

# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 617 349-6100

## **BZA APPLICATION FORM**

Plan No:

BZA-010755-2016

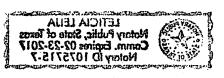
**GENERAL INFORMATION** 

The undersigned	hereby petitions the E	loard of Zoning Appe	al for the f	following:
Special Permit :	1.	Variance :	<u> </u>	Appeal :
PETITIONER :	Hanover RS Cons	struction - C/O	Kevin Mu	ırray
PETITIONER'S AE	DDRESS: 2 Se	aport Ln, 11th	Floor, B	oston, MA 02210
OCATION OF PR	ROPERTY: 130 C	Cambridgepark Dr	Cambrid	ige, MA 02140
YPE OF OCCUPA	ANCY: Office	2A	zoi	NING DISTRICT: Office 2A Zone
EASON FOR PE	TITION:			
	Sign			
ESCRIPTION OF	PETITIONER'S PROP	OSAL:		
ermitted pus	uant to Section	7.16.22, (ii) th	ne sign	mum height of projecting signs area permited under 7.16.22; and under section 7.16.22 of the
ECTIONS OF ZO	NING ORDINANCE CI	TED:		
rticle 7.000	Section	on 7.16.22.B (II	luminat:	ing Signs & Projecting Sign).
		Original Signatur	e(s) :	(Petitioner(s) / Owner)
				(Print Name)
		Add		2 SCAPORT LN, 11th FLOOR BOSTON, MA 02210
		Tel.	No.:	214 282 0107
	, ,	E-M	ail Address	s: Knurray@haroverco.ce
Date: 7	413/16			١

# BZA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/We 130 CPD APARTMENTS LIMITED PARTNERSHIP
(OWNER)
Address: 5847 San Felipe, Suite 3600, Houston, TX 77057
State that I/We own the property located at 130 CambridgePark Drive
which is the subject of this zoning application.
The record title of this property is in the name of 130 CPD Apartments Limited Partnership, a Delaware limited partnership
*Pursuant to a deed of duly recorded in the date $\frac{11/26/14}{}$ , Middlesex South County Registry of Deeds at Book $\frac{64579}{}$ , Page $\frac{580}{}$ ; or
Middlesex Registry District of Land Court, Certificate No
Book Page
130 CPD APARTMENTS LIMITED PARTNERSHIP By: THC 130 CPD G.P. LLC, its general partner  **EMATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT**
*Written evidence of Agent's standing to represent petitioner may be requested.
State of Texas  Commonwealth-of-Massachusetts, County of Harris
The above-name Kathy K. Binford personally appeared before me,
this of July , 2016 , and made oath that the above statement is true.
Julian leya Notary
My commission expires 02-23-2017 (Notary Seal).  LETICIA LEIJA Notary Public, State of Texas Comm. Expires 02-23-2017 Notary ID 1075715-7



#### **BZA APPLICATION FORM**

#### SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10:

A) A Literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

The Property is surrounded on the west, north and east by existing or proposed residential and commercial buildings, and abuts railroad tracks to the south, which limit access to and visibility of the Property. The requested signage is required to create a sufficient sense of place and identity to attract residents and produce a viable residential development. The requested signage will be visible from the Property's approach from Cambridge Park Drive, and is designed to serve as visual cue to attract pedestrians and residents while enhancing the area's appeal and vibrancy. Without the place and

identity making aibility created by the requested signage, sufficient residents and visitors will not be attracted to the Property as required for the progress and devleopment of Alewife Overlay District 6. Accordingly, literal enforcement of the provisions of the Ordinance would involve a substantial hardship to the Petitioner.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

As noted above, the Property is surrounded on the west, north and east by existing or proposed residential and commercial buildings, and abuts railroad tracks to the south, which limit access to and visibility of the Property. These site conditions cause the hardships described above, but do not generally affect other parcels in Alewife Overlay District 6, the majority of which have frontage on cambridgePark Drive.

#### C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Substantial detriment to the public good for the following reasons:

The requested signage will not cast shadows on adjacent private properties due to the slender width of the sign, does not extend over public sidewalks and has been designed to minimize the potential for ice or snow falling from it. Given the placement of the requested signage, which is visible from the north east, the sign will not cast light on adjacent properties, nor will the requested signage create undue visual clutter when seen from other private properties. The requested signage has been designed with a style and color to complement the modern architecture of the residential building, and will enhance the unique aspects of the building that will be instrumental in attracting potential tenants to the Property as described above. Thus, the requested signage can be approved without detriment to the public good. In fact, the request signage will enhance the public good by facilitating the successful redevelopment of a surface parking lot in conformance with the vision for the future of the greater Alewife Overlay District neighborhood, while providing a vibrant and attractive housing opportunity.

Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons: According to Section 1.30 of the Ordinance, the purposes of the Ordinance include to "encourage housing for persons of all income levels," "conserve the value of land and buildings" and "encourage the most rational use of land throughout the city." According to Section 20.92 of the Ordinance, the purposes of the Alewife Overlay Districts include to "Encourage forms of development, mix of uses, and range of improvements that will facilitate and encourage walking, biking and transit use and reduce the growth of auto trips in an area already burdened with regional vehicular traffic passing through to other destinations in the metropolitan region" and "Create an identity and sense of place for the Alewife Districts that parallels the development of the historic urban centers that characterize much of Cambridge." The request signage will facilitate the residential building's successful redevelopment of a surface parking lot with a residential use that fulfills each of the above listed purposes, among other intents and purposes of the Ordinance.

\* If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

#### **BZA APPLICATION FORM**

#### **DIMENSIONAL INFORMATION**

APPLICANT:	The Hanover Company		PRESENT USE/OCCUPANO	CY:	
LOCATION :	130 Cambridgepark Dr	Cambridge, MA	02140 <b>ZO</b>	NE: Office 2A Zone	
PHONE :		REQUESTED USE/OCCUPANCY:			
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS	ı
TOTAL GROSS FLOOR AREA:		N/A	231321	231321	(max.)
LOT AREA:		N/A	102013	102013	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: 2		N/A	2.1	2.1	(max.)
LOT AREA FOR	R EACH DWELLING UNIT:	N/A	N/A	N/A	(min.)
SIZE OF LOT:	WIDTH	N/A	163.15	163.15	(min.)
	DEPTH	N/A	N/A	N/A	
SETBACKS IN	FEET: FRONT	N/A	N/A	N/A	(min.)
	REAR	N/A	N/A	N/A	(min.)
	LEFT SIDE	N/A	N/A	N/A	(min.)
	RIGHT SIDE	N/A	N/A	N/A	(min.)
SIZE OF BLDG.:	HEIGHT	N/A	69'-11"	69'-11"	(max.)
	LENGTH	N/A	350	350	
	WIDTH	N/A	170	170	
RATIO OF USA TO LOT AREA:	BLE OPEN SPACE	N/A	N/A	N/A	(min.)
NO. OF DWELLING UNITS:		N/A	N/A	N/A	(max.)
NO. OF PARKING SPACES:		N/A	N/A	N/A	(min./max)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.q.; wood frame, concrete, brick, steel, etc.

N/A

N/A

N/A

N/A

(min.)

(min.)

N/A

N/A

NO. OF LOADING AREAS:

ON SAME LOT:

DISTANCE TO NEAREST BLDG.

<sup>1.</sup> SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

<sup>2.</sup> TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.

<sup>3.</sup> OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15.



# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 15 JUL 14 PM 2: 38 617 349-6100 OSSIGS OF THE CITY CLERK

OFFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

#### **BZA APPLICATION FORM**

Plan No:

BZA-010755-2016

GENERAL INFORMATION

The undersigned here	by petitions the Board of Zoning Appea	al for the following:
Special Permit :	Variance :	√ Appeal :
PETITIONER : Ha	anover RS Construction - C/O K	Kevin Murray
PETITIONER'S ADDR	ESS: 2 Seaport Ln, 11th Fl	loor, Boston, MA 02210
LOCATION OF PROPI	ERTY: 130 Cambridgepark Dr	Cambridge, MA 02140
TYPE OF OCCUPANO	Y: Office 2A	ZONING DISTRICT: Office 2A Zone
REASON FOR PETITION	ON:	
	Sign	
DESCRIPTION OF PE	TITIONER'S PROPOSAL :	
permitted pusuan (iii) the illumi ordinance.	t to Section 7.16.22, (ii) the nation of a projecting sign pe	he maximum height of projecting signs e sign area permited under 7.16.22; and ermited under section 7.16.22 of the  luminating Signs & Projecting Sign).
	Original Signature(	(Petitioner(s) / Owner)
		KEVIN MURRAY (Print Name)
	Addre	BOSTON, MA 20210
	Tel. N	011 000 0107
	E-Mail	il Address :
Date: 4	13/16	



# **CAMBRIDGE HISTORICAL COMMISSION**

831 Massachusetts Avenue, 2<sup>nd</sup> Floor, Cambridge, Massachusetts 02139

Telephone: 617 349 4683 TTY: 617 349 6112

E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director* William G. Barry, Jr., Shary Page Berg, Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*; Joseph V. Ferrara, Susannah Barton Tobin, *Alternates* 

# Jurisdiction Advice

To the Owner of Property at 130 Cambridgepark Drive :
The above-referenced property is subject to the jurisdiction of the Cambridge Historical Commission (CHC) by reason of the status referenced below:
Old Cambridge Historic District Fort Washington Historic District (M.G.L. Ch. 40C, City Code §2.78.050)
<ul> <li>Avon Hill Neighborhood Conservation District</li> <li>Half Crown – Marsh Neighborhood Conservation District</li> <li>Harvard Square Conservation District</li> <li>Mid Cambridge Neighborhood Conservation District</li> <li>Designated Landmark</li> <li>Property is being studied for designation:</li> <li>(City Code, Ch. 2.78., Article III, and various City Council Orders)</li> </ul>
Preservation Restriction or Easement (as recorded)
Structure is fifty years or more old and therefore subject to CHC review of any application for a demolition permit, if one is required by ISD. (City Code, Ch. 2.78, Article II). See the back of this page for definition of demolition.
X No jurisdiction: not a designated historic property and the structure is less than fifty years old. (NO BUILDING EXISTING)
No local jurisdiction, but the property is listed on the National Register of Historic Places; CHC staff is available for consultation, upon request. Staff comments:
The Board of Zoning Appeal advises applicants to complete Historical Commission or Neighborhood Conservation District Commission reviews before appearing before the Board.
If a line indicating possible jurisdiction is checked, the owner needs to consult with the staff of the Historical Commission to determine whether a hearing will be required.
CHC staff initialsSLB DateJuly 14, 2016
Received byUploaded to Energov Date July 14, 2016 Relationship to project
cc: Applicant Inspectional Services Commissioner

### **Demolition Delay Ordinance and Application Information**

The Demolition Delay Ordinance (Chapter 2.78, Article II of the Cambridge Municipal Code) was adopted by the City Council in 1979 to afford public review of demolition permit applications for potentially significant buildings. When the Historical Commission determines that a building is significant and should be preserved, demolition will be delayed for up to six months so that solutions can be sought to preserve the building indefinitely. The Ordinance covers all buildings over 50 years old, city-wide. The Historical Commission archives provide dates of construction for all properties in the City.

Demolition is defined in the ordinance as "the act of pulling down, destroying, removing or razing a building or commencing the work of total or substantial destruction with the intent of completing the same." The Inspectional Services Commissioner has provided further guidelines to outline what actions require a demolition permit. In addition to complete demolition of a building, the following actions may require a demolition permit,

- removal of a roof,
- removal of one side of a building,
- gutting of a building's interior to the point where exterior features (windows, etc.) are impacted, and
- removal of more than 25% of a structure.

Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that the building is significant, a public hearing will be scheduled with Historical Commission. If the staff makes an initial determination that the building is not significant, the application is released for further review by the Building Commissioner.

More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission 831 Massachusetts Ave., 2<sup>nd</sup> Fl. Cambridge, MA 02139 Ph: 617/349-4683 or TTY: 617/349-6112 http://www.cambridgema.gov/Historic

# **Kevin Murray**

From:

Carol O'Hare <cbo1066@gmail.com>

Sent:

Thursday, July 07, 2016 3:11 PM

To:

'Paden, Liza'

Subject:

Planning Board: Support of Hanover Apts. Sign - Zoning Variances - 130 Cambridge

Park Dr.

Attachments:

Main ID Alewife 6.24.16.pdf

Importance:

High

Dear Mr. Cohen, Chair, Ms. Connolly, Vice Chair, and Members of the Planning Board:

I support the proposed Hanover Apartments sign even though it's larger and higher than permitted by our Zoning Ordinance.

#### Why?

- This is the unusual case where the 2 requested zoning variances seem to actually (not just nominally) be legally justified by "substantial hardship" required by our Ordinance and state law.
- The Hanover apartment building is located down a private way, at quite a distance from Cambridge Park
  Drive. Drivers have only a brief view of the building and site between 2 other buildings fronting on the
  Drive. Therefore, a zoning-compliant sign would easily be missed by drivers. And, Hanover has no right or
  easement to install a sign closer to the Drive.

Thus, this sign actually is for actual (not nominal) wayfinding purposes.\*

Hanover has, at least twice already, reduced the scope of their proposed sign:

First, as a result of an earlier Planning Board review of their project and

**Recently**, after inviting Doug Brown and me to their site to get our input, Hanover redesigned their sign per our input **by** lowering the sign and **by** including the "130" street number.

- Unlike other many other applicants for zoning variances for signage (including another that you're to review on 7/12/16), Hanover
  - -- sought and responded to public input and
  - -- modified their sign-design

well before even applying for their zoning variances and well before the height of summer when people are away or understandably not attending to this type of stuff.

\*In fact, when I drove to "130 Cambridge Park Drive," I passed Hanover's private way and got tangled in another private way beyond that because the street-numbering is very confusing and even Google Map's instructions steered me wrong.

So, I hope you will recommend to the BZA that they approve this sign even though it requires zoning variances.

Thank you, as always, for your time and attention.

Sincerely.

Carol O'Hare

172 Magazine St.

# SIGN CERTIFICATION FORM

## COMMUNITY DEVELOPMENT DEPARTMENT

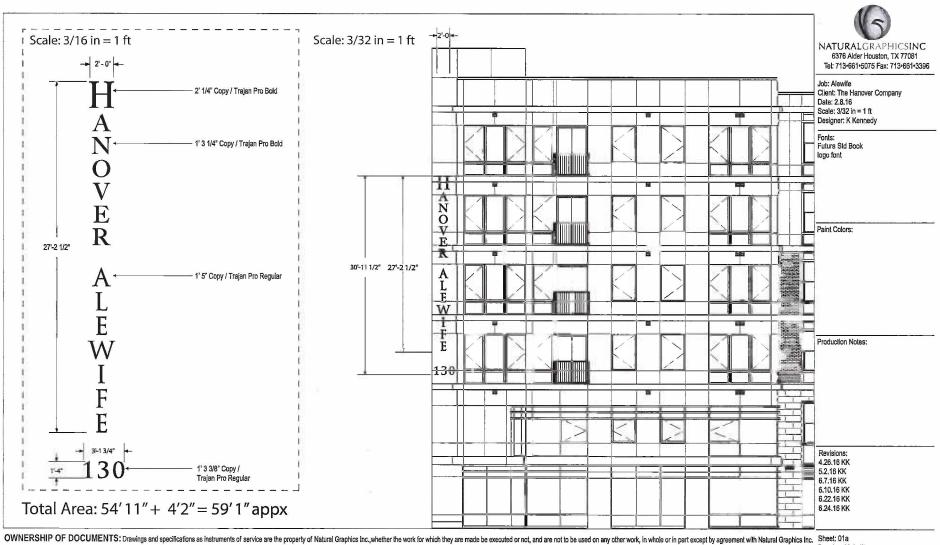
Sign Text: HANOVER ALEWIFE 130
Applicant (name and address) 130 CPD APARTMENTS LP
5847 SAN FEUPE, SHITE 3600, HOUSTON, TY 77057
Signature
Telephone: 214 282 0107 FAX:
Location of Premises: 130 CAMBRIDGE PARK DRIVE
Zoning District: CFFICE 2A Overlay District: 6 AOD
Date Application Submitted: 4816
Sketch of Sign Enclosed: YesNo
PLEASE NOTE: All signs must receive a permit from the Inspectional Services Department (ISD) before installation. Community Development Department (CDD) action does NOT constitute issuance of a permit or certification that all other code requirements have been met. Do not contract for the fabrication of a sign until all permits have been issued including approval from the City Council, if necessary (see below)!
Copies: ISD X City Clerk* CDD X Applicant Historical Com
*Any sign or portion of a sign extending more than <u>Six (6) inches</u> into the public sidewalk, must receive approval from the Cambridge City Council; a bond must be posted with the City Clerk. Forms for that approval are obtained at the Office of the City Clerk.
NOTE: PLEASE PROVIDE ALL REQUESTED INFORMATION FOR EACH

SIGN PROPOSED. FAILURE TO DO SO WILL ONLY DELAY

CERTIFICATION.

Proposed PROJECTING Sign (including signs on awnings) Area in Square feet: 59 Dimensions: 27'2" x 2 Illumination: Natural\_\_\_ Internal \_\_\_ External\_\_\_ Height (from ground to the top of the sign): 56 1. COMPLETE WHEN SIGN IS ACCESSORY TO A FIRST FLOOR STORE Length in feet of store front facing street: (a)\_\_\_\_\_. Area of signs allowed accessory to store: outside (1 x a) , behind windows (0.5 x a) . Area of all existing signs on the store front to remain (including any freestanding sign):

. Area of additional signs permitted: 2. COMPLETE FOR ANY OTHER SIGN Length in feet of building facade facing street: (a) . Area of signs allowed accessory to the building facade: outside (1 x a)\_\_\_\_\_, behind windows (0.5 x a)\_\_\_\_\_. Area of all existing signs on the building facade to remain (including any freestanding sign): Area of additional signs permitted: \_\_\_\_\_\_ SUMMARY OF LIMITATIONS FOR PROJECTING SIGNS (see reverse side for more general summary of the sign regulations; review Article 7.000 of the Zoning Ordinance for all zoning requirements.) AREA: 13 square feet maximum. HEIGHT ABOVE THE GROUND: 20 feet but below the sills of second floor windows. ILLUMINATION: Natural or external only. NUMBER: one per store plus one per entry to the remainder of the building. COMMUNITY DEVELOPMENT DEPARTMENT CERTIFICATION Sign conforms to requirements of Article 7.000: YES\_\_\_\_\_NO Sign requires a variance from the Board of Zoning Appeal: YES COMMENTS: CXCCAS Maximum herent of To exceeds maximum Size of 60 to Silvar feel enternal Mumination is prohibited on Protecting Signs Date 18516 CDD Representative Shum 1



APPROVED BY: \_ DATE: -

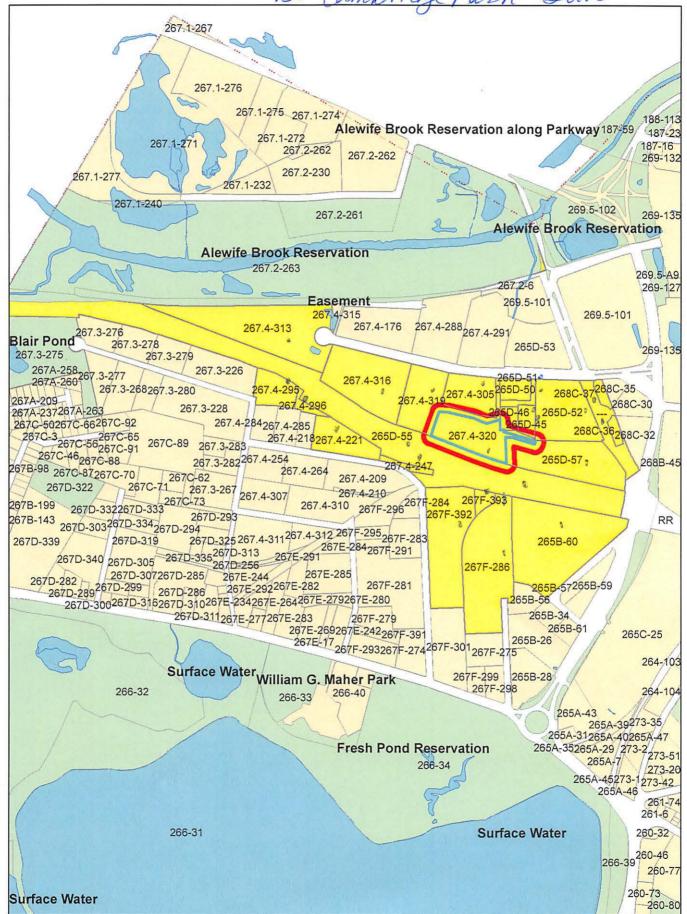
Drawing: Main ID







130 Cambridge Park Düve



130 Cambridge Park. Dr.

268C-36-37 265D-55 MASSACHUSETTS BAY TRANSPORTATION AUTHORITY 10 PARK PLAZA BOSTON, MA 02116

267F-393-286
ONA II WHEELER, LLC
C/O O'CONNOR CAPITAL PARTNERS
535 MADISON AVENUE, 23RD FL
NEW YORK, NY 10022

267.4-221
IVANOVIC, LUDMILLA R. L.,
TR. OF 130 FAWCETT ST. REALTY TRUST
76 POWDER HOUSE ROAD
MEDFORD, MA 02155

265D-57 BRE/CPD LLC. PROPERTY TAX DEPARTMENT P.O. BOX A-3879 CHICAGO, IL 60690

267.4-316
CAMBRIDGE PARK APARTMENT LTD PTSHP
C/O MARVIN F. POER & COMPANY
3520 PIEDMONT RD NE SUITE 410
ATLANTA, GA 30305

267.4-320 BRE/CPD LLC PROPERTY TAX DEPARTMENT P.O BOX A-3879 CHICAGO, IL 60690 265B-60 BOSTON EDISON COMPANY C/O NSTAR ELECTRIC COMPANY P.O. BOX 270, PROPERTY TAX DEPT HARTFORD, CT 06141

267.4-305 100 CAMBRIDGE PARK INVESTORS LLC C/O PM REALTY GROUP PROPERTY NUMBER #2914 P.O. BOX 680922 CHARLOTTE, NC 28216

265D-45-46-50-51 PROPERTIES AT CAMBRIDGE PARK LLC, 36 CAMBRIDGE PARK DRIVE CAMBRIDGE, MA 02140

267.4-313 KING 200 CPD LLC C/O KING ST PROPERTIES 200 CAMBRIDGEPARK DRIVE CAMBRIDGE, MA 02140

267.4-295 180A FAWCETT LLC 100 SMITH PLACE CAMBRIDGE, MA 02138

267.4-319 SPUS7 150 CAMBRIDGEPARK LP C/O CBRE-NEW ENGLAND 150 CAMBRIDGEPARK DRIVE CAMBRIDGE, MA 02140 HANOVER RS CONSTRUCTION C/O KEVIN MURRAY 2 SEAPORT LANE, 11<sup>TH</sup> FL. BOSTON, MA 02210

267.4-296 MCQUAID, KEVIN M. TR. OF FIRST MIDDLESEX REAL ESTATE TRUST 170 FAWCETT ST CAMBRIDGE, MA 02138

265D-52 ASN CAMBRIDGEPARK LLC, C/O EQR- R.E. TAX DEPARTMENT P.O. BOX 87407 (29808) CHICAGO , IL 60680

267F-392
ONA II CAMBRIDGE, LLC.
C/O FORT POINT INVESTMENTS, LLC
C/O AEW CAPITAL MANAGEMENT, LP
TWO SEAPORT LANE
BOSTON, MA 02110

267.4-247
BELAM REALTY LLC &
CITY OF CAMBRIDGE TAX TITLE
15 WARD ST
SOMERVILLE, MA 02143