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

2017 JUL 27 PM 2:33

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-013972-2017

GENERAL INFORMATION

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

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

PETITIONER : Fairmont Avenue Properties LLC - C/O Sean D. Hope, Esq.

PETITIONER'S ADDRESS : 675 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 22-26 Fairmont Ave Cambridge, MA

TYPE OF OCCUPANCY : 4.31 **ZONING DISTRICT :** Residence C-1 Zone

REASON FOR PETITION :

Other: Add/Alter Windows

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner requests Special Permit relief to add/alter windows within the setback of two single family dwellings at 22 and 26 Fairmont Avenue.

SECTIONS OF ZONING ORDINANCE CITED :

Article 8.000 Section 8.22.2 (C) (Non-Conforming Structures).

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) : _____
(Petitioner(s) / Owner)

Sean D. Hope
(Print Name)

Address : 675 Massachusetts Avenue
Cambridge, MA 02139

Tel. No. : 617-492-0220

E-Mail Address : sean@hopelegal.com

Date : July 27, 2017

OWNERSHIP CERTIFICATE

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Fairmont Avenue Properties LLC
(Petitioner)

Address: 267 Norfolk Street Cambridge, MA

Location of Premises: 22 and 26 Fairmont Avenue Cambridge

the record title standing in the name of Fairmont Avenue Properties LLC

whose address is 267 Norfolk Street Cambridge, MA
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex County Registry of Deeds in

Book 68565 Page 302
Book 68712 Page 242

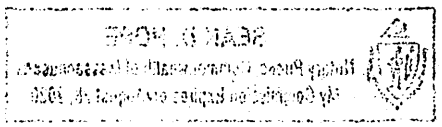
Authorized Agent for owner

On this 27th day of July, 2017, before me, the undersigned notary public, personally appeared Campbell Ellsworth proved to me through satisfactory evidence of identification, which were personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that He signed it voluntarily for its stated purpose.

Notary Public
My commission expires:

SEAN D. HOPE
Notary Public, Commonwealth of Massachusetts
My Commission Expires on August 28, 2020


NOTARY PUBLIC
COMMONWEALTH OF MASSACHUSETTS
MY COMMISSION EXPIRES
AUGUST 22, 2024
GERALD D. HOPE



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 22-26 Fairmont Ave Cambridge, MA (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:

With the requested relief the requirements of the ordinance will be satisfied.

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:

No congestion, hazard, or substantial change in the established neighborhood character will result from approval of the additional windows at 22 and 26 Fairmont because the new windows will allow for the appropriate light and air into the renovated single family dwellings and will be of a quality and style that is consistent with the established neighborhood character.

Further the size and location of the windows are integral to the interior layout and modernization of the structures built in 1880's.

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:

The continued operation of or the development of adjacent uses will not be adversely affected because there is no change to the proposed Use and the additional windows will enhance the dwelling creating more functional living spaces for its occupants.

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:

No nuisance or hazard will be created nor will any detriment to the health, safety and/or welfare of the of occupants of the proposed use or the citizens of the City because the additional windows are part of complete redevelopment of the two deteriorating single families that have been neighborhood eyesores for over a decade

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:

The proposed windows will not impair the integrity of the district and are consistent with the quliaty and character of the dwelling on street and the greater Cambridge-port neighborhood.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: ~~Cambervrille Coffee Roasters~~ Fairmont Avenue Properties LLC **PRESENT USE/OCCUPANCY:** Single Family

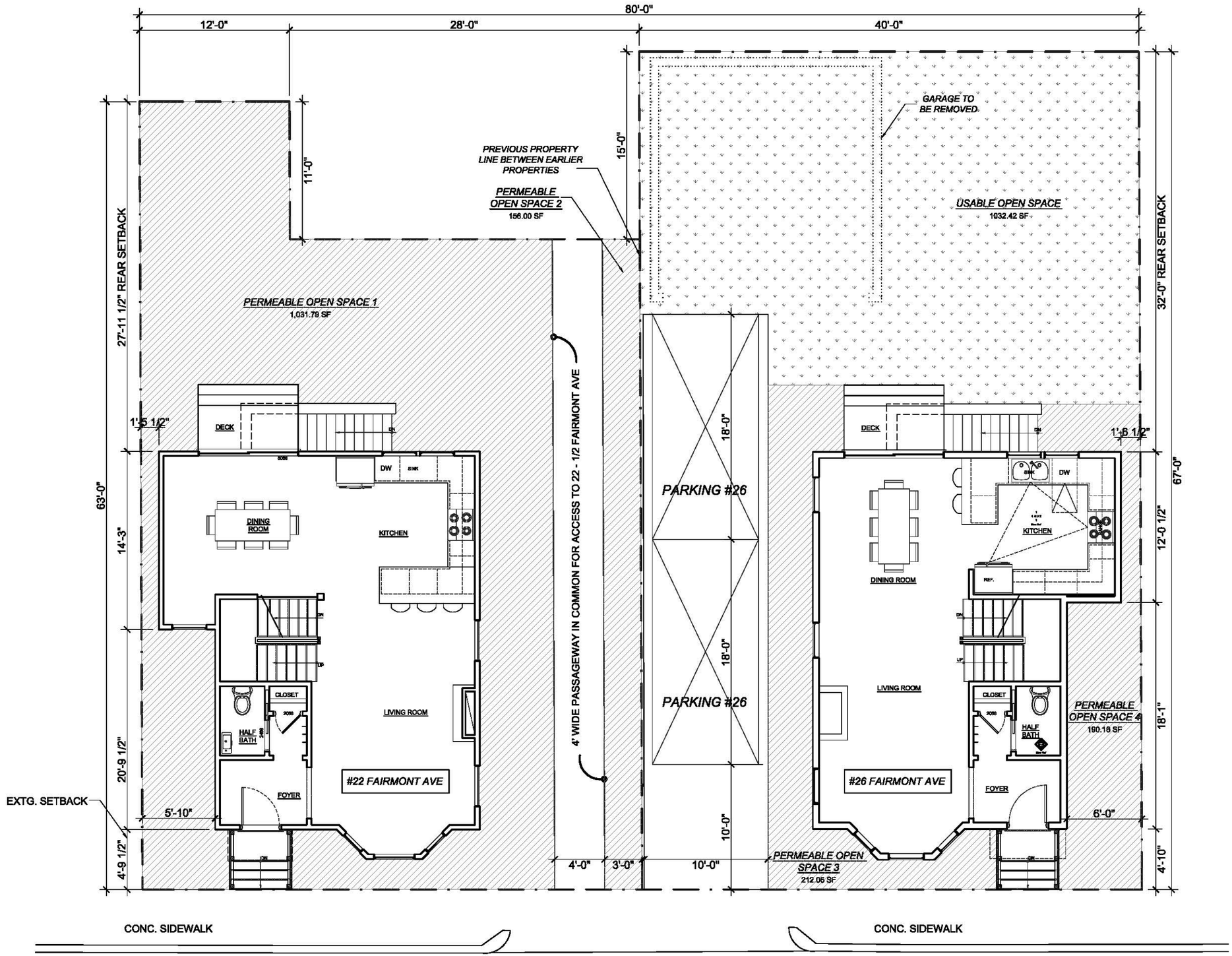
LOCATION: 22-26 Fairmont Ave Cambridge, MA **ZONE:** Residence C-1 Zone

PHONE: **REQUESTED USE/OCCUPANCY:** Single Family (22 and 26 Fairmont)

		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS [1]	
TOTAL GROSS FLOOR AREA:		3,646sf	3,649sf	3,669	(max.)
LOT AREA:		4,892sf	4,892sf	5,000sf	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: [2]		.745	.746	.75	(max.)
LOT AREA FOR EACH DWELLING UNIT:		2,446sf	2,446sf	1,500	(min.)
SIZE OF LOT:	WIDTH	80'	80'	50'	(min.)
	DEPTH	63'	63'	n/a	
SETBACKS IN FEET:	FRONT	2.5'	2.5'	10'min	(min.)
	REAR	9'/26'	9'/26'	20'min	(min.)
	LEFT SIDE	1.5'	1.5'	H+L/5	(min.)
	RIGHT SIDE	.9'	.9'	H+L/5	(min.)
SIZE OF BLDG.:	HEIGHT	35'	35'	35'	(max.)
	LENGTH	30'	30'	n/a	
	WIDTH	40.5%	53.6%	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA: [3]		40.5%	53.6%	30%	(min.)
NO. OF DWELLING UNITS:		2	2	2	(max.)
NO. OF PARKING SPACES:		2	2	2	(min./max)
NO. OF LOADING AREAS:		0	0	0	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		20'+	20'+	10'min	(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.

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'.



1 SITE PLAN
Scale: 1/8" = 1'-0"

22- 26 FAIRMONT AVE

PROJECT ADDRESS:
22-26 FAIRMONT AVE
CAMBRIDGE, MA 02139

CLIENT:
22- 26 FAIRMONT AVE

ARCHITECT:
ELLSWORTH ASSOCIATES, Inc.
267 NORFOLK STREET
CAMBRIDGE, MA 02139
PH. 617-492-0709
FAX. 617-714-5900

CONSULTANTS:

REGISTRATION:

DATE:	08/28/17
DRAWN BY:	P.M
CHECKED BY:	C.E.
SCALE:	1/8" = 1'0"
FILE:	FAIRMONT AVE

REVISIONS:

No.	Description	Date
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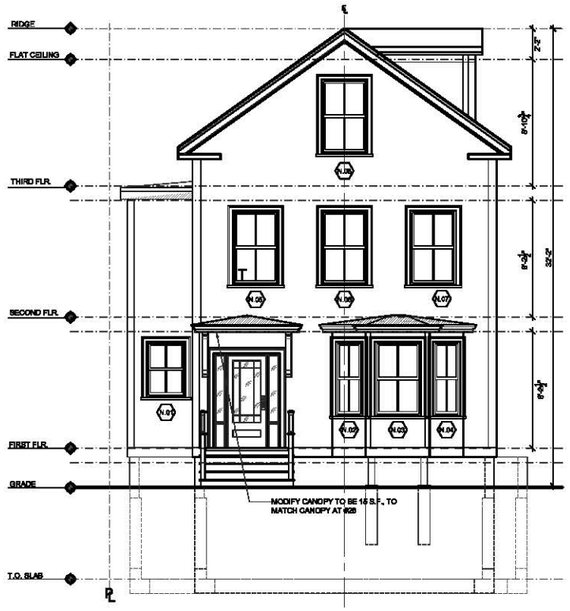
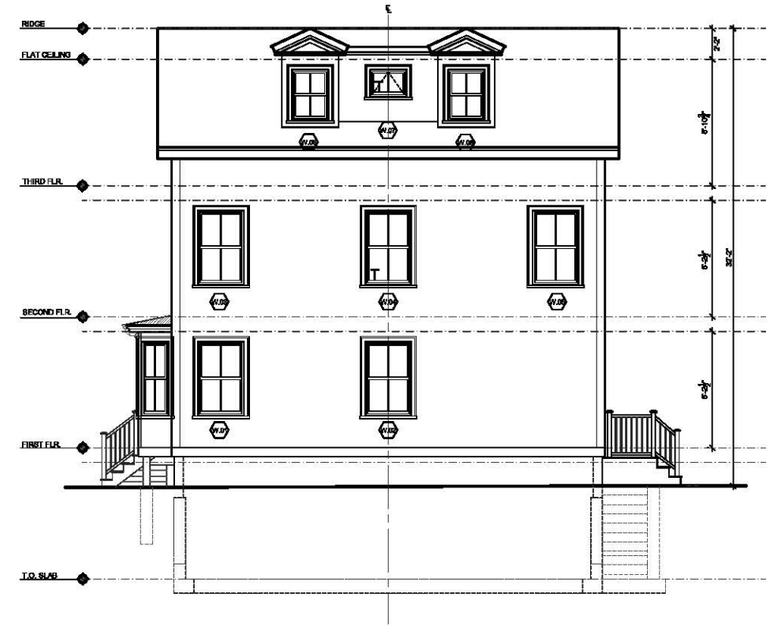
SITE PLAN

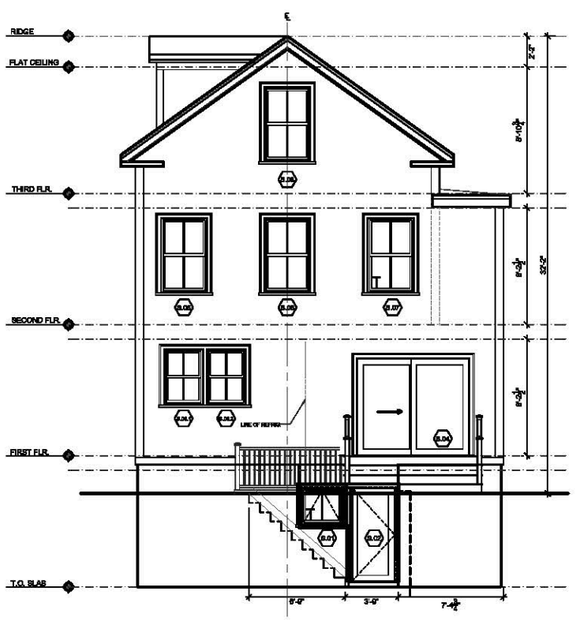
SITE 1.1



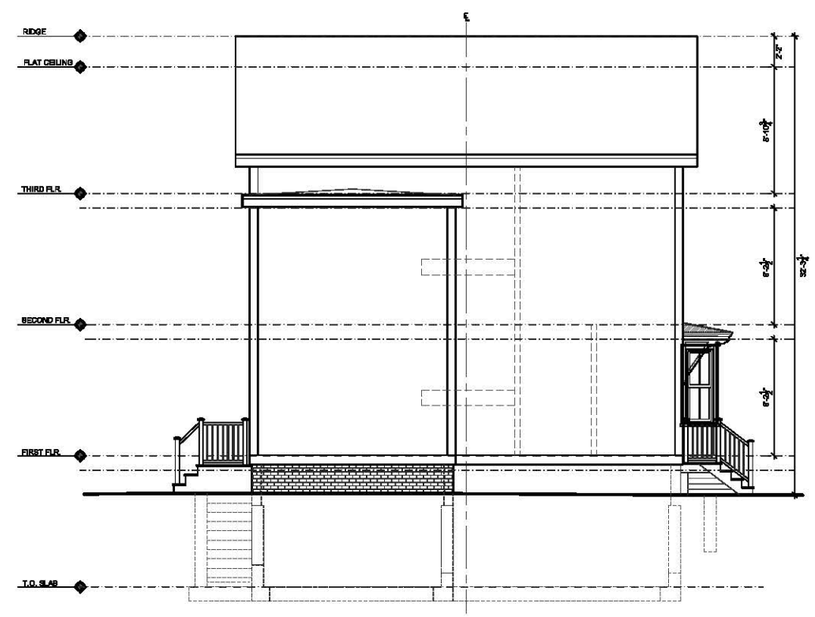
1 NORTH ELEVATION
Scale: 3/32" = 1'-0"



2 WEST ELEVATION
Scale: 3/32" = 1'-0"



3 SOUTH ELEVATION
Scale: 3/32" = 1'-0"



4 EAST ELEVATION
Scale: 3/32" = 1'-0"

22 FAIRMONT AVE
EXISTING ELEVATIONS

22 FAIRMONT AVE

PROJECT ADDRESS:
22 FAIRMONT AVE
CAMBRIDGE, 02139

CLIENT:
22 FAIRMONT AVE

ARCHITECT:
ELLSWORTH ASSOCIATES, Inc.
267 NORFOLK STREET
CAMBRIDGE, MA 02139
PH. 617-492-0709
FAX. 617-714-5900

CONSULTANTS:

REGISTRATION:

DATE:	06/29/17
DRAWN BY:	P.M
CHECKED BY:	C.E.
SCALE:	3/32" = 1'-0"
FILE:	Fairmont Ave

REVISIONS:

No.	Description	Date
1		
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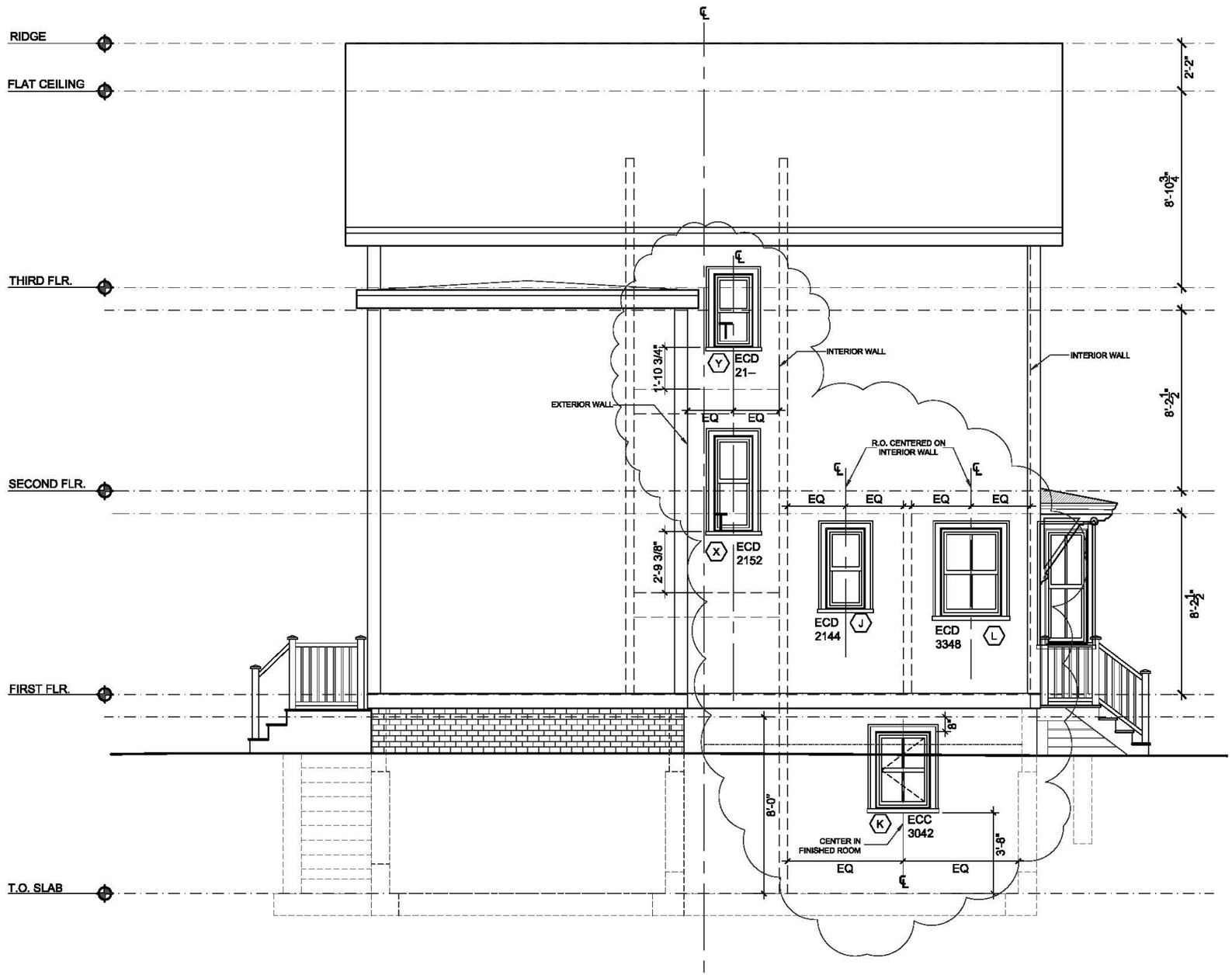
EXISTING ELEVATIONS

EX 3.1



1 *PROPOSED EAST ELEVATION*
Scale: 3/16" = 1'-0"

22 FAIRMONT AVE
PROPOSED ELEVATION

22 FAIRMONT AVE

PROJECT ADDRESS:
22 FAIRMONT AVE
CAMBRIDGE, 02139

CLIENT:
22 FAIRMONT AVE

ARCHITECT:
ELLSWORTH ASSOCIATES, Inc.
267 NORFOLK STREET
CAMBRIDGE, MA 02139
PH. 617-492-0709
FAX. 617-714-5900

CONSULTANTS:

REGISTRATION:

DATE:	06/28/17
DRAWN BY:	P.M
CHECKED BY:	C.E.
SCALE:	3/16" = 1'-0"
FILE:	Fairmont Ave

REVISIONS:

No.	Description	Date
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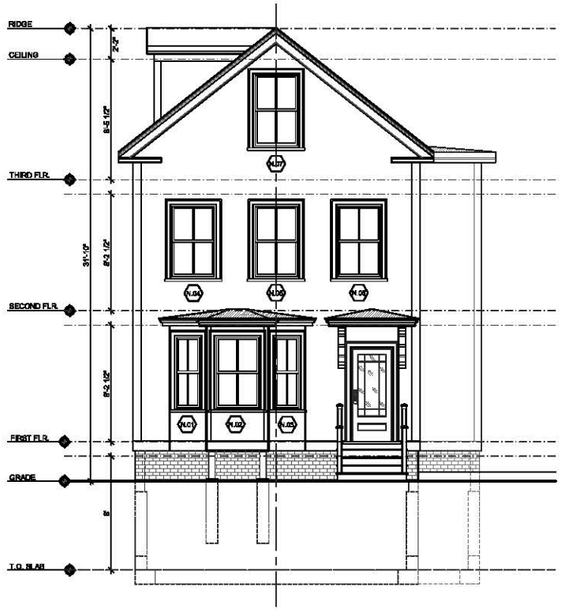
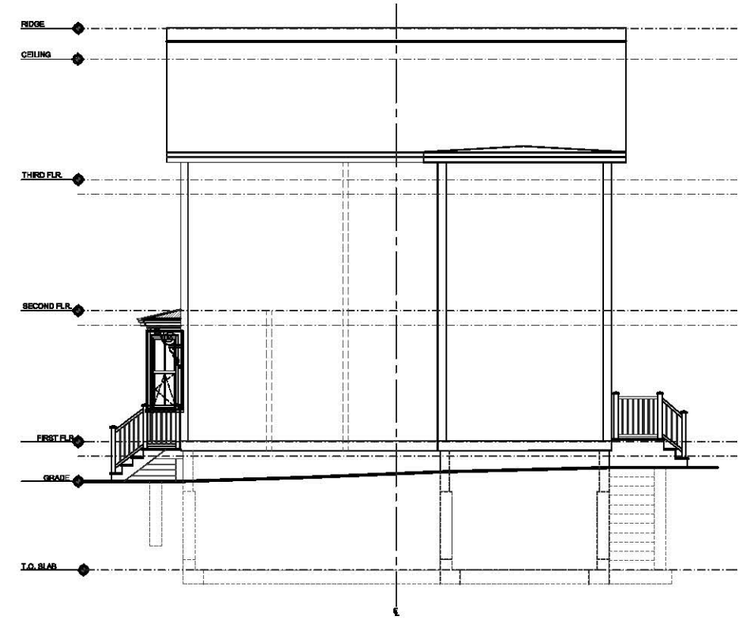
PROPOSED ELEVATION

A3.1



1 NORTH ELEVATION
Scale: 3/32" = 1'-0"



2 WEST ELEVATION
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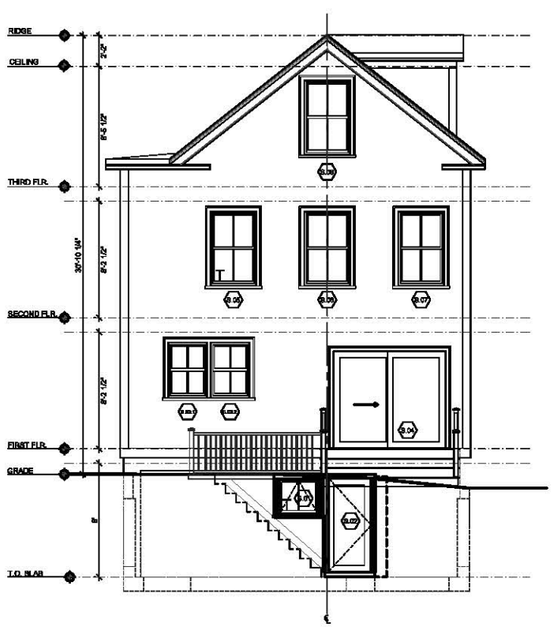
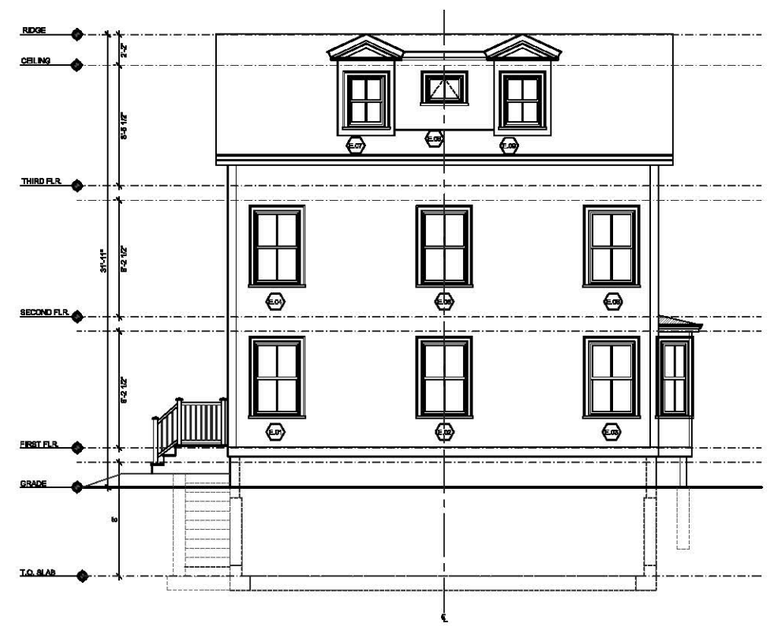


3 SOUTH ELEVATION
Scale: 3/32" = 1'-0"

26 FAIRMONT AVE
EXISTING ELEVATIONS



4 EAST ELEVATION
Scale: 3/32" = 1'-0"

26 FAIRMONT AVE

PROJECT ADDRESS:
26 FAIRMONT AVE
CAMBRIDGE, 02139

CLIENT:
26 FAIRMONT AVE

ARCHITECT:
ELLSWORTH ASSOCIATES, Inc.
267 NORFOLK STREET
CAMBRIDGE, MA 02139
PH. 617-492-0709
FAX. 617-714-5900

CONSULTANTS:

REGISTRATION:

DATE:	06/29/17
DRAWN BY:	P.M
CHECKED BY:	C.E.
SCALE:	3/32" = 1'-0"
FILE:	Fairmont Ave

REVISIONS:

No.	Description	Date
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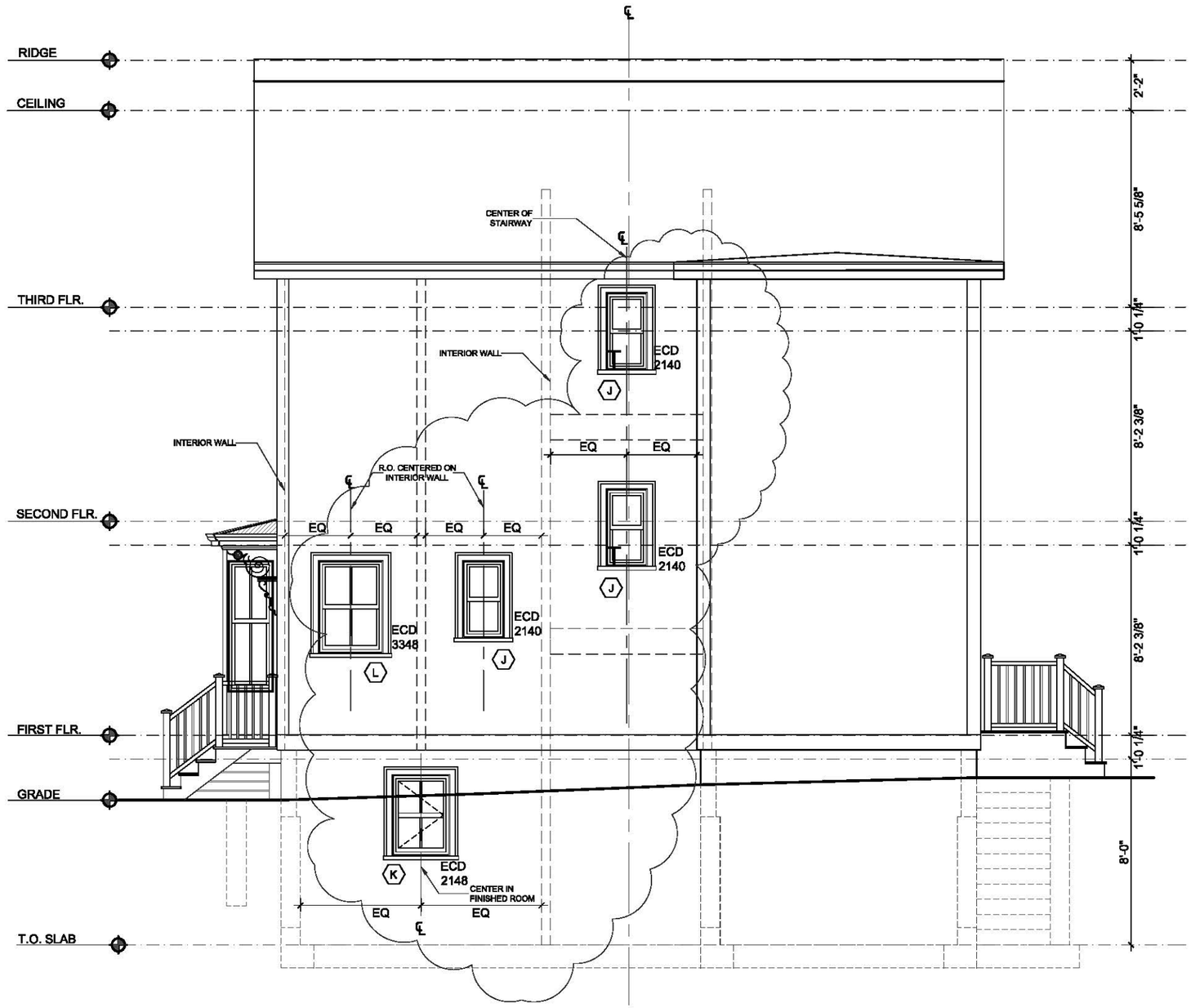
EXISTING ELEVATIONS

EX 3.2



1 *PROPOSED WEST ELEVATION*
Scale: 3/16" = 1'-0"

26 FAIRMONT AVE
PROPOSED ELEVATION

26 FAIRMONT AVE

PROJECT ADDRESS:
26 FAIRMONT AVE
CAMBRIDGE, 02139

CLIENT:
26 FAIRMONT AVE

ARCHITECT:
ELLSWORTH ASSOCIATES, Inc.
267 NORFOLK STREET
CAMBRIDGE, MA 02139
PH. 617-492-0709
FAX. 617-714-5900

CONSULTANTS:

REGISTRATION:

DATE:	06/28/17
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CHECKED BY:	C.E.
SCALE:	3/16" = 1'-0"
FILE:	Fairmont Ave

REVISIONS:

No.	Description	Date
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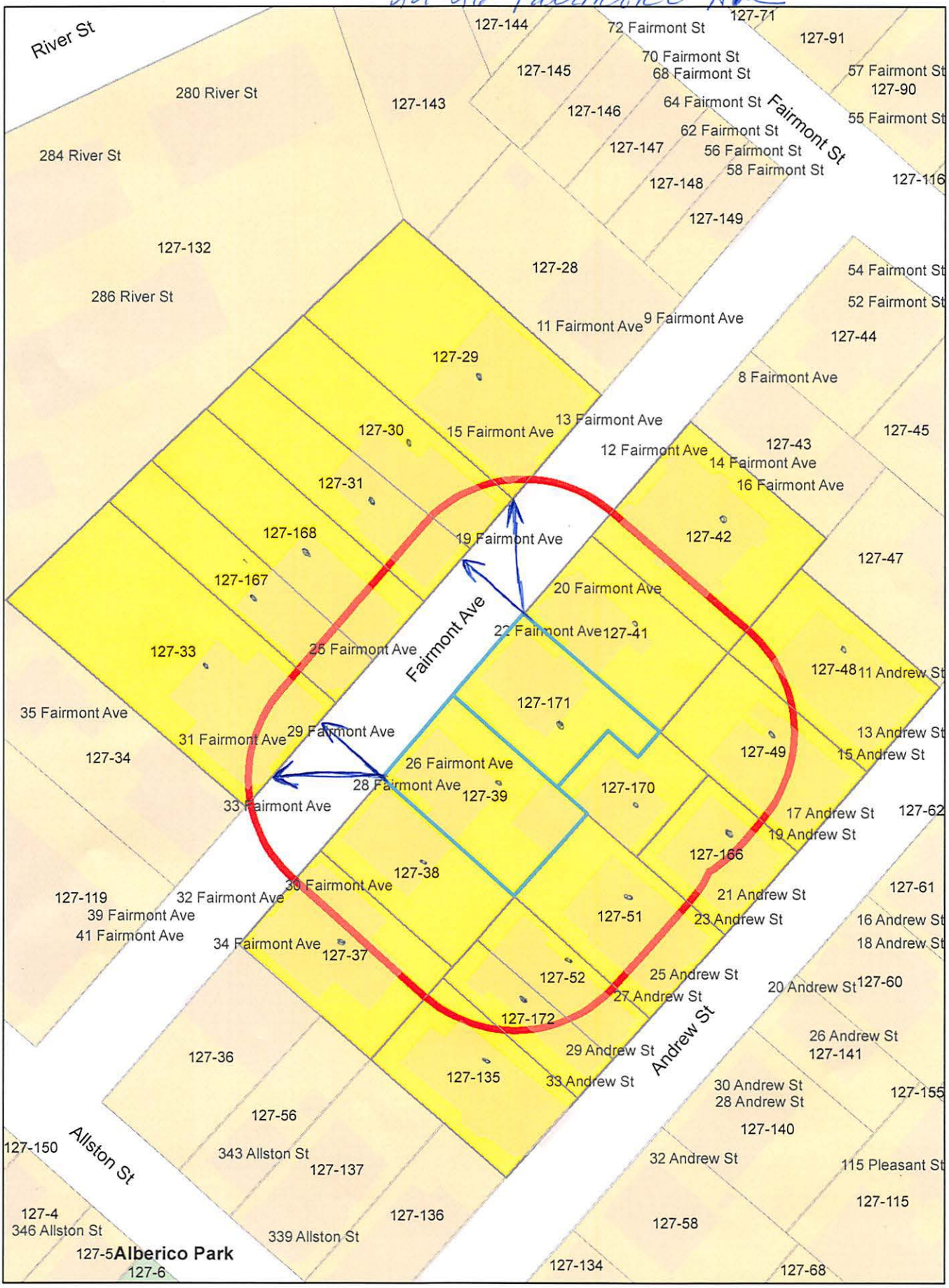
PROPOSED ELEVATION

A3.2

22-26 Fairmont Ave



22-26 Fairmont Ave Petitioner 1 of 2

127-31
HUCKABEE, JERALD A. & JANET C. HUCKABEE
19 FAIRMONT AVE., UNIT A
CAMBRIDGE, MA 02139

127-31
BAGELMAN, NISSA
19 FAIRMONT AVE., #B
CAMBRIDGE, MA 02139

SEAN D. HOPE, ESQ.
675 MASS AVENUE
CAMBRIDGE, MA 02139

127-30
DRISCOLL, MARY C.
15 CHANNELCENTER ST., #606
BOSTON , MA 02210

127-33
SERNA, JUAN CARLOS & LAURYN ZIPSE
29 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-37
CANINA, FRANCIS & LAURA SCHWARTZ CANINA
99 HEATH ST.
SOMERVILLE, MA 02145

127-38
DROST, RICHARD W.
28 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-39
FRYMIRE, ROGER DOYLE
22 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-41
JOHNSON, ROBB W. &
RICHARD J. GOSSELIN TRUSTEES
20 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-42
STOKLOSA, KRISTIN M. & KEVIN K. NGUYEN
12 FAIRMONT AVE UNIT #12
CAMBRIDGE, MA 02139

127-42
PORITZKY, SANDER,
TR. OF THE DEENA PORITZKY IRREVOCABLE
TRUST OF FEBRUARY
1 WOODCREST DR
WAKEFIELD, MA 01880

127-42
SHRIVER, MEGAN Q.
TR. MEGAN Q. SHRIVER REVOC. TRUST
21 MT. PLEASANT ST
WINCHESTER, MA 01890

127-48
BETTS, GERALDINE J.
11 ANDREW ST
CAMBRIDGE, MA 02139

127-49
WARD, ELLA L.
17 ANDREW ST
CAMBRIDGE, MA 02139

127-51
JIANG, JINWEI & YIDING YAN
270 SOUTH ST
CHESTNUT HILL, MA 02467

127-52
KANTOR, JOSHUA T. & MARY J. EATON
27 ANDREW ST
CAMBRIDGE, MA 02139

127-135
WARD, CLAYTON JR., RICHARD WARD & ET-AL,
TRUSTEE OF 33 ANDREW STREET REALT
33 ANDREW ST
CAMBRIDGE, MA 02139

127-167
CHRISTENSON, JR., CHARLES O.
23 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-167
SERNA, JUAN CARLOS
25 FAIRMONT AVE., #2
CAMBRIDGE, MA 02139

127-167
HOWITT, ANDREW WILSON
25 FAIRMONT AVE., #3
CAMBRIDGE, MA 02139

127-168
PIATTI, FRANCIS E.
23 FAIRMONT AVE., #1
CAMBRIDGE, MA 02139

127-168
LYNCH, STEPHEN J.
23 FAIRMONT AVE. #2
CAMBRIDGE, MA 02139

127-170
CONWAY, BEVIL R.
22.5 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-171
FRYMIRE, ROGER
22 FAIRMONT AVE
CAMBRIDGE, MA 02139

127-172
PORTANOVA, KENNETH S., EUGENE L. &
JOHN E. PORTANOVA, EDWARD DIMUZIO,
29 ANDREW ST
CAMBRIDGE, MA 02139

127-166
CAUBLE, DIANE LAM & DAVID F. CAUBLE, JR.
19-21 ANDREW ST., #19
CAMBRIDGE, MA 02139

127-166
KATZ, GREGORY MILTON
DEBORAH GROSSBERG KATZ
21 ANDREW ST
CAMBRIDGE, MA 02139

127-29
CLARK, ALDEN S., MICHELE CLARK C/O STEIMAN,
JONATHAN & HANNAH STEIMAN
13-15 FAIRMONT AVE., #13/1 & #13/2
CAMBRIDGE, MA 02139

127-29
VOLKOV, DARKO
13-15 FAIRMONT AVE., #15-2
CAMBRIDGE, MA 02139

127-29
UMANS, BENJAMIN JASON UMANS &
SUSAN UMANS
13-15 FAIRMONT AVE., #15/1
CAMBRIDGE, MA 02139

22-26 Fairmont Ave

242

127-31
MORSE, ANDREW
19 FAIRMONT AVE., #C
CAMBRIDGE, MA 02139

22 Farmont

22 Fairmont

22 fairmont

26 fairmont

76 fairmal

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 22 and 26 Fairmont Avenue

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 permit application is anticipated.
__ 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 August 2, 2017

Received by Uploaded to Energov Date August 2, 2017
Relationship to project BZA 13972-2017

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