

CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

## NOTICE OF DECISION

Case No: PB#154 - Flood Plain Special Permit

Address: 30 Cambridgepark Drive

Zoning: Office 2

Owners/Applicants: Cambridgepark LLC c/o Gwendolen Noyes,  
Oaktree Design/Development, 129 Mt. Auburn Street, Cambridge,  
Mass.

Application Date: September 7, 1999

Public Hearing: December 21, 1999 continued to January 18, 2000.

Planning Board Decision: May 2, 2000

Date of Filing Decision: 5/30/00

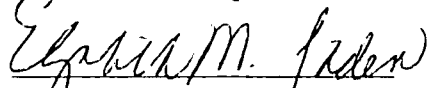
Application: Flood Plain Special Permit (Section 11.70) for a 366,350  
square feet, 311 unit multifamily dwelling.

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](mailto:lpaden@ci.cambridge.ma.us).

## **Application Documents**

1. Special Permit application, "CambridgePark Place", submitted by CambridgePark Place LLC; with ownership certificate, dimensional form, photographs, charts, diagrams and supporting statement dated July 9, 1999; certified complete and filed with the City Clerk on September 7, 1999; copy of check for application fee, dated August 5, 1999.
2. "ALTA/ACSM Land Title Survey for CambridgePark Co., LLC, 30 CambridgePark Drive"; prepared by Commonwealth Engineers and Consultants, Inc.; dated 4/29/99.
3. Plans entitled "Proposed Apartment Building, CambridgePark Drive, Cambridge, Massachusetts" by Steffian Bradley Associates, Inc., for Oaktree Design/Development; dated July 7, 1999; various scales; sheets SP 1, SKA 1-12.
4. "Traffic Impact Assessment/IPOP Analysis, Proposed Residential Development, Cambridge, Mass."; prepared for CambridgePark Place, LLC; prepared by Vanasse and Associates, Inc.; dated August, 1999
5. "Traffic Impact Assessment/IPOP Analysis, Technical Appendix, Proposed Residential Development, Cambridge, Mass."; prepared for CambridgePark Place, LLC; prepared by Vanasse and Associates, Inc.;
6. stamped date of August 10, 1999.
7. Special Permit Application dated 7/9/00 with Flood Plain Overlay Information.
8. Letter to the Planning Board from Gwen Noyes, dated April 6, 2000, with the results of the Cambridge Conservation Commission approval; WPA Form 3 - Notice of Intent, and drawings dated 3/22/00 with the existing conditions; 10, 50, and 100 year flood storage plans and analysis, various scales.

## **Other Documents Submitted**

1. Plans entitled "Proposed Apartment Building, CambridgePark Drive, Cambridge, Massachusetts, Design Development" by Steffian Bradley Associates, Inc., for Oaktree Design/Development; dated September 8, 1999; various scales; sheets SKA 2-8.

2. Letter to S. Clippinger from Giles Ham, dated August 10, 1999, re: submittal of traffic study.
3. Memo to Planning Board from Jeffrey Katz, dated September 8, 1999, re: comments on project.
4. Letter to Giles Ham from S. Clippinger, dated September 13, 1999, re: certification of traffic study.
5. Memo to the Planning Board from Gerald W. Oldach, Cambridge Chamber of Commerce, dated September 14, 1999, re: comments on project.
6. Memo to the Planning Board from S. Clippinger, dated September 16, 1999, re: IPOP traffic issues.
7. Memo to the Planning Board from S. Kaiser, dated September 17, 1999, re: Testimony on case #154, IPOP traffic.
8. Memo to the Planning Board from S. Kaiser, dated September 21, 1999, re: Supplemental testimony on case #154, IPOP traffic.
9. Memo to the Planning Board from S. Clippinger, dated October 8, 1999, re: Joint review of traffic issues at Alewife.
10. Memo to S. Clippinger from S. Kaiser, re: Planning Board report on Alewife issues, dated October 14, 1999.
11. Memo to the Planning Board from Philip Dowds, dated October 19, 1999.
12. Memo to the Planning Board from S. Kaiser, re: Memo of Points of Agreement and Disagreement at Alewife, dated October 20, 1999.
13. Memo to L. Barber and R. Boothe from Julia Bowdoin dated December 21, 1999 re: Conservation Commission actions on 30 Cambridgepark Drive.
14. Memo to Planning Board from J. Barr dated December 21, 1999 re: 30 Cambridgepark drive flood plain mitigation.
15. Letter to the Planning Board from Julia Bowdoin, Director of the Conservation Commission dated 3/11/00.

16. Statement to the Planning Board from Lew Wietzman, submitted on 4/10/00.
17. Memo to the Planning Board from Roger Boothe, Director of Urban Design, dated 4/25/00, an analysis of the project as it relates to Section 11.75 of the ordinance.
18. Letter to the Planning Board from Owen O'Riordon, PE, City Engineer, Cambridge Department of Public Works.
19. Letter to the Planning Board from Gwen Noyes, dated 4/25/00.
20. Letter to the Planning Board from Robert Daylor, PE, PLS, Chairman and CEO of the Daylor Consulting Group, Inc.
21. Letter to the Planning Board from Craig A. Kelley, dated 4/27/00.
22. Letter to the Planning Board from Michael Brandon, dated 5/2/00; copy of letter to James Sprague, Section Chief of MDEP dated 5/2/00 with attachments.
23. Letter to the Planning Board from Julia M. Bowdoin, Director of the Cambridge Conservation Commission, dated 5/1/00.
24. Letter to the Planning Board from Michael F. Kakagawa, dated 5/1/00; cover to "Boulder County Land Use Department Land Use Code", American Rivers Floodplains article; Clean Water & Oceans: Water Pollution report on Natural Storage.

### **Public Hearing**

The Public Hearing was opened on December 21, 1999 and continued to a later date at which time the Conservation Commission decision would be available to the Planning Board for their consideration.

At the continuation of the public hearing on April 11, 2000, the applicant submitted written materials outlining the reports as submitted to the Conservation Commission.

During the general business portion of the Planning Board meeting on May 2, 2000, the Planning Board discussed the reports from the Conservation Commission (dated 5/1/00) and Owen O'Riordon of the

Department of Public Works (dated 4/25/00) and Roger Boothe's memo regarding Section 11.74 dated (4/24/00).

### **Findings**

After review of the application documents, testimony presented at the public hearing and subsequent information provided by the applicant, staff of the City of Cambridge and the general public, the Planning Board makes the following findings.

#### **Conformance to the general criteria for the issuance of special permits contained in Section 10.40 of the Zoning Ordinance:.**

The Planning Board refers to the previous decision on the proposal, the Interim Planning Overlay Permit.

#### **Conformance to the criteria for the issuance of a Flood Plain Special Permit, Section 11.70 of the Zoning Ordinance:**

- (1) No filling or other encroachment shall be allowed in Zone A areas or in the floodway which would impair the ability of these special flood hazard areas to carry and discharge flood waters, except where such activity is fully offset by stream improvements such as, but not limited, to flood water retention systems as allowed by applicable law.

Based on the Conservation Commission report, the Conservation Commission Order of Conditions and the City of Cambridge City Engineer's report, the Planning Board finds that the flood water retention system will meet the standards as required.

- (2) Displacement of water retention capacity at one location shall be replaced in equal volume at another location on the same lot in the same ownership, on a noncontiguous lot in same ownership, or in accordance with the following requirements.

All of the water retention systems will be located on the same lot under the control of the same owner.

- (3) All flood retention systems shall be suitably designed and located so as not to cause any nuisance, hazard, or detriment to the occupants of the site or abutters. The Planning Board may require screening, or landscaping of floodwater retention systems to create a safe, healthful, and pleasing environment.

Based on the submitted landscaping plan dated 3/1/00, the water retention plans updated to 3/22/00, and the Conservation Commission report dated 5/1/00, the Planning Board finds that the site will include more storage capacity, increased pervious surface and landscaping than previously located on the site.

- (4) The proposed use shall comply in all respects with the provisions of the underlying zoning district, provisions of the State Building Code, State Inland Wetland Act, and any other applicable laws.

The proposal complies with the requirements of zoning, having been granted a Multifamily Special Permit and a Planning Overlay Special Permit (IPOP). The proposal has also been granted an Order of Conditions by the Conservation Commission.

- (5) Applicants for development in the Alewife Revitalization area shall be familiar with the Alewife Urban Design Study Phase II, April 1979, and shall demonstrate how their plan meets the spirit and intent of such study, particularly Appendix One, District Development Policies, in conjunction with the requirements of this Section 11.70 Flood Plain Overlay District.

The Planning Board finds that the proposal meets current urban design principles as outlined in the R. Boothe memo of 4/25/00: the need for housing generally in the city, the desirability of higher density development in proximity to the Alewife T Station, development of mixed use in the area, the 24 hour activity level residential uses encourage, and consistency with Growth Policies on housing and development.

- (6) The requirement of Section 11.74(3) (certification and supporting documentation by a Massachusetts registered professional engineer demonstrating that such encroachment of the flood way as specified shall not result in any increase in flood levels during the occurrence of the 100-year flood) has been met.

City Engineer Owen O'Riordon's letter of 4/25/00 and the report by Samiotes Consultants, Inc., as submitted to the Cambridge Conservation Commission and the Department of Environmental Protection, meet the certification and documentation requirement.

## Decision

Based on a review of the application documents, comments made at the public hearing and other comments received by the Board, and based on the above findings the Planning Board **GRANTS** the requested Flood Plain Special Permit, Section 11.70, subject to the following conditions and limitations.

1. All use, building construction, and site plan development shall be in general conformance with the plans and application documents submitted to the Planning Board as referenced above and dated July 7 and September 8, 1999. Appendix I summarizes the dimensional features of the project as approved. All conditions and findings of the Multifamily special permit and the Interim Planning Overlay Permit granted for this site shall apply. Any changes to the above referenced plans shall require an amendment to the special permit granted by the Planning Board.
2. The project shall continue to undergo design review with the staff of the Community Development Department (CDD). The CDD shall certify to the Inspectional Services Department that all conditions of this permit have been met before issuance of the first building permit for this development.
3. The applicant shall contribute to the cost of the construction of the proposed pathway and trailhead running through the land donated by Genetics Institute at 200 CambridgePark Drive and connecting with the existing pathway, as outlined in the 12/21/99 memo to the Board from Joseph Barr, TDM Planner. The required payment shall be made to the City of Cambridge before issuance of any Certificate of Occupancy for the project.

Voting in the affirmative to **GRANT** the Special Permit were L. Brown, H. Russell, B. Shaw, P. Winters, K. Benjamin, and T. Anniger, constituting more than the two thirds of the members of the Board necessary to grant a special permit.

For the Planning Board,

A handwritten signature in cursive script that reads "Larissa Brown (Chair)".

Larissa Brown, Chair

A copy of this decision #154 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 5/30/00, 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