CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	PB-22, Amendment 6
Address:	3 Michael Way (288-366 Portland Street)
Zoning:	Residence C-1 District
Applicant:	Justin Caravella and Shwu Kong 121 Sciarappa St #3, Cambridge, MA 02141
Owner:	Justin Caravella and Shwu Kong 121 Sciarappa St #3, Cambridge, MA 02141
Application Date:	October 23, 2024
Date of Planning Board Public Hearing:	November 26, 2024
Date of Planning Board Decision:	November 26, 2024
Date of Filing Planning Board Decision:	December 17, 2024
Application:	Amendment to previously granted Special Permit Decision for a modification to the plans not enumerated in the original special permit to modify the existing townhouse dwelling unit by constructing a conforming addition that will increase the Gross Floor Area (GFA) of the unit to 2065 square feet pursuant to Dimensional Standards for Townhouse Development (Section 11.15.b).
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: Swaathi Joseph

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

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Special Permit Application dated 10/18/2024, containing the Special Permit Cover Sheet, Dimensional Form, Ownership Certificate, Project Narrative, and plan set titled 3 Michael Way, Design by SAMI LLC., dated October 2024.
2. Presentation slides shown to Planning Board on 11/26/2024.

City of Cambridge Documents

3. Memorandum to the Planning Board from Community Development Department staff, dated 11/18/2024.

Other Documents

4. Letter to the Planning Board from Jason Stockmann, dated 10/20/2024.
5. Email communication to the Planning Board from Michael Schebesta, dated 11/4/2024.
6. Letter to the Planning Board from Jim Gray and Seeta Pai, dated 11/10/2024.
7. Letter to the Planning Board from Christa Nehs and Matthew Nehs, dated 11/10/2024.
8. Letter to the Planning Board from Yi-jen Huang, dated 11/26/2024.

APPLICATION SUMMARY

In a January 5, 1982 special permit decision ("Original Decision"), the Planning Board approved a proposal to construct a 71-unit townhouse development in the Wellington-Harrington neighborhood in the Residence C-1 District. The special permit was amended twice prior to completion of construction and the number of units was reduced to 54. The project was completed and the development parcel was subdivided pursuant to the Townhouse Development provisions of the Zoning Ordinance. The proposed alteration to one of the units is intended to create additional living space to continue using it as a single family residence and involves a 2-story addition to the rear of the building where a patio currently exists and a dormer on the third floor. The requested special permits are discussed in detail in the Findings below.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearing, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Findings:

1. Special Permit for Townhouse Development (Section 11.15)

11.15 Dimensional Standards for Townhouse Development. The following development controls apply to the parcel of land upon which a townhouse development is constructed and are not applicable to the initial subdivision of the townhouse parcel into individual lots.

*****

However, modifications to the townhouse development after a subdivision plan has been recorded in the Registry of Deeds shall be subject to the dimensional standards as set forth in this Section 11.15 applied to the individual lot lines of the subdivided lots; modifications that do not so conform may be permitted as set forth below:

*****

b. For any townhouse development for which a special permit has been granted by the Planning Board, modifications specifically enumerated in the special permit. For those modifications not so enumerated, or where the special permit fails to specifically enumerate allowed modifications, after issuance of a new special permit (a Major Amendment to the original special permit) by the Planning Board to allow the proposed modification(s).

*****

The proposed project seeks approval to increase the gross floor area (GFA) of the unit from an existing 1255 square feet to 2065 square feet with the addition. The proposed modification remains within the allowable GFA for the Residence C-1 district. The site plan and arrangement of townhouse units were approved in the original special permit and subsequent amendments, with conditions pertaining to tree protection, landscaping, perimeter fencing, parking, and vehicular circulation on the site. The proposed changes do not affect the conditions of the special permit.

The Board finds that the standards set forth in Section 10.47.4 of this Zoning Ordinance are met as set forth below.

10.47.4 Criteria for approval of Townhouses and Multifamily Dwellings. In reviewing applications for townhouse developments and multifamily dwellings, the special permit granting authority shall consider and address the following site plan criteria as applicable:

(1) Key features of the natural landscape 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 modification proposes no significant changes to the landscape other than the construction of a building addition within the footprint of an existing patio into the backyard. No trees will be removed, and the applicant does not propose regrading the site.

(2) 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 proposed addition is modest in scale and follows the footprint of the existing patio. Its solid walls will be clad with siding to match the existing building. The proposed shed dormer on the rear of the existing roof generally follows the recommendations in the City's "Design Guidelines for Roof Dormers." The proposed skylights on the front of the existing roof are relatively small and unobtrusive.

(3) 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.

The proposed expansion will occupy space currently used as a patio and will not change the amount of open space in the rear yard. Changes to the configuration of the front entrance will slightly increase the amount of open space visible from the public street.

(4) Parking areas, internal roadways and access/egress points should be safe and convenient.

The modification proposes no changes to the location of parking areas and access/egress routes.

(5) 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 modification proposes no changes to the location of parking or landscaping.

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

The modification proposes no changes to the existing service facilities.

2. General Criteria for Issuance of a Special Permit (Section 10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when 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:

a. *It appears that requirements of this Ordinance cannot or will not be met, or ...*

Upon granting of the requested special permits, it appears that the requirements of the Ordinance will be met.

b. *traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...*

The proposed modification to the existing townhouse unit is not anticipated to cause particular congestion or hazard.

c. *the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or ...*

The existing residential use complies with allowed uses in this district, and will not adversely affect adjacent uses that exist or are anticipated in the future.

d. *nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or ...*

The proposed modification to the existing townhouse unit will not create nuisance or hazard, and all development activity will be subject to applicable health and safety regulations.

e. *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 proposed modification is an addition to the existing residential townhouse unit, a use that is consistent with the intent of the district.

f. *the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.*

The Board finds no inconsistency with the citywide urban design objectives. The urban design objectives are generally supported in the proposal through consistency with the pattern of development in the area, minimal environmental impacts on abutters and minimal impact on City infrastructure.

DECISION

Based on a review of the Application Documents, testimony given at the public hearing, and the above Findings, the Planning Board hereby GRANTS the requested Special Permit Amendment subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the plan set titled 3 Michael Way, Design by SAMI LLC., dated October 2024 and included in the application materials. Appendix I summarizes the amended dimensional features of the project as approved.

2. The project shall be subject to continuing design review by the Community Development Department ("CDD"). Before issuance of each Building Permit for the project, 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 Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.

3. Except as set forth above, all other Conditions set forth in the previously granted Special Permit Decision PB-22 and amendments shall continue to apply.

Voting in the affirmative to approve the Special Permit Amendment were Planning Board Members H Theodore Cohen, Mary Lydecker, Diego Macias, Tom Sieniewicz, Ashley Tan, Adam Westbrook, and Associate Member Daniel Anderson, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,

Mary Flynn, Chair.

A copy of this decision PB-22 Amendment 6 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 decision has been filed on December 17, 2024 with the Office of the City Clerk by Swaathi Joseph, duly authorized representative of the Planning Board. All plans referred to in the decision 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

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	3,336	5,000	No Change	No Change
Lot Width (ft)	34.5	50	No Change	No Change
Total GFA (sq ft)	1,255	2,502	2,065	2,065
Residential Base	1,255	2,502	2,065	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	0	0	0	
Inclusionary Bonus	0	0	0	
Total FAR	0.38	0.75	0.62	Consistent with Application Documents and applicable zoning requirements
Residential Base	0.38	0.75	0.62	
Non-Residential Base	0	n/a	0	
Inclusionary Bonus	0	n/a	0	
Total Dwelling Units	1	2	1	1
Base Units	1	1	1	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	n/a	n/a	n/a	
Base Lot Area / Unit (sq ft)	3,336	n/a	No Change	
Total Lot Area / Unit (sq ft)	3,336	n/a	No Change	
Height (ft)	27.0	35	No Change	Consistent with Application Documents and applicable zoning requirements
Front Setbacks (ft)	32.7	10	28.3	
Rear Yard Setback (ft)	37.3	20	23.3	
Side Setback (ft)	10.2/0	13.5	No Change	
Open Space (% of Lot Area)	70.9	30	71.8	Consistent with Application Documents and applicable zoning requirements
Private Open Space	51.8	15	43.4	
Permeable Open Space	61.5	15	62.5	
Off-Street Parking Spaces	1	0	1	1
Long-Term Bicycle Parking	n/a	n/a	n/a	Consistent with Application Documents and applicable zoning requirements
Short-Term Bicycle Parking	n/a	n/a	n/a	
Loading Bays	n/a	n/a	n/a	