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CITY OF CAMBRIDGE, MASSACHUSETTS  
**PLANNING BOARD**

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

NOTICE OF DECISION

CASE NO: PB #58

PREMISES: 129-139, 157-175, 181, 189-205, 194 Richdale Avenue

ZONING DISTRICT: Industry A-1

PETITIONER: Joseph R. Nogueira

APPLICATION DATE: September 15, 1986

DATE OF HEARING: October 7, 1986

PETITION: Special Permit to construct 96 units of housing;  
Special Permit to reduce side and rear yards; variation  
in density requirements of IA-1 District to permit  
transfer of of units allowed on the small site to be  
constructed on the larger site.

DATE OF PLANNING BOARD DECISION: November 18, 1986

DATE OF FILING THE DECISION: november 28, 1986

Decision (summary): Approval 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 date of 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 Community Development and the  
City Clerk.

November 27, 1986  
Date

Robert B. B...  
Authorized Representative  
to the Planning Board

Case No. PB#58

Premises: 129-139, 157-175, 181, 189-205, and 194 Richdale Avenue.

Petitioner: Joseph R. Nogueira

Application Date: September 15, 1986

Public Hearing Date: October 7, 1986

Petition: Special Permit to construct multi-family housing in an Industry A-1 District; Special Permit to reduce the side and rear yards in an Industry A-1 District; variation in the density regulation of an Industry A-1 District to permit the transfer of dwelling units from one portion of the development to another, as permitted in Section 10.45.

Date of Planning Board Decision: November 18, 1986.

#### Application

The following documents were submitted in support of the application.

1. Application form certified complete on September 15, 1986.
2. Site Plan, Elevations entitled "Richdale Terrace"; numbered S-1, S-2, A-1 to A-4; Scale 1"=20"; Grassi Sharkey Design group, undated.

#### Other Documents

1. Topographical Site plan; 175-181 Richdale Avenue; Scale 1"=20" Design State Survey; October 30, 1986.
2. Traffic Study Report; September 9, 1986; K and M Associates.
3. Letter to Paul Dietrich from Lauren Preston, dated October 1, 1986, commenting on parking layout in the proposed development.
4. Letter to Paul Dietrich from Lauren Preston, dated November 17, 1986, commenting on larger traffic issues.

5. Letter to Planning Board from Mr. and Mrs. Gillivray supporting the application.
6. Letter to the Planning Board from Theodore Clausen indicating a number of concerns related to density and bulk of the development.
7. Letter to the Planning Board from Kate Mattis of the North Cambridge Stabilization Committee requesting a delay in the decision to permit additional meetings with residents.

#### Public Hearing

A public hearing was held on Tuesday, October 7, 1986. The applicant and his architect described the project which includes 96 units of housing on a 100,000 square foot site and a smaller 13,000 square foot site across Richdale Avenue. One existing brick building will be retained on the smaller site; all other buildings will be demolished on both sites. The proposed development will be a series of courtyard buildings with parking underground. Several townhouse units would have parking directly off of Richdale Avenue under the units.

In general there was support for the redevelopment of the site for housing; concern however was expressed regarding the scale of the development (height, FAR) and the density (number of units) proposed. The impact of the development on traffic locally on Richdale Avenue and on arteries beyond was a principal concern; many residents felt that the additional traffic would unreasonably increase congestion, particularly at Walden Street intersections. The immediate impacts on Richdale Avenue were also important: residents felt that the street was too narrow to accept additional traffic and would require the elimination of one side of on street parking should the development proceed. Toxic waste on the site was an additional issue raised. The applicant indicated that all requirements of the law will be met in this regard.

There were specific site and building design issues raised: height of the proposed buildings which, while conforming to that permitted by zoning, were higher than the existing homes along the street; the wall effect created along the railroad right of way particularly with the tying of the buildings together with external egress stairs; the location and design of the trash compactor and the community center adjacent to the housing enclave not owned by the applicant; the nature of the noise barrier proposed along the railroad right of way and its sound

impact on adjacent properties and those located beyond the railroad property; and the detailed character of the building forms and design elements.

Findings

1. The proposal conforms to the dimensional requirements of the Industry A-1 District with the exception of the transfer of density between sites A and B described in Finding 2 below.
2. A variation in the lot area per dwelling unit is requested to allow nine of the ten units permitted on the small lot (Site B) to be constructed on the large lot (Site A) across Richdale Avenue. For the combined sites there would be no net increase in density or number of dwelling units. As the Zoning Ordinance does not permit such a transfer of development potential between non-contiguous lots a technical variation in the Industry A-1 regulations customarily requiring a variance is required. As no net increase in density results and as the transfer will result in an attractive open aspect to the smaller site along with the preservation of an existing building, the Board is prepared to grant a reasonable variation in the density requirements. However, as the applicant has indicated a desire to leave only one unit on the small site the Board is concerned that the 4300 square foot dwelling unit proposed might be subject to further illegal subdivision at some point in the future. Therefore the Board feels that a minimum three units should be allowed on the small site to ensure that if the large dwelling unit is further subdivided it can be done legally.
3. As permitted in footnote (b) Table 5-1, Section 5.34 the Board is prepared to grant a reduction in the side and rear yard setbacks to a minimum of ten feet, consistent with the plans submitted with the application, as the abutting property principally affected is the railroad right of way.
4. While the Board recognizes the growing concern for increased traffic and congestion on Richdale Avenue and nearby arterial streets as expressed by neighborhood residents at the public hearing, such increased congestion is caused in part by incremental growth in the density of development city wide; one single large development should not bear the burden of minimizing its traffic impact that isn't born equally by the many smaller developments which in total have an equal input. If increasing density is perceived to be generating an unacceptable level of traffic the development density permitted should be reduced area wide.

As the Department of Traffic and Parking advises the Board that the proposed development will not cause hazardous traffic conditions or unduly increase the level of service already observed at key street intersections serving this portion of Richdale Avenue and will be adequately served by Richdale Avenue, perhaps with some reduction in on-street parking, the Board finds no grounds for reduction in the density of development permitted on the site based on present or future vehicular service.

5. The Board finds the general site design of the project acceptable and responsive to an unusual site configuration. Numerous site design detail issues raised during the hearing process can be adequately considered as the project is refined and more specifically detailed. As the initial plans are very preliminary the Board considers it appropriate that the project undergo a standard design review process conducted by the Community Development Department. While the Board is approving the general scale and disposition of development as represented on the submitted plans, it does encourage reasonable response to the design issues raised at the public hearing as the project evolves.

6. The issue of hazardous and toxic waste disposal as a result of redevelopment of this site is unrelated to the scope of the Planning Board Special Permit and is adequately covered under other city and/or state statutes.

#### Decision

After review of the application material, comments made at the public hearing and at subsequent regular Planning Board meetings, discussions with the staff of the Community Development Department, and other information available to the members of the Board, the Planning Board GRANTS a Multi-family Special Permit for the construction of ninety-six (96) units of housing, GRANTS a Special Permit for reduction of side and rear yard requirements to a minimum of ten feet, and GRANTS a variation in the lot area per dwelling unit required in the Industry A-1 District, as permitted in Section 10.45 of the Zoning Ordinance, subject to the dimensional limitations detailed in Attachment I-Dimensional Forms, Sites A and B, with the following conditions.

1. All final development plans shall be in conformance in all essential details with the schematic plans submitted as part of the application and referenced above, except as may be modified by other conditions of this Decision.

2. The development shall be subject to the standard design review process as outlined in Attachment II and as conducted by the Community Development Department. As part of the design review, a least one public meeting shall be held by the Community Development Department to inform affected parties in interest and abutting property owners of the design modifications made in response to the conditions of this permit and recommendations made through the design review process. Said meeting shall be held before completion of the design development phase of the project.

3. During design development the following elements shall be addressed to the maximum extent possible.

(a) Completion of a complete landscaping plan, including adequate buffering of abutting properties through the use of plant materials or fencing.

(b) Identification of the location and character of fencing to be installed both to buffer sound and provide privacy for residents and abutters of the development.

(c) Modifications to the design of the principal structures to reduce their actual or perceived bulk, to minimize the wall effect produced along the railroad right of way including the possible elimination of the proposed external stairs.

(d) Incorporation of design features which will relate the proposed buildings effectively to the smaller scaled, less dense properties abutting the development.

(e) Modifications to the proposed community center and trash compactor, either in design or location, to ensure maximum compatibility with abutting property.

3. A total of ninety-six (96) units shall be permitted on the combined Sites A and B (see Attachment I). However no more than three units shall be constructed on Site B and no more than ninety-three (93) units shall be constructed on Site A. An appropriate deed restriction shall be incorporated into any master condominium deed for the property, or in the absence of a condominium deed, into the property deed limiting the number of units and their locations to that authorized by this Special Permit.

4. The use of the site shall be limited to residential uses permitted in the Industry A-1 district and that restriction shall be incorporated into the deed restrictions required in condition (3) above.

5. Every effort shall be made to permit a reasonable number of abutting property owners to make use of the parking facilities provided within the development should it prove necessary for the City to remove public parking along the north side of Richdale Avenue.

6. The Community Development Department shall certify to the Superintendent of Buildings that final plans conform to all provisions of this decision before issuance of any building permit.

Voting to GRANT the Special Permit were Board members Joyce Bruckner, John Woolsey, Paul Dietrich, Alfred Cohn, and Carolyn Mieth representing more than two thirds of the membership of the Board.

For the Planning Board,

A handwritten signature in cursive script, appearing to read "Paul Dietrich", written in dark ink.

Paul Dietrich  
Chairman

SITE A - Large Site

Attachment I

Special Permit PB358  
Application No. \_\_\_\_\_

Dimensional Form

	<u>Allowed/Required</u>	<u>Existing</u>	<u>Proposed</u>	<u>Granted</u>
Floor Area Ratio (Floor Area)	<u>1.25</u> (129,273)	<u>0.14</u> (14,250)	<u>1.25</u> (129,250)	<u>1.25</u> (129,350) Maximum
Max. Height	<u>45</u>	<u>34</u>	<u>45</u>	<u>45'</u> Maximum
Max. Angle Above Cornice Line	<u>None</u>	<u>0</u>	<u>45°</u>	<u>45'</u>
Min. Lot Size	<u>5,000</u>	<u>103,419</u>	<u>103,419</u>	<u>As existing</u>
Min. Lot Area per d.u.	<u>1,200</u>	<u>N/A</u>	<u>1,088</u>	<u>1112</u> Minimum
Max. No. d.u.	<u>86</u>	<u>N/A</u>	<u>95</u>	<u>93</u> Maximum
Min. lot width	<u>50</u>	<u>680 + 150</u>	<u>680 + 150</u>	<u>As existing</u>
Min. yard setbacks				
Front	<u>0</u>	<u>0</u>	<u>7</u>	<u>7</u> Minimum
Side L	<u>10</u>	<u>370</u>	<u>23.5/27</u>	<u>23.5/27</u> Minimum
Side R	<u>10</u>	<u>200</u>	<u>26/26</u>	<u>26/26</u> Minimum
Rear	<u>10</u>	<u>15</u>	<u>10</u>	<u>10</u> Minimum
Ratio Usable Open Space (Area)	<u>None</u> (None)	<u>86%</u> (89,169)	<u>58%</u> (60,084)	<u>58%</u> Minimum
Off-Street Parking Minimum No. Spaces	<u>86</u>	<u>0</u>	<u>176</u>	<u>176</u>
Maximum No. Spaces	<u>N/A</u>	<u>0</u>	<u>176</u>	<u>NA</u>
No. Handicapped Spaces	<u>N/A</u>	<u>0</u>	<u>0</u>	<u>0</u>
Bicycle Spaces	<u>1/2 D.V.</u>	<u>0</u>	<u>48</u>	<u>48</u>
No. Loading Bays	<u>N/A</u>	<u>0</u>	<u>0</u>	<u>NA</u>



Dimensional Form

Allowed/Required

Existing

Proposed

Granted

Maximum

Floor Area Ratio  
(Floor Area)

1.25  
(16,346 )

0.73  
(9,482 )

0.33  
(4,350 )

0.33  
(4350 )

Maximum

Max. Height

45

28

22

22

Max. Angle Above  
Cornice Line

45°

0

0

Min. Lot Size

5,000

13,077

13,077

As existing

Min. Lot Area  
per d.u.

1,200

N/A

1,200

4359

Minimum

Max. No. d.u.

10

N/A

1

3

Maximum

Min. lot width

50

165/123

165/123

As existing

Min. yard setbacks

0

0/0

0/0

0

Front

Side L

R

Rear

10

0

77

77

Minimum

10

0

55

55

Minimum

10

0

N/A

NA

Ratio Usable  
Open Space

0  
( 0 )

5%  
( 685 )

45%  
( 5907 )

45%  
( 5907 )

Minimum

Off-Street Parking

Minimum No. Spaces

1 Per D.V.

0

18

18

Maximum No. Spaces

N/A

0

18

NA

No. Handicapped Spaces

N/A

0

4

4

Bicycle Spaces

1 Per 2 D.V.

0

2

2

No. Loading Bays

N/A

0

0

NA