

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Robert C. Binstock and Maria B. Maciak
(Owner or Petitioner)

Address: c/o James J. Rafferty 675 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 157 Hamilton Street

the record title standing in the name of Robert C. Binstock and Maria B. Maciak

whose address is 157 Hamilton Street, Cambridge MA 02139
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 68991 Page 399 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____

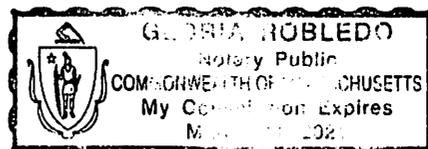
RC Binstock
(Owner)

=====

On this 19 day of March, 2018, before me, the undersigned notary public, personally appeared Robert C. Binstock, proved to me through satisfactory evidence of identification, which were MA Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

[Signature]
Notary Public

My commission expires:



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:

A literal enforcement of the Ordinance would not allow for the living area of the basement to be converted into a dwelling unit.

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 hardship is related to the size and shape of the lot and building.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

The public good will not experience any detriment by allowing the existing basement space to be used as an accessory apartment.

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

The Zoning Ordinance allows for the creation of dwelling units in the basement of single and two family dwellings in lots of 5,000 square feet or more with the issuance of a Special Permit. Allowing an accessory apartment in a single family on a smaller lot does not derogate from the intent of the Ordinance.

*** 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

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 157 Hamilton 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:

Article 6.35.1 allows for the reduction in required parking by Special Permit where excessive congestion does not occur.

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:

There will be no change to traffic or patterns of access and egress as a result of reducing the required amount of parking by one space.

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 requested reduction of one parking space will not impact the continued operation of, or the development of, adjacent uses.

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 reduction of parking spaces will not adversely affect the health, safety, and/or welfare of the people living or working the building nor the citizens of Cambridge.

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 reduction in parking is consistent with established commuter patterns of existing residents in the neighborhood and consistent with the City's transportation objective of constraining the supply of parking in order to promote alternate modes of travel.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Nirvana **PRESENT USE/OCCUPANCY:** single family
LOCATION: 157 Hamilton St Cambridge, MA **ZONE:** Residence C Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** single family w/ acc apt.

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹		
<u>TOTAL GROSS FLOOR AREA:</u>	<u>1,449</u>	<u>no change</u>	<u>1,905</u>	<u>(max.)</u>	
<u>LOT AREA:</u>	<u>2,540</u>	<u>no change</u>	<u>5,000</u>	<u>(min.)</u>	
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²	<u>.57</u>	<u>no change</u>	<u>.6/.75</u>	<u>(max.)</u>	
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>1,270</u>	<u>no change</u>	<u>1,500</u>	<u>(min.)</u>	
<u>SIZE OF LOT:</u>	WIDTH	<u>45.55'</u>	<u>no change</u>	<u>50'</u>	<u>(min.)</u>
	DEPTH	<u>48'</u>	<u>no change</u>	<u>N/A</u>	
<u>SETBACKS IN FEET:</u>	FRONT	<u>62'</u>	<u>no change</u>	<u>10'</u>	<u>(min.)</u>
	REAR	<u>1'</u>	<u>no change</u>	<u>20'</u>	<u>(min.)</u>
	LEFT SIDE	<u>5'</u>	<u>no change</u>	<u>7'6" min</u>	<u>(min.)</u>
	RIGHT SIDE	<u>8'</u>	<u>no change</u>	<u>7'6" min</u>	<u>(min.)</u>
<u>SIZE OF BLDG.:</u>	HEIGHT	<u>25'</u>	<u>no change</u>	<u>35'</u>	<u>(max.)</u>
	LENGTH	<u>36'</u>	<u>no change</u>	<u>N/A</u>	
	WIDTH	<u>25'</u>	<u>no change</u>	<u>N/A</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>29%</u>	<u>no change</u>	<u>36%</u>	<u>(min.)</u>	
<u>NO. OF DWELLING UNITS:</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>(max.)</u>	
<u>NO. OF PARKING SPACES:</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>(min./max)</u>	
<u>NO. OF LOADING AREAS:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>(min.)</u>	
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>(min.)</u>	

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

Amended

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

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2018 MAY 10 PM 2:07
 OFFICE OF THE CITY CLERK
 CAMBRIDGE, MASSACHUSETTS

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<u>NO. OF PARKING SPACES:</u>	<u>2 1</u>	<u>2 1</u>	<u>2</u>	<u>(min./max)</u>
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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*
Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

Jurisdiction Advice

To the Owner of Property at 157 Hamilton 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)
- 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 16062-2018

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.

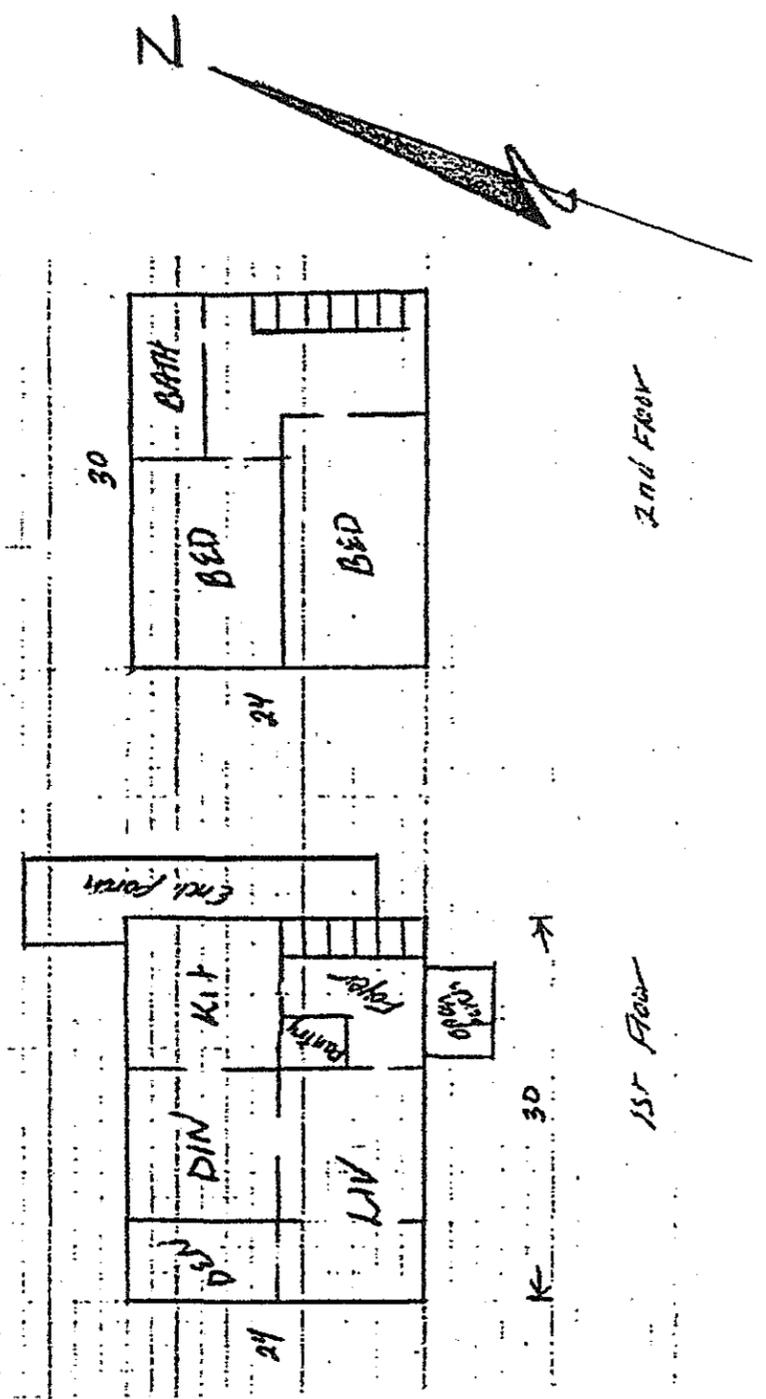
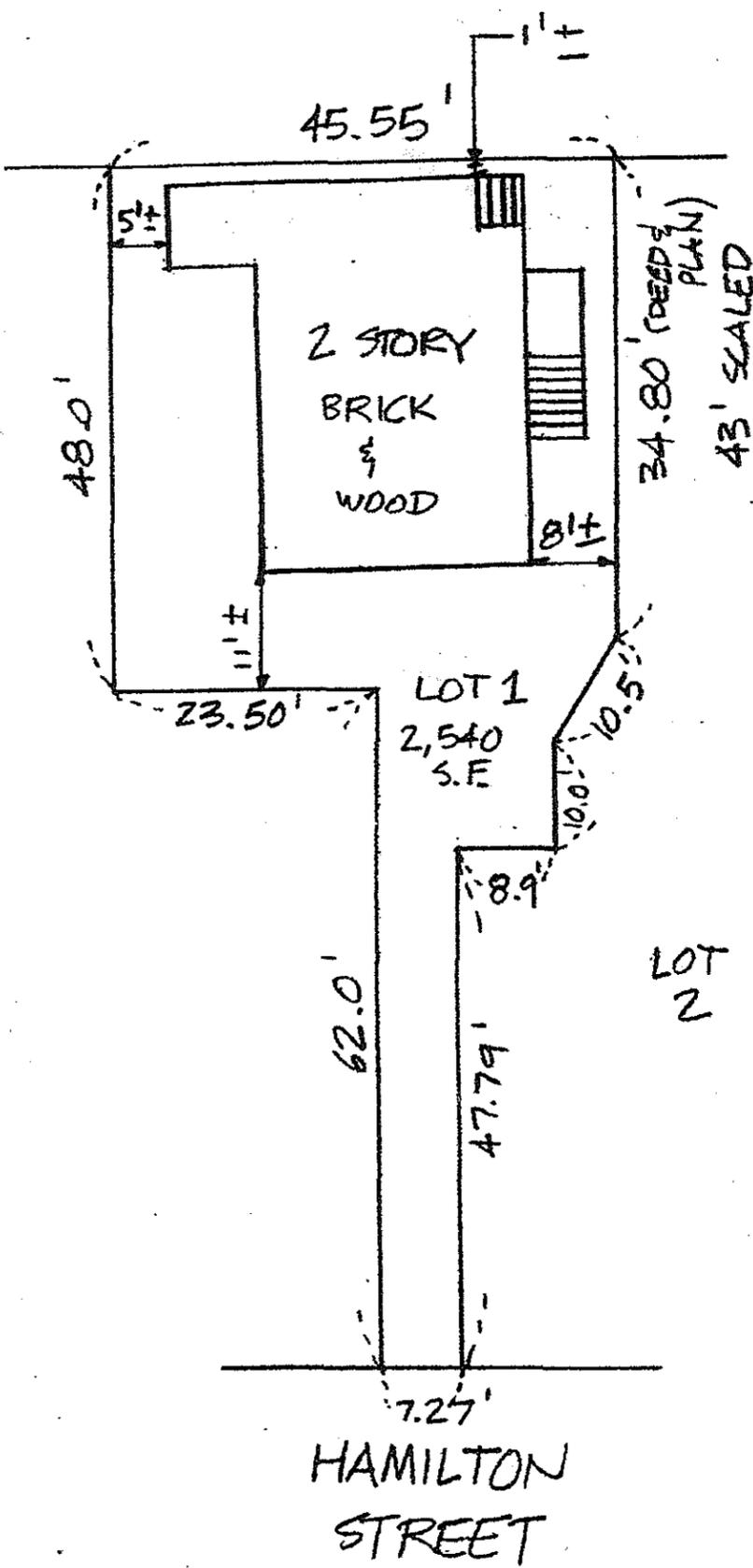
Demolition permit applications can be obtained from the Inspectional Services Department. The completed application should be submitted to the Historical Commission, where the staff will review the application. If the Executive Director of the Historical Commission makes an initial determination that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

D	RKS
C	



This mortgage inspection plan is for mortgage purposes only, it is not an instrument survey. Hence it is not to be used to establish property lines, fences, driveways, hedges, etc., or to be used for any purpose other than its original intent.

Mortgage Inspection Plan

A review of the Flood Insurance Rate Map Community-Panel Number 250186 003 B dated JULY 5, 1992 has been conducted and to the best of our interpretation this property is NOT located within the flood zone.

I hereby certify that the principal building on this plan is approximately located on the ground as shown, and it conforms to the dimensional setback requirements of the zoning and building laws of the city or town of Cambridge when constructed and to the restrictions on record.

[Signature]



Location 157 HAMILTON STREET
CAMBRIDGE M
 Scale: 1 in. = 20 ft. Date AUGUST 2, 1991
 Plan Reference BK 21034 PG 592

MORTGAGE INSPECTIONS INC
 SUITE 311, 285 MEDFORD ST., SOMERVILLE, MAS



3 SIDE ELEVATION - PROPOSED
SCALE: 1/4" = 1'-0"



1 FRONT ELEVATION - PROPOSED
SCALE: 1/4" = 1'-0"



2 REAR ELEVATION - PROPOSED
SCALE: 1/4" = 1'-0"



4 SIDE ELEVATION - PROPOSED
SCALE: 1/4" = 1'-0"



PROJECT

Alterations to:

The
BINSTOCK
RESIDENCE

157 HAMILTON STREET
CAMBRIDGE MA 02139

ISSUES / REVISIONS

Date	Description
27 Mar 18	PROPOSED

DRAWING TITLE

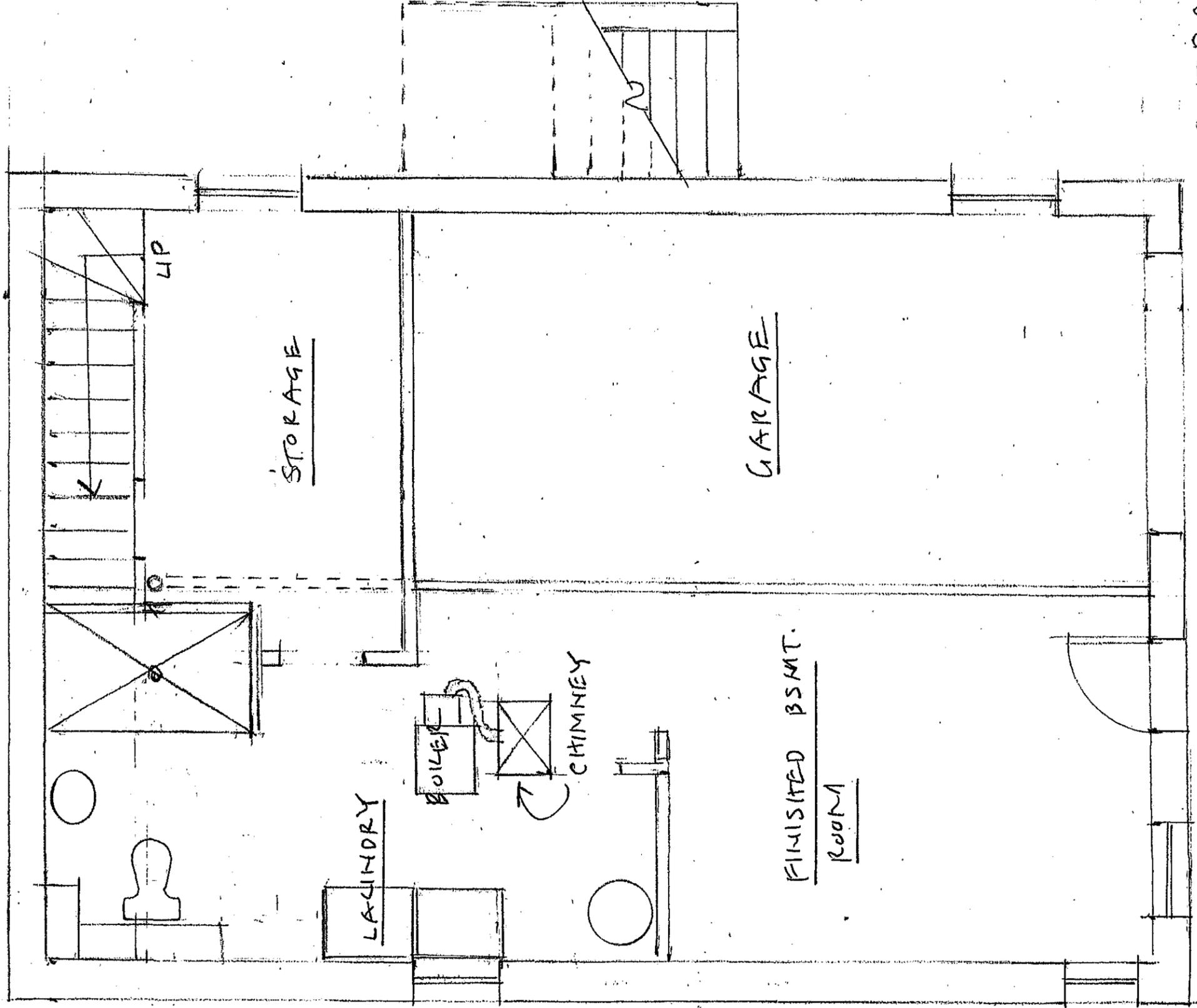
Elevations
Proposed

SCALE

1/4" = 1'-0"

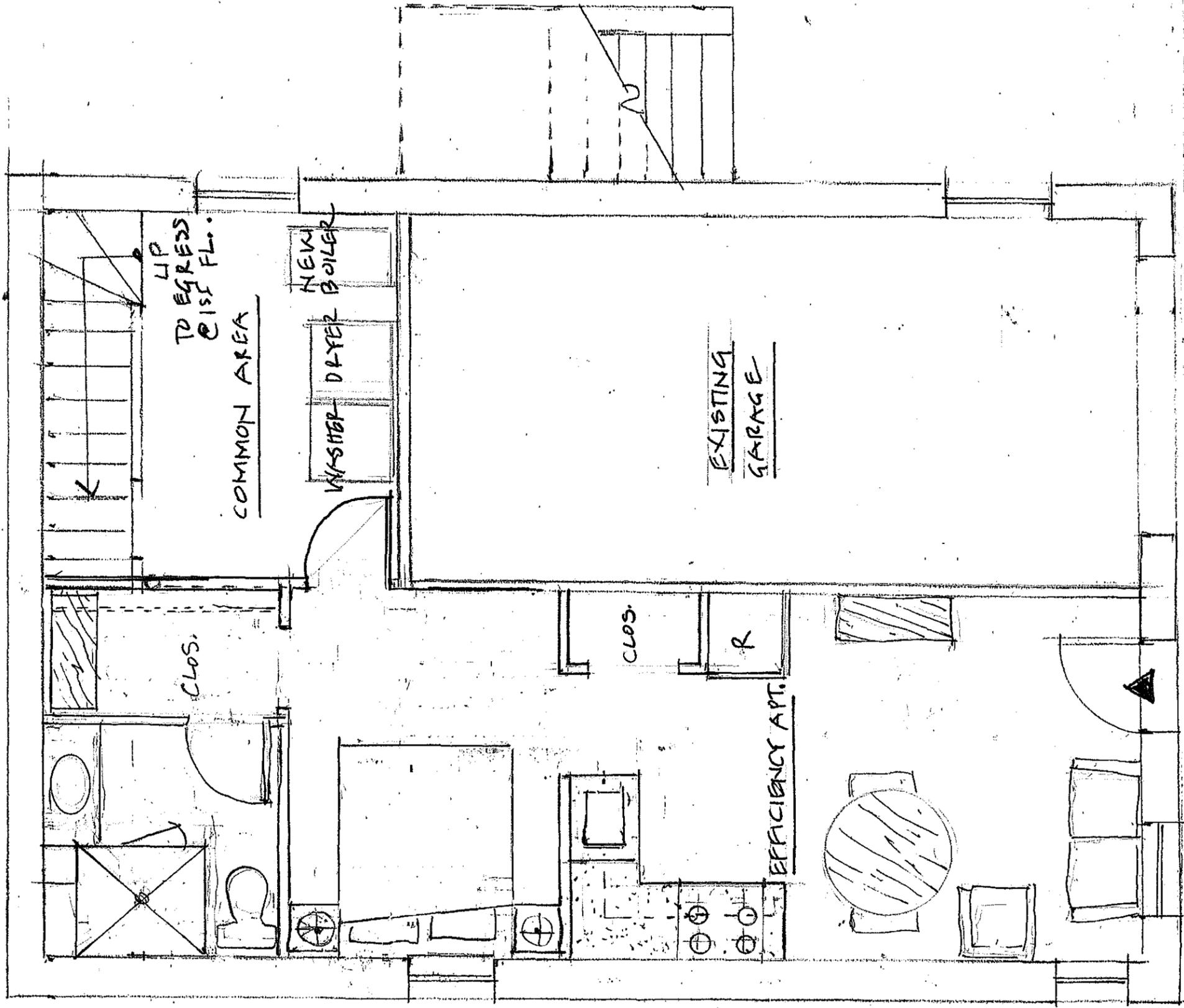
DATE

March 27, 2018



EXISTING BASEMENT PLAN
1/4" = 1'-0"

157 HAMILTON ST.
CAMBRIDGE, MA



RENOVATED BASEMENT PLAN
1/4" = 1'-0"

157 HAMILTON ST
CAMBRIDGE, MA

157 Hamilton St.

Petitioner
JAMES J. RAFFERTY, ESQ.
675 MASS AVENUE
CAMBRIDGE, MA 02139

97-46
FIGUEROA, CARLOS R. & MARGARITA FIGUEROA
162 HAMILTON ST
CAMBRIDGE, MA 02139

97-47
D' ALMEIDA, JAIME C. & LISA K.MURRAY
156 HAMILTON ST
CAMBRIDGE, MA 02139

97-67
GAGNON, THERESA M.
196 PEARL ST
CAMBRIDGE, MA 02139

97-81
NIV-VOGEL, NAVA
159-161 HAMILTON ST. UNIT 1
CAMBRIDGE, MA 02139

97-81
GEHRING, CLEMENT
161 HAMILTON ST. UNIT 2
CAMBRIDGE, MA 02139

97-87
CAMBRIDGE PORT LLC
463 LOWEL ST
ANDOVER, MA 01810

97-110
FAZIO, CATHERINE & SCOTT STERN
204 PEARL ST
CAMBRIDGE, MA 02139

97-115
SHETTERLY, JOHN A.
127 MAGAZINE STREET
CAMBRIDGE, MA 02139

97-116
STONE, JOHN
151 HAMILTON ST
CAMBRIDGE, MA 02139

97-130
LYNDON B. JOHNSON APARTMENTS, LLC.
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

97-144
GIRON, JOSE I. & MARTHA G. GIRON
165 CROSS ST
MALDEN, MA 02148

97-145
BINSTOCK, ROBERT C.
157 HAMILTON ST
CAMBRIDGE, MA 02139

97-129
JACKSON, ROBERTA L..
23 UNION AVE
MILTON, MA 02186

97-129
IANNETTA, DAVID C., LEATRICE JOY SOMOGYI &
CITY OF CAMBRIDGE TAX TITLE
147 HAMILTON ST., UNIT #3
CAMBRIDGE, MA 02139

97-65
BRIGHTMAN, HOWARD S. &
LAURA O.BRIGHTMAN
208 PEARL ST
CAMBRIDGE, MA 02139