

CITY OF CAMBRIDGE, MASSACHUSETTS

**PLANNING BOARD**

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#116

Address: 152 Vassal Lane

Zoning District: Residence B

Owner: Scott Kenton

Applicant: Scott Kenton

Application Date: March 13, 1996

Public Hearing: April 2, 1996

RECEIVED BY  
OFFICE OF CITY CLERK  
96 APR 24 PM 4:42  
CAMBRIDGE MA.

Petition: Section 5.53.1 of the Zoning Ordinance to construct a second principal residential structure in the rear of the lot, greater than 75 feet from the street line. To waive the special permit fee.

Planning Board Decision: April 16, 1996

Filing Decision: April 24, 1996

Decision: GRANTED relief from Section 5.53.1. DENIED special permit fee waiver.

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 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 the Community Development and the City Clerk.

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

*April 24, 1996*  
Date

Case No: PB#116

Address: 152 Vassal Lane

Zoning District: Residence B

Owner: Scott Kenton

Applicant: Scott Kenton

Application Date: March 13, 1996

Public Hearing: April 2, 1996

Petition: Section 5.53.1 of the Zoning Ordinance to construct a second principal residential structure in the rear of the lot, greater than 75 feet from the street line. To waive the special permit fee.

Planning Board Decision: April 16, 1996

Filing Decision: April 24, 1996

#### Application

##### Documents submitted

1. Application dated as complete March 13, 1996, floor plans, elevations, one mortgage survey, site plans, marked as Special Permit Plans.
2. Letter to the Board of Zoning Appeal from Charles Sullivan, Executive Director, Historical Commission, dated 11/7/96; outlining the history of the existing structure.

#### Public Hearing

The Planning Board held a public hearing on April 2, 1996 regarding the request to construct a second principal residential structure more than 75 feet from the street line at 152 Vassal Lane, in the Residence B district. The applicant, Scott Kenton, presented the plans as approved by the Board of Zoning Appeal showing the location of the second structure with a connecting pergola. He identified the on site parking space, granted a variance to site in the front yard setback but behind the facade of the house. He related the discussion with the Board of Zoning Appeal chair, suggesting that this be a case for discussion with the Planning Board for relief to separate the two structures for design reasons. The connection was to meet the requirements of the new ordinance for infill housing in the Residence B districts, not because it is the preferred solution.

There was discussion as to how distant the new structure would be from the street. It is in fact only slightly beyond the 75 foot dimension identified in Section 5.53.1. The lot itself is oddly shaped, not a regular rectangle. The location of the second house on the lot would preserve the rear yard for the lot's residents and for the abutters. One abutter at the hearing asked about any further zoning relief and it was explained that any significant changes would require an amendment to the permit.

There will be ten feet between the structures, with a deck connecting the two, rather than the approved attachments.

The parking space would be allocated to the rear structure; the front structure is proposed to be rehabed. The occupant would use the on street parking if needed. The applicant prefers this option to preserve the rear yard and open space for the lot's residents and for the abutters as well as the preservation of the existing trees to that of creating another off street parking space in the rear of the front house.

There were no statements in support or opposition to the application.

#### Findings

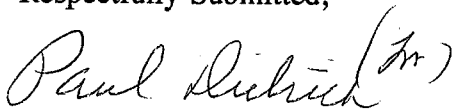
The Board finds that the development of a second structure will not significantly increase the impact of the new construction and that it is consistent with the standards set forth in Section 5.5: there will be preservation of a large portion of the open space in the rear of the lot as green space; there will be incentive to retain and renovate the front existing house and preserve the streetscape on Vassal Lane; the structure is barely beyond 75 feet from the street line; parking will not intrude deeply into the lot.

#### Decision

After consideration of testimony presented at the hearing and information provided in the application, and based on the findings above, the Planning Board GRANTS the Special Permit to allow the construction as shown on the plans submitted. Voting to grant the special permit were: W. Tibbs, P. Dietrich, H. Salemme, A. Cohn, H. Russell with Associate Member L. Sheffield, constituting more than two-thirds of the Board. Abstaining from the vote was C. Mieth.

At the April 16th meeting the Planning Board voted to DENY the request to waive the special permit fee as not reasonably justified.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Paul Dietrich" followed by a circled "Mr." in parentheses.

Paul Dietrich, Chair

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 of 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 **April 24, 1996**, Elizabeth J. Malenfant, 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 days have elapsed since the filing of this decision.

No appeal has been filed.

City Clerk,

City of Cambridge

Date