

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD


CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

2010 DEC 22
A 10:31
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Case Number:	251
Address:	61-69 Bolton Street
Zoning:	Residence C-1A
Applicant:	DG/Real Estate Development c/o James J. Rafferty, Adams & Rafferty, 130 Bishop Allen Drive, Cambridge, MA 02139
Owner:	Bolton Street Partners, LLC, 126 North Washington Street, Boston, MA 02114
Application Date:	September 22, 2010
Date of Planning Board Public Hearing:	October 19, 2010
Date of Planning Board Decision:	December 7, 2010
Date of Filing Planning Board Decision:	December 22, 2010
Application:	Multifamily Special Permit, Section 4.26 and Section 10.40 for 25 units of housing.
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 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 Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: 

For further information concerning this decision, please contact Liza Paden at 617 349 4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Special Permit application filed with the City Clerk's Office, 9/29/10; cover sheet, site plan, floor plans, elevations, photographs and survey dated 6/18/10. Letter from James Rafferty, applicant's attorney, dated 10/13/10, stating that there are no solar energy systems in the area. Existing Conditions Plan dated 9/23/10,

Drawings of various scales, titled "Bolton Street Residences" dated 10/18/10, with revisions based on the Planning Board comments.

Drawings of various scales, titled "Bolton Street Residences" dated 11/11/10 (revisions) with a cover letter from James J. Rafferty, outlining the changes from the original submittal. Unit count decreased from 25 to 20 units, height reduction from 45 feet to 36 feet and reduction in Gross Floor Area from 31,741 square feet to 26, 666 square feet (includes Affordable Housing Bonus)

Drawings of various scales, titled "Bolton Street Residences", dated 12/7/10 (revisions) noted as the plans approved at the 12/7/10 Planning Board meeting.

OTHER DOCUMENTS SUBMITTED

Petition to the Planning Board dated 10/19/10, from abutters, requesting a limit to the unit count

Petition to the Planning Board dated 10/15/10 from abutters with photographs

Letter to the Planning Board from Councilor Craig Kelley, dated 10/18/10

Email from Hugh Russell, Planning Board chair, dated 10/15/10, regarding accessibility issues of the design.

Letter to Hugh Russell, Chair, from the Joe Power of the Carpenters' Union, dated 10/19/10

October 20, 2010, list of questions from the public hearing for further discussion

Letter to the Planning Board from Joanna T. Fischer, dated 11/4/10

Letter to the Planning Board from Robert G. Crocker, Property Manager for E & P Taft Realty Trust, dated 11/10/10

Memo to the Planning Board from Paula Maute, dated 11/15/10

Memo to the Planning Board from Owen O'Riordon Department of Public Works/Engineering, dated 11/16/10

Letter to the Planning Board from Councilor Marjorie C. Decker, dated 11/16/10

Comments from Cara Seiderman, Transportation Planner, Community Development Department, dated 11/16/10

Letter to the Planning Board from Councilor Timothy Toomey, dated 11/16/10

Memo to the Planning Board from Susan Clippinger, Director of Traffic, Parking and Transportation, dated 11/16/10

Letter to the Planning Board from Lorenzo Parra, dated 11/16/10

Letter to the Planning Board from Lorenzo Parra and Bruce Cartwright, dated 11/18/10

Letter to Hugh Russell, Chair, from the Joe Power of the Carpenters' Union, dated 12/7/10.

FINDINGS

After review of the application documents and other documents submitted to the Board, testimony taken at the public hearing, and review and consideration of the Special Permit Application Documents and Plans dated 8/16/10, signed and dated at the 9/21/10 meeting, and the general special permit criteria, the Board makes the following findings.

1. Section 10.47.4: Criteria for Approval of Townhouse Development and Multifamily Dwellings

- *Key features of the natural environment 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.*

The revised site plan creates two separate buildings and removes the driveway from the abutting residential property line as it had been proposed in the original plan. This is a more practical and less intrusive site plan for the abutting residents.

Redevelopment of the site for all but the very lowest density does require the removal of two existing mulberry trees in the middle of the site. The existing trees and vegetation along the railroad right of way lot line will be pruned but retained to the maximum extent possible. The rest of the site, which consists principally of a paved parking lot, will be substantially upgraded with new permeable landscaping around the periphery of the buildings; the existing grade of the parking lot will be maintained.

- *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 revised site plan addresses many of the Board's concerns regarding the proposed height and density as they relate to the existing residential buildings, while being consistent with the

dimensional standards of the medium density Residence C-1A zoning district that was established here and elsewhere along the railroad right of way to encourage the redevelopment of old, outdated industrial uses to housing. The height reduction to 36 feet and unit count to 20 units, both significantly less than the maximum allowed on this site, compliments the existing neighborhood, which is quite diverse in its collection of buildings.

The front entrances and the driveway access on Bolton Street create a residential character fitting in with the neighborhood pattern of small and medium scaled housing. The entire design of the two buildings has used careful attention to detail, including the use of bays and articulated corners to provide interest, reduce the perceived scale and bulk of the building, and to blend a large set of buildings well with nearby housing of a small scale.

- *The location, arrangement, and landscaping of open space should provide some visual benefits to abutters and passersby as well as functional benefits to occupants of the development.*

Open space is created along Sherman Street as well as Bolton Street, with landscaping that provides a residential streetscape replacing the 38 car commercial parking lot. Much of the new landscaping on the site will visually benefit all residents of the neighborhood.

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

The revised driveway between the two buildings leads to parking that is wrapped and screened by the ground floor units fronting Bolton Street. The parking is enclosed and screened along Sherman Street and the railroad right of way. The Traffic, Parking and Transportation Department memo of 11/16/10, based on the higher unit count of 25 units and 25 parking spaces raised no concerns as to safety or nuisance, finding the scale of the proposal compatible with the character and dimensions of Bolton Street and its capacity to accommodate the new traffic generated.

- *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 revised parking area is enclosed within the building with the exception of the two accessible spaces which are visible from Bolton Street. There is landscaping along these spaces at the rear of the building.

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

The trash and recycling collection are located within the parking garage areas of the buildings; the pickup can be handled on the site without the truck(s) needing to enter the garage. There are two collection areas, one in each building.

2. Consistency with the Criteria of Section 10.43

A special permit will normally be granted where specific provisions of this Ordinance are met, except when the particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

- *It appears that the requirements of this Ordinance cannot or will not be met.*

With the granting of this Special Permit, the Ordinance requirements will be met.

- *The traffic generated or patterns of access or egress will cause congestion, hazard, or substantial change in established neighborhood character, or*

The Traffic, Parking and Transportation Department has reviewed the proposal (in the earlier, slightly more dense version) and found the project to be appropriately oriented to the abutting streets (with the entrance onto Bolton Street) and to generate traffic at a scale that will not cause congestion, hazard or substantial change to the neighborhood character.

- *The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affect by the nature of the proposed use, or*

The adjacent residential neighborhood consists of small and medium scaled housing in one, two and multifamily dwelling. While somewhat larger, this development is compatible with that diverse range of dwelling and serves well as a buffer between the existing neighborhood and the active commuter rail line.

- *Nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupants of the proposed use or the citizens of the City, or*

While some additional demands will be placed on Bolton Street to accommodate the added vehicular movements from the project, the project is well designed to minimize those effects with screened off street parking and a carefully designed building form which has planned for accommodation of trash storage and handling.

- *For other reasons, the proposed use would impair the integrity of the district or adjoining district or otherwise derogate from the intent and purpose of this Ordinance, and*

The medium density Residence C-1A district was created and applied to this site in order to encourage the elimination of intrusive non-residential uses that had developed along the railroad tracks from the surrounding residential neighborhood. This proposal is well designed to advance that city objective in a way that does not cause harm to the existing neighborhood.

- *The new use or building construction is consistent with the Urban Design Objectives set forth in Section 19.30.*

**19.31: New project should be responsive to the existing or the anticipated pattern of development.*

The project has been revised so that it is compatible with and responsive to the diversity of the generally low scaled residential neighborhood that abuts it.

**19.32: Development should be pedestrian and bicycle-friendly, with positive relationship to its surroundings.*

The project has designed to accommodate screened and covered bicycle parking with quick access to Sherman Street and present well landscaped front yards for pedestrians passing by the site on either Bolton or Sherman Streets.

**19.33: The building and site design should mitigate adverse environmental impact of a development upon its neighbors.*

The two proposed buildings are generally larger than many abutting housing structures, but that larger scale is permitted and anticipated by the characteristics of the zoning district within which they are located. Nevertheless the project is carefully and successfully designed to minimize its visual impact on surrounding properties and on passers-by and is not out of scale with some of the larger multifamily structures found in the existing neighborhood.

19.34: Projects should not overburden the city infrastructure services, including neighborhood roads, city water supply system and sewer system.

The project will not overburden existing infrastructure and the Traffic, Parking and Transportation Department has determined that Bolton Street will be adequate to accommodate the demands placed on it by this new development.

**19.35: New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.*

The project is consistent with the types of housing that has been constructed elsewhere in this district along the active railway corridor while being sensitive to its immediate residential neighbors.

**19.36: Expansion of the inventory of housing in the city is encouraged.*

This development will create twenty new dwelling units.

**19; 37: Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.*

The proposal adds a landscaping buffer on the most visible sides of the project abutting the adjacent public streets, which will be a substantial improvement over the asphalted parking lot now on the site.

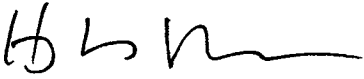
DECISION

Based on a review of the application documents, comments made at the public hearing, and the above findings, the Planning Board GRANTS the requested Special Permit, approving 20 dwelling units and 20 parking spaces, subject to the following conditions and limitations:

1. All uses, building construction and site plan development shall be in substantial conformance with the plans and application documents submitted to the Planning Board as referenced above, dated September 22, 2010, and revisions dated and initialed on December 7, 2010. Appendix 1 summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD) and before issuance of a Building Permit for the project, the CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this permit.
3. All authorized development shall conform to the requirements of the city of Cambridge Noise Control Ordinance, Chapter 8.16 of the City Municipal Code.
4. The proponent will provide the following Transportation Demand Management measures to encourage non-auto trips, including:
 - 1) Providing an MBTA Charlie Card, with equivalent value of a monthly Link pas to each adult member of a new household after the household has established residency.
 - 2) Increasing bicycle parking spaces to the greatest extent possible above the zoning minimum.
 - 3) Posting in a centralized, visible, convenient and equally accessible area to all residents and visitors information including:
 - i) Available pedestrian and bicycle facilities in the vicinity of the project site.
 - ii) MBTA maps, schedules and fares.
 - iii) "Getting around in Cambridge" map (available at the Cambridge Community Development Department).
 - iv) Car/vanpooling information from MassRides, CRTMA or other private ride-matching organizations, such as Zimride.com.

Voting to GRANT the Special Permit were, H. Russell, T. Anninger, P. Winters, S. Winter, and C. Studen, Associate Member appointed by the Chair to vote on this application, constituting two-third of the members of the Planning Board necessary to grant a Special Permit. Voting against granting the Special Permit was A. Nur.

For the Planning Board,



Hugh Russell, Chair

A copy of this decision PB#251 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 December 21, 2010, by Elizabeth M. Paden, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date. *EMP*

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge

Appendix I – Dimensional Form

Special Permit: 251

Address: 61-69 Bolton Street

	Allowed/Required	Existing	Proposed	Granted
Total FAR	1.625	0	1.35	1.35
Residential	1.25		1.24	1.24
Non-Residential	0		0	0
Inclusionary Bonus	15%		10%	10%
Bonus	15%		0	0
Total GFA in Sq. Ft.	31,796.38 Sf		26,436 Sf	26,436 Sf
Residential	24,458.75 Sf		24,384 Sf	24,384 Sf
Non-Residential	0			
Inclusionary Bonus	3,668.82 Sf		2,052 Sf	2,052 Sf
Bonus	3,668.82 Sf		0	0
Max. Height	45		35	35
Range of heights				
Lot Size	5000	19567	19567	19567
Lot area/du	1,000 SF /Du		1,223 SF /Du	1,223 SF /Du
Total Dwelling Units	25.447		20	20
Base units	19.567		16	16
Inclusionary units	2.94		2	2
Bonus units	2.94		2	2
Min. Lot Width	50	104 Ft	104 Ft	104 Ft
Min. Yard Setbacks				
Front	10'-0"		10'-0"	10'-0"
Side, Left	H+L/9 = 10'-5"		10'-5"	10'-5"
Side, Right	H+L/9 = 13'-0"		13'-0"	13'-0"
Rear	N/A Corner Lot		N/A Corner Lot	N/A Corner Lot
Total % Open Space	15% = 2,935 Sf		6,432 Sf	6,432 Sf
Usable	7.5% = 1,467.5 Sf		1,613 Sf	1,613 Sf
Other	7.5% = 1,467.5 Sf		4,819 Sf	4,819 Sf
Off Street Parking	20		20	20
Min #	20		20	20
Max #				
Handicapped	1		2	2
Bicycle Spaces	10		20	20
Loading Bays	0		0	0