

CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 617 349-6100 2017 JUL 21 AM 10: 35

BZA APPLICATION FORM

OFFICE OF THE CITY CLERK CAMBRAGE NO ASSABLATORS 2017

GENERAL INFORMATION

The undersigned h	nereby petition	ons the Board o	f Zoning Appeal fo	or the follo	wing:		
Special Permit :			Variance :			Appeal :	
PETITIONER:	43 Essex	Street Nomi	.nee Trust - C	C/O Chri	stopher M.	Shachoy, Trustee	
PETITIONER'S AD	DRESS:	P.O. Box	382265 Cambri	dge, MA	02238		
LOCATION OF PR	OPERTY:	43 Essex S	it Cambridge,	MA	= -		
TYPE OF OCCUPA		.31-g, Residulti-Family		ZONING	DISTRICT :	Residence C-1	Zone
REASON FOR PET		arer raming					
	Parki	ng					
DESCRIPTION OF	PETITIONER	'S PROPOSAL	:				
Relief is requ	uested fro	m parking s	pace and drive	eway set	back requi	rements of Artic	le 6,_
Section 6.44.1	1.b.						
SECTIONS OF ZOI	NING ORDIN	ANCE CITED :					
Article 6.000		Section 6.4	44.1(b)(g) (Pa	arking S	etbacks Sp	ecial Permit).	
		Ori	ginal Signature(s) Address Tel. No.	s: <u>/</u>	Juis 10. B. Camb	(Petitioner(s) / Owner) Appher M (Print Name) X 382265 Exide Company of the c	Shackey MA 12238 9 Ext. 21
			E-Mail A	Address :	Chris	a conspart	ners 11 c. com
Date :							

CHECK LIST

PROPERTY LOCATION:	43 Essex	Street		DATE:	06-25-17	
PETITIONER OR REPRE	SENTATIVE	: 43 Essex Stree	et Nominee Trus	st / Christoph	ner M. Shachoy Tr	ustee
ADDRESS & PHONE:	P.O. Box	882265, Cambrid	ge MA, 02238			
BLO	ck: 90		_ LOT	: 36		
PLEASE CHECK THAT WILL NOT BE ACCEPTOVIDED.						APPLICATIONS DOCUMENTS ARE
PLEASE INCLUDE THIS ALL DOCUMENTS ARE T						
DOCUMENTS				REQUIRE	<u> </u>	ENCLOSED
Application Form 3 Forms with Origin	al Signat	ures		X	_	X
Supporting Statemen	ts - Scar	ned & 1 set to	o Zoning	<u> </u>	_	<u> </u>
Application Fee (Yo	u will re	ceive invoice	online)	<u>X</u>	_	<u>×</u>
Assessor's GIS "Blo At Engineering Dept				<u>X</u>	-	X
Dimensional Form - Zoning Ordinance - (Subject to further	Scanned &	1 set to Zon:		×	_	<u>x</u>
Ownership Certifica Scanned & 1 set to		rized -		X	_	X
Floor Plans - Scann	ed & 1 se	t to Zoning		X		<u> </u>
Elevations - Scanne	d & 1 set	to Zoning		<u> </u>		<u> </u>
Certified Plot Plan (By Registered Land			Zoning	X	_	<u>x</u>
Photographs of Prop	erty - Sc	anned & 1 set	to Zoning	X	_	X
Parking Plan (if re Scanned & 1 set to		your applica	tion)	X		<u> </u>
FOR SUBDIVISION ALS	O INCLUDE	Scanned & 1	set to Zoni	ng		
Proposed Deeds						
Evidence of Separat	e Utiliti	.es **			_	•
Proposed Subdivisio	n Plan				<u>.</u>	
Petitioners are advocation of Zoning Appeal) & It is advisable flisted in the Zon	consult or the I	zoning staff : Petitioner to	for review.			

^{*} For Special Permits under Art. 4.32.G.1 (Communication Towers and Antennas), include a photo simulation.
** Can be submitted after subdivision has been approved.

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 43	Essex Street Nominee Trust / Christopher M. Shachoy	Trustee
	(OWNER) P.O. Box 382265, Cambridge MA, 02238	
Address:		
State that	t I/We own the property located at $__$	43 Essex Street
which is t	the subject of this zoning application	
The record	d title of this property is in the name	e of 43 Essex Street Nominee Trust
		1
*Pursuant	to a deed of duly recorded in the date	
County Reg	gistry of Deeds at Book $\underline{\qquad}$, Pa	age <u>306</u> ; or
Middlesex	Registry District of Land Court, Cert	ificate No
Book	Page	
	and the second s	
	CICNATURA	OV. LAND OWNER OR
		BY LAND OWNER OR TRUSTEE, OFFICER OR AGENT*
*Written e	evidence of Agent's standing to represe	ent petitioner may be requested.
	iΛΛ	dellac
Commonweal	lth of Massachusetts, County of $_$	Taurezex
The above-	-name Christopher M. Shachoy	personally appeared before me,
this <u>27</u> †	-name Christopher M. Shachoy the June, 2017, and made oath the	nat the above statement is true.
	Λ	ruce Taylor Notaring
My commiss	sion expires November 30, 2018	BERNICE TAYLOR

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

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/We43 H	Essex Street No	ominee Trust / Ch			ee 		
Address:	P.O. Box 38	32265, Cambridge	(OWNE MA, 02238	R)			·.
State that	I/We own	the property	located	at	43 Essex S	treet	
		of this zon					
The record	title of	this propert	v is in t	he name of	43 Essex	Street Nominee	Trust
* * * * * * * * * * * * * * * * * * *			-				
					00-20-2016		
						_, Middlesex	South
County Reg	istry of D	eeds at Book	68052	, Page	306	; or	
Middlesex	Registry D	istrict of I	and Court	, Certific	cate No	· .	
Book	P	age		<u> </u>		•	
			AUTHO		STEE, OFF	ICER OR AGEN	
*Written e	vidence of	Agent's sta	nding to	represent	petitione	r may be req	uested.
	·						
		-		0.0 1.1	 1 .		
Commonweal	th of Mass	achusetts, C	ounty of	Midd	lesex		_
	Λ.					ppeared befo	re me,
this <u>27</u> th	of June	2, 2017,	and made o	path that	the above	statement i	s true.
			Do	rnice /	aylar	Nota	ary
My commiss	ion expire	s <u>Novemb</u>	<u>er 30, 2</u>	2018 (Not	Com	ERNICE TAYLO Notary Public monwealth of Massac a Expires November 3	husetts

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

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

1/We 43 Essex Street Nominee Trust / Christopher M. Shachoy Tru	stee
P.O. Box 382265, Cambridge MA, 02238 Address:	
State that I/We own the property located at	43 Essex Street
which is the subject of this zoning application.	
The record title of this property is in the name of	of 43 Essex Street Nominee Trust
*Pursuant to a deed of duly recorded in the date	09-20-2016 , Middlesex South
County Registry of Deeds at Book $\phantom{00000000000000000000000000000000000$	e; or
Middlesex Registry District of Land Court, Certif	icate No
Book	
SIGNATURE BY AUTHORIZED TE	LAND OWNER OR RUSTEE, OFFICER OR AGENT*
*Written evidence of Agent's standing to represen	t petitioner may be requested.
nn 1	M
Commonwealth of Massachusetts, County of $Mido$	alescx
The above-name Christopher M. Shackoy pe	ersonally appeared before me,
this 37 of June, 2017, and made oath that	t the above statement is true.
<u> Dernice</u>	Taylor Notary
My commission expires Movember 30, 2018	Seal Notary Public Commonwealth of Massachusetts My Commission Expires November 30, 2018

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

GENERAL INFORMATION

Special Permit: X Variance:	Appeal:
PETITIONER: 43 Essex Street Nominee Trust / Christopher M. Shacho	oy Trustee
PETITIONER'S ADDRESS: P.O. Box 382265, Cambridge MA, 02238	
LOCATION OF PROPERTY: 43 Essex Street	· .
TYPE OF OCCUPANCY: Multi-Family ZONING DIS	TRICT: C-1
REASON FOR PETITION:	
Additions	New Structure
Change in Use/Occupancy	x Parking
Conversion to Addi'l Dwelling Unit's	Sign
Dormer	Subdivision
Other:	· · · · · · · · · · · · · · · · · · ·
SECTIONS OF ZONING ORDINANCE CITED: Article 6 Section 6.44.1(g)	
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DIMENSIONAL INFORMATION

LOCATION: 43 Essex Street			zone: C-1				
PHONE: 617-259-7232		REQUESTED USE,	REQUESTED USE/OCCUPANCY: Multi-Family				
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREME			
TOTAL GROSS FLOOF	R AREA:	7,637	UNCHANGED	3,750	(max.)		
LOT AREA:		6,288		5000	(min.		
RATIO OF GROSS FI	OOR AREA	1.22	UNCHANGED	.75	(max.)		
LOT AREA FOR EACH	DWELLING UNIT:	n/a	1,572	1500	(min.)		
SIZE OF LOT:	WIDTH	48'		50'	(min.		
	DEPTH						
Setbacks in	FRONT	11.1'	UNCHANGED	10	(min.)		
Feet:	REAR	42.7'	UNCHANGED	27.75'	(min.)		
	LEFT SIDE	.6'	UNCHANGED	7.5	(min.)		
	RIGHT SIDE	17.5'	UNCHANGED	7.5	(min.)		
SIZE OF BLDG.:	HEIGHT	39'-9"	UNCHANGED	35	(max.)		
	LENGTH						
	WIDTH						
RATIO OF USABLE C	PEN SPACE						
TO LOT AREA: 3)		n/a	33.3%	30%	(min.)		
NO. OF DWELLING U	UNITS:	0	4	4	(max.)		
NO. OF PARKING SPACES:		6	4	4	(min./max)		
NO. OF LOADING AREAS:		n/a	n/a	n/a	(min.)		
DISTANCE TO NEAREST BLDG.		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.

The existing building is a 3 Story, wood frame superstructure on a rubble and brick foundation.

Exterior walls at the front (street side) are load bearing brick construction. Proposed construction will use the same material palette, all existing windows will be replaced with new fiberglass clad wood windows.

^{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'.

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 43 Essex Street (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:

Article 6 provides for relief from the required parking space and driveway setbacks. Because the lot width is non conforming, parking space and backup dimensions cannot be provided on the lot. The proposed relief will enable compliance with open space and parking space quantities to an existing non conforming structure and lot.

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:

It will cause no congestion hazard or substantial change given that the driveway and curb cut will remain in their current location. The traffic generated by the proposed use will be less than the current use. The proposed use is more consistent with existing uses in the neighborhood.

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 driveway curb cut will remain. There is a large parking lot on the adjacent property where the proposed driveway extension is to be located and will therefor not impact the use.

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:

Additional permeable and usable open space will be created. The number of cars parking on the lot will be reduced. There will be no hazard or nuisance created by the requested relief.

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 driveway and parking design is consistent with other uses in the neighborhood and the larger district. The change of use to residential use will be more consistent with the uses in the neighborhood and the larger district.



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

Bruce A. Irving, *Chair*; Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director* William G. Barry, Jr., Robert G. Crocker, Joseph V. Ferrara, Chandra Harrington, Jo M. Solet, *Members* Kyle Sheffield, *Alternate*

Jurisdiction Advice

<u>s di isdiction</u>	1141100			
To the Owner of Property at 43 Essex St	reet			
The above-referenced property is subject to the jurisdiction reason of the status referenced below:	n of the Camb	oridge Historical	l Commissi	on (CHC) by
Old Cambridge Historic District				
Fort Washington Historic District				
(M.G.L. Ch. 40C, City Code §2.7				
Avon Hill Neighborhood ConservationHalf Crown – Marsh Neighborhood Co		histrict		
Harrier Crown – Marsh Neighborhood Co	nisci valion D	TSUTCE		
Mid Cambridge Neighborhood Conser	vation Distric	et		
Designated Landmark				
Property is being studied for designation				
(City Code, Ch. 2.78., Article III,		City Council Ord	ders)	
Preservation Restriction or Easement (_X_ Structure is fifty years or more old ar		ubject to CHC r	aview of an	w application
for a demolition permit, if one is r				
the back of this page for definiti			21, 2, 7 0, 7 2	10101211). 500
No demolition permit application				
No jurisdiction: not a designated histor	ric property ar	nd the structure	is less than	fifty years
old.	. 1 1	N. ID.	. CII	. D1
No local jurisdiction, but the property in CHC staff is available for consultant consultant.			ster of Histo	oric Places;
Staff comments:	_	_		
The Board of Zoning Appeal advises applicants to comple			Neighborho	ood
Conservation District Commission reviews before appearing	ng before the	Board.		
T6 - 12 2 32 - 42 21.1. 2 2 32 - 42 2 42 2 4 4 4		. 4	. 414 - CC .	. C 41
If a line indicating possible jurisdiction is checked, the Historical Commission to determine whether a hearing			i tne staii o	or the
instolled Commission to determine whether a hearing	, will be requ	iii cu.		
CHC staff initialsSLB	Date _	August 2,	2017	
Received by Uploaded to Energov	Date _	August 2,	2017	
Relationship to project <u>BZA 13923-2017</u>				
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.

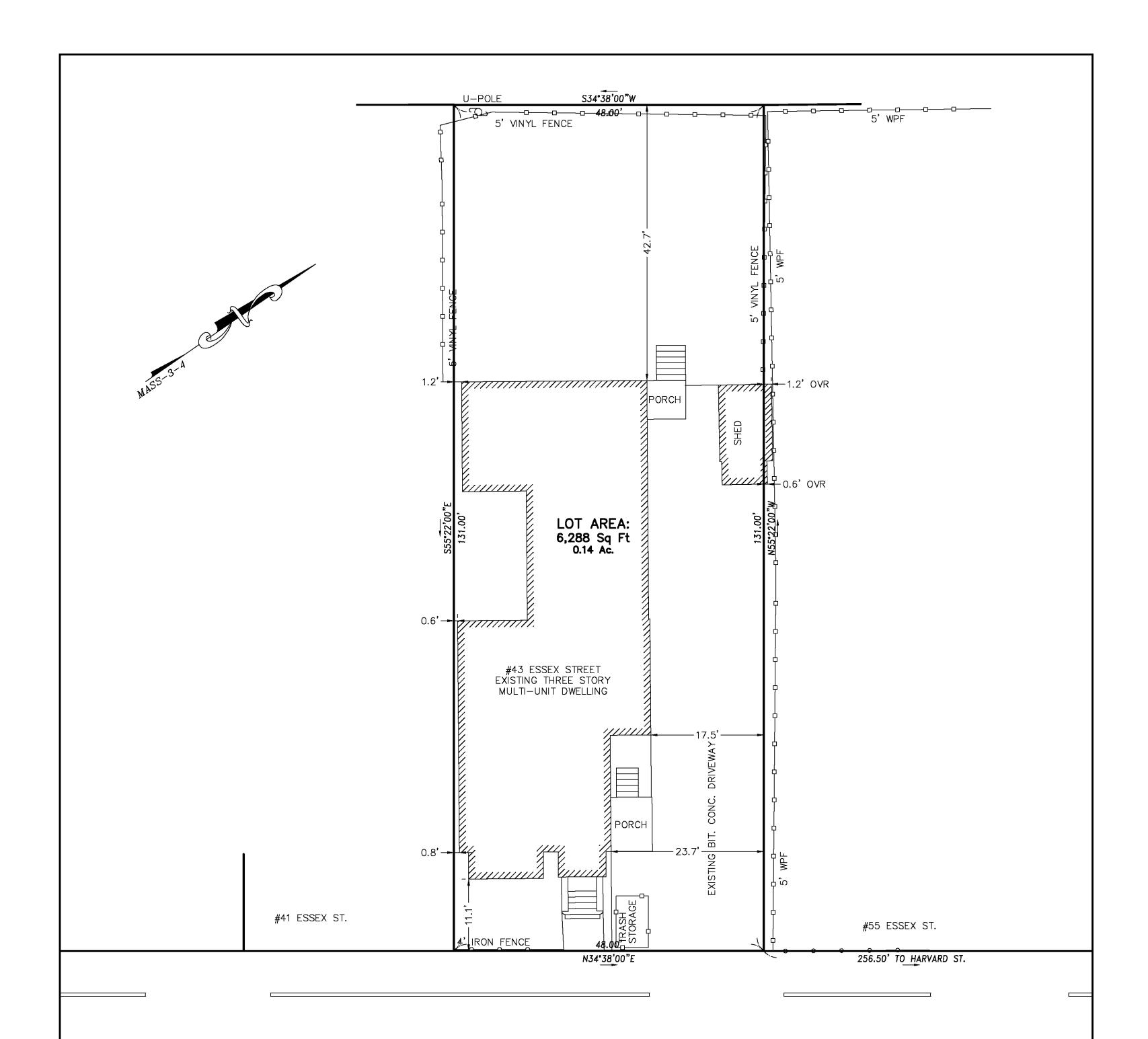
Please contact the building inspector or a staff member of the Historical Commission if you have questions about whether a demolition permit is required for a particular project.

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.

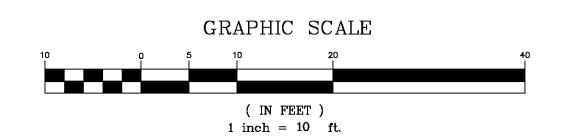
More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

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



ESSEX STREET (PUBLIC - 40' R.O.W.



REFERENCES:

ASSESSORS PARCEL 90-36
NORFOLK REGISTRY BK. 19504 PG. 288

" PL. 637 OF 1989

" LC.C. 9414-A
PROJECT NO. MASS-3-4 PLAN NO. 1 TITLED
"PROPERTY LINE MAP" BY DONALD J. REARDON, P.E.

PLOT PLAN 43 ESSEX STREET CAMBRIDGE, MA FOR CHRIS SHACHOY

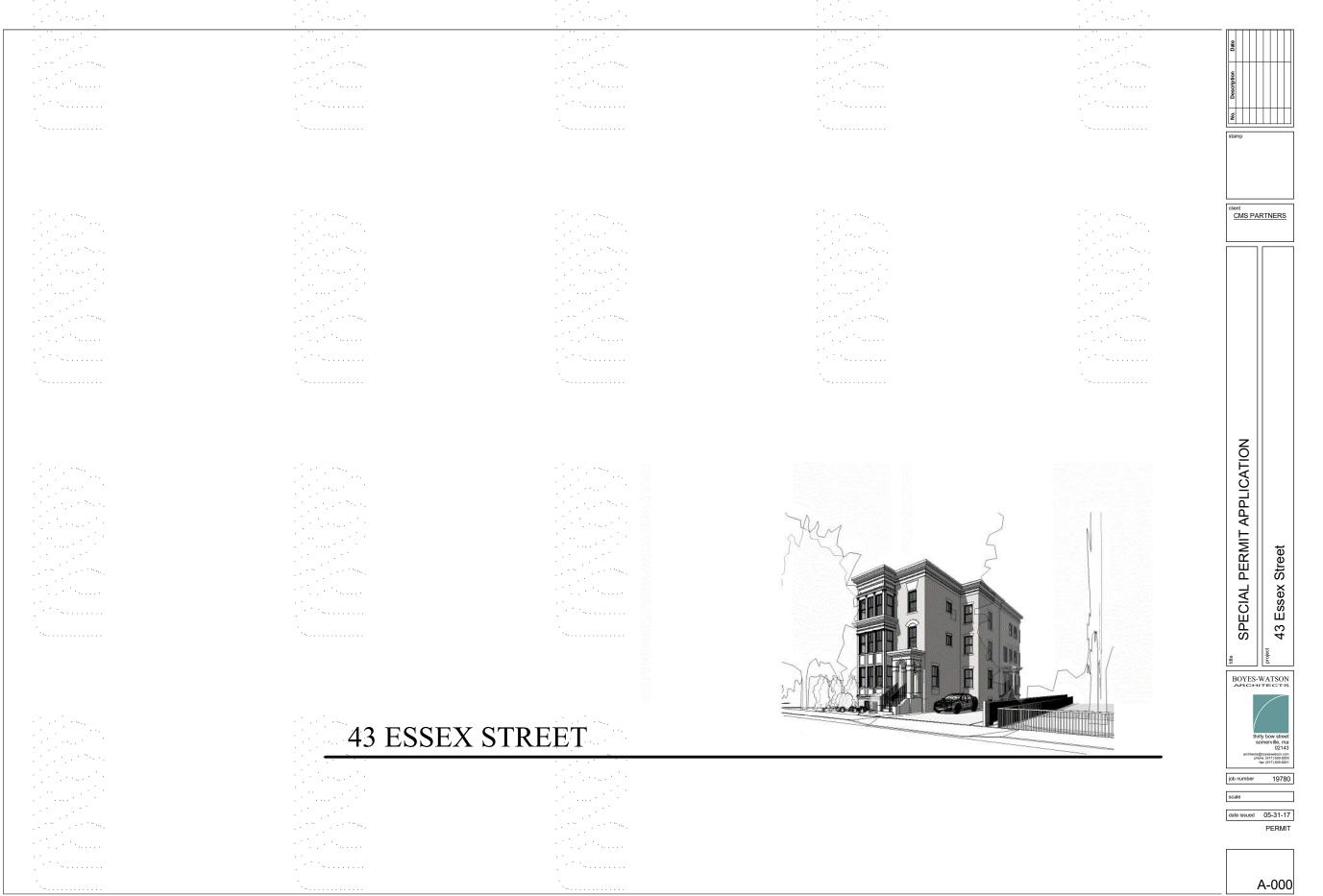
CIVIL ENVIRONMENTAL CONSULTANTS

8 OAK STREET PEABODY, MA 01960 978-531-1191

SHEET NO: 1 OF 1

DATE: 9/1/2016 JOB: 3703

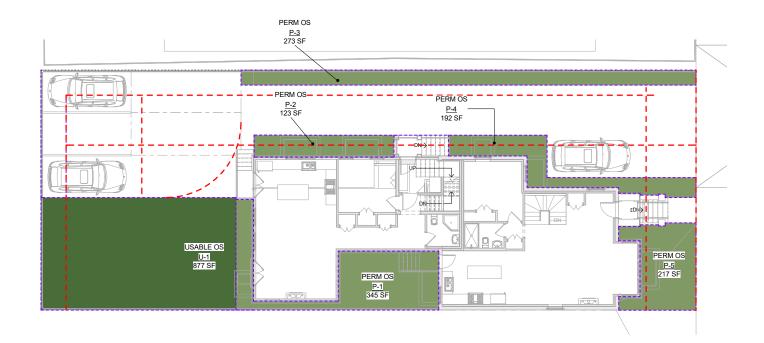
DRAWN BY: C.R.L.



26/2017 2:24:34



2ND FLOOR 1/8" = 1'-0"



1) PROPOSED OPEN SPACE 1/8" = 1'-0"

client

CMS PARTNERS

SITE AREA
RES C-1 LOT AREA 6288 SF

15.1% 32.2% 33.3%

Area Schedule (Proposed Open Space) Area Name Open Space type

PERM OS PERM OS PERM OS PERM OS PERM OS

USABLE OS USABLE OS

SITE AREA 951 SF 2026 SF 2100 SF

PROVIDED USABLE PERMEABLE TOT. OPEN SPACE

345 SF P-1 273 SF P-3 217 SF P-5 192 SF P-4 123 SF P-2 1149 SF 877 SF U-1 74 SF U-2 951 SF 2100 SF

ZONING COMPLIANCE - OPEN SPACE

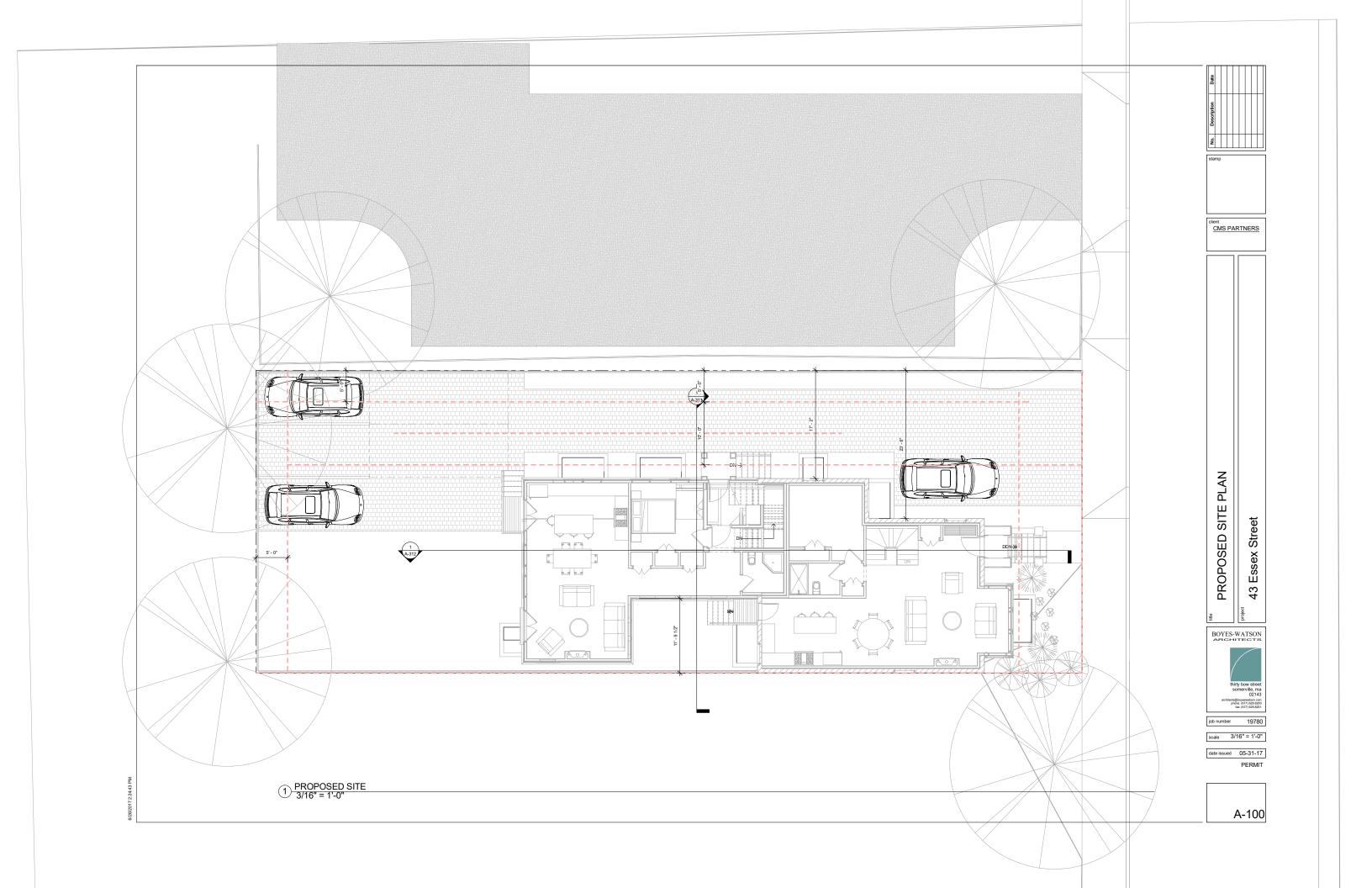
43 Essex Street

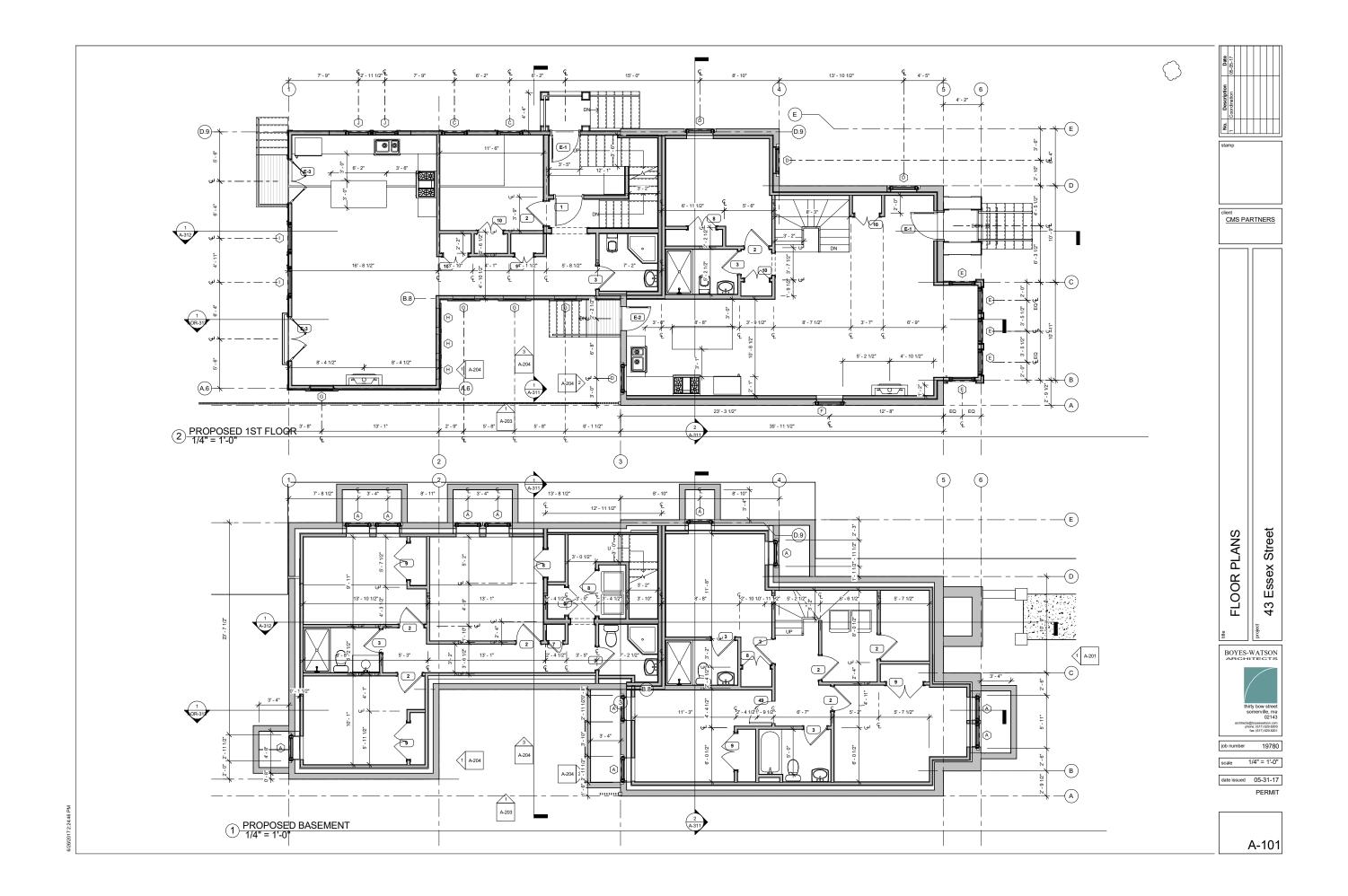


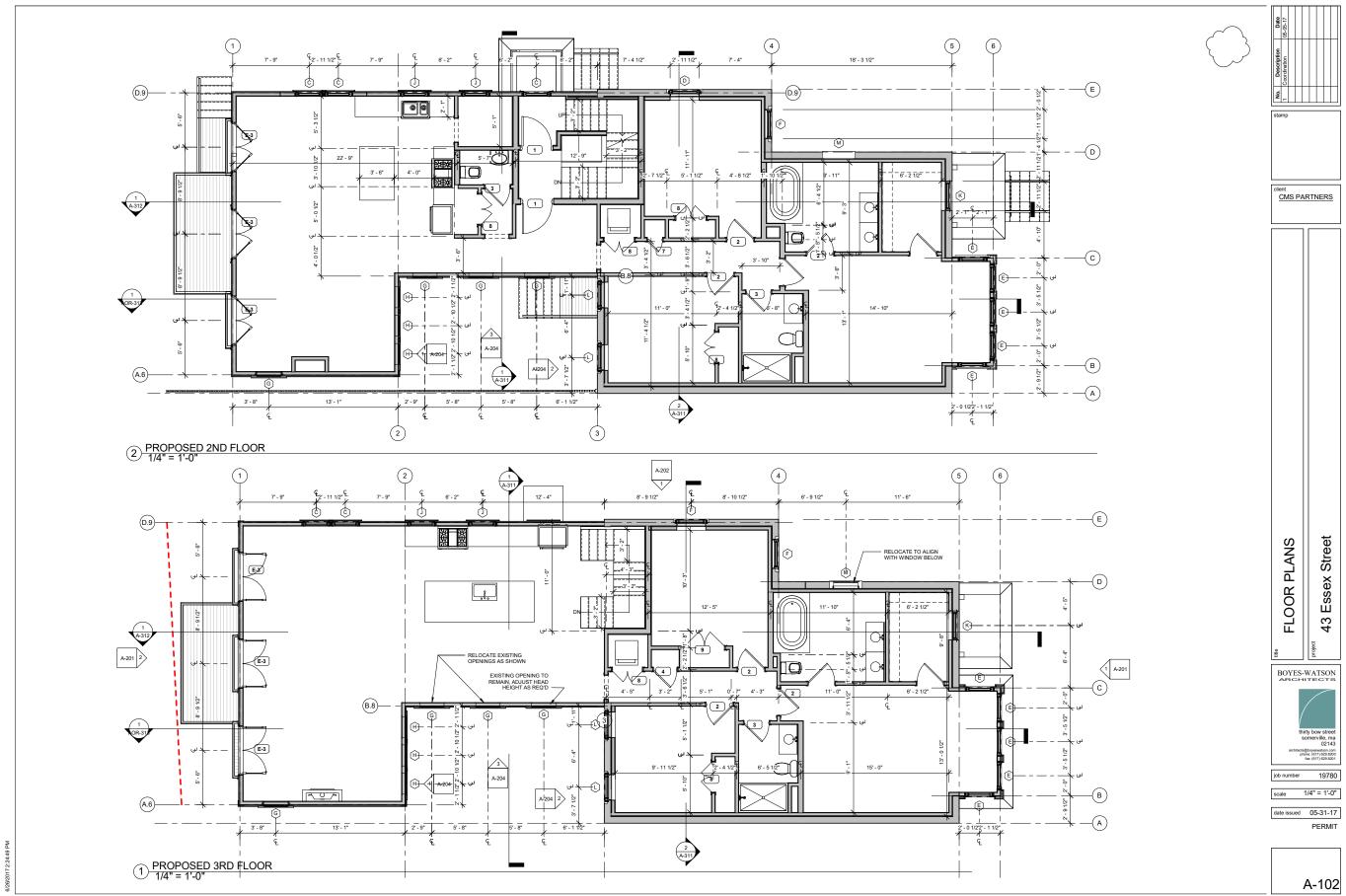
job number 19780 scale 1/8" = 1'-0"

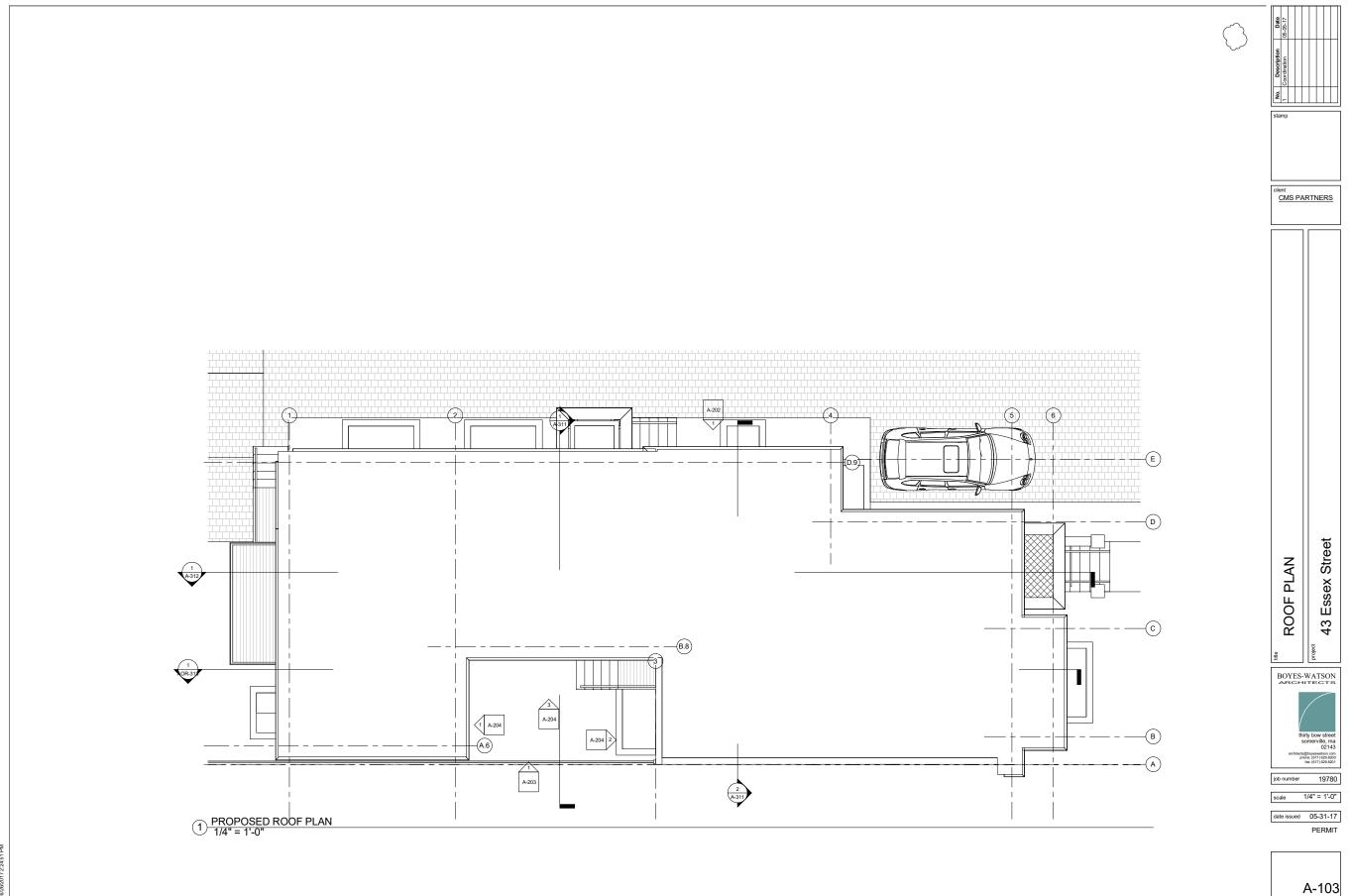
date issued 05-31-17 PERMIT

A-011



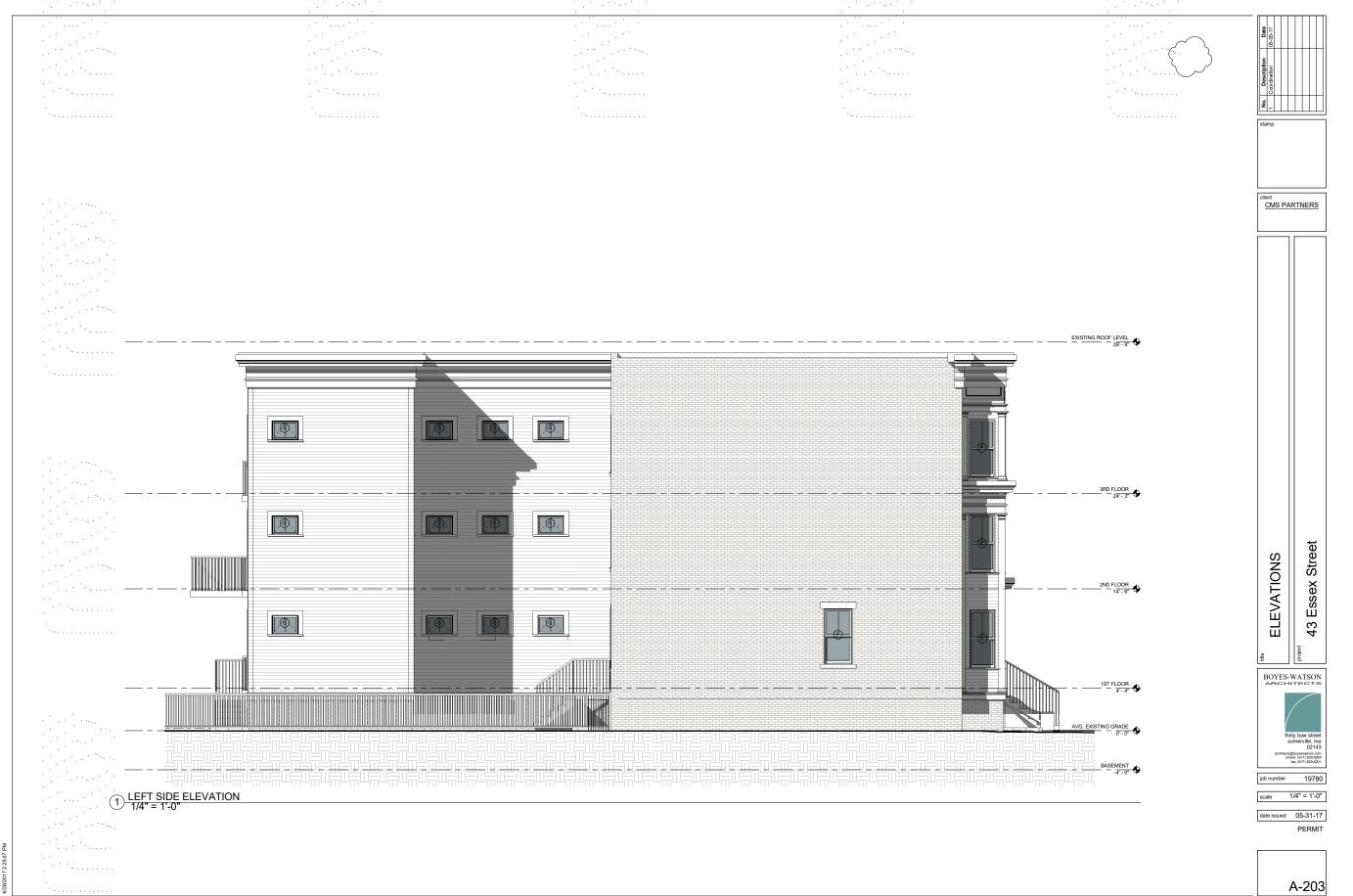


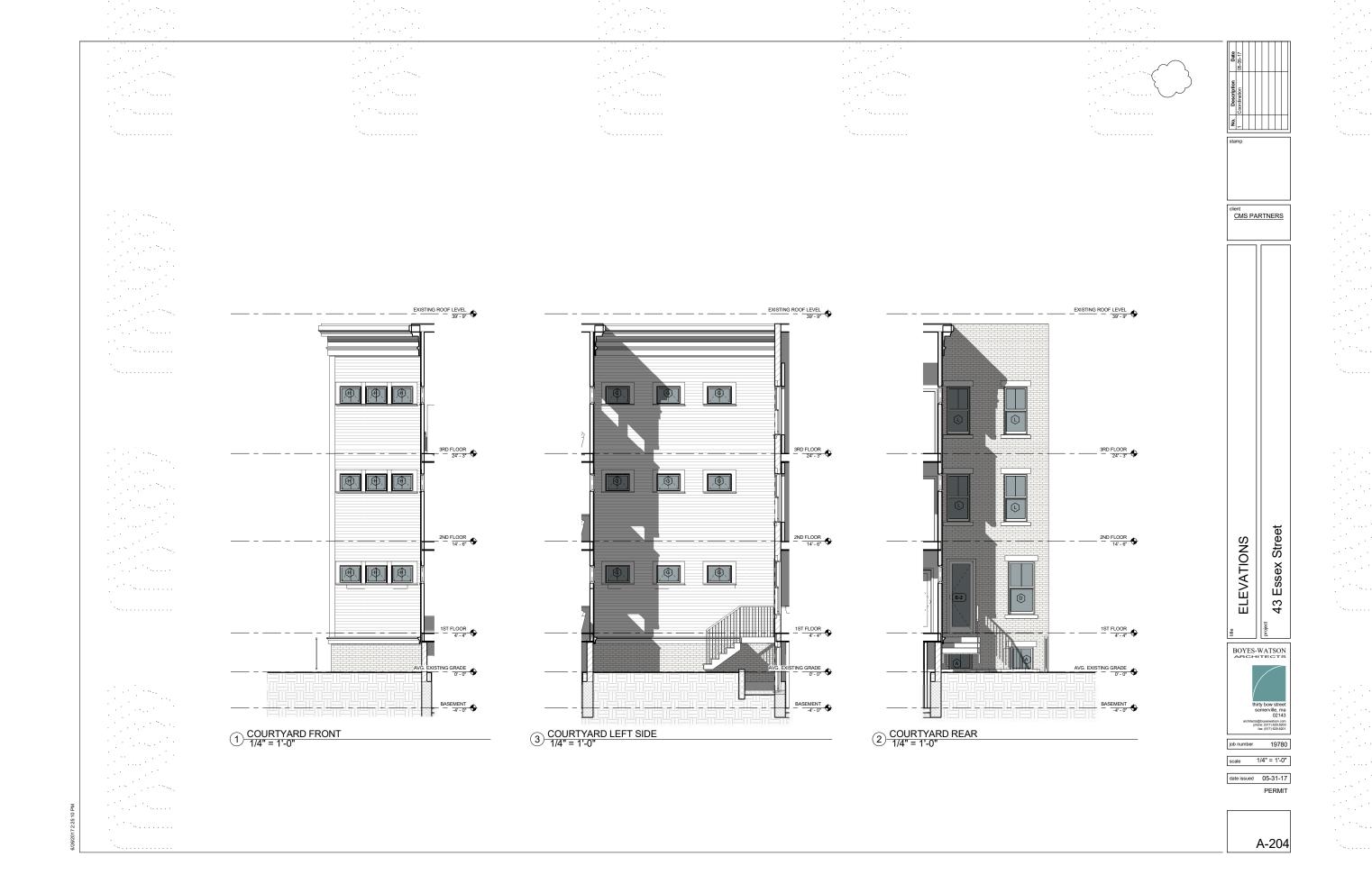


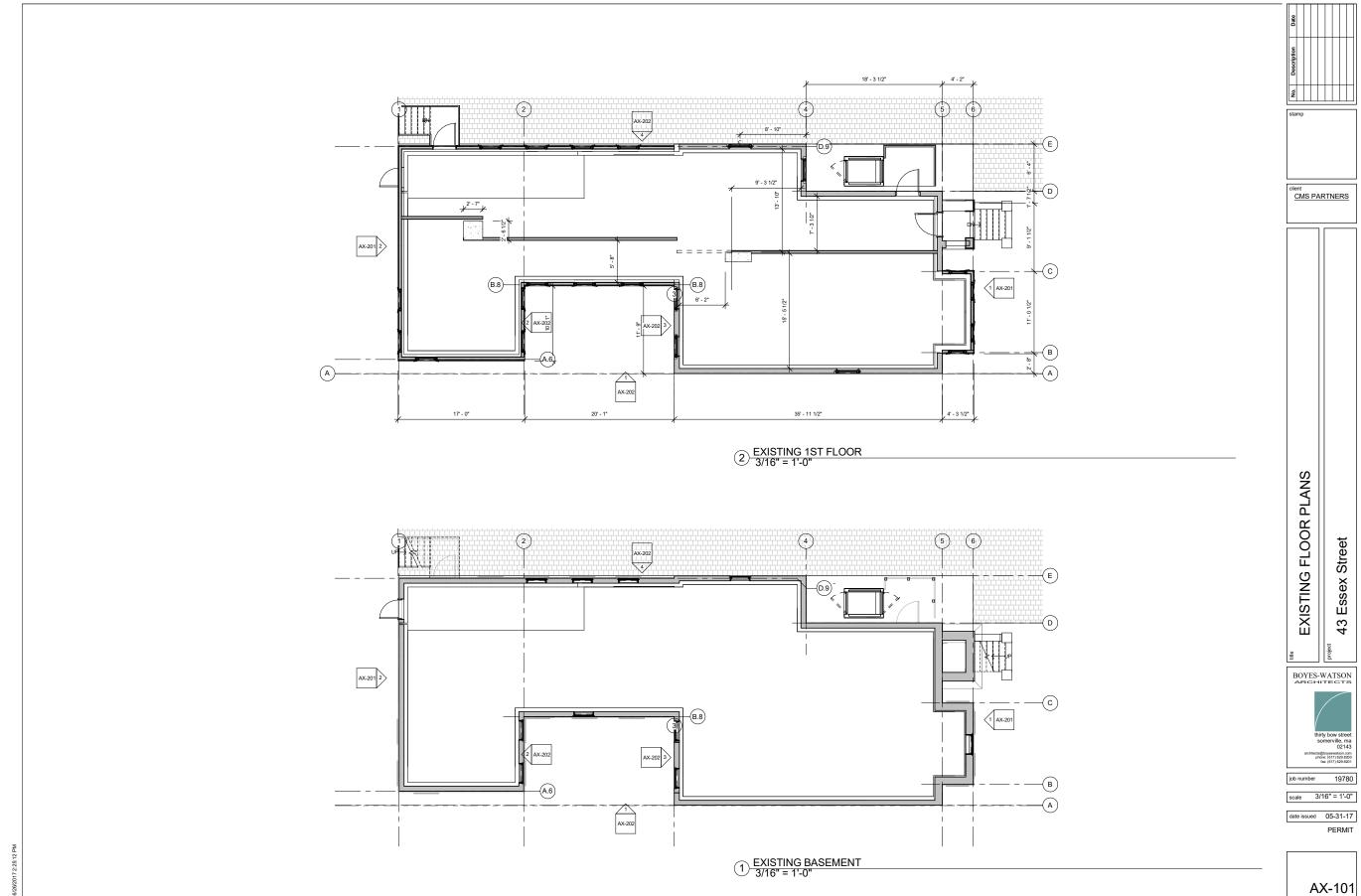


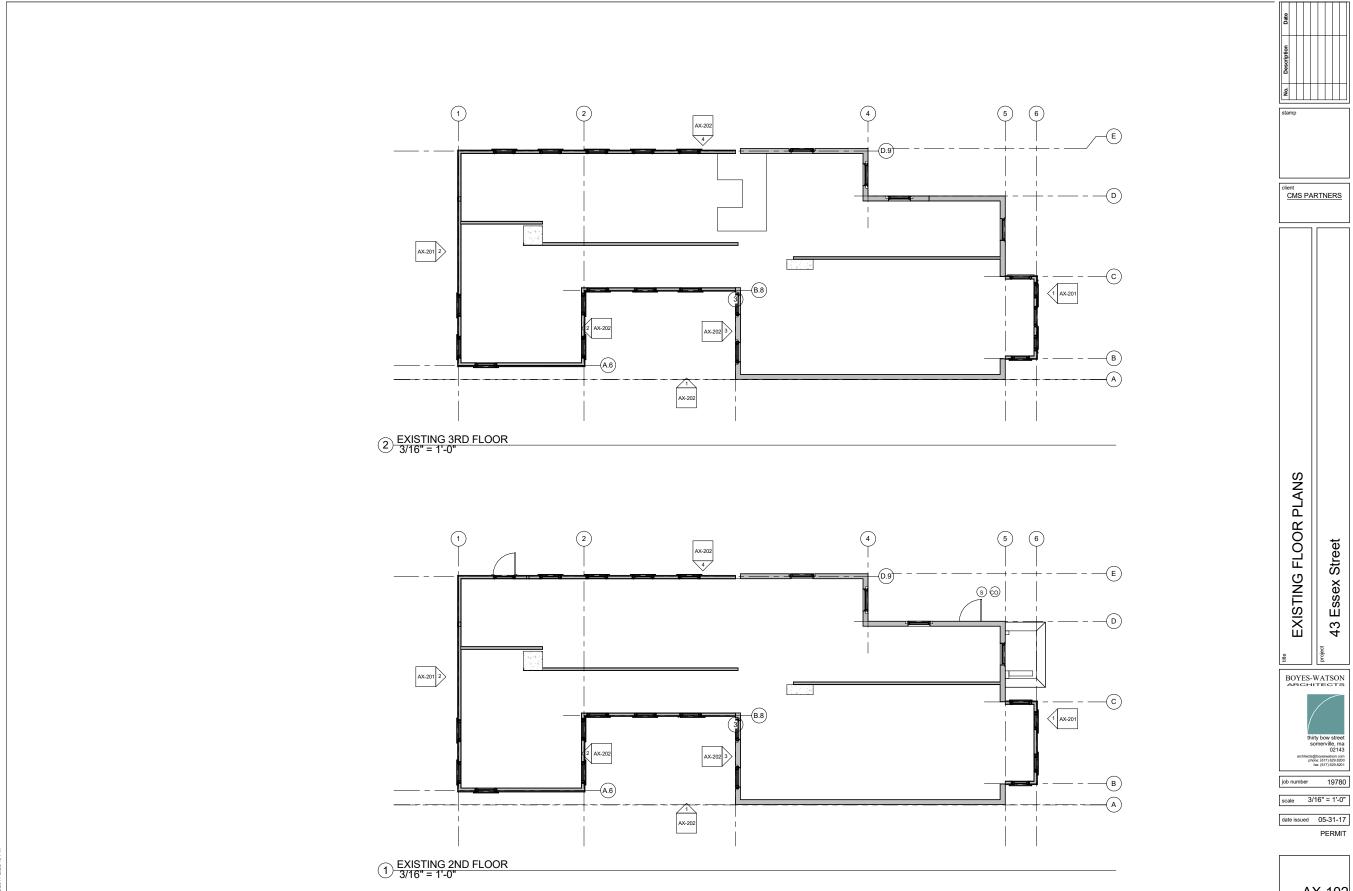




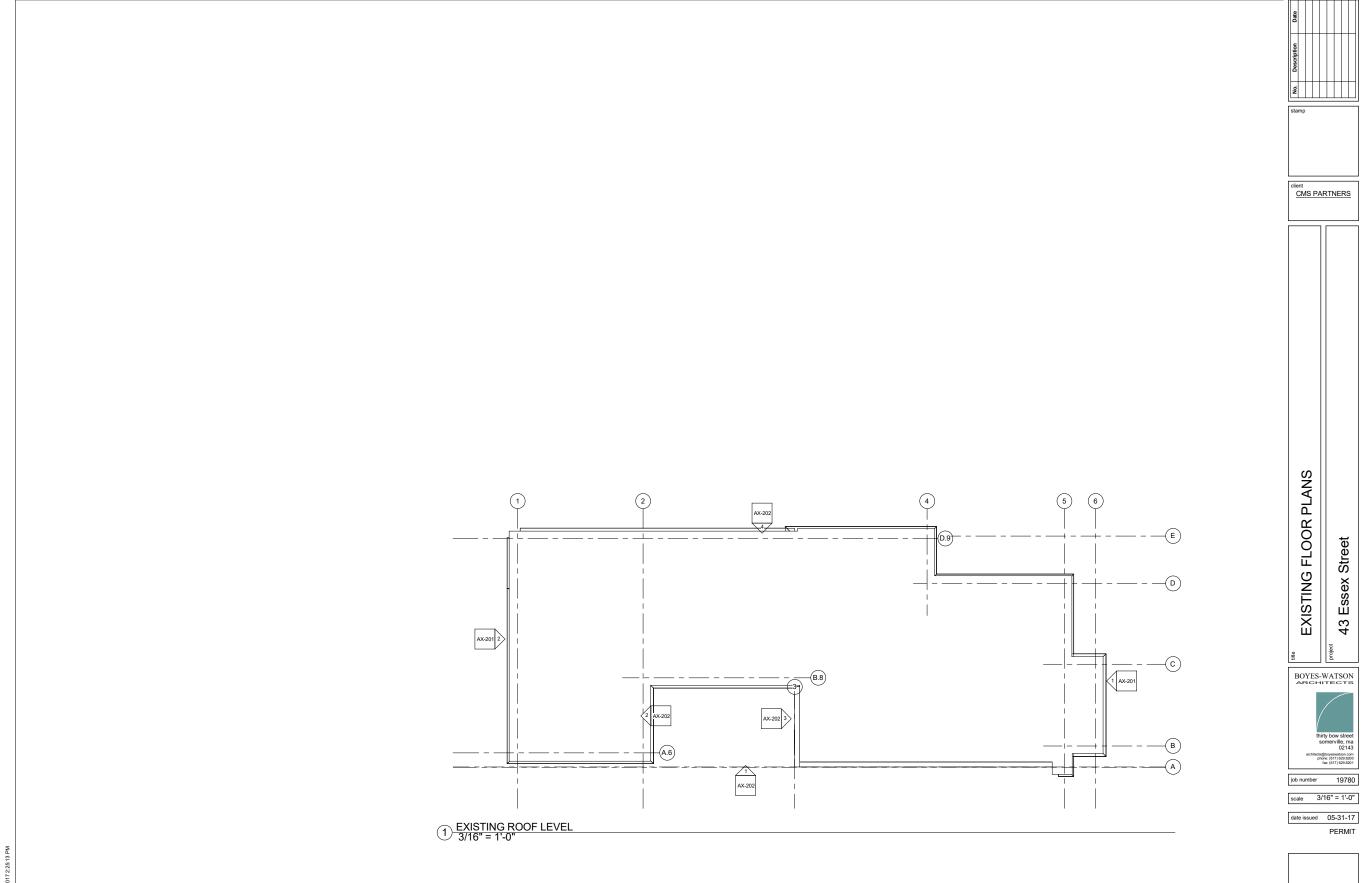








AX-102



AX-103







Bza Members

City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA. (617) 349-6100

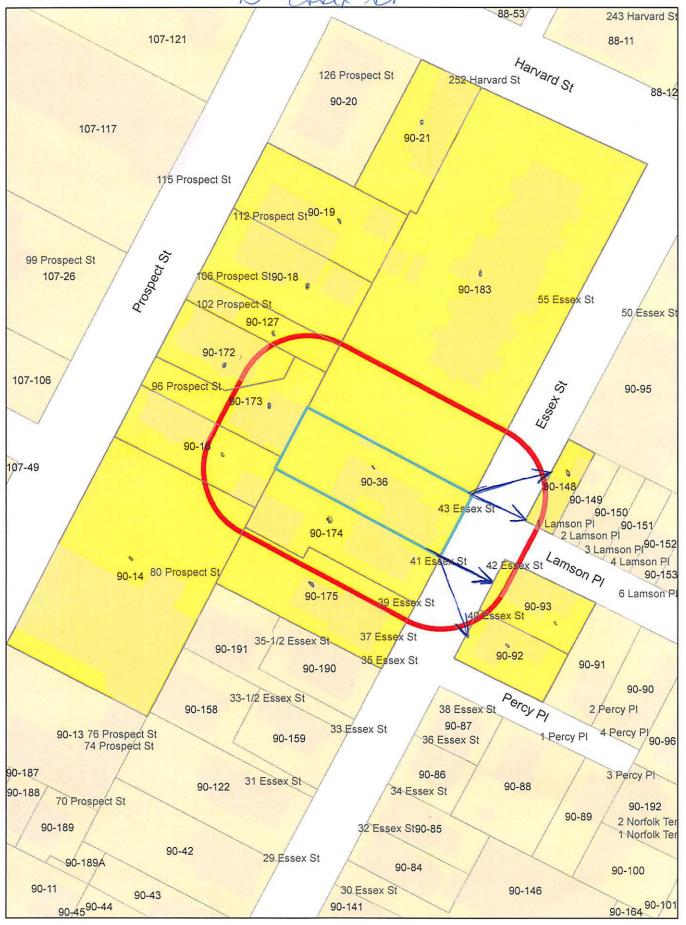
BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name:	Boury mc Shea (Print)	Date: 8/23/17
Address: _	43 Essex St.	· ·
Case No	B7A-013923-2017	
Hearing Dat	te: 9/14/17	<u>*</u>
Thank you.		

43 Essex et.



43 Essex St.

90-14 BURCOMBE, LLC 1188 CENTER ST. NEWTON, MA 02459

90-19 DONAGHY, CAROL 159 LAKEVIEW AVE.

CAMBRIDGE, MA 02138

90-21 BAROTT, MADELINE 18 PARKER ST CAMBRIDGE, MA 02138

90-21 ERKKINEN, PORTER LYNN & MICHAEL ERKKINEN & JOHN F. ERKKINEN 252 HARVARD ST., #6 CAMBRIDGE, MA 02139

90-93 FRUDE, CYNTHIA M. TR. OF THE CYNTHIA M. FRUDE TRUST II 42 ESSEX STREET CAMBRIDGE, MA 02139

90-172 PROSPECT HOLDINGS, LLC P.O. BOX 650176 W. NEWTON, MA 02465

90-174 BERMAN, MICHAEL A. & SWEE KEE WONG 41 ESSEX ST., #2 CAMBRIDGE, MA 02139

90-183 CAMBRIDGE HOUSING AUTHORITY 55 ESSEX ST CAMBRIDGE, MA 02139 90-16 CAPELLO, JOHN A. & JEAN A. CAPELLO 96 PROSPECT STREET CAMBRIDGE, MA 02139

90-21 BARBER, COLLEEN L. 32 MAY STREET CAMBRIDGE, MA 02138

90-21 TSAI, JOY N. 252 HARVARD ST., #4 CAMBRIDGE, MA 02139

90-36 ASSOCIATED DAY CARE SERVICES OF METROPOLITAN BOSTON 95 BERKELEY ST BOSTON, MA 02116

90-127 PARTRIDGE, JOHN J. & NANCY F. PARTRIDGE 318 HARVARD STREET CAMBRIDGE, MA 02139

90-173 COLE, RICHARD 100 PROSPECT STREET CAMBRIDGE, MA 02139

90-174
TANG, ENGNE & LILY S. TANG
TRS OF THE LT MGMT TRUST
41 ESSEX ST, #3
CAMBRIDGE, MA 02139

90-18 HUENNEKE, JUDITH A. & DAVID ERIC HUENNEKE 112 PROSPECT ST. CAMBRIDGE, MA 02139 BOYES-WATSON ARCHITECTS C/O STEPHEN HISERODT 30 BOW STREET SOMERVILLE, MA 02143

43 ESSEX STREET NOMINEE TRUST

P.O. BOX 382265

CAMBRIDGE, MA 02238

C/O CHRISTOPHER M. SHACHOY, TR.

90-21 GREIMANN, ERIC RENDALL 252 HARVARD ST., #5 CAMBRIDGE, MA 02139

90-92 KING, JONATHAN A. & JACQUELINE DEE TRS JONATHAN A. & JACQUELINE DEE KING TR 40 ESSEX ST CAMBRIDGE, MA 02139

90-148 ANDERSON, MARY L. 1 LAMSON PLACE CAMBRIDGE, MA 02139

90-174 LEWIN, CLEMENT 41 ESSEX ST., #1 CAMBRIDGE, MA 02139

90-175 TAYLOR, AMELIA 37 ESSEX ST CAMBRIDGE, MA 02139

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