

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

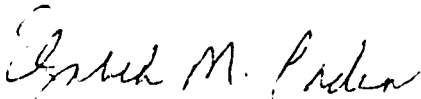
NOTICE OF DECISION

Case No: PB#139
Address: 48 Russell Street
Zoning: Residence B
Owner: Rev. Mark Fowler, West Somerville Church of the Nazarene
Applicant: David E. Burns, 405 Waltham Street, #401, Lexington, MA 02173
Application Date: September 15, 1998
Public Hearing: October 6, 1998
Planning Board Decision: October 6, 1998
Date of Filing Decision: January 4, 1999

Application: Special Permit to construct two townhouse units in a Residence B district that are further than 75 feet from the front property line as required in Section 5.53, paragraph 2.

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, TTY: 349-4621, email lpaden@ci.cambridge.ma.us.

Case No: PB#139
Address: 48 Russell Street
Zoning: Residence B
Owner: Rev. Mark Fowler, West Somerville Church of the Nazarene
Applicant: David E. Burns, 405 Waltham Street, #401, Lexington, MA 02173
Application Date: September 15, 1998
Public Hearing: October 6, 1998
Planning Board Decision: October 6, 1998
Date of Filing Decision: January 4, 1999

Application

Special Permit application, with ownership certificate, dimensional form and supporting statement dated complete 9/15/98

Plans, scale 1/8" = 1'0" . titled "Caileen's Way", dated 7/21/98, basement plan, site plan & first floor plan, second floor plan, front, rear and typical side elevations.

Other Documents Submitted

Board of Zoning Appeal Case #7760 requesting relief from the moratorium.

Public Hearing

Mr. David Burns, the applicant, and his attorney, Vincent Panico, described the project to the Board. They indicated that a series of garages covering much of the rear of the property would be demolished to make way for the two townhouse units proposed. The existing frame dwelling at the front of the lot was identified as a significant structure by the Cambridge Historical Commission and will be retained and restored. The project has been strongly supported by abutters because it eliminates an unsightly complex of garages (14 spaces) and paving at the rear of the property and significantly increases the amount of open space on the lot. Mr. Burns indicated that he would have sought this permit simultaneously with the variance requested from the moratorium but he had been unaware that the permit was required until just recently. As a result of the delay the project is now subject to the new

backyard protection petition; because of the lowering of residential densities in that petition this site now falls a couple of hundred square feet short of permitting the third unit. He requested of the Board that they consider any means possible by which this highly desired project might be exempted from this new provision.

Mr. Burns indicated that the proceeds from the sale of the property will be used by the church for their extensive social service programs. He also indicated that the BZA in its decision allowed changes to the project that might be requested by the Planning Board.

Philip Dowds, 58 Banks Street, indicated support for the project but noted that while it would be in compliance with the open space proposal advanced by the Pitkin Petition, it does not conform to all of the requirements of new backyard rezoning proposal.

Findings

In reviewing the proposal the Board finds that the standards for the issuance of a special permit are either met, are not applicable, or, because of the unique nature of this proposal in significantly increasing the amount of open space on the lot, the project is fully consistent with the intent of the regulations.

a. The development in the form of two or more structures on the lot will not significantly increase or may reduce the impact of the new construction should it occur in a single structure.

Through the demolition of a series of unsightly garages occupying more than half of the lot, the new construction will introduce housing in a form much more compatible with surrounding residential development. The construction will also introduce a vastly increased amount of open space to the benefit of both the future occupants on the site and abutters.

b. That two or more structures may provide identifiable benefits beyond that provided should all construction be in a single structure. In making its findings the shall consider the impact of the new construction the following:

1. The extent to which the preservation of a large contiguous open space in the rear yard setback significantly greater than that required and through the dedication of that rear yard as Green Area, as defined in this Ordinance.

The development will vastly increase the amount of open space on the lot to well above that required in the current ordinance or the proposed ordinance.

2. Incentives for the location of buildings and parking facilities in the front half of a lot in a pattern compatible with the development pattern prevailing in the neighborhood.

The existing historic structure is located at the front of the lot, consistent with the pattern of house development along the street. Parking spaces will also be placed in the front half of the lot, replacing parking facilities now located in the rear of the lot.

3. The extent to which two or more structures provides an enhanced living environment for residents on the lot.

Separate structures allow for individualized outdoor spaces for all units in the project.

4. Incentives to retain existing structures on a lot, particularly any structure determined to be a Preferably Preserved Significant structure by the Cambridge Historical Commission.

The proposal will retain an existing structure identified as important by the Historical Commission. It was the Commission's preference that the new structures not be attached to the historic one.

5. The opportunities presented to reduce the visual impact of parking from the public street and from adjacent lots,

Parking will be prominently located near the street but abutters will have the benefit of a significantly reduced impact from parking as a result of the demolition of existing garage structures.

6. The increased opportunities to reduce the height and bulk as new construction is deeper into a lot or closer to structures on abutting lots.

The height and bulk of the structures is not reduced significantly.


Decision

Based on the above findings and comments made at the public hearing, the Planning Board, on a motion by Hugh Russell and William Tibbs, **GRANTS** the requested special permit with the requirement that the project continue to undergo design review with the staff of the

Community Development Department. In reviewing the design the staff shall ensure that the existing and new structures are well integrated and logically related.

Voting in the affirmative to grant the Special Permit were P. Dietrich, H. Russell, A. Cohn, W. Tibbs, and C. Mieth constituting more than the two thirds of the members of the Board necessary to grant a special permit.

Respectfully Submitted,


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 January 4, 1999, 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>.5/.35</u> <u>(3,968)</u>	<u>.20</u> <u>()</u>	<u>.43</u> <u>(3,943)</u>	<u>.43</u> <u>(5,195) 3,943</u>
Max. Height	<u>35'</u>	<u>21/21</u>	<u> </u>	<u> </u>
Max. Angle Above Cornice Line	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Min. Lot Size	<u>5,000 sf</u>	<u>9,195 sf</u>	<u>9,195 sf</u>	<u>9,195 sf</u>
Min. Lot Area per d. u.	<u>2,500/4,000</u>	<u> </u>	<u> </u>	<u> </u>
Max. No. d. u.	<u>3</u>	<u>1</u>	<u>3</u>	<u>3</u>
Min. lot width	<u>50 ft</u>	<u>62 ft</u>	<u>62 ft</u>	<u>62 ft</u>
Min. yard setbacks	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Front	<u>15 ft</u>	<u>20 ft</u>	<u>20 ft</u>	<u>20 ft</u>
Side L	<u>7'6"</u>	<u>0</u>	<u>7'6"</u>	<u>7'6"</u>
R	<u> </u>	<u>0</u>	<u>12'6"</u>	<u>12'6"</u>
Rear	<u>20 ft</u>	<u>0 ft</u>	<u>20 ft</u>	<u>20 ft</u>
Ratio Usable Open Space (Area)	<u>.18</u> <u>()</u>	<u>.20</u> <u>()</u>	<u>.43</u> <u>()</u>	<u>.43</u> <u>()</u>
Off-Street Parking Minimum No. Spaces	<u>3</u>	<u>6</u>	<u>6</u>	<u>6</u>
Maximum No. Spaces	<u> </u>	<u> </u>	<u> </u>	<u> </u>
No. Handicapped Spaces	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Bicycle Spaces	<u> </u>	<u> </u>	<u> </u>	<u> </u>
No. Loading Bays	<u> </u>	<u> </u>	<u> </u>	<u> </u>