

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

BZA APPLICATION FORM

Plan No: BZA-009598-2016

GENERAL INFORMATION

The undersigned hereby petiti	ions the Board of Zoning Appe	al for the following:
Special Permit : ✓	Variance :	
PETITIONER: Noam Fre	eedman & Samantha Teh -	C/O Sean D. Hope Esq.
PETITIONER'S ADDRESS :	675 Massachusetts Av	venue Cambridge, MA 02139
LOCATION OF PROPERTY:	26 Donnell St Cambrid	dge, MA
TYPE OF OCCUPANCY:	4.35	ZONING DISTRICT: Residence B Zone
REASON FOR PETITION:		
Addit	cions	
DESCRIPTION OF PETITIONE	R'S PROPOSAL :	
	riance relief to constr rd porch within the set	cuct a first floor addition including chacks.
SECTIONS OF ZONING ORDIN	IANCE CITED :	
Article 5.000	Section 5.31 (Table o	f Dimensional Requirements).
Article 8.000	Section 8.22.2 (Non-C	onfomring Structures).
Article 10.000	Section 10.30 (Varain	ce).
Article 10.000	Section 10.40 (Specia	l Permit).
	Original Signatur	e(s): (Petitioner(s) / Owner) (Print Name)
	Addı	ress: 675 Massachusetts Ave
		Cambridge, MA 02139
	Tel. I	No.: 617-492-0220
	E-Ma	mil Address: sean@hopelegal.com
Data: March 9 201	6	

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 Noam Freedman and Samantha Teh (OWNER)
Address: 26 Donnell Street, Cambridge, MA 02138
State that I/We own the property located at <u>26 Donnell Street</u> ,
which is the subject of this zoning application.
The record title of this property is in the name of
Noam M. Freedman and Samantha E. Teh
*Pursuant to a deed of duly recorded in the date12/1/2009, Middlesex South
County Registry of Deeds at Book 53933 , Page 504 ; or
Middlesex Registry District of Land Court, Certificate No
Book Page
Me dig
SIGNATURE BY LAND OWNER OR
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*
AUTHORIZED TRUSTEE, OFFICER OR AGENT*
AUTHORIZED TRUSTEE, OFFICER OR AGENT*
*Written evidence of Agent's standing to represent petitioner may be requested.
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*Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of
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*Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of M.D. Jase. The above-name Samanta Terr Num President personally appeared before me, this 33 of Feb., 2016, and made oath that the above statement is true. My commission expires Children (Notary Seal). SHARI ORI Notary Public (Notary Seal).
*Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of
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BZA APPLICATION

SUPPORTING STATEMENT FOR A VARIANCE

Each of the following requirements for a variance must be established and set foth 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:

A literal enforcement of the provisions of the Ordinance would involve a substantial hardship because Petitioners are a growing family with two school age children and desire additional space to alleviate the congestion of their current living environment. Granting the requested relief will allow for an existing side yard deck to be converted into additional living space, mudroom, bathroom and storage.stable and be able to help support her for children and grandchildren.

B) The hardship is owing to 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 hardship is owing to the interior layout of the property that has a large master bedroom suite of the top floor thereby relegating all of the additional common area on the 1st floor and basement.

- C) Desirable relief may be granted without either:
 - 1) substantial detriment to the public good for the following reasons:

The requested relief will not substantially derogate from the intent or purpose of the ordinance as the relief will have minimal if any negative impact on the neighborhood and will support a Cambridge family to upgrade the functionality and livability of their home.

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 26 Donnell	(location) would
not be a detriment to the public interest because:	

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

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

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

No congestion, hazard, or substantial change in the established neighborhood character will result from approval because the addition is sited far in thre rear of the lot and the additional windows will be sheilded by a fence, trees and landscaping.

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 the adjacent properties are are also residential uses and the proposed addition will be of a quality that is consistent with the surrounding neighborhood.

D) Nuisance of hazard would not be created to the detriment of the health, safety and/or welfare of the occupants 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 proposed windows in the additions will provide the appropriate light and air into the living space and will not create negative issues of privacy. Further enclosing the decks reduces risk of noise pollution and spillage into neighboring lots.

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 windows pattern and placement will enhance the aesthetic design of the house and is consistent with the intent and purpose of the ordinance. Additionally a policy goal of the Cambridge City Council is to promote families to be able to grow and remain in the City.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Sean Hope, Esq. PRESENT USE/OCCUPANCY: Single Family

LOCATION: 26 Donnell St Cambridge, MA ZONE: Residence B Zone

PHONE: REQUESTED USE/OCCUPANCY: No Change

-			-		
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS	ı
TOTAL GROSS FLOOR AREA:		2224sf	2710sf	2100sf	(max.)
LOT AREA:		4200	4200	5000 min	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: 2		.50	.57	.50	(max.)
LOT AREA FOR EACH DWELLING UNIT:		4200	4200	2500	(min.)
SIZE OF LOT:	WIDTH	41/43	41/43	50' min	(min.)
	DEPTH	100.65	100.65	n/a	
SETBACKS IN FEET:	FRONT	15	15	15	(min.)
	REAR	26	21.9	25	(min.)
	LEFT SIDE	7.5	7.5	7.5 min	(min.)
	RIGHT SIDE	7.6	5.3	7.5 min	(min.)
SIZE OF BLDG.:	HEIGHT	28	28	35	(max.)
	LENGTH	52	57	n/a	
	WIDTH	29'	33'	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		43%	41%	40%	(min.)
NO. OF DWELLING UNITS:		1	1	1	(max.)
NO. OF PARKING SPACES:		1	1	1	(min./max)
NO. OF LOADING AREAS:		n/a	n/a	n/a	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		n/a	n/a	n/a	(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.

OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



Date:

March 8, 2016

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

Plan No:

2016 MAR 18 AM 10: 33

CAMBRIDGE, THE CITY CLERK
BZA-009598-2016

BZA APPLICATION FORM

GENERAL INFORMATION

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ETITION	ER:	Noam Fr	eedman & S	Samantha Teh -	C/O Sean	O. Hope Esq.
TITIONI	ER'S ADD	RESS:	675 Ma	ssachusetts Av	enue Cambi	idge, MA 02139
CATION	N OF PRO	PERTY:	26 Donr	nell St Cambric	dge, MA	
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ASON F	OR PETIT	ΓΙΟN :				
		Addi	tions			
SCRIPT	ION OF P	ETITIONE	R'S PROPOS	SAL:		
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				within the set		
CTIONS	OF ZONII	NG ORDI	NANCE CITE	D:		
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ticle	10.000		Section		e(s) :	(Print Name)
ticle	10.000		Section	Original Signature	e(s): ess:	(Print Name) 675 Massachusetts Ave



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139 Telephone: 617 349 4683 Fax: 617 349 3116 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., M. Robert G. Crocker, Chandra Harrington, Jo M. Solet, Members Shary Page Berg, Joseph V. Ferrara, Susannah Barton Tobin, Alternates

Turisdiction Advice

Jurisdiction Advice
To the Owner of Property at 26 Dounell St :
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)
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 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 SUS Date 3 11 2016
Received by Upladed to Enough Date
ce: 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/demolitiondelay.html

Steams St 2 Stearns St 228-20 228-19 4 Stearns St 229-1 308 Walden St 228-18 228-25 228-17 146 Garden St 229-88 228-53 228-26 229-89 228-27 142 Garden St 135 Garden St 229-107 9 Fenno St 228-46 229-3 Garden St 7 Fenno St 229-90 5 Fenno St 148 Garden St Fenno St 140 Garden St 0 229-128 229-91 229-138 32 Donnell St 228-6 134 Garden St 229-129 31 Donnell St 229-125 229-92 229-113 29 Donnell St27 Donnell St 228-5 30 Donnell St 132 Garden St 229-124 * 229-93 229-26 25-A Donnell St₂₅ Donnell St 28 Donnell St 128 Garden St 229-114 229-123 % 00 229-115 229-25 23 Donnell St 26 Donnell St 229-68 229-7 22 Donnell St 229-24 21 Donnell St 229-69 7 Orrin St 229-136 9 Oprin St 229-153 229-70 10 Orrin St 229-137 20 Donnell St 229-23 19 Donnell St 11 Orrin St13 Orrin St 17 Donnell St 229-154 15 Orrin St 🕉 19 Orrin St 17 Orrin St 0 229-71 18 Donnell St 229-22 229-121 229-32 11 Donnell St 41 Tierney St 23 Orrin St 9 14 Donnell St Tierney St 229-20 229-157 229-31 10 Donnell St 40 Tierney St 42 Tierney St 229-122 25 Orrin St 9 Donnell St 9 Kelley St 229-156 36 Tierney St 229-161 38 Tierney St 229-12 229-34 7 Kelley St 34 Tierney St Kelley St 15-A Kelley St229-50 229-35 8-B Donnell St 229-49 229-36 229-53 15 Kelley St 229-48

229-132

229-110

229-47

229-37

26 Dornell St.

229-138
ADAMS, WESTON W. III & ELIZABETH K. ADAMS
31 DONNELL ST
CAMBRIDGE, MA 02138

229-26 NEIGHBOR, TERESA S. 28 DONNELL STREET, UNIT B CAMBRIDGE, MA 02138

SEAN D. HOPE, ESQ. 675 MASS AVENUE – 5TH FL. CAMBRIDGE, MA 02139

229-71
JFM MARITAL, LLC
C/O STEPHEN MCEVOY
15 DAY SCHOOL LANE
BELMONT, MA 02478

229-113 MICHAELSON, MIRIAM D. 134 GARDEN STREET CAMBRIDGE, MA 02138 229-114 BURKE, EILEEN BRODY, TR. OF 132 GARDEN STREET REALTY TRUST 132 GARDEN ST. CAMBRIDGE, MA 02138

229-115
DAILEY, KENNETH P. & SHEILA A. HALLORAN
130 GARDEN ST.
CAMBRIDGE, MA 02138

229-123 RIORDAN, ROBERT C. & JUDITH C. HALPERN 23 DONNELL ST CAMBRIDGE, MA 02138 229-124 ZEPF, PATRICIA R. 25 DONNELL ST CAMBRIDGE, MA 02138

229-129
SHIREY, LYNN M. & RICARDO MALDONADO
32 DONNELL STREET
CAMBRIDGE, MA 02138

229-25 FREEDMAN, NOAM M. & SAMANTHA E. TEH 26 DONNELL ST CAMBRIDGE, MA 02138 229-20 RIMER, EDWARD S.III & 25 ORRIN ST., UNIT B CAMBRIDGE, MA 02138

229-68
PENDERGAST, JOY K.
TR. of 128 GARDEN ST. CAMBRIDGE NOMINEE TR.
5645 AVISTA DR
SARASOTA, FL 34243

229-24
WILLIS, STEVEN & ELISSA FREUD
22 DONNELL ST
CAMBRIDGE, MA 02138

229-125 CEDRONE, DANIEL 29 DONNELL ST CAMBRIDGE, MA 02138

229-26 E. PETER, MULLANE 30 DONNELL ST., #A CAMBRIDGE, MA 02138 229-23 NOVISKI, NATAN 20 DONNELL ST CAMBRIDGE, MA 02138 229-70 LEOFANTI, JR., PAUL J. & JAY M. PABIAN, TRUSTEE OF MCEVOY FAMILY 2013 ET-AL C/O CHRISTINE M. MCEVOY 80 CUSHING AVENUE BELMONT, MA 02478

229-20 HENSON, ERIC C. & PAULA J. SMITH 23 ORRIN ST., # A CAMBRIDGE, MA 02138 229-69 MCEVOY, ROSE A. & PAUL R. MCEVOY, TRS. THE MCEVOY FAMILY REALTY TRUST 156 BROOKS ST MEDFORD, MA 02155

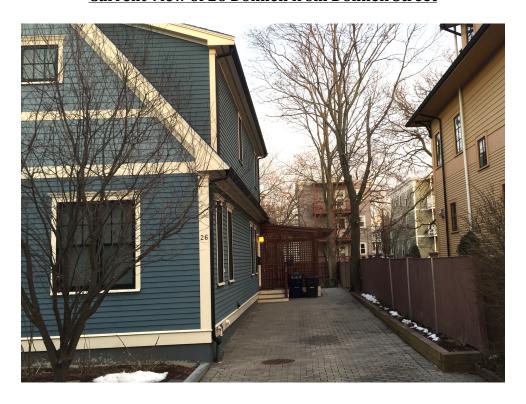
BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Noam Freedman and Samantha Teh
(OWNER) Address: 26 Donnell Street, Cambridge, MA 02138
Address: 20 Donnell Street, Cambridge, WA 02130
State that I/We own the property located at <u>26 Donnell Street</u> ,
which is the subject of this zoning application.
The record title of this property is in the name of
Noam M. Freedman and Samantha E. Teh
*Pursuant to a deed of duly recorded in the date
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Middlesex Registry District of Land Court, Certificate No
BookPage
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 Middle Massachusetts
The above-name Saman Text Num Brewman personally appeared before me,
this 33 of FEB, 2016, and made oath that the above statement is true.
Muy Notary
My commission expires (Notary Seal). SHARI ORI Notary Public COMMONWEALTH OF MASSACHUSETTS My Commission Expires If owner hip is September 14:2018. deed, or inheritance, please include documentation.

OMMONWEALTH OF MASSACHUSETTS Wy Cornmission Expires

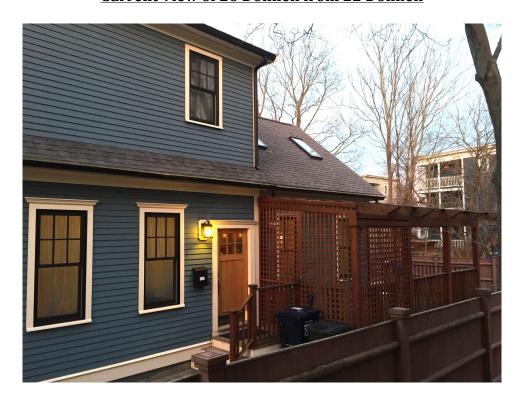
Current View of 26 Donnell from Donnell Street



Proposed View of 26 Donnell from Donnell Street



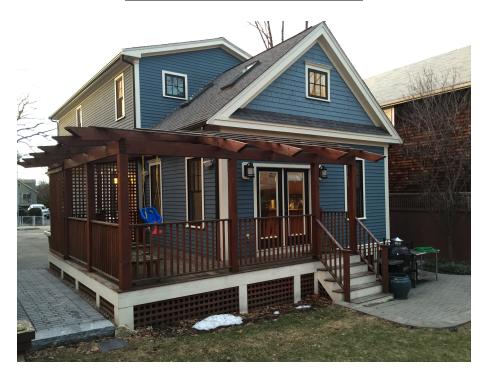
Current View of 26 Donnell from 22 Donnell



Proposed View of 26 Donnell from 22 Donnell



Current Rear View of 26 Donnell



Proposed Rear View of 26 Donnell

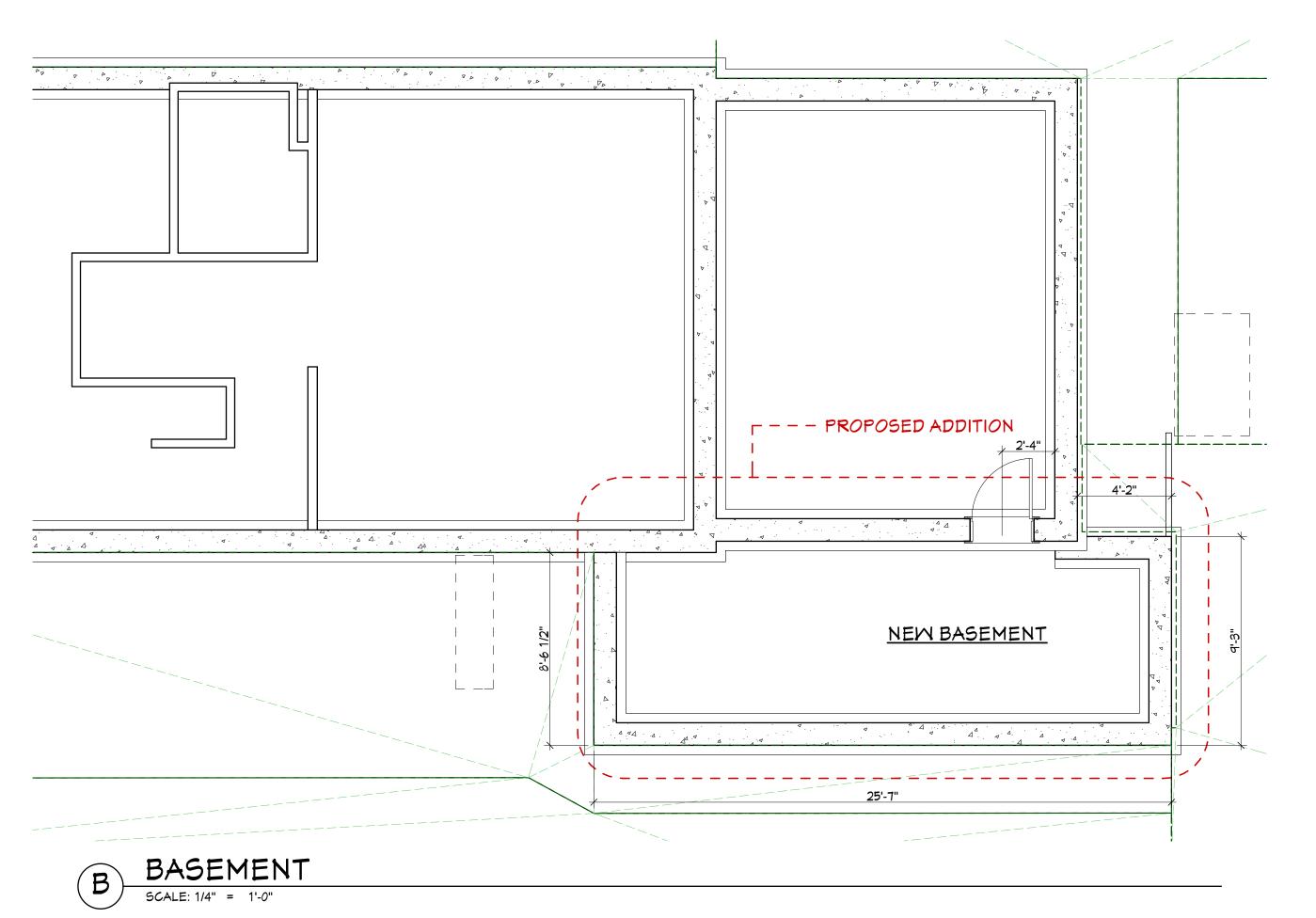


13 REGENT STREET CAMBRIDGE, MA (611) 491-2519 WIVIN DOWNERASSOCIATES.COM

26 DONNELL ST., CAMBRIDGE, MA

SHEET NO. A-1

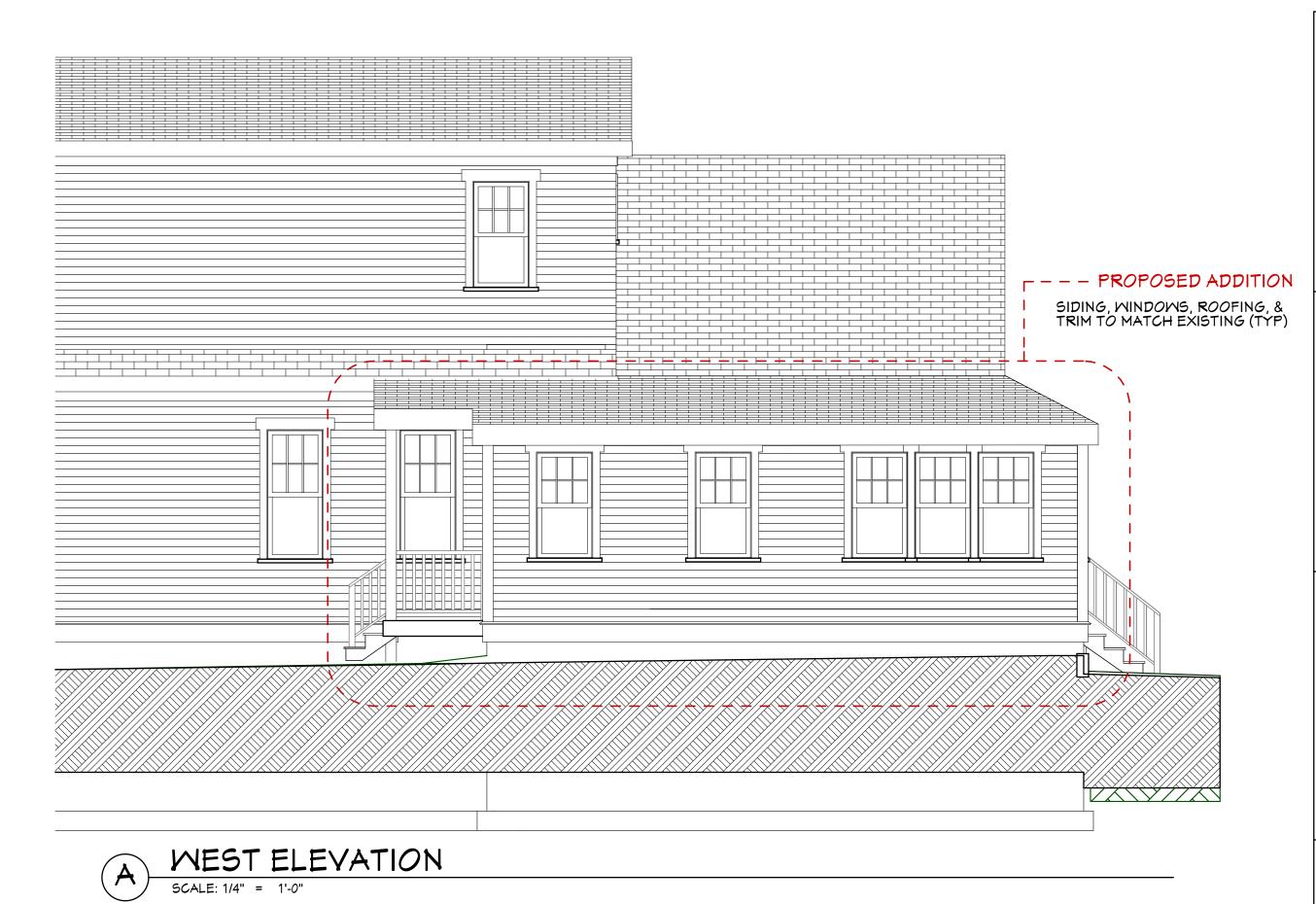
SCALE: 1/4" = 1'-0"



DOWNER / ASSOCIATES Home Renovation Architects 13 REGENT STREET CAMBRIDGE, MA (611) 491-2519 WIVIN DOWNERASSOCIATES.COM

FREEDMAN - TEH RESIDENCE ADDITION 26 DONNELL ST., CAMBRIDGE, MA

1513 BASEMENT PLAN



ION Home Renovation Architects
13 REGENT STREET CAMBRIDGE, MA
(617) 491-2519 WWW.DOWNERASSOCIATES.COM

FREEDMAN - TEH RESIDENCE ADDITION 26 DONNELL ST., CAMBRIDGE, MA

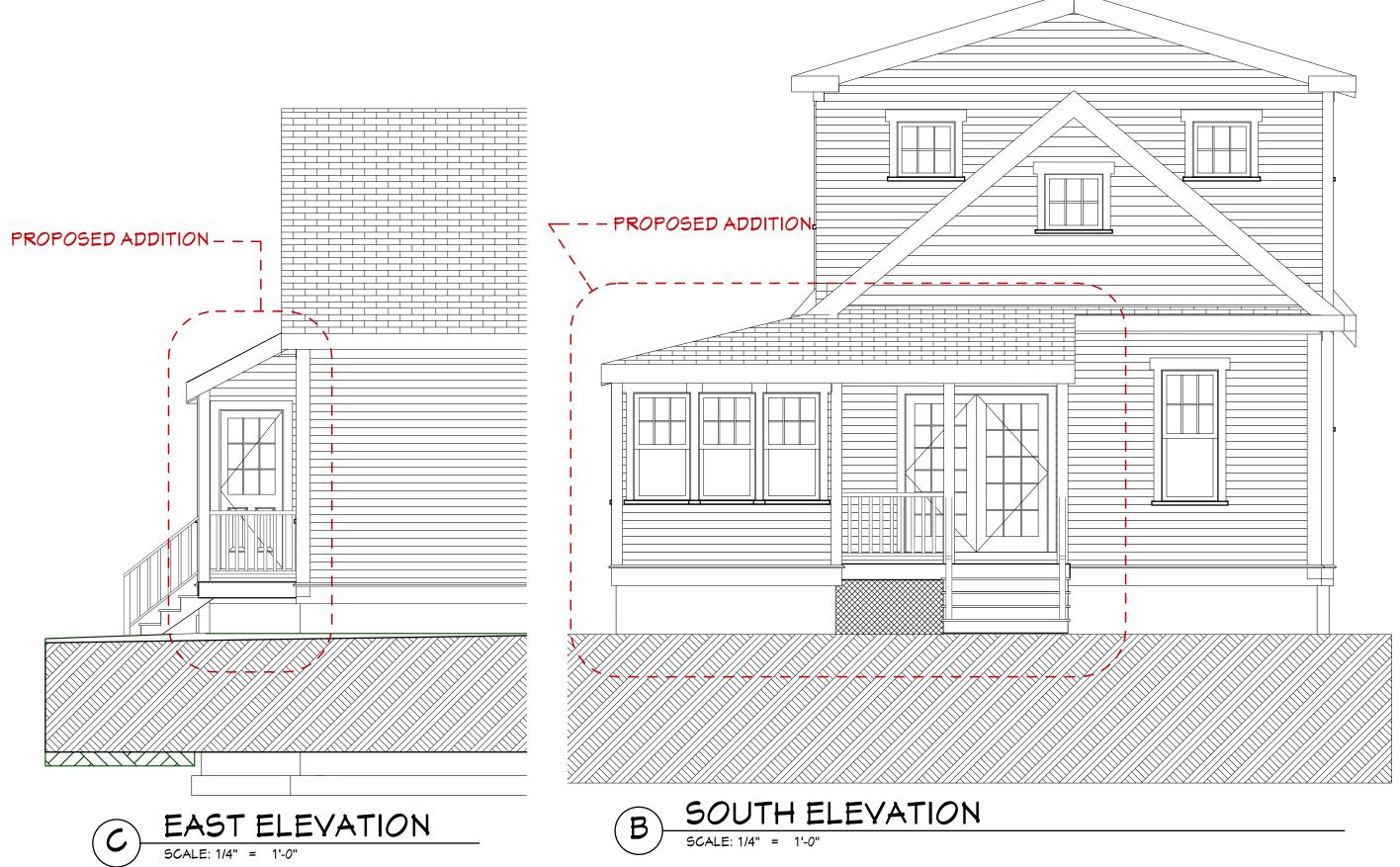
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DATE 19 FEB 2016

PROJ. NO. 1513

SHEET NO.

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DOWNER / ASSOCIATES Home Renovation Architects

13 REGENT STREET CAMBRIDGE, MA (611) 491-2519 WIVIN DOWNERASSOCIATES.COM

ST., CAMBRIDGE, MA

26 DONNELL

N - TEH ADDITION FREEDMAN . RESIDENCE AD

ELEYATIONS 1513 EAST SOUTH & 1

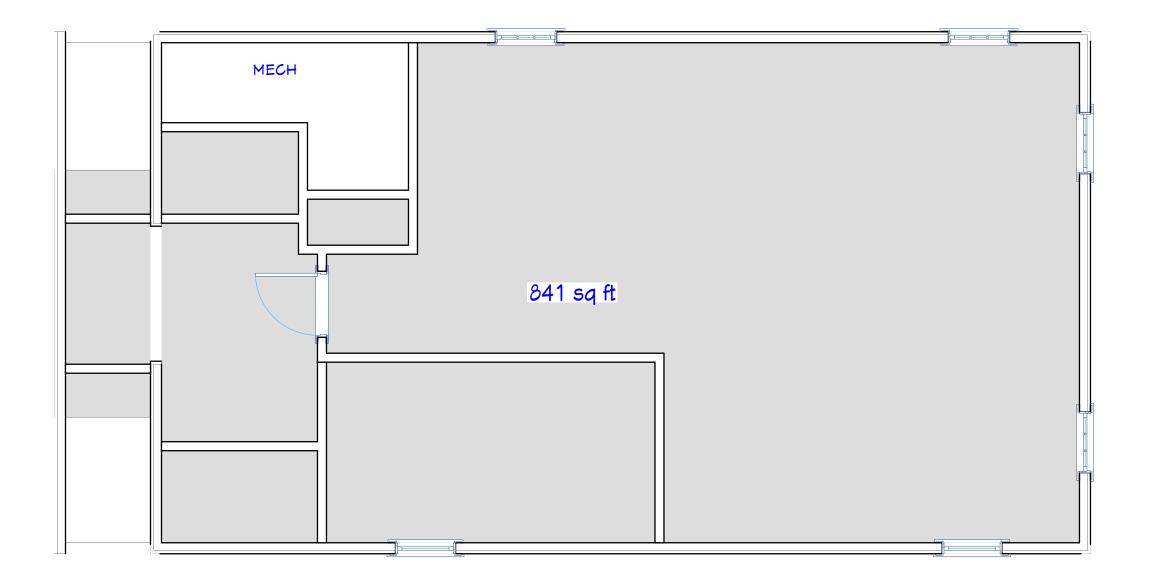
19 FEB 2016

DOWNER / ASSOCIATES Home Renovation Architects 26 DONNELL ST., CAMBRIDGE, MA

ADDITION FREEDMAN -RESIDENCE AD

1513 Zoning FAR 1st Floor

FAR 1st FLOOR



FAR 2nd FLOOR SCALE: 1/4" = 1'-0"

DOMNER / ASSOCIATES Home Renovation Architects 13 REGENT STREET (611) 491-2519 WWW.DOWNERASSOCIATES.COM FREEDMAN - TEH RESIDENCE ADDITION

26 DONNELL ST., CAMBRIDGE, MA

1513

Toning FAR 2nd Floor

DOWNER / ASSOCIATES Home Renovation Architects N - TEH ADDITION FREEDMAN -RESIDENCE AD

13 REGENT STREET CAMBRIDGE, MA (611) 491-2519 WIWI, DOWNERASSOCIATES, COM

26 DONNELL ST., CAMBRIDGE, MA

Toning FAR Basement

FAR BASEMENT SCALE: 1/4" = 1'-0"







2 SM View

SCALE: 1" = 10'

DOWNER / ASSOCIATES Home Renovation Architects 13 REGENT STREET (611) 491-2519 WWW.DOWNERASSOCIATES.COM

PERSPECTIVE VIEWS

DATE 19 FEB 2016

PROJ. NO. 1513

AS NOTED

26 DONNELL ST., CAMBRIDGE, MA

A-8

31 LEDGEBROOK AVE. STOUGHTON, MASSACHUSETTS 02072 PHONE/FAX: (781) 344-4550

