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Ms. Liza Paden
Land Use Planner
Community Development Department
344 Broadway
Cambridge, MA 02139

February 14, 2018

Re: Planning Board Case No. 231A
29 Charles Street

Dear Ms. Paden:

Pursuant to the terms of the PUD Special Permit issued by the Planning Board in the above-captioned case, please accept this correspondence as a request by the Petitioner to extend the use of the parking lot at 29 Charles Street for an additional two years, per Section 4.(e) of the decision (copy attached).

As you may recall, a Major Amendment to this PUD Special Permit was authorized by the Planning Board in December of 2015. One of the elements of the Major Amendment modified the Final Development Plan by authorizing a combination of multi-family housing and open space on the 29 Charles Street lot (now known as Parcel C) rather than the townhouse dwellings contemplated in the original Final Development Plan.

In many respects, the Major Amendment issued in December 2015 expanding the Development Parcel rendered the rationale for this condition inapplicable. Nonetheless, the continued use of this parking is necessary in the short term in order to provide temporary parking for the tenants of the soon to be completed office building on Parcel A. Construction of a below-grade garage on Parcel B will commence later this year. Upon completion of the garage, parking on the 29 Charles Street lot will no longer occur.

Please advise if you need any additional information in order to place this request on the General Business Agenda of the Planning Board.

Thank you for your cooperation and assistance.

Very truly yours,


James. J. Rafferty

JJR/pwc
cc: Paul Ognibene, Urban Spaces

- (c) The required surveys shall be conducted annually and shall be done for five years after the issuance of the Final Certificate of Occupancy for the residential portion of the building. If the results have consistently shown car ownership at or below the level of the accessory parking provided, for five (5) consecutive years, the Permittee may request the CDD to authorize a modification or elimination of the survey requirement.
- e. The site at 29 Charles Street may be used as a principal use (commercial) parking lot, to the extent legally allowed by the City of Cambridge, for three (3) years after the issuance of the first Certificate of Occupancy for the commercial building at 65 Bent Street, subject to the following conditions and limitations.

- (1) After that initial three years the site shall be developed to the housing authorized in the Special Permit, converted to a landscaped green area, or may remain vacant, with all commercial or accessory parking operations terminated.
- (2) However, the Planning Board may thereafter allow, by a vote of five members of the Board voting in the affirmative, an extension of the principal (commercial) parking use after the initial three years, for additional intervals up to two (2) years each, where the applicant can demonstrate that market conditions are not immediately favorable for the construction of the authorized housing on the site but that the authorized housing construction can be anticipated within a reasonable timeframe.

The Planning Board shall not be required to grant such extensions if in the Board's view the parking use is diminishing the incentive to construct the housing in a favorable housing construction environment. In any case, such extensions shall not continue beyond ten (10) years after the granting of the first Certificate of Occupancy for the commercial building at 65 Bent Street. If, at that time, housing construction has not commenced on the 29 Charles Street site, it shall be landscaped and maintained in a neat and orderly condition.

- f. Should the authorized development at 159 First Street not commence construction within one year of the issuance of the Final Certificate of Occupancy for the commercial building at 65 Bent Street, then the 159 First Street lot shall be landscaped and maintained in a neat and orderly condition.
5. All authorized development shall conform to the requirements of the City of Cambridge "Noise Control Ordinance", Chapter 8.16 of the City Municipal Code.

Before issuance of the first Building Permit for the commercial building at 65 Bent Street, the Permittee shall submit an affidavit from a professional acoustical engineer certifying that the mechanical equipment and systems specified in the permit drawings will meet the performance standards for such equipment represented in the application documents (not to exceed 48 dbA for nighttime and 54 dbA during the day), or better, in order to reduce the cumulative noise effects of an increase in the amount of mechanical equipment in the vicinity of the residential East Cambridge neighborhood.