

Case #71

Premises: 69 Harvey Street Trust

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Zoning District: Industry A-1

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Petitioner: 69 Harvey Street Trust
CAMBRIDGE MA.

Application Date: May 19, 1987

Date of Hearing: June 2, 1987

Petition: Special Permit for multi-family use in an Industrial A-1 District; Special Permit to alter a non-conforming structure; Variations in density of units allowed; Special Permit for reduction in parking provided; Variations in the landscaping and setback requirements for provided parking: Sections 4.30, 8.22, 10.45, 6.35.

Date of Planning Board

Decision: August 14, 1987

Application:

The following documents were submitted in support of the application.

1. Application form certified complete on May 19, 1987.
2. Floor plans and elevations entitled "69 Harvey Street Condominiums, Cambridge"; Douglas Okun and Associates; Sheets 1-2; dated 1/9/87; scale 1"=8'.

Other Documents

1. Revised site plan entitled "69 Harvey Street proposed parking/curb cuts", Douglas Okun and Associates, Inc.; scale 1"=20'; dated 7/15/87.
2. Elevation Sketch, entitled "69 Harvey Street, Elevation East Property Line"; Douglas Okun and Associates; dated 7/15/87.
3. Letter to Paul Dietrich from Lauren Preston dated June 1, 1987 expressing reservations concerning the parking layout.
4. Letter to Paul Dietrich from Peter Kasch and Kate Mattes, dated June 2, 1987, of final decision requesting postponement.
5. Letter to the Planning Board from Thomas Danehy dated May 26, 1987 supporting the proposal.

6. Letter to the Planning Board from Olivia Golden, dated July 11, 1987, expressing reservations by the North Cambridge Stabilization Committee.
7. Letter to Paul Dietrich from Lauren Preston, dated August 5, 1987 commenting on revised parking plan.

Public Hearing

A public hearing was held on June 2, 1987. The applicants explained that twelve units of housing are proposed on the upper three floors. Four office suites are proposed for the first floor.

Parking would be provided in the front of the building and in the rear.

No one spoke in support of the application; abutters and nearby residents generally opposed the project as proposed, some wishing fewer units; immediate abutters objected to the proposed parking solutions which would provide access for parking in the rear of the building. In general residents preferred fewer units or non-residential alternate uses.

Findings

1. The existing building is non-conforming as to gross floor area and setbacks as well as to the number and location of parking facilities.
2. The existing conditions are grandfathered. Rehabilitation to office or industrial use would be permitted without public review.
3. 69 Harvey Street is located in an industrial zone which can only be serviced through the abutting residential neighborhood. The IA-1 zone was created to encourage the conversion of such antiquated industrial areas to residential use.
4. The Board finds that the long term interests of the neighborhood and City lie with conversion of this building and abutting industrial areas to residential use. The housing density requested from the ten permitted to twelve units is reasonable given the existing floor area in the building.
5. The building is poorly sited to provide for a reasonable arrangement of parking. The maximum feasible number of spaces should be provided consistent with public safety and due consideration for the impact of such facilities on abutters. Therefore, the Board finds it appropriate to

require only that number of spaces as the Department of Traffic and Parking determines to be physically feasible. As a maximum number of parking spaces possible were desired by the neighborhood, the Board also finds it appropriate to grant variations in the requirement for parking setback and landscaping necessary to accommodate the proposed parking.

Decision

After review of the information presented in the application and at the public hearing, comments made by staff of the Community Development Department, other information presented to the Board and a visit to the site, the Planning Board GRANTS a Multi-family Special Permit, GRANTS a Special Permit for alteration of a non-conforming structure, GRANTS a Special Permit for reduction in required parking, GRANTS variations in the dimensional and landscaping requirements of Article 6.000, as permitted in Section 10.45, and GRANTS a variation in the lot area per dwelling unit required in the IA-1 District, Section 5.34, to permit twelve units of housing (1 unit/1006 sq ft) as described in the application documents referenced above, subject to the following conditions:

1. The final plans submitted to the Inspectional Services Department for building permits shall be in general conformance with the plans submitted with the application, except as modified by this Decision.
2. The development shall continue to be subject to the standard design review by the Community Development Department. The Department shall certify to the Superintendent of Buildings that final plans conform to the requirements of this Decision before issuance of any building permit.
3. The permittee shall submit a detailed parking plan and a detailed landscape plan to the Community Development Department for approval prior to issuance of any building permit. The parking layout shall be satisfactory to the Traffic and Parking Department as to placement of spaces and access. The landscape plan shall include a sturdy fence, as proposed in documents submitted to the Board along the easterly boundary, the installation of quality fencing at other appropriate locations along the property lines and such other plant and quality paving materials as are appropriate to mitigate the negative impacts of the provided parking on abutters and the general public.
4. Conversion of any residential unit to other uses shall require approval of the Planning Board after a public hearing.

Voting to grant the Special Permits were Paul Dietrich, Alfred Cohn, Carolyn Mieth, David Kennedy and Acheson Callahan representing more than two thirds the members of the Board.

For the Planning Board,

A handwritten signature in cursive script that reads "Paul Dietrich".

Paul Dietrich
Chairman

PD/LB/gb

ATTEST: I, _____, duly authorized representative of _____, have read this decision prior to action by the Planning Board and hereby agree to the foregoing conditions as approved by the Planning Board. (PUD only)

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 (20) 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 August 31, 1987 by Elizabeth J. Malenfant, 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 (20) days have elapsed since the filing of this decision. No appeal has been filed.

Date _____
City Clerk, City of Cambridge