



**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 Courtney Crummett  
(OWNER)

Address: 106 OHS St. #3 Cambridge

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

The record title of this property is in the name of Courtney Crummett

\*Pursuant to a deed of duly recorded in the date 11/7/2017, Middlesex South County Registry of Deeds at Book 70198, Page 430; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

Courtney Crummett  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

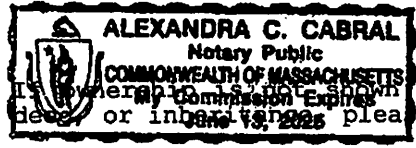
\*Written evidence of Agent's standing to represent petitioner may be requested.  
-----

Commonwealth of Massachusetts, County of Middlesex

The above-name Courtney Crummett personally appeared before me, this 6<sup>th</sup> of March, 2019, and made oath that the above statement is true.

Alexandra C. Cabral Notary

My commission expires June 13, 2025 (Notary Seal).



• If ownership is shown in recorded deed, e.g. if by court order, recent deed or inheritance please include documentation.

**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 be a substantial hardship to the Petitioner because the Petitioners' Condominium Units do not have reasonable access to the limited outdoor space although the structure was built in the 1850's and there are pre-existing doors/openings to the proposed location of the outdoor decks.

Granting the requested relief would allow for reasonable access to outdoor space thereby improving circulation and quality of life for occupants of the structure.

**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 owing to the location of the non-conforming structure that was built just 5' from the property line and in excess of the allowed gross floor area therefor any change to that side of the property would require relief.

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

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

Desirable relief may be granted with any detriment to the public good because the character and integrity of the mutli family will be maintained and the deck(s) will be sited 20+ away from the adjacent dwelling thereby reducing any negative impacts.

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

The relief requested is consistent with the intent and purpose of the Ordinance, specifically section 1.03, that calls for the most rational use of the land throughout the city. The property is sited in a multi-family residential district and the proposed decks will be a substantial improvement for the quality of life and health of its occupants.

**\* If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.**





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

2019 APR 10 AM 11:44

OFFICE OF THE CITY CLERK  
 CAMBRIDGE, MASSACHUSETTS

BZA APPLICATION FORM

Plan No: BZA-017102-2019

GENERAL INFORMATION

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

Special Permit : \_\_\_\_\_ Variance :   ✓   Appeal : \_\_\_\_\_

PETITIONER : Courtney Crummett - C/O Sean D. Hope, Esq.

PETITIONER'S ADDRESS : 907 Massachusetts Avenue Cambridge, MA 02139

LOCATION OF PROPERTY : 106 Otis St 3 Cambridge, MA

TYPE OF OCCUPANCY : 4.31 ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

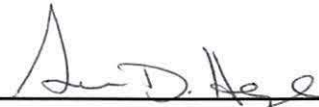
Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioners request Variance relief to construct second and third floor decks partially within the side yard setback and exceeding the allowable Gross Floor Area

SECTIONS OF ZONING ORDINANCE CITED :

Article <u>5.000</u>	Section <u>5.31</u> (Table of Dimensional Requirements).
Article <u>8.000</u>	Section <u>8.22.2.C</u> (Alerations/Non-Conforming Structures).
Article <u>10.000</u>	Section <u>10.30</u> (Variance).

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

Sean D. Hope  
 (Print Name)

Address : 907 Massachusetts Ave  
Cambridge, MA 02139

Tel. No. : 617-492-0220

E-Mail Address : sdhope77@gmail.com

Date : 04/09/2019

## Pacheco, Maria

---

**From:** tony mazzola <steinola1@gmail.com>  
**Sent:** Tuesday, April 23, 2019 1:10 PM  
**To:** Pacheco, Maria  
**Cc:** sean@hopelegal.com; Courtney  
**Subject:** Letter of support for 106 Otis Street Variance Application/4.23.2019

Dear Zoning Board,  
4.23.2019

My name is Tony Mazzola and I have lived at 113 Otis Street in Cambridge since the early 1960s. I live across the street from 106 Otis Street and the proposed balconies will be visible from my property.

I support the variance application for the balconies.

I have fond memories playing at the 106 Otis Street house with the neighbor's children, as a youngster, but it was always indoors since we weren't allowed to play in the street since the 106 Otis Street property has more of an alley than a yard. I was lucky since we had a front yard, one of the few located on Otis Street. That said, having a balcony on that property will have no negative impact on me—as a matter of fact, I welcome it.

Outdoor space here is limited in East Cambridge and these balconies are a reasonable alternative for light and air for residents living in the 2nd and 3rd floors of 106 Otis Street. Children can enjoy the outdoors in the safety of their own home.

Tony

Tony Mazzola  
113 Otis Street  
Cambridge, Mass. 02141



# CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2<sup>nd</sup> 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 106 Otis Street #2, #3

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 demolition permit anticipated.**
- 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 29, 2019

Received by Uploaded to Energov

Date April 29, 2019

Relationship to project BZA 017102-2019

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.

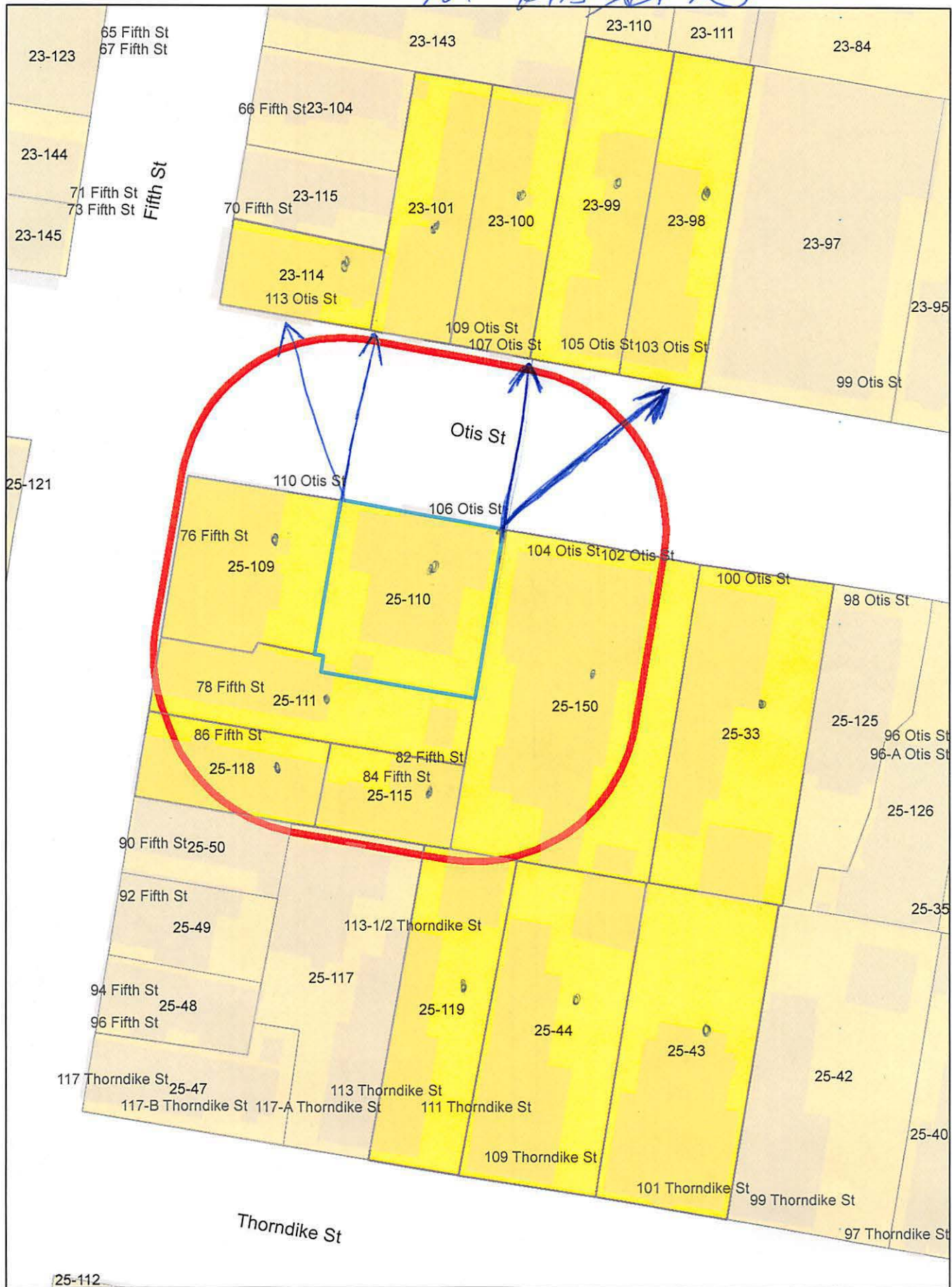
More information about the demolition permit application procedures is available on the Historical Commission's web site or by calling or dropping by the Historical Commission office.

July 2003

Cambridge Historical Commission  
831 Massachusetts Ave., 2<sup>nd</sup> Fl.  
Cambridge, MA 02139  
Ph: 617/349-4683 or TTY: 617/349-6112  
<http://www.cambridgema.gov/Historic>



106 Otis St #3



106 Otis St. #3

Petitioner

23-98  
PRETORIUS, JOHANNES F.  
103 OTIS ST  
CAMBRIDGE, MA 02139

23-99  
MCKIM, RITA M., T  
RUSTEE THE RITA M. MCKIM REV TRUST  
105 OTIS ST  
CAMBRIDGE, MA 02141

SEAN D. HOPE, ESQ.  
907 MASS AVENUE  
CAMBRIDGE, MA 02139

23-101  
CREATIVE PROPERTIES ON CENTRE, LLC  
56 JUNIPER RD  
BELMONT, MA 02478

23-114  
MAZZOLA, DONATA, A LIFE ESTATE  
113 OTIS ST  
CAMBRIDGE, MA 02141

25-33  
MCKEE, JANET ELIZABETH  
100 OTIS ST., UNIT#1  
CAMBRIDGE, MA 02141

25-33  
BALAZS, ALEJANDRO B.  
100 OTIS ST., #2  
CAMBRIDGE, MA 02140

25-43  
JOHN & PATRICIA, LLC  
62 PUTNAM STREET  
SOMERVILLE, MA 02143

25-44  
KEPPLEMAN, CHRISTOPHER M. &  
JAMES H. MULROY  
109 THORNDIKE ST  
CAMBRIDGE, MA 02141

25-109  
OPITZ, GEMA M.  
76 FIFTH STREET  
CAMBRIDGE, MA 02141

25-110  
CROWLEY, PAUL ANTHONY MCGREGOR  
SARAH PAPP CROWLEY  
106 OTIS ST. #1  
CAMBRIDGE, MA 02141

25-110  
BLEIK, SAID  
106 OTIS ST. UNIT 2  
CAMBRIDGE, MA 02141

25-110  
CRUMMETT, COURTNEY  
106 OTIS ST., #3  
CAMBRIDGE, MA 02141

25-111  
MASSIE, JOSEPH D. AND LEDA MASSIE  
C/O RHONDA MASSIE  
211 CHARLES ST  
CAMBRIDGE, MA 02141

25-115  
GREENE, EARL MCALAN JR. &  
VIRGINIE E. GREENE  
82 FIFTH STREET  
CAMBRIDGE, MA 02141

25-118  
DZIADUL, RUTH M.  
88 FIFTH ST  
CAMBRIDGE, MA 02141

25-119  
YOUNKER, WILLIAM E. & DIANE M. YOUNKER  
111 THORNDIKE ST  
CAMBRIDGE, MA 02141

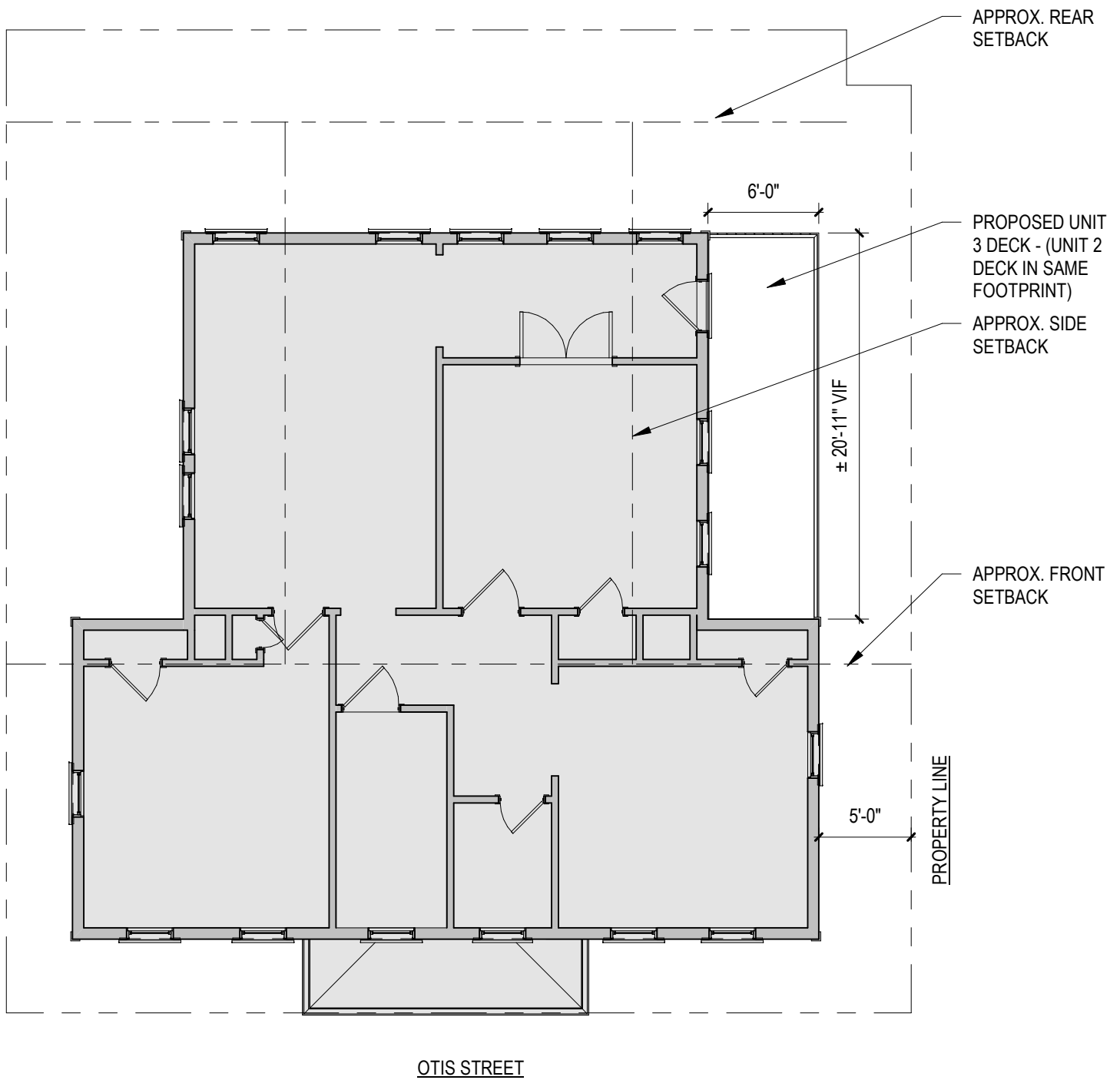
25-150  
REECE, DUNCAN & VALERIE REECE  
102-104 OTIS ST. UNIT 102/1  
CAMBRIDGE, MA 02139

25-150  
SALZER, STUART R. &  
LINDA GAYLE SHEPARD SALZER  
102-104 OTIS ST. UNIT 104/2  
CAMBRIDGE, MA 02139

25-150  
SEHRA, SHRUTI  
102-104 OTIS ST 104/1  
CAMBRIDGE, MA 02139

25-150  
DOYLE, JAMES & DANIELLE S. ALLEN  
46 RIDGEVIEW CIRCLE  
PRINCETON, NJ 08540

23-100  
GANNON, ROBERT J. & JANET M. GANNON  
TRUSTEES OF THE GANNON FAMILY TRUST  
107 OTIS ST  
CAMBRIDGE, MA 02140





**EXISTING**



**PROPOSED**

**LDa**  
 ARCHITECTURE & INTERIORS  
 222 Third Street, Suite 3212  
 Cambridge, MA 02142  
 617 621-1455 fax 617 621-1477  
 www.LDa-Architects.com

**SIDE (WEST) ELEVATION**  
 106 Otis Street Deck Additions  
 106 Otis Street  
 Cambridge, MA 02142

REF:	
DATE:	05/01/18
SCALE:	1/8" = 1'-0"
PROJ #:	P30387.00

**A230**



**EXISTING**



**PROPOSED**

**LDa**  
 ARCHITECTURE & INTERIORS  
 222 Third Street, Suite 3212  
 Cambridge, MA 02142  
 617 621-1455 fax 617 621-1477  
 www.LDa-Architects.com

**REAR (SOUTH) ELEVATION**  
 106 Otis Street Deck Additions  
 106 Otis Street  
 Cambridge, MA 02142

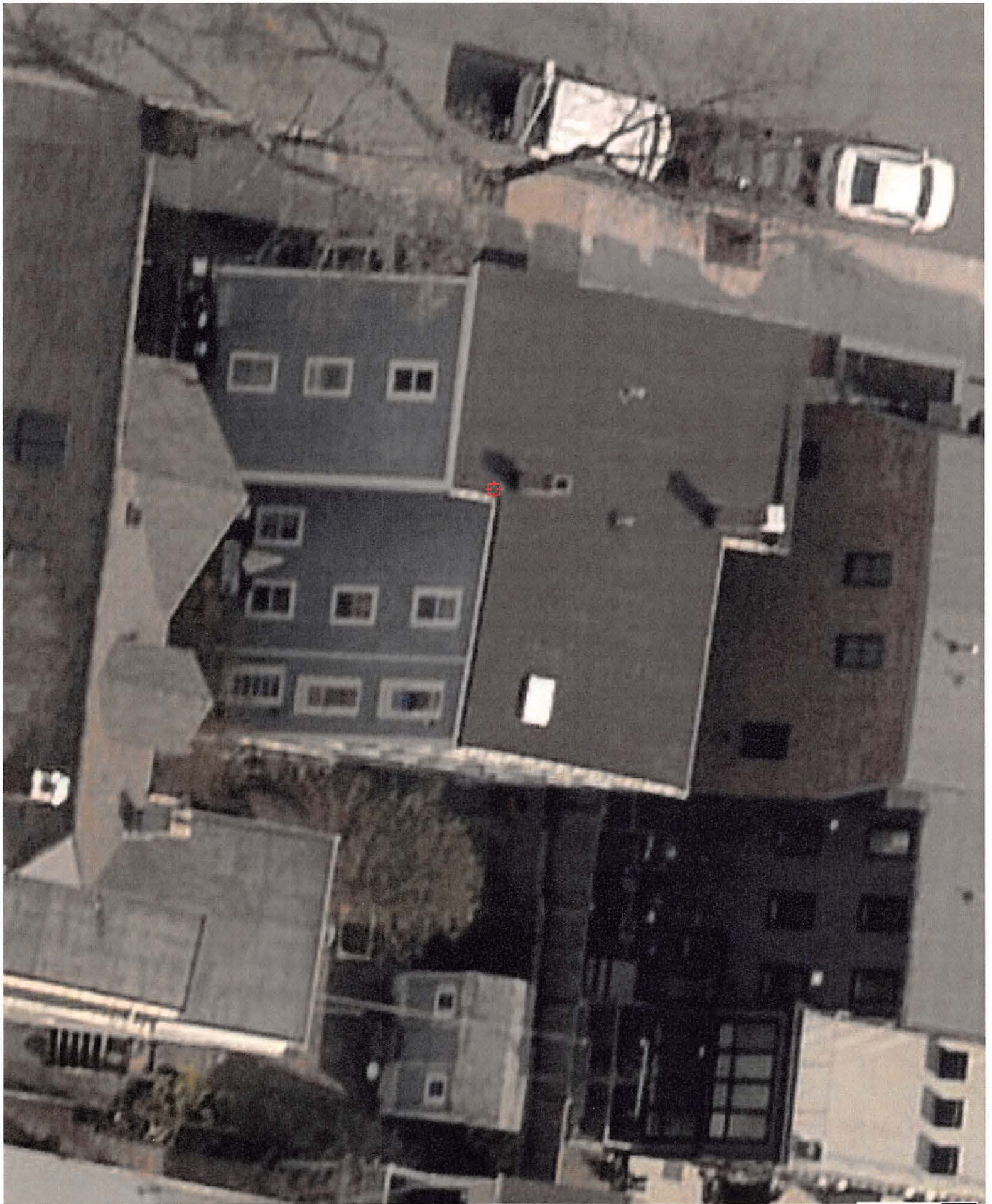
REF:	
DATE:	05/01/18
SCALE:	1/8" = 1'-0"
PROJ #:	P30387.00

**A231**

106 41st St #3



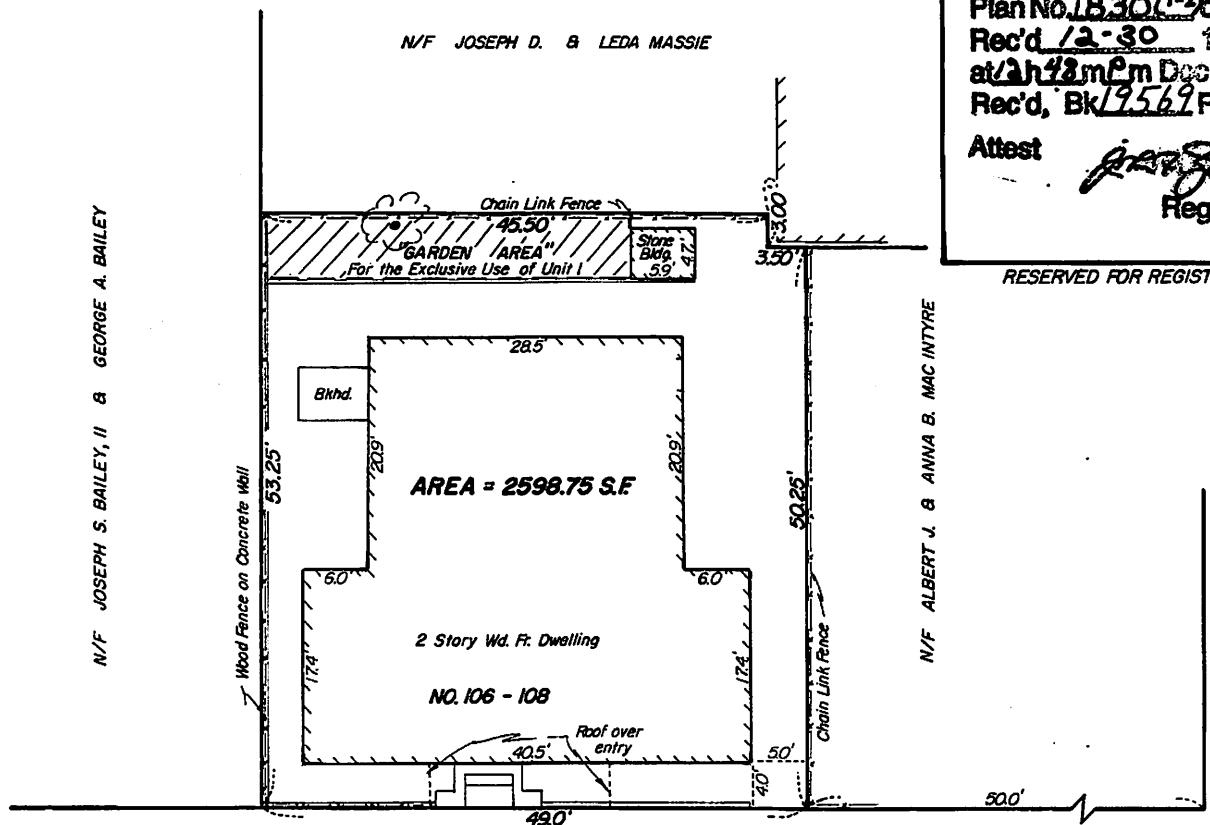






Middlesex Registry of Deeds,  
 Southern District  
 Cambridge, Massachusetts  
 Plan No. 1830(1-2) of 1988  
 Rec'd 12-30 1988  
 at 2h48m Pm Doc No. 573  
 Rec'd, Bk 19569 Page 17  
 Attest *[Signature]*  
 Register

RESERVED FOR REGISTRY USE



**OTIS STREET** (Public - 50' Wide)

**FIFTH ST**

**PROPERTY REFERENCES:**  
 Middlesex South Registry of Deeds  
 Book 13751, Pg. 674  
 Plan Book 143, Plan 25

I certify that the parcel shown hereon does not lie within a special flood hazard area as indicated on the Flood Insurance Rate Maps for the City of Cambridge, Massachusetts, dated July 5, 1982.

I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for the division of existing ownership or for new ways are shown.

I certify that this plan of 106-108 OTIS STREET CONDOMINIUM fully and accurately depicts the layout of the building dimensions, property lines and common areas to which it has access as built.

I further certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deeds of the Commonwealth of Massachusetts.

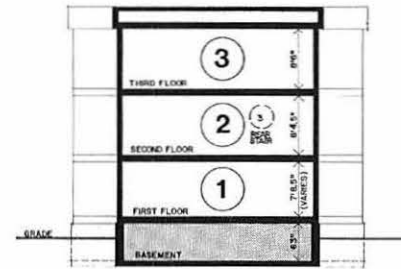
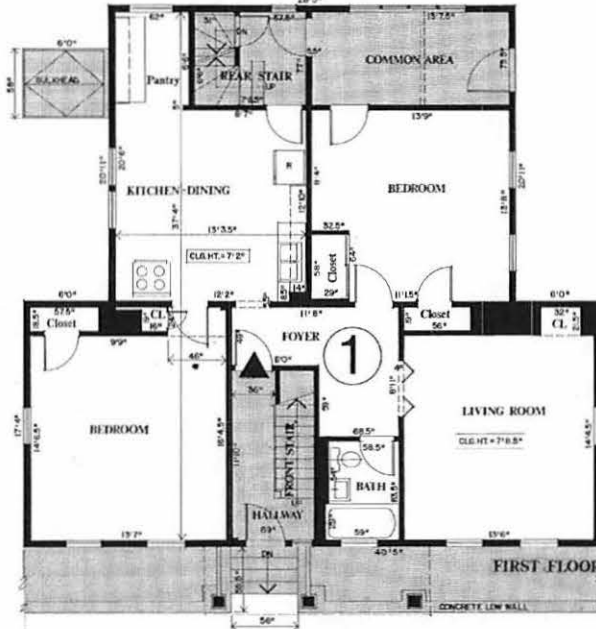
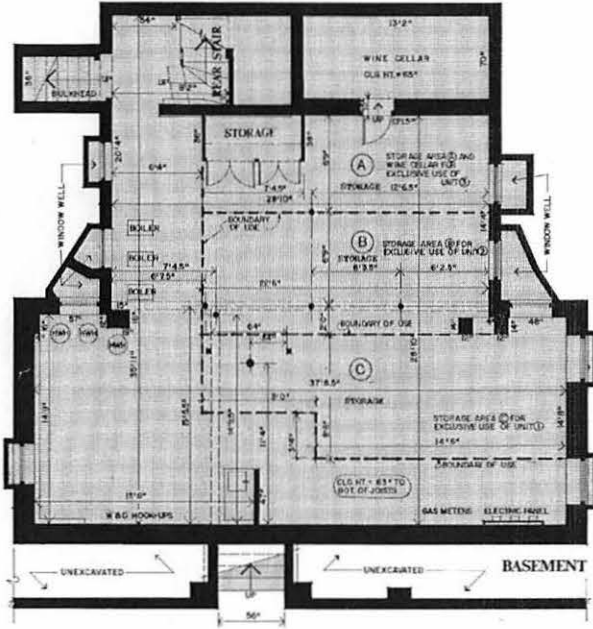
*Wendell H. Mason*



**SITE PLAN**  
 106-108 OTIS STREET CONDOMINIUM  
**CAMBRIDGE, MASS.**

SCALE: 1" = 10' JUNE 30, 1988  
 WENDELL H. MASON PROF. LAND SURVEYOR  
 122 ESSEX ST. BEVERLY, MA 01915



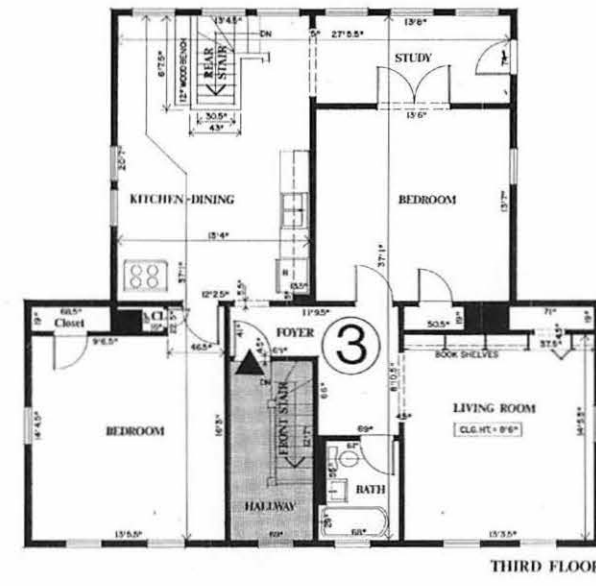
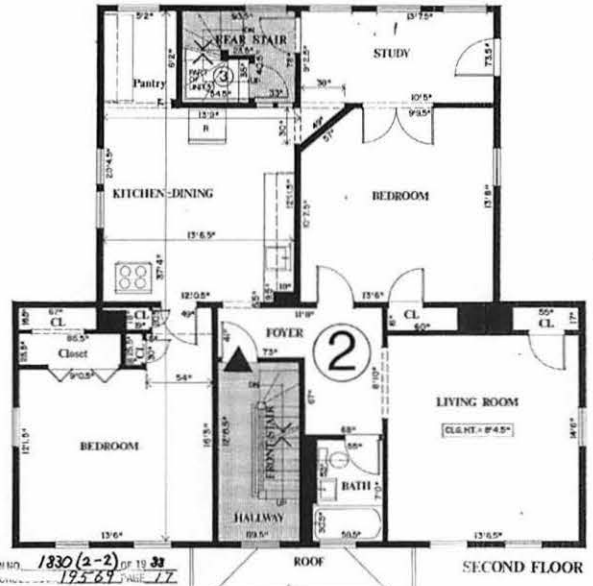
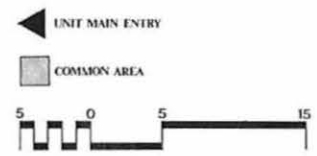


Diagrammatic Section  
(no scale)



YARD STORAGE

- UNIT 3 AREA 1139 SF
- UNIT 2 AREA 1077 SF
- UNIT 1 AREA 983 SF



PLAN NO. 1830(2-2) OF 33  
REVISED 1956 BY 17

1830-2

NOTE: AREAS ARE CALCULATED TO THE UNIT SIDE FACE OF EXTERIOR WALLS AND THE UNIT SIDE FACE OF PARTY OR COMMON AREA WALLS.

106 OTIS STREET CONDOMINIUM  
106 Otis Street, Cambridge, MA.



THIS PLAN IS PART OF THE DEVELOPMENT IN CONFORMANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF CAMBRIDGE, MASSACHUSETTS AND HAS BEEN PREPARED HEREIN FULLY AND EXHAUSTIVELY IN ACCORDANCE WITH THE PLANNING AND ZONING ORDINANCES OF THE CITY OF CAMBRIDGE, MASSACHUSETTS. I, THE ARCHITECT, CERTIFY THAT I AM A LICENSED ARCHITECT IN THE STATE OF MASSACHUSETTS.  
ROBERT J. COGGINS  
25 May 1988  
10000

COGGINS ASSOCIATES, INC.  
ARCHITECTURE-PLANNING-ENGINEERING DESIGN  
678 Massachusetts Ave. MA 02139 Tel 542-0055

JOB NO.	DATE	BY	REVISED BY	DATE
1830	5/18/88	AC	1830	5/18/88
DESIGN BY	AC			
ORDERED BY	AC			
REVISED BY	1830			
APPROVED BY	1830			
DATE OF REV. NO.	5/18/88			
SCALE	CONSTRUCTION	1/4" = 1'-0"		

1