



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2022 MAR 22 PM 12:00
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION

Case Number:	82 Amendment-1
Address:	100 Cambridgepark Drive
Zoning:	Office 2A (O-2A), Alewife Overlay District 6 (AOD-6), Flood Plain Overlay District
Applicant:	PPF OFF Cambridge Park Drive LLC, 1585 Broadway, 37 th Floor, New York, NY 10036
Owner:	PPF OFF Cambridge Park Drive LLC, 1585 Broadway, 37 th Floor, New York, NY 10036
Application Date:	Date
Date of Planning Board Public Hearing:	February 8, 2022
Date of Planning Board Decision:	February 8, 2022
Date of Filing Planning Board Decision:	March 22, 2022
Application:	Amendment to Special Permit Decision granted on September 7, 1988 for development in the Flood Plain Overlay District (Section 20.70) to allow landscaping improvements including plantings, stonework, and natural sculptural elements.
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 Amendment Application submitted on 1/27/2022, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Project Narrative, Order of Conditions issued by Cambridge Conservation Commission, stormwater control permit, and site improvements plan set prepared by Gensler dated 8/30/2018 and updated through 5/18/2021.
2. Presentation slides shown to Planning Board on 2/8/2022.

City of Cambridge Documents

3. Memo to the Planning Board from Katherine F. Watkins, City Engineer, dated 1/26/2022.
4. Memorandum to the Planning Board from Community Development Department staff, dated 2/1/2022.

APPLICATION SUMMARY

Special permit PB-82, granted in 1988, authorized the construction of a five story office building and the expansion of an open air parking lot within the Flood Plain Overlay District at 100 Cambridgepark Drive pursuant to a Flood Plain Special Permit. A portion of the site is located within the Flood Plain Overlay District, which encompasses areas designated as Flood Hazard Zones A and AE on the Middlesex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA). The current application seeks an amendment to the original Decision to allow alterations to landscaping that includes plantings, stonework, and natural sculptural elements.

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 building construction in Flood Plain Overlay District (Section 20.70)

Because the original Special Permit Decision involved the granting of a Flood Plain Special Permit, the Board makes the following findings regarding the effects of the proposed Amendment on the criteria for issuance of a Flood Plain Special Permit.

20.75 Criteria. The Planning Board shall grant a Special Permit for development in the Flood Plain Overlay District if the Board finds that such development has met all of the following criteria in addition to other criteria specified in Section 10.43:

- 1. No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these Special Flood Hazard Areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited to, flood water retention systems as allowed by applicable law.*
- 2. Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot, on an abutting lot in the same ownership, on a noncontiguous lot in the same ownership, or in accordance with the following requirements.*
- 3. All flood water retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of flood water retention systems to create a safe, healthful, and pleasing environment.*
- 4. The proposed use shall comply in all respects with the provision of the underlying zoning district, provisions of the State Building Code, Wetlands Protection Act, and any other applicable laws.*
- 5. Applicants for development in the Alewife area shall be familiar with area-specific and general city-wide land use plans and policy objectives (e.g. Concord-Alewife Plan, A Report of the Concord Alewife Planning Study, November 2005; Toward a Sustainable Future, Cambridge Growth Policy, 1993, Update, 2007; Section 19.30 - Urban Design Objectives of this Zoning Ordinance) and shall demonstrate how their plan meets the spirit and intent of such documents in conjunction with the requirements of this Section 20.70 - Flood Plain Overlay District and Section 20.90 – Alewife Overlay Districts 1-6.*
- 6. The requirement of Section 20.74(3) has been met.*

No buildings are proposed in the floodplain and the project is not expected to result in any negative impact on flood storage. The applicant proposes adding an additional 1,702 cubic feet of flood storage to the site. The Applicant has provided floodplain certification and

discussed the project with the City Engineer, who has provided a letter commenting on the project. The Department of Public Works has approved the plans as consistent with the objectives and requirements of the Flood Plain Overlay District as outlined in Section 20.70 of the Zoning Ordinance and issued a Stormwater Control Permit on 12/2/2019. Conservation Commission issued an Order of Conditions on 1/27/2020 for the project.

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 ...

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 ...

The proposed change will not create any new congestion, hazard, or change in neighborhood character. Patterns of access and egress are not changed since the original Special Permit Decision.

(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 use will not affect the adjacent permitted 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 use change will not create nuisance or hazard, and all development activity will be subject 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 use fits the existing and anticipated pattern of development in addition to enhancing the integrity of the district.

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

The Board finds no inconsistency with the citywide urban design objectives. The urban design objectives are generally supported in the proposal by a variety of seating and gathering areas connected by a series of walkways. The naturalistic design theme seems appropriate within the context of the nearby Alewife Brook Reservation, creating varied environments and experiences for users while also softening the harsh lines of the office buildings.

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 building and site development shall be in substantial conformance with the plan set dated 8/30/2018 and updated through 5/18/2021, provided in the Application Documents. Significant alterations in the site plan, landscaping features, parking lot layout and grading, and proposed storm drainage systems shall require approval from the Planning Board.
2. 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.
3. The Permittee shall address the following design 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. Impact of the pavilion and work pods on open space and flood water retention.
 - b. Whether any proposed new paths or paving can be made impervious.
 - c. Landscape design details, including species selection, locations of trees and other plantings, and details of hardscape, benches, and other features.
 - d. Confirmation that the walkways are universally accessible.
4. The Permittee shall provide a revised dimensional form and any necessary supporting plans to verify compliance with the applicable standards of the underlying zoning district and Alewife Overlay District 6 (AOD-6) by providing.
5. Except as explicitly set forth above in this Special Permit Decision, all other Conditions set forth in the previously granted Special Permit Decision PB-82 shall continue to apply.

Voting in the affirmative to approve the Special Permit Amendment were Planning Board Members Louis Bacci, Jr., Steven Cohen, H Theodore Cohen, Catherine Preston Connolly, Hugh Russell, Tom Sieniewicz, and Associate Member Ashley Tan, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

A handwritten signature in cursive script that reads "Catherine Preston Connolly". The signature is written in black ink and is positioned above the printed name of the signatory.

Catherine Preston Connolly, Chair.

A copy of this decision PB-82 Amendment-1 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 accurate copy of the above decision has been filed on March 22, 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