for development authorized by this Special Permit. Such a program shall include, in addition to the specific items required by said Section 18.20:
- a. A plan for site remediation in accordance with applicable local, state and federal requirements;
 - b. Identification of all work to take place in the public right of way including but not limited to potential impacts to existing public shade trees to be coordinated early in the design process with the City Arborist; and
 - c. A community outreach program including, at a minimum, the following elements:
 - i. An identified point of e-mail and telephone contact to respond to community questions and feedback throughout the construction process;
 - ii. A system for communicating ongoing project updates, which may include a web page, e-mail list, social media presence, direct outreach, and/or other measures; and
 - iii. One or more signs posted on-site, legible from the public way, providing the information above along with a brief description of the project, the amount of commercial space, an expected completion date, and a rendering of the street-facing elevations.

11. The project shall be subject to the applicable Inclusionary Housing requirements set forth in Section 11.203 of the Cambridge Zoning Ordinance.
12. 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 requested Special Permits were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Mary Flynn, and Hugh Russell, constituting at least two thirds of the members of the Board.

For the Planning Board,



Catherine Preston Connolly, Chair

A copy of this decision PB-381 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 October 25, 2022 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)	4,394	5,000	4,394	No Change
Lot Width (ft)	49.98, 50	50	49.98, 50	No Change
Total GFA (sq ft)	7,879	22,848	18,988	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	17,576	11,534	
Non-Residential Base	7,879	12,083	2,181	
Inclusionary Bonus	n/a	5,272	5,273	
Total FAR	1.80	5.20	4.32	Consistent with Application Documents and applicable zoning requirements
Residential Base	0	4.00	3.26	
Non-Residential Base	0.56	2.75	0.50	
Inclusionary Bonus	n/a	1.20	0.57	
Total Dwelling Units	0	19	27	Consistent with Application Documents and applicable zoning requirements
Base Units	n/a	14	22	
Inclusionary Bonus Units	n/a	5	5	
Base Lot Area / Unit (sq ft)	n/a	300	200	
Total Lot Area / Unit (sq ft)	n/a	231	163	
Height (ft)	42	55	66.50	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	0	[based on formula]	0	
Side Setback (ft)	5	[based on formula]	0	
Side Setback (ft)	0	[based on formula]	0	
Rear Setback (ft)	0	[based on formula]	0	
Open Space (% of Lot Area)	0	9%	0	Consistent with Application Documents and applicable zoning requirements
Private Open Space (sq ft)	0	396	795	
Permeable Open Space (sq ft)	0	0	0	
Off-Street Parking Spaces	0	14	0	Consistent with Application Documents and applicable zoning requirements
Long-Term Bicycle Parking	0	28	32	
Short-Term Bicycle Parking	0	3	0	
Loading Bays	0	0	0	

