



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2022-5539-8 PM 12:14
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 162034

General Information

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Buckingham Browne & Nichols School C/O Cynthia Westerman

PETITIONER'S ADDRESS: 80 Gerrys Landing Road, Cambridge, MA 02138

LOCATION OF PROPERTY: 5 Buckingham Pl., Cambridge, MA

TYPE OF OCCUPANCY: Residential

ZONING DISTRICT: Residential A-2 Zone

REASON FOR PETITION:

/Change in Use/Occupancy/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Request for use variance to allow the use of the parcel for educational uses.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000 Section: 4.50 (Institutional Use).
Article: 4.000 Section: 4.56.C (Use Category- Institutional Uses).
Article: 10.000 Section: 10.30 (Variance)

Original
Signature(s):

(Petitioner (s) / Owner)

Dr. Tara Gohlmann

(Print Name)

Address:

80 Gery's Landing Rd

Tel. No.

617-823-7822

E-Mail Address:

Cynthiawesterman@verizon.net

Date: _____

BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

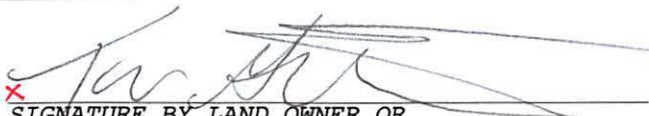
I/We Buckingham Browne & Nichols School
(OWNER)

Address: 80 Gerry's Landing Rd, Cambridge 02138

State that I/We own the property located at 5 Buckingham Place which is the subject of this zoning application.

The record title of this property is in the name of _____
Buckingham Browne & Nichols School

*Pursuant to a deed of duly recorded in the date 11/23/2021 Middlesex South County Registry of Deeds at Book 79212, Page 432 ; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.


SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

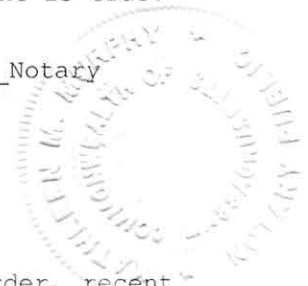
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

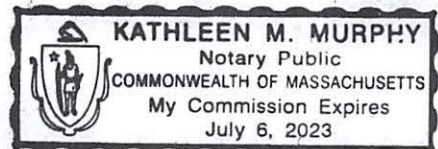
The above-name Tara Gohlmann personally appeared before me, this 7th of February, 2022, and made oath that the above statement is true.

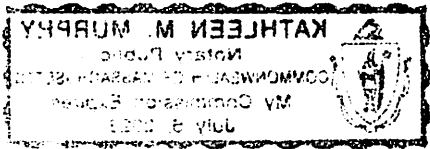
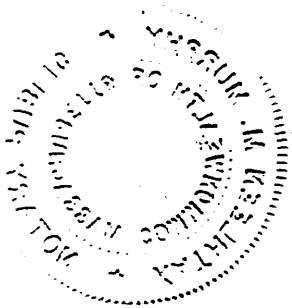
Kathleen M. Murphy Notary

My commission expires July 6, 2023 (Notary Seal).



• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.





Memo

Date: February 7, 2022

To: City of Cambridge Board of Zoning Appeal

From: Tad Heuer

Regarding: BB&N Supporting Statement for Zoning Relief

I. SUMMARY OF REQUESTED RELIEF

Buckingham, Browne & Nichols School (“BB&N” or the “School”) respectfully requests a use variance from Section 4.56(c)(1-3) of the Ordinance, authorizing BB&N to utilize the parcel known at 5 Buckingham Place (Map/Lot 224-35) for daycare, pre-school, kindergarten, or primary school uses (hereinafter “Educational Uses”) and uses accessory thereto.

BB&N recently had the unanticipated opportunity to acquire 5 Buckingham Place, a residential structure that directly abuts its Lower School campus. As part of BB&N’s ongoing master planning process for the Lower School campus, BB&N envisions an adaptive reuse of the property at 5 Buckingham Place, primarily for consolidating existing Lower School administrative staff and uses in the existing structure. As explained in detail below, the School anticipates this use will have minimal, if any, impact on the neighborhood, while allowing BB&N to make significant improvements to the educational program it provides to its youngest learners at the Lower School campus.

However, while the majority of BB&N’s Upper School campus is located within the “Shady Hill School, and Buckingham, Browne, and Nichols School” Institutional Overlay District (“IOD”), *none* of BB&N’s Lower School campus is within an IOD — despite having been the original location of the Buckingham School, and has been located on Buckingham Street and Buckingham Place for over a century. Literal enforcement of Section 4.56(c)(3) of the Ordinance would preclude daycare, pre-school, kindergarten, and primary school uses at 5 Buckingham. The Board has the express authority to grant use variances pursuant to Section 10.13(c) of the Ordinance.

BB&N is *not* requesting dimensional relief as part of this petition, as BB&N does not propose any external changes to the existing structure, or to the parcel itself, that require

relief.¹ Should dimensional relief be required in the future, BB&N will of course request such relief to the extent required by the Ordinance.

II. REASONS FOR REQUESTED RELIEF

BB&N is a preK-12 nonprofit independent educational institution, created in 1974 through the merger of two Cambridge schools: The Browne & Nichols School, a school for boys founded in 1883, and the Buckingham School—coeducational at the youngest grades, and for girls only at the higher grades—established in 1902.

Because of this organic physical development, BB&N does not have a single consolidated campus, but is instead spread across multiple locations in Cambridge and Watertown. The Upper School, serving grades 9 through 12, has since 1948 been located at 80 Gerry's Landing. The Middle School, serving grades 7 and 8, is located on Sparks Street in mid-Cambridge, and the Lower School, serving preK through grade 6, is located on Buckingham Street and Buckingham Place. Central office staff are located in the former Sacred Heart School in Watertown. There are approximately 330 students enrolled in the Lower School, and approximately 50 teachers, staff, and administrators located on site.

The Lower School campus is ensconced in its West Cambridge neighborhood, utilizing a combination of purpose-built structures and adaptively-reused houses, many of which are over a century old. BB&N therefore has extensive experience in being creative with the limited space it has available. However, BB&N's existing square footage is distributed across (and within) its structures in a manner that, while always challenging, is making it increasingly difficult to meet the educational programmatic needs of twenty-first century students and primary school.

The pandemic only accelerated these challenges: the major physical changes required for teaching and learning in a socially-distanced and sometimes remote environment, combined with legal mandates on how classroom space could be used, made clear the School's urgent need to plan for a future that would require not only additional educational programmatic space on campus, but increased use of on-campus outdoor space and green space. To solve this problem in the context of a school located in an existing neighborhood where space is at a premium, BB&N identified a three-pronged solution in its comprehensive master planning process: (1) Construct a new by-right modern programmatic space on existing land currently used as field space, and identify creative reuses and renovation of existing space for programmatic purposes and increasing classroom sizes; (2) reclaim as replacement green space two existing former residential structures currently housing certain administrative functions like admissions, staff dining, staff offices, and lactation facilities; and (3) consolidate those existing administrative functions more efficiently and effectively.

¹ In order to ensure disabled access as required under federal and state law, BB&N intends to build a disabled access ramp, as shown on the attached sketch. Under G.L. c. 40A, § 3, "handicapped access ramps on private property used solely for the purpose of facilitating ingress or egress of a physically handicapped person" are expressly exempt from zoning, and therefore no relief is required.

While the School is moving forward on the first two prongs, the game of musical chairs as to the third prong remains both urgent and unresolved. The School has contemplated dispersing these various administrative uses to various corners of the existing campus, or even moving certain of those functions off-campus, suboptimal though both options would be. Furthermore, the availability of “swing” space is essential in order to minimize disruption to teaching and learning during the anticipated multi-year construction and renovation, but the absence of such proximate space creates additional challenges. However, the unexpected availability of 5 Buckingham Place provided a silver bullet solution. Consolidating existing administrative functions from literally across the street — from their current home at 6 & 10 Buckingham Place to 5 Buckingham Place — would enable the School to unlock the maximum benefits of its master plan to its students and staff, while simultaneously creating minimal if any impact on the existing neighborhood.

Because the School seeks to use 5 Buckingham for educational uses that already exist elsewhere on campus (either for existing students or for existing administrative functions) there will be no increase in either student enrollment or staff headcount on campus as a result of the adaptive reuse of 5 Buckingham. For the same reason, there is not expected to be any increase in either automotive traffic or parking needs above what currently exists on Buckingham Place.

Indeed, the functional uses to which the School expects to put 5 Buckingham are essentially those for which a structure of its size and design is already designed to accommodate. For instance, the School envisions the likelihood of using the kitchen and dining room to allow for the storage and service of staff meals; using existing bedrooms as single or double-occupancy office spaces and a lactation room; using the living rooms as meeting space for staff or student tutorials, using the basement as workshop or art studio space, etc. Moreover, as the prior owner of 5 Buckingham was an accomplished gardener, the lot is lushly vegetated with a master-gardener quality garden space that the School believes offers a significant experiential educational opportunity for its primary school pupils.

Because this petition is for a use variance, BB&N understands from prior petitions pertaining to the Upper School that relief can be granted without being conditioned on the detailed plans and elevations that would be required if the petition sought dimensional relief. While BB&N recognizes the Board’s desire that requests for use and dimensional relief be consolidated where possible, in these particular circumstances — both where it is anticipated that BB&N’s use of 5 Buckingham will not require any dimensional relief, and where *any* hypothetical future construction depends on first obtaining certainty as to whether the parcel may be utilized for Educational Uses — BB&N is seeking only a use variance at this time.

On October 19, 2021, BB&N held an open community meeting to which it invited all abutters to the property and the campus, as well all residents of the Buckingham Street neighborhood, to explain the proposed Lower School campus master plan, including the proposed acquisition and use of 5 Buckingham Place, and respond to any questions.

III. PROPERTY DESCRIPTION

BB&N purchased 5 Buckingham Place on November 23, 2021. This parcel is one of five with a street address on the dead-end unaccepted public way of Buckingham Place, of which BB&N already owns three. It is located in the Residence A-2 district. The parcel currently contains a roughly 3,700 gross square foot Victorian structure, built in 1893, on a lot of approximately 9,500 square feet.

With the exception of any minor exterior improvements required under the federal Americans with Disabilities Act to ensure disabled access, BB&N anticipates that only interior renovations will be required. Moreover, because the educational use of the existing structure is anticipated to primarily involve the transfer of administrative uses from other locations on campus, no additional traffic is anticipated on Buckingham Place. The parcel has two off-street parking spaces, with additional on-street parking located on the existing unaccepted public way.

IV. LEGAL JUSTIFICATION FOR REQUESTED RELIEF

A. Literal enforcement of the provisions of the Ordinance would involve a substantial hardship, financial or otherwise, to BB&N.

A literal enforcement of the provisions of the Ordinance would create a substantial financial, educational, and logistical hardship to BB&N, a nonprofit educational institution that has operated on Buckingham Place for over 130 years — longer than the structure at 5 Buckingham Place has itself been in existence.

In particular, literal enforcement would prohibit BB&N from using the parcel for primary school uses, and would involve a substantial financial and educational hardship for the School and its students. Without the ability to utilize 5 Buckingham for educational uses, it will be exceptionally educationally and financially challenging for the School to restructure its existing century-old campus for a post-pandemic future that will require not only additional on-campus educational programmatic space, but increased on-campus outdoor space and green space as well, even as enrollment remains constant.

As noted above, BB&N's comprehensive master plan identified a creative way to obtain both of these necessary components in an existing neighborhood where space is at a premium, but not without the major hardship of the potential need to disperse and relocate essential administrative uses, including admissions, staff dining, and faculty offices, and not without the further major hardship of disrupting existing educational offerings due to the lack of swing space during construction. Literal enforcement of the provisions of the Ordinance would preclude BB&N from using 5 Buckingham to resolve those issues, requiring BB&N to expend significant financial and logistical resources merely to perpetuate an educationally suboptimal dispersion (or at worst separation) of key administrative facilities from the Lower School campus itself.

B. The hardship is owing to the shape and topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

The structure at 5 Buckingham is a preexisting nonconforming use, constructed significantly into its rear setback. The parking for the locus is also preexisting nonconforming, with 1-2 spots located the front yard setback, on an unaccepted public way. Moreover, as explained in detail above, the hardship is also owing more broadly to the shape and topography of the land and structures that comprise BB&N's existing Buckingham Place campus as a whole, and the attendant challenges of adapting both the School's existing campus footprint — constrained as it is by its West Cambridge neighborhood — and its numerous century-old structures for a post-pandemic future. Obtaining the additional on-campus educational programmatic space and increased on-campus outdoor space and green space required without the ability to utilize a proximate structure like 5 Buckingham will create a significant financial and educational hardship for the School, its students, and its staff.

C. Desirable relief may be granted without substantial detriment to the public good.

The requested use variance may be granted without substantial detriment to the public good. To the contrary, use of the parcel for primary school uses is entirely compatible with the immediate neighborhood in which it is located: Buckingham Place has for over a century been predominantly in institutional use for educational purposes. At a more granular level, Buckingham Place is a short, dead-end unaccepted public way, on which there are only five parcels, four of which have been owned by BB&N and used for primary school uses for decades. As such, nothing about the proposed use would contravene the objectives of the City's institutional growth management plan; indeed, the plan expressly states that "All else being equal, concentration of new institutional activity in areas of existing institutional development is preferable to dispersion or scattered growth of those new activities." The ability of BB&N to focus the use of 5 Buckingham northward toward existing Lower School facilities on the existing dead-end way is entirely in keeping with the plan's objectives, and demonstrates that 5 Buckingham is particularly appropriate for educational uses.

Nor will there be any detriment to the public good owing to detrimental increases in pedestrian travel, vehicular traffic, or parking. Because the reuse of 5 Buckingham will involve the consolidation of existing staff offices from other locations on the Lower School campus, as opposed to adding additional staff, no substantial change from the current vehicular uses of Buckingham Place is anticipated. No change is being proposed to the existing available parking, either on the locus or on the way, nor will the use of 5 Buckingham for educational uses eliminate any residential services or activities in the neighborhood.

In short, the most likely practical outcome of the proposed institutional use of these parcels is that the change will not be noticed by the neighborhood at all. Given the intent of BB&N to pursue adaptive reuse of the existing structures to the extent possible, and to retain the existing features of the property including the garden, it is likely that the transition of 5 Buckingham to being a part of BB&N campus will be imperceptible to the neighborhood at large.

D. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Ordinance.

Section 4.50 of the Ordinance (the Institutional Use Regulations) is the result of a home rule exemption for Cambridge from the provisions of G.L. c. 40A, § 3 (colloquially known as the “Dover Amendment”, which precludes municipalities from enforcing zoning requirements on educational institutions other than “reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements”). Section 4.52 states that the purpose of the Institutional Use Regulations is, in relevant part, as follows:

[To] protect lower density residential neighborhoods from unlimited expansion of institutional activities, to reduce pressures for conversion of the existing housing stock to nonresidential uses, to minimize the development of activities which are different from and incompatible with activity patterns customarily found in lower density residential neighborhoods and to provide a framework for allowing those institutions which are compatible with residential neighborhoods to locate and expand there.

As explained in detail above, BB&N’s petition would not constitute the “unlimited expansion” of institutional activities into lower density residential neighborhoods, as it seeks only to utilize a single structure that is physically adjacent to a century-old existing educational use. The grant of relief would have minimal (if any) effect on the neighborhood at all, and would not increase the pressure to convert existing housing stock to nonresidential uses. Far from introducing incompatible activity patterns into the neighborhood, the existing activity pattern on Buckingham Place is — and has been for decades — one that reflects the rhythms and activities of a children’s day care and primary school.

Because access to the parcel would come exclusively from Buckingham Place (which is already utilized almost exclusively by BB&N because of its ownership of the parcels comprising the north and east sides of the dead-end way), the proposal would not cause congestion hazards or substantial change in established neighborhood character. For the same reasons, additional traffic generated in the neighborhood is anticipated to be minimal, if any. Nor would the continued operation of or the development of adjacent residential uses, or the integrity of the adjoining residential neighborhood, be adversely affected by the grant of a use variance under the circumstances outlined herein, for the reasons articulated above.

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Buckingham Browne & Nichols School

Present Use/Occupancy: Residential

Location: 5 Buckingham Pl., Cambridge, MA

Zone: Residential A-2 Zone

Phone: 617-823-7822

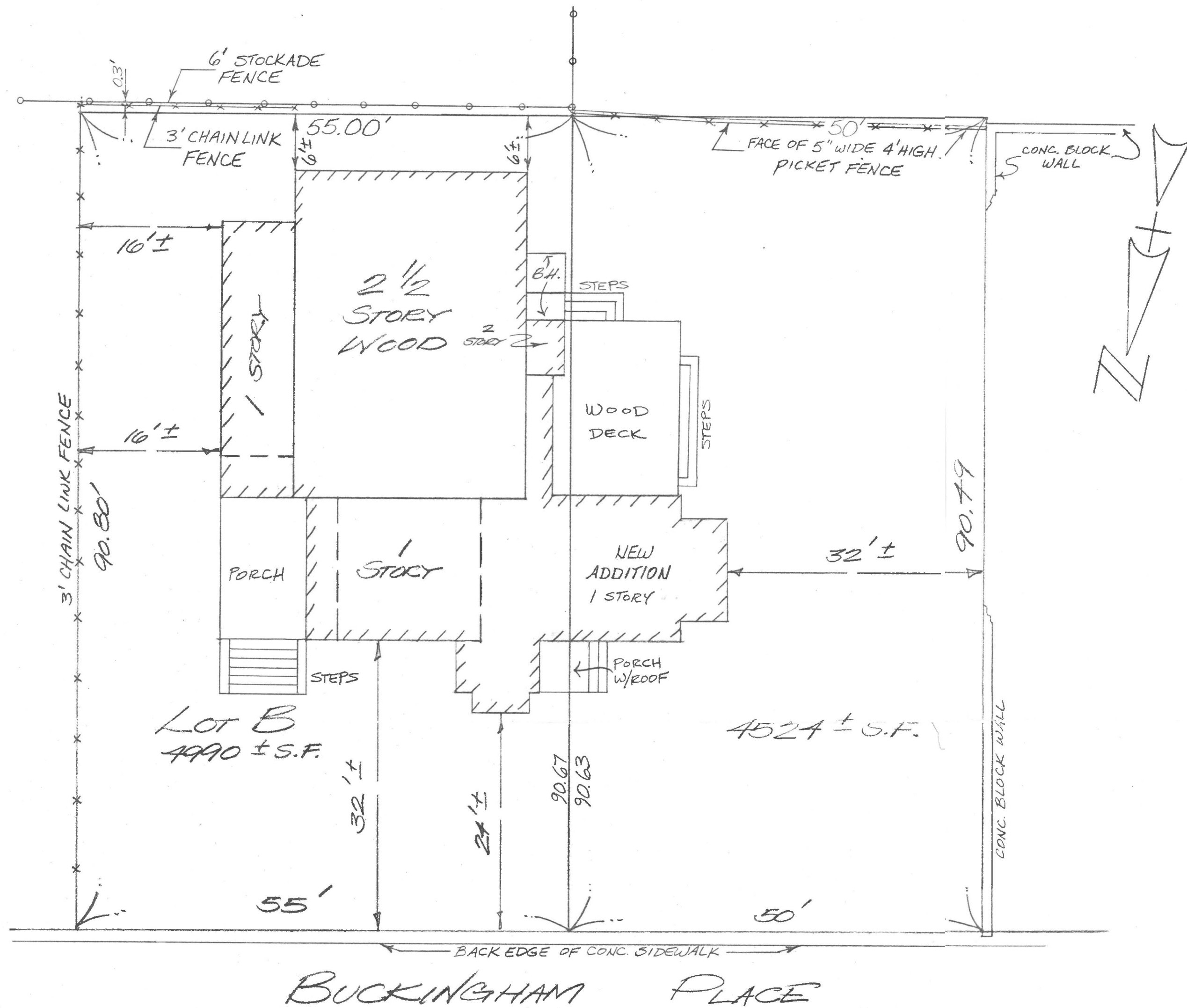
Requested Use/Occupancy: Educational

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		3719	No change	4757	(max.)
<u>LOT AREA:</u>		9513	No Change	6000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.39	No Change	.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>		9513	No Change	6000	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	105	No Change	65	
	<u>DEPTH</u>	90	No Change	?	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	24	No Change	20	
	<u>REAR</u>	5.75	No Change	25	
	<u>LEFT SIDE</u>	15.5	No Change	10' or sum to 25'	
	<u>RIGHT SIDE</u>	31.5	No Change	10' or sum to 25'	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	Unknown	No Change	35	
	<u>WIDTH</u>	60	No Change	?	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		60%	No Change	50%	
<u>NO. OF DWELLING UNITS:</u>		1	n/a	n/a	
<u>NO. OF PARKING SPACES:</u>		2	No Change	n/a	
<u>NO. OF LOADING AREAS:</u>		0	No Change	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		0	n/a	n/a	

Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g; wood frame, concrete, brick, steel, etc.:

n/a

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

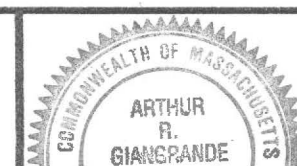


PLAN REFERENCES

MIDDLESEX REGISTRY BK. 24671 PG. 579
 " " BK. 4508 PG. END
 " " P.BK. 70 PLAN 2
 " " BK. 24919 PG. 593
 ASSESSOR'S MAP 224 - LOT NO. 35 & 41

I CERTIFY THAT THE BUILDING SHOWN IS LOCATED APPROXIMATELY ON THE GROUND AS SHOWN AND THAT IT CONFORMS TO THE BUILDING AND ZONING DIMENSIONAL SETBACK REQUIREMENTS OF THE CITY OF CAMBRIDGE WHEN CONSTRUCTED EXCEPT THOSE WHICH WERE WAIVED BY THE CITY OF CAMBRIDGE BOARD OF APPEALS UNDER CASE #6928 DATED AUGUST 18, 1994

CERTIFIED PLOT PLAN
 5 BUCKINGHAM PLACE



DESIGN
 DRAFT L.G./K.T.

Design Consultants, Inc.
 Consulting Engineers and Surveyors



SCALE:
 HORIZ: 1" = 10'

PROJECT NO.
 594-069
 DATE: SEPT. 18, 1995



















Seaport West
155 Seaport Boulevard
Boston, MA 02210-2600

617.832.1000 main
617.832.7000 fax

Memo

Date: February 7, 2022

To: City of Cambridge Board of Zoning Appeal

From: Tad Heuer

Regarding: BB&N Supporting Statement for Zoning Relief

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Indeed, the functional uses to which the School expects to put 5 Buckingham are essentially those for which a structure of its size and design is already designed to accommodate. For instance, the School envisions the likelihood of using the kitchen and dining room to allow for the storage and service of staff meals; using existing bedrooms as single or double-occupancy office spaces and a lactation room; using the living rooms as meeting space for staff or student tutorials, using the basement as workshop or art studio space, etc. Moreover, as the prior owner of 5 Buckingham was an accomplished gardener, the lot is lushly vegetated with a master-gardener quality garden space that the School believes offers a significant experiential educational opportunity for its primary school pupils.

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III. PROPERTY DESCRIPTION

BB&N purchased 5 Buckingham Place on November 23, 2021. This parcel is one of five with a street address on the dead-end unaccepted public way of Buckingham Place, of which BB&N already owns three. It is located in the Residence A-2 district. The parcel currently contains a roughly 3,700 gross square foot Victorian structure, built in 1893, on a lot of approximately 9,500 square feet.

With the exception of any minor exterior improvements required under the federal Americans with Disabilities Act to ensure disabled access, BB&N anticipates that only interior renovations will be required. Moreover, because the educational use of the existing structure is anticipated to primarily involve the transfer of administrative uses from other locations on campus, no additional traffic is anticipated on Buckingham Place. The parcel has two off-street parking spaces, with additional on-street parking located on the existing unaccepted public way.

IV. LEGAL JUSTIFICATION FOR REQUESTED RELIEF

A. Literal enforcement of the provisions of the Ordinance would involve a substantial hardship, financial or otherwise, to BB&N.

A literal enforcement of the provisions of the Ordinance would create a substantial financial, educational, and logistical hardship to BB&N, a nonprofit educational institution that has operated on Buckingham Place for over 130 years — longer than the structure at 5 Buckingham Place has itself been in existence.

In particular, literal enforcement would prohibit BB&N from using the parcel for primary school uses, and would involve a substantial financial and educational hardship for the School and its students. Without the ability to utilize 5 Buckingham for educational uses, it will be exceptionally educationally and financially challenging for the School to restructure its existing century-old campus for a post-pandemic future that will require not only additional on-campus educational programmatic space, but increased on-campus outdoor space and green space as well, even as enrollment remains constant.

As noted above, BB&N's comprehensive master plan identified a creative way to obtain both of these necessary components in an existing neighborhood where space is at a premium, but not without the major hardship of the potential need to disperse and relocate essential administrative uses, including admissions, staff dining, and faculty offices, and not without the further major hardship of disrupting existing educational offerings due to the lack of swing space during construction. Literal enforcement of the provisions of the Ordinance would preclude BB&N from using 5 Buckingham to resolve those issues, requiring BB&N to expend significant financial and logistical resources merely to perpetuate an educationally suboptimal dispersion (or at worst separation) of key administrative facilities from the Lower School campus itself.

B. The hardship is owing to the shape and topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located.

The structure at 5 Buckingham is a preexisting nonconforming use, constructed significantly into its rear setback. The parking for the locus is also preexisting nonconforming, with 1-2 spots located the front yard setback, on an unaccepted public way. Moreover, as explained in detail above, the hardship is also owing more broadly to the shape and topography of the land and structures that comprise BB&N's existing Buckingham Place campus as a whole, and the attendant challenges of adapting both the School's existing campus footprint — constrained as it is by its West Cambridge neighborhood — and its numerous century-old structures for a post-pandemic future. Obtaining the additional on-campus educational programmatic space and increased on-campus outdoor space and green space required without the ability to utilize a proximate structure like 5 Buckingham will create a significant financial and educational hardship for the School, its students, and its staff.

C. Desirable relief may be granted without substantial detriment to the public good.

The requested use variance may be granted without substantial detriment to the public good. To the contrary, use of the parcel for primary school uses is entirely compatible with the immediate neighborhood in which it is located: Buckingham Place has for over a century been predominantly in institutional use for educational purposes. At a more granular level, Buckingham Place is a short, dead-end unaccepted public way, on which there are only five parcels, four of which have been owned by BB&N and used for primary school uses for decades. As such, nothing about the proposed use would contravene the objectives of the City's institutional growth management plan; indeed, the plan expressly states that "All else being equal, concentration of new institutional activity in areas of existing institutional development is preferable to dispersion or scattered growth of those new activities." The ability of BB&N to focus the use of 5 Buckingham northward toward existing Lower School facilities on the existing dead-end way is entirely in keeping with the plan's objectives, and demonstrates that 5 Buckingham is particularly appropriate for educational uses.

Nor will there be any detriment to the public good owing to detrimental increases in pedestrian travel, vehicular traffic, or parking. Because the reuse of 5 Buckingham will involve the consolidation of existing staff offices from other locations on the Lower School campus, as opposed to adding additional staff, no substantial change from the current vehicular uses of Buckingham Place is anticipated. No change is being proposed to the existing available parking, either on the locus or on the way, nor will the use of 5 Buckingham for educational uses eliminate any residential services or activities in the neighborhood.

In short, the most likely practical outcome of the proposed institutional use of these parcels is that the change will not be noticed by the neighborhood at all. Given the intent of BB&N to pursue adaptive reuse of the existing structures to the extent possible, and to retain the existing features of the property including the garden, it is likely that the transition of 5 Buckingham to being a part of BB&N campus will be imperceptible to the neighborhood at large.

D. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Ordinance.

Section 4.50 of the Ordinance (the Institutional Use Regulations) is the result of a home rule exemption for Cambridge from the provisions of G.L. c. 40A, § 3 (colloquially known as the “Dover Amendment”, which precludes municipalities from enforcing zoning requirements on educational institutions other than “reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements”). Section 4.52 states that the purpose of the Institutional Use Regulations is, in relevant part, as follows:

[To] protect lower density residential neighborhoods from unlimited expansion of institutional activities, to reduce pressures for conversion of the existing housing stock to nonresidential uses, to minimize the development of activities which are different from and incompatible with activity patterns customarily found in lower density residential neighborhoods and to provide a framework for allowing those institutions which are compatible with residential neighborhoods to locate and expand there.

As explained in detail above, BB&N’s petition would not constitute the “unlimited expansion” of institutional activities into lower density residential neighborhoods, as it seeks only to utilize a single structure that is physically adjacent to a century-old existing educational use. The grant of relief would have minimal (if any) effect on the neighborhood at all, and would not increase the pressure to convert existing housing stock to nonresidential uses. Far from introducing incompatible activity patterns into the neighborhood, the existing activity pattern on Buckingham Place is — and has been for decades — one that reflects the rhythms and activities of a children’s day care and primary school.

Because access to the parcel would come exclusively from Buckingham Place (which is already utilized almost exclusively by BB&N because of its ownership of the parcels comprising the north and east sides of the dead-end way), the proposal would not cause congestion hazards or substantial change in established neighborhood character. For the same reasons, additional traffic generated in the neighborhood is anticipated to be minimal, if any. Nor would the continued operation of or the development of adjacent residential uses, or the integrity of the adjoining residential neighborhood, be adversely affected by the grant of a use variance under the circumstances outlined herein, for the reasons articulated above.

5 Buckingham pl.

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City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: Joseph OBRIGAN Date: 2/23/27
(Print)

Address: 5 Buckingham St.

Case No. BZA-162034

Hearing Date: 3/10/22

Thank you,
Bza Members

Pacheco, Maria

From: Gerburg Wulf <wulfgerburg@gmail.com>
Sent: Monday, March 7, 2022 3:41 PM
To: Pacheco, Maria
Cc: Steve Sands
Subject: hearing on March10

Dear Ms. Pacheco,

We live on 4 Buckingham St, and there'll be a meeting on March 10 about change of use for 5 Buckingham place, our direct neighbour. We are still trying to understand what the ramifications would be and are hoping that the meeting could possibly be postponed?

Thank you for your consideration,
Gerburg Wulf, I cc my husband Steven Sands