

Henry J. Woods &
Margaret B. Woods
36 Cogswell Ave.
Cambridge, MA

Charles M. Sullivan
37 Cogswell Avenue
Cambridge, MA

Joseph Grassia &
Mary Grassia
39 Cogswell Ave.
Cambridge, MA

Gail Bradley Warren
40 Cogswell Avenue
Cambridge, MA

Robert Clemons, Jr. &
Margaret Clemons
4 Cogswell Avenue
Cambridge, MA 02140

Douglas E. Bell and Gerald N. Fandetti
Trs. of Cogswell Ave. Realty Tr.
1640 Mass. Ave.
Cambridge, MA

Charles Bliss &
Zelda Bliss
3133 Creswell Dr.
Fall Church, VA

Greenbaum, Lois
45 Cogswell Station, Unit 6
Cambridge, MA

Michael Lawrence Brodie
45 Cogswell Ave.
Cambridge, MA

Dana D. Hopkinson
45 Cogswell Ave.
Cambridge, MA

Douglas A. Pollander
Mary D. Pollander
14 Cogswell Avenue
Cambridge, MA

Joyce E. Coleman
16 Cogswell Avenue
Cambridge, MA

*List of
Abutters
57 Cogswell Ave.*

Harlow Properties, Inc.
10 Chauncy Street
Cambridge, MA

Victor Iocco, tr. of Victor Realty
Trust and Winter Hill Serv., Corp.
20 Royal Street
Waltham, Ma

Joseph P. Barrell, Trustee
Tresco Realty Trust
2534 Mass. Ave.
Cambridge, MA

Charles H. Ames, III &
Carol A. Ames
10 Cogswell Ave.
Cambridge, MA

John J. Farrell, &
Lavonia C. Farrell
20 Cogswell Ave.
Cambridge, MA

Edward J. Sullivan
1105 Mass. Ave.
Cambridge, MA

Frederick J. Smith
7 Beals St.
Brookline, MA

Frederick Groff &
Laura Tipton Groff
27 Cogswell Ave.
Cambridge, MA

Eleanor Thanos, Tr.
c/o Mrs. Assunta Cha
100 St. Paul St.
Brookline, MA 02146

Jean R. Boshco
Peter B. Boscho & John R. Lepore, Jr.
45 Cogswell Ave.
Cambridge, MA

Joel H. Sirkin, Eun-Hee Chang-Schick, &
M. Patricia Golden
12-16 Ellery Street
Cambridge, MA

James S. Rogers
46 Cogswell Ave.
Cambridge, MA

Robert W. Hagler
47 Cogswell Ave.
Cambridge, MA

George Van De Mark
47 Cogswell Ave.
Cambridge, MA

Morris Brown & Frances S. Brown
47 Cogswell Ave.
Cambridge, MA

Thomas J. Cooke
48 Thorndike Street
Cambridge, MA



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex Inman & Broadway

To Robert Healy, City Manager
From KS Kathy Spiegelman, Assistant City Manager for Community Development **Date** June 20, 1984
Subject Purchase and Sale by the City of Land at 51 Cogswell Avenue, Cambridge

The City Council has scheduled a Public Hearing on the purchase and sale of 51 Cogswell Avenue for June 25 at 6:30 p.m. Please review the attached draft Council Order and related materials. To facilitate the timely disposition of the property, the Department requests that the City Council act on this matter on June 25.

Homeowner's Rehab Inc. (HRI) is requesting that the City of Cambridge take appropriate steps to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land indicated as Lot E on the attached Plan entitled "Proposed Revisions to a Public Way", consists of approximately 477 square feet and has been assessed by the MBTA at \$4,800.

HRI will, in turn, reimburse the City in the same amount for the land. Commitments have already been secured for a construction loan, a Cambridge Historic Preservation grant, and a CDBG rehab grant to enable the renovation of the vacant house to go forward quickly and to enable a lower income Cambridge large family to buy the house.

Please contact Betty Desrosiers in this office if you have any questions.

Attachments:

- Draft Council Order
- Request for land transfer from Homeowners Rehab Inc., May 23, 1984
- Map and Property Description, E.H. Fagerstrom, September 13, 1983
- Letter to MBTA from the City Manager, August 10, 1983
- Letter to the Department from Douglas Bell, August 12, 1983
- Special Permit PB15 as amended, October 4, 1983
- Pla-ning Board Report, June 1984

Draft Council Order

Re: Purchase and Sale of Land on Cogswell Avenue to Homeowner's Rehab Inc.

WHEREAS:

Homeowner's Rehab Inc., a non-profit corporation located at 678 Massachusetts Avenue, Cambridge, proposes to rehabilitate a house for a lower-income family under the Work Equity Program on land more particularly described in Exhibit A attached hereto (the Property); and

WHEREAS:

Homeowner's Rehab Inc. has requested, in order to gain clear title to the property to enable financing, that the City purchase the property from the Massachusetts Bay Transit Authority and in turn sell the property to Homeowner's Rehab Inc; and

WHEREAS:

This City Council desires to purchase and sell this property to Homeowner's Rehab Inc., so that a vacant building can be rehabilitated under the Work Equity Program which provides homeownership opportunities to lower income Cambridge residents;

NOW, THEREFORE BE IT ORDERED:

That the City Manager is authorized to execute and deliver a Purchase and Sale Agreement concerning the Property by and between the City of Cambridge and the Massachusetts Bay Transit Authority and by and between the City of Cambridge and Homeowner's Rehab Inc., in form acceptable to him and containing such terms and conditions as he shall deem necessary. The City Manager is further authorized to execute and deliver any amendments or additions to said Purchase and Sale Agreement as he shall deem necessary. Notwithstanding the preceding two sentences, the City Manager shall not be required to enter into such a Purchase and Sale Agreement if, in his sole discretion, he does not deem said Agreement to be necessary for the conveyance authorized below; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to purchase the Property for a sum of \$4,800 and to convey the Property and improvements thereon to Homeowner's Rehab Inc. for consideration of \$4,800; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to execute and deliver to Homeowner's Rehab Inc. in the name of and on behalf of the City of Cambridge in such form as the City Manager shall approve (such approval to be conclusively evidenced by such execution and delivery) such documents, instruments, agreements, deeds, warranties, indemnifications, releases or certificates, or amendments thereto, required by Homeowner's Rehab Inc. as the City Manager may deem necessary, desirable or appropriate to accommodate the intent of the foregoing resolutions; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized to execute, accept and deliver such supplemental or ancillary documents as are reasonably necessary to implement the intent of these resolutions and to execute, accept and deliver amendments thereto.

HOMEOWNER'S REHAB, INC.
678 Massachusetts Avenue
Room 203
Cambridge, Massachusetts 02139
868-4858

MEMORANDUM

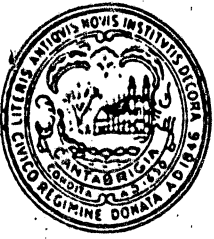
TO: Margaret Smith, Cambridge CD Dept.
FROM: Vincent F. O'Donnell, Executive Director *VFO*
DATE May 23, 1984
RE: 51 Cogswell Avenue

Homeowner's Rehab, Inc. (HRI) hereby requests the City of Cambridge to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land, as indicated on the attached Plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, consists of approximately 477 square feet and is valued by the MBTA at \$4,800.

HRI will, in turn, pay the City the same amount of \$4,800 for the land. This procedure will enable HRI to obtain clear title to the land on which the house to be rehabilitated is located, thus permitting financing to be obtained. As we have already discussed, a construction loan commitment and financial assistance from the CDD and Cambridge Historical Commission have all been obtained in order to enable this project to move forward quickly.

Copies of relevant previous correspondence are attached. If you have any questions regarding this matter, please do not hesitate to contact me.

Enclosure



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 10, 1983

Mr. Andrew Warren
Department of Real Estate Management
50 High Street
Boston, Massachusetts 02110

Dear Mr. Warren:

The City of Cambridge would like to acquire the MBTA parcel of 477.4 sq. ft. located at the end of Cogswell Avenue (Plat Map 199) for the express purpose of incorporating the land into a special housing project. This housing project, under the sponsorship of a local nonprofit corporation, which operates the City's Work Equity Program, would renovate an abutting vacant residential structure. The upgraded structure would be sold at cost to a low income Cambridge family. The Work Equity Program has been highly successful in providing affordable housing to lower income Cambridge families. The acquisition of the above parcel from the MBTA will allow the City to undertake yet another work equity project.

The Cogswell Avenue parcel has already been appraised by the MBTA. The City proposes to purchase the land for the amount of \$4,800. This amount will cover the fair market value and appraisal costs incurred. Cambridge would like to acquire the parcel as soon as possible. Early acquisition will permit the City and its local nonprofit corporation to proceed with renovation of the abutting vacant structure prior to the onset of winter.

Thank you for your consideration and action on behalf of this request.

Very truly yours,

Robert W. Healy
City Manager

RWH:jp

Urban Development and Investment Corporation

1640 MASSACHUSETTS AVENUE · CAMBRIDGE, MASSACHUSETTS 02138 · (617) 661-0075

August 12, 1983

Kathy Spiegelman
Assistant City Manager
57 Inman Street
Cambridge, MA 02139

Dear Ms. Spiegelman:

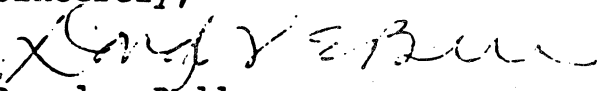
Please be assured that UDIC is fully committed to participate in the Work Equity Project to be undertaken by Homeowner's Rehab, Inc. (HRI) for the vacant structure located at the end of Cogswell Avenue. UDIC's primary responsibilities are to deliver the structure at no cost to HRI and to acquire the MBTA owned land abutting the structure. The total cost of acquisition is estimated at \$4,800 for the 477.4 SF parcel will be financed by UDIC. UDIC will forward a check to HRI for the cost of the land plus appraisal expenses incurred. UDIC has already paid \$1,500 to the MBTA to cover acquisition expenses incurred to date.

UDIC's acquisition check to HRI will be reduced by that amount to reflect that payment. UDIC is also responsible to complete a property survey and will grant easement rights along the west sideyard. Finally, UDIC will undertake street and sidewalk improvements to create a cul-de-sac design for the Cogswell Station Development, these improvements will incorporate the Work Equity property.

HRI is responsible for all structural and site renovation costs with the exception of the rear and west sideyard fencing. HRI is additionally, responsible for all expenses incurred by UDIC in relocating the structure.

I am appreciative of the City's efforts to acquire the MBTA parcel on behalf of HRI. Please be assured that UDIC fully intends to carry out its obligations and commitments to this worthy project as required by the Special Permit provisions issued for the adjacent COGswell Station Development.

Sincerely,


Douglas Bell
President

DB/m



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO: PB-15

PREMISES: Odd numbers 41-47 and 42 Cogswell Avenue

ZONING DISTRICT: Residence B

PETITIONER: Urban Development and Investment Corp. (UDIC)

APPLICATION DATE: 6/15/81

PUBLIC HEARING DATE: 7/7/81

PETITION: Section 11.10, Townhouse development for 39-one bedroom dwelling units

DATE OF PLANNING BOARD DECISION: July 22, 1981

The Petition

This petition calls for the construction of 39 townhouse units to be built upon approximately 1.33 acres of land. The proposed units will consist of three different types. Nineteen (19) units will have an overall height of 29'±, 13 units will be 34'±, and 7 units at 26'±. All townhouses will consist of one-bedroom units. Mr. Bell's plans also show the relocation of the dwelling at 42 Cogswell Avenue to the southerly end of that street. The house will be sold by UDIC to Homeowners Rehab, Inc. who will move and restore the dwelling into a two family unit. Mr. Bell plans to swap some of his land for city property to facilitate the construction of a cul-de-sac at the southerly end of Cogswell Avenue and complete the deal with Homeowner's Rehab, Inc.

Documents

In support of the petition, Douglas Bell, President of UDIC submitted the following documents to the Community Development Department on 6/15/81:

1. Application form, certificate of ownership, photographs of the site, required site plan, elevations, and information concerning zoning and land-use (typical cross section was also submitted). The plans contained eight pages and the site plan was labeled "Cogswell Station."
2. At the public hearing of 7/7/81, Mr. Bell presented numerous alternative site plans including a redesigned open air parking scheme on the east side of Cogswell Avenue, a redesigned cul-de-sac, an alternative location for the relocated Homeowners Rehab., two-family unit, two alternative site lay-outs for building #3 containing units #6-9, and an open air parking space plan for unit #20 in building #8 instead of a garage. He also presented

base maps depicting existing neighborhood density compared with the density of his proposal. This comparison showed that the townhouse development would be about the same density as that of the neighborhood.

The Public Hearing

At the public hearing of July 7, 1981, Mr. Bell first presented a history of the site in question. At one time, the site was used for coal storage which generally served the neighborhood. The barn which housed the coal later burned down. He explained that the site has been vacant for years but that the current owner, Warren Carstensen of Osterville, Massachusetts, still has a valid building permit to construct storage warehouses (Mr. Carstensen had obtained a building permit for the warehouses prior to a rezoning from an industrial district to a residential district).

At this point, Mr. Bell presented the details of the site plan he submitted on 6/15/81 and then reviewed a number of alternative site plans. He hoped that the Planning Board could approve the original submitted plans and a number of the suggested alternatives.

Once the presentation concluded, the Planning Board inquired about requested variances and neighborhood support. Mr. Bell explained that he proposed 39 units (zoning allows 26) because of the high cost of the land but noted that the development conformed to the floor area ratio limit and as such seemed reasonable. As far as neighborhood support was concerned, seven citizens indicated that they were in favor of the proposal. There were no comments in opposition to the development.

The hearing was then opened to public comment.

Mr. Charles Sullivan of 37 Cogswell Avenue expressed his support for the petition. He explained that the neighborhood wanted residential development not warehouses and hoped that townhouses would rid the area of teenagers who used the now vacant site as a "hang-out".

Mr. Francis Hollum of 95 Pemberton Ct. expressed concern about the foot easement and resulting pedestrian traffic past his residence. He was also worried about tree roots from Mr. Bell's property that were becoming a nuisance on his property. Mr. Bell assured him that he (Mr. Bell) would attempt to alleviate the problem.

Mary Lou Shields of 16 Mead Street generally favored the development but expressed concern about removal of existing trees which visually enhance the site and serve as a sound buffer from trains and truck traffic. She also hoped the "hang-out" problem could be resolved and was not convinced that 39 units would better serve the neighborhood than 26 units.

The hearing closed after two statements by Board members. Mr. Fred Cohn acknowledged the Board's apparent dilemma. He said that if the Board asked for extensive modifications to eliminate many of the proposed violations, the developer might withdraw the application. If the Board denied the application, the threat of the warehouses might become a reality. In either case, the Board seemed to be in a "can't win situation". Mrs. Geneva Malenfant was seriously concerned about the purposes of zoning in relation to the proposal and troubled by the extensive violations.

Findings

In accordance with Subsection 10.43 of the Zoning Ordinance, criteria for special permits, the Board makes the following findings:

1. It appears that the requirements of this Ordinance will not be met, however this does not appear to be to the detriment of the public interest as will be discussed below.
2. Traffic generated should not cause substantial congestion, hazard, or change in established neighborhood character. However, it is likely that 39 one bedroom units will produce 39 automobile owners which will generate more vehicle trips than 26 units. Points of access and egress need to be widened and the open air parking area to the east of Cogswell Avenue and the cul-de-sac need to be redesigned.
3. The continued operation of adjacent parcels should not be adversely affected by this development. The proposed development should improve what is now a vacant somewhat blighted site.
4. The development should not create a nuisance or hazard or be detrimental to the health, safety, and/or welfare of the occupants of the development or to the citizens of the City. The proposed use may help to eliminate the use of the site as a "hang-out" for teenagers. The proposed use will be more compatible with the neighborhood than the use of the site for warehouses.
5. The proposed use will not impair the integrity of the district. In fact, the proposed density (site coverage and lot area per dwelling unit) of this townhouse development appears to closely parallel the existing density of the immediate neighborhood (see base map depicting such comparison submitted by Douglas Bell at the 7/7/81 public hearing, map undated).

The Board also finds, based on additional criteria for townhouses (sub-section 10.464), that:

6. Key features of the site and existing trees will be preserved as much as is possible.
7. Overall, new buildings will not overwhelm abutting structures and generally are equal to or less than the height of such abutting structures. However, unit #34, building 10, unnecessarily encroaches on the rear property line of the dwelling at 16 Mead Street. In addition, the proposed total number of units on the east side of Cogswell Avenue exceeds zoning requirements and are unnecessarily cramped into such area. As such one unit should be eliminated from the plan reducing the total number of units in this area from 10 to 9. Furthermore, elimination of such unit will improve the open air parking area for these units (see finding #9).
8. The location, arrangement, and landscaping of open space will be adequate. However, the north side of the open air parking area on the east side of Cogswell Avenue needs to be buffered as well as the open air parking space for unit #20 in building #8.
9. The open air parking area on the east side of Cogswell Avenue will be safer and more convenient by eliminating one parking space and increasing the width of the remaining six spaces.
10. The following variances are proposed by the petitioner (in connection with original submission of 6/15/81).

	<u>required</u>	<u>proposed</u>
1) Lot area per dwelling unit	2500 s.f. per unit	1,671 s.f. avg. per unit
2) Lot area per dwelling unit (each lot)	same	Lots #2-15, 17-19, and 21-39 have less than 2500 s.f.
3) Total # of dwelling units allowed	26	39 townhouse units plus relocated dwelling containing 2 dwelling units
4) Usable open space	25% of each subdivided lot	lots #2, 15, 16, 32, 36, 37 and 38 have less than 25%.
5) Rear yard setback for bldg. #1, unit 1	15'	14'
6) Rear yard setback for bldg. #3, unit 6	15'	10'
7) Front yard setback for bldg. #4, unit 10	20'	15'

	<u>existing</u>	<u>proposed</u>
8) Minimum distance between bldgs. 4 and 5 (5.13)	10.5'	8'
9) Front yard setback for bldg. #5, unit #12	20'	7'
unit #13	20'	12'
10) Minimum distance between bldgs. #5, #6	10.5'	3.5'
1) Relocated house at end of cul-de-sac:		
front yard setback		
rear	15'	1'
side	20'	3.5'
west side	7'6" (sum of 20')	
Min. lot size		1'
lot area per dwelling unit	5000 s.f.	2,872 approx.
Min. width for parking space (need 2 spaces)	2500 s.f. per unit	1,436 s.f. per unit
	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
12) Side yard setback for bldg. #10, unit #34	7'6"	5'
13) Side yard setback for bldg. #11, unit #39	7'6"	
14) Aisle width for open air parking spaces (#32A-38)	22'	12'

11. Warehouse construction instead of townhouses appears to be a realistic possibility. Neither the neighborhood nor the Board wants to see warehouse development. The Board is not pleased with the number and extent of requested variances but generally does not believe that this proposal substantially derogates from the intent and purpose of this Ordinance as set forth in Subsection 1.30. The decision and the conditions below (with respect to allowed variances) should in no way be taken as precedent setting for other petitions. This decision was made with the best interests (considering all factors involved) of the immediate neighborhood and the citizens of Cambridge in mind.

Decision

Based on the public hearing held on 6/15/81, staff review, and the findings presented above, the Planning Board voted unanimously (5-0, John O'Connor subsequently approved this application) to GRANT a special permit with the following conditions.

1. One unit in building #10 or 11 shall be eliminated. The developer, at his discretion, may slightly modify the site layout of the remaining units but in no instance shall any violations be created by such modification. In addition, the current setback violation of unit #34, building #10 shall be eliminated.
2. The cul-de-sac shall be redesigned in accordance with the submitted "Alt. cul-de-sac" plan (submitted by Mr. Bell at the 7/7/81 hearing). The island protecting the tree in the center of the cul-de-sac shall be surrounded by a sloping granite curb with no more than a 45° angle.

3. The curb cut and drive serving buildings # 1-4 shall be widened to not less than 16' for a distance of 23'± measured back from the street line.
4. The open air parking area on the east side of Cogswell Avenue shall be redesigned. The number of parking spaces shall be reduced from seven to six. Two five foot strips of planting shall be provided and maintained along the north and south sides of such area to effectively screen cars from abutting properties. The six parking spaces shall be widened as much as possible to facilitate maneuvering (without loss of existing trees). Spaces shall have a minimum depth of 16' but no more than 18'. Aisle width shall be 14.8'± for regular spaces and 16.8'± for compact. The two spaces closest to unit #30 in building #9 shall be located closer to the northerly property line (5' setback shall be maintained) which would further widen the aisle width to facilitate maneuvering.
5. If the City Council does not approve the land transfer concerning the cul-de-sac and the Homeowner's Rehab. Inc., dwelling, then the applicant, UDIC shall return to the Planning Board for approval of a new location for the Homeowner's Rehab. dwelling. The Board shall consider this a minor modification and it shall not require another public hearing.
6. The applicant shall redesign the site layout for building #3 units #6-9 so as to conform to the alternative layout #1 submitted at the 7/7/81 public hearing (submitted by Douglas Bell, entitled "ALT.1, Building 3").
7. All mature trees on the site shall be preserved wherever possible.
8. Most of the units facing Cogswell Ave. shall have wood clapboard sidings. This shall be indicated on the final site plan.
9. The house at 42 Cogswell Avenue which is being relocated to the end of Cogswell Avenue as indicated on the site plan submitted on 6/15/81, shall contain two dwelling units.
10. Sidewalk improvements shall be of brick with granite curbing.
11. All drainage shall be handled on site or channeled directly to the City's stormwater system, and grading will be consistent with adjacent property.
12. Deeds for each lot will be written so as to prohibit exterior alterations which would affect building heights and square footages.
13. The applicant shall install a 6' high concrete wall along the southerly boundary line of the development including the Homeowner's Rehab. Inc., property.

14. Perimeter planting along existing residential property lines shall not exceed a mature height of 15'.
15. The developer shall consult with abutters on the type and height of perimeter fencing if different from standard 6' wooden fences.
16. The area of asphalt pavement within the courtyards shall be minimized and replaced with modular pavers where possible.
17. The developer shall attempt to correct the ponding which occurs at the low point at the south end of Pemberton Court.
18. Under the authority of subsection 10.45, the following variances are hereby granted by the Planning Board.

	<u>required</u>	<u>granted</u>
Lot area per dwelling unit (avg.) (5.31) (*-this reflects the elimination of one unit making the total 38 d.u.'s)	2500 s.f./unit	1,715 s.f./unit
Lot area per dwelling unit (each lot) (5.31)	2500 s.f./unit	Lots #2-15, 17-19, and 21-38 have less than 2500 proposed lots #2,15,16,32,36,37, and 38 have less than 25%
Usable open space, 11.155(2)	25%/lot	
Total # of dwelling units (5.31)	26	38
Rear yard setback for bldg. #1, unit #1 (11.154)	15'	14'
Front yard setback for bldg. #4, unit #10 (11.154)	20'	15'
Minimum distance between bldgs. #4 and 5 (5.13)	10.5'	8'
Front yard setback for bldg. #5, (11.154) units #12 and #13	20' 20'	7' 12'
Minimum distance between bldgs. #5 and 6	10.5'	3.5'
Relocated house from 42 Cogswell Avenue to end of cul-de-sac: (5.31)		
front setback	15'	1'
side	7'6" (sum of 20')	
west side		1'
rear	20'	3.5'
Min. lot size	5000 s.f.	2,872 s.f. approx
lot area per dwelling unit	2500 s.f.	1,436 s.f. approx
Min. width for parking space (need 2 spaces) (6.42)	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
Minimum width for open air parking spaces (6 spaces)	22' for reg. 20' for compact	14.8' for reg. 16.8' for compact
Side yard setback for bldg. #11, unit #38	7'6"	6'

19. The applicant shall submit three copies of one final site plan reflecting all conditions of approval. As per Chapter 40-A of the State Statutes, Section 11, this decision cannot be filed until such revised plans are submitted to the Community Development Department.

Respectfully submitted,
for the Planning Board

Alfred B. Cohn

Alfred Cohn,
Vice Chairman

AC :lf

Attest: A true and correct copy of the decision filed with the Offices of the City Clerk on *July 30, 1981* by *Marie A. Lerye* authorized representative of the Cambridge Planning Board. Twenty days have elapsed since the date of filing this decision.

No appeal has been filed _____.
Appeal filed and dismissed or denied _____.

Date: _____

City Clerk, City of Cambridge

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

Case No.: PB-15-Minor Amendments to Permit

Premises: 42 Cogswell Avenue
(portion subject to amendment)

Original Approval: July 22, 1981

Date of Planning Board Approval, Amendment: October 4, 1983

Documents

1. Undated, unscaled (at 1/8"=1') plan of 42 Cogswell Avenue showing Units #32-38 plus units 30 and 31 which are not labeled.
2. Map entitled "Proposed Revision to a Public Way, Cogswell Avenue Cambridge Massachusetts," Scale 1"=20', dated November 13, 1983, E.H. Fagerstrom, Registered Surveyer, showing proposed Cogswell Avenue right of way and Lot #30, relocated house to be transferred to Homeowners Rehab, Inc.

Amendments

1. Homeowners Rehab, Inc. House and Lot as indicated on surveyed plan referenced above: "Proposed Revision to a Public Way; Cogswell Avenue".

	<u>Granted</u>	<u>Amended</u>
a. Lot size	2872 sq ft ±	2429 sq ft ±
Number of units	2	1
Lot area/DU.	1436 sq ft ±	2429 sq ft ±
Rear setback	3-5'	1'±
Parking space	2	1 at standard size

- b. Lot to include "Lot 30" and "Lot E" as shown on plan.
- c. "Lot D" as shown on map, 885 sq ft, to be deleted from project and transferred to abutting lot, identified as N/F Thomas P, Kathleen Anne, and Thomas M. Galligan.
2. Amendments to 42 Cogswell Avenue
 - a. Add one additional open air parking space, increasing from six to seven spaces.

- b. Delete former unit #30 (unnumbered on map) and convert to parking garage with living space above as part of Unit #31 (unnumbered on map).
- c. Deletion of rear external stairs on all units.
- d. Addition of first floor bays on Units #33, #34, #35, #37 and #38.
- e. All other features shall be as shown on above referenced undated map including all setback dimension.

Specifically the following setbacks shall apply from external property line:

- | | | |
|-----|-----------------|--|
| (1) | garage/unit #31 | 15 ft |
| (2) | #32 | 20 ft from further property line |
| (3) | #33 | 14' at northend of building, 12' at south end of building |
| (4) | #34 | 11 ft from east property line bay permitted to extend into setback |
| (5) | #35 | 7.5 ft from property line |
| (6) | #36 | 11 ft from property line |
| (7) | #37 | 17 ft from property line |
| (8) | #38 | 11 ft from west property line |
| | | 6 ft from north property line |

For the Planning Board,



Arthur Parris
Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 5, 1984

To the Honorable, the City Council:

SUBJECT: Acceptance and sale of land at 51 Cogswell Avenue.

At its regular meeting on June 5, 1984 the Planning Board reviewed the proposed acceptance by the City from the MBTA of a parcel of land totaling 477 square feet at 51 Cogswell Avenue and the then proposed sale of that land by the City to Homeowners Rehab, Inc. for the purpose of renovating a single family home for ownership by a low or moderate income family.

Relocation of the house, now at 51 Cogswell Avenue, and its rehabilitation were conditions of a Townhouse Special Permit (#15) issued by the Planning Board in 1981, conditions based on the acquisition of the subject land from the MBTA. The proposed transfers would make the fulfillment of that condition possible and ensure the availability of a home for a large, low or moderate income family. The Planning Board recommends acceptance of the property and its transfer to Homeowners Rehab, Inc.

For the Planning Board

A handwritten signature in cursive script that reads "Arthur C. Parris".

Arthur Parris,
Chairman



2

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway

To Robert Healy, City Manager

From KS Rathy Spiegelman, Assistant City
Manager for Community Development

Date June 20, 1984

Subject Purchase and Sale by the City of Land at
51 Cogswell Avenue, Cambridge

The City Council has scheduled a Public Hearing on the purchase and sale of 51 Cogswell Avenue for June 25 at 6:30 p.m. Please review the attached draft Council Order and related materials. To facilitate the timely disposition of the property, the Department requests that the City Council act on this matter on June 25.

Homeowner's Rehab Inc. (HRI) is requesting that the City of Cambridge take appropriate steps to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land indicated as Lot E on the attached Plan entitled "Proposed Revisions to a Public Way", consists of approximately 477 square feet and has been assessed by the MBTA at \$4,800.

HRI will, in turn, reimburse the City in the same amount for the land. Commitments have already been secured for a construction loan, a Cambridge Historic Preservation grant, and a CDBG rehab grant to enable the renovation of the vacant house to go forward quickly and to enable a lower income Cambridge large family to buy the house.

Please contact Betty Desrosiers in this office if you have any questions.

Attachments:

Draft Council Order
Request for land transfer from Homeowners Rehab Inc., May 23, 1984
Map and Property Description, E.H. Fagerstrom, September 13, 1983
Letter to MBTA from the City Manager, August 10, 1983
Letter to the Department from Douglas Bell, August 12, 1983
Special Permit PB15 as amended, October 4, 1983
Planning Board Report, June 1984

Draft Council Order

Re: Purchase and Sale of Land on Cogswell Avenue to Homeowner's Rehab Inc.

WHEREAS:

Homeowner's Rehab Inc., a non-profit corporation located at 678 Massachusetts Avenue, Cambridge, proposes to rehabilitate a house for a lower-income family under the Work Equity Program on land more particularly described in Exhibit A attached hereto (the Property); and

WHEREAS:

Homeowner's Rehab Inc. has requested, in order to gain clear title to the property to enable financing, that the City purchase the property from the Massachusetts Bay Transit Authority and in turn sell the property to Homeowner's Rehab Inc; and

WHEREAS:

This City Council desires to purchase and sell this property to Homeowner's Rehab Inc., so that a vacant building can be rehabilitated under the Work Equity Program which provides homeownership opportunities to lower income Cambridge residents;

NOW, THEREFORE BE IT ORDERED:

That the City Manager is authorized to execute and deliver a Purchase and Sale Agreement concerning the Property by and between the City of Cambridge and the Massachusetts Bay Transit Authority and by and between the City of Cambridge and Homeowner's Rehab Inc., in form acceptable to him and containing such terms and conditions as he shall deem necessary. The City Manager is further authorized to execute and deliver any amendments or additions to said Purchase and Sale Agreement as he shall deem necessary. Notwithstanding the preceding two sentences, the City Manager shall not be required to enter into such a Purchase and Sale Agreement if, in his sole discretion, he does not deem said Agreement to be necessary for the conveyance authorized below; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to purchase the Property for a sum of \$4,800 and to convey the Property and improvements thereon to Homeowner's Rehab Inc. for consideration of \$4,800; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to execute and deliver to Homeowner's Rehab Inc. in the name of and on behalf of the City of Cambridge in such form as the City Manager shall approve (such approval to be conclusively evidenced by such execution and delivery) such documents, instruments, agreements, deeds, warranties, indemnifications, releases or certificates, or amendments thereto, required by Homeowner's Rehab Inc. as the City Manager may deem necessary, desirable or appropriate to accommodate the intent of the foregoing resolutions; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized to execute, accept and deliver such supplemental or ancillary documents as are reasonably necessary to implement the intent of these resolutions and to execute, accept and deliver amendments thereto.

HOMEOWNER'S REHAB, INC.
678 Massachusetts Avenue
Room 203
Cambridge, Massachusetts 02139
868-4858

M E M O R A N D U M

TO: Margaret Smith, Cambridge CD Dept.
FROM: Vincent F. O'Donnell, Executive Director *VFO*
DATE: May 23, 1984
RE: 51 Cogswell Avenue

Homeowner's Rehab, Inc. (HRI) hereby requests the City of Cambridge to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land, as indicated on the attached Plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, consists of approximately 477 square feet and is valued by the MBTA at \$4,800.

HRI will, in turn, pay the City the same amount of \$4,800 for the land. This procedure will enable HRI to obtain clear title to the land on which the house to be rehabilitated is located, thus permitting financing to be obtained. As we have already discussed, a construction loan commitment and financial assistance from the CDD and Cambridge Historical Commission have all been obtained in order to enable this project to move forward quickly.

Copies of relevant previous correspondence are attached. If you have any questions regarding this matter, please do not hesitate to contact me.

Enclosure



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-3011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 10, 1983

Mr. Andrew Warren
Department of Real Estate Management
50 High Street
Boston, Massachusetts 02110

Dear Mr. Warren:

The City of Cambridge would like to acquire the MBTA parcel of 477.4 sq. ft. located at the end of Cogswell Avenue (Plat Map 199) for the express purpose of incorporating the land into a special housing project. This housing project, under the sponsorship of a local nonprofit corporation, which operates the City's Work Equity Program, would renovate an abutting vacant residential structure. The upgraded structure would be sold at cost to a low income Cambridge family. The Work Equity Program has been highly successful in providing affordable housing to lower income Cambridge families. The acquisition of the above parcel from the MBTA will allow the City to undertake yet another work equity project.

The Cogswell Avenue parcel has already been appraised by the MBTA. The City proposes to purchase the land for the amount of \$4,800. This amount will cover the fair market value and appraisal costs incurred. Cambridge would like to acquire the parcel as soon as possible. Early acquisition will permit the City and its local nonprofit corporation to proceed with renovation of the abutting vacant structure prior to the onset of winter.

Thank you for your consideration and action on behalf of this request.

Very truly yours,

Robert W. Healy
City Manager

RWH:jp

Urban Development and Investment Corporation

1640 MASSACHUSETTS AVENUE · CAMBRIDGE, MASSACHUSETTS 02138 · (617) 661-0075

August 12, 1983

Kathy Spiegelman
Assistant City Manager
57 Inman Street
Cambridge, MA 02139

Dear Ms. Spiegelman:

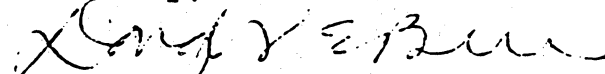
Please be assured that UDIC is fully committed to participate in the Work Equity Project to be undertaken by Homeowner's Rehab, Inc. (HRI) for the vacant structure located at the end of Cogswell Avenue. UDIC's primary responsibilities are to deliver the structure at no cost to HRI and to acquire the MBTA owned land abutting the structure. The total cost of acquisition is estimated at \$4,800 for the 477.4 SF parcel will be financed by UDIC. UDIC will forward a check to HRI for the cost of the land plus appraisal expenses incurred. UDIC has already paid \$1,500 to the MBTA to cover acquisition expenses incurred todate.

UDIC's acquisition check to HRI will be reduced by that amount to reflect that payment. UDIC is also responsible to complete a property survey and will grant easement rights along the west sideyard. Finally, UDIC will undertake street and sidewalk improvements to create a cul-de-sac design for the Cogswell Station Development, these improvements will incorporate the Work Equity property.

HRI is responsible for all structural and site renovation costs with the exception of the rear and west sideyard fencing. HRI is additionally, responsible for all expenses incurred by UDIC in relocating the structure.

I am appreciative of the City's efforts to acquire the MBTA parcel on behalf of HRI. Please be assured that UDIC fully intends to carry out its obligations and commitments to this worthy project as required by the Special Permit provisions issued for the adjacent COgswell Station Development.

Sincerely,


Douglas Bell
President

DB/m



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO: PB-15

PREMISES: Odd numbers 41-47 and 42 Cogswell Avenue

ZONING DISTRICT: Residence B

PETITIONER: Urban Development and Investment Corp. (UDIC)

APPLICATION DATE: 6/15/81

PUBLIC HEARING DATE: 7/7/81

PETITION: Section 11.10, Townhouse development for 39-one
bedroom dwelling units

DATE OF PLANNING BOARD DECISION: July 22, 1981

The Petition

This petition calls for the construction of 39 townhouse units to be built upon approximately 1.33 acres of land. The proposed units will consist of three different types. Nineteen (19) units will have an overall height of 29'- $\frac{1}{2}$, 13 units will be 34'- $\frac{1}{2}$, and 7 units at 26'- $\frac{1}{2}$. All townhouses will consist of one-bedroom units. Mr. Bell's plans also show the relocation of the dwelling at 42 Cogswell Avenue to the southerly end of that street. The house will be sold by UDIC to Homeowners Rehab, Inc. who will move and restore the dwelling into a two family unit. Mr. Bell plans to swap some of his land for city property to facilitate the construction of a cul-de-sac at the southerly end of Cogswell Avenue and complete the deal with Homeowner's Rehab, Inc.

Documents

In support of the petition, Douglas Bell, President of UDIC submitted the following documents to the Community Development Department on 6/15/81:

1. Application form, certificate of ownership, photographs of the site, required site plan, elevations, and information concerning zoning and land-use (typical cross section was also submitted). The plans contained eight pages and the site plan was labeled "Cogswell Station."
2. At the public hearing of 7/7/81, Mr. Bell presented numerous alternative site plans including a redesigned open air parking scheme on the east side of Cogswell Avenue, a redesigned cul-de-sac, an alternative location for the relocated Homeowners Rehab., two-family unit, two alternative site lay-outs for building #3 containing units #6-9, and an open air parking space plan for unit #20 in building #8 instead of a garage. He also presented

base maps depicting existing neighborhood density compared with the density of his proposal. This comparison showed that the townhouse development would be about the same density as that of the neighborhood.

The Public Hearing

At the public hearing of July 7, 1981, Mr. Bell first presented a history of the site in question. At one time, the site was used for coal storage which generally served the neighborhood. The barn which housed the coal later burned down. He explained that the site has been vacant for years but that the current owner, Warren Carstensen of Osterville, Massachusetts, still has a valid building permit to construct storage warehouses (Mr. Carstensen had obtained a building permit for the warehouses prior to a rezoning from an industrial district to a residential district).

At this point, Mr. Bell presented the details of the site plan he submitted on 6/15/81 and then reviewed a number of alternative site plans. He hoped that the Planning Board could approve the original submitted plans and a number of the suggested alternatives.

Once the presentation concluded, the Planning Board inquired about requested variances and neighborhood support. Mr. Bell explained that he proposed 39 units (zoning allows 26) because of the high cost of the land but noted that the development conformed to the floor area ratio limit and as such seemed reasonable. As far as neighborhood support was concerned, seven citizens indicated that they were in favor of the proposal. There were no comments in opposition to the development.

The hearing was then opened to public comment.

Mr. Charles Sullivan of 37 Cogswell Avenue expressed his support for the petition. He explained that the neighborhood wanted residential development not warehouses and hoped that townhouses would rid the area of teenagers who used the now vacant site as a "hang-out".

Mr. Francis Hollum of 95 Pemberton Ct. expressed concern about the foot easement and resulting pedestrian traffic past his residence. He was also worried about tree roots from Mr. Bell's property that were becoming a nuisance on his property. Mr. Bell assured him that he (Mr. Bell) would attempt to alleviate the problem.

Mary Lou Sheilds of 16 Mead Street generally favored the development but expressed concern about removal of existing trees which visually enhance the site and serve as a sound buffer from trains and truck traffic. She also hoped the "hang-out" problem could be resolved and was not convinced that 39 units would better serve the neighborhood than 26 units.

The hearing closed after two statements by Board members. Mr. Fred Cohn acknowledged the Board's apparent dilemma. He said that if the Board asked for extensive modifications to eliminate many of the proposed violations, the developer might withdraw the application. If the Board denied the application, the threat of the warehouses might become a reality. In either case, the Board seemed to be in a "can't win situation". Mrs. Geneva Malenfant was seriously concerned about the purposes of zoning in relation to the proposal and troubled by the extensive violations.

Findings

In accordance with Subsection 10.43 of the Zoning Ordinance, criteria for special permits, the Board makes the following findings:

1. It appears that the requirements of this Ordinance will not be met, however this does not appear to be to the detriment of the public interest as will be discussed below.
2. Traffic generated should not cause substantial congestion, hazard, or change in established neighborhood character. However, it is likely that 39 one bedroom units will produce 39 automobile owners which will generate more vehicle trips than 26 units. Points of access and egress need to be widened and the open air parking area to the east of Cogswell Avenue and the cul-de-sac need to be redesigned.
3. The continued operation of adjacent parcels should not be adversely affected by this development. The proposed development should improve what is now a vacant somewhat blighted site.
4. The development should not create a nuisance or hazard or be detrimental to the health, safety, and/or welfare of the occupants of the development or to the citizens of the City. The proposed use may help to eliminate the use of the site as a "hang-out" for teenagers. The proposed use will be more compatible with the neighborhood than the use of the site for warehouses.
5. The proposed use will not impair the integrity of the district. In fact, the proposed density (site coverage and lot area per dwelling unit) of this townhouse development appears to closely parallel the existing density of the immediate neighborhood (see base map depicting such comparison submitted by Douglas Bell at the 7/7/81 public hearing, map undated).

The Board also finds, based on additional criteria for townhouses (sub-section 10.464), that:

6. Key features of the site and existing trees will be preserved as much as is possible.
7. Overall, new buildings will not overwhelm abutting structures and generally are equal to or less than the height of such abutting structures. However, unit #34, building 10, unnecessarily encroaches on the rear property line of the dwelling at 16 Mead Street. In addition, the proposed total number of units on the east side of Cogswell Avenue exceeds zoning requirements and are unnecessarily cramped into such area. As such one unit should be eliminated from the plan reducing the total number of units in this area from 10 to 9. Furthermore, elimination of such unit will improve the open air parking area for these units (see finding #9).
8. The location, arrangement, and landscaping of open space will be adequate. However, the north side of the open air parking area on the east side of Cogswell Avenue needs to be buffered as well as the open air parking space for unit #20 in building #8.
9. The open air parking area on the east side of Cogswell Avenue will be safer and more convenient by eliminating one parking space and increasing the width of the remaining six spaces.
10. The following variances are proposed by the petitioner (in connection with original submission of 6/15/81).

	<u>required</u>	<u>proposed</u>
1) Lot area per dwelling unit	2500 s.f. per unit	1,671 s.f. avg. per unit
2) Lot area per dwelling unit (each lot)	same	Lots #2-15, 17-19, and 21-39 have less than 2500 s.f.
3) Total # of dwelling units allowed	26	39 townhouse units plus relocated dwelling containing 2 dwelling units
4) Usable open space	25% of each sub-divided lot	lots #2, 15, 16, 32, 36, 37 and 38 have less than 25%.
5) Rear yard setback for bldg. #1, unit 1	15'	14'
) Rear yard setback for bldg. #3, unit 6	15'	10'
7) Front yard setback for bldg. #4, unit 10	20'	15'

	<u>required</u>	<u>proposed</u>
8) Minimum distance between bldgs. 4 and 5 (5.13)	10.5'	8'
9) Front yard setback for bldg. #5, unit #12	20'	7'
unit #13	20'	12'
10) Minimum distance between bldgs. #5, #6	10.5'	3.5'
) Relocated house at end of cul-de-sac:		
Front yard setback		
rear	15'	1'
side	20'	3.5'
west side	7'6" (sum of 20')	
Min. lot size		1'
lot area per dwelling unit	5000 s.f.	2,872 approx.
Min. width for parking space (need 2 spaces)	2500 s.f. per unit	1,436 s.f. per unit
	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
12) Side yard setback for bldg. #10, unit #34	7'6"	5'
13) Side yard setback for bldg. #11, unit #39	7'6"	6'
14) Aisle width for open air parking spaces (#32A-38)	22'	12'

11. Warehouse construction instead of townhouses appears to be a realistic possibility. Neither the neighborhood nor the Board wants to see warehouse development. The Board is not pleased with the number and extent of requested variances but generally does not believe that this proposal substantially derogates from the intent and purpose of this Ordinance as set forth in Subsection 1.30. The decision and the conditions below (with respect to allowed variances) should in no way be taken as precedent setting for other petitions. This decision was made with the best interests (considering all factors involved) of the immediate neighborhood and the citizens of Cambridge in mind.

Decision

Based on the public hearing held on 6/15/81, staff review, and the findings presented above, the Planning Board voted unanimously (5-0, John O'Connor subsequently approved this application) to GRANT a special permit with the following conditions.

1. One unit in building #10 or 11 shall be eliminated. The developer, at his discretion, may slightly modify the site layout of the remaining units but in no instance shall any violations be created by such modification. In addition, the current setback violation of unit #34, building #10 shall be eliminated.
2. The cul-de-sac shall be redesigned in accordance with the submitted "Alt. cul-de-sac" plan (submitted by Mr. Bell at the 7/7/81 hearing). The island protecting the tree in the center of the cul-de-sac shall be surrounded by a sloping granite curb with no more than a 45° angle.

3. The curb cut and drive serving buildings # 1-4 shall be widened to not less than 16' for a distance of 23'± measured back from the street line.
4. The open air parking area on the east side of Cogswell Avenue shall be redesigned. The number of parking spaces shall be reduced from seven to six. Two five foot strips of planting shall be provided and maintained along the north and south sides of such area to effectively screen cars from abutting properties. The six parking spaces shall be widened as much as possible to facilitate maneuvering (without loss of existing trees). Spaces shall have a minimum depth of 16' but no more than 18'. Aisle width shall be 14.8± for regular spaces and 16.8± for compact. The two spaces closest to unit #30 in building #9 shall be located closer to the northerly property line (5' setback shall be maintained) which would further widen the aisle width to facilitate maneuvering.
5. If the City Council does not approve the land transfer concerning the cul-de-sac and the Homeowner's Rehab. Inc., dwelling, then the applicant, UDIC shall return to the Planning Board for approval of a new location for the Homeowner's Rehab. dwelling. The Board shall consider this a minor modification and it shall not require another public hearing.
6. The applicant shall redesign the site layout for building #3 units #6-9 so as to conform to the alternative layout #1 submitted at the 7/7/81 public hearing (submitted by Douglas Bell, entitled "ALT.1, Building 3").
7. All mature trees on the site shall be preserved wherever possible.
8. Most of the units facing Cogswell Ave. shall have wood clapboard sidings. This shall be indicated on the final site plan.
9. The house at 42 Cogswell Avenue which is being relocated to the end of Cogswell Avenue as indicated on the site plan submitted on 6/15/81, shall contain two dwelling units.
10. Sidewalk improvements shall be of brick with granite curbing.
11. All drainage shall be handled on site or channeled directly to the City's stormwater system, and grading will be consistent with adjacent property.
12. Deeds for each lot will be written so as to prohibit exterior alterations which would affect building heights and square footages.
13. The applicant shall install a 6' high concrete wall along the southerly boundary line of the development including the Homeowner's Rehab. Inc., property.

14. Perimeter planting along existing residential property lines shall not exceed a mature height of 15'.
15. The developer shall consult with abutters on the type and height of perimeter fencing if different from standard 6' wooden fences.
16. The area of asphalt pavement within the courtyards shall be minimized and replaced with modular pavers where possible.
17. The developer shall attempt to correct the ponding which occurs at the low point at the south end of Pemberton Court.
18. Under the authority of subsection 10.45, the following variances are hereby granted by the Planning Board.

	<u>required</u>	<u>granted</u>
A. Lot area per dwelling unit (avg.) (5.31) (* - this reflects the elimination of one unit making the total 38 d.u.'s)	2500 s.f./unit	1,715 s.f./unit
B. Lot area per dwelling unit (each lot) (5.31)	2500 s.f./unit	Lots #2-15, 17-19, and 21-38 have less than 2500 s.f. proposed lots #2, 15, 16, 32, 36, 37, and 38 have less than 25%
C. Usable open space, 11.155(2)	25%/lot	Lots #2-15, 17-19, and 21-38 have less than 25% proposed lots #2, 15, 16, 32, 36, 37, and 38 have less than 25%
D. Total # of dwelling units (5.31)	26	38
E. Rear yard setback for bldg. #1, unit #1 (11.154)	15'	14'
F. Front yard setback for bldg. #4, unit #10 (11.154)	20'	15'
G. Minimum distance between bldgs. #4 and 5 (5.13)	10.5'	8'
H. Front yard setback for bldg. #5, (11.154) units #12 and #13	20' 20'	7' 12'
I. Minimum distance between bldgs. #5 and 6	10.5'	3.5'
J. Relocated house from 42 Cogswell Avenue to end of cul-de-sac: (5.31)		
front setback	15'	1'
side	7'6" (sum of 20')	1'
west side		1'
rear	20'	3.5'
Min. lot size	5000 s.f.	2,872 s.f. approx
lot area per dwelling unit	2500 s.f.	1,436 s.f. approx
Min. width for parking space (need 2 spaces) (6.42)	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
K. Minimum width for open air parking spaces (6 spaces)	22' for reg. 20' for compact	14.8' for reg. 16.8' for compact
L. Side yard setback for bldg. #11, unit #38	7'6"	6'

19. The applicant shall submit three copies of one final site plan reflecting all conditions of approval. As per Chapter 40-A of the State Statutes, Section 11, this decision cannot be filed until such revised plans are submitted to the Community Development Department.

Respectfully submitted,
for the Planning Board

Alfred B. Cohn

Alfred Cohn,
Vice Chairman

AC :lf

Attest: A true and correct copy of the decision filed with the Offices of the City Clerk on *July 30, 1951* by *Max A. Levy* authorized representative of the Cambridge Planning Board.
Twenty days have elapsed since the date of filing this decision.

No appeal has been filed _____.
Appeal filed and dismissed or denied _____.

Date: _____

City Clerk, City of Cambridge

CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD
CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

Case No.: PB-15-Minor Amendments to Permit

Premises: 42 Cogswell Avenue
(portion subject to amendment)

Original Approval: July 22, 1981

Date of Planning Board Approval, Amendment: October 4, 1983

Documents

1. Undated, unscaled (at 1/8"=1') plan of 42 Cogswell Avenue showing Units #32-38 plus units 30 and 31 which are not labeled.
2. Map entitled "Proposed Revision to a Public Way, Cogswell Avenue Cambridge Massachusetts," Scale 1"=20', dated November 13, 1983, E.H. Fagerstrom, Registered Surveyer, showing proposed Cogswell Avenue right of way and Lot #30, relocated house to be transferred to Homeowners Rehab, Inc.

Amendments

1. Homeowners Rehab, Inc. House and Lot as indicated on surveyed plan referenced above: "Proposed Revision to a Public Way; Cogswell Avenue".

	<u>Granted</u>	<u>Amended</u>
a. Lot size	2872 sq ft ±	2429 sq ft ±
Number of units	2	1
Lot area/DU.	1436 sq ft ±	2429 sq ft ±
Rear setback	3-5'	1'±
Parking space	2	1 at standard size

- b. Lot to include "Lot 30" and "Lot E" as shown on plan.
- c. "Lot D" as shown on map, 885 sq ft, to be deleted from project and transferred to abutting lot, identified as N/F Thomas P, Kathleen Anne, and Thomas M. Galligan.
2. Amendments to 42 Cogswell Avenue
 - a. Add one additional open air parking space, increasing from six to seven spaces.

- b. Delete former unit #30 (unnumbered on map) and convert to parking garage with living space above as part of Unit #31 (unnumbered on map).
- c. Deletion of rear external stairs on all units.
- d. Addition of first floor bays on Units #33, #34, #35, #37 and #38.
- e. All other features shall be as shown on above referenced undated map including all setback dimension.

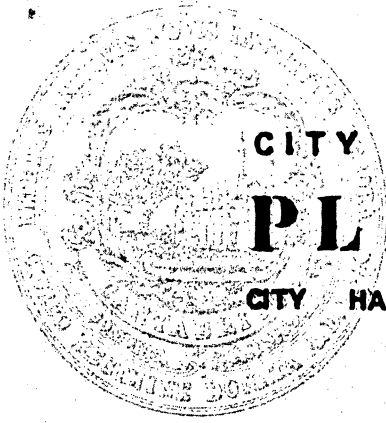
Specifically the following setbacks shall apply from external property line:

- | | | |
|-----|-----------------|--|
| (1) | garage/unit #31 | 15 ft |
| (2) | #32 | 20 ft from further property line |
| (3) | #33 | 14' at northend of building, 12' at south end of building |
| (4) | #34 | 11 ft from east property line bay permitted to extend into setback |
| (5) | #35 | 7.5 ft from property line |
| (6) | #36 | 11 ft from property line |
| (7) | #37 | 17 ft from property line |
| (8) | #38 | 11 ft from west property line |
| | | 6 ft from north property line |

For the Planning Board,



Arthur Parris
Chairman



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 5, 1984

To the Honorable, the City Council:

SUBJECT: Acceptance and sale of land at 51 Cogswell Avenue.

At its regular meeting on June 5, 1984 the Planning Board reviewed the proposed acceptance by the City from the MBTA of a parcel of land totaling 477 square feet at 51 Cogswell Avenue and the then proposed sale of that land by the City to Homeowners Rehab, Inc. for the purpose of renovating a single family home for ownership by a low or moderate income family.

Relocation of the house, now at 51 Cogswell Avenue, and its rehabilitation were conditions of a Townhouse Special Permit (#15) issued by the Planning Board in 1981, conditions based on the acquisition of the subject land from the MBTA. The proposed transfers would make the fulfillment of that condition possible and ensure the availability of a home for a large, low or moderate income family. The Planning Board recommends acceptance of the property and its transfer to Homeowners Rehab, Inc.

For the Planning Board

A handwritten signature in cursive script that reads "Arthur C. Parris".

Arthur Parris,
Chairman



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway

To Robert Healy, City Manager

From *JS* Kathy Spiegelman, Assistant City Manager
for Community Development

Date May 30, 1984

Subject Scheduling of Public Hearing for the Purchase
and Sale of Land at 51 Cogswell Avenue, Cambridge

Homeowner's Rehab Inc. (HRI) is requesting that the City of Cambridge take appropriate steps to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land, as indicated on the attached Plan entitled "Proposed Revisions to a Public Way", consists of approximately 477 square feet and has been assessed by the MBTA at \$4,800.

HRI will, in turn, reimburse the City in the same amount for the land. This procedure will enable HRI to obtain clear title to the land. Commitments have already been secured for a construction loan, a Cambridge Historic Preservation grant, and a CDBG rehab grant to enable the renovation of the house to go forward quickly and to enable a lower income Cambridge large family to buy the house.

To facilitate the timely disposition of the property, the Department requests that the City Council refer the proposed sale to the Planning Board and schedule a public hearing for June 25, 1984.

Please contact Betty Desrosiers or Margaret Smith in this office if you have any questions.

Attachments:

Request for land transfer from Homeowners Rehab Inc., May 23, 1984.

Map and Property description, E.H. Fagerstrom, September 13, 1984.

Letter to MBTA from the City Manager, August 10, 1983.

Letter to the Department from Douglas Bell, August 12, 1983.

Draft Council Order.

Description of Work Equity Program.

HOMEOWNER'S REHAB, INC.
678 Massachusetts Avenue
Room 203
Cambridge, Massachusetts 02139
868-4858

MEMORANDUM

TO: Margaret Smith, Cambridge CD Dept.
FROM: Vincent F. O'Donnell, Executive Director *VFO*
DATE May 23, 1984
RE: 51 Cogswell Avenue

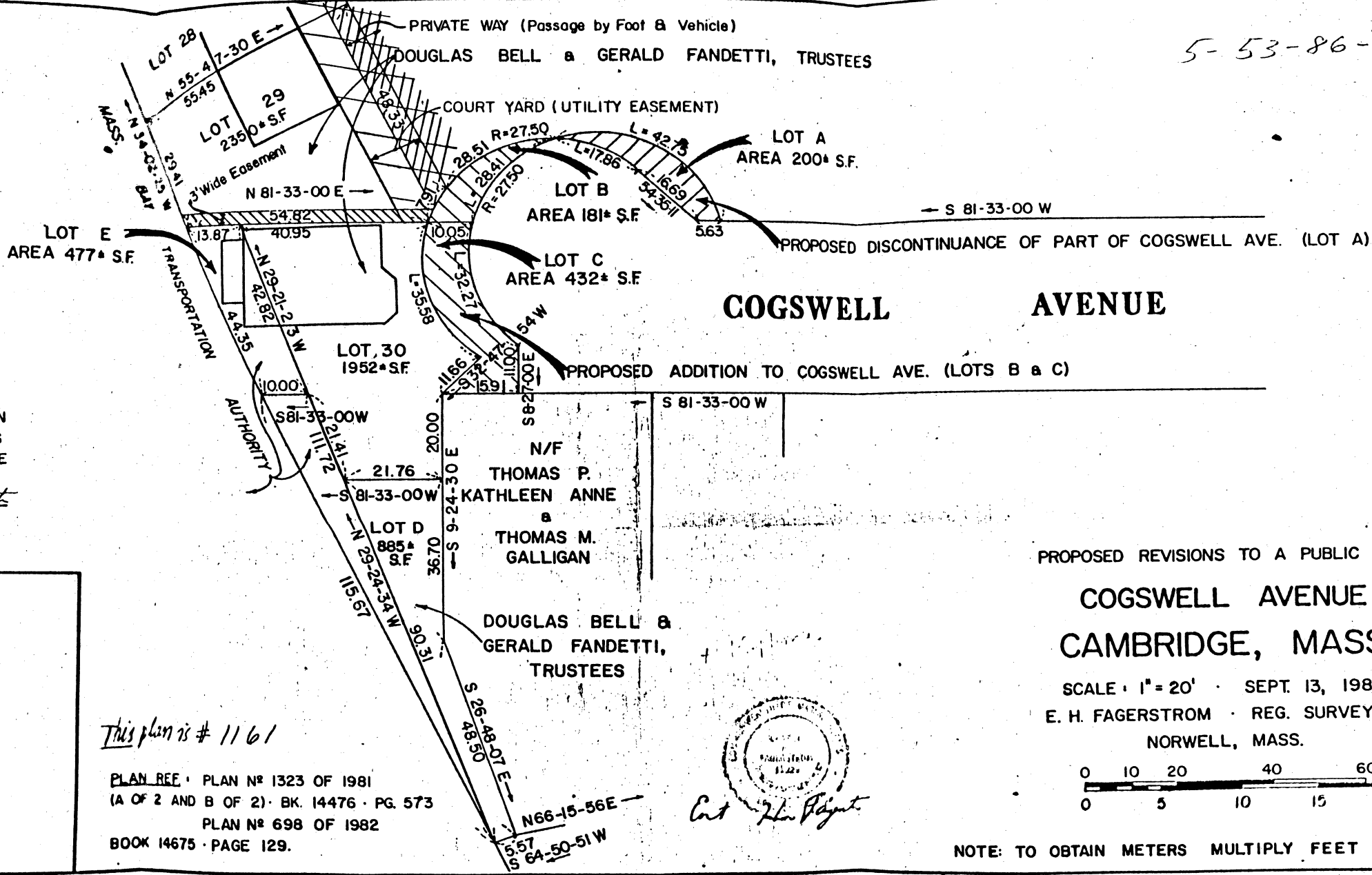
Homeowner's Rehab, Inc. (HRI) hereby requests the City of Cambridge to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land, as indicated on the attached Plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, consists of approximately 477 square feet and is valued by the MBTA at \$4,800.

HRI will, in turn, pay the City the same amount of \$4,800 for the land. This procedure will enable HRI to obtain clear title to the land on which the house to be rehabilitated is located, thus permitting financing to be obtained. As we have already discussed, a construction loan commitment and financial assistance from the CDD and Cambridge Historical Commission have all been obtained in order to enable this project to move forward quickly.

Copies of relevant previous correspondence are attached. If you have any questions regarding this matter, please do not hesitate to contact me.

Enclosure

5-53-86-



RTIFY THAT THIS PLAN
 FORMS TO THE RULES
 REGULATIONS OF THE
 STERS OF DEEDS
 ED. *Carl H. Fagerstrom*

This plan is # 1161

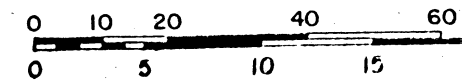
PLAN REC. PLAN N° 1323 OF 1981
 (A OF 2 AND B OF 2) · BK. 14476 · PG. 573
 PLAN N° 698 OF 1982
 BOOK 14675 · PAGE 129.



Carl H. Fagerstrom

PROPOSED REVISIONS TO A PUBLIC V
COGSWELL AVENUE
CAMBRIDGE, MASS

SCALE · 1" = 20' · SEPT. 13, 1983
 E. H. FAGERSTROM · REG. SURVEYOR
 NORWELL, MASS.



NOTE: TO OBTAIN METERS MULTIPLY FEET BY 0.3048



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 10, 1983

Mr. Andrew Warren
Department of Real Estate Management
50 High Street
Boston, Massachusetts 02110

Dear Mr. Warren:

The City of Cambridge would like to acquire the MBTA parcel of 477.4 sq. ft. located at the end of Cogswell Avenue (Plat Map 199) for the express purpose of incorporating the land into a special housing project. This housing project, under the sponsorship of a local nonprofit corporation, which operates the City's Work Equity Program, would renovate an abutting vacant residential structure. The upgraded structure would be sold at cost to a low income Cambridge family. The Work Equity Program has been highly successful in providing affordable housing to lower income Cambridge families. The acquisition of the above parcel from the MBTA will allow the City to undertake yet another work equity project.

The Cogswell Avenue parcel has already been appraised by the MBTA. The City proposes to purchase the land for the amount of \$4,800. This amount will cover the fair market value and appraisal costs incurred. Cambridge would like to acquire the parcel as soon as possible. Early acquisition will permit the City and its local nonprofit corporation to proceed with renovation of the abutting vacant structure prior to the onset of winter.

Thank you for your consideration and action on behalf of this request.

Very truly yours,

Robert W. Healy
City Manager

RWH:jp

Urban Development and Investment Corporation

1640 MASSACHUSETTS AVENUE · CAMBRIDGE, MASSACHUSETTS 02138 · (617) 661-0075

August 12, 1983

Kathy Spiegelman
Assistant City Manager
57 Inman Street
Cambridge, MA 02139

Dear Ms. Spiegelman:

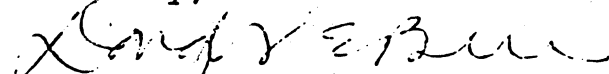
Please be assured that UDIC is fully committed to participate in the Work Equity Project to be undertaken by Homeowner's Rehab, Inc. (HRI) for the vacant structure located at the end of Cogswell Avenue. UDIC's primary responsibilities are to deliver the structure at no cost to HRI and to acquire the MBTA owned land abutting the structure. The total cost of acquisition is estimated at \$4,800 for the 477.4 SF parcel will be financed by UDIC. UDIC will forward a check to HRI for the cost of the land plus appraisal expenses incurred. UDIC has already paid \$1,500 to the MBTA to cover acquisition expenses incurred todate.

UDIC's acquisition check to HRI will be reduced by that amount to reflect that payment. UDIC is also responsible to complete a property survey and will grant easement rights along the west sideyard. Finally, UDIC will undertake street and sidewalk improvements to create a cul-de-sac design for the Cogswell Station Development, these improvements will incorporate the Work Equity property.

HRI is responsible for all structural and site renovation costs with the exception of the rear and west sideyard fencing. HRI is additionally, responsible for all expenses incurred by UDIC in relocating the structure.

I am appreciative of the City's efforts to acquire the MBTA parcel on behalf of HRI. Please be assured that UDIC fully intends to carry out its obligations and commitments to this worthy project as required by the Special Permit provisions issued for the adjacent COgswell Station Development.

Sincerely,



Douglas Bell
President

DB/m

Draft Council Order

Re: Purchase and Sale of Land on Cogswell Avenue to Homeowner's Rehab Inc.

WHEREAS:

Homeowner's Rehab Inc., a non-profit corporation located at 678 Massachusetts Avenue, Cambridge, proposes to rehabilitate a house for a lower-income family under the Work Equity Program on land more particularly described in Exhibit A attached hereto (the Property); and

WHEREAS:

Homeowner's Rehab Inc. has requested, in order to gain clear title to the property to enable financing, that the City purchase the property from the Massachusetts Bay Transit Authority and in turn sell the property to Homeowner's Rehab Inc; and

WHEREAS:

This City Council desires to purchase and sell this property to Homeowner's Rehab Inc., so that a vacant building can be rehabilitated under the Work Equity Program which provides homeownership opportunities to lower income Cambridge residents;

NOW, THEREFORE BE IT ORDERED:

That the City Manager is authorized to execute and deliver a Purchase and Sale Agreement concerning the Property by and between the City of Cambridge and the Massachusetts Bay Transit Authority and by and between the City of Cambridge and Homeowner's Rehab Inc., in form acceptable to him and containing such terms and conditions as he shall deem necessary. The City Manager is further authorized to execute and deliver any amendments or additions to said Purchase and Sale Agreement as he shall deem necessary. Notwithstanding the preceding two sentences, the City Manager shall not be required to enter into such a Purchase and Sale Agreement if, in his sole discretion, he does not deem said Agreement to be necessary for the conveyance authorized below; and

BE IT FURTHER ORDERED:

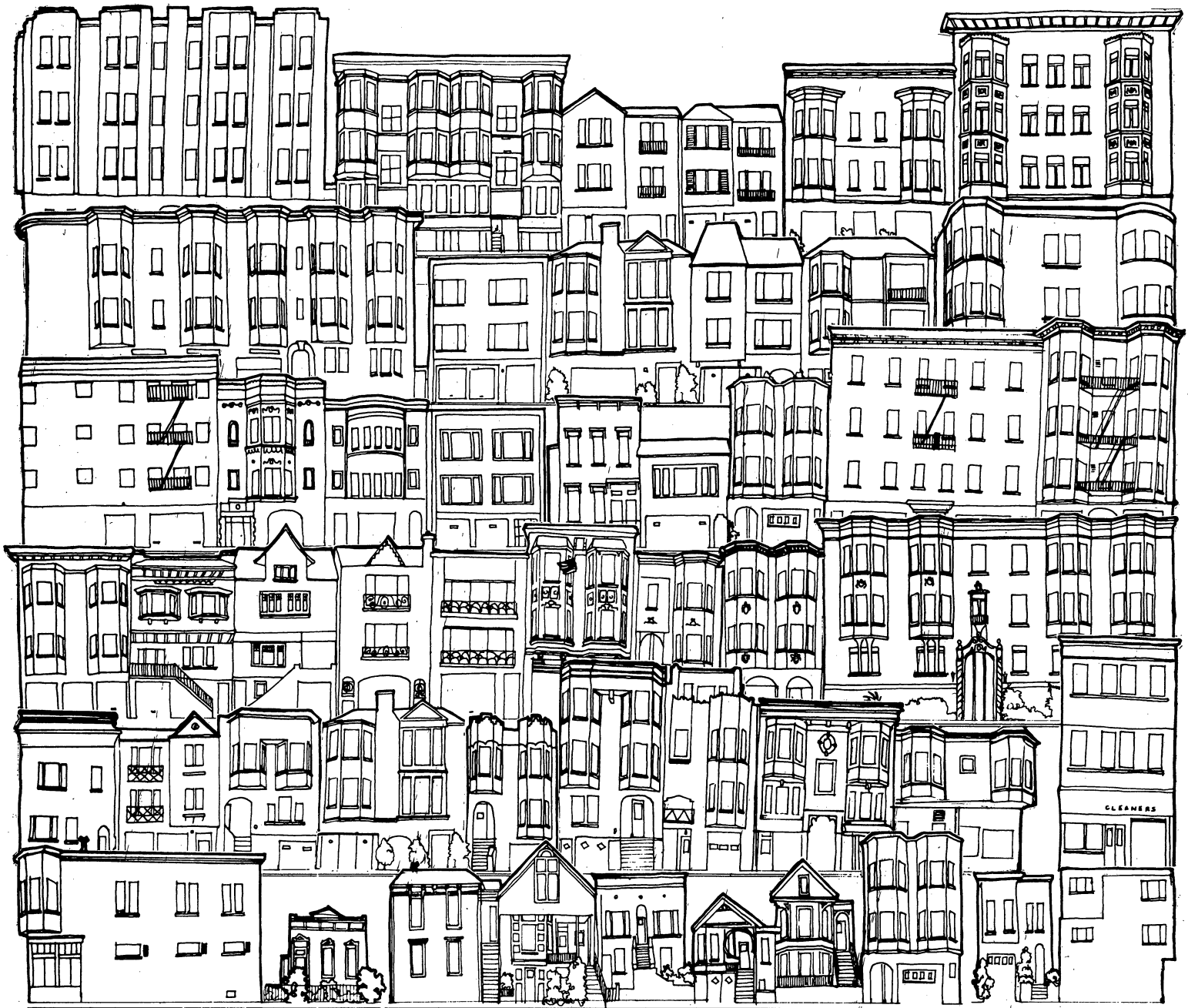
That the City Manager is hereby authorized and directed to purchase the Property for a sum of \$4,800 and to convey the Property and improvements thereon to Homeowner's Rehab Inc. for consideration of \$4,800; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to execute and deliver to Homeowner's Rehab Inc. in the name of and on behalf of the City of Cambridge in such form as the City Manager shall approve (such approval to be conclusively evidenced by such execution and delivery) such documents, instruments, agreements, deeds, warranties, indemnifications, releases or certificates, or amendments thereto, required by Homeowner's Rehab Inc. as the City Manager may deem necessary, desirable or appropriate to accommodate the intent of the foregoing resolutions; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized to execute, accept and deliver such supplemental or ancillary documents as are reasonably necessary to implement the intent of these resolutions and to execute, accept and deliver amendments thereto.



THE WORK EQUITY PROGRAM

HOMEOWNER'S REHAB, INC.
678 Massachusetts Avenue
Room 206
Cambridge, Massachusetts 02139

Telephone: (617) 868-4858



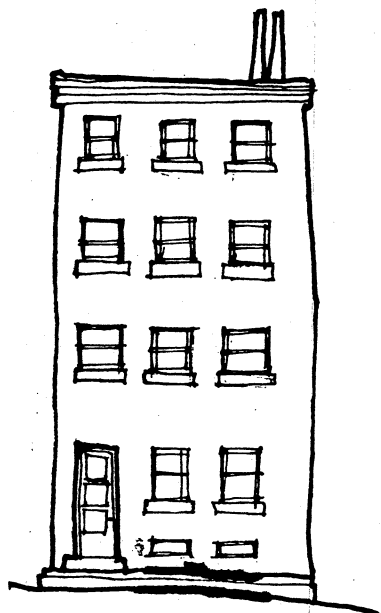
Homeowner's Rehab, Inc. is a non-profit housing corporation in Cambridge which exists to help low and moderate income families own and maintain their own homes. There are two programs which Homeowner's Rehab administers:

1. The Home Improvement Program assists homeowners in making repairs and improvements to their homes.
2. The Work Equity Program helps people become homeowners by making it possible for them to substitute their labor for part of the downpayment.



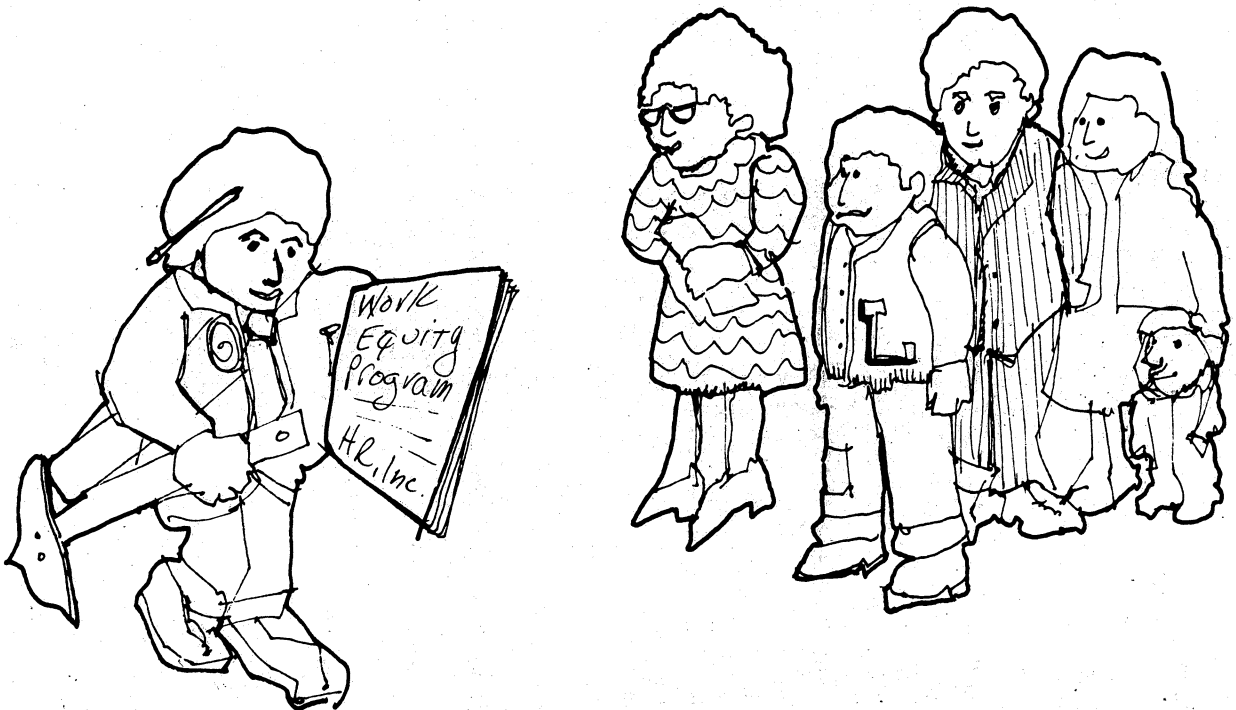
This booklet is about Work Equity. When you are buying a home, it is sometimes hard to come up with all the cash you need to make a downpayment. Through the Work Equity Program, you can earn part of the downpayment by working on the home you are buying. The work you do is called your 'work equity'.

The next few pages describe the steps which you will need to take to become a homeowner through the Work Equity Program. Read through it carefully, and if you have any questions, the staff at Homeowner's Rehab will try to answer them for you. The phone number to call is 868-4858, and the office is located at 678 Massachusetts Avenue, Room 206, in Cambridge, Massachusetts.



1. FILL OUT AN APPLICATION.

Someone from Homeowner's Rehab, will come to your house to go over the application form with you and explain how the program works. For the application, you will need to answer some questions about your family, your job, your income, your expenses, and your debts (if you have any). A copy of the application form is inserted in the back of this booklet.



2. ESTABLISH AND MAINTAIN A GOOD CREDIT RECORD.

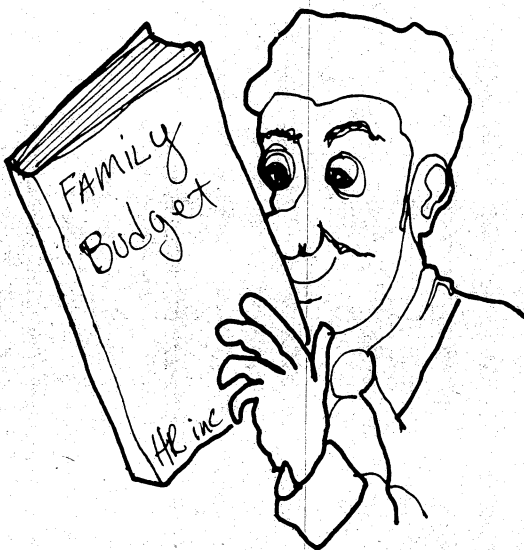
It is very important that you have a good credit record before trying to purchase a home. The banks will look at your record carefully before deciding whether to loan you money for a mortgage, and it will help you out if your credit record shows that any debts you might have are being paid off on time.

You will need to sign a form which authorizes Homeowner's Rehab to run a credit check. This will provide information about whether you have borrowed money in the past, who you borrowed it from, and how you paid it back. If you have some credit problems, a member of the Homeowner's Rehab staff will work with you to arrange a systematic way to clear up your debts and to organize your family's budget. You should be very careful about paying your bills on time and taking on any new debts during this period, because the bank's decision about a mortgage depends to a large extent on how good your credit is.

Credit

Wok

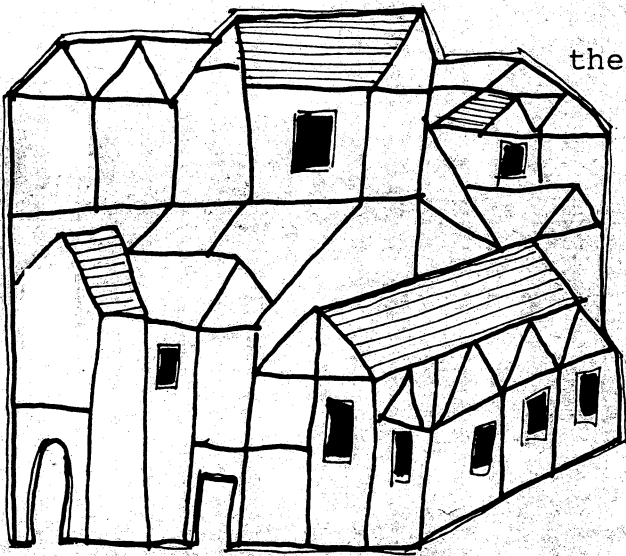
- * Car Loan
- * Personal Loan
- * Charge Card Account
- * Time Payment Purchase



3. LOOK FOR A HOME.

Before beginning to look for a house, you should have a clear idea of what price range your budget will allow. You and the Homeowner's Rehab staff person who works with you will be able to arrive at this price range together.

There are three ways to find a home through the program:



1. The first way is for you to find a house yourself, by looking at what is for sale in Cambridge.
2. The second way to become a homeowner is for you to buy one of the houses or apartments already owned by Homeowner's Rehab.
3. The third way is for you to purchase the house you live in now.

Keep in mind that whatever you look at will probably need to have some work done to it, some by you and your family as your 'work equity', and perhaps some by professional contractors. Also remember that single-family houses are hard to find in Cambridge at reasonable prices. You might locate a two- or three-family house, in which case you and your family would live in one apartment and rent out the other apartment(s).

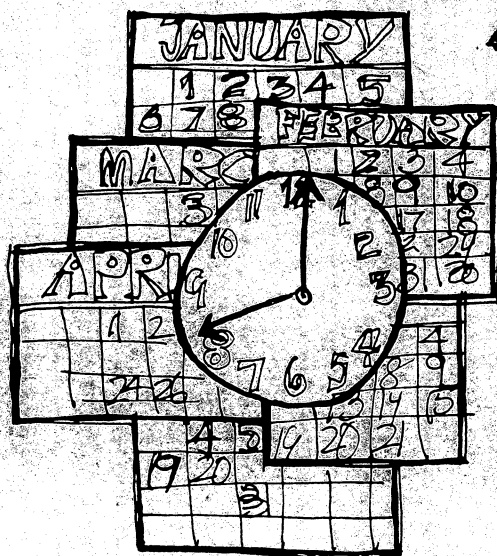
3. (continued)

Or you might find a larger building with several apartments, and in that case you would buy one of the apartments and become a condominium owner.

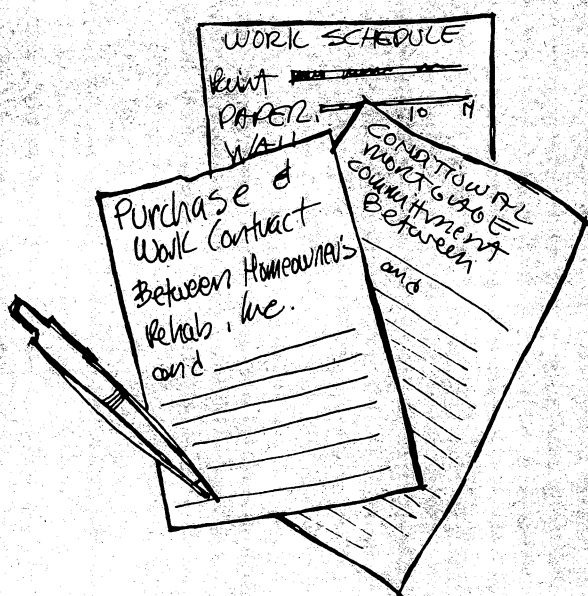
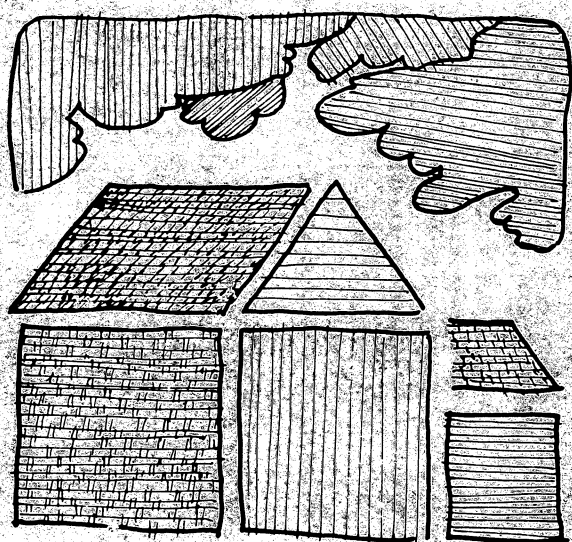
When you and your family have found a home which you like and can afford, your application will be submitted to the Work Equity Advisory Committee for approval. The committee is made up of neighborhood people who will review your application. They will base their decision on your need and on the order in which you filled out your application.

4. HOMEOWNER'S REHAB BUYS THE BUILDING.

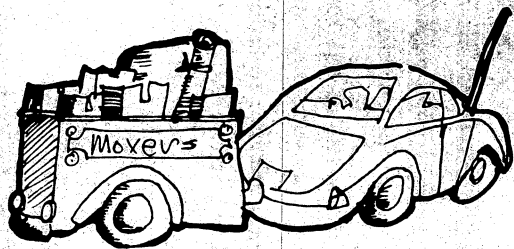
This part of the program can take a long time. Once your application has been approved by the Advisory Committee, several months might go by before Homeowner's Rehab can make the actual purchase, if it doesn't already own the building. During this waiting period, there are several things which will happen:



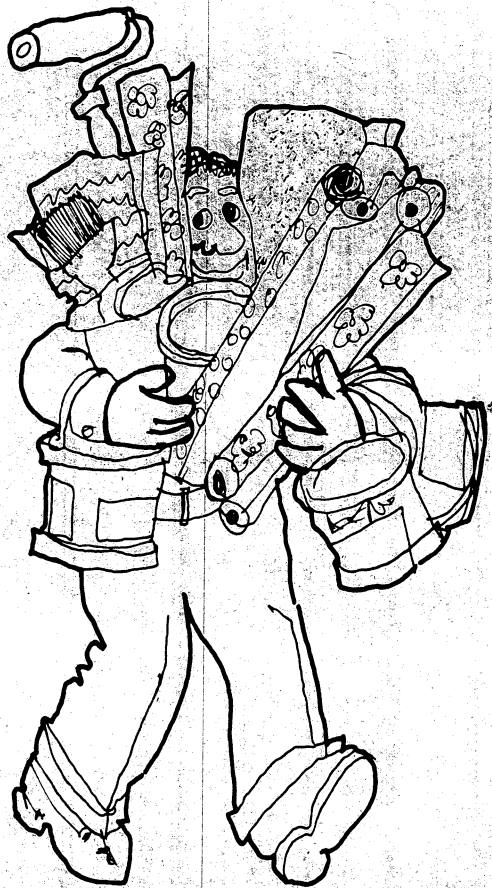
1. A banker will look over your application and indicate whether the bank would be willing to make a mortgage commitment once your work equity is completed. This is only a preliminary commitment, since the bank's final approval can't be given until your work is actually finished.
2. You and Homeowner's Rehab will sign a purchase agreement, which describes the work that you and your family will do, states the terms of the agreement, and specifies the price of the home.
3. You will work with Homeowner's Rehab to develop a work schedule to follow while you're making the repairs and improvements. You will learn what items are included in your budget, and where to shop for paint, cabinets, appliances, tile, etc.



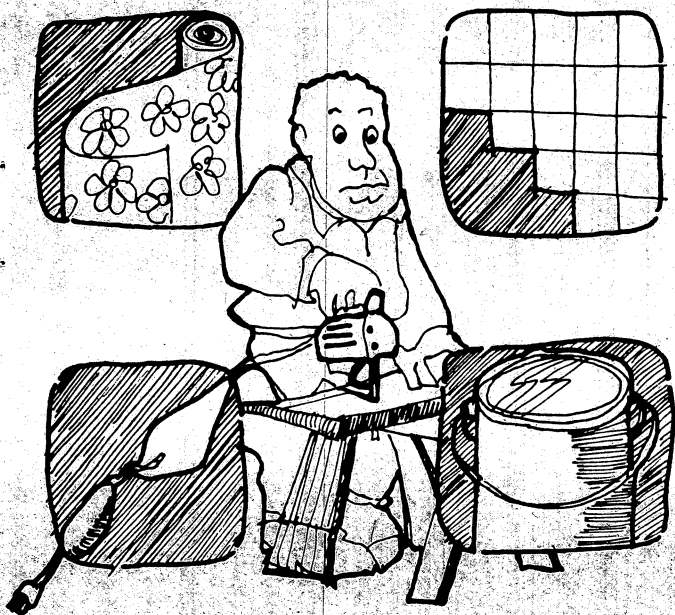
5. YOUR FAMILY MOVES IN AND BEGINS DOING
"WORK EQUITY".



As soon as Homeowner's Rehab has purchased the building and put it into livable condition, you can move in right away and start to work. Someone from Homeowner's Rehab will help you get started on the work, and will give you advice on jobs like painting, wallpapering, tiling, and other repairs as you go along. You should follow the schedule which you developed earlier. If there are major jobs such as plumbing, heating, and electrical work which need to be done, professional contractors will be hired by Homeowner's Rehab.



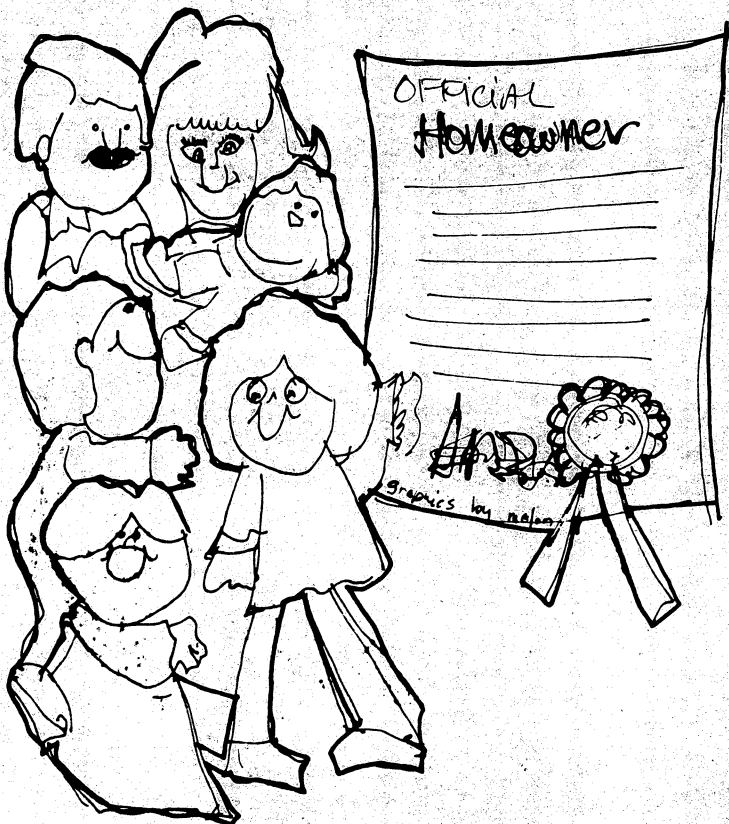
You will begin paying rent to Homeowner's Rehab as soon as you move into the building. The rent you pay will be used to cover Homeowner's Rehab's carrying costs (interest, taxes, insurance, etc.). Your rent payments will not be applied toward your purchase price. You should be sure to pay your rent on time, or you might risk losing the chance to buy the house. Also, it is very important for you to keep your credit record good until your work is done. If you are late paying bills, the bank may be unwilling to take your mortgage, even if you complete the work satisfactorily. If you are having any financial trouble, or if you lose your job or change jobs, you should let Homeowner's Rehab know right away.



6. YOU BECOME A HOMEOWNER.

It usually takes about a year to finish your work equity. As you approach the completion of your work, you should put aside enough money to cover the 'closing costs' involved with transferring ownership to you and your family. Homeowner's Rehab will help you estimate how much these closing costs will be.

When all the work you planned has been finished, inspected, and approved, you will then apply for a mortgage so that you can buy the house from Homeowner's Rehab and become a homeowner yourself.



HOMEOWNERS REHAB, INC.
WORK EQUITY PROGRAM APPLICATION

APPL. #
DATE

NAME Yours _____
Social Security# _____ Date of Birth _____

Spouse's _____
Social Security# _____ Date of Birth _____

FAMILY # Years in present marriage _____
Previous marriage? _____ If yes, how terminated? _____

Dependents (including self) _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____
Name _____ Age _____ Sex _____

ADDRESS Present Address _____ # Years _____ Phone _____
Previous Address _____ # Years _____
How many years in Cambridge _____

EDUCATION Yours: Grade School _____ Spouse's: Grade School _____
High School _____ High School _____
College _____ College _____
Special Training _____ Special Training _____
What type? _____ What type? _____

EMPLOYMENT Your present employer: Spouse's present employer:
Name _____ Name _____
Address _____ Address _____
Date of employment _____ Date of employment _____
years _____ # years _____
Position _____ Position _____

Your previous employers: (5 yrs.) Spouse's previous employers: (5 yrs.)
Name _____ Name _____
Address _____ Address _____
Dates of employment _____ Dates of employment _____

Name _____ Name _____
Address _____ Address _____
Dates of employment _____ Dates of employment _____

Name _____ Name _____
Address _____ Address _____
Dates of employment _____ Dates of employment _____

MILITARY EXPERIENCE Branch of Service _____
Dates Served _____

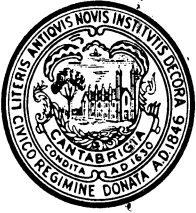
I hereby authorize Homeowner's Rehab, Inc. to obtain personal credit information from the Credit Bureau and other sources pertaining to me or my family.

I verify that the above information is correct to the best of my knowledge. This information is confidential and is for HRI's use only, not to be released without my consent.

I further understand that at the time of consideration for any HRI property, this information will be updated and verified and any selection will be based upon that updated information.

Date _____

Signed _____



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

June 4, 1984

To the Honorable, the City Council:

I transmit herewith communication from the Assistant City Manager for Community Development relative to the scheduling of a public hearing for the purchase and sale of land at 51 Cogswell Avenue, Cambridge, on June 25, 1984.

Very truly yours,

Robert W. Healy
City Manager

RWH/b

Agenda Item Number Twelve

RE: the scheduling of a public hearing for
the purchase & sale of land at 51 Cogswell
Avenue, Cambridge for June 25th, 1984.

*Referred to Planning
Board for report.*

In City Council,

June 4, 1984

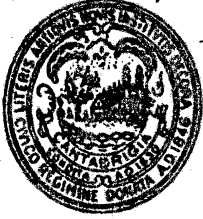
6/4/1983

Hearing order

for

6/25/84 NT 6³⁰/84

*Copy of this item & hearing order
sent to Les Barber, Community
Development Dept. 6/7/84 mh*



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

June 15, 1984

To Whom It May Concern:

Enclosed you will find a copy of a hearing notice before the City Council for Monday, June 25, 1984 at 6:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a proposed purchased and sale of land at 51 Cogswell Avenue from the Massachusetts Bay Transit Authority for the purpose of reselling the land to Homeowners Rehab, Inc. for its Work Equity Program.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk

PEH/dl

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

WHEREAS:

A communication has been received from Robert W. Healy, City Manager transmitting a request from Kathy A. Spiegelman, Assistant City Manager for Community Development relative to the purchase and sale of land on Cogswell Avenue to Homeowner's Rehab, Inc. for the purpose of rehabilitating a house for the lower-income family under the Work Equity Program; and

WHEREAS:

Homeowner's Rehab, Inc. hereby request the City of Cambridge to purchase a parcel of land, known as 51 Cogswell Avenue, from the Massachusetts Bay Transit Authority for the purpose of reselling the land to Homeowners Rehab, Inc. in its Work Equity Program; said parcel is on a plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, containing approximately 477 square feet more or less; therefore be it

ORDERED:

That due notice be given to the owners abutting on said public way, and all other persons interested, and in the manner prescribed by law, that this City Council intends to hold a public hearing on Monday, June 25, 1984 at 6:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on the proposed purchase and sale of land at 51 Cogswell Avenue and any objections may be heard at this time.

By order of the City Council,

Paul E. Healy, City Clerk.



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

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THE CITY CLERK

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Very truly yours,

Paul E. Healy, City Clerk

PEH/d1

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

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CITY OF CAMBRIDGE

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PEH/dl

City of Cambridge

MASSACHUSETTS

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Paul E. Healy, City Clerk.

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

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City of Cambridge

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WHEREAS:

Homeowner's Rehab, Inc. hereby request the City of Cambridge to purchase a parcel of land, known as 51 Cogswell Avenue, from the Massachusetts Bay Transit Authority for the purpose of reselling the land to Homeowners Rehab, Inc. in its Work Equity Program; said parcel is on a plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, containing approximately 477 square feet more or less; therefore be it

ORDERED:

That due notice be given to the owners abutting on said public way, and all other persons interested, and in the manner prescribed by law, that this City Council intends to hold a public hearing on Monday, June 25, 1984 at 6:30 p. m. in the City Council Chamber, City Hall, Cambridge, Massachusetts on the proposed purchase and sale of land at 51 Cogswell Avenue and any objections may be heard at this time.

By order of the City Council,

Paul E. Healy, City Clerk.

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

WHEREAS:

A communication has been received from Robert W. Healy, City Manager transmitting a request from Kathy A. Spiegelman, Assistant City Manager for Community Development relative to the purchase and sale of land on Cogswell Avenue to Homeowner's Rehab, Inc. for the purpose of rehabilitating a house for the lower-income family under the Work Equity Program; and

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City of Cambridge

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Homeowner's Rehab, Inc. hereby request the City of Cambridge to purchase a parcel of land, known as 51 Cogswell Avenue, from the Massachusetts Bay Transit Authority for the purpose of reselling the land to Homeowners Rehab, Inc. in its Work Equity Program; said parcel is on a plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, containing approximately 477 square feet more or less; therefore be it

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By order of the City Council,

Paul E. Healy, City Clerk.

ORDINANCE NO. 733
Final Publication No. 1539. First
Publication in Cambridge Chronicle-
Sun, January 7, 1965.

CITY OF CAMBRIDGE

In the Year One Thousand, Nine
Hundred and Sixty-five.

AN ORDINANCE

In amendment to an Ordinance en-
titled: "The General Ordinances of
the City of Cambridge"

Be it ordained by the City Council
of the City of Cambridge as fol-
lows:—

The General Ordinances of the
City of Cambridge are hereby
amended by inserting the following
section entitled:—

City Owned Land and Buildings.
Section 1. Sale, Lease or Rental of
City Owned Land.

For the purposes of protecting
the citizens of Cambridge, real es-
tate values and obtaining the best
possible land use, no sale, lease
or rental by the City of Cambridge
of City owned land or ways shall
be accomplished until such offer,
when received by the City Council,
shall be referred to the Planning
Board of the City of Cambridge
for study and a report made to the
City Council, which shall hold a
public hearing to which the Plan-
ning Board shall be invited. Said
hearing shall be held within one
month after receipt of the Plan-
ning Board's report to the City
Council.

At least ten days prior to said
hearing the City Clerk shall post
notices of the hearing upon the
City owned land or ways with re-
spect to the proposed sale, lease or
rental and shall send a written
notice to the owners of the prop-
erty adjoining and opposite said
land or ways within two hundred
feet thereof as shown on the most
recent tax list of the Board of
Assessors, and to such owners and
civic groups as may be deemed by
the City Clerk to be affected and
shall publish notice of said hear-
ing in newspapers of general cir-
culation within the City of Cam-
bridge.

In City Council January 18, 1965.
Passed to be ordained as amended.
Edward A. Crane, Mayor.

A true copy. Attest:—

THOMAS M. McNAMARA,

City Clerk.

(C)F11.

*Planning
210-*



City of Cambridge

AGENDA ITEM NO, 7

IN CITY COUNCIL

June 25, 1984

WHEREAS:

Homeowner's Rehab Inc., a non-profit corporation located at 678 Massachusetts Avenue, Cambridge, proposes to rehabilitate a house for a lower-income family under the Work Equity Program on land more particularly described in Exhibit A attached hereto (the Property); and

WHEREAS:

Homeowner's Rehab Inc. has requested, in order to gain clear title to the property to enable financing, that the City purchase the property from the Massachusetts Bay Transportation Authority and in turn sell the property to Homeowner's Rehab Inc; and

WHEREAS:

This City Council desires to purchase and sell this property to Homeowner's Rehab Inc., so that a vacant building can be rehabilitated under the Work Equity Program which provides homeownership opportunities to lower income Cambridge residents;

NOW, THEREFORE BE IT ORDERED:

That the City Manager is authorized to execute and deliver a Purchase and Sale Agreement concerning the Property by and between the City of Cambridge and the Massachusetts Bay Transportation Authority and by and between the City of Cambridge and Homeowner's Rehab Inc., in form acceptable to him and containing such terms and conditions as he shall deem necessary. The City Manger is further authorized to execute and deliver any amendments or additions to said Purchase and Sale Agreement as he shall deem necessary. Notwithstanding the preceding two sentences, the City Manager shall not be required to enter into such a Purchase and Sale Agreement if, in his sole descretion, he does not deem said Agreement to be necessary for the conveyance authorized below; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to purchase the Property for a sum of \$4,800 and to convey the Property and improvements thereon to Homeowner's Rehab Inc. for consideration of \$4,800; and

BE IT FURTHER ORDERED:

That the City Manager is hereby authorized and directed to execute and deliver to Homeowner's Rehab Inc. in the name of and on behalf of the City of Cambridge in such form as the City Manager shall approve (such approval to be conclusively evidenced by such execution and delivery) such documents, instruments agreements, deeds, warranties

indemnifications, releases or certificates, or amendments thereto, required by Homeowner's Rehab Inc. as the City Manager may deem necessary, desirable or appropriate to accommodate the intent of the foregoing resolutions; and

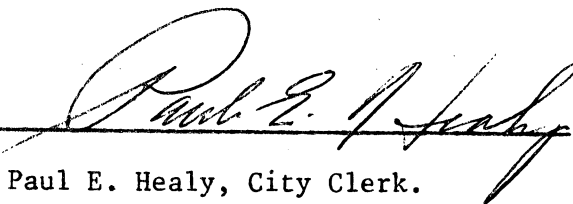
BE IT FURTHER ORDERED:

That the City Manager is hereby authorized to execute, accept and deliver such supplemental or ancillary documents as are reasonably necessary to implement the intent of these resolutions and to execute, accept and deliver amendments thereto.

In City Council June 25, 1984.
Adopted by a yea and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.



City of Cambridge

AGENDA ITEM NO, 7

IN CITY COUNCIL

June 25, 1984

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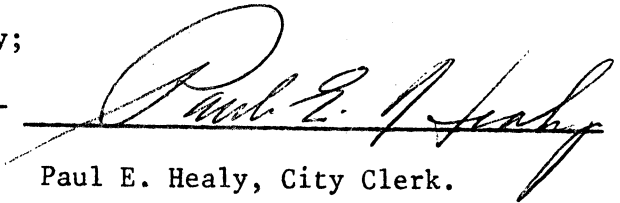
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Adopted by a yea and nay vote:-
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Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.



City of Cambridge

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IN CITY COUNCIL

June 25, 1984

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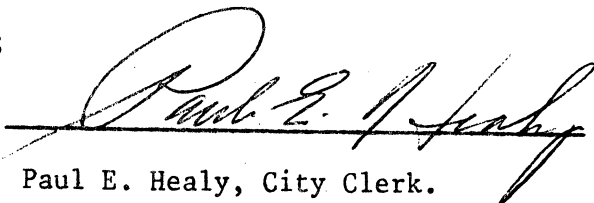
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In City Council June 25, 1984.
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Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.



City of Cambridge

AGENDA ITEM NO, 7

IN CITY COUNCIL

June 25, 1984

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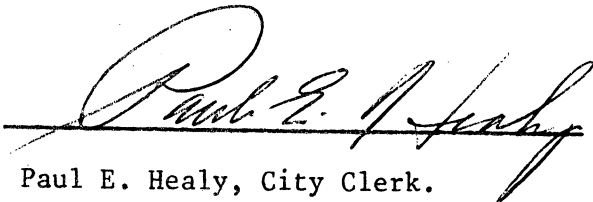
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In City Council June 25, 1984.
Adopted by a yeas and nays vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-


Paul E. Healy, City Clerk.

Draft Council Order

DRAFT 6/25/84

Re: Purchase and Sale of Land on Cogswell Avenue to Homeowner's Rehab Inc.

WHEREAS:

Homeowner's Rehab Inc., a non-profit corporation located at 678 Massachusetts Avenue, Cambridge, proposes to rehabilitate a house for a lower-income family under the Work Equity Program on land more particularly described in Exhibit A attached hereto (the Property); and

WHEREAS:

Homeowner's Rehab Inc. has requested, in order to gain clear title to the property to enable financing, that the City purchase the property from the Massachusetts Bay Transit Authority and in turn sell the property to Homeowner's Rehab Inc; and

WHEREAS:

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BE IT FURTHER ORDERED:

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BE IT FURTHER ORDERED:

That the City Manager is hereby authorized to execute, accept and deliver such supplemental or ancillary documents as are reasonably necessary to implement the intent of these resolutions and to execute, accept and deliver amendments thereto.

Hearing # 2

6/4/84 Agenda # 12

City of Cambridge

Agenda #17 of 6/25/84 MASSACHUSETTS

In City Council

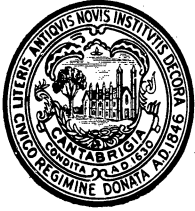
6/35 1984

Loggswell Access Revenue & Sale

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan			✓	
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell	✓			

8 0 1

Order Adopted 6/12/84
City Manager to Proceed



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway

[Handwritten signature]

To Robert Healy, City Manager

From *KS* Kathy Spiegelman, Assistant City
Manager for Community Development

Date June 20, 1984

Subject Purchase and Sale by the City of Land at
51 Cogswell Avenue, Cambridge

The City Council has scheduled a Public Hearing on the purchase and sale of 51 Cogswell Avenue for June 25 at 6:30 p.m. Please review the attached draft Council Order and related materials. To facilitate the timely disposition of the property, the Department requests that the City Council act on this matter on June 25.

Homeowner's Rehab Inc. (HRI) is requesting that the City of Cambridge take appropriate steps to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land indicated as Lot E on the attached Plan entitled "Proposed Revisions to a Public Way", consists of approximately 477 square feet and has been assessed by the MBTA at \$4,800.

HRI will, in turn, reimburse the City in the same amount for the land. Commitments have already been secured for a construction loan, a Cambridge Historic Preservation grant, and a CDBG rehab grant to enable the renovation of the vacant house to go forward quickly and to enable a lower income Cambridge large family to buy the house.

Please contact Betty Desrosiers in this office if you have any questions.

Attachments:

Draft Council Order
Request for land transfer from Homeowners Rehab Inc., May 23, 1984
Map and Property Description, E.H. Fagerstrom, September 13, 1983
Letter to MBTA from the City Manager, August 10, 1983
Letter to the Department from Douglas Bell, August 12, 1983
Special Permit PB15 as amended, October 4, 1983
Pla-ning Board Report, June 1984

HOMEOWNER'S REHAB, INC.
678 Massachusetts Avenue
Room 203
Cambridge, Massachusetts 02139
868-4858

MEMORANDUM

TO: Margaret Smith, Cambridge CD Dept.
FROM: Vincent F. O'Donnell, Executive Director *VFO*
DATE May 23, 1984
RE: 51 Cogswell Avenue

Homeowner's Rehab, Inc. (HRI) hereby requests the City of Cambridge to purchase a parcel of land, described below, from the Massachusetts Bay Transit Authority (MBTA), for the purpose of reselling the land to HRI for use in its Work Equity Program. The land, as indicated on the attached Plan entitled "Proposed Revisions To A Public Way", dated September 13, 1983 and prepared by E.H. Fagerstrom, Registered Surveyor, consists of approximately 477 square feet and is valued by the MBTA at \$4,800.

HRI will, in turn, pay the City the same amount of \$4,800 for the land. This procedure will enable HRI to obtain clear title to the land on which the house to be rehabilitated is located, thus permitting financing to be obtained. As we have already discussed, a construction loan commitment and financial assistance from the CDD and Cambridge Historical Commission have all been obtained in order to enable this project to move forward quickly.

Copies of relevant previous correspondence are attached. If you have any questions regarding this matter, please do not hesitate to contact me.

Enclosure



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

August 10, 1983.

Mr. Andrew Warren
Department of Real Estate Management
50 High Street
Boston, Massachusetts 02110

Dear Mr. Warren:

The City of Cambridge would like to acquire the MBTA parcel of 477.4 sq. ft. located at the end of Cogswell Avenue (Plat Map 199) for the express purpose of incorporating the land into a special housing project. This housing project, under the sponsorship of a local nonprofit corporation, which operates the City's Work Equity Program, would renovate an abutting vacant residential structure. The upgraded structure would be sold at cost to a low income Cambridge family. The Work Equity Program has been highly successful in providing affordable housing to lower income Cambridge families. The acquisition of the above parcel from the MBTA will allow the City to undertake yet another work equity project.

The Cogswell Avenue parcel has already been appraised by the MBTA. The City proposes to purchase the land for the amount of \$4,800. This amount will cover the fair market value and appraisal costs incurred. Cambridge would like to acquire the parcel as soon as possible. Early acquisition will permit the City and its local nonprofit corporation to proceed with renovation of the abutting vacant structure prior to the onset of winter.

Thank you for your consideration and action on behalf of this request.

Very truly yours,

Robert W. Healy
City Manager

RWH:jp

Urban Development and Investment Corporation

1640 MASSACHUSETTS AVENUE · CAMBRIDGE, MASSACHUSETTS 02138 · (617) 661-0075

August 12, 1983

Kathy Spiegelman
Assistant City Manager
57 Inman Street
Cambridge, MA 02139

Dear Ms. Spiegelman:

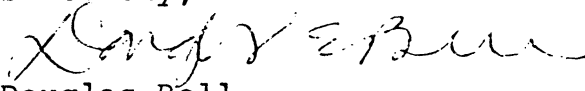
Please be assured that UDIC is fully committed to participate in the Work Equity Project to be undertaken by Homeowner's Rehab, Inc. (HRI) for the vacant structure located at the end of Cogswell Avenue. UDIC's primary responsibilities are to deliver the structure at no cost to HRI and to acquire the MBTA owned land abutting the structure. The total cost of acquisition is estimated at \$4,800 for the 477.4 SF parcel will be financed by UDIC. UDIC will forward a check to HRI for the cost of the land plus appraisal expenses incurred. UDIC has already paid \$1,500 to the MBTA to cover acquisition expenses incurred todate.

UDIC's acquisition check to HRI will be reduced by that amount to reflect that payment. UDIC is also responsible to complete a property survey and will grant easement rights along the west sideyard. Finally, UDIC will undertake street and sidewalk improvements to create a cul-de-sac design for the Cogswell Station Development, these improvements will incorporate the Work Equity property.

HRI is responsible for all structural and site renovation costs with the exception of the rear and west sideyard fencing. HRI is additionally, responsible for all expenses incurred by UDIC in relocating the structure.

I am appreciative of the City's efforts to acquire the MBTA parcel on behalf of HRI. Please be assured that UDIC fully intends to carry out its obligations and commitments to this worthy project as required by the Special Permit provisions issued for the adjacent COgswell Station Development.

Sincerely,


Douglas Bell
President

DB/m



CITY OF CAMBRIDGE, MASSACHUSETTS
PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

CASE NO: PB-15
PREMISES: Odd numbers 41-47 and 42 Cogswell Avenue
ZONING DISTRICT: Residence B
PETITIONER: Urban Development and Investment Corp. (UDIC)
APPLICATION DATE: 6/15/81
PUBLIC HEARING DATE: 7/7/81
PETITION: Section 11.10, Townhouse development for 39-one
bedroom dwelling units
DATE OF PLANNING BOARD DECISION: July 22, 1981

The Petition

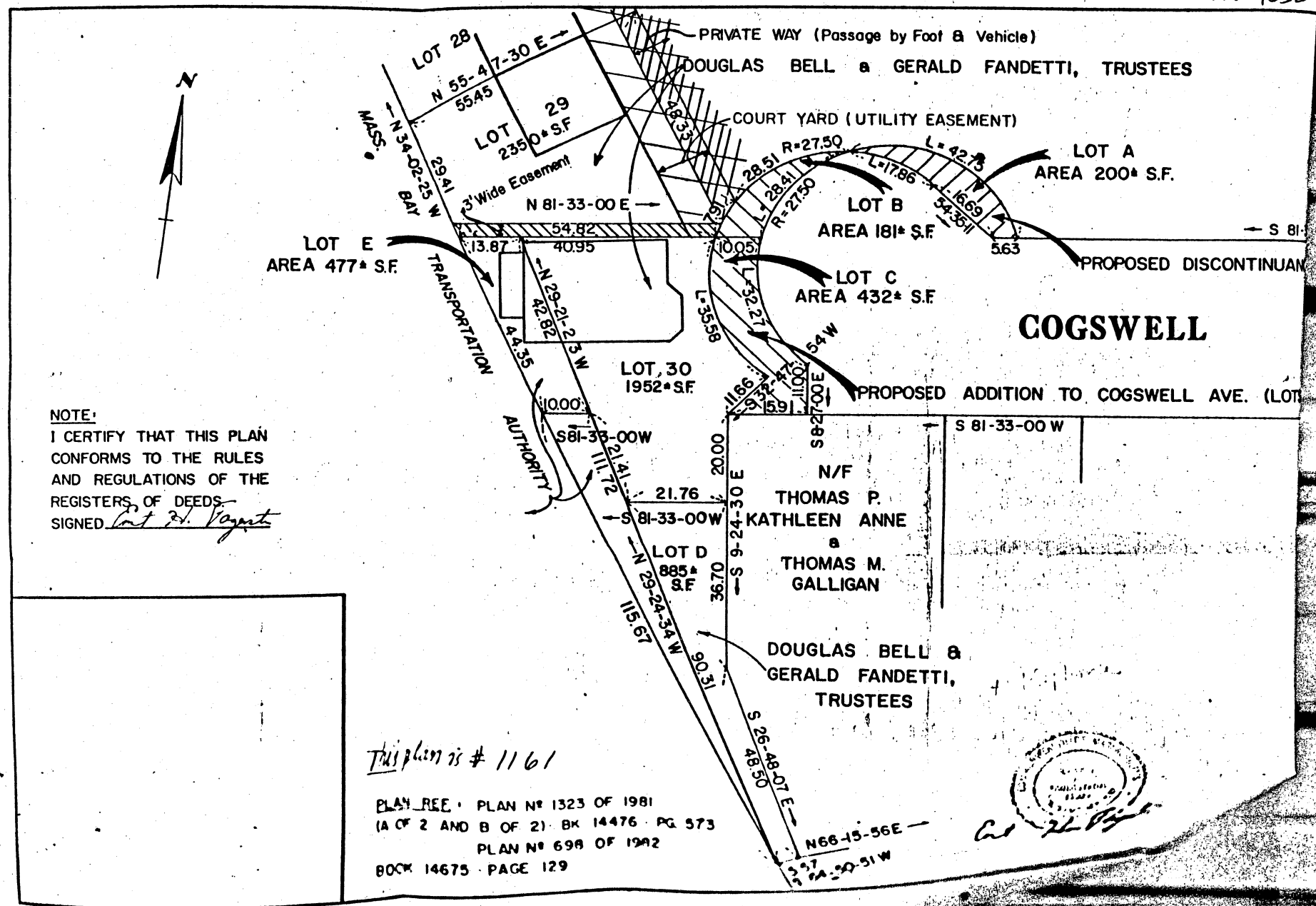
This petition calls for the construction of 39 townhouse units to be built upon approximately 1.33 acres of land. The proposed units will consist of three different types. Nineteen (19) units will have an overall height of 29'±, 13 units will be 34'±, and 7 units at 26'±. All townhouses will consist of one-bedroom units. Mr. Bell's plans also show the relocation of the dwelling at 42 Cogswell Avenue to the southerly end of that street. The house will be sold by UDIC to Homeowners Rehab, Inc. who will move and restore the dwelling into a two family unit. Mr. Bell plans to swap some of his land for city property to facilitate the construction of a cul-de-sac at the southerly end of Cogswell Avenue and complete the deal with Homeowner's Rehab, Inc.

Documents

In support of the petition, Douglas Bell, President of UDIC submitted the following documents to the Community Development Department on 6/15/81:

1. Application form, certificate of ownership, photographs of the site, required site plan, elevations, and information concerning zoning and land-use (typical cross section was also submitted). The plans contained eight pages and the site plan was labeled "Cogswell Station."
2. At the public hearing of 7/7/81, Mr. Bell presented numerous alternative site plans including a redesigned open air parking scheme on the east side of Cogswell Avenue, a redesigned cul-de-sac, an alternative location for the relocated Homeowners Rehab., two-family unit, two alternative site lay-outs for building #3 containing units #6-9, and an open air parking space plan for unit #20 in building #8 instead of a garage. He also presented

Homesites
868 4858



NOTE:
 I CERTIFY THAT THIS PLAN
 CONFORMS TO THE RULES
 AND REGULATIONS OF THE
 REGISTERS OF DEEDS.
 SIGNED *Carl H. [Signature]*

This plan is # 1161

PLAN REE · PLAN N° 1323 OF 1981
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CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 5, 1984

To the Honorable, the City Council:

SUBJECT: Acceptance and sale of land at 51 Cogswell Avenue.

At its regular meeting on June 5, 1984 the Planning Board reviewed the proposed acceptance by the City from the MBTA of a parcel of land totaling 477 square feet at 51 Cogswell Avenue and the then proposed sale of that land by the City to Homeowners Rehab, Inc. for the purpose of renovating a single family home for ownership by a low or moderate income family.

Relocation of the house, now at 51 Cogswell Avenue, and its rehabilitation were conditions of a Townhouse Special Permit (#15) issued by the Planning Board in 1981, conditions based on the acquisition of the subject land from the MBTA. The proposed transfers would make the fulfillment of that condition possible and ensure the availability of a home for a large, low or moderate income family. The Planning Board recommends acceptance of the property and its transfer to Homeowners Rehab, Inc.

For the Planning Board

Arthur Parris,
Chairman

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

Case No.: PB-15-Minor Amendments to Permit

Premises: 42 Cogswell Avenue
(portion subject to amendment)

Original Approval: July 22, 1981

Date of Planning Board Approval, Amendment: October 4, 1983

Documents

1. Undated, unscaled (at 1/8"=1') plan of 42 Cogswell Avenue showing Units #32-38 plus units 30 and 31 which are not labeled.
2. Map entitled "Proposed Revision to a Public Way, Cogswell Avenue Cambridge Massachusetts," Scale 1"=20', dated November 13, 1983, E.H. Fagerstrom, Registered Surveyer, showing proposed Cogswell Avenue right of way and Lot #30, relocated house to be transferred to Homeowners Rehab, Inc.

Amendments

1. Homeowners Rehab, Inc. House and Lot as indicated on surveyed plan referenced above: "Proposed Revision to a Public Way; Cogswell Avenue".

	<u>Granted</u>	<u>Amended</u>
a. Lot size	2872 sq ft \pm	2429 sq ft \pm
Number of units	2	1
Lot area/DU.	1436 sq ft \pm	2429 sq ft \pm
Rear setback	3-5'	1' \pm
Parking space	2	1 at standard size

- b. Lot to include "Lot 30" and "Lot E" as shown on plan.

- c. "Lot D" as shown on map, 885 sq ft, to be deleted from project and transferred to abutting lot, identified as N/F Thomas P, Kathleen Anne, and Thomas M. Galligan.

2. Amendments to 42 Cogswell Avenue


- a. Add one additional open air parking space, increasing from six to seven spaces.

- b. Delete former unit #30 (unnumbered on map) and convert to parking garage with living space above as part of Unit #31 (unnumbered on map).
- c. Deletion of rear external stairs on all units.
- d. Addition of first floor bays on Units #33, #34, #35, #37 and #38.
- e. All other features shall be as shown on above referenced undated map including all setback dimension.

Specifically the following setbacks shall apply from external property line:

- | | |
|---------------------|--|
| (1) garage/unit #31 | 15 ft |
| (2) #32 | 20 ft from further property line |
| (3) #33 | 14' at northend of building, 12' at south end of building |
| (4) #34 | 11 ft from east property line bay permitted to extend into setback |
| (5) #35 | 7.5 ft from property line |
| (6) #36 | 11 ft from property line |
| (7) #37 | 17 ft from property line |
| (8) #38 | 11 ft from west property line |
| | 6 ft from north property line |

For the Planning Board,



Arthur Parris
Chairman

base maps depicting existing neighborhood density compared with the density of his proposal. This comparison showed that the townhouse development would be about the same density as that of the neighborhood.

The Public Hearing

At the public hearing of July 7, 1981, Mr. Bell first presented a history of the site in question. At one time, the site was used for coal storage which generally served the neighborhood. The barn which housed the coal later burned down. He explained that the site has been vacant for years but that the current owner, Warren Carstensen of Osterville, Massachusetts, still has a valid building permit to construct storage warehouses (Mr. Carstensen had obtained a building permit for the warehouses prior to a rezoning from an industrial district to a residential district).

At this point, Mr. Bell presented the details of the site plan he submitted on 6/15/81 and then reviewed a number of alternative site plans. He hoped that the Planning Board could approve the original submitted plans and a number of the suggested alternatives.

Once the presentation concluded, the Planning Board inquired about requested variances and neighborhood support. Mr. Bell explained that he proposed 39 units (zoning allows 26) because of the high cost of the land but noted that the development conformed to the floor area ratio limit and as such seemed reasonable. As far as neighborhood support was concerned, seven citizens indicated that they were in favor of the proposal. There were no comments in opposition to the development.

The hearing was then opened to public comment.

Mr. Charles Sullivan of 37 Cogswell Avenue expressed his support for the petition. He explained that the neighborhood wanted residential development not warehouses and hoped that townhouses would rid the area of teenagers who used the now vacant site as a "hang-out".

Mr. Francis Hollum of 95 Pemberton Ct. expressed concern about the foot easement and resulting pedestrian traffic past his residence. He was also worried about tree roots from Mr. Bell's property that were becoming a nuisance on his property. Mr. Bell assured him that he (Mr. Bell) would attempt to alleviate the problem.

Mary Lou Sheilds of 16 Mead Street generally favored the development but expressed concern about removal of existing trees which visually enhance the site and serve as a sound buffer from trains and truck traffic. She also hoped the "hang-out" problem could be resolved and was not convinced that 39 units would better serve the neighborhood than 26 units.

The hearing closed after two statements by Board members. Mr. Fred Cohn acknowledged the Board's apparent dilemma. He said that if the Board asked for extensive modifications to eliminate many of the proposed violations, the developer might withdraw the application. If the Board denied the application, the threat of the warehouses might become a reality. In either case, the Board seemed to be in a "can't win situation". Mrs. Geneva Malenfant was seriously concerned about the purposes of zoning in relation to the proposal and troubled by the extensive violations.

Findings

In accordance with Subsection 10.43 of the Zoning Ordinance, criteria for special permits, the Board makes the following findings:

1. It appears that the requirements of this Ordinance will not be met, however this does not appear to be to the detriment of the public interest as will be discussed below.
2. Traffic generated should not cause substantial congestion, hazard, or change in established neighborhood character. However, it is likely that 39 one bedroom units will produce 39 automobile owners which will generate more vehicle trips than 26 units. Points of access and egress need to be widened and the open air parking area to the east of Cogswell Avenue and the cul-de-sac need to be redesigned.
3. The continued operation of adjacent parcels should not be adversely affected by this development. The proposed development should improve what is now a vacant somewhat blighted site.
4. The development should not create a nuisance or hazard or be detrimental to the health, safety, and/or welfare of the occupants of the development or to the citizens of the City. The proposed use may help to eliminate the use of the site as a "hang-out" for teenagers. The proposed use will be more compatible with the neighborhood than the use of the site for warehouses.
5. The proposed use will not impair the integrity of the district. In fact, the proposed density (site coverage and lot area per dwelling unit) of this townhouse development appears to closely parallel the existing density of the immediate neighborhood (see base map depicting such comparison submitted by Douglas Bell at the 7/7/81 public hearing, map undated).

The Board also finds, based on additional criteria for townhouses (sub-section 10.464), that:

6. Key features of the site and existing trees will be preserved as much as is possible.
7. Overall, new buildings will not overwhelm abutting structures and generally are equal to or less than the height of such abutting structures. However, unit #34, building 10, unnecessarily encroaches on the rear property line of the dwelling at 16 Mead Street. In addition, the proposed total number of units on the east side of Cogswell Avenue exceeds zoning requirements and are unnecessarily cramped into such area. As such one unit should be eliminated from the plan reducing the total number of units in this area from 10 to 9. Furthermore, elimination of such unit will improve the open air parking area for these units (see finding #9).
8. The location, arrangement, and landscaping of open space will be adequate. However, the north side of the open air parking area on the east side of Cogswell Avenue needs to be buffered as well as the open air parking space for unit #20 in building #8.
9. The open air parking area on the east side of Cogswell Avenue will be safer and more convenient by eliminating one parking space and increasing the width of the remaining six spaces.
10. The following variances are proposed by the petitioner (in connection with original submission of 6/15/81).

	<u>required</u>	<u>proposed</u>
1) Lot area per dwelling unit	2500 s.f. per unit	1,671 s.f. avg. per unit
2) Lot area per dwelling unit (each lot)	same	Lots #2-15, 17-19, and 21-39 have less than 2500 s.f.
3) Total # of dwelling units allowed	26	39 townhouse units plus relocated dwelling containing 2 dwelling units
4) Usable open space	25% of each subdivided lot	lots #2, 15, 16, 32, 36, 37 and 38 have less than 25%.
5) Rear yard setback for bldg. #1, unit 1	15'	14'
6) Rear yard setback for bldg. #3, unit 6	15'	10'
7) Front yard setback for bldg. #4, unit 10	20'	15'

	<u>required</u>	<u>proposed</u>
8) Minimum distance between bldgs. 4 and 5 (5.13)	10.5'	8'
9) Front yard setback for bldg. #5, unit #12	20'	7'
unit #13	20'	12'
10) Minimum distance between bldgs. #5, #6	10.5'	3.5'
11) Relocated house at end of cul-de-sac:		
front yard setback	15'	1'
rear	20'	3.5'
side	7'6" (sum of 20')	1'
west side		1'
Min. lot size	5000 s.f.	2,872 approx.
lot area per dwelling unit	2500 s.f. per unit	1,436 s.f. per unit
Min. width for parking space (need 2 spaces)	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
12) Side yard setback for bldg. #10, unit #34	7'6"	5'
13) Side yard setback for bldg. #11, unit #39	7'6"	6'
14) Aisle width for open air parking spaces (#32A-38)	22'	12'

11. Warehouse construction instead of townhouses appears to be a realistic possibility. Neither the neighborhood nor the Board wants to see warehouse development. The Board is not pleased with the number and extent of requested variances but generally does not believe that this proposal substantially derogates from the intent and purpose of this Ordinance as set forth in Subsection 1.30. The decision and the conditions below (with respect to allowed variances) should in no way be taken as precedent setting for other petitions. This decision was made with the best interests (considering all factors involved) of the immediate neighborhood and the citizens of Cambridge in mind.

Decision

Based on the public hearing held on 6/15/81, staff review, and the findings presented above, the Planning Board voted unanimously (5-0, John O'Connor subsequently approved this application) to GRANT a special permit with the following conditions.

1. One unit in building #10 or 11 shall be eliminated. The developer, at his discretion, may slightly modify the site layout of the remaining units but in no instance shall any violations be created by such modification. In addition, the current setback violation of unit #34, building #10 shall be eliminated.
2. The cul-de-sac shall be redesigned in accordance with the submitted "Alt. cul-de-sac" plan (submitted by Mr. Bell at the 7/7/81 hearing). The island protecting the tree in the center of the cul-de-sac shall be surrounded by a sloping granite curb with no more than a 45° angle.

3. The curb cut and drive serving buildings # 1-4 shall be widened to not less than 16' for a distance of 23'± measured back from the street line.
4. The open air parking area on the east side of Cogswell Avenue shall be redesigned. The number of parking spaces shall be reduced from seven to six. Two five foot strips of planting shall be provided and maintained along the north and south sides of such area to effectively screen cars from abutting properties. The six parking spaces shall be widened as much as possible to facilitate maneuvering (without loss of existing trees). Spaces shall have a minimum depth of 16' but no more than 18'. Aisle width shall be 14.8'± for regular spaces and 16.8'± for compact. The two spaces closest to unit #30 in building #9 shall be located closer to the northerly property line (5' setback shall be maintained) which would further widen the aisle width to facilitate maneuvering.
5. If the City Council does not approve the land transfer concerning the cul-de-sac and the Homeowner's Rehab. Inc., dwelling, then the applicant, UDIC shall return to the Planning Board for approval of a new location for the Homeowner's Rehab. dwelling. The Board shall consider this a minor modification and it shall not require another public hearing.
6. The applicant shall redesign the site layout for building #3 units #6-9 so as to conform to the alternative layout #1 submitted at the 7/7/81 public hearing (submitted by Douglas Bell, entitled "ALT.1, Building 3").
7. All mature trees on the site shall be preserved wherever possible.
8. Most of the units facing Cogswell Ave. shall have wood clapboard sidings. This shall be indicated on the final site plan.
9. The house at 42 Cogswell Avenue which is being relocated to the end of Cogswell Avenue as indicated on the site plan submitted on 6/15/81, shall contain two dwelling units.
10. Sidewalk improvements shall be of brick with granite curbing.
11. All drainage shall be handled on site or channeled directly to the City's stormwater system, and grading will be consistent with adjacent property.
12. Deeds for each lot will be written so as to prohibit exterior alterations which would affect building heights and square footages.
13. The applicant shall install a 6' high concrete wall along the southerly boundary line of the development including the Homeowner's Rehab. Inc., property.

14. Perimeter planting along existing residential property lines shall not exceed a mature height of 15'.
15. The developer shall consult with abutters on the type and height of perimeter fencing if different from standard 6' wooden fences.
16. The area of asphalt pavement within the courtyards shall be minimized and replaced with modular pavers where possible.
17. The developer shall attempt to correct the ponding which occurs at the low point at the south end of Pemberton Court.
18. Under the authority of subsection 10.45, the following variances are hereby granted by the Planning Board.

	<u>required</u>	<u>granted</u>
A. Lot area per dwelling unit (avg.) (5.31) (*-this reflects the elimination of one unit making the total 38 d.u.'s)	2500 s.f./unit	1,715 s.f./unit
B. Lot area per dwelling unit (each lot) (5.31)	2500 s.f./unit	Lots #2-15, 17-19, and 21-38 have less than 2500 s.
C. Usable open space, 11.155(2)	25%/lot	proposed lots #2,15,16,32,36, 37, and 38 have less than 25%
D. Total # of dwelling units (5.31)	26	38
E. Rear yard setback for bldg. #1, unit #1 (11.154)	15'	14'
F. Front yard setback for bldg. #4, unit #10 (11.154)	20'	15'
G. Minimum distance between bldgs. #4 and 5 (5.13)	10.5'	8'
H. Front yard setback for bldg. #5, (11.154) units #12 and #13	20' 20'	7' 12'
I. Minimum distance between bldgs. #5 and 6	10.5'	3.5'
J. Relocated house from 42 Cogswell Avenue to end of cul-de-sac: (5.31)		
front setback	15'	1'
side	7'6" (sum of 20')	1'
west side	20'	3.5'
rear	5000 s.f.	2,872 s.f. approx
Min. lot size	2500 s.f.	1,436 s.f. approx
lot area per dwelling unit		
Min. width for parking space (need 2 spaces) (6.42)	16' for 2 spaces (one at 8.5', one at 7.5')	12.5' (for 2)
K. Aisle width for open air parking spaces (6 spaces)	22' for reg. 20' for compact	14.8' for reg. 16.8' for compact
L. Side yard setback for bldg. #11, unit #38	7'6"	6'

- 19. The applicant shall submit three copies of one final site plan reflecting all conditions of approval. As per Chapter 40-A of the State Statutes, Section 11, this decision cannot be filed until such revised plans are submitted to the Community Development Department.

Respectfully submitted,
for the Planning Board

Alfred B. Cohn

Alfred Cohn,
Vice Chairman

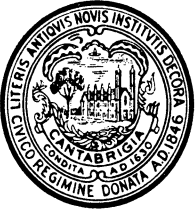
AC :lf

Attest: A true and correct copy of the decision filed with the Offices of the City Clerk on *July 30, 1951* by *Max A. Sevey* authorized representative of the Cambridge Planning Board. Twenty days have elapsed since the date of filing this decision.

No appeal has been filed _____.
Appeal filed and dismissed or denied _____.

Date: _____

City Clerk, City of Cambridge



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

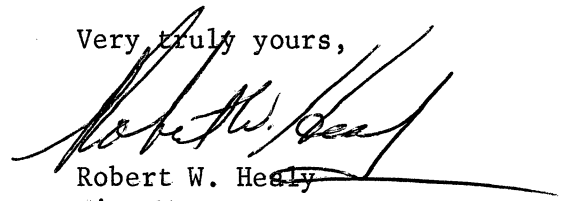
EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

June 25, 1984

To the Honorable, the City Council:

I transmit herewith a communication from the Assistant City Manager for Community Development, relative to the purchase and sale by the City of land at 51 Cogswell Avenue, a hearing on which is scheduled for June 25th at 6:30 p.m.

Very truly yours,



Robert W. Healy
City Manager

RWH/b

S-464

Re: purchase & sale of land at 51 Cogswell Avenue, a hearing on which is scheduled for this evening at 6:30 p.m.

6/25/84

Order adopted

8-0-1

In City Council,

June 25, 1984

6/25/84

Proposed

to

the

6:30 Hearing.

See Order Adopted
Submitted by Community
Development 8-0-1