

Planning Board Special Permit Application
55 Washburn Avenue, Cambridge, MA

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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Parcel Address(s): 55 Washburn Avenue, Cambridge, MA 02140

Base Zoning District(s): Residence B

Overlay Zoning District(s): Not applicable

Applicant Name: Antje Danielson

Applicant Address: 55 Washburn Avenue, Cambridge, MA 02140

Contact Information: Sarah Like Rhatigan, Esq., Trilogy Law LLC 617-543-7009
Name Telephone #
Sarah@trilogylaw.com
Email Address

Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.

List all requested special permit(s) (with reference to zoning section numbers):


Zoning Section	Requested Special Permit
Section 5.53.2	Petitioner requests a special permit to allow for construction of a second principal dwelling structure where a portion of such structure shall be located farther than 75 feet from the front street line in a Residence B District.

Denote other City of Cambridge Board/Commission Review Needed:

Board of Zoning Appeal (Variances) Conservation Commission Historical Commission

Denote applicable Committee Review and Public Outreach:

Central Square Advisory Committee Harvard Square Advisory Committee Community Meeting(s)


Signature of Applicant

May 4, 2023

Date

CITY OF CAMBRIDGE, MA • PLANNING BOARD • SPECIAL PERMIT APPLICATION

DIMENSIONAL FORM

Project Address: 55 Washburn Avenue, Cambridge, MA 02140

Date: May 4, 2023

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	8,697 sf	5,000 sf (min)	8,697 sf	
Lot Width (ft)	39 ft / 81 ft	50 ft (min)	39 ft / 81 ft	
Total Gross Floor Area (sq ft)	2,062 ft	3,794 ft (max)	3,754 ft	
Residential Base	2,062 ft	3,794 ft (max)	3,754 ft	
Non-Residential Base	0 ft	0 ft	0 ft	
Inclusionary Housing Bonus	n/a	n/a	n/a	
Total Floor Area Ratio	0.24	0.44	0.43	
Residential Base	0.24	0.44	0.43	
Non-Residential Base	0	0	0	
Inclusionary Housing Bonus	n/a	n/a	n/a	
Total Dwelling Units	1 + Access. Apt.	2 + Access. Apt.	2 + Accessory Apt.	
Base Units	1 + Access. Apt.	2 + Access. Apt.	2 + Accessory Apt.	
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	8,697 sf	2,500/4,000 sf	4,348 sf	
Total Lot Area / Unit (sq ft)	8,697 sf	2,500/4,000 sf	4,348 sf	
Building Height(s) (ft)	33 ft (B1)	35 ft (max)	33 (B1)/33 ft (B2)	
Front Yard Setback (ft)	3.7 ft	15 ft (min)	3.7 (B1)/74.0 ft (B2)	
Side Yard Setback (ft)	7.9 ft	7.5/sum 15 ft (min)	7.9 (B1)/48.4 ft (B2)	
Side Yard Setback (ft)	6.2 ft	7.5/sum 15 ft (min)	6.2 (B1)/7.5 ft (B2)	
Rear Yard Setback (ft)	84.0 ft	35.0 ft (min)	35.0 ft (B2)	
Open Space (% of Lot Area)	0.73	0.40	0.67	
Private Open Space	0.60	0.20	0.52	
Permeable Open Space	0.73	0.40	0.67	
Other Open Space (Specify)	n/a	n/a	n/a	
Off-Street Parking Spaces	1	0	1	
Bicycle Parking Spaces	4	4	4	
Loading Bays	n/a	n/a	n/a	

Use space below and/or attached pages for additional notes:

B1 = Building 1 (front) B2 = Building 2 (rear)

OWNERSHIP CERTIFICATE

Project Address: 55 Washburn Avenue, Cambridge, MA 02140

Date: March 10, 2023

To be completed by the Property Owner: Antje Danielson

I hereby authorize the following Applicant: Antje Danielson

at the following address: 55 Washburn Avenue, Cambridge, MA 02140

to apply for a special permit for: a second principal structure on the lot

on premises located at: 55 Washburn Avenue, Cambridge, MA 02140

for which the record title stands in the name of: Antje Danielson

whose address is: 55 Washburn Avenue, Cambridge, MA 02140

by a deed duly recorded in the: Middlesex

Registry of Deeds of County: March 31, 1999 Book: 29997 Page: 417

OR Registry District of the Land Court,
Certificate No.:

Book: _____
Page: _____



Signature of Property Owner (If authorized Trustee, Officer or Agent, so identify)

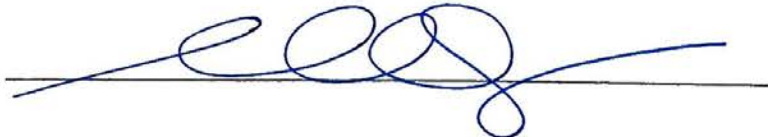
To be completed by Notary Public:

Commonwealth of Massachusetts, County of Middlesex

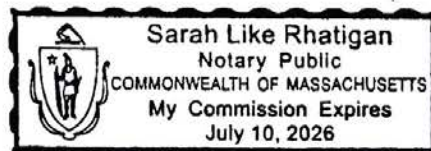
The above named Antje Danielson personally appeared before me,

on the month, day and year March 10, 2023 and made oath that the above statement is true

Notary: _____



My Commission expires: _____



FEE SCHEDULE

Project Address: 55 Washburn Avenue, Cambridge, MA 02140

Date: May 4, 2023

The Applicant must provide the full fee (by check made to City of Cambridge) with the Special Permit Application. The required fee is the larger of the following amounts:

- (a) The fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area noted in the Dimensional Form.
- (b) The fee is one thousand dollars (\$1,000.00) if Flood Plain Special Permit is sought as part of the Application and the amount determined above is less than \$1000.
- (c) The fee is one hundred fifty dollars (\$150.00) if the above amounts are less than \$150.

Fee Calculation

(a) Proposed Gross Floor Area (SF) in Dimensional Form:	× \$0.10 =	375.00
(b) Flood Plain Special Permit fee	:	1000.00
(c) Minimum Special Permit fee	:	150.00
SPECIAL PERMIT FEE	Enter Largest of (a), (b), and (c):	\$375.00

**Special Permit Application
City of Cambridge Planning Board**

55 Washburn Avenue, Cambridge

May 4, 2023

PROJECT NARRATIVE

Project Overview

Existing Conditions

The proposed project is located at 55 Washburn Avenue, on a one-way street leading out to Massachusetts Avenue, in North Cambridge. The property is located in a Residence B District and is currently the site of a three-story gable house constructed in approximately 1903.

The property was for many decades used as a two-family dwelling. The owner and petitioner, Ms. Antje Danielson (the “Petitioner”), lived in the upper two floors and rented the first-floor apartment. In 2021, the Petitioner applied for and obtained a Certificate of Occupancy from Cambridge Inspectional Services, to convert the existing structure to a single-family dwelling with an accessory apartment, allowed “as of right” per the Cambridge Zoning Ordinance (“CZO”).

There is one open parking space located on the front portion of the driveway. There is also an unusually large rear yard (relative to others in the neighborhood). The shape of the lot may best be described as a “lamb chop” - the front of the lot (where the house is situated) is quite narrow while the rear yard expands (behind the neighbor’s house to the left) to more than double the width.

The existing structure is pre-existing, non-conforming with respect to its location within the front and side setbacks.

Site Context

Many of the properties in the vicinity, along Washburn Avenue and along the parallel side streets (Clarendon Avenue and Gold Star Road) contain single-, two-, and an occasional three-family dwellings on relatively narrow lots. The exceptions include an office building (located across the street from the project) and a 14-unit condominium building (in an infill area between Washburn and Clarendon south of the project). Nearly all the properties in the area contain moderately-sized residential structures.

Proposal

The Petitioner is proposing to construct a detached, 2-½ story, single-family modular home directly behind the existing house. The purpose is to provide a new home for the Petitioner's son and daughter-in-law, who are currently renting the small 625 square foot accessory apartment. The plans are to use modular construction in order to maximize efficiency and reduce construction costs. The proposed new home will be similar although distinct in style from the front home in style, with a significantly smaller massing and scale.

The siting of the new structure is optimal in that it meets all zoning setbacks, aligns the new structure behind the existing home to minimize visibility from the street, and preserves the large canopy tree, and maintains a consolidated, green yard area. The intention is for the yard area to be enjoyed in common. However, future owners could easily choose to segment the yard to create exclusive yard areas with landscaping features (plantings or fences). The landscape plan does *not* add any impermeable features and will provide plantings along the borders to provide additional screening for the neighbors.

The project will not provide any additional parking on site. The Petitioner uses the existing parking space to park a compact car. Her son and daughter-in-law, who live there presently, utilize street parking, and will continue to do so regardless of whether this project is approved. The Petitioner will commit to preferring to rent to tenant(s) who do not own a vehicle. There is a bike shed with ample room for bicycle parking.

Special Permit Required

The project requires a special permit in accordance with Article 5.53, Paragraph 2 to allow for construction of a second structure containing a principal residential use in a Residence B district where such second structure is partially located farther than 75 feet from the street lot line to which the property abuts.

A portion of the rear house will be located farther than 75 feet from the Washburn Avenue property line (the closest front facing wall beginning at 74.0 feet), requiring a special permit from the Planning Board in accordance with Article 5.53, Paragraph 2. A special permit is required because the applicable standard requires that all portions of the structure must be within the 75 feet demarcation line, and in this case, portions of the proposed second structure will extend beyond this line.

Zoning Compliance

The existing dwelling was constructed in approximately 1903 on a lot that was (and is) less than 50 feet wide. The existing dwelling is legally pre-existing nonconforming structure due to its siting within the front and side (left and right) setbacks for the District. The lot is pre-existing nonconforming in that it is less than 50 feet wide at the street.

The driveway and one parking space within the front setback were permitted by a variance issued by the Board of Zoning Appeal (“BZA”) in 2013. It was determined by the BZA that these unusual site conditions caused a hardship and that the Petitioner had shown that there was no other alternative location for parking on the site. A copy of the BZA decision is attached as Exhibit A to this narrative.

The new dwelling unit is proposed to be fully compliant with zoning requirements as to setbacks, Floor Area Ratio (not exceeding the maximum), height and distance between the other structures on the lot.

The site plan provides adequate open space and green, open space conforming to the requirements of the ordinance.

Additionally, the project plans conform with the newly adopted Green Factor Standard under Section 22.90, as outlined in a Green Factor Report that has been submitted to the Community Development Department staff for their administrative review.

The only zoning relief required is the special permit under Section 5.53, Paragraph 2 being requested of the Planning Board in this application.

Compliance with Criteria Specific to Special Permits Being Sought

The project complies with the criteria specific to the special permits being sought pursuant to Section 5.53 (Second Dwelling Unit in a Residence B District).

Section 5.53: Special Permit for Second Dwelling Unit

Pursuant to CZO Section 5.53.2, the Planning Board by Special Permit may allow the construction of more than one structure containing a principal residential use on a lot where portions of a structure are greater than (75) feet from any street line to which the lot abuts when the following criteria are met:

(a) that 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;

Project meets this criterion as follows:

The development of a second structure on this lot will not significantly increase the impact of the new construction since the separate structure will break up the massing on the lot, allow for space between the front and rear structures, and generally be in keeping with the rhythm and pattern of residential development in the neighborhood. The proposed project is less impactful than construction of a large addition to the main house, which would result in a very long (deep) structure, unlike any other structure along the street.

or

(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 Board shall consider the impact of the new construction on the following:

- (1) the extent to which the preservation of a large contiguous open space in the rear of the lot or series of adjacent lots is achieved through the provision of a 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 project meets this criterion as follows:

The second dwelling is sited as close to the right lot line as permitted under the Ordinance and as close to the front structure as permissible in order to preserve a large, contiguous open space towards the rear and the left side of the lot, maintaining a total of 5,626 square feet of Open Space (0.67), where only 0.40 is required, and with the majority of that Open Space (4,509 square feet; 0.52) conforming to the dimensional requirement of space greater than 15'x15'.

- (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 project meets this criterion as follows:

The construction of a second dwelling will not affect incentives to develop the front portions of lots, since the front of this lot is fully developed and consistent with pattern of development for the neighborhood.

- (3) the extent to which two or more structures provides an enhanced living environment for residents on the lot,*

The project meets this criterion as follows:

The construction of a separate single-family structure will allow for both homes to have four sides with windows (to allow light and air) and green space between the structures. It will also allow for the maintaining of existing rear decks on the main house, which are a source of light and enjoyment. These conditions will greatly enhance the living environments for the residents of both homes.

The lot does not allow for a future subdivision of the land, due to insufficient lot width. However, if the property shall ever be converted to a condominium in the future, the condominium documents will provide that the rear building owners will have legal rights of access to the street via a dedicated pathway to be constructed along the right side of the front structure (as shown in the Landscape Plan), with such rights of access delineated in the condominium's master deed and plans for the condominium.

(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 project meets this criterion as follows:

This project will facilitate and incentivize the preservation of the existing early-20th century home.

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

The project meets this criterion as follows:

This project does not propose to add parking to the site. With a granting of the requested special permit, this project will allow for reasonable development without the expansion of pavement and parking areas that would otherwise be visible to the public street or adjacent lots.

(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 project meets this criterion as follows:

The proposed new modular home is modest and smaller in size (2 ½ stories, 22' x 32', and containing 1,692 square feet) than the existing house at the front of the lot.

Compliance with General Special Permit Criteria (Section 10.43)

Granting of the Planning Board special permits for the project at 55 Washburn Avenue will not be to the detriment of the public interest for the reasons described here:

(a) The requirements of the Ordinance can and will be met.

This project conforms with the Ordinance requirements in all respects except as to those elements that are eligible for special permit relief.

(b) Traffic generated or patterns of access or egress will not cause congestion, hazard, or substantial change in established neighborhood character.

This project, resulting in the addition of one modest size single-family home will not generate an increase in traffic or changes to patterns of access or egress to the site whatsoever. The additional residential structure will be in keeping with the established neighborhood character.

(c) *The continued operation of or the development of adjacent uses will not be adversely affected by the nature of the proposed use.*

Immediately adjacent neighbors to the project will not be adversely affected by the new home which is set back behind the existing structure, with adequate setbacks and largely invisible from the street. The immediately abutting owners have reviewed and either expressly approved the new home or have not informed the Petitioner of any objection to this project.

(d) *There will be no nuisance nor hazard created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City.*

For reasons already described, the project will not be cause for nuisance or hazard detrimental to the neighborhood or the community.

(e) *The proposed use will not impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance.*

The project will not impair the integrity of this residential district or adjoining district or derogate from the intent and purpose of the Ordinance. It is an express policy of the City of Cambridge that development that is respectful to the existing historic structures and patterns of development, growth that will allow Cambridge families to age in place, and projects that improve and/or add to the available housing stock are to be encouraged and allowed where possible. Such uses will be a benefit to the North Cambridge residential neighborhood.

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

The project is consistent with the following Citywide Urban Design Objectives:

19.31 New projects should be responsive to the existing or anticipated pattern of development. Indicators include:

(1) Heights and setbacks provide suitable transition to abutting or nearby residential zoning districts that are generally developed to low scale residential uses.

The new home is of similar height and situated to provide necessary setbacks within the context of this low scale residential neighborhood.

(2) New buildings are designed and oriented on the lot so as to be consistent with the established streetscape on those streets on which the project lot abuts. Streetscape is meant to refer to the pattern of building setbacks and heights in relationship to public streets.

The new home is designed and oriented directly behind the existing home so that it will be largely unseen from the front streetscape.

(3) *In mixed-use projects... [Not Applicable].*

(4) *Where relevant, historical context are respected, e.g. special consideration should be given to buildings on the site or neighboring buildings that are preferably preserved.*

The project allows for the preservation of the existing three-story gable house constructed in approximately 1903, without modification or demolition.

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

(5) *Pedestrians and bicyclists are able to access the site safely and conveniently; bicyclists should have, secure storage facilities conveniently located on-site and out of the weather. If bicycle parking is provided in a garage, special attention must be aid to providing safe access to the facilities from the outside.*

The project provides safe pedestrian and bike access to a rear shed for convenient and secure bike storage.

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

(1) *Mechanical equipment that is carefully designed, well organized or visually screened from its surroundings and is acoustically buffered from neighbors. Consideration is given to the size, complexity and appearance of the equipment, its proximity to residential areas, and its impact on the existing streetscape and skyline. The extent to which screening can bring order, lessen negative visual impacts, and enhance the overall appearance of the equipment should be taken into account.*

Mechanical equipment will be modest in size, not located on the roof, and with exterior elements visually screened and acoustically buffered from neighbors. Exterior equipment will not be seen from the public way.

(2) *Trash that is handled to avoid impacts...*

Trash and recycling barrels will be stored securely away from public view and in accordance with the ordinance requirements, with barrels wheeled out to the street on pick-up days.

(3) *Loading zones [Not applicable].*

(4) *Stormwater Best Management Practices and other measures to minimize runoff and improve water quality are implemented.*

The project applicants acknowledge that this project will trigger a Stormwater Control Permit and will seek an exemption at the time of building permit application due to the small nature of the project.

(5) Landscaped areas and required Green Area Open Space, in addition to serving as visual amenities, are employed to reduce the rate and volume of stormwater runoff compared to pre-development conditions.

The new home is sited so as to minimize any loss of open space and minimize impermeable surfaces and preserve a large canopy tree to maintain natural conditions for storm water absorption.

(6) The structure is designed and sited to minimize shadow impacts on neighboring lots, especially shadows that would have a significant impact on the use and enjoyment of adjacent open space...

The new home is modest in size and sited at the rear of the lot in a location intended to minimize shadow on neighboring residential uses and to allow natural light to shine through to neighboring homes and yards. The immediately abutting structure (to the right) is an uninhabited garage/storage outbuilding.

(7) Changes in grade across the lot are designed in ways that minimize the need for structural retaining walls close to property lines.

There will be no need for structural retaining walls.

(8) Building scale and wall treatment, including the provision of windows, are sensitive to existing residential uses on adjacent lots.

The rear and right-side elevations (closest to the neighboring lots) have a minimum of windows, and are otherwise sensitive to the residential uses on the adjacent lots.

(9) Outdoor lighting is designed to provide minimum lighting and necessary to ensure adequate safety, night vision, and comfort, while minimizing light pollution.

The new home provides for only one exterior light per entry door to minimize light pollution. All lighting will be minimal and sensitive to neighboring uses.

(10) The creation of a Tree Protection Plan that identifies important trees on the site, encourages their protection, or provides for adequate replacement of trees lost to development on the site.

No jurisdictional trees (6-inch diameter trunk or greater) will be removed. Plans will ensure that the large canopy tree is protected and preserved during construction.

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

(1) The building and site design are designed to make use of water-conserving plumbing and minimize the amount of stormwater run-off through the use of best management practices for stormwater management.

The new home will have water conserving plumbing fixtures and appliances. The project will minimize stormwater runoff through use of stormwater management practices.

(2) The capacity and condition of drinking water and wastewater infrastructure systems are shown to be adequate, or the steps necessary to bring them up to an acceptable level are identified.

The current water and sewer infrastructure system will be adequate to allow for the one single-family dwelling proposed.

(3) Buildings are designed to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building, including supporting mechanical systems that reduce the need for mechanical equipment generally and its location on the roof of a building specifically. The buildings are sited on the lot to allow construction on adjacent lots to do the same. Compliance with Leadership in Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards is encouraged.

The project employs a modular home construction. The new home will use Energy Star certified appliances (such as front-loading washer and dryer).

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

(1) New educational institutional construction ... [Not applicable]

(2) Where institutional construction occurs in commercial areas ... [Not applicable]

(3) In large, multiple-building non-institutional developments ... [Not applicable]

(4) Historic structures and environments are preserved.

The project preserves the existing 19th Century home intact and preserves to the greatest extent possible the large, green yard area in the rear, to the benefit of the owners and neighbors.

(5) Preservation or provision of facilities for start-up companies and appropriately scaled manufacturing activities ... [Not applicable]

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

(1) Housing is a component of any large, multiple building commercial development... [Not applicable]

(2) Where housing is constructed, providing affordable units exceeding that mandated by the Ordinance. Targeting larger family-sized middle-income units is encouraged.

The project entails preserving the existing single-family with accessory unit and adding a modest-sized single-family unit for family to reside in, thus meeting Citywide goals of preserving an existing rental unit and encouraging construction of a modest new home.

19.37 Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city. Indicators include:

- (1) *On large-parcel commercial developments, publicly beneficial open space is provided.*
- (2) *Open space facilities are designed to enhance or expand existing facilities or to expand networks of pedestrian and bicycle movement within the vicinity of the development.*
- (3) *A wider range of open space activities than presently found in the abutting area is provided.*

*The above indicators are either not applicable or are not appropriate for the size and nature of this small residential project.

Additional Information Requested Re: Flood Preparedness and Cool Factor Analysis:

At the request of Community Development Department staff, the Petitioner evaluated impacts of potential future flooding of the site and performed a cool factor analysis of the impact of the proposed development. The results of these studies are summarized here.

Flood Preparedness

A review of the Cambridge FloodViewer precipitation maps and elevation information for the site reveals that water levels should not be a greater-than-usual concern given the grade of the lot and planned height of the first floor of new construction.

Building requirements require the first floor be built above the 2070 10% precipitation level and show that the building could recover from a 2070 1% precipitation storm event.

The grade (determined by the land survey) is at its lowest at 23.16 -23.37 feet. The first floor of the new home will be at least 1.2 feet above grade, bringing the beginning of the first floor to 24.36 feet. This is above the 2070 10-year precipitation level of 24.0 feet, but just below the 2070 1% precipitation level of 25.0 feet. We will take steps to demonstrate the ability to recover from a 2070 1% precipitation level event.

The first floor of the new structure will be built above 10% storm level. No windows or entries will be built into the foundation below the first floor. The basement will be used for utilities and storage (raised off the floor to reduce the likelihood of water damage). The basement floors and walls will be cement and any flooring and siding added on top will be water resistant

and easily replaceable if water damage is suffered. For these reasons, it is reasonable to conclude that the project reasonably accounts for future precipitation scenarios.

Cool Factor Analysis

The Petitioner conducted a cool factor analysis, determining that the project will bring about a net improvement in conditions on the lot. See the Cool Factor Analysis chart included with the graphic materials.

Notable points for the existing conditions include: a canopy tree with a spread greater than 25 feet, an extremely large lawn area (greater than 4,500 sq. ft.) surrounded by low planting and planting areas (greater than 1,000 sq. ft.), as well as a green facade in the form of ivy growing on a side of the existing house.

For the proposed conditions, roughly 700 sq. ft. of lawn is lost but will be replaced by additional landscaping, including a minimum of 6 understory trees, as shown on the Landscape Plan included in the graphic materials.

The net effect of the project is to move this lot from a score of 0.9 to a score of 1.0, which conforms to the requirements of the Cool Factor analysis.

Additional Information; Miscellaneous:

No Additional Parking

The project does not include the construction of any additional parking. This decision was made after a thorough analysis of feasibility, need and negative impacts that would result. It was determined that any additional parking would be infeasible (due to severe site constraints), unnecessary (due to the anticipated future use of the property) and undesirable (due to the detrimental impacts of increasing paved surfaces and decreasing green yard area).

The Petitioner parks her compact vehicle in the existing driveway space and her current tenants (her son and daughter-in-law) park on the street. Once the project is built, the Petitioner's son and daughter-in-law will move into the rear home, opening up the small, 625 square foot Accessory Apartment to a future tenant. The future occupant(s) of this small apartment will be encouraged by the Petitioner not to have a vehicle.

A parking analysis conducted by the Petitioner found that the project would not detrimentally impact street parking in the area due to the following:

- a) The availability of surplus off street parking in the vicinity and the proximity of MBTA service in the area. The property is approximately 0.2 miles (4 min. walk) to the nearest MBTA bus stop on Massachusetts Avenue, approximately 0.7 miles (14 min. walk) to Davis Square MBTA station, and a 19 min. walk to Alewife MBTA Station (Red line and multiple bus routes) due to being almost directly on the Minute Man Bikeway.

- b) The availability of street parking in the vicinity. Total street parking utilization in the surrounding neighborhood was found (during an informal parking survey) not exceed 62% capacity throughout the week. A public parking lot is approximately 0.4 miles away at 2400 Massachusetts Avenue.

The lesser amount of parking will also provide positive environmental benefits by preserving open, green space, reducing vehicle emissions, and encouraging the occupants to rely upon bicycle and public transit options, instead of vehicles.

Fire Department Review

The Petitioner has reviewed the proposed site plan with the Fire Department and received preliminary confirmation that the Fire Department does not have concerns about providing service to the rear structure for fire or other emergency access. A tank sprinkler system and an approved maintenance plan for the rear structure will comply with Fire prevention requirements.

Summary of Community Outreach

The Petitioner has conducted extensive, individual outreach to immediate abutters, describing and then sharing the plans, once available.

The Petitioner held two community meetings on site at the Property: on April 19, 2022 and again on May 24, 2022. The flyers advertising the community meetings (attached as Exhibit B) were hand-delivered or mailed to abutters on the abutters' list provided to the Petitioner by the City's Tax Assessor, delivered to the North Cambridge Stabilization Committee and the Alewife Study Group, and for the May 24th meeting, with a copy of the Flyer posted with Community Development Department's website.

Here are the summaries of these community meetings:

4/19/22 6pm-7pm Community Outreach – 55 Washburn Ave.

All attendees were direct abutters or abutters of abutters who were previously aware of the project and had raised no objections. A sign-in sheet was kept which captured names, addresses, emails, and a column to indicate interest in receiving a summary of the meeting and any questions and answers.

Attendees:

Antje Danielson (Owner)
Maxwell Danielsson (Owner's Son)
Gigi Chow (Owner's Daughter-in-law)
Aaron Brathwaite - 61 Washburn Ave
Matt Goldstein – 52 Clarendon Ave
Carolann Barrett – 44 Clarendon Ave
Barbara Brathwaite – 51 Washburn Ave
Suzy Shaw – 46 Clarendon Ave

Miranda Pearce – 52 Clarendon Ave

Meeting Summary:

The footprint of the new structure was staked out with four corners and construction ties for attendees to see a rough placement of the new house. Meeting started with packets being distributed to all attendees and a brief presentation of the packet by Maxwell Danielsson. The presentation included but was not limited to the items below.

Description of the project as adding a new, detached, single family home (build plans included in packets)

Size, shape, and placement of new structure

That we are applying for a special permit from the Planning Board

That we had submitted a draft of the application for pre-review

What the special permit was for (parking reduction and >75ft from street line)

That we are planning to use modular construction and a brief description of how that differs from regular construction (using a crane to move the modules into place)

After the presentation, the meeting was opened to questions and concerns.

Q: What siding would be used?

A: Current plan is to use cement composite (eg Hardie Board) but vinyl would be the choice if the budget had to be balanced

Q: If neighbors could be kept in the loop on milestones (special permit approval, building permit approval)

A: We will keep neighbors informed in person or via email from the sign-in sheet.

The meeting ended with general small talk about the history of the existing house and surrounding houses. No objections or concerns were raised but attendees were encouraged to reach out to us directly if they had additional questions or if they had concerns that they did not feel comfortable sharing in the larger group.

5/24/22 6pm-7pm Community Outreach – 55 Washburn Ave.

2nd community meeting was held on 5/24. An abutters' list of contacts to invite was provided by the City and included but was not limited to all of Washburn Ave, Clarendon Ave, and Gold Star Road. A sign-in sheet was kept which captured names, addresses, emails, and a column to indicate interest in receiving a summary of the meeting and any questions and answers.

Attendees:

Antje Danielson (Owner)

Maxwell Danielsson (Owner's Son)

Gigi Chow (Owner's Daughter-in-law)

Gaelle Droneau - 65 Washburn Ave

Bob O'Reilly – 34 Clarendon Ave

Meeting Summary:

The footprint of the new structure was staked out with four corners and construction ties for attendees to see a rough placement of the new house. Meeting started with packets being distributed to all attendees and a brief presentation of the packet by Maxwell Danielsson. The presentation included but was not limited to the items below.

Description of the project as adding a new, detached, single family home (build plans included in packets)

Size, shape, and placement of new structure

That we are applying for a special permit from the Planning Board

That we had submitted a draft of the application for pre-review

What the special permit was for (parking reduction and >75ft from street line)

That we are planning to use modular construction and a brief description of how that differs from regular construction (using a crane to move the modules into place)

After the presentation, the meeting was opened to questions and concerns.

Q: since we are doing modular, what part of the construction will take the longest?

A: Because we are using a modular building system the longest phase of construction will most likely be the excavation and building of the foundation which will be done with traditional methods.

Q: Will power lines need to be disconnected to place the modular house?

A: The crane company inspected the property and confirmed that if any cables would need to be disconnected it would be limited to the power lines to the existing house and possibly to 61 Washburn Ave.

Q: Will the lot be subdivided?

A: No, the plan is to condo-ise the lot and have the front house and back house be separate condo units.

General small talk about the neighborhood was had and contractors were recommended that had experience on the street. No objections or concerns were raised but attendees were encouraged to reach out to us directly if they had additional questions or if they had concerns that they did not feel comfortable sharing in the larger group.

Please Join Us for a Community Meeting

55 Washburn Ave

April 19th, 2022 from 6:00pm to 7:00pm

At 55 Washburn Ave



Regarding:

Planning Board Special Permit to construct a detached single-family unit behind current house with no parking. For questions, please contact Max Danielsson at maxwell.danielsson@gmail.com, or 617-938-9305.

55 Washburn Avenue
Front View



55 Washburn Avenue
Front View



55 Washburn Avenue
Front View



55 Washburn Avenue
Front View





55 Washburn Avenue
View of Rear Yard
(seen from front house)

55 Washburn Avenue
Rear View



55 Washburn Avenue
Rear View





Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number	: 202149
Document Type	: DECIS
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Recorded Time	: 10:01:11 AM
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Recording Fee	: \$75.00

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3



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

2013 JUL 17 PM 3 04

831 Mass Avenue, Cambridge, MA
(617) 349-6100 OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

property address: 55 Washburn Ave, Cambridge

CASE NO: 10449

LOCATION: 55 Washburn Avenue - Apt. 2 Residence B Zone
Cambridge, MA

PETITIONER: Antje Danielson *
C/o Sarah Like Rhatigan, Esq.

* Deed Reference: owners are Antje Danielson + Stephen Parman. see deed recorded at Book 29997, Page 417.
Variance: To construct one on grade, off street parking space in the front setback.

PETITION: Variance: To construct one on grade, off street parking space in the front setback.

VIOLATION: Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).
Art. 6.000, Sec. 6.42, 6.43.4 & 6.44.1.C (Parking).

DATE OF PUBLIC NOTICE: May 30 & June 6, 2013

DATE OF PUBLIC HEARING: June 13, 2013

MEMBERS OF THE BOARD:

- CONSTANTINE ALEXANDER - CHAIR
- TIMOTHY HUGHES - VICE-CHAIR
- BRENDAN SULLIVAN
- THOMAS SCOTT
- JANET O. GREEN

✓
✓
✓
✓
✓

ASSOCIATE MEMBERS:

- DOUGLAS MYERS
- SLATER W. ANDERSON
- LINDSEY T. THORNE-BINGHAM
- ANDREA A. HICKEY
- KEVIN C. McAVEY

Members of the Board of Zoning Appeal heard testimony and viewed materials submitted regarding the above request for relief from the requirements of the Cambridge Zoning Ordinance. The Board is familiar with the location of the petitioner's property, the layout and other characteristics as well as the surrounding district.

Case No. 10449
Location: 55 Washburn Avenue
Petitioner: Antje Danielson c/o Sarah Like Rhatigan, Esq.

On June 13, 2013, Petitioner Antje Danielson appeared before the Board of Zoning Appeal with her attorney Sarah Rhatigan requesting a variance in order to construct one on grade, off street parking space in the front yard setback. The Petitioner requested relief from Article 5, Section 5.31 and Article 6, Sections 6.42, 6.43, and 6.44 of the Cambridge Zoning Ordinance ("Ordinance"). The Petitioner submitted application materials including information about the project, plans, and photographs.

Ms. Rhatigan stated that while the proposed parking area was set behind the front porch of the house, it none the less invaded the proscribed front yard setback by one foot. She stated that parking was limited in the neighborhood, but was not allowed on the proposed curb cut's side of the street and so the proposed driveway would not reduce the amount of parking in the neighborhood.

The Chair asked if anyone wished to be heard on the matter, no one indicated such. The Chair read two letters of support from neighbors.

After discussion, the Chair moved that the Board grant the variance for relief in order to construct one on grade, off street parking space in the front yard setback based on the finding that a literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the Petitioner. The Chair moved that the Board find that the hardship related to the street pattern, the parking restrictions, and the number of curb cuts for front yard parking on the street, which created a need for the Petitioner to park on-site. The Chair moved that the Board find that the hardship was owing to circumstances relating to the shape of the lot and the structure on the lot, where, because of the bay window, parking was forced to intrude into the front yard by one foot. The Chair moved that the Board find that relief could be granted without substantial detriment to the public good or nullifying or substantially derogating from the intent or purpose of the Ordinance. The Chair moved that the Board find that the proposed parking would create no loss of on street parking, since parking was not permitted on the side of the street where the curb cut would be located. The Chair moved that the Board grant the variance on the condition that the work proceed in accordance with the modified plot plan submitted, dated April 12, 2013, and initialed by the Chair.

The five member Board voted unanimously in favor of granting the variance (Alexander, Hughes, Sullivan, Scott, and Green) with the above condition. Therefore, the variance is granted.

The Board specifically finds that, based upon all the information presented, there are circumstances involving a substantial hardship relating to this property within the meaning of M.G.L. c. 40A § 10. The Board also finds that desirable relief could be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the Ordinance.

The Board of Zoning Appeal is empowered to waive local zoning regulations only. This decision therefore does not relieve the petitioner in any way from the duty to comply with local ordinances and regulations of the other local agencies, including, but not limited to the Historical Commission, License Commission and/or compliance with requirements pursuant to the Building Code and other applicable codes.



Constantine Alexander, Chair

Attest: A true and correct copy of decision filed with the offices of the City Clerk and Planning Board on 7/17/13 by Maria G. Russo, Clerk.

Twenty days have elapsed since the filing of this decision.

No appeal has been filed

Appeal has been filed and dismissed or denied.

Date: Sept. 10, 2013 Anna P. Lopez City Clerk.

