



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

BZA APPLICATION FORM

Plan No: BZA-013050-2017

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Gad Reinhorn

PETITIONER'S ADDRESS : 39 Harvey Street Cambridge, MA 02140

LOCATION OF PROPERTY : 39 Harvey St Cambridge, MA

TYPE OF OCCUPANCY : 101 ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Other: Enlarged deck

DESCRIPTION OF PETITIONER'S PROPOSAL :

Removal and reconstruction of rear deck.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.31 (Table of Dimensional Requirements).

Original Signature(s) :

GAD REINHORN

(Petitioner(s) / Owner)

GAD REINHORN

(Print Name)

Address :

39 HARVEY ST.
CAMBRIDGE, MA

Tel. No. :

617-294-2989

E-Mail Address :

GAD.REINHORN@CAMBRIDGE.MA

Date :

4/18/17

MASSWORKS.COM

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 Gad A Reinhorn
(OWNER)

Address: 39 Harvey Street, Cambridge, MA 02140

State that I/We own the property located at 39 Harvey St., Cambridge,
which is the subject of this zoning application.

The record title of this property is in the name of _____
GAD & AMY REINHORN

*Pursuant to a deed of duly recorded in the date 12/17/2012, Middlesex South
County Registry of Deeds at Book 60774, Page 39; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

[Signature]
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

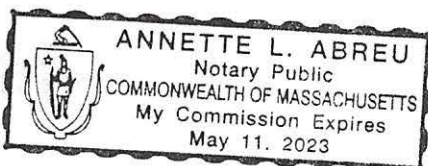
*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name Gad Reinhorn personally appeared before me,
this 05 of April, 2017, and made oath that the above statement is true.

[Signature] Notary
My commission expires May 11, 2023 (Notary Seal).

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



ROUTED TO THE ATTORNEY GENERAL

RECEIVED BY THE ATTORNEY GENERAL

RECEIVED BY THE ATTORNEY GENERAL

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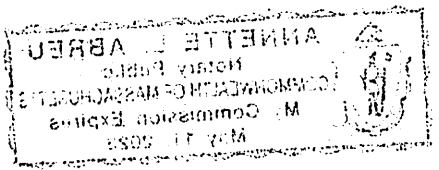
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RECEIVED BY THE ATTORNEY GENERAL

RECEIVED BY THE ATTORNEY GENERAL



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:

We have 2 young children and the only outdoor space they can use safely is the existing deck which is directly connected to our main living spaces and is elevated 6'-2" above grade. The existing rear yard is not directly connected to our main living spaces and is too small to be functional. The rear deck essentially serves as our family back yard. The deck is really the only outdoor space for our family to use. A literal enforcement would require our family to continue to use a deck space which is currently too small to be functional for a growing family of 4, requires extensive structural upgrades, and which is an eyesore to our community. Zoning relief for a reconstructed and enlarged but still modest deck would make it possible for our children to play safely outdoors alone, and also for us to enjoy that space as a family.

- 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 existing house has numerous pre-existing non-conforming conditions including set backs due to the constrained lot size. The existing deck is the only functional outdoor space for our family.

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

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

We are proposing to replace a structurally unsound and unsightly deck with a slightly larger, more attractive and safer deck which is consistent with the style, scale and design aesthetics of our entire townhouse development. The proposed design is modest; it cannot be seen from any public street and creates no new shadows on any of our neighbors' yard. It will not create any new noise or any new traffic.

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

All of our neighbors and abutters support this project as it replaces an unsightly eyesore with a safe, code compliant, functional, modest and attractive design. Our FAR and building height remain unchanged.

- * 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: GCD Architects **PRESENT USE/OCCUPANCY:** single family
LOCATION: 39 Harvey St Cambridge, MA **ZONE:** Residence B Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** single family

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>	1,939	no change	1,211	(max.)
<u>LOT AREA:</u>	2,422	no change	no change	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	.80	no change	.50	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	2,422	no change	2,500	(min.)
<u>SIZE OF LOT:</u>	WIDTH	26'	50'	(min.)
	DEPTH	93'	n/a	
<u>SETBACKS IN FEET:</u>	FRONT	44'	25'	(min.)
	REAR	9.9' from deck	5.0' from deck	(min.)
	LEFT SIDE	0'	7.5'	(min.)
	RIGHT SIDE	0'	35'	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	26.5'	35'	(max.)
	LENGTH	n/a	n/a	
	WIDTH	n/a	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	70%	no change	30%	(min.)
<u>NO. OF DWELLING UNITS:</u>	1	1	n/a	(max.)
<u>NO. OF PARKING SPACES:</u>	1	1	1	(min./max)
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	n/a	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	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.

Existing house and adjacent houses are wood frame construction, the proposed new deck is wood construction.

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'.



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GAD REINHORN

(Petitioner(s) / Owner)

GAD REINHORN

(Print Name)

Address :

39 HARVEY ST
CAMBRIDGE

Tel. No. :

617-794-2789

E-Mail Address :

GAD.REINHORN@MITWORKS.COM

Date :

4/18/17



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>

William B. King, *Chair*, Bruce A. Irving, *Vice Chair*, Charles M. Sullivan, *Executive Director*

William G. Barry, Jr., Robert G. Crocker, Chandra Harrington, Jo M. Solet, *Members*

Joseph V. Ferrara, Kyle Sheffield, Susannah Barton Tobin, *Alternates*

Jurisdiction Advice

To the Owner of Property at 39 Harvey 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)
 - ☐ 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 SLB

Date April 26, 2017

Received by Uploaded to Energov

Date April 26, 2017

Relationship to project BZA 13050-2017

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.

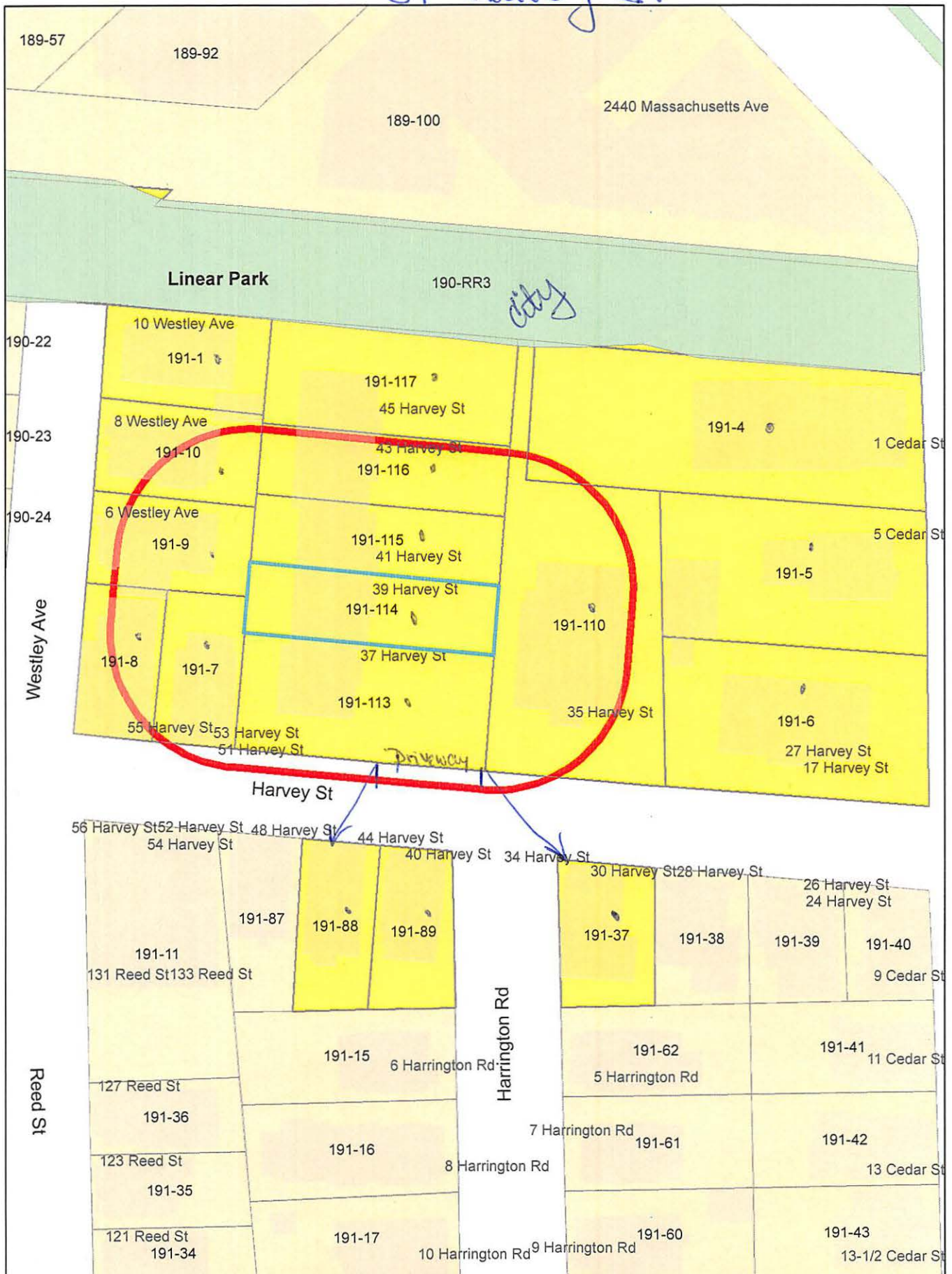
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that 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>

39 Harvey St.



39 Harvey St.

Petitioner
REINHORN, GAD A.
39 HARVEY ST
CAMBRIDGE, MA 02140

191-37
MOYNAHAN, THERESA
34 HARVEY ST., UNIT #1
CAMBRIDGE, MA 02140

191-37
SCHETTLER, SUNESEA & MATTHEW W. GLIDDEN
34 HARVEY ST., UNIT #2
CAMBRIDGE, MA 02140

191-4
EUGENE F. LYNCH POST 30 &
CITY OF CAMBRIDGE TAX TITLE
1 CEDAR ST
CAMBRIDGE, MA 02140

191-5
MARSTON, PETER
47 MADIGAN LANE
HARVARD, MA 01451

191-5
CHRISTMASTREE, LORI
32 COPPER LANE
WATERFORD, ME 04088

191-6
JYOTI, SURUCHI & ABHEEK JYOTI
27 HARVEY ST
CAMBRIDGE, MA 02138

191-7
WINSTON, NANCY F.,
TRUSTEE THE NANCY E. WINSTON REV TRUST
51 HARVEY ST
CAMBRIDGE, MA 02140

191-8
IQBAL, SHIRAZ & SAIHBA ALI
3207 POND VIEW DRIVE
RICHARDSON, TX 75082

191-9
SLATE, JONATHAN
6 WESTLEY AVE
CAMBRIDGE, MA 02140

191-10
CAGNA, MARY E.
C/O MARY ELLEN KENT
8 WESTLEY AVE
CAMBRIDGE, MA 02140

191-88
GUZELL, MARIE CELESTE
44 HARVEY ST
CAMBRIDGE, MA 02140

191-89
SMITH, NELSON HARVEY, II
40 HARVEY STREET
CAMBRIDGE, MA 02140

191-110
CASCAP REALTY, INC
231 SOMERVILLE AVE
SOMERVILLE, MA 02143

191-113
MCKELVEY, MAURA K.
37 HARVEY ST
CAMBRIDGE, MA 02140

191-1
RURA, SHIMON & NICOLE K. GIESE RURA
10 WESTLEY AVE
CAMBRIDGE, MA 02140

191-115
STONE, EMILY M.
41 HARVEY ST
CAMBRIDGE, MA 02140

191-116
SHUCKRA, DAVID W.
43 HARVEY ST
CAMBRIDGE, MA 02140

191-117
PANEPINTO, JOSEPH &
KAORI HATTORI DE PANEPINTO
45 HARVEY ST
CAMBRIDGE, MA 02140

191-114
REINHORN, GAD A. & AMY BARRETT REINHORN
39 HARVEY ST
CAMBRIDGE, MA 02140

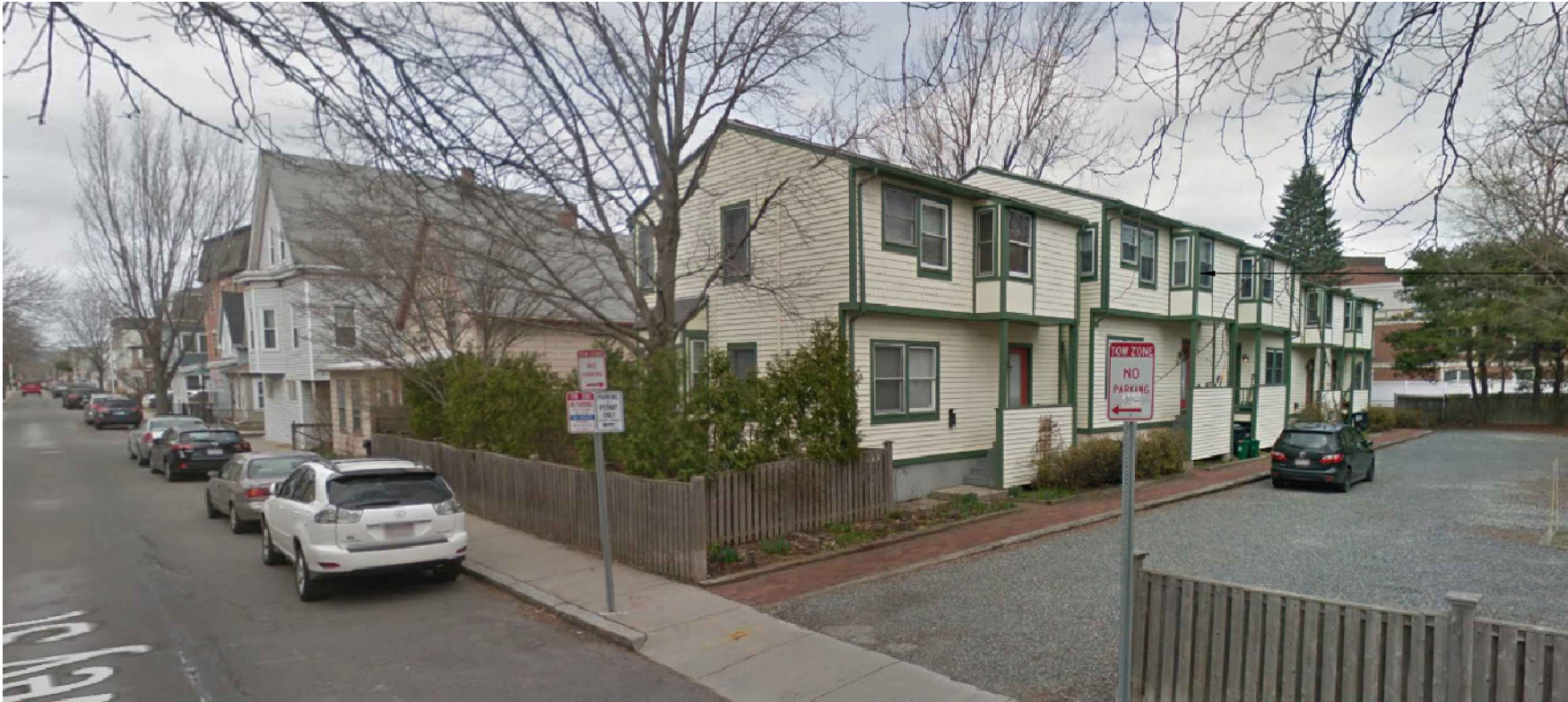
PROJECT:
PROPOSED SMALL DECK RENOVATION
39 HARVEY STREET
CAMBRIDGE, MA 02140

PREPARED FOR:
GAD REINHORN
39 HARVEY STREET
CAMBRIDGE, MA 02140

ISSUED FOR CAMBRIDGE
BZA APPLICATION
25 April 2017

ARCHITECT:
Adam J. Glassman, R.A.
2 Worthington St
Cambridge, MA 02138
Tel (617) 412-8450

SURVEYOR:
Peter Nolan
27 Newton St.
Brighton, MA 02135
Tel (857) 891-7478



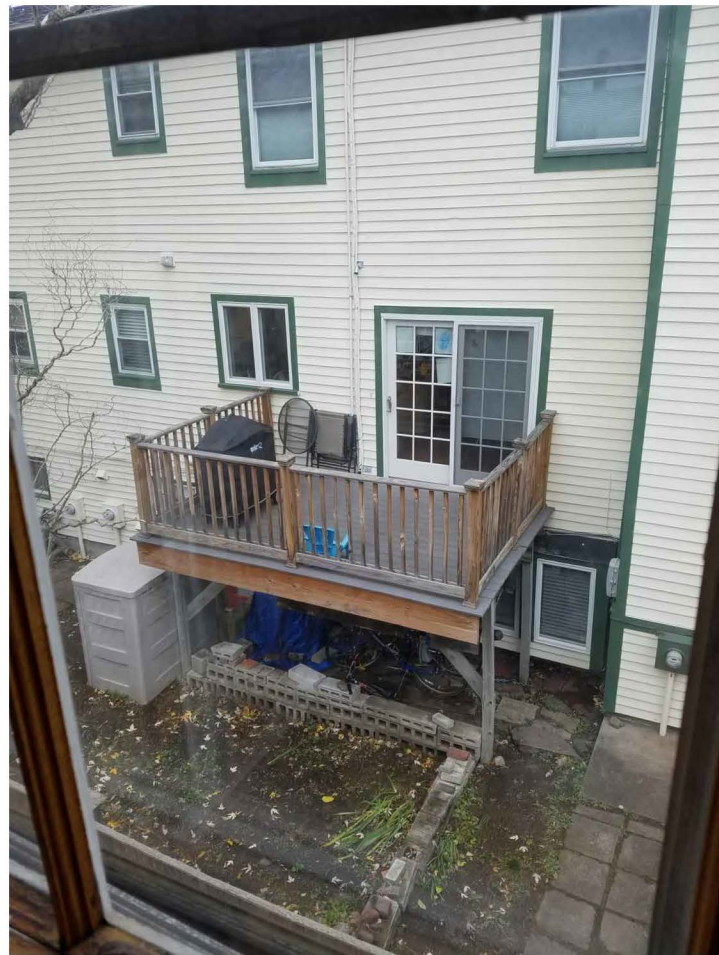
39 HARVEY ST FRONT VIEW
2ND UNIT FROM LEFT
(5) UNITS TOTAL

Drawing List

COVER	
STAMPED SURVEYED SITE PLAN	
EXISTING CONDITION PHOTOS	
D1	EXISTING PLANS AND ELEVATIONS
A1	PROPOSED PLANS AND ELEVATIONS

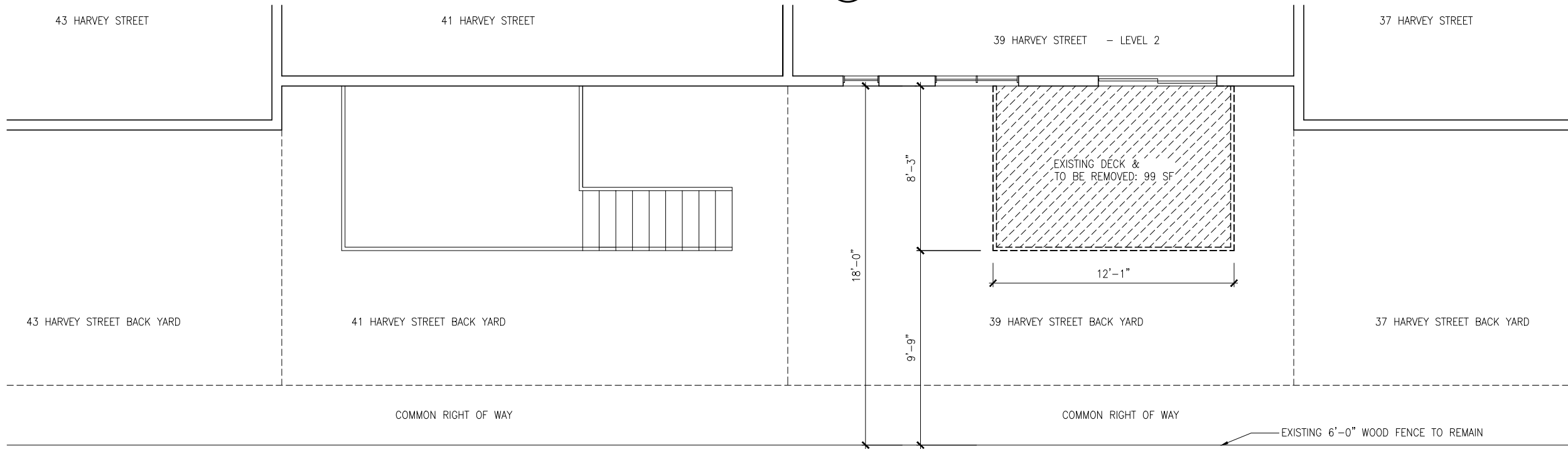


37 HARVEY ST SIDE VIEW
FROM HARVEY ST
39 HARVEY NOT VISIBLE





2 Elevation of Existing Deck To Be Removed



1 Plan of Existing Deck To Be Removed

PROJECT:
DECK RENOVATIONS
39 HARVEY ST
CAMBRIDGE, MA
02140

GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

ISSUED FOR
CAMBRIDGE
BZA APPROVAL

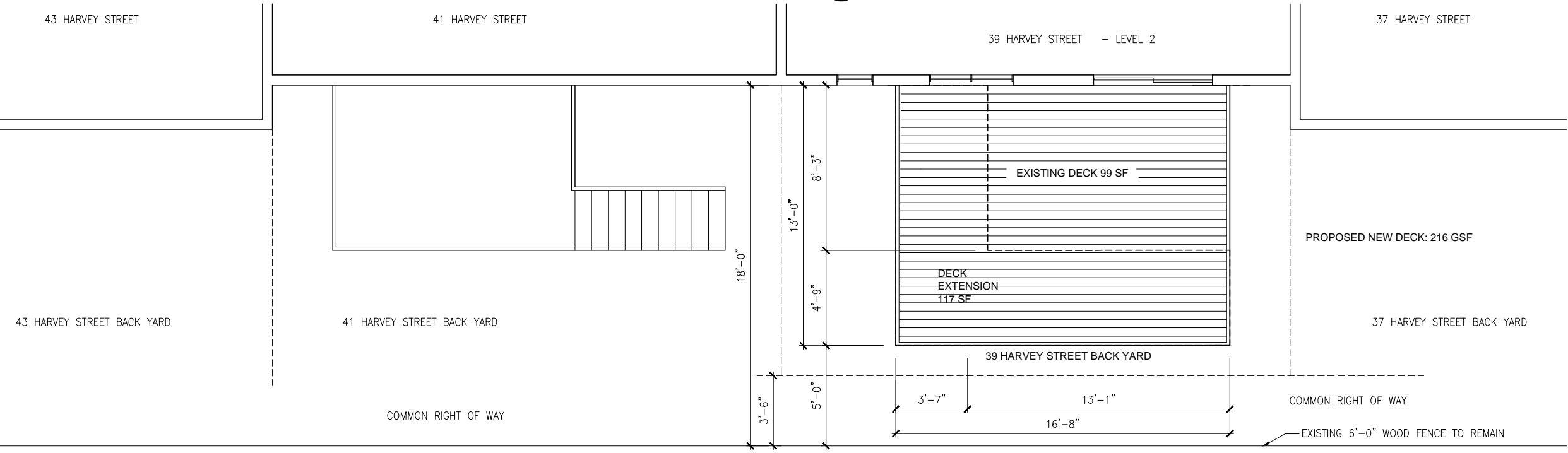
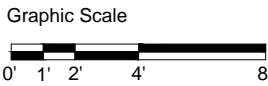
Drawing Title:
Existing Deck Plan
and Elevation

Scale: AS NOTED Drawing No.:
Job No.: A194.00
Date: 14 MARCH 2017

D1



② Elevation of Proposed Enlarged Deck



① Plan of Proposed Deck Extension

PROJECT:
SMALL DECK RENOVATION
39 HARVEY ST
CAMBRIDGE, MA
02140

GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

ISSUED FOR
CAMBRIDGE
BZA APPROVAL

Drawing Title:

Proposed Deck Plan
and Elevations

Scale: AS NOTED

Job No.: A160.00

Date: 06 MAY2016

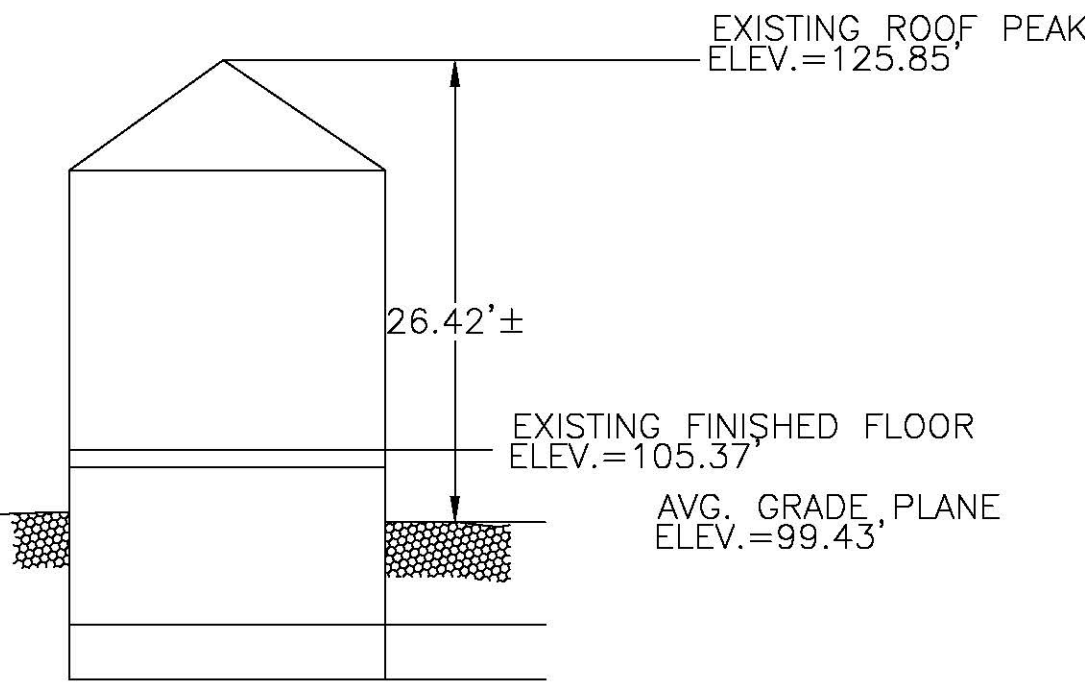
Drawing No. :

A2

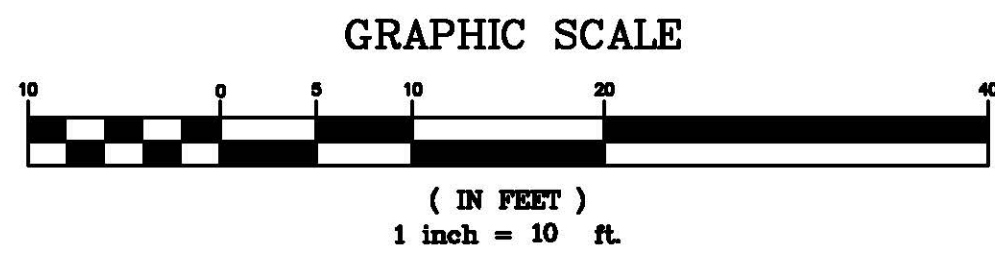
EXISTING LEGEND	
	SEWER LINE
	SEWER MANHOLE
	WATER LINE
	GAS LINE
	UTILITY POLE
	GAS VALVE
	OVERHEAD ELECTRIC SERVICE
	WATER VALVE
	CATCH BASIN
	FENCE
	CONTOUR LINE (MJR)
	CONTOUR LINE (MNR)
	SPOT GRADE
	DRAIN MANHOLE
	HYDRANT
	TREE

ZONING LEGEND			
ZONING DISTRICT: RESIDENCE B			
	REQUIRED	EXISTING	COMPLIANCE
MIN. AREA	5,000 S.F	2,422± S.F.	EXISTING NON-CONFORMING
MIN. YARD FRONT	15'	44.1'	YES
	7.5'	0.0'	EXISTING NON-CONFORMING
	7.5'	0.0'	EXISTING NON-CONFORMING
	25'	18.9'	EXISTING NON-CONFORMING
MAX. BLDG. HEIGHT	35'	26.42'±	YES
MIN. OPEN SPACE	40%	70.3%	YES
MIN. LOT WIDTH	50'	26.0'	EXISTING NON-CONFORMING

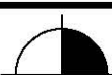
- NOTES:
1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 3-28-2017
 2. DEED REFERENCE BOOK 60774 PAGE 36, MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS.
 3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
 4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0419E, PANEL NUMBER 0419E, COMMUNITY NUMBER: 250186, DATED JUNE 4, 2010.
 5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.
 6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.



EXISTING PROFILE
NOT TO SCALE



HARVEY STREET
(PUBLIC WAY-VARIABLE WIDTH)

SCALE				
1"=10'				
DATE				
3/29/2017	REV	DATE	REVISION	BY
SHEET	39 HARVEY STREET CAMBRIDGE MASSACHUSETTS PLOT PLAN OF LAND			
1				
PLAN NO.				
1 OF 1				
CLIENT:				
DRAWN BY				
CHKD BY		PETER NOLAN & ASSOCIATES LLC		
P.J.N.		LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS		
		697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135		
APPD BY		PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691		
P.J.N.		EMAIL: pnolan@pnasurveyors.com		

