



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

OCT 13 1978

In reference to the petition of the AMERICAN ACADEMY OF ARTS AND SCIENCES to vary the Zoning Ordinance of the City of Cambridge insofar as it applies to premises located on the SACHS ESTATE, bounded generally by Beacon Street, Scott Street, Bryant Street, Irving Street and Francis Avenue, excluding certain residential properties, to allow construction of a new building for nonconforming institutional use which will not meet certain dimensional and parking requirements of the Zoning Ordinance, the petition has been GRANTED with the following conditions:

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- a) At the public hearing, it was made clear that the Academy has promised to allow the neighboring communities to use the Sachs Estate and that the support of those communities was conditioned on this promise being effectuated. Bearing in mind that that use must be regulated in order to ensure public safety, the following condition is adopted: For so long as the Academy leases the open space portions of the Sachs Estate, it will permit reasonable access to and use of the open space portions for responsible members of the neighboring community, provided the same shall be exercised in a manner consistent with the Academy's responsibilities to its landlord and its neighbors and shall not pose unreasonable interference with the Academy's own use and enjoyment of the Sachs Estate. This Board understands that the Academy does not contemplate a use or enjoyment that would be affected adversely by the community's reasonable use of the open space portions of the Sachs Estate.
- b) In order to protect the uniqueness of the Sachs Estate, the Academy should be required to locate and construct its building and appurtenant parking areas and driveway substantially as shown on the Preliminary Plans. Accordingly, the following condition is adopted. The building and appurtenant parking areas and driveway shall be constructed substantially as shown on the Preliminary Plans. A certificate signed by David Vickery to the effect that the plans presented by the Academy in connection with the issuance of a building permit (the "final plans") are not in material deviation from the Preliminary Plans shall be conclusive evidence of the Academy's compliance with this condition. In making such determination, David Vickery

shall consider the size, location and proportion of the building, parking areas and driveways and the architectural character of the building as shown on the final plans but shall disregard completely changes to the interior of the building. If David Vickery is unavailable, unable or unwilling to so act, said certificate may be signed by Chairperson of the Zoning Board.

A copy of this decision has been filed with the office of the City Clerk, this date. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws and shall be filed within twenty days after the date of filing of such notice in the office of the City Clerk.

Eileen McGaughey
Eileen McGaughey
Secretary

Statement regarding access to site:

For so long as the Academy leases the open space portions of the Sachs Estate, it will permit reasonable access to and use of the open space portions for responsible members of the neighboring communities, provided the same shall be exercised in a manner consistent with the Academy's responsibilities to its landlord and its neighbors and shall not pose unreasonable interference with the Academy's own use and enjoyment of the Sachs Estate.

The Academy does not
contemplate a use or enjoyment which
would be effected ^{ADVERSELY} by reasonable use
of the premises by neighboring communities.

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