



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

## NOTICE OF DECISION

Case No: PB#136

Address: 155 Brookline Street

Owner: Harold J. Asaph

Applicant: Harold J. Asaph

Application Date: February 12, 1998

Public Hearing: March 3, 1998

Planning Board Decision: April 7, 1998

Date of Filing Decision: May 1, 1998

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Application: Multifamily Special Permit to renovate an existing nonresidential building into 20 residential units.

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

For further information concerning this decision, please call Liza Paden at 349-4647 at the Cambridge Community Development Department.

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Application

Application for Special Permit for Multifamily Housing in Special District 9, including the supporting statement; ownership certificate; zoning citations; and dimensional form.

Documents Submitted

1. Completed application dated February 12, 1998, filed with the City Clerk's Office February 12, 1998.
2. Drawings at 1/8" = 1'0" scale, title sheet and Zoning Analysis (Si1.0); First Floor Plan through Roof Plan (A1.0 - A1.5); Elevations (A2.1 and 2.2) dated 1/30/98.
3. Various photographs of the existing site, inside and outside, as well as the surrounding area.
4. Letter to the Planning Board from David Aposhian, Trustee of 165-171 Brookline Street, dated March 3, 1998.
5. Letter to the Planning Board from David Aposhian, Trustee of 165-171 Brookline Street, dated April 6, 1998.
6. Amended Drawings at 1/8" = 1'0" scale, title sheet and Zoning Analysis (Si1.0); First Floor Plan through Roof Plan (A1.0 - A1.5); Elevations (A2.1 and 2.2) dated 4/3/98.
7. Amended zoning citation dated 4/3/98

**March 3 Public Hearing.** A public hearing was held on March 3<sup>rd</sup>, 1998. Harold (Guy) Aspah, owner and applicant, introduced the application and the special permit being sought. There was discussion regarding the number of units, the office use which would remain, the Board of Zoning Appeal variance requests and the impacts of the newly ordained Inclusionary Zoning. Mr. Aspah indicated that he would like the flexibility to use one of the residential units for an office and one small ca 300 square foot space was intended to serve as a small line-in superintendent space. The relief sought from the Board of Zoning Appeal related to the parking required for that office unit, amount of open space (because paths intersect the large open space provided in the courtyard, thus reducing the required 15 foot dimension, and some small dimensional aspects related to a few parking spaces.

The Planning Board deliberated at the regular meeting of April 7, 1998. They reviewed the amended application which included new drawings dated April 3, 1998 and a new zoning ordinance citation dated April 3, 1998. The total number of dwelling units was identified as 20, including the mandatory inclusionary housing contribution of 2 units.

The Board discussed the streetline height of the fence as well as its location.

The Board discussed the materials proposed for the exterior of the building. The applicant proposed a stucco or a stucco with a brick-like appearance. The Board had concerns with that finish, fearing that it might become damaged and prove difficult to repair. The Board agreed to make the materials selection a condition of the design review for the building.

There was a question of whether the special housing contribution provisions of Special District 9 still existed. Staff indicated that the Inclusionary Zoning ordinance recently adopted amended the requirements of Special District 9; the general requirements for inclusionary housing now apply equally in Special District 9.

### **Findings**

Based on a review of the application documents, the amended application materials, and testimony taken at the public hearing, the Planning Board finds the following:

#### **a. The requirements of Section 4.26-Multifamily Special Permit, Applicability.**

The requirements of Section 4.26-Multifamily Special Permit, have been met by the application for a special permit, filed with the Planning Board and by the public hearing held on March 3, 1998. Any other relief required will be sought from the Board of Zoning Appeal through separate proceedings.

**b. Conformance to the criteria for issuance of special permit in Section 10.43.**

*1. It appears that requirements of this ordinance can or will be met.*

The development is a renovation of an existing industrial building. It is a stated goal of Special District 9 that housing units be created from existing industrial or office buildings.

*2. Traffic generated or patterns of access or egress will not cause congestion, hazard, or substantial change in established neighborhood character.*

The traffic generated by the development will not significantly alter the character of the neighborhood. The relocation of the curb cuts off of Brookline Street will increase the safety on Brookline Street. The curb cut on Decatur Street will not displace any existing parking spaces. Residential activity will replace the previous office/industry activity at the site.

*3. The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance will not be adversely affected by the nature of the proposed use.*

The intent of the district is to encourage the conversion to residential use, over time, of non residential activities that are incompatible with the adjacent residential neighborhoods, that require access of truck traffic through local, residential streets, and that have activities that can be disruptive and intrusive in residential districts. This use will bring this site into conformity with the adjacent residential uses.

*4. Nuisance or hazard will not 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.*

No nuisance or hazard will be created. The proposed use will reduce any nuisance or hazard likely to have been present from the previous industrial use.

5. *For other reasons, the proposed use will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.*

It is a stated goal of Special District 9 that housing use be created at the site of existing industrial or office buildings and activities.

***c. Conformance to Section 10.47.4 - Criteria for Townhouses and Multifamily Dwellings.***

1. *Key features of the natural landscape should be preserved to the maximum extent feasible. Tree removal should be minimized and other natural features of the site, such as slopes, should be maintained.*

There is no existing natural landscaping, trees or topography to be preserved. The site is currently developed for industrial use and extensively paved. The development will eliminate the industrial use, and introduce residential uses and convert previously paved or built-up portions of the site to open space.

2. *New buildings should be related sensitively to the existing built environment. The location, orientation, and massing of structures in the development should avoid overwhelming the existing buildings in the vicinity of the development. Visual and functional disruptions should be avoided.*

The existing building will be modified for residential use. Gross Floor Area will be reduced, and fewer than the maximum dwelling units permitted in the district will be built. Alternations to the building will it a better neighbor to the existing housing in the adjacent neighborhood and in Special District 9.

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

Parking will be contained within the site. The existing Brookline Street curb cut and driveway is being eliminated and relocated to Decatur Street, which is less busy.

4. *Parking area landscaping should minimize the intrusion of onsite parking so that it does not substantially detract from the use and enjoyment of either the proposed development or neighboring properties.*

The parking layout will provide screening from the neighboring properties as it is located within the center of the site, screened by residentially used portions of the building.

5. Service facilities such as trash collection apparatus and utility boxes should be located so that they are convenient for residents, yet unobtrusive.

Service facilities will be reviewed by the Community Development Department as part of the design review.

### **Decision**

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After review of the information contained in application documents, testimony taken at the public hearing and other documents submitted to the Board, and based on the above findings, the Board votes to **GRANT** the Multifamily Special Permit #136 Sections 4.31 and 4.26 subject to the following conditions and requirements.

1. Final Plans submitted for issuance of a building permit shall be in substantial conformity with the plans referenced above, dated 4/3/98, and shall substantially conform to the dimensional limitations as set forth in Appendix I.
2. The Community Development Department shall certify to the Superintendent of Buildings that the requirements of Condition 1 have been met.
3. The project shall continue to undergo design review by the Community Development Department, including approval of the materials used on the facade.

Voting to grant the permit were A. Cohn, H. Russell, P. Dietrich, W. Tibbs, C. Mieth, S. Lewis and F. Darwin, Associate Member appointed by the Chairman to act on this application, constituting more than two thirds of the Board.

For the Planning Board

*Paul Dietrich* *Chair*  
Paul Dietrich, Chair

The Planning Board certifies that the decision attached hereto is a true and correct copy of its decision granting the Special Permit #136, and that a copy of this decision and all plans referred to in the decision have been filed with the Office of the City Clerk and the Planning Board. Appeal 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 decision filed with the Office of the City Clerk on **May 1, 1998**, by Elizabeth M. Paden, 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:

City Clerk  
City of Cambridge

Dimensional Form

	<u>Allowed/Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Granted</u>
Floor Area Ratio (Floor Area)	<u>.75</u> <u>(22,671 sq ft)</u>	<u>1.15</u> <u>(24,735 sq ft)</u>	<u>.97</u> <u>(33,689 sq ft)</u>	<u>1.14</u> <u>(34,531 sq ft)</u>
Max. Height	<u>35'-0"</u>	<u>28'-0"</u>	<u>35'-0"</u>	<u>35 ft</u>
Max. Angle Above Cornice Line	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u> <u>N/A</u>
Min. Lot Size	<u>5,000 S.F.</u>	<u>30,228 S.F.</u>	<u>N/A</u>	<u>N/A</u>
Min. Lot Area per d.u.	<u>1,200 S.F.</u>	<u>N/A</u>	<u>1,679 S.F.</u>	<u>1,679 s.f.</u>
Max. No. d.u.	<u>25</u>	<u>N/A</u>	<u>18</u>	<u>20 units</u>
Min. lot width	<u>50'</u>	<u>144.0'</u>	<u>N/A</u>	<u>N/A</u>
Min. yard setbacks				
Front	<u>10'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>
Side L	<u>20.1'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>
R	<u>20.1'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>
Rear	<u>15'</u>	<u>0'</u>	<u>0'</u>	<u>0'</u>
Ratio Usable Open Space (Area)	<u>.18</u> <u>(5,441 S.F.)</u>	<u>0</u> <u>(0)</u>	<u>.14</u> <u>(4,264 sq ft)</u>	<u>.19</u> <u>(5,747 sq ft) with decks</u>
Off-Street Parking Minimum No. Spaces	<u>21</u>	<u>0</u>	<u>19</u>	<u>20</u>
Maximum No. Spaces	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
No. Handicapped Spaces	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
Bicycle Spaces	<u>9</u>	<u>0</u>	<u>9</u>	<u>9</u>
No. Loading Bays	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>