

BZA APPLICATION FORM
GENERAL INFORMATION

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

Special Permit: Variance: _____ Appeal: _____

PETITIONER: Mable Phooz, SMARTARCHITECTURE, FOR JIM & JUNE O'BRIEN

PETITIONER'S ADDRESS: 625 MOUNT AUBURN ST., CAMB 02138

LOCATION OF PROPERTY: 40 COLBSON ST., CAMB. 02138

TYPE OF OCCUPANCY: R-3 ZONING DISTRICT: B

REASON FOR PETITION:

- | | |
|--|--|
| <input type="checkbox"/> Additions | <input type="checkbox"/> New Structure |
| <input type="checkbox"/> Change in Use/Occupancy | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Conversion to Addi'l Dwelling Unit's | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Dormer | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Other: <u>WINDOW CHANGES IN GETTABLE</u> | |

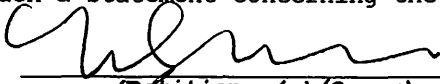
DESCRIPTION OF PETITIONER'S PROPOSAL:

REMOVE 2 WINDOWS ON NORTH SIDE, INSTALL ONE DOUBLE-HUNG
AND ONE "PIANO" WINDOW.
REMOVE 1 DOOR AND SWEIGHT ON WEST SIDE (REAR),
INSTALL THREE DOUBLE-HUNG WINDOWS.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5 Section TAB 5-1 SIDE & REAR GETTABLES
Article 8 Section B.22.1.d
Article _____ Section _____

Applicants for a **Variance** must complete Pages 1-5
Applicants for a **Special Permit** must complete Pages 1-4 and 6
Applicants for an **Appeal** to the BZA of a Zoning determination by the
Inspectional Services Department must attach a statement concerning the reasons
for the appeal

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

MABLE PHOOZ
(Print Name)

Address: 625 MOUNT AUBURN ST.
CAMBRIDGE, MA 02138

Tel. No.: 617-576-2720

E-Mail Address: MABLE@SMARTARCHITECTURE.NET

Date: 3.17.2017

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 James H. and Julie M. O'Brien
(OWNER)

Address: 40 Gibson Street, Cambridge, MA 02138

State that I/We own the property located at 40 Gibson Street, which is the subject of this zoning application.

The record title of this property is in the name of James H. O'Brien and Julie M. O'Brien

*Pursuant to a deed of duly recorded in the date 8/31/16, Middlesex South County Registry of Deeds at Book 67929, Page 545; 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
James H. O'Brien & Julie A. O'Brien
The above-name Julie A. O'Brien personally appeared before me, this 24th of February, 2017, and made oath that the above statement is true.

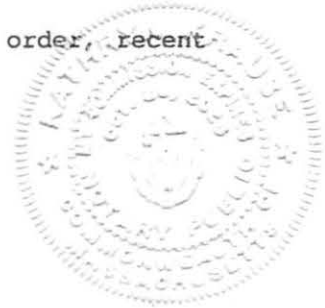
[Signature] Notary

My commission expires 10/26/2023 (Notary Seal).



KATHRYN KRAUSE
Notary Public
Commonwealth of Massachusetts
My Commission Expires Oct. 26, 2023

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



Supporting Statements for a Special Permit

O'Brien Residence

40 Gibson Street, Cambridge

- A) Requirements of the Ordinance can or will be met for the following reasons: The Petitioner is requesting permission to remove two windows, awnings installed in the 1990s, in their turn-of-the-century house on Gibson Street, adjacent to their neighbor's driveway, and install two windows, one traditional wood double-hung, and one traditional fixed "piano" window over the stair landing. Both windows are of modest size, and no increase in light will occur as a result of these changes particularly because the new proposed double-hung is in a powder room where lights are turned on only sporadically.
- The Petitioner is also requesting permission to remove a glass door and sidelight at the rear of the house, in the kitchen ell, and replace them with three double-hung windows. The actual glass area of this exchange in types of openings is almost exactly the same. These windows are in a wall that faces a portion of a rear property line, but because of an eccentrically shaped lot, the wall is 74 feet away from the remainder of the rear property line.
- B) No traffic will be generated nor patterns of access or egress changed by this proposal.
- C) There will be no adverse affect on the development of adjacent uses nor on the continued operation of adjacent uses with the granting of permission for this proposal.
- D) No nuisance or hazard to the detriment of the health, safety, or welfare of the citizens of Cambridge would be created by this proposal.
- E) The proposal would not impair the integrity of the district nor would it otherwise derogate from the intent of this Ordinance because it proposes no appreciable change over what exists at 40 Gibson Street currently.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: MARJORIE BOOZ SMART ARCHITECTURE PRESENT USE/OCCUPANCY: R. 3
 LOCATION: 40 GIBSON STREET ZONE: RES. B
 PHONE: 617.576.2720 REQUESTED USE/OCCUPANCY: R. 3

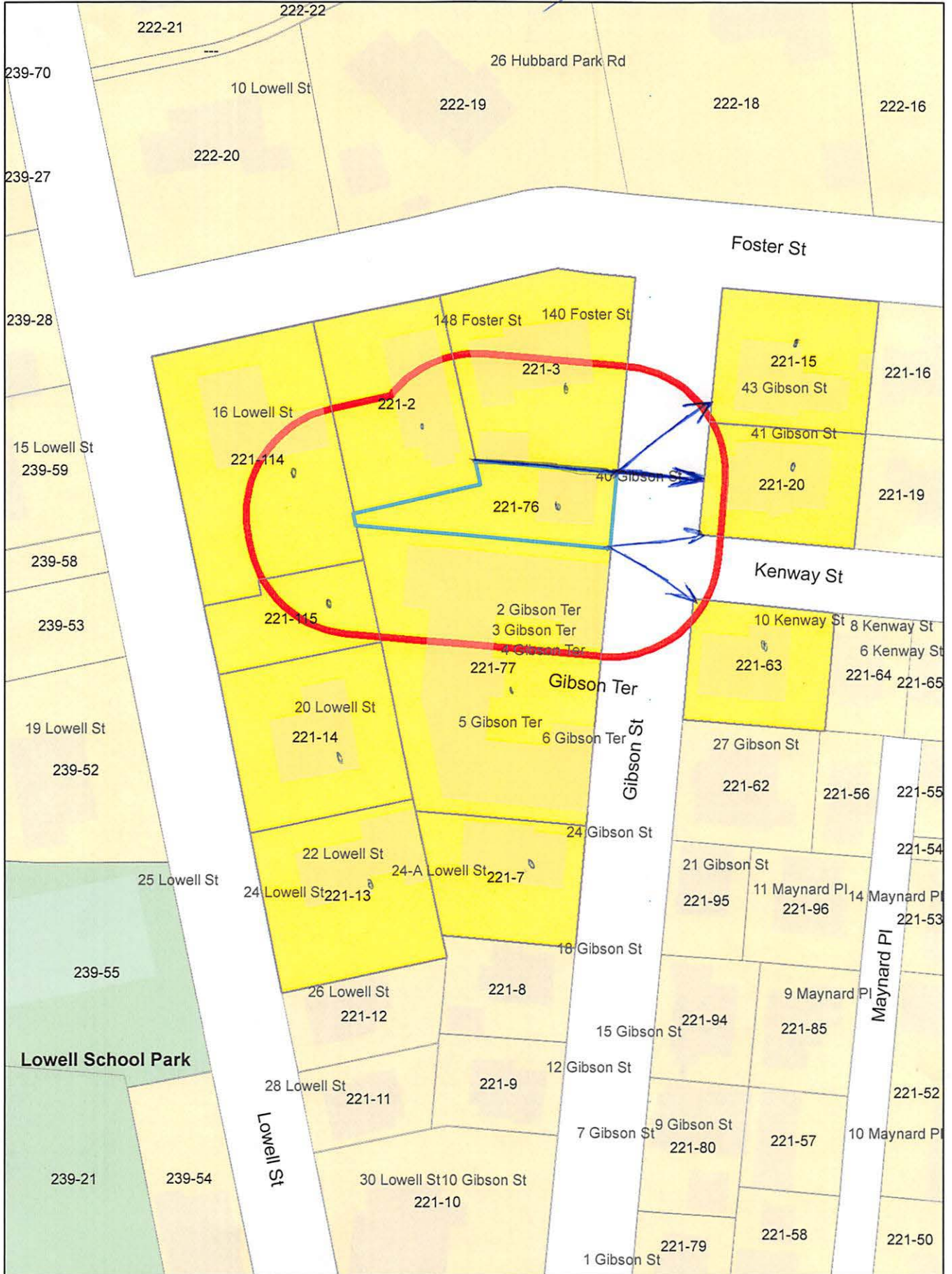
	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>TOTAL GROSS FLOOR AREA:</u>	<u>1438 SF</u>	<u>1438 SF</u>	<u>1503 SF</u> (max.)
<u>LOT AREA:</u>	<u>3000 SF</u>		<u>5000 SF</u> (min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:²</u>	<u>.48</u>	<u>.48</u>	<u>.50</u> (max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>3000 SF</u>	<u>3000 SF</u>	<u>2500 SF</u> (min.)
<u>SIZE OF LOT:</u>			
WIDTH	<u>35 LF</u>		<u>50 LF</u> (min.)
DEPTH			
<u>Setbacks in Feet:</u>			
FRONT	<u>9.69 LF</u>	<u>9.69 LF</u>	<u>15 LF</u> (min.)
REAR	<u>19.36 LF</u>	<u>19.36 LF</u>	<u>25+4 LF</u> (min.)
LEFT SIDE	<u>11.24 LF</u>	<u>11.24 LF</u>	<u>7.5 LF</u> (min.)
RIGHT SIDE	<u>2.49 LF</u>	<u>2.49 LF</u>	<u>7.5 LF</u> (min.)
<u>SIZE OF BLDG.:</u>			
HEIGHT	<u>33 LF</u>	<u>33 LF</u>	<u>35 LF</u> (max.)
LENGTH			
WIDTH			
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:³⁾</u>	<u>67%</u>	<u>67%</u>	<u>40%</u> (min.)
<u>NO. OF DWELLING UNITS:</u>	<u>1</u>	<u>1</u>	<u>1/2</u> (max.)
<u>NO. OF PARKING SPACES:</u>	<u>2</u>	<u>2</u>	<u>1/2</u> (min./max)
<u>NO. OF LOADING AREAS:</u>	<u>NA</u>	<u>NA</u>	<u>NA</u> (min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>	<u>NA</u>	<u>NA</u>	<u>NA</u> (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 SINGLE FAMILY HOUSE IS WOOD FRAME.

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'.

40 Gibson St.



40 Gibson St

221-115
FRYER, ROLAND G. JR & FRANZISKA MICHOR
20 LOWELL ST
CAMBRIDGE, MA 02138

221-13
SHADEK, KRISTINE S.
22 LOWELL ST
CAMBRIDGE, MA 02138

Petitioner
SMART ARCHITECTURE
C/O MAGGIE BOOZ, ARCHITECT
625 MOUNT AUBURN STREET
CAMBRIDGE, MA 02138

221-114
KOZOL, JONATHAN
1 MAIN ST., P.O.BOX #145
BYFIELD, MA 01922

221-2
TUREK, SONIA F. & RONALD GRAY III, TRS THE
SONIA F. TUREK 2009 REV TRUST
148 FOSTER ST
CAMBRIDGE, MA 02138

Owner
JAMES & JULIE O'BRIEN
40 GIBSON STREET
CAMBRIDGE, MA 02138

221-7
JAMAS, SPIROS & DEBBIE BANG JAMAS
24 GIBSON ST
CAMBRIDGE, MA 02139

221-14
FRYER, ROLAND G. JR & FRANZISKA MICHOR
20 LOWELL ST
CAMBRIDGE, MA 02138

221-15
WAGENKNECHT, THEODORE
GENEVIEVE H. WAGENKNECHT
43 GIBSON ST
CAMBRIDGE, MA 02138

221-20
RANIERI, DAVID P. & ANNE B. DUGGAN
41 GIBSON ST
CAMBRIDGE, MA 02138

221-63
ADAMS, FRANCES SHTULL
10 KENWAY ST
CAMBRIDGE, MA 02138

221-76
MOYER, E. ROSS
40 GIBSON ST
CAMBRIDGE, MA 02138

221-77
COUNIHAN, CHRISTOPHER,
TR. OF GIBSON TERRACE NOMINEE TRUST
67 S. BEDFORD ST., SUITE 400 WEST
BURLINGTON, MA 01803

221-77
COUNIHAN, STEPHEN P. &
SUSAN C. FRATUS TRUSTEES
67 S. BEDFORD ST., SUITE 400 WEST
BURLINGTON, MA 01803

221-77
COUNIHAN, STEPHEN & SUSAN C. FRATUS
TRU. OF COUNIHAN FAMILY GIBSON TER REALTY
1 GIBSON TERRACE
67 SOUTH BEDFORD ST., SUITE 400 WEST
BURLINGTON, MA 01803

221-13
BARRIE, J. SCOTT & AMY BARRIE
24 LOWELL ST
CAMBRIDGE, MA 02138

221-3
MAHDABI, REZA & MARIE-PIERRE DILLENSEGER
140 FOSTER STREET
CAMBRIDGE, MA 02138

BZA APPLICATION FORM

GENERAL INFORMATION

2017 MAR 28 AM 10:11

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

Special Permit: Variance: _____ Appeal: _____

PETITIONER: Maggie Phooz, SMART ANCHORAGE, FOR JIM & JULIE O'BRIEN

PETITIONER'S ADDRESS: 625 MOUNT AUBURN ST., CAMB 02138

LOCATION OF PROPERTY: 40 CORBSON ST., CAMB. 02138

TYPE OF OCCUPANCY: R-3 ZONING DISTRICT: B

REASON FOR PETITION:

- Additions
- Change in Use/Occupancy
- Conversion to Addi'l Dwelling Unit's
- Dormer
- Other: WINDOW CHANGES IN SIDEWALL
- New Structure
- Parking
- Sign
- Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL:

REMOVE 2 WINDOWS ON NORTH SIDE, INSTALL ONE DOUBLE HUNG AND ONE "PIANO" WINDOW.

REMOVE 1 DOOR AND SIDEWALL ON WEST SIDE (REAR),

INSTALL THREE DOUBLE HUNG WINDOWS.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5 Section TABLE 5-1 SIDE & REAR SIDEWALLS

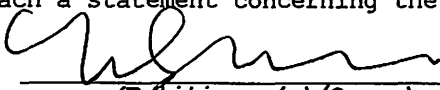
Article 8 Section B.22.1. d

Article _____ Section _____

Applicants for a Variance must complete Pages 1-5

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Applicants for an Appeal to the BZA of a Zoning determination by the Inspectional Services Department must attach a statement concerning the reasons for the appeal

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

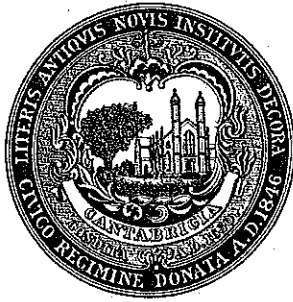
MAGGIE PHOOZ
 (Print Name)

Address: 625 MOUNT AUBURN ST.
CAMBRIDGE, MA 02138

Tel. No.: 617-576-2220

E-Mail Address: MAGGIE@SMARTANCHORAGE.NET

Date: 3.17.2017



Half Crown-Marsh Neighborhood Conservation District Commission

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139
Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov

James Van Sickle, *Chair*, Judith Dortz, *Vice Chair*
Marie-Pierre Dillenseger, Peter Schur, Charles Smith, Deborah Masterson, William
King, *Members*
Adrian Catalano, *Alternate*

CERTIFICATE OF APPROPRIATENESS

PROPERTY: **40 Gibson Street**

OWNER: **Jim and Julie O'Brien**

ATTENTION: **Maggie Booz, Smart Architecture**
625 Mt. Auburn Street
Cambridge, MA 02138

The Half Crown-Marsh Neighborhood Conservation District Commission hereby certifies, pursuant to Title 2, Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the City Council order establishing the Commission, that the construction described below is not incongruous to the historic aspects or architectural character of the building or district:

Alter window openings, install new windows, construct garden shed, construct bulkhead, replace skylights, remove chimney, and install air conditioning condensers on south elevation as depicted in the plans "40 Gibson Street," by Smart Architecture, dated November 29, 2016.

The plans and specifications referenced above are incorporated into this certificate, which is binding on the applicant and all improvements shall be carried out as described therein.

This certificate is granted upon the condition that the work authorized is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance, or if such work is suspended in significant part for a period of one year after the time the work is commenced, this certificate shall expire and be of no further effect; provided that, for cause, one extension not exceeding six months may be allowed in writing by the Chairman.

Case Number: **HCM-360**

Date of Certificate: **January 5, 2017**

Attest: A true and correct copy of decision filed with the office of the City Clerk and the Half Crown-Marsh Neighborhood Conservation District Commission on January 5, 2017. By

James Van Sickle, Chair

Twenty days have elapsed since the filing of this decision.

No appeal has been filed _____ . Appeal has been filed _____ , Date

_____, City Clerk.



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 40 Gibson 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
This project has already been approved by the Half Crown-Marsh commission. The Certificate of Appropriateness has been uploaded to the BZA plan file on Energov.
 - 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 March 22, 2017

Received by Uploaded to Energov

Date March 22, 2017

Relationship to project BZA 12801-2017

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.

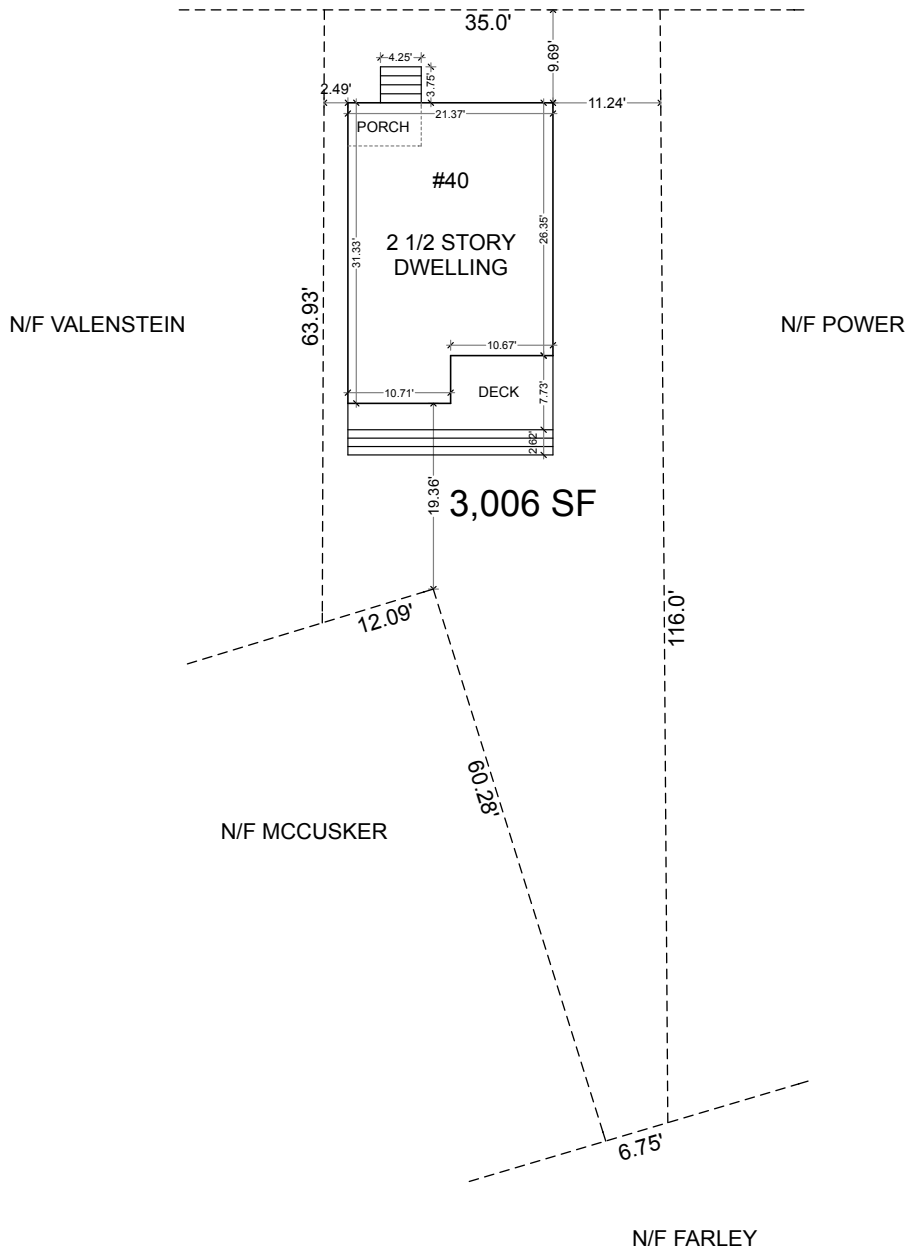
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that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

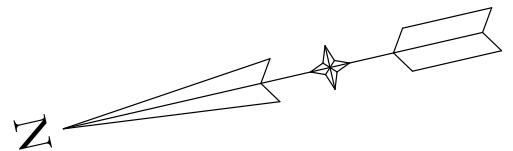
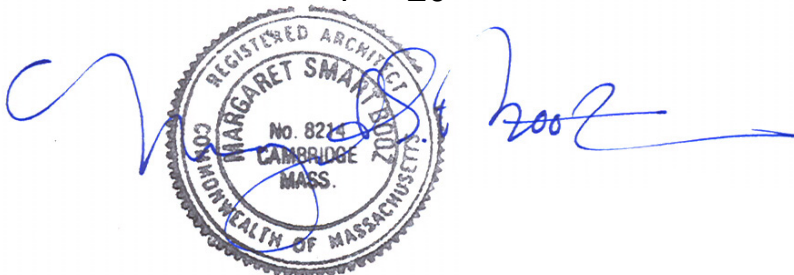
July 2003

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>

GIBSON STREET



PLOT PLAN: 40 GIBSON STREET, CAMBRIDGE, MA
1" = 20'



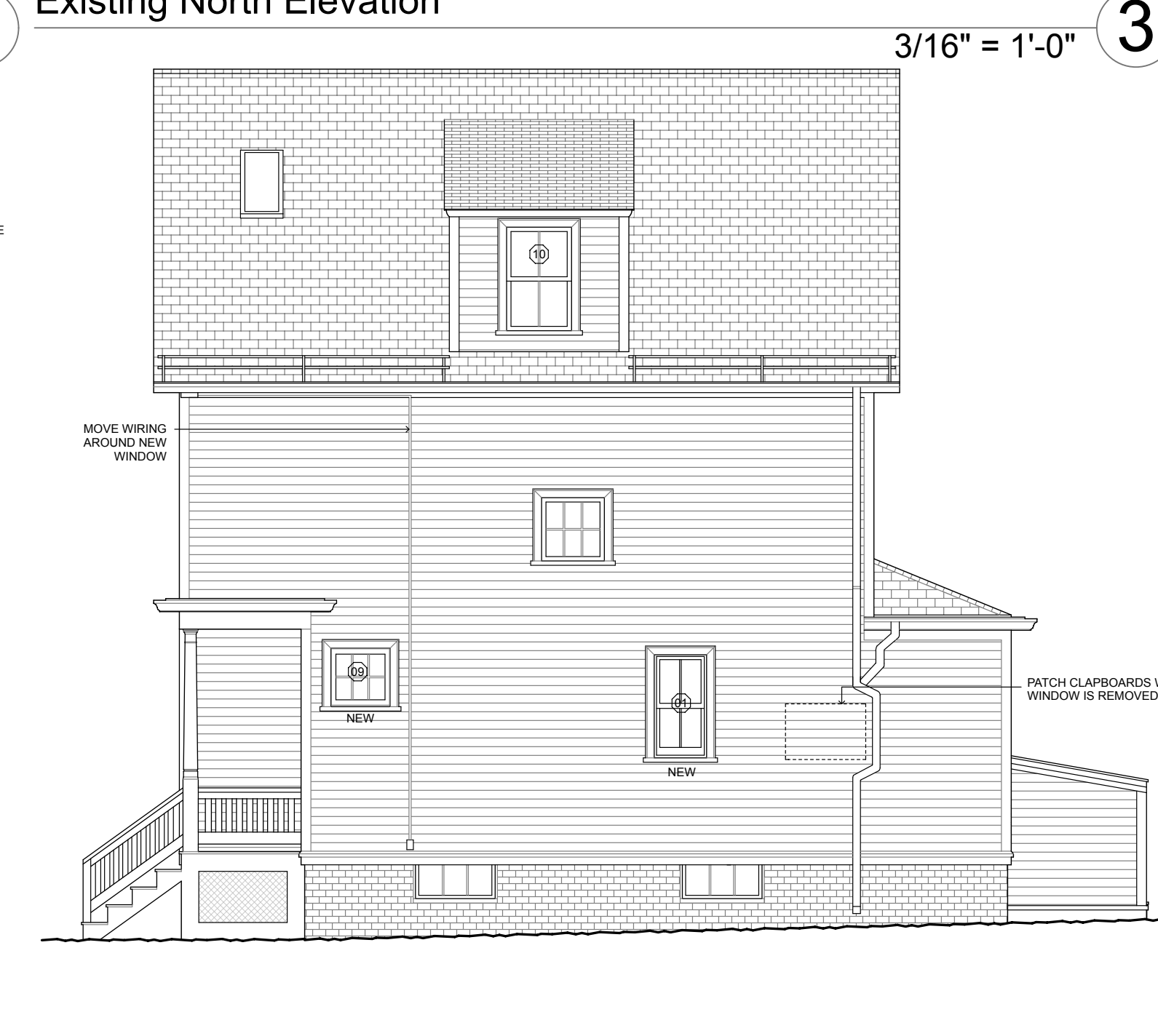
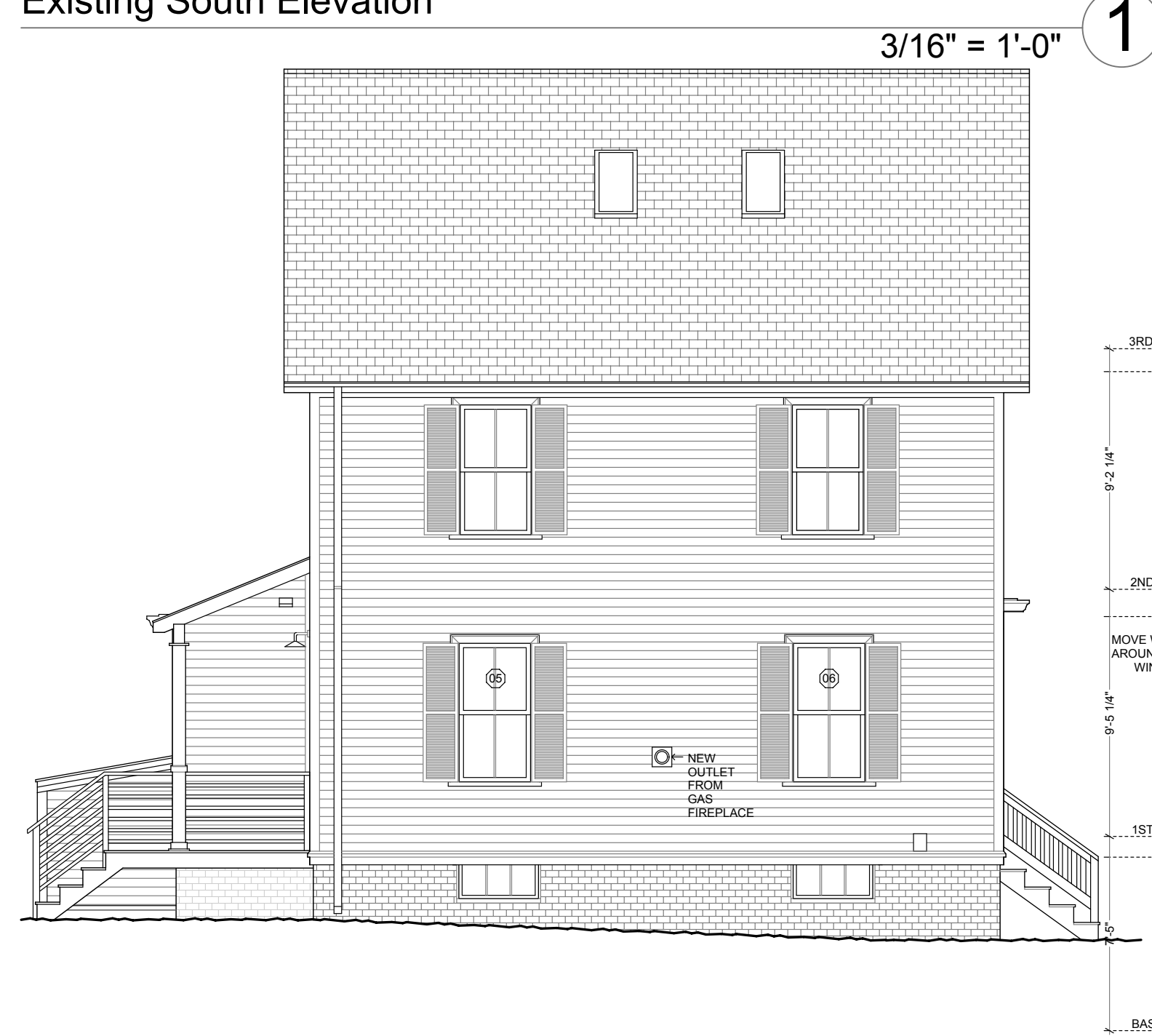


Existing South Elevation

Existing East (Front) Elevation

Existing North Elevation

Existing West (Rear) Elevation



Proposed South Elevation

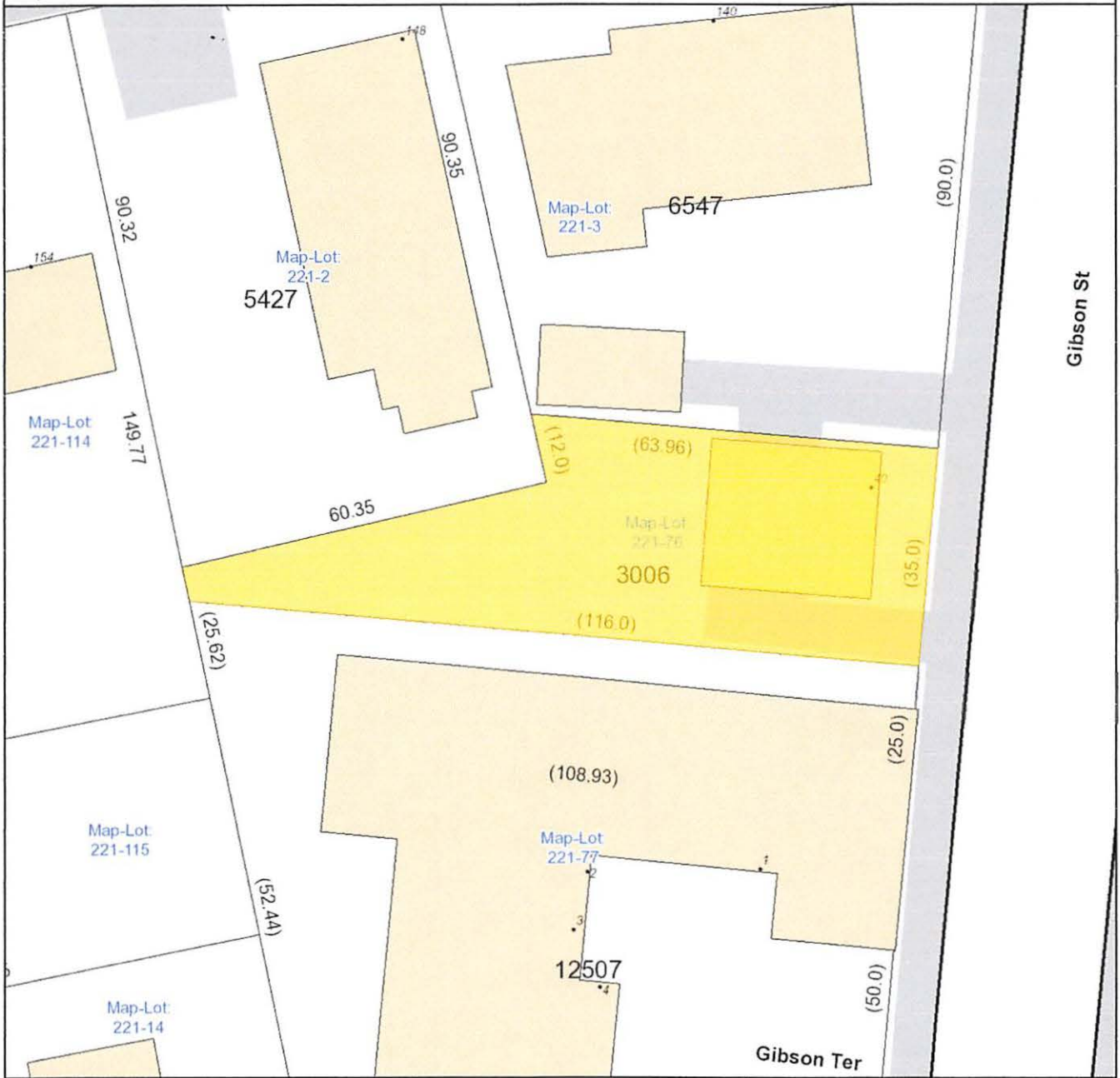
Proposed East (Front) Elevation

Proposed North Elevation

Proposed West (Rear) Elevation

Existing and
Proposed Exterior
Elevations

Scale	as noted
Date	03.16.17



City of Cambridge
Massachusetts

1" = 24 ft

All data is provided for graphic representation only. The City of Cambridge expressly disclaims all warranties of any type, expressed or implied, including, but not limited to, any warranty as to the accuracy of the data, merchantability, or fitness for a particular purpose.

www.cambridgema.gov/gis

- Address
- Rail
- Building Footprints
- Parcels
- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath



40 Gibson St.





