



CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER,  
Assistant City Manager for  
Community Development

NOTICE OF DECISION

Case No.: #108  
Premises: 355 Fresh Pond Parkway  
Zoning District: Business A and Parkway Overlay District  
Owner: Martin Hagerty, Jr., Applicant  
Application Date: December 28, 1994  
Date of Public Hearing: January 17, 1995  
Petition: Special Permit to waive certain dimensional requirements of the Parkway Overlay District to permit the construction of a new structure.  
Date of Planning Board Decision: August 1, 1995  
Date of filing the Decision: August 31, 1995  
Decision (summary): DENIED

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 the date of 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 office of Community Development and the City Clerk.

*Elizabeth J. Malenfant*  
Authorized Representative to the Planning Board

*August 31, 1995*  
Date

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CITY CLERK  
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## DECISION

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### Application

#### Documents Submitted

1. Special Permit Application certified complete on December 28, 1994
2. Site plan/landscape plan entitled *Fresh Pond Seafood Landscape Plan*, Scale 1" = 20', David Szlag Associates, dated 1/16/95; Architectural elevations and floor plans, entitled *Fresh Pond Seafood*, Sheets SK-1 through SK-6, Scale 1/4" = 1', MSH Architecture Associates, various dates.
3. Photographs showing the site and the abutting properties.

#### Other Documents Submitted

1. Letter to the Planning Board from Martin Hagerty, Jr., dated March 31, 1995, extending the time within which the Planning Board must render a decision on the petition to August 31, 1995.

### Decision

The Planning Board DENIES the requested Special Permit as the applicant has indicated that any new construction on the site will conform to requirements of the Parkway Overlay District and will not require any waiver from the dimensional requirements of that District. At the public hearing the Planning Board had urged the applicant to consider modifications to the proposal that would bring it more closely into conformance with the spirit of the Overlay District. Nothing in this denial is meant to prohibit the applicant from petitioning the Board in the future should some variation from

the requirements of the Parkway Overlay District be desired.

Voting to DENY the Permit were: P. Dietrich, H. Russell, A. Cohn, H. Salemme, W. Tibbs and C. Mieth.

For the Planning Board,

A handwritten signature in cursive script that reads "Paul Dietrich" followed by a circled "M" in the upper right corner.

Paul Dietrich, Chairman

A copy of this decision shall be filed with the Office of the City Clerk. Appeals is any shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty (20) days 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, 1995, by Elizabeth J. Malenfant or Lester Barber, authorized representative of the Cambridge Planning Board. All plans referenced 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.

City Clerk, City of Cambridge

Date