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

2017 MAR -6 AM 11:57

CITY CLERK

BZA APPLICATION FORM

GENERAL INFORMATION

Plan No: BZA-012625-2017

The undersigned hereby petitions the Board of Zoning Appeal for the following:

Special Permit : _____ **Variance :** √ **Appeal :** _____

PETITIONER : Peter Martin Architects - C/O Peter Martin, Architect

PETITIONER'S ADDRESS : 11 Tremont Street Cambridge, Ma 02139

LOCATION OF PROPERTY : 138 Thorndike St Cambridge, MA 02141

TYPE OF OCCUPANCY : Residential **ZONING DISTRICT :** Residence C-1 Zone

REASON FOR PETITION :

New Structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

The proposal calls for the demolition of a 19' x 20' dilapidated masonry and concrete garage and the construction of a new 23' x 24' wood frame garage in its place.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Original Signature(s) : Peter Martin
(Petitioner(s) / Owner)

Peter Martin
(Print Name)

Address : 11 Tremont Street, Cambridge Ma 02139

Tel. No. : 617 308 4440

E-Mail Address : petermartinarchitect@gmail.com

Date : _____

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Peter Martin Architect **PRESENT USE/OCCUPANCY:** Residential

LOCATION: 138 Thorndike St Cambridge, MA 02141 **ZONE:** Residence C-1 Zone

PHONE: **REQUESTED USE/OCCUPANCY:** Residential

		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS [1]	
TOTAL GROSS FLOOR AREA:		2669	2907	2550	(max.)
LOT AREA:		3400	3400	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: [2]		.79	.86	.75	(max.)
LOT AREA FOR EACH DWELLING UNIT:		3400	3400	1500	(min.)
SIZE OF LOT:	WIDTH	34'	34'	50'	(min.)
	DEPTH	100	100	100	
SETBACKS IN FEET:	FRONT	74.6'	73.5'	10'	(min.)
	REAR	5.4'	3.5'	20'	(min.)
	LEFT SIDE	13.1'	8.5'	8.4'	(min.)
	RIGHT SIDE	1.7'	1.5'	8.4'	(min.)
SIZE OF BLDG.:	HEIGHT	12.5'	19'	35'	(max.)
	LENGTH	20'	23'	17.5'	
	WIDTH	19'	24'	17.2'	
RATIO OF USABLE OPEN SPACE TO LOT AREA: [3]		0	0	0	(min.)
NO. OF DWELLING UNITS:		1	1	1	(max.)
NO. OF PARKING SPACES:		2	2	1	(min./max)
NO. OF LOADING AREAS:		0	0	0	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		22.5'	21'	10'	(min.)

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

The proposed garage is located behind a 2.5 story wood frame single family house. The FAR areas above include those for the house, existing and new garages.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

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 The Team Jefferson Living Trust (OWNER)

Address: 138 Thorndike Street

State that I/We own the property located at Massachusetts, which is the subject of this zoning application.

The record title of this property is in the name of The Team Jefferson Living Trust

*Pursuant to a deed of duly recorded in the date 12/21/2016 Middlesex South County Registry of Deeds at Book 68633, Page 536; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

****Written evidence of Agent's standing to represent petitioner may be requested.***

Commonwealth of Massachusetts, County of Middlesex

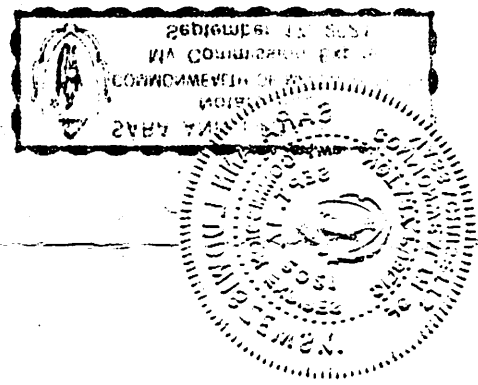
The above-name Philip Jefferson personally appeared before me, this 23 of Feb, 2016, and made oath that the above statement is true.

Notary

My commission expires Sept 17, 2021 (Notary Seal)

SARA ANN LUDWISZEWSKI
Notary Public
COMMONWEALTH OF MASSACHUSETTS
My Commission Expires
September 17, 2021

- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



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 owners need to replace the existing garage which is too small to accommodate 2 cars. The xisting masonry structure is in poor condition due to foundation settlement and its concrete roof is also failing with concrete spauling from rusted steel reinforcement, creating a safety hazard.

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:

The gaage is located at the rear of a non-conforming lot in a densely built neighborhood. The configuration of the lot and location of the driveway dictate that the new garage be built in the same place as the existing one.

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

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

The new garage will be located in the same place in relation to abutting lots. It will provide usable parking places on site, relieving pressure on the very tight local street parking. It is proposed that the development will include the removal of invasive bamboo, as well as a numer of older, columnar trees that shade adjacent lots.

2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

The proposed garage will have virtually the same relationship with abutting lots as the existing garage, particularly in consideration solar access and over shadowing.

* **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

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 138 Thorndike St Cambridge, MA 02141 (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

D) Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

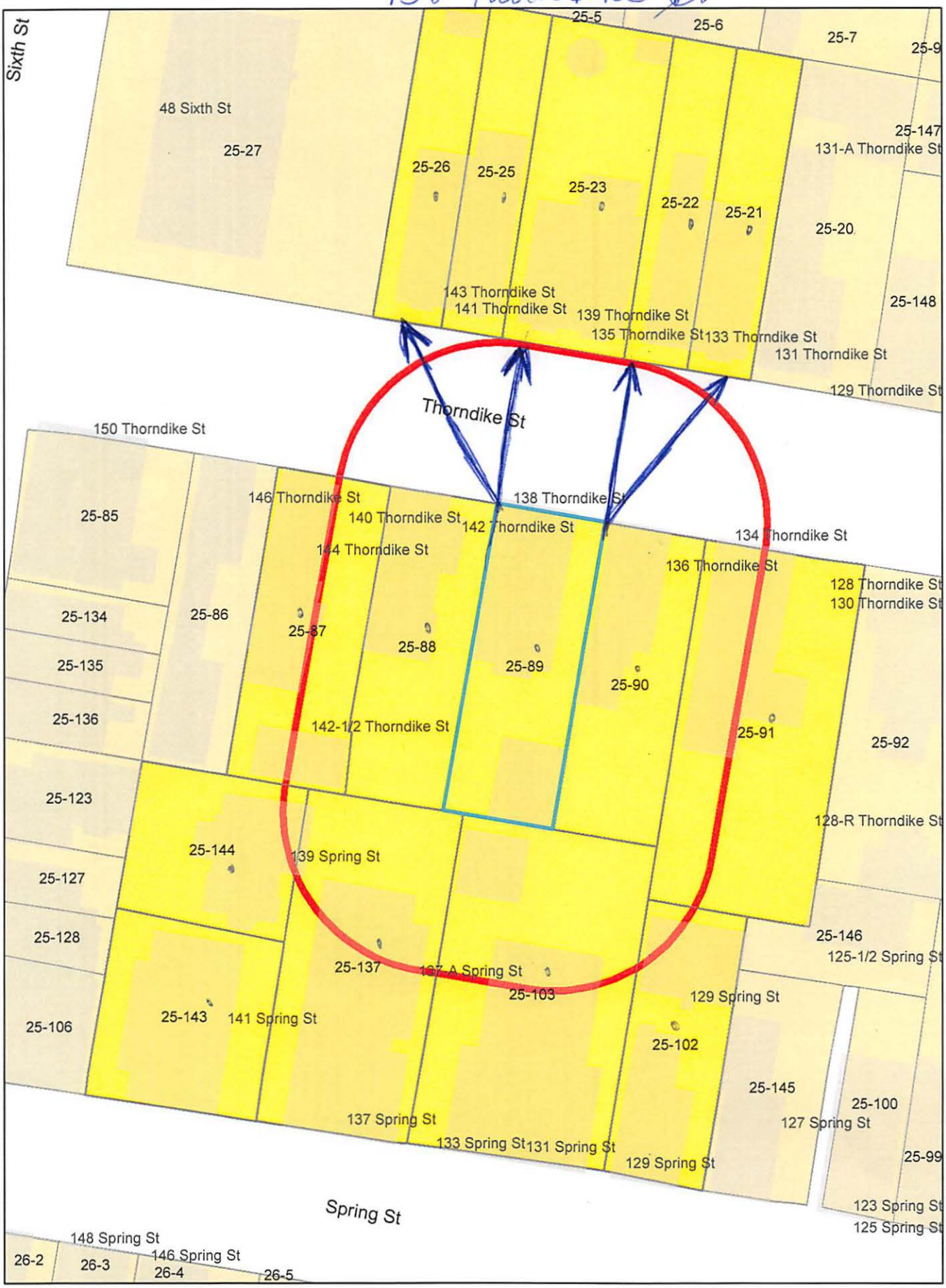
Peter Martin Architect
BZA Application - February 2017

138 Thorndike Street – Existing Garage
Existing Conditions Images 1 of 2

Peter Martin Architect
BZA Application - February 2017

138 Thorndike Street – Existing Garage
Existing Conditions Images 2 of 2

138 Thorndike St.



138 Thorndike St.

Petitioner

25-21
BRANCO, LINDA M. & LUIS F. BRANCO
133 THORNDIKE ST
CAMBRIDGE, MA 02141

25-22
DEVINCENT, ROBERT, JR & JUDITH DEVINCENT
5 NIRVANA DR
SAUGUS, MA 01906

PETER MARTIN ARCHITECTS
C/O PETER MARTIN, ARCHITECT
11 TREMONT STREET
CAMBRIDGE, MA 02139

25-25
SACCOCIA, RALPH J. & MARIA F. SACCOCIA
141 THORNDIKE ST
CAMBRIDGE, MA 02141

25-87
TAURO, DAVID & MARIA TAURO,
TR. OF FIFTH STREET REALTY TRUST
69 EAST ST
MELROSE, MA 02176

25-88
UGHETTI, CELIA A LIFE ESTATE
142 THORNDIKE ST
CAMBRIDGE, MA 02139

25-89
JEFFERSON, PHILIP & KIM B. JEFFERSON
138 THORNDIKE ST
CAMBRIDGE, MA 02141

25-90
HOPKINS, CAITLIN GD & PETER W. HOPKINS
136 THORNDIKE ST
CAMBRIDGE, MA 02139

25-91
PACELLI, VINCENT J.
TRUSTEE THE PACELLI REALTY TRUST
P.O. BOX #380661
CAMBRIDGE, MA 02238

25-103
MOURATO, JOSE & MARIA F. MOURATO
133 SPRING STREET
CAMBRIDGE, MA 02141

25-137-143-144
CAMBRIDGE COMMUNITY HOUSING DEVELOP.
INC C/O WINN COMPANIES
6 FANEUIL HALL MARKETPLACE
BOSTON, MA 02109

25-23
PERCOCO, DANIEL L. & TINA PERCOCO
TR. OF PERCOCO REVOCABLE TRUST.
139 THORNDIKE ST
CAMBRIDGE, MA 02141

25-102
IRVING, RACHEL & ANTHONY A. PITTS
129 SPRING ST. UNIT 1
CAMBRIDGE, MA 02141

25-26
ALTMAN, RYAN
143 THORNDIKE ST., UNIT #1
CAMBRIDGE, MA 02141

25-26
CRANE, JAMES T.
C/O CHRISTOPHER CASSA
103 GORE ST #2
CAMBRIDGE, MA 02141

25-102
STEINGESSER, DAVID GOULDER
129 SPRING ST. UNIT 2
CAMBRIDGE, MA 02141

CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Jurisdiction Advice

To the Owner of Property at 138 Thorndike Street

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)
__ Avon Hill Neighborhood Conservation District
__ Half Crown – Marsh Neighborhood Conservation District
__ Harvard Square Conservation District
__ Mid Cambridge Neighborhood Conservation District
__ Designated Landmark
__ Property is being studied for designation: _____
(City Code, Ch. 2.78., Article III, and various City Council Orders)
__ Preservation Restriction or Easement (as recorded)
_X_ 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.** No demolition hearing for garage.
__ No jurisdiction: not a designated historic property and the structure is less than fifty years old.
__ 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 initials SLB Date February 27, 2017

Received by Uploaded to Energov Date February 27, 2017
Relationship to project BZA 12625-2017

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.**

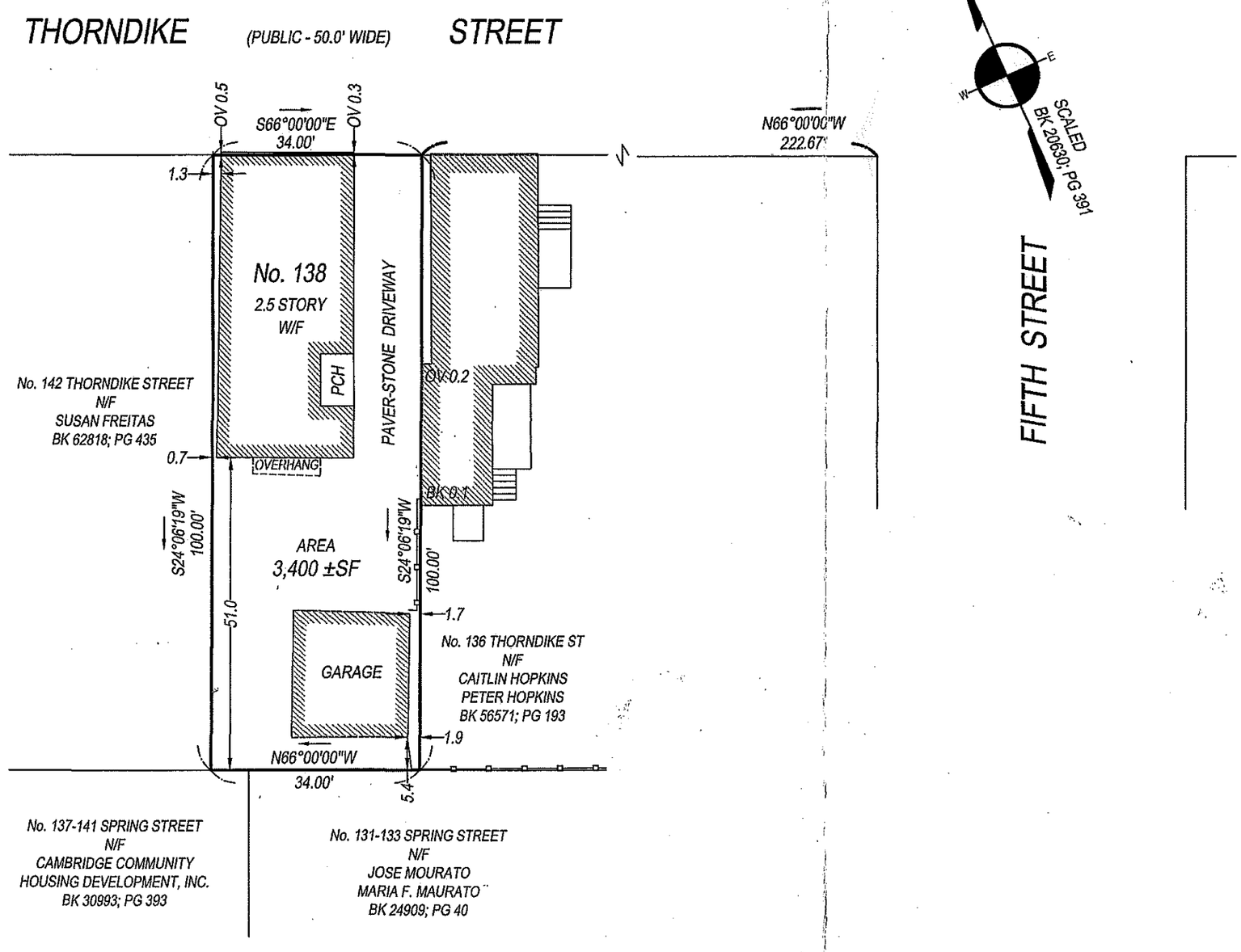
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

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., 2nd Fl.
Cambridge, MA 02139
Ph: 617/349-4683 or TTY: 617/349-6112
http://www.cambridgema.gov/Historic



REFERENCES:
DEED: BK 63808; PG 563
PLAN: BK 20630; PG 391
BK 243; PG END
#540 OF 1990
#633 OF 1988

COMMONWEALTH OF MASSACHUSETTS
GEORGE C. COLLINS
No. 41784
PROFESSIONAL LAND SURVEYOR

I CERTIFY THAT THIS PLAN WAS MADE FROM A PARTIAL INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF FEBRUARY 4, 2015 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE "X" (AREA DETERMINED TO BE OUTSIDE 0.2 % ANNUAL CHANCE FLOODPLAIN).
COMMUNITY-PANEL #25017C0577E
EFFECTIVE DATE: JUNE 4, 2010

PREPARED FOR:
PHILLIP JEFFERSON
138 THORNDIKE STREET
CAMBRIDGE, MA 02141

NOTES:
PARCEL ID: 25-89
ZONING DISTRICT: C-1

CERTIFIED PLOT PLAN

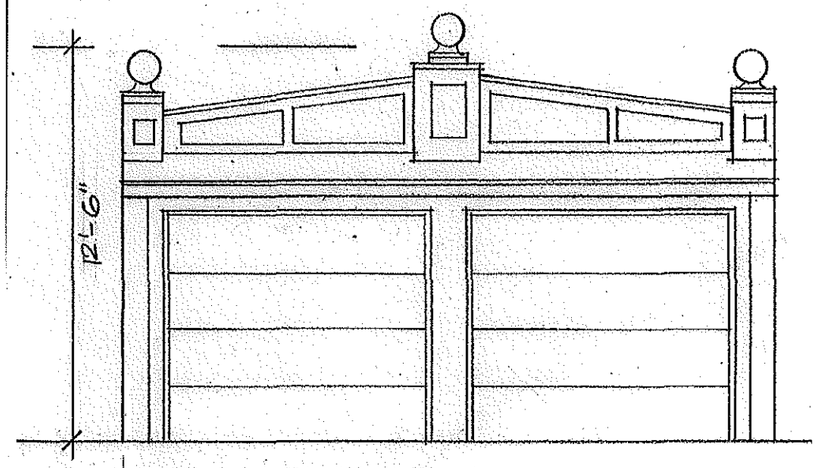
LOCATED AT

138 THORNDIKE STREET
CAMBRIDGE, MA

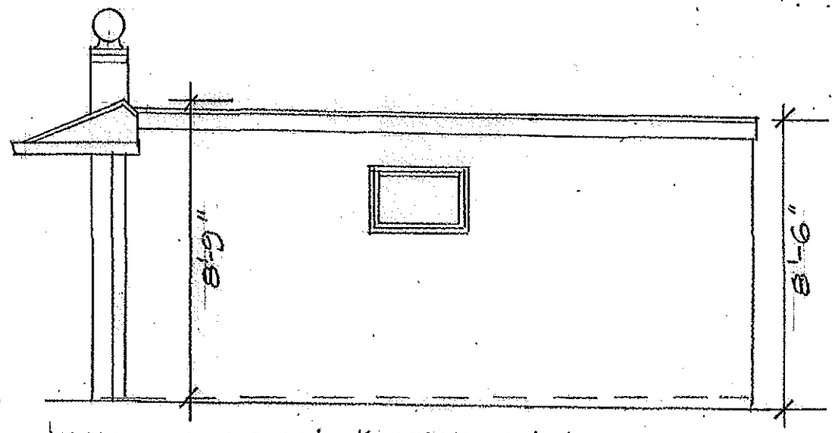
SCALE: 1 INCH = 20 FEET DATE: APRIL 7, 2015

BOSTON SURVEY, INC.
UNIT C-4 SHIPWAY PLACE
CHARLESTOWN, MA 02129
(617)242-1313

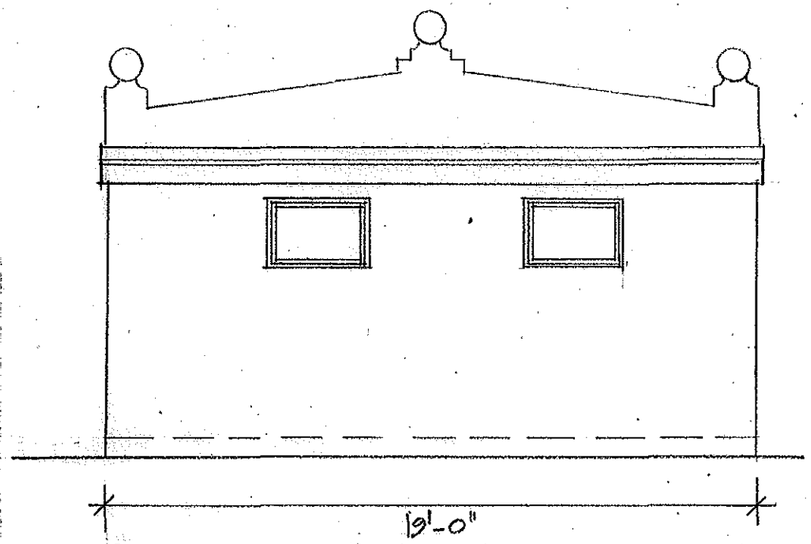
JOB #15-00126 CADD FILE 15-00126.dwg



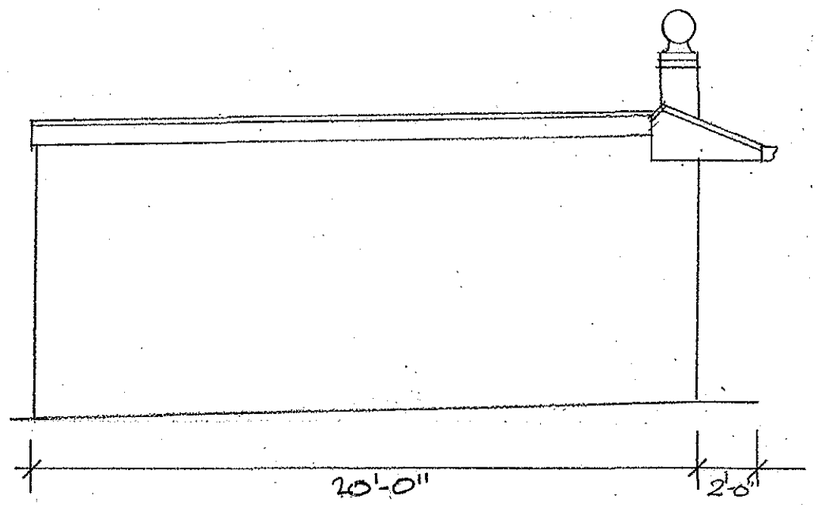
NORTH ELEVATION - EXISTING GARAGE



WEST ELEVATION - EXISTING GARAGE



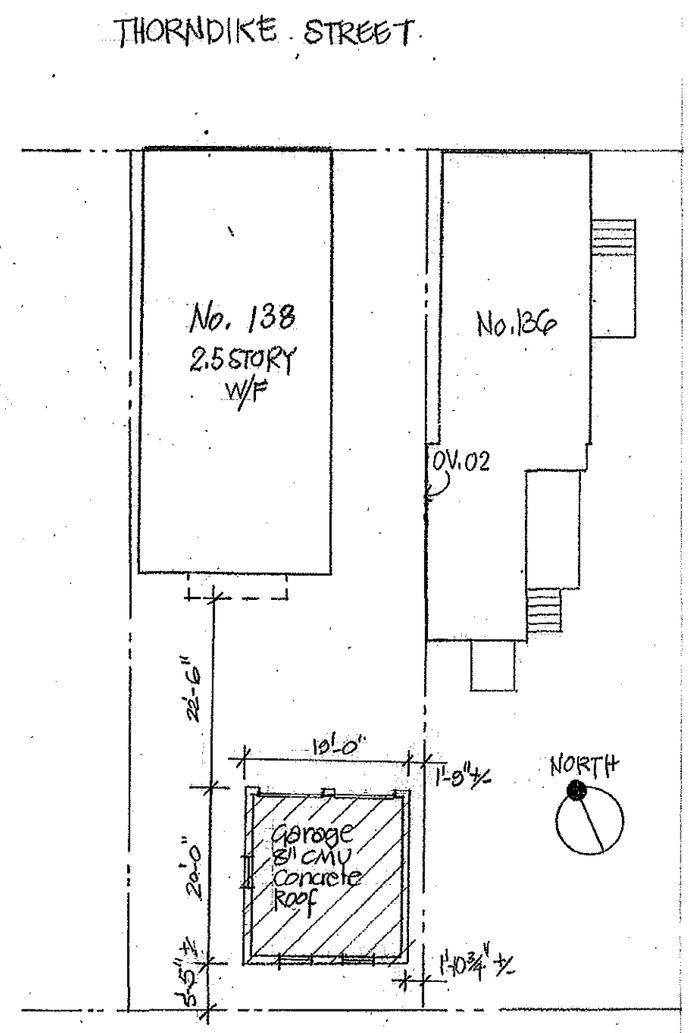
SOUTH ELEVATION - EXISTING GARAGE



EAST ELEVATION - EXISTING GARAGE

0 2' 4' 6' 8'

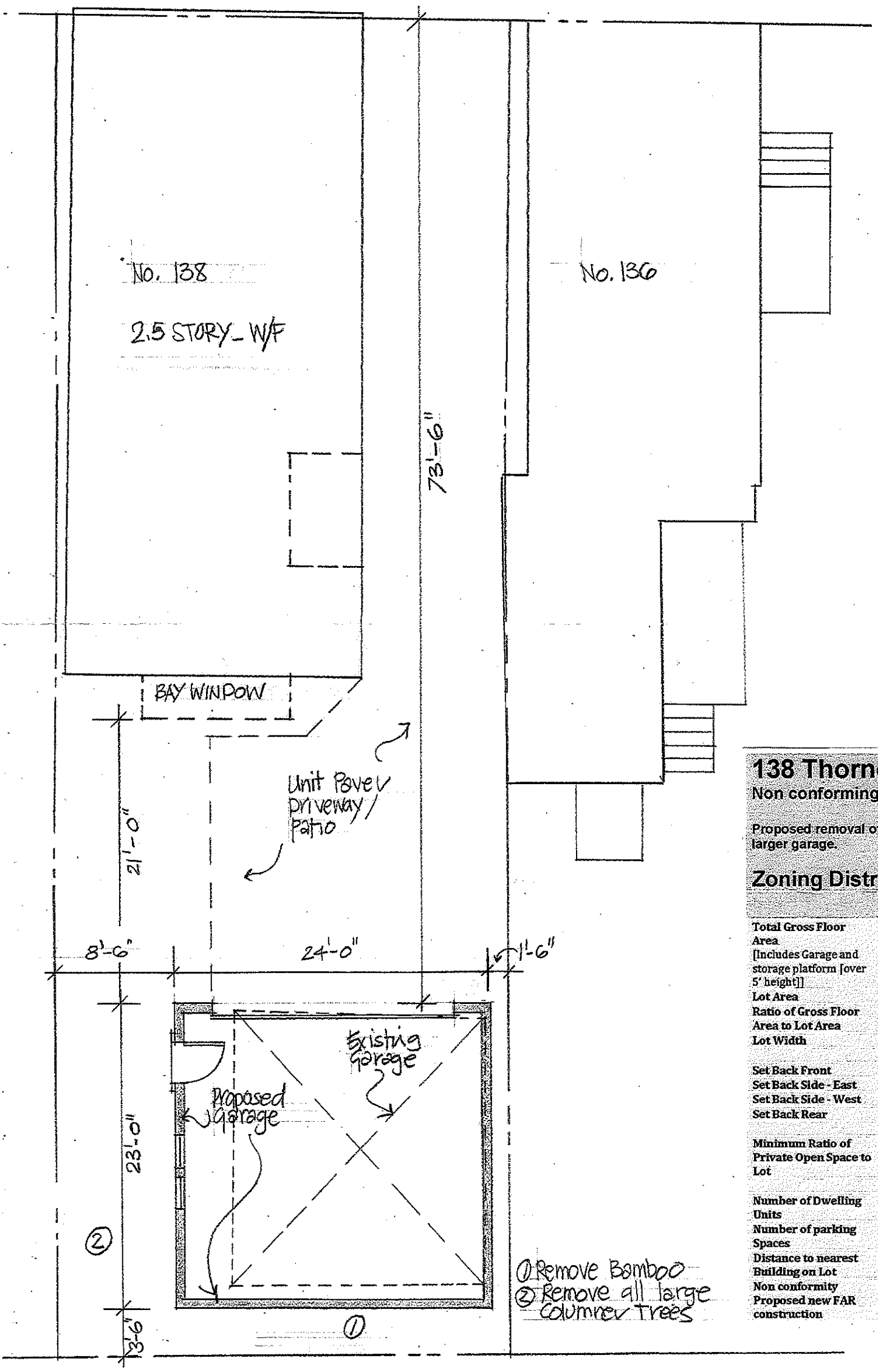
NOTE: Existing CMU wall & concrete roof garage to be demolished



PLOT PLAN W/ EXISTING GARAGE

0 8' 16' 24' 32'

138 THORNDIKE STREET EXISTING GARAGE	ELEVATIONS & PLAN ON PLOT		BZA 1	2.15.2017	PETER MARTIN ARCHITECT 617 308 4440



138 Thorndike Street

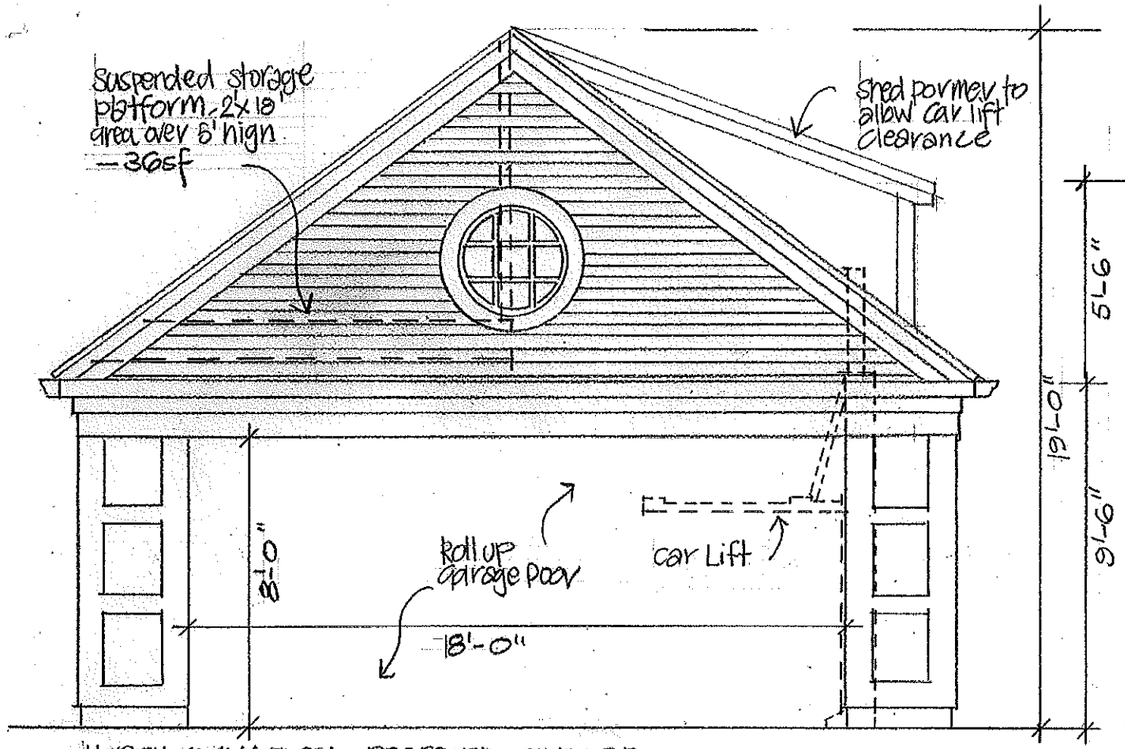
Non conforming lot and structure

Proposed removal of existing garage and construction of new larger garage.

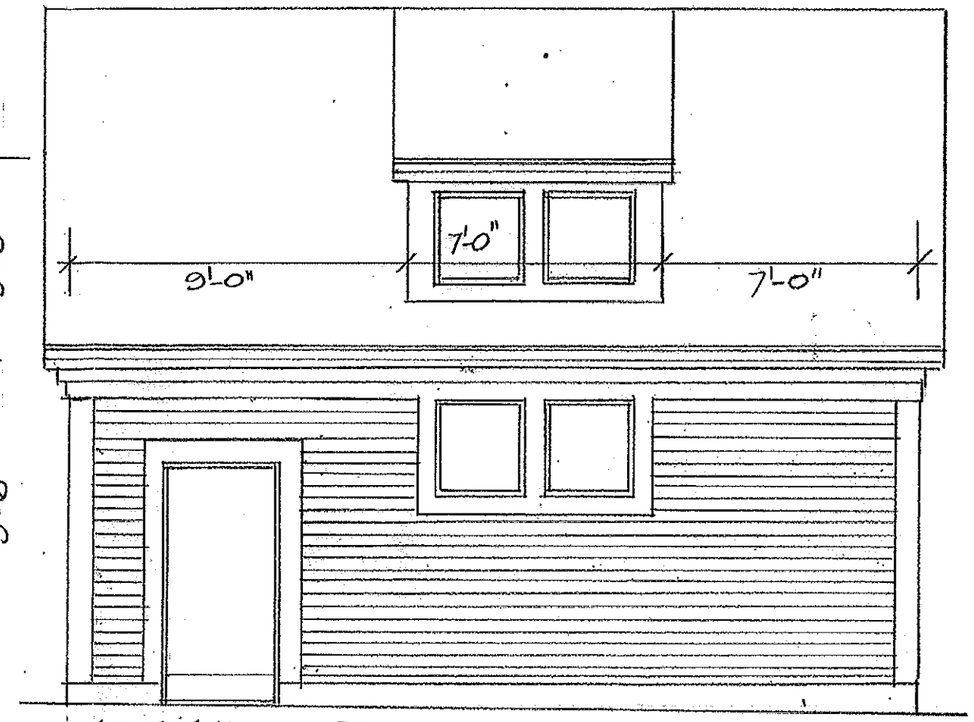
Zoning District C.1

	Existing Conditions	Requested Conditions	Ordinance Requirements
Total Gross Floor Area [Includes Garage and storage platform [over 5' height]]	2669sf	2907sf	2550sf
Lot Area	3400sf		5000sf
Ratio of Gross Floor Area to Lot Area	.79	.86	.75
Lot Width	34'		50'
Set Back Front	-0.5'	-0.5'	10'
Set Back Side - East	1.7'	1.5'	8.4'
Set Back Side - West	13.1'	8.5'	8.4'
Set Back Rear	5.4'	3.5'	20'
Minimum Ratio of Private Open Space to Lot	0sf	0sf	1020sf
Number of Dwelling Units	1	1	2 max
Number of parking Spaces	2	2	1
Distance to nearest Building on Lot	22.5'	21'	10' min
Non conformity Proposed new FAR construction	2669sf	2907sf Increase of 9%	Article 8.22.1.f

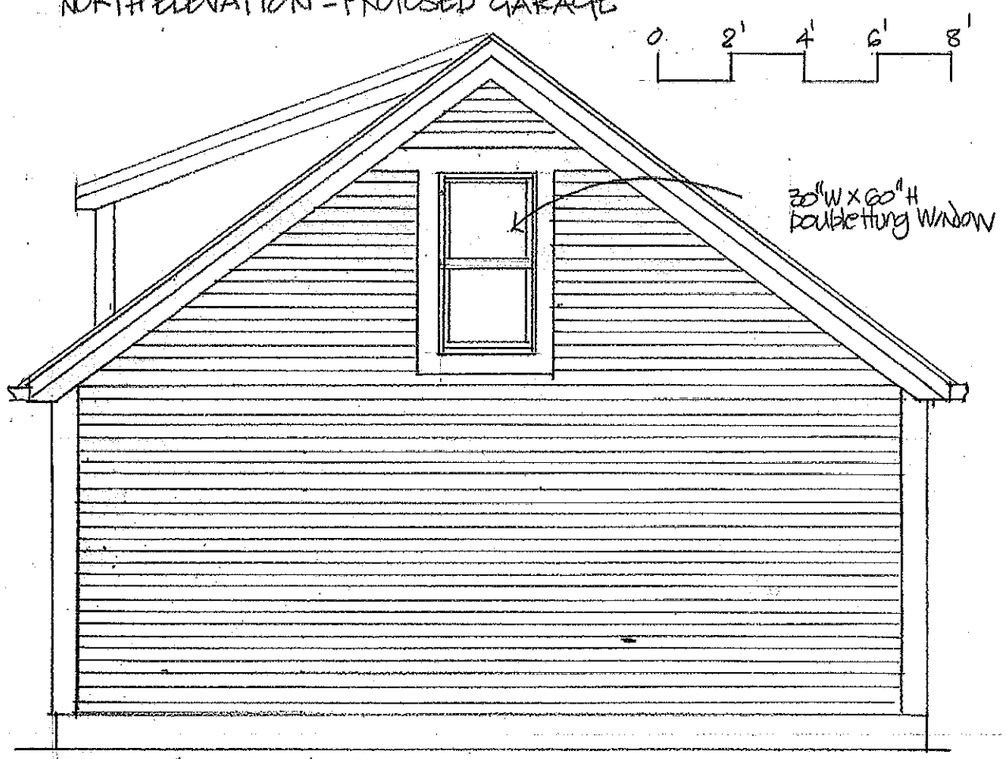
138 THORNDIKE STREET PROPOSED NEW GARAGE	SITE PLAN & GARAGE PLAN	BZA 2	2.15.2017	PETER MARTIN ARCHITECT 617 308 4440



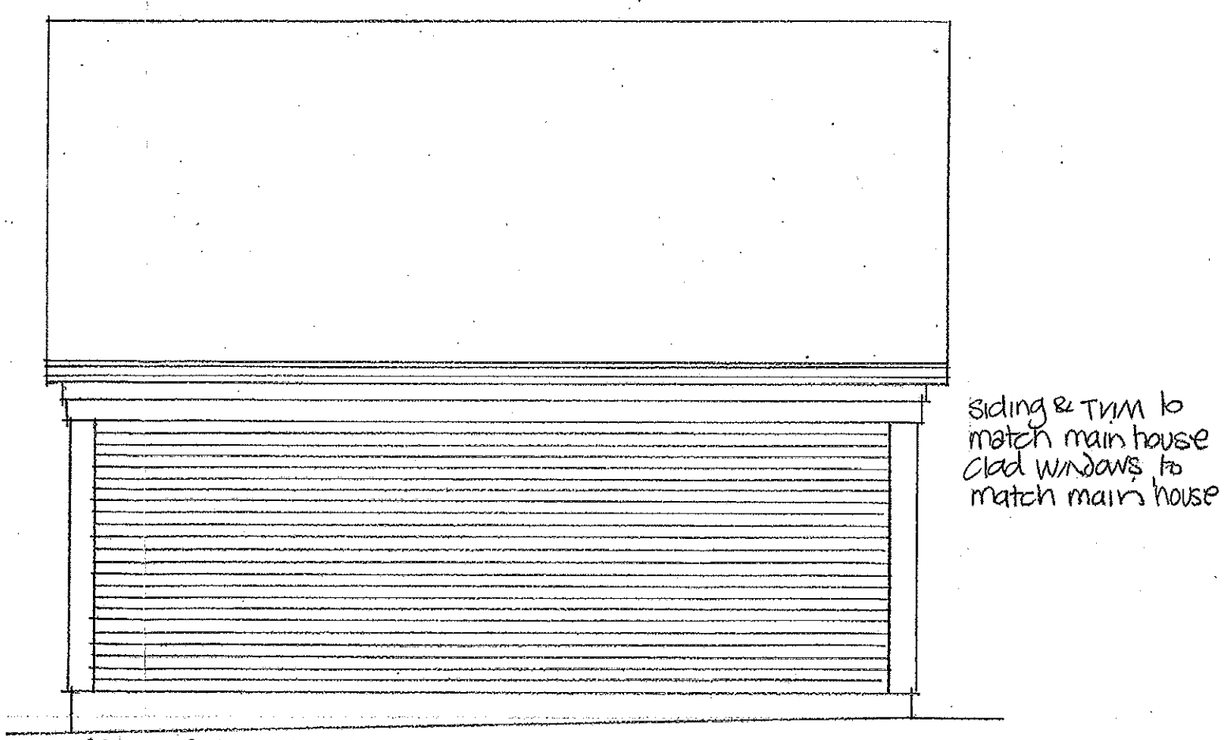
NORTH ELEVATION - PROPOSED GARAGE



WEST ELEVATION - PROPOSED GARAGE



SOUTH ELEVATION - PROPOSED GARAGE



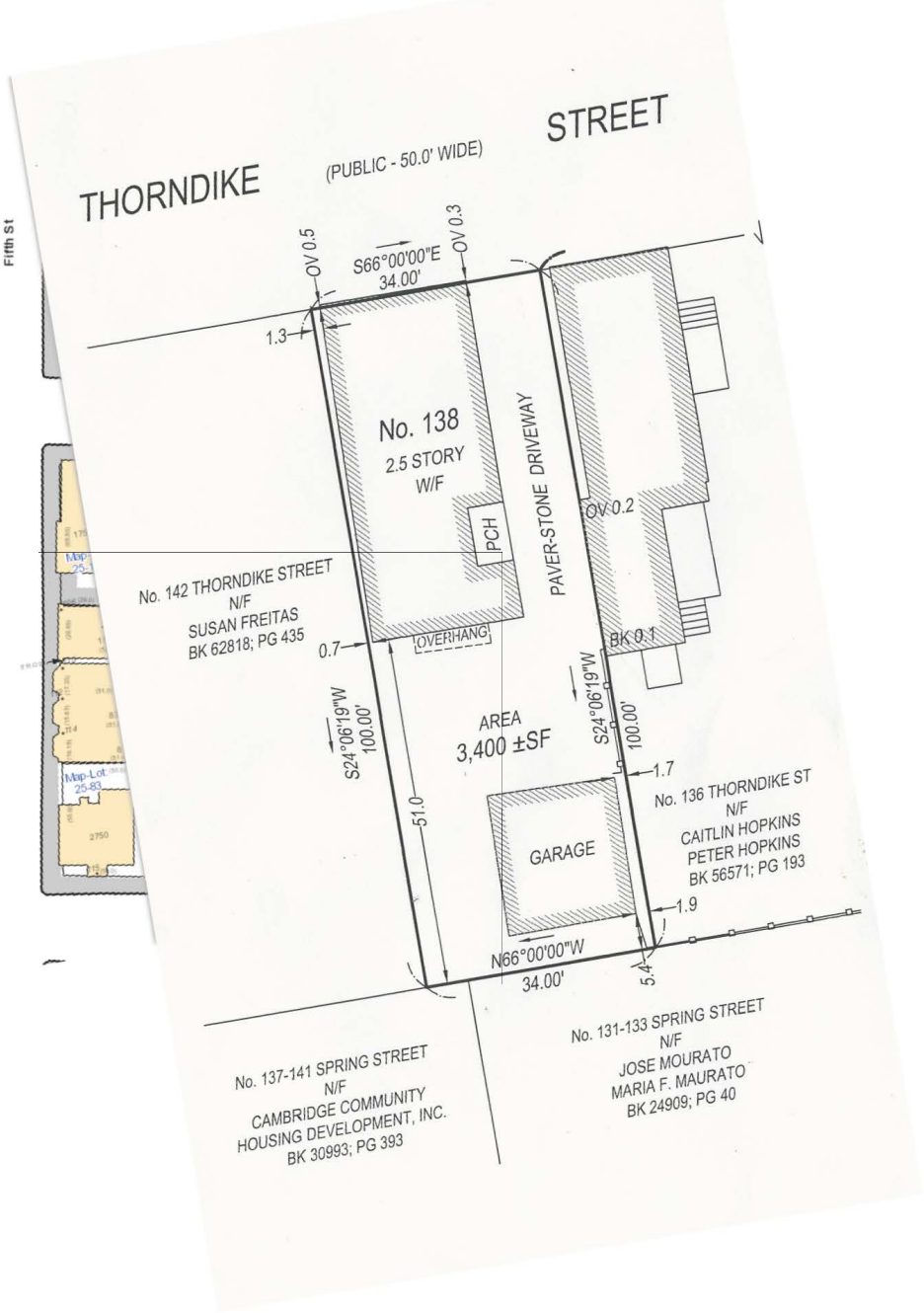
EAST ELEVATION - PROPOSED GARAGE

PETER MARTIN ARCHITECT
617 308 4440

BZA 2.15.2017
3

ELEVATIONS

136 THORNDIKE STREET
PROPOSED NEW GARAGE



Peter Martin Architect
BZA Application - February 2017

138 Thorndike Street
Location Plan and Plot Plan