



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

WRITTEN DETERMINATION MINOR AMENDMENT TO PLANNED UNIT DEVELOPMENT

Case Number:	368 Amendment 2 (Minor)
Location of Premises:	Volpe Exchange Parcel – 55 Broadway (33 Broadway, 2 Potter Street, 20 Potter Street, 156 Linskey Way, 220 Binney Street, 60 Sixth Street, 182 Binney Street)
Zoning:	Business A (BA); Residence C-2B (C-2B); Office 2 (O-2); PUD-KS; PUD-7
Applicant:	Massachusetts Institute of Technology (MIT) c/o MITIMCo, One Broadway, Suite 09-200, Cambridge, MA 02142
Owners:	United States of America 10 Causeway Street, Boston, MA 02030
Application Date:	April 27, 2023
Date of Determination:	May 16, 2023
Summary of Proposal:	Minor Amendment to modify the Phasing Plan to extend the date by which the development must commence construction by one year – from the original date of September 28, 2023 to September 28, 2024.
Determination:	APPROVED AS MINOR AMENDMENT.

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS
2023 JUN 29 AM 11:43

Copies of this Written Determination and plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Swaathi Joseph

For further information concerning this Written Determination, please contact Swaathi Joseph at 617-349-4668, or sjoseph@cambridgema.gov.

DOCUMENTS SUBMITTED

Documents Submitted by Permittee

1. Request for Minor Amendment to PUD Development Plan from Michael Owu dated 4/27/2023.
2. Presentation slides shown to Planning Board on 5/16/2023.

Other Documents

3. Memo to the Planning Board from Community Development Department (CDD) Staff, dated 5/11/2023.

SUMMARY OF REQUEST

The Applicant seeks to modify the commencement of development construction as set forth in the PUD Special Permit PB-368 Decision. Specifically, the Applicant requests to extend the construction start date by one year, to September 28, 2024. The construction was originally meant to commence by September 28, 2023.

FINDINGS

1. Minor Amendment to Planned Unit Development Special Permit (Section 12.37)

The following standards are set forth in the Zoning Ordinance regarding Minor Amendments to Planned Unit Development Special Permits.

12.37.1 Amendments to the Final Development Plan shall be considered major or minor. Minor amendments, as specified in Section 12.37.2 shall be authorized by written approval of the Planning Board. Major amendments, as specified in Section 12.37.3, shall be considered as an original application for a Special Permit to construct a PUD and shall be subject to procedures specified in Section 12.34 through 12.36. The Planning Board shall decide whether proposed changes are major or minor.

12.37.2 Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.

The Planning Board finds that the proposed change in commencement of construction constitutes a minor amendment, as set forth in Conditions #5 a., 5.d. and #18 of the PUD Special Permit Decision. The proposed change is consistent with the standards for a Minor Amendment and does not result in any changes to the concept of the PUD in terms of dimensional requirements or overall development and mix of uses. The proposed change also does not violate any applicable Sections of the Cambridge Zoning Ordinance and does not require any additional zoning relief. The Applicant has demonstrated that significant advancement towards construction has occurred since the Special Permit was originally granted, and that commencement of construction will likely occur over the next year due to the fact that the first building has cleared Planning Board design review and approval.

DETERMINATION

Based on a review of the documents submitted and the above Findings, the Planning Board hereby approves the requested changes as a Minor Amendment to the Planned Unit Development (PUD) Final Development Plan authorized by Planning Board Special Permit Decision PB-368. Except as explicitly set forth above, the Conditions of Special Permit Decision PB-368 shall continue to be in effect.

Voting in the affirmative to APPROVE the Minor Amendment were Planning Board Members Louis Bacci, Jr., H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Mary Flynn, and Hugh Russell.

For the Planning Board,

A handwritten signature in cursive script that reads "Mary Flynn". The signature is written in dark ink and is positioned above the printed name.

Mary Flynn, Chair.

A copy of this determination approving Amendment 2 (Minor) to Planning Board Special Permit PB-368 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 accurate copy of the above determination has been filed on June 29, 2023 with the Office of the City Clerk by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the determination have been filed with the City Clerk on said date.

Twenty days have elapsed since the above decision was filed in the office of the City Clerk and:
_____ no appeal has been filed; or
_____ an appeal has been filed within such twenty days.

The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. This certification shall in no event terminate or shorten the tolling, during the pendency of any appeals, of the periods provided under the second paragraph of G.L. c. 40A, §6.

Date: _____, City Clerk

Appeal has been dismissed or denied.

Date: _____, City Clerk