



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

Case No: PB#124

Address: 177 Pemberton Street

Owner: Portland Stone Ware, Co., Inc.

Applicant: Pemberton Place LLC., c/o of Jeffrey Klein, 27 Winthrop
Road, Brookline, MA 02146, 617 734 5593

Application Date: January 30, 1997

Public Hearing: March 4, 1997

Planning Board Decision: April 15, 1997

Date of Filing Decision: May 22, 1997

Application: Special Permit for townhouse development in the Residence B district, Section 11.10, to construct 25 townhouse units; Special Permit for reduction in landscaping in a parking lot, Section 11.16.4 (4) (a).

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 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 Department and the City Clerk.

Authorized Representative to the Planning Board

Elizabeth J. Melenfant

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OFFICE OF CITY CLERK
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CAMBRIDGE MA.

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Application

The special permit application for townhouse development special permit in a Residence B District, Section 11.10 and a Special Permit for reduction in landscaping in a parking lot, Section 11.16.4 (4) (a), filed on January 30, 1997 containing: Dimensional Form, Project Summary, List of Variances and Special Permits being requested (from both the Planning Board and the Board of Zoning Appeal), discussion of the current land use, ownership certificate dated January 30, 1997, Assessor's Plat #195,

Documents submitted Special Permit #124, 177 Pemberton Street

1. photographs of the site, project summary, quantitative data on dimensional form; list of zoning relief sought and certificate of ownership.
2. Plans and elevations entitled "Pemberton Street Condominium"; Kevin Wong and Associates, Stephen Tise Architects, architects; Sheets X and A1 - A10, dated January 30, 1997; 1/16" = 1', and other scales.
3. Revised site plan entitled "Pemberton Street Condominium"; Wong and Tise architects; hand note from Lester Barber indicating submittal to the Planning Board at the 4/15/97 regular meeting, Sheet #3.

4. Modified dimensional form and list of variances, with hand written note "Revised 4/15/97"; hand note from Lester Barber indicating its submittal to the Planning Board on 4/15/97.
5. Letter to Paul Dietrich, chair of the Planning Board, from Lauren M. Preston, Deputy Traffic Director, undated, with comments on the application.
6. Letter to the City Clerk's Office, attention: L Barber..., from Alma and William Sheehan, 25 Verdun Street, dated February 24, 1997.
7. Sign in sheet, public hearing, 3/4/97.
8. Letter to L. Malenfant, from Jeffrey Klein, dated 3/10/97, cover to the letters listed below (includes a map locating the addresses of the writers):
9. Letter to the Planning Board from Caitlin Corbett, 2 Verdun Street, 3/8/97.
10. Letter to the Planning Board from Jeffrey R. Howard, 90 Middlesex Street, 3/7/97.
11. Letter to the Planning Board from Nora Cameron and Denis Hanson, 4 Verdun Street, 3/6/97.
12. Letter to Whom It May Concern, from Arthur Goldhammer & Stephanie Engel, and Monroe & Brenda Engel, 167 Pemberton Street, 3/6/97.
13. Letter to the Planning Board from Charles Lavoie, 191 Pemberton Street, 3/6/97.
14. Letter to the Planning Board from Rose Rossignol, 190 Pemberton Street, 3/6/97.
15. Letter to the Planning Board from Craig A. Kelley, Chair of NCSC, 6 Saint Gerard Terrace, 3/7/97, with a copy of the NCSC notice of 12/3/96.
16. Letter to the Planning Board from Jeffrey R. Howard, 90 Middlesex Street, 3/7/97.

17. Letter to the Planning Board from Dottie Giacobbe, chair of the Portland Stoneware Sub-Committee, 7 Van Norden Street, 3/4/97
18. Copy of BZA #7415, 177 Pemberton Street application.
19. Copy of letter to Jeffrey Klein, from Frederick Keylor, Project Engineer, HW Moore Associates, Inc., 3/4/97, preliminary analysis of utility requirements of proposal at 177 Pemberton Street.
20. Petition to the Planning Board dated 3/12/97, outlining concerns and facts presented to the Board.
21. Copy of letter to Neighbors from Dottie Giacobbe, 7 Van Norden Street, 11/29/96, with agenda and minutes of the Portland Stoneware subcommittee dated 12/96.
22. Sign in sheet for deliberation meeting of 3/18/97.
23. Criteria used for reviews in sections 10.43, 10.47.4 and 11.10.
24. Copies of Special Permits #46, 217-218 Thorndike Street, and #56, 71 Fulkerson Street
25. Letter to the Planning Board from Joseph L. O'Hare, Jr., 147 Pemberton Street, dated 3/20/97.
26. Letter to the Planning Board from Robert Schafer, Counselor at Law, for the applicant, dated March 26, 1997.
27. Letter to the Planning Board from Joseph and Agnes Leary, 9 Verdun Street, undated, received on March 27, 1997.
28. Letter to Whom It May Concern, from Paul Caulfield, 35 Sargent Street, dated March 18, 1997
29. Letter to the Planning Board, from William and Alma Sheehan, dated March 20, 1997.

Public Hearing

The Planning Board held a public hearing on March 4, 1997. Jeffrey Klein, the developer, presented the application for the construction of 25 units of townhouses on the current Portland Stoneware site at 177 Pemberton Street. He outlined the current land use (industrial Portland

Stoneware which manufactures and distributes landscape materials), the outstanding lawsuit between the current operation and the City of Cambridge, and the conflicts between the residents of the area and the operation of the industrial business. Mr. Klein reviewed the process to date which included discussions with the current owner (purchase and sale agreement at the end of the summer in 1996), the residents of the neighborhood as well as the North Cambridge Stabilization Committee (an October 24, 1996 meeting with a subcommittee of the North Cambridge Stabilization Committee at which 30 units were proposed; a November 13 meeting with the Stabilization Committee at which 29 units were proposed; a meeting on December 2 with 40 neighborhood people in attendance at which 25 units and 46 parking spaces were proposed with an indication that the neighbors present would support such a proposal; A NCSC meeting on December 11 at which 13 members present supported the proposal and three opposed). The final dwelling units to parking space ratio of 1.8 to one was very important to neighbors.

The area was in the recent past zoned Industrial A-1 which allowed residential development at a higher density than currently allowed under the Residence B: 35 units on the site (excluding the Middlesex Street right of way). The change made Residence B would allow 16 units. A subsequent change to the Residence B zoning district dimensional requirements further restricted the allowable development to 11 units plus a lower FAR above the first 5,000 square feet of lot area.

The developer indicated that the 25 units proposed were necessary to cover the land costs of acquiring the site, relocating the operating business, convert the site to housing (demolition and removal of asphalt, etc.) and to make the units salable in a transitional area. The reuse would result in the demolition of the four buildings on the site, the removal of the surface asphalt and concrete, and the creation of a landscaped area along the railroad right of way (currently used by Portland Stoneware but not owned by them; permanent use by the residential development will require further process with the railroad company.

The Board discussed the BZA variances required for this proposal. The FAR variance is 1.21, or 1.14 when including the taxed area of Middlesex Road. The minimum lot area per dwelling unit requested is 1,686 square feet; there is a reduction of the rear setback to zero; the side setbacks to zero on the left and 18 feet on the right, again, based on the treatment of Middlesex Road as a street rather than as part of the lot area; the height would increase to 40 feet, and 42 feet for one of the tower elements; useable open space would decrease to 11% and the minimum dimension would be 10 feet; landscaping relief is requested within the parking area; as well as parking within 3 feet of the lot line; there is a request to

increase the area projected into the vertical plane (limited for townhouses above the required cornice height) as indicated on the plans; and a variance for the portion of dormers requiring windows 30% of the facade area.

There is also a Planning Board Special Permit request for a Townhouse Development as well as reduction in the planting requirement in the parking area for that development .

S. Schlesinger, CDD, indicated that the City has been wrestling with the external impacts of the current operation, on the abutting residents, for many years: large trucks in and out at all hours of the day and night with the noise and emissions that result from that.

The architect, Kevin Wong, presented the design and responded to questions from the Planning Board. He pointed out the locations of the two curb cuts along Pemberton Street and Middlesex Road. There is a line of townhouse units proposed along Pemberton Street with an internal parking area. The variance request for open space and setbacks is driven by neighborhood concerns over the parking and the developer's commitment to provide a ratio of 1.8 spaces per dwelling unit. Some parking is somewhat enclosed in carports with decks above. Reference was made to the Columbia/Hampshire townhouse development, designed by the architects for this project, and approved by the Planning Board. The design and arrangement of elements is very similar. Rear units against the railroad tracks are integrated into a wall system acting as a buffer.

The height relief is sought to provide peaked roofs, but the cornice heights is under 30 feet.

There are private yard spaces provided over the carports as decks for the rear units. Most townhouses have private yards.

The landscaping at grade will be further developed after the concept has been approved.

The FAR variance is based on including the gross floor area of basement areas. The architect estimated that each basement contains 400 square feet.

There is a desire to develop some more landscaping along the railroad right of way in the 15 foot strip; it will provide green open space for the loft spaces which otherwise face the parking lot or decks over the carports. There will be special paving to make the parking area more

attractive to all residents. There needs to be more design work in the parking area and attention to the lighting plans.

When asked by the Board why there were so many variances and if there was an attempt to conform to the regulations, Mr. Klein responded that an as of right development was not economically feasible. The choice then was to provide a feasible project that reflected good design principals and seek the variations necessary. A rear yard would benefit no one; the extra parking so much desired by the neighborhood eliminates the open space otherwise so desirable; the extra height allows a more attractive roof profile; the total design reflects a collaborative process with the community.

The units are about 2,000 square feet on average; the asking price for the site is more than the assessed value in part because of the cost of relocating an operating business; there is more open space than appears in the application but much of it does not meet the minimum dimensions requirement; the basements will be about half out of the ground.

There were many concerns raised by the public. These covered the number of cars per day versus the truck traffic, the number of units and the number of cars associated with those units, the amount of the variances required for the number of units, the pollution concerns, enforcement issues regarding the current use, and windows along the railroad. Some neighbors indicated that they had not participated in discussions with the developers and objected because there were too many units and the abutting streets would be overburdened; construction in conformance with the requirements should be required. For some the height of the units was too great, blocking out the sun, particularly on the narrow street which is already burdened with cars and school busses. Others recounted the problems with the existing operation and found this replacement acceptable: trucks at two and four O'clock in the morning with resulting noise and pollution; trucks can idle for 25 minutes at a time. Residential cars and neighbors would be better than the industrial use. Others indicated that they and other neighbors had participated in several meetings, sometimes as part of a formal subcommittee of the North Cambridge Stabilization Committee. The neighborhood is changing and for the better but some feel under siege by this industrial operation. Some recognized that the zoning was changed to encourage Portland Stoneware to leave but that the current applicable zoning discourages reuse to housing. There has been an ongoing effort for years by the city and residents to solve the conflicts between the industrial activity and residents. There has been no success in the practical sense. This development may be too dense but it is likely the price that must be paid to eliminate the nuisance.

The Board discussed the creation of the rezoning of this area, the pending appeal of the lawsuit, and comparison to other housing developments. H. Russell indicated that the request is essentially a rezoning by variance. The earlier IA-1 district was designed to permit this kind of development and encourage a conversion of the undesirable industrial uses to residential uses. Other members were concerned with the scope of the variances, the reduction of open space to accommodate cars, lack of affordable units (\$300,000 is an expected asking price for the front units), lack of an attempt to design a conforming development.

The Hearing was closed for oral testimony.

There was a deliberation on the application at the regular meeting of the Planning Board on March 18, 1997. There was some discussion of the status of further testimony, written or oral.

The Board reviewed the application and the applicable zoning changes to the area as well as the Residence B dimensional regulations. The proposal is more in keeping with Industry A-1 standards, matches the characteristics of Richdale Terrace, faces the street, has yards and/or decks, and is comparable with the previous Residence B limitations on units (i.e. before the modification of the Residence B regulations that was targeted to other situations quite different from this lot) There was discussion of other residential developments in industrial buildings and areas.

The Board members had many comments: the proposal looked more like the townhouse developments of Residence C-1, where conditions are very tight, than Residence B where open space is more abundant and the feeling more spacious; open space had been traded for more vehicular parking; there is being asked a high price in terms of additional density for the clearly better housing use; excess parking is always a Planning Board concern; the quality of the units in the rear along the railroad tracks and of other units as well is of concern; the reduction of units and FAR as a result of the Residence B change raises an issue of fairness for a lot caught in that change; here there is an obnoxious use that is an imposition on the neighborhood and a cost to getting an active use out; the density is like the former IA-1 zoning on the site and like the zoning that exists across the street - this design is clearly preferable to approved developments on Richdale Avenue in that the units face the street, have individual yards and decks; the last five units may be the price to pay to eliminate the obnoxious use - their loss does not change the appearance of the development for the community as a whole; it is clearly a plus to get housing but it feels too dense; S. Schlesinger suggested that the major planning concern here may be the nature of the alternate uses rather than the dimensional details.

The criteria of Section 10.47.4 - Criteria for Townhouses and Multifamily Dwellings was reviewed by members.

- There was no landscaping to preserve;
- There would be no visible disruption to the area. There was some discussion as to the massing of the townhouses along Pemberton Street, that there was one long, continuous structure that could use some relief;
- There would be no disruption of access created due to the limited points of access and egress; and
- Parking and trash disposal would be managed within the site.

The purpose of Section 11.10 - Townhouse Special Permit would be met;

- There would be one-family townhouses created;
- It would be more compatible with the abutting residential uses than the current land use;
- It would be sensitive to the streetscape;
- There are no existing residential structures to demolish; and
- There are no existing residential structures on the lot which would be subject to excessive infill.

Among the suggestions to the applicant from Board members to consider were: eliminating some units to reduce parking and increase landscaping; provide more amenities to rear units; breaking up the row of units on Pemberton Street.

The staff was asked to provide the Board with some comparisons to other development, in similarly difficult situations.

It was announced that the written record would close on March 28, 1997.

Deliberation continued at the regular meeting of April 15, 1997. The discussion was preceded by a slide show from CDD staff reviewing the existing land uses abutting the site, residential developments in Industry A-1 districts nearby and across the railroad tracks, and other projects in North Cambridge or elsewhere in the city that illustrated relief granted to secure housing in non residential areas or illustrate actions taken by the BZA or the Planning Board to facilitate housing in difficult circumstances. There was an update of the status of the lawsuit, and a presentation by the applicant of modifications made to the proposal in response to the concerns expressed by the Board and the community.

The revised proposal reduced units from 25 to 20 units (the units along the railroad right of way are deleted and replaced with surface parking in carports); 10 parking spaces are removed but leaving a parking ratio at 1.8; the height is reduced from 42 feet to 35 feet; some units along Pemberton Street are further set back to provide relief along the street edge; the rear yards increase and there is an increase in the amount of private open space. The scale of the variances requested are thus proportionately reduced.

These changes affect the number and type of variances being requested to the following: the FAR is now 1.03 (.97 including Middlesex Road), minimum lot area for each unit 2,109 square feet, the variance from landscaping requirements in the parking area reduced in scale, no height variance is required, parking is now five feet from the rear lot line, and a variance for the dormers is only required to the rear of buildings facing the parking lot.

The Board reviewed these proposed changes. There was discussion on the amount of parking and the remaining variances requested to provide the parking, the width of the driveway, the open design of the carports (with doors suggested by Board members), landscaping along the railroad right of way. It was recognized that if the basement space was not counted the FAR would be a reasonable 0.7 to 0.8.

The applicant indicated that negotiations have been started with the railroad company for purchase of the 15 foot strip of land to the rear, to be used for open space. The process has begun but it will take a long time to complete.

There was discussion as to whether the design of the parking lot could be further improved. That process was encouraged to occur after approval is granted

Discussion led to a motion to grant the special permit based on findings outlined below.

Findings

The Planning Board reviewed the application documents, the site plan , information presented by the applicant and the general public at the public hearing, and information subsequently submitted by the applicant at the request of the Planning Board. Based on that information the Board makes the following findings.

1. Conformance to the requirements of Section 11.10 - Townhouse Development

a. Purpose - Section 11.11

The approved design is compatible with traditional neighborhood development patterns and is sensitive to existing streetscapes. While in the immediate vicinity of the site the development pattern is typically one, two and sometimes three unit freestanding dwellings on individual lots, the townhouse form of development (i.e. rows of attached dwellings) is a permitted use in the Residence B district and has historically been located in the neighborhood (as at Cogswell Avenue where 19th century and late 20th century forms can be found).

The use of gable roofs and dormers, wood clapboard and brick siding, dormers, individual entries and porches and other details of the buildings proposed reflect and express the vernacular architectural character found in the neighborhood.

Orientation of the proposed units such that they would mirror the detached-dwelling-on-separate-lot pattern of immediately abutting streets (i.e. with a run of townhouses perpendicular to Pemberton Street) would have the disadvantage of exposing both the townhouse units and the present neighborhood to the activity on the railroad right of way and to the industrial uses on the other side of the railroad tracks); such an orientation might also greatly increase the visibility of on site parking to the neighborhood and increase the number of curb cut entries from the street to the site. The Board finds the approved arrangement of units along the public street acceptable and consistent with Section 11.11 and perhaps the most advantageous of all potential arrangements of units on the site.

b. Applicability of Regulations

(1) A Planning Board special permit is required for six or more townhouse units in a Residence B district. That requirement is met by virtue of the granting of this special permit.

(2) All dimensional requirements have been met or a variance is being sought to authorize a variation from those requirements

c. Landscaping of on grade open parking

A special permit, authorized in Section 11.16.4 (4) (a), is requested to reduce the number of trees required to be planted within the parking lot to one per ten open parking spaces. While the Board expressed a concern with the extent of paved surface in the application plans, it finds that the revised plans provide significant additional green area, while not bringing the proposal completely into compliance with Section 11.16.4 (4).

The Board recognizes and respects the compromise that is being proposed by the applicant: to provide additional off-street parking for a large development that abuts a very narrow public street on which street parking is very restricted, an issue of great concern to neighbors to the project. The Planning Board finds the reduction in parking lot open space generally, and the reduction in the number of trees specifically, as acceptable, as it impacts the areas of the site not generally visible from the public street in exchange for additional parking on site, which does have a direct impact on abutters and other neighbors.

Nevertheless the Board continues to be concerned that as much green space as possible should be accommodated on the site for the benefit of future residents of the project; therefore the Board makes it a condition of the granting of the permit that the permittee should explore possible reasonable options, under the guidance of the Community Development Department, for reconfiguring the parking facilities to secure additional areas for green space and tree plantings.

2. Conformance to the requirements of Section 10.47.4 - Criteria for approval of Townhouses and Multifamily Dwellings

a. Key features of the natural landscape should be preserved.

The site is currently fully developed to heavy industrial use with little or no part of the site given over to natural features or landscaping of any kind. The site is essentially flat. While much of the site will be devoted to siting of the dwellings and parking to serve those dwellings, a significant amount of green area, landscaping and street trees will be installed.

b. New buildings should be related sensitively to the existing built environment.

While the townhouse form of housing is permitted in the Residence B district and is to be found in both older and modern forms elsewhere in North Cambridge, the immediate neighborhood is dominated by single structures on individual lots. The 250 foot long range of attached townhouses is therefore not typical of this specific area. Nevertheless, the Board finds the proposed arrangement appropriate and sensitive to the existing built environment. The maximum height will be 35 feet with a 30 foot cornice line, similar to the pattern in existing neighborhood structures. Each dwelling unit facing the street will have a principal entry facing onto Pemberton Street, with traditional stairs and porches to further relate to prevailing neighborhood tradition. The massing of a long range of townhouses along the public street has the added benefit of screening the surface parking on the site from public view and screening from this neighborhood the heavy industrial presence on Bolton Street directly across the railroad tracks from the site. The site is also adjacent to a large, well maintained two story brick industrial or office building at the corner of Pemberton Street and Middlesex Street; the development relates well to it.

c. Location, arrangement, and landscaping of open space should benefit both the general public and the occupants of the development.

The open space provided is at a minimum as a result of a tradeoff between desirable green area and an additional complement accessory parking above that required by the Ordinance. Nevertheless a significant portion of the open space and landscaping provided will be in the form of traditional front yards visible to and benefiting the general public. As modified, all townhouse units will have individual landscaped yards.

d. Parking areas, internal roadways, and access/egress points should be safe and convenient.

Access to the entire development is through only two residentially scaled driveways at either end of the site. No parking or access is provided to individual townhouses from directly off of a public street.

e. Parking area landscaping should minimize intrusion of onsite parking for residents and neighbors alike.

By virtue of the arrangement of the townhouse units on the site, the onsite parking is substantially screened from the view of neighbors and the general public. While the Board has encouraged the permittee to explore options for increasing the amount of green area on the site and within the parking lot, the revised plan will provide substantial landscaping in back and front yards that will serve to also screen the open air parking. Some parking will be contained in garage structures which will have the effect of reducing the visual impact of the cars. The Board has asked that those garages be outfitted with doors; the feasibility of that installation shall be reviewed through the design review process as further refinement of the plans occurs.

f. Service facilities should be conveniently located for residents but not be obtrusive.

Those elements have not been detailed to date. Compliance with this standard shall be assured through the required design review to be undertaken by the Community Development Department.

3. Conformance to Section 10.43 - Criteria for the issuance of special permits.

a. The requirements of the Ordinance can be met.

Variances are being sought for those requirements of the Ordinance that cannot be met. Otherwise, the Planning Board finds the development consistent with the intent of the ordinance generally and the Townhouse Development provisions specifically.

b. Traffic and patterns of access and egress will not cause hazard or congestion or change neighborhood character.

The development is well organized to limit the number of points at which cars going to and from the site will enter the public street. There will be fewer curb cuts than would be the case if the site were developed to a more conventional pattern of single structures on individual lots. More important for this site, the housing development will be replacing an industrial use that has evolved over time to be dependent on delivery of materials and reshipping of products via large, heavy duty trucks (at all hours of the day) that are oversized for the neighborhood streets they must use and

inappropriately intrusive in a residential neighborhood for reasons or noise, hours of operation, and scale of vehicles.

c. The operation or development of adjacent uses will not be adversely affected.

The proposed development will establish residential use in a residential neighborhood at a density not greatly different than can be found elsewhere in the neighborhood. It will replace an industrial use that places severe limitations on the enjoyment of residential property that should be expected within a residential neighborhood.

d. No nuisance or hazard will be created to the detriment of the health, safety and welfare of future residents or the citizens of Cambridge.

The development will establish an addition to the existing residential neighborhood, compatible with that neighborhood. It will cause to be eliminated a existing severe nuisance and hazard in the form of the existing industrial use on the site that negatively impacts the health, safety and welfare of neighborhood residents.

e. The use will not impair the integrity of the Residence B district or adjoining districts or otherwise derogate from the intent and purpose of this Ordinance.

The development will establish a permitted residential use on the site, cause the elimination of a very inappropriate non conforming industrial use, and advance the city's general objective of encouraging an increase in the inventory of housing, particularly at locations now used for non residential uses.

Decision

After review of the application documents, and review of testimony at the public hearing and based on the above findings, the Planning Board **GRANTS** the Special Permit #124, as amended by the revised site plan and revised dimensional limitations submitted to the Planning Board on April 15, 1997, and referenced above, subject to the following conditions:

1. The final plans submitted to the Superintendent of Buildings for a building permit shall be generally consistent with the plans dated April 15, 1997 and with Appendix I attached to this decision. The Community Development Department shall certify to the Superintendent of Buildings

that this condition has been met prior to issuance of any building permit for the site.

2. The plans shall be subject to design review by the Community Development Department, including review of parking layout, landscaping, building design and finish materials, and utility and trash service. Through that process of site plans review the permittee shall explore options for increasing the amount of green area and open space on the site and within the parking lot. The permittee is strongly encouraged to include doors on the garage structures as a means of further limiting the visual impact of parked cars.

Voting to GRANT the special permit and to grant the relief from the landscaping requirement of the townhouse regulations were: P. Dietrich, L. Sheffield (alternate member appointed by the Chair to sit on this case), W. Tibbs, F. Darwin (alternate member appointed by the Chair to sit on this case), H. Russell, and A. Cohn constituting more than two thirds of the Board. Voting against the granting of the special permit and the landscaping relief was C. Mieth.

For the Planning Board



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 after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on, 5/22/97 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:

Dimensional Form

177 Pemberton Street

	<u>Allowed/Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Granted</u>
Floor Area Ratio (Floor Area)	<u>0.34</u> (<u>14,339</u>)	<u>0.31</u> (<u>13,060</u>)	<u>1.21</u> (<u>51,139</u>)	<u>1.03 *</u> (<u>43,615</u>)
Max. Height	<u>35</u>	<u>one story</u>	<u>42</u>	<u>35*</u> *42 for corner tower
Max. Angle Above Cornice Line	<u>45</u>	<u>none</u>	<u>45</u>	<u>45'</u>
Min. Lot Size	<u>5,000</u>	<u>42,173</u>	<u>42,173</u>	<u>42,173 sq ft</u>
Min. Lot Area per d. u.	2500/du for 1 st 5000 then <u>4000/du</u>	<u>N/A</u>	<u>1,686</u>	<u>2,109 sf per du*</u>
Max. No. d. u.	<u>12</u>	<u>N/A</u>	<u>25</u>	<u>20</u>
Min. lot width	<u>50</u>	<u>250</u>	<u>250</u>	<u>250 ft</u>
Min. yard setbacks				
Front	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Side L	<u>7'6" SUM OF</u>	<u>-0-</u>	<u>-0-</u>	<u>-0- *</u>
R	<u>7'6" 20</u>	<u>3</u>	<u>18</u>	<u>18 *</u>
Rear	<u>25</u>	<u>4</u>	<u>0</u>	<u>-0- *</u>
Ratio Usable Open Space (Area)	<u>25%</u> (<u>10,543</u>)	<u>0%</u> (<u>close to zero</u>)	<u>11%</u> (<u>4,674</u>)	<u>11% *</u> (<u>4,770 sf</u>)
Off-Street Parking Minimum No. Spaces	<u>1/du</u>	<u>unmarked</u>	<u>1.8/du for 46</u>	<u>1.8 per du/total 36</u>
Maximum No. Spaces	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>NA</u>
No. Handicapped Spaces	<u>N/A</u>	<u>unmarked</u>	<u>N/A</u>	<u>NA</u>
Bicycle Spaces	<u>none</u>	<u>unmarked</u>	<u>none</u>	<u>none</u>
No. Loading Bays	<u>none</u>	<u>several</u>	<u>none</u>	<u>none</u>

* = denotes Board of Zoning Appeal Case #7415 is being sought by applicant.