CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 MAY 17 PM 2:32
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 119814

General Information

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

Special Permit: ___X___ Variance: _____ Appeal: _____

PETITIONER: Judy and Dwight Trew C/O David M Fenchel, RA

PETITIONER'S ADDRESS: 785 Cambridge Street, Cambridge, MA 02141

LOCATION OF PROPERTY: 110 Berkshire St , Unit 1 , Cambridge, MA

TYPE OF OCCUPANCY: Residential **ZONING DISTRICT:** Residence C-1 Zone

REASON FOR PETITION:

/relocate an existing window and add a matching window in an non-conforming wall due to an existing minimum side yard setback violation/

DESCRIPTION OF PETITIONER'S PROPOSAL:

We request relief of Zoning Article 5.31 (Table of Dimensions), minimum side yard setback, in order to move an existing window opening (1ft horizontally) and add one matching window.

A Special Permit is necessary because of an existing violation that does not meet the minimum side yard setback of at least 7.5ft (existing wall for proposed window add/alter is between 3.7ft and 4.1ft from side property-line).

The proposed work does not exacerbate the non-conforming condition of side yard setback minimum, and it would not be a detriment to the public interest.

Please note, approved construction is underway per approved Permit #98074 (Unit 1- renovation/addition), and Permit #108476 (Unit 3- rebuild existing porch enclosure and open porches).

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements)
Article: 8.000 Section: 8.22.2.C (Non-Conforming Structure)
Article: 10.000 Section: 10.40 (Special Permit).

Original Signature(s): D. M. Fenchel
(Petitioner (s) / Owner)

DAVID M. FENCHEL
(Print Name)

Address:

Tel. No. 2024235347
E-Mail Address: david@traversearchitects.com

Date: 05/13/21

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 Judy Trew
(OWNER)

Address: 15 Knightsbridge Lane, Hilton Head Island, SC 29928

State that I/We own the property located at 110-112 Berkshire St, Unit 1, Cambridge MA 02141 which is the subject of this zoning application.

The record title of this property is in the name of
PIERCE, B. DEAN & JUDY P. TREW TRUSTEES OF THE DWIGHT R.TREW IRRVOC TRT

*Pursuant to a deed of duly recorded in the date 08/09/2019, Middlesex South County Registry of Deeds at Book 60359, Page 383; or Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

State of South Carolina
~~Commonwealth of Massachusetts~~, County of Beaufort

The above-name BDean Pierce personally appeared before me, this 11 of May, 2021, and made oath that the above statement is true.

Amy Robinson Notary

My commission expires 4-6-31 (Notary Seal).

- 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 110 Berkshire St , Unit 1 , 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:

The proposed work does not exacerbate the non-conforming condition of side yard setback minimum, and it does not further violate the dimensions requirements. The proposed windows improve access to daylight and fresh air, and it is in keeping with the existing building fenestration along the non-conforming wall.

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:

The proposed work does not affect traffic patterns

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 proposed work does not change the use of the existing building. It does not negatively impact neighbors' privacy, access to daylight and fresh air, and it does not impede views or cast shadows onto adjacent properties.

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 proposed work does not change the use of the existing building.

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 work does impair the integrity of the neighborhood and is in keeping with the style and general fenestration of the existing building and nearby buildings.

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

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Judy and Dwight Trew
Location: 785 Cambridge Street
Phone: 2024235347

Present Use/Occupancy: Residential
Zone: Residence C-1 Zone
Requested Use/Occupancy: Residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		4,849	N/A	5,604.75	(max.)
LOT AREA:		7,473	N/A	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: [2]		0.65	N/A	0.75	
LOT AREA OF EACH DWELLING UNIT		2,491	N/A	1,500	
SIZE OF LOT:	WIDTH	50.39	N/A	50	
	DEPTH	N/A	N/A	N/A	
SETBACKS IN FEET:	FRONT	5.5	N/A	21.5	
	REAR	84.4	N/A	32.5	
	LEFT SIDE	3.7	N/A	7.5 (sum of 20ft)	
	RIGHT SIDE	15	N/A	7.5 (sum of 20ft)	
SIZE OF BUILDING:	HEIGHT	34	N/A	35	
	WIDTH	N/A	N/A	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		2,855	N/A	2,242	
NO. OF DWELLING UNITS:		3	N/A	3	
NO. OF PARKING SPACES:		2	N/A	N/A	
NO. OF LOADING AREAS:		N/A	N/A	N/A	
DISTANCE TO NEAREST BLDG. ON SAME LOT		N/A	N/A	N/A	

Describe where applicable, other occupancies on the 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'.

BERKSHIRE STREET

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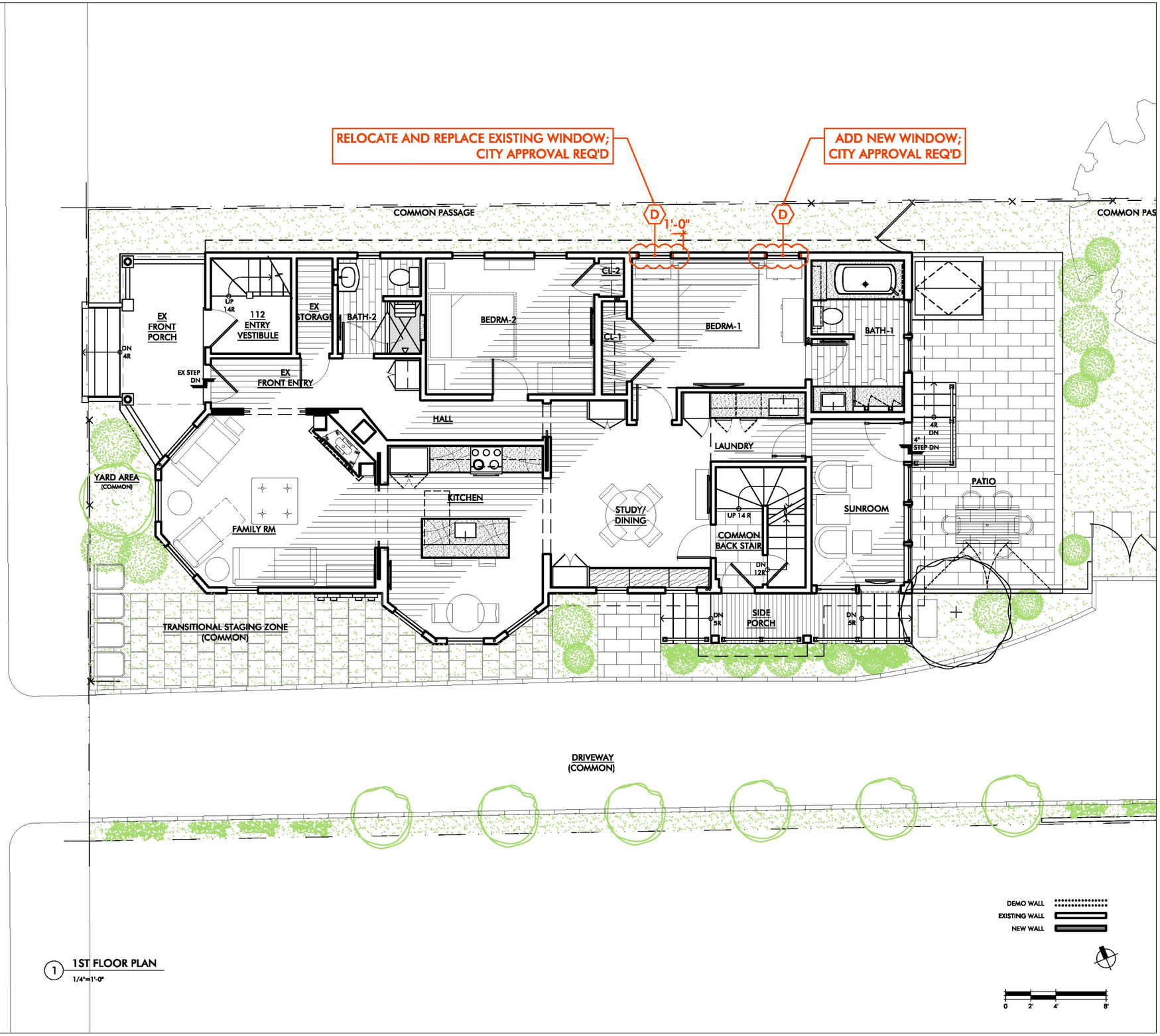


1 1ST FLOOR PLAN
1/4"=1'-0"

TRAVERSE ARCHITECTS
785 CAMBRIDGE STREET, CAMBRIDGE, MA 02141
WWW.TRAVERSEARCHITECTS.COM | 202.423.5347

DATE:	04.14.2021
SCALE:	AS NOTED
DRAWN BY:	DF

SPECIAL PERMIT SET

TREW RESIDENCE
110-112 BERKSHIRE ST, UNIT 1 CAMBRIDGE, MA 02141

SPECIAL PERMIT: FLOOR PLAN

A1.0

I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND BETWEEN THE DATES OF MAY 22, 2012 - OCTOBER 5, 2017 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS
ZONE: X
COMMUNITY PANEL: 25017C0577E
EFFECTIVE DATE: 06/04/2010

PREPARED FOR:
B. DEAN PIERCE
JUDY P. TREW
TRUSTEES OF THE DWIGHT R. TREW IRREVOCABLE TRUST
110-112 BERKSHIRE STREET, UNIT 1
CAMBRIDGE, MA 02141

REFERENCES:
OWNER OF RECORD:
WP CONDOMINIUM
110-112 BERKSHIRE STREET
CAMBRIDGE, MA 02141

REFERENCES:
MASTER DEED: BK 60359; PG 383
PLAN: PL BK 56; PL 9
PL 1996 #882
PL 2001 #1084
PL 2012 #792

NOTES:
PARCEL ID: 37-48-1
ZONING: R1

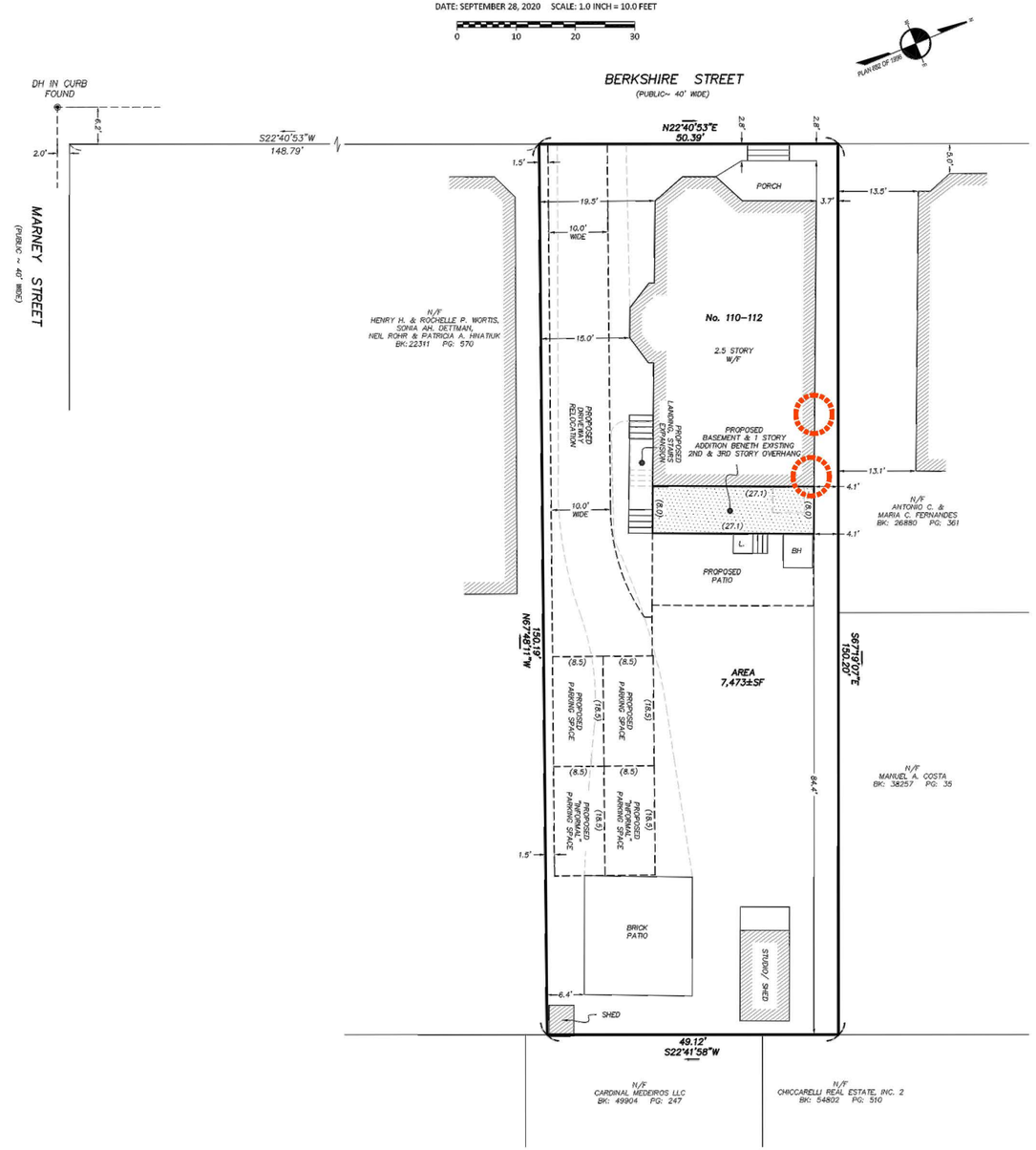
PRINTED NOT TO SCALE

SITE PLAN OF LAND
LOCATED AT
110-112 BERKSHIRE STREET
CAMBRIDGE, MA

DATE: SEPTEMBER 28, 2020 SCALE: 1.0 INCH = 10.0 FEET

0 10 20 30

BOSTON SURVEY, INC.
UNIT C-4 SHIPWAY PLACE
CHARLESTOWN, MA 02129
(617) 242-1313



FIELD:	MO
DRAFT:	CJB, RAP
CHECK:	GCC
DATE:	09/28/20
JOB #	12-00378

COMMONWEALTH OF MASSACHUSETTS
GEORGE C. COLLINS
No. 41784
PROFESSIONAL LAND SURVEYOR

TRAVERSE ARCHITECTS
785 CAMBRIDGE STREET, CAMBRIDGE, MA 02141
WWW.TRAVERSEARCHITECTS.COM | 202.423.5347

DATE: 04.14.2021	SCALE: N.T.S.
DRAWN BY:	

SPECIAL PERMIT SET

TREW RESIDENCE
110-112 BERKSHIRE ST, UNIT 1 CAMBRIDGE, MA 02141

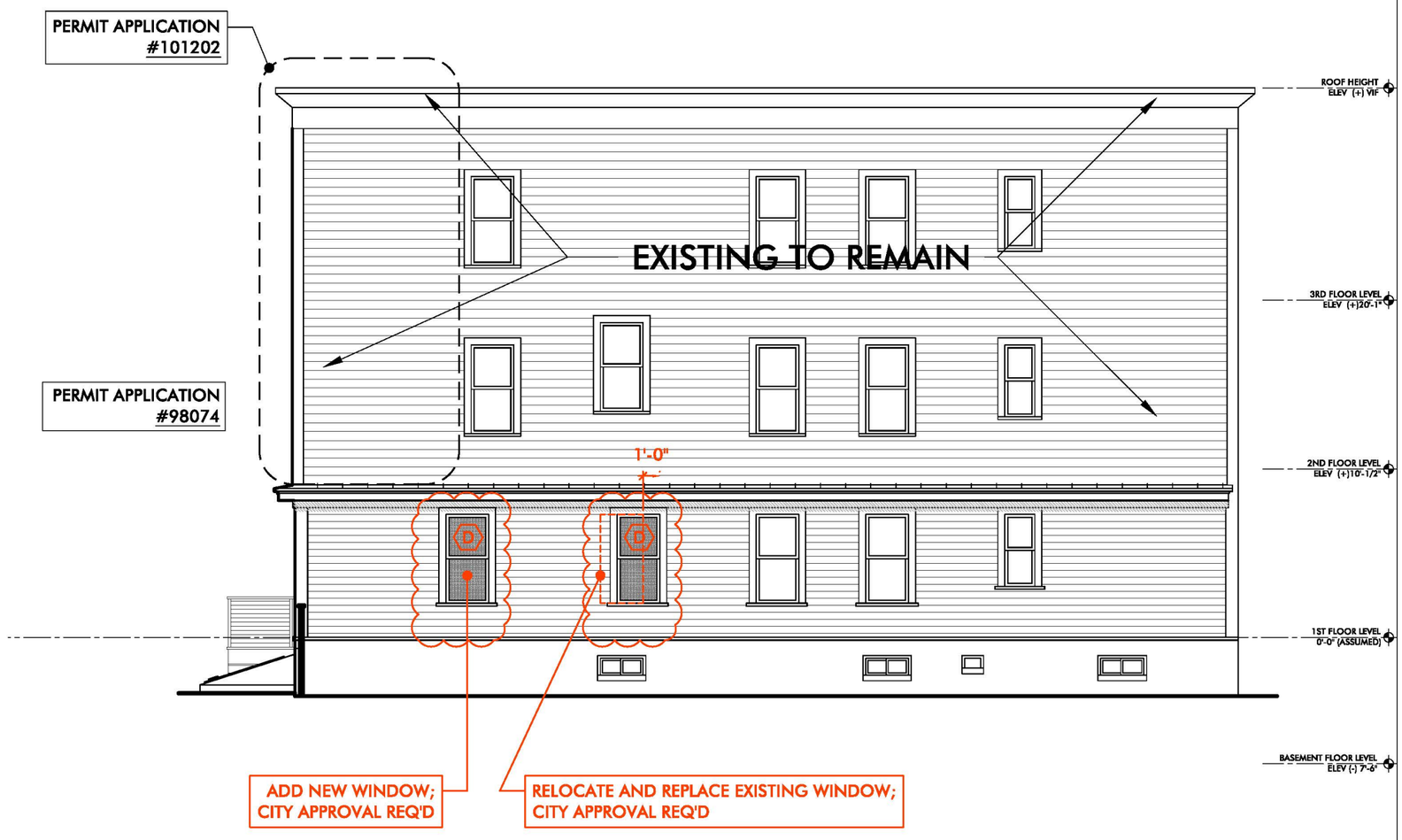
SPECIAL PERMIT: CERTIFIED PLOT PLAN

A0.1

WINDOW SCHEDULE												
KEY	MANUFACTURER	TYPE	MATERIAL	MODEL NO.	SIZE (FS) WxH	SIZE (RO)	OPERATION	FINISH (EXT/INT)	STICKING	HARDWARE	GLAZING	REMARKS
D	MARVIN	ELEVATE DOUBLE HUNG	CLAD/WOOD	N/A	2'-6 1/2" x 5'-3 1/2"	2'-7 1/2" x 5'-4"	DOUBLE HUNG	STONE WHITE/PRIMED WHITE	SQUARE STICKING	STANDARD SASH LOCKING/ WHITE	DUAL PANE/ LOW-E2 WITH ARGON/ SDLS/ 2 OVER 1	*EGRESS UNIT

NOTES:
NOTE 1 - PROVIDE TEMPERED GLASS AS REQUIRED BY LOCAL CODE
NOTE 2 - SEE DRAWINGS FOR PATTERN AND OPERATION, SWING DIRECTION

PRINTED AT 50%



2 SIDE ELEVATION (NORTH)
1/4"=1'-0"

0 2' 4' 8'

TRAVERSE ARCHITECTS
785 CAMBRIDGE STREET, CAMBRIDGE, MA 02141
WWW.TRAVERSEARCHITECTS.COM | 202.423.5347

DATE: 04.14.2021
SCALE: AS NOTED
DRAWN BY: DF

SPECIAL PERMIT SET

TREW RESIDENCE
110-112 BERKSHIRE ST, UNIT 1 CAMBRIDGE, MA 02141

SPECIAL PERMIT: EXTERIOR ELEVATION

A2.0

EXISTING PHOTO AT NORTH DRIVEWAY

3D VIEW OF PROPOSED WINDOWS AT NORTH DRIVEWAY

TRAVERSE ARCHITECTS
785 CAMBRIDGE STREET, CAMBRIDGE, MA 02141
WWW.TRAVERSEARCHITECTS.COM | 202.423.5347

DATE: 04.14.2021
SCALE: N.T.S.
DRAWN BY: DF

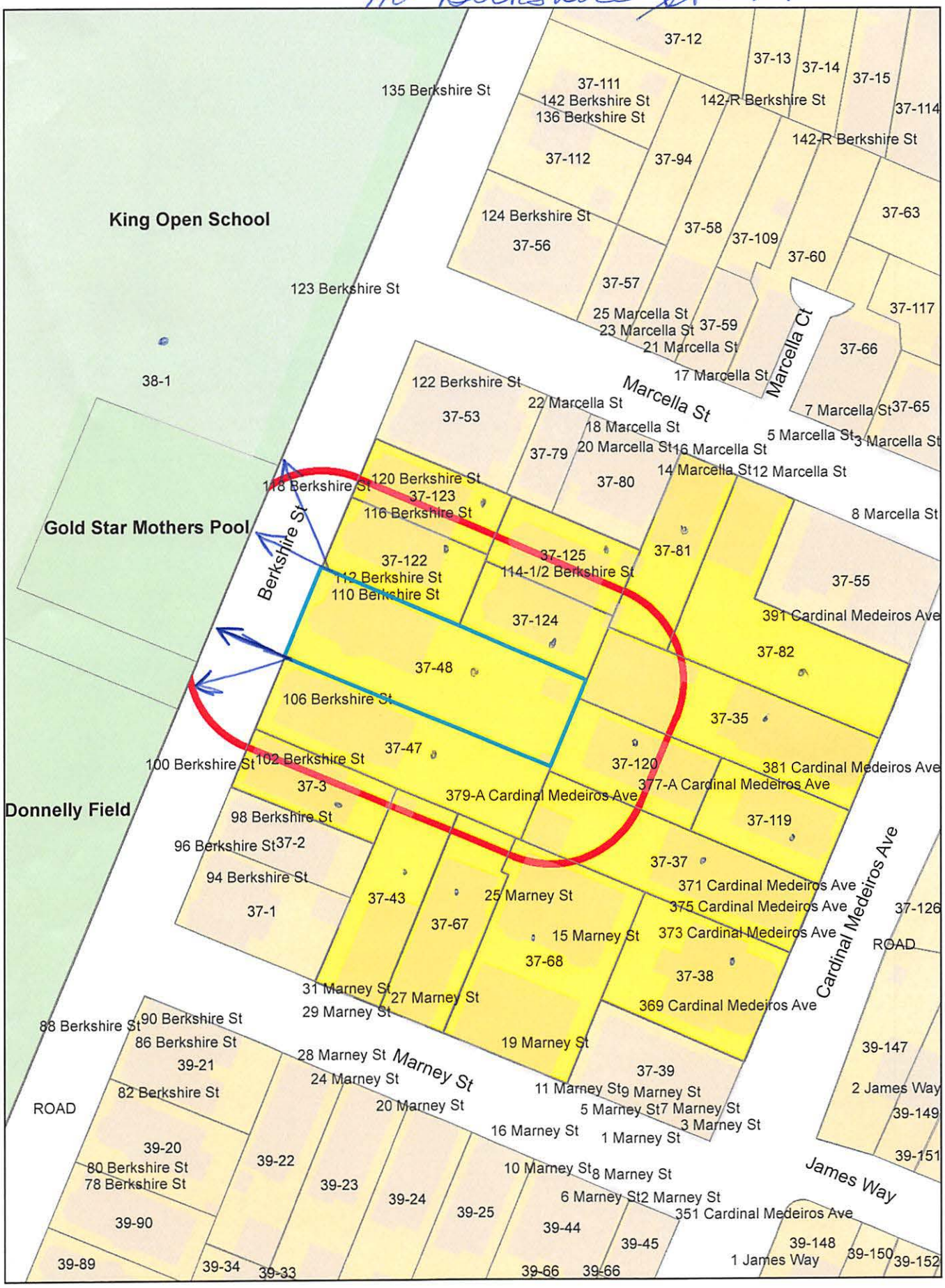
SPECIAL PERMIT SET

TREW RESIDENCE
110-112 BERKSHIRE ST, UNIT 1 CAMBRIDGE, MA 02141

SPECIAL PERMIT: EXIST PHOTO & 3D VIEWS

A0.0

110 Berkshire St. #1



110 Berkshire St. #1

Petitioner

37-120
CARDINAL MEDEIROS, LLC
C/O ALEXIS C. WALLACE
20 AVON STREET
CAMBRIDGE, MA 02138

37-124
COSTA, JOAQUIM A.,
TRUSTEE COSTA FAMILY TRUST
114.5 BERKSHIRE ST
CAMBRIDGE, MA 02141

37-38
SALIB, CHRISTINE R.
191 WINTER ST
HOPKINTON, MA 01748-2021

37-67
UEP MARNEY LLC
60 K ST
BOSTON, MA 02127

37-38
MAHONEY, DAVID J.
363-369 CARDINAL MEDEIROS AVE., #365/1
CAMBRIDGE, MA 02141

37-68
13-19 MARNEY STREET LLC
11 ELKINS ST., SUITE 420
BOSTON, MA 02127

37-3
VICKERY, ELLEN M. & TIMOTHY W. DYER
102 BERKSHIRE ST., #2
CAMBRIDGE, MA 02141

37-38
KINLEY-STEFFENSON , JOHN D& ANNE
TR. OF THE STEFFENSON-KINLEY FAMILY TRST
1503 EATON AVE
SAN CARLOS, CA 94070

37-37
POLACK, EVELYNE W.,
TRUSTEE THE EVELYNE W.POLACK REV TRUST
371 CARDINAL MEDEIROS AVE., #371/2
CAMBRIDGE, MA 02139

37-37
ZELENKOVAS, ANDRE & NAOMI MAEKAWA
375 CARDINAL MEDEIROS AVE. - UNIT# 375/1
CAMBRIDGE, MA 02139

37-82
KOBAYASHI TAKASHI
TRS TAKASHI KOBAYASHI TR
4-9-10 403 MINAMI AZABU
MINATO-KU
TOKYO JAPAN, 106-0047

37-125
ANTUNES, ABILIO & ANA C. ANTUNES
120R BERKSHIRE ST
CAMBRIDGE, MA 02141

37-35
KYT ASSOCIATES LLC
10 YORK PLACE
CAMBRIDGE, MA 02141

37-38
TAN, LONGJUN
367 CARDINAL MEDEIROS AVE UNIT #/2
CAMBRIDGE, MA 02141

37-38
BECK, RYAN S.
365 CARDINAL MEDEIROS AVE.,#2
CAMBRIDGE, MA 02141

37-81
CATANA, MARIA I.
3 VISTA ST
MALDEN, MA 02148

37-37
MOHR, STEPHANIE
373 CARDINAL MEDEIROS AVE. - UNIT#373/2
CAMBRIDGE, MA 02139

37-37
FORD, ETHAN E.
373 CARDINAL MEDEIROS AVE - UNIT#373/3
CAMBRIDGE, MA 02139

37-3
RHEE, EUGENE P.
32 AVONDALE RD
NEWTON, MA 02459

37-122
FERNANDES, ANTONIO C. AND
MARIA C. FERNANDES
114-116 BERKSHIRE ST
CAMBRIDGE, MA 02141

DAVID M. FENCHEL, RA
785 CAMBRIDGE STREET
CAMBRIDGE, MA 02141

37-48
PIERCE, B. DEAN & JUDY P. TREW
TR. OF THE DWIGHT R.TREW IRRVOC TRT
112 BERKSHIRE ST UNIT 1
CAMBRIDGE, MA 02141

37-38
ROSS, FRAN
369 CARDINAL MEDEIROS AVE
CAMBRIDGE, MA 02141

37-119
CARNEIRO, ANA C., ANTONIO R. & CARLOS A.
COSTA & HELENA COSTA
377-379 CARDINAL MEDEIROS AVE
CAMBRIDGE, MA 02141

37-43
MEDEIROS, JOSE J., MARIA P. & EDUARDA P.
TRUSTEE OF MEDEIROS REV TRUST
31 MARNEY ST
CAMBRIDGE, MA 02141-1409

37-3
MEHTA, ANAND
100-102 BERKSHIRE ST., UNIT #1
CAMBRIDGE, MA 02141

37-82
BAKER, JEFFREY S.,
TRUSTEE THE NEW MARCELLA REALTY TR
12-14 MARCELLA ST., #B, #1 & #2
CAMBRIDGE, MA 02141

37-37
MACKOFF, DEVIN
371 CARDINAL MEDEIROS AVE, UNIT #371-3
CAMBRIDGE, MA 02139

37-37
STANDISH, ADAM
371 CARDINAL MEDEIROS AVE. - UNIT#371/1
CAMBRIDGE, MA 02139

37-48
TREW, TAYLOR & BRIAN TENGGREN
112 BERKSHIRE ST., #3
CAMBRIDGE, MA 02141

110 Berkshire St - #1

37-48
AKER, JENNY C.
112 BERKSHIRE ST., #2
CAMBRIDGE, MA 02139

37-123
DA SILVA, MARIA, LIFE ESTATE
118 BERKSHIRE ST
CAMBRIDGE, MA 02141

37-47
HUNT CAROLYN BANJAMIN WIEHE
106 BERKSHIRE ST
CAMBRIDGE, MA 02141

38-1
CAMBRIDGE CITY OF SCHOOL
AND RECREATION DEPT.
159 THORNDIKE ST
CAMBRIDGE, MA 02141

38-1
CITY OF CAMBRIDGE
C/O LOUIS DEPASQUALE
CITY MANAGER

38-1
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR