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

BZA APPLICATION FORM

Plan No: BZA-016192-2018

GENERAL INFORMATION

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

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

PETITIONER : Thomas E. Rawson

PETITIONER'S ADDRESS : 121 Clay St. Cambridge, MA 02140

LOCATION OF PROPERTY : 121 Clay St Cambridge, MA

TYPE OF OCCUPANCY : Residential **ZONING DISTRICT :** Residence B Zone

REASON FOR PETITION :

Other: Alter winsow in side setback

DESCRIPTION OF PETITIONER'S PROPOSAL :

Enlargement of kitchen window within existing non-conforming side setback. Replace the existing 36" w x 20½" h casement window within the side yard setback with a 28½" w x 36" h casement window. The new window will be placed at the same location and height as the existing window, and will extend higher to allow more light into the kitchen.

SECTIONS OF ZONING ORDINANCE CITED :

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

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) : Thomas E Rawson
(Petitioner(s) / Owner)

Thomas E Rawson
(Print Name)

Address : 121 Clay St.
Cambridge, MA 02140

Tel. No. : 617-576-0636

E-Mail Address : tsee@pobox.com

Date : 4/30/2018

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 Thomas E Rawson + Ellen M Stone
(OWNER)

Address: 121 Clay St., Cambridge, MA 02140

State that I/We own the property located at 121 Clay St., Cambridge which is the subject of this zoning application.

The record title of this property is in the name of Thomas E Rawson and Ellen M. Stone

*Pursuant to a deed of duly recorded in the date 07/30/2002, Middlesex South County Registry of Deeds at Book 31008, Page 342 ; or Middlesex Registry District of Land Court, Certificate No. _____ Book _____ Page _____.

Thomas E Rawson

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 Thomas E Rawson and Ellen M Stone personally appeared before me, this 28th of April, 2018, and made oath that the above statement is true.

_____ Notary

My commission expires 11-01-2024 (Notary Seal).

SUSANNE E. MAHONEY
Notary Public
Commonwealth of Massachusetts
My Commission Expires Nov. 01, 2024

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

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 121 Clay St 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:

This alteration complies with the conditions in Article 8, Section 8.22.2c, because it is an alteration of a nonconforming structure which will not be further in violation of the requirements of the ordinance. The portion of the structure to be altered is nonconforming due to a side setback on the north side of 5′, which is below the 7′ 6″ required in Article 5. There is no further violation of Article 5, because the alteration does not change the side setback; there is no change to off street parking or loading; and the structure will not be increased in area or volume.

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:

This is a window alteration which has no impact on traffic or patterns of access or egress.

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:

There is no change in use or operation of the property. The change in the shape and size of this window does not significantly affect visibility into / privacy of the adjacent property. The window width is actually decreased slightly. The height increase allows additional light into the kitchen but is mostly above the head height of the typical kitchen user, and so does not change the visibility of the adjacent property.

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:

The alteration would enhance the existing use by providing more natural light in the kitchen. It is barely visible from the street and would create no nuisance or other effect on the citizens of the City.

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 new window will be of a type used throughout the existing house and widely used generally, and is consistent with the current use and the character of the district / neighborhood. Adding natural light to the kitchen is also consistent with the purposes of the ordinance (Article 1, Section 1.30) which include "to provide adequate light and air and "to conserve the value of land and buildings."

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Thomas Rawson **PRESENT USE/OCCUPANCY:** Residential

LOCATION: 121 Clay St Cambridge, MA **ZONE:** Residence B Zone

PHONE: 617-285-2884 **REQUESTED USE/OCCUPANCY:** Residential

		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS [1]	
TOTAL GROSS FLOOR AREA:		3152	no change	2400	(max.)
LOT AREA:		4800	no change	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: [2]		0.67	no change	0.50	(max.)
LOT AREA FOR EACH DWELLING UNIT:		4800	no change	2500	(min.)
SIZE OF LOT:	WIDTH	40	no change	50	(min.)
	DEPTH	120	no change	N/A	
SETBACKS IN FEET:	FRONT	14	no change	15	(min.)
	REAR	59	no change	25	(min.)
	LEFT SIDE	5	no change	7.5	(min.)
	RIGHT SIDE	11	no change	7.5	(min.)
SIZE OF BLDG.:	HEIGHT	21.5	no change	35	(max.)
	LENGTH	46	no change	N/A	
	WIDTH	26	no change	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA: [3]		40%	no change	40%	(min.)
NO. OF DWELLING UNITS:		1	no change	1	(max.)
NO. OF PARKING SPACES:		1	no change	1	(min./max)
NO. OF LOADING AREAS:		N/A	N/A	N/A	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		42' (to shed)	no change	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.

House and 12' x 20' shed are both wood frame 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'.

121 Clay St., Cambridge

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

2018 MAY -1 AM 11:30

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-016192-2018

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

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) : Thomas E Rawson
(Petitioner(s) / Owner)

Thomas E Rawson
(Print Name)

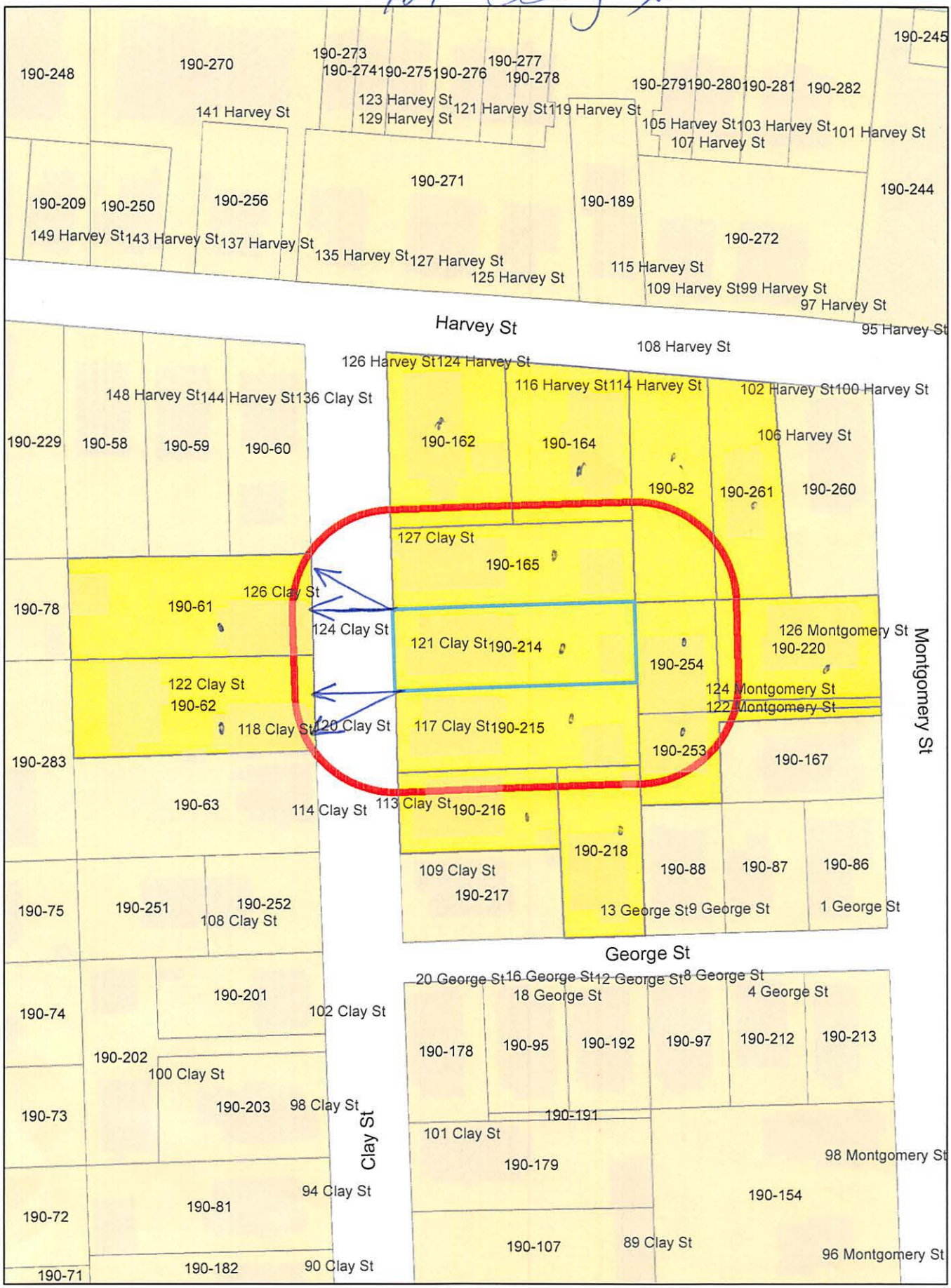
Address : 121 Clay St.
Cambridge, MA 02140

Tel. No. : 617-976-0636

E-Mail Address : rs88@pobox.com

Date : 4/30/2018

121 Clay St.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141 Harvey St
123 Harvey St
129 Harvey St
121 Harvey St
119 Harvey St
105 Harvey St
107 Harvey St
103 Harvey St
101 Harvey St
190-209
190-250
190-256
190-271
190-189
190-244
149 Harvey St
143 Harvey St
137 Harvey St
135 Harvey St
127 Harvey St
125 Harvey St
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115 Harvey St
109 Harvey St
99 Harvey St
97 Harvey St
95 Harvey St
Harvey St
108 Harvey St
126 Harvey St
124 Harvey St
116 Harvey St
114 Harvey St
102 Harvey St
100 Harvey St
148 Harvey St
144 Harvey St
136 Clay St
190-229
190-58
190-59
190-60
190-162
190-164
106 Harvey St
190-82
190-261
190-260
127 Clay St
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190-78
190-61
126 Clay St
124 Clay St
121 Clay St
190-214
126 Montgomery St
190-220
190-254
122 Clay St
190-62
124 Montgomery St
122 Montgomery St
118 Clay St
120 Clay St
117 Clay St
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190-253
190-167
Montgomery St
190-283
190-63
114 Clay St
113 Clay St
190-216
190-218
109 Clay St
190-217
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190-87
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108 Clay St
13 George St
9 George St
1 George St
George St
20 George St
16 George St
12 George St
8 George St
18 George St
4 George St
190-74
190-201
102 Clay St
190-178
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190-73
190-203
98 Clay St
190-191
101 Clay St
Clay St
190-179
98 Montgomery St
190-154
190-72
190-81
94 Clay St
190-107
89 Clay St
96 Montgomery St
190-71
190-182
90 Clay St

121 Clay St.

Petitioner

190-61
QUINTON, LILLIAN G.
124 CLAY ST.
CAMBRIDGE, MA 02140

190-62
STAMOS, DANIEL & JANICE L. STAMOS
122 CLAY ST
CAMBRIDGE, MA 02140

190-214
RAWSON, THOMAS E. & ELLEN M. STONE
121 CLAY ST.
CAMBRIDGE, MA 02140

190-164
MANTIA, JULIA A LIFE ESTATE
116 HARVEY ST
CAMBRIDGE, MA 02140

190-165
BADER, KENNETH
127 CLAY STREET
CAMBRIDGE, MA 02140

190-82
119-135 HARVEY ST LLC
429 CHERRY ST
NEWTON, MA 02465

190-215
HIRSCH, MICHAEL V.
117 CLAY ST
CAMBRIDGE, MA 02140

190-216
HAGGAN, CORAL D.
113 CLAY ST
CAMBRIDGE, MA 02140

190-218
MARK, CYNTHIA & MAN CHAK NG
13 GEORGE ST
CAMBRIDGE, MA 02140

190-220
AZIZ, SHAHINA P.
TR. OF THE FATIMA P. AZIZ FAMILY TRUST
126 MONTGOMERY ST. UNIT 1
CAMBRIDGE, MA 02140

190-220
GONZALEZ, SALVADOR, DELMY GONZALEZ &
RODRIGO GONZALEZ
11769 UTICA WAY
WESTMINSTER, CO 80031

190-220
ULANET, DANIELLE
126 MONTGOMERY ST., #3
CAMBRIDGE, MA 02140

190-253
PARET, DANIEL W. & VICKI KOCHER PARET
122 MONTGOMERY ST.
CAMBRIDGE, MA 02139

190-254
WEITZMAN, LEWIS & FRANK WEITZMAN
124 MONTGOMERY ST
CAMBRIDGE, MA 02140

190-261
JACKSON, NORA A.L.
104-106 HARVEY ST
CAMBRIDGE, MA 02140

190-162
BORRUS, DAVID N. & AMY S. BAMFORTH
126 HARVEY ST., #1
CAMBRIDGE, MA 02140

190-162
MERIN, SARAH
124 HARVEY ST #3
CAMBRIDGE, MA 02140

190-162
MAKARNYAEVA, NATALIA
126 HARVEY ST., #2
CAMBRIDGE, MA 02140

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 **121 Clay 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)
_X_ Structures 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 proposed. No CHC review.
__ 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, 2018

Received by Uploaded to Energov Date April 26, 2018
Relationship to project BZA 16192-2018

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

To: Chairman and Members of the Board of Zoning Appeal
City of Cambridge
c/o Secretary
831 Massachusetts Avenue
Cambridge, MA 02139

I am the owner of the property at 127 Clay Street (assessor's parcel 190-165). I am writing to support the application submitted by Thomas E. Rawson and Elena (Ellen M.) Stone, owners of the property at 121 Clay Street, for a special permit to enlarge a window. My property abuts the Rawson / Stone property on the north side, which is the side with the window to be enlarged.

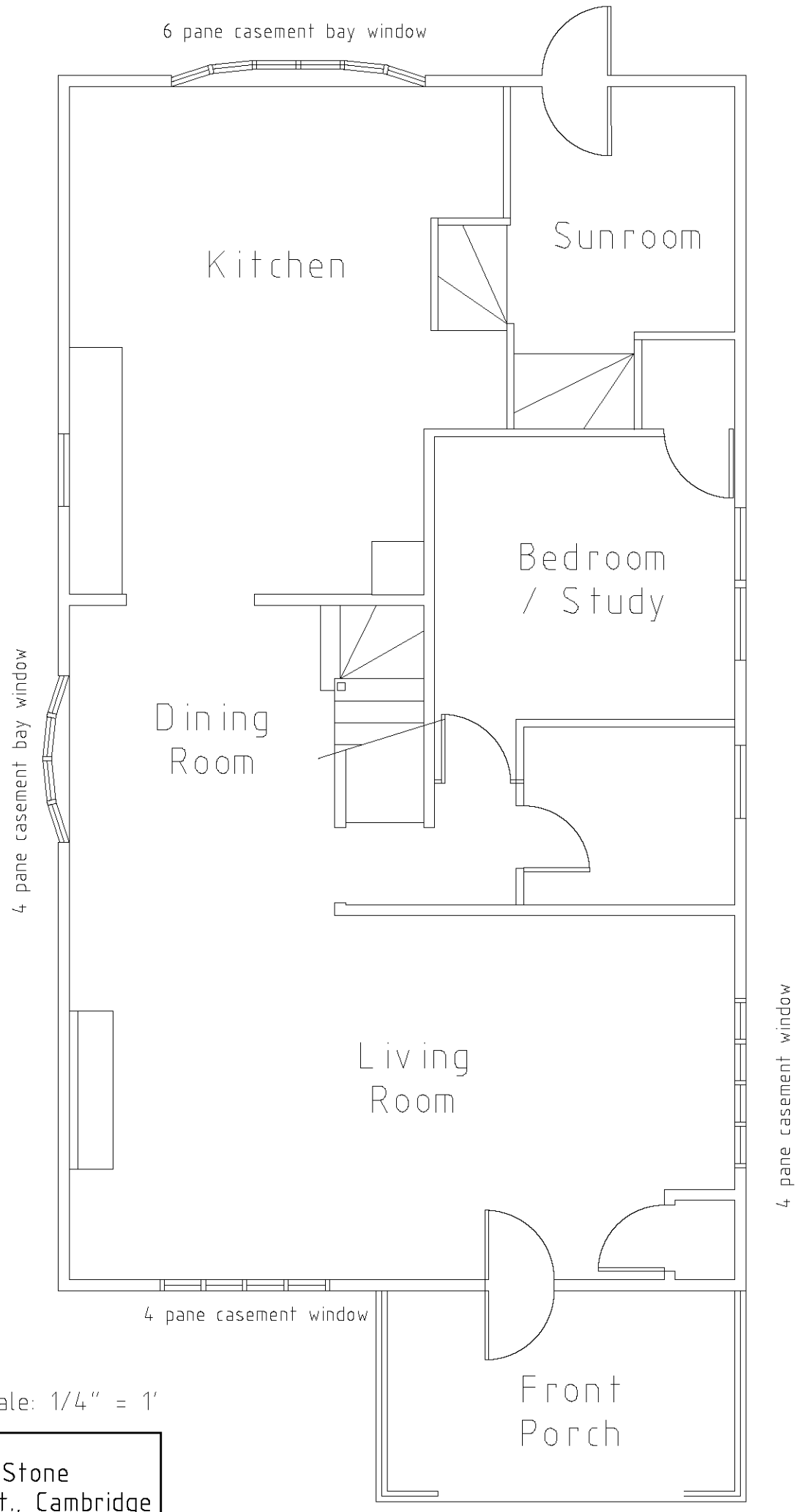
I have reviewed with the owners of 121 Clay Street the plans and elevations associated with their application. I believe that if the requested special permit is granted by the Zoning Board of Appeals it will have no detrimental effect on privacy nor in any other way, and I fully support the granting of the special permit.

Yours truly,

Kenneth Bader

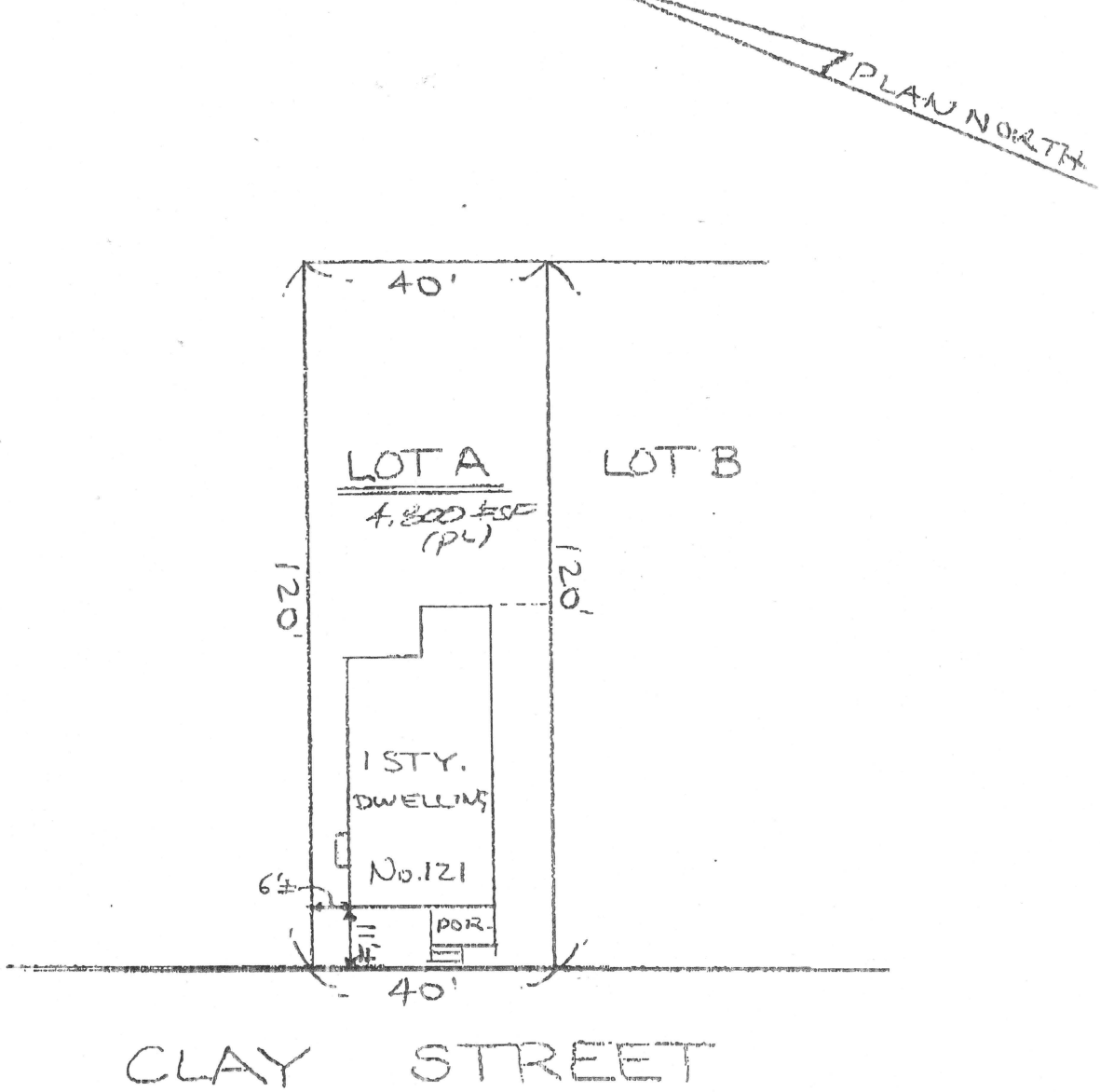
Kenenth Bader
127 Clay St.
Cambridge, MA 02140

Date: 4/20/18



Scale: 1/4" = 1'

Rawson / Stone
121 Clay St., Cambridge
Floor plan



COMMONWEALTH OF MASSACHUSETTS
JOHN S. LAURETANI
34311
LAND SURVEYOR

LOCATION OF STRUCTURE(S) BASED ON LINES OF OCCUPATION ONLY. A MORE ACCURATE LOCATION WILL REQUIRE AN INSTRUMENT SURVEY.

Jan 10, 2002

SCALE: 1" = 30'

AMERICAN SURVEYING COMPANY OF BOSTON, INC.

1264 MAIN STREET WALTHAM, MASS. 02451

PHONE (781) 893-6477 FAX (781) 893-7091

MORTGAGE INSPECTION PLAN

I, JOHN S. LAURETANI

A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE MORTGAGE INSPECTION PLAN WAS PREPARED FOR

NATIONAL CITY MORTGAGE

IN CONNECTION WITH A NEW MORTGAGE, AND IS NOT INTENDED OR REPRESENTED TO BE A LAND OR PROPERTY SURVEY. NO CORNERS WERE SET, AND IT CANNOT BE USED FOR

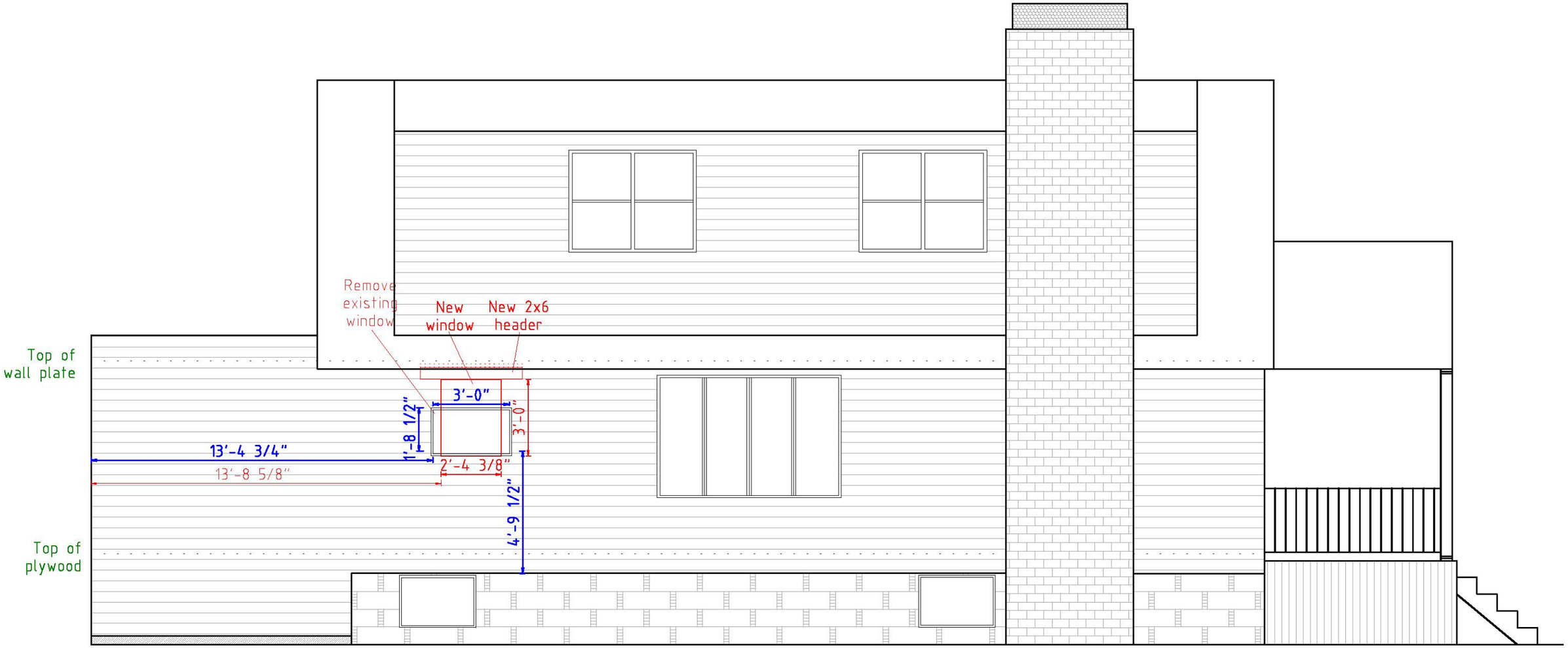
DATE: 6-10-02
CLIENT: INTEGRATED
CLIENT REF. #: 206012A
J.O. #: 60019602

THE LOCATION OF THE ORIGINAL DWELLING SHOWN HEREON EITHER WAS IN COMPLIANCE WITH LOCAL

RECORDED AT: MIDDLESEX SOUTH COUNTY REGISTRY OF DEEDS
BOOK: 23426 PAGE: 184 L.C. CERT. #:
PLAN REFERENCE: PL. BK. 375, PL. 1
DRAWN PER TOWN OF: ASSESSORS
MAP #: PARCEL #: DATED:
ADDRESS: 121 CLAY ST. CAMBRIDGE, MA
BORROWER: ELLEN STONE

Scale: 1/4" = 1'

Rawson / Stone
121 Clay St., Cambridge
Front elevation



Scale: 1/4" = 1'

Rawson / Stone
121 Clay St., Cambridge
Side elevation (North)