

BZA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Andrew F Hartness

PETITIONER'S ADDRESS: 112 upland Rd

LOCATION OF PROPERTY: 112 upland Rd

TYPE OF OCCUPANCY: Single-family Residential ZONING DISTRICT: Resi B Zone

REASON FOR PETITION:

Other: Alteration to a non-conforming structure;

DESCRIPTION OF PETITIONER'S PROPOSAL:

Installation of basement door on side yard accessed by uncovered stair within aggregate side yard setback; Replacement of pre-existing non-conforming metal bulkhead with glass access hatch within rear yard setback; Replacement of deteriorated windows.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5.00 Section 8.22.1 Alterations to non-conforming structure

Article 5.00 Section 5.31 Dimensional requirements

Original Signature(s):



(Petitioner(s)/Owner)

Andrew F Hartness

(Print Name)

Address:

112 Upland Road,

Cambridge, MA 02140

Tel. No.:

617-230-9472

E-Mail Address:

andrew_hartness@hotmail.com

Date: 7/30/2019

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 Andrew Hartness
(OWNER)

Address: 112 Upland Rd Cambridge, MA 20140

State that I/We own the property located at 112 Upland Rd, Cambridge, MA,
which is the subject of this zoning application.

The record title of this property is in the name of _____
Andrew & Marie-Emmanuelle Hartness

*Pursuant to a deed of duly recorded in the date 7/27/2018, Middlesex South
County Registry of Deeds at Book 71384, Page 322; 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.

Commonwealth of Massachusetts, County of Middlesex

The above-name Andrew Hartness personally appeared before me,
this 16 of July, 20 19, and made oath that the above statement is true.



Notary

My commission expires April 24, 2020 (Notary Seal) **ADRIENNE BAILEY**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 24, 2020

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Andrew Hartness PRESENT USE/OCCUPANCY: Residence

LOCATION: 112 Upland Rd Cambridge, MA 20140 ZONE: Residential B Zone

PHONE: 617-320-9472 REQUESTED USE/OCCUPANCY: Residence

| | <u>EXISTING</u> <u>CONDITIONS</u> | <u>REQUESTED</u> <u>CONDITIONS</u> | <u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹ | |
|---|--------------------------------------|---------------------------------------|--|------------|
| TOTAL GROSS FLOOR AREA: | 6119 sf | 6119 sf | 2874 sf | (max.) |
| LOT AREA: | 4645 sf | 4645 sf | 5000 sf | (min.) |
| RATIO OF GROSS FLOOR AREA TO LOT AREA: ² | 1.32 | 1.32 | 0.5 | (max.) |
| LOT AREA FOR EACH DWELLING UNIT: | 4645 sf | 4645 sf | 2500 sf | (min.) |
| SIZE OF LOT: | | | | |
| WIDTH | 57 ft | 57 ft | 50 ft | (min.) |
| DEPTH | 82 ft | 82 ft | 100 ft | |
| Setbacks in Feet: | | | | |
| FRONT | 15 ft | 15 ft | 15 ft | (min.) |
| REAR | 21 ft | 21 ft | 25 ft | (min.) |
| LEFT SIDE | 7 ft 6 in. | 7 ft 6 in. | 7 ft 6 in. | (min.) |
| RIGHT SIDE | 8 ft 6 in. | 8 ft 6 in. | 7 ft 6 in. | (min.) |
| SIZE OF BLDG.: | | | | |
| HEIGHT | 38 ft | 38 ft | 35 ft | (max.) |
| LENGTH | 44 ft | 44 ft | n/a | |
| WIDTH | 42 ft | 42 ft | n/a | |
| RATIO OF USABLE OPEN SPACE TO LOT AREA: ³ | 42 % | 42% | 40 % | (min.) |
| NO. OF DWELLING UNITS: | 1 | 1 | 1 | (max.) |
| NO. OF PARKING SPACES: | 1 | 1 | 1 | (min./max) |
| NO. OF LOADING AREAS: | 0 | 0 | 0 | (min.) |
| DISTANCE TO NEAREST BLDG. ON SAME LOT: | 0 | 0 | 0 | (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.

No other occupancies on the lot.

Note : At time of purchase, entire rear yard was brick patio sloping toward house and did not figure in city's GFA calculations, putting the actual GFA at approx. 7,300 SF; we have since leveled, lowered and planted, with some terracing, bringing FAR closer toward compliance.

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'.

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:

Introduction

The homeowner seeks to improve security, access and usability to the basement level of this single family home, which currently does not have adequate light and means of direct egress, and is subject to water infiltration in the basement level. The plan involves the following objectives, each requiring retroactive zoning relief from the Article 5.000 dimensional standards, and the latter requiring relief from the Article 5.00 alteration to a non-conforming structure:

- A)** installing a basement doorway and small uncovered landing in the side yard of the house's western façade to be accessed via 9 stair steps within the sum-of side-yard setback requirement, and which has been approved by the Historic Commission;
- B)** replacing the current pre-existing, non-conforming metal bulkhead with a glazed operable hatch within the rear yard setback;

An additional aspect of the work, already undertaken, involved replacing an inoperable double door with a sliding glass door of the same dimensions, as well as two (2) other sliding glass doors that replaced windows on the rear facade. These openings were created by a professional contractor and were visually inspected by the Inspectional Services Department, and should not require retroactive relief as this facade is located 26-28 ft from the rear lot line, complying with the 25ft minimum building setback required in this district. Additionally, visually-adjacent abutters have witnessed this improvement undertaken and have verbally voiced support.

All basement windows will be replaced; windows in the front will also be screened by planting.

HARDSHIP:

A literal enforcement of the ordinance impose hardship, both structural, safety, and otherwise, prohibiting the homeowners (and their children) from completing the renovation of a comfortable and safe home for their family. The plans presented to the BZA with this application represent the homeowners' best efforts to make changes necessary to achieve their desired continued use of this single-family residence with minimal zoning relief requested. The creation of a side entry door provides a clear means of egress from the basement as well as much needed daylighting; this door has already been installed, and the petitioners are seeking retroactive relief. Inspectional Services indicated that this opening is within the aggregate side yard setback and will require retroactive relief. Immediately adjacent abutters within sight of this intervention have been regularly updated as to the formal drafting of design documents and BZA application. To address concerns of site safety, ISD has approved the completion of the retaining wall, and installation of stairs, and door hardware so it may be closed and secured.

The replacement of the pre-existing highly-deteriorated at-grade windows with new windows of comparable dimensions and superior quality has been approved by the historic Commission. The replacement of the pre-existing non-conforming semi-functional bulkhead with a glass hatch of similar but smaller dimensions will allow for safer egress as well as daylighting into an otherwise dark basement.

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 hardships described herein are related to bringing the house into conformance for both safety and structural integrity. These circumstances collectively result in the Homeowners requiring zoning relief to enact these relatively modest improvements.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

Variance relief from section 8.22.1 may be granted without any detriment to the public good. The creation of the basement access door will provide necessary safety for evacuation, as well as access for emergency personnel in the event of a fire. This opening will follow similar guidelines for discretion for adjacent historic homes, and in addition will not be visible from the street. The proposed windows will be a vast improvement over the deteriorated pre-existing windows. The current bulkhead is visible to a single rear abutter from his carriage house, and its glazed replacement will allow daylight to penetrate in to the basement and will not have an impact on density or use within the building.

There will be no adverse impacts to the Districts in terms of congestion or density or historic appearance. By permitting this zoning relief, the Board will allow for the Homeowners to proceed with plans that render the house's basement safer, dryer, and more easily accessible.

2) Relief may be granted without nullifying or substantially derogating

from the intent or purpose of this Ordinance for the following reasons:

Consistent with the stated intent and purpose of the ordinance, as detailed in Section 1.30 of Article 1.000 Preamble of the Zoning ordinance as well as M.G.L Ch. 40A Zoning Section 10 Variances, the proposed project will:

- Not result in use or activity not otherwise permitted in the ordinance.
- Not result in negative impacts listed in the Section 1.3 regarding traffic, population density, blight and pollution.

*** 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

GENERAL INFORMATION

The undersigned hereby petitions the Board of Zoning Appeal for the following: **2019 AUG -1 PM 3:07**
Special Permit: _____ Variance: X Appeal: _____
**OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS**

PETITIONER: Andrew F Hartness

PETITIONER'S ADDRESS: 112 upland Rd

LOCATION OF PROPERTY: 112 upland Rd

TYPE OF OCCUPANCY: Single-family Residential ZONING DISTRICT: Resi B Zone

REASON FOR PETITION:

Other: Alteration to a non-conforming structure;

DESCRIPTION OF PETITIONER'S PROPOSAL:

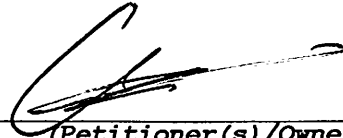
Installation of basement door on side yard accessed by uncovered stair within aggregate side yard setback; Replacement of pre-existing non-conforming metal bulkhead with glass access hatch within rear yard setback; Replacement of deteriorated windows.

SECTIONS OF ZONING ORDINANCE CITED:

Article 5.00 Section 8.22.1 Alterations to non-conforming structure

Article 5.00 Section 5.31 Dimensional requirements

Original Signature(s):



(Petitioner(s)/Owner)

Andrew F Hartness

(Print Name)

Address:

112 Upland Road,

Cambridge, MA 02140

Tel. No.:

617-230-9472

E-Mail Address:

andrew_hartness@hotmail.com

Date: 7/30/2019

T1
Title Sheet

HARTNESS RESIDENCE, 112 UPLAND RD

ALTERATION OF EXISTING SINGLE FAMILY BUILDING
112 UPLAND RD, CAMBRIDGE, MA 02140

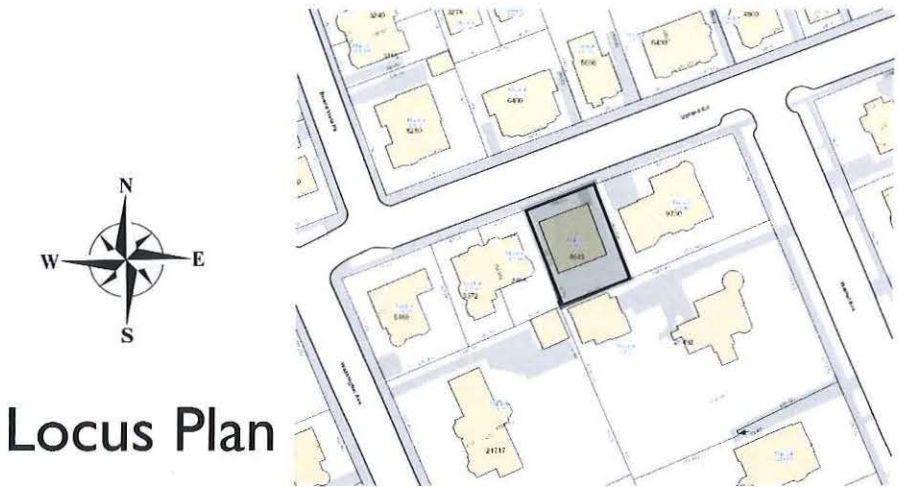
| LIST OF DRAWINGS | | ZBA APPL | |
|------------------|--|----------|--|
| GENERAL | | | |
| T1 | TITLE SHEET | X | |
| | ASSESSOR'S SURVEY WITH SPOT TOPOGRAPHY | X | |
| Z1 | ZONING ANALYSIS - ZONING RELIEF | X | |
| Z2 | ZONING ANALYSIS - SITE PLAN AND OPEN SPACE | X | |
| | | | |
| | | | |

| | | | |
|--------|---|---|--|
| DESIGN | | | |
| | | | |
| A1 | ILLUSTRATIVE SITE PLAN, FIRST FLOOR PLANS | X | |
| A2 | BASEMENT PLANS: EXISTING AND PROPOSED | X | |
| A3 | EXISTING AND PROPOSED NORTHELEVATION | X | |
| A4 | EXISTING AND PROPOSED EAST ELEVATION | X | |
| A5 | EXISTING AND PROPOSED SOUTH ELEVATION | X | |
| A6 | EXISTING AND PROPOSED WEST ELEVATION | X | |
| | | | |
| EC2 | EXISTING CONDITION PHOTOS | X | |
| RE1 | RENDERING - PROPOSED BASEMENT ENTRY | X | |
| RE2 | RENDERING - PROPOSED GLAZED HATCH | X | |
| | | | |
| | | | |



View of walkway,
as seen from Upland Rd

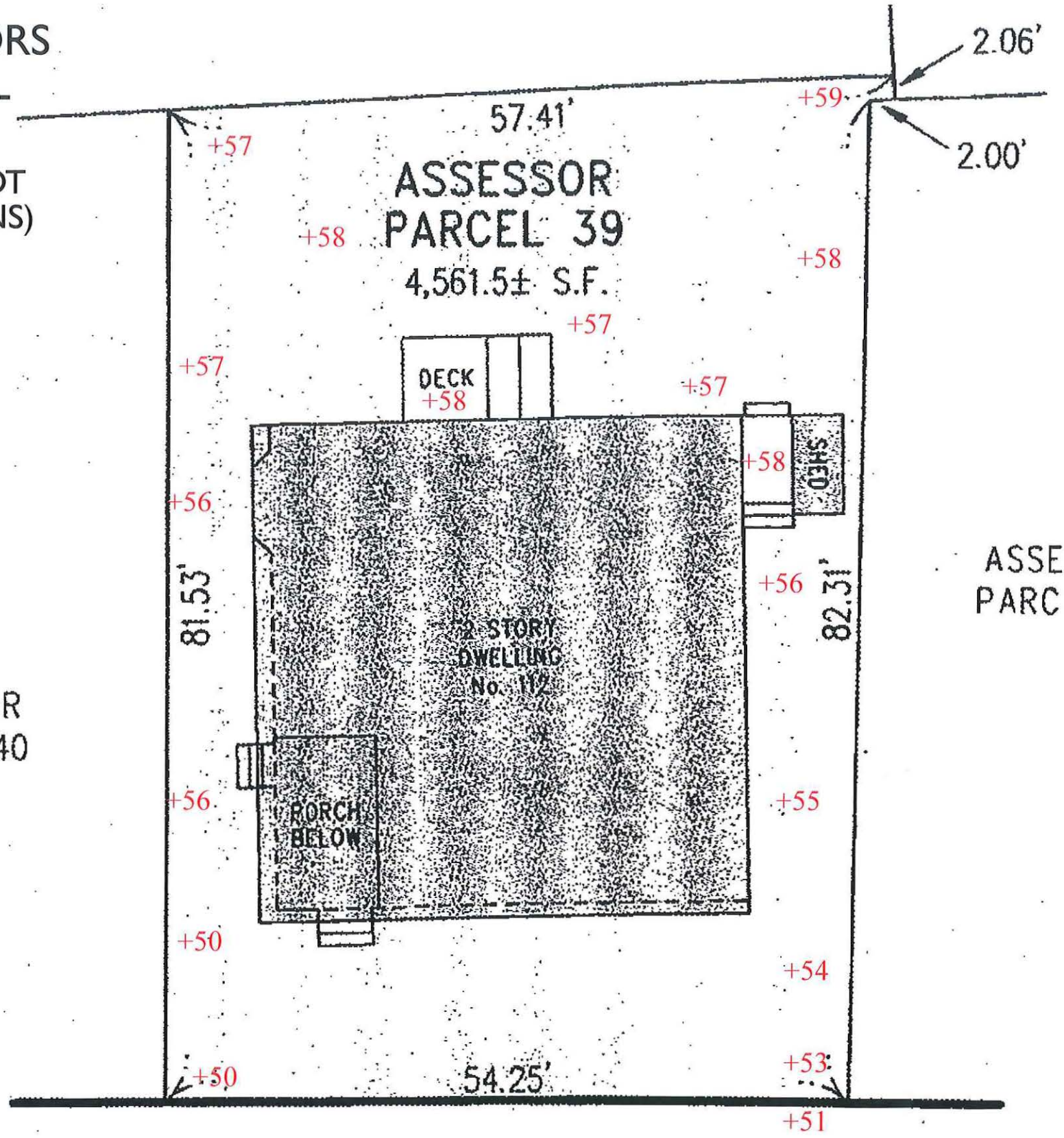
Prepared by A. Hartness, homeowner



ASSESSORS
SURVEY -
DETAIL
(WITH SPOT
ELEVATIONS)

N/F
CAPP

ASSESSOR
PARCEL 40

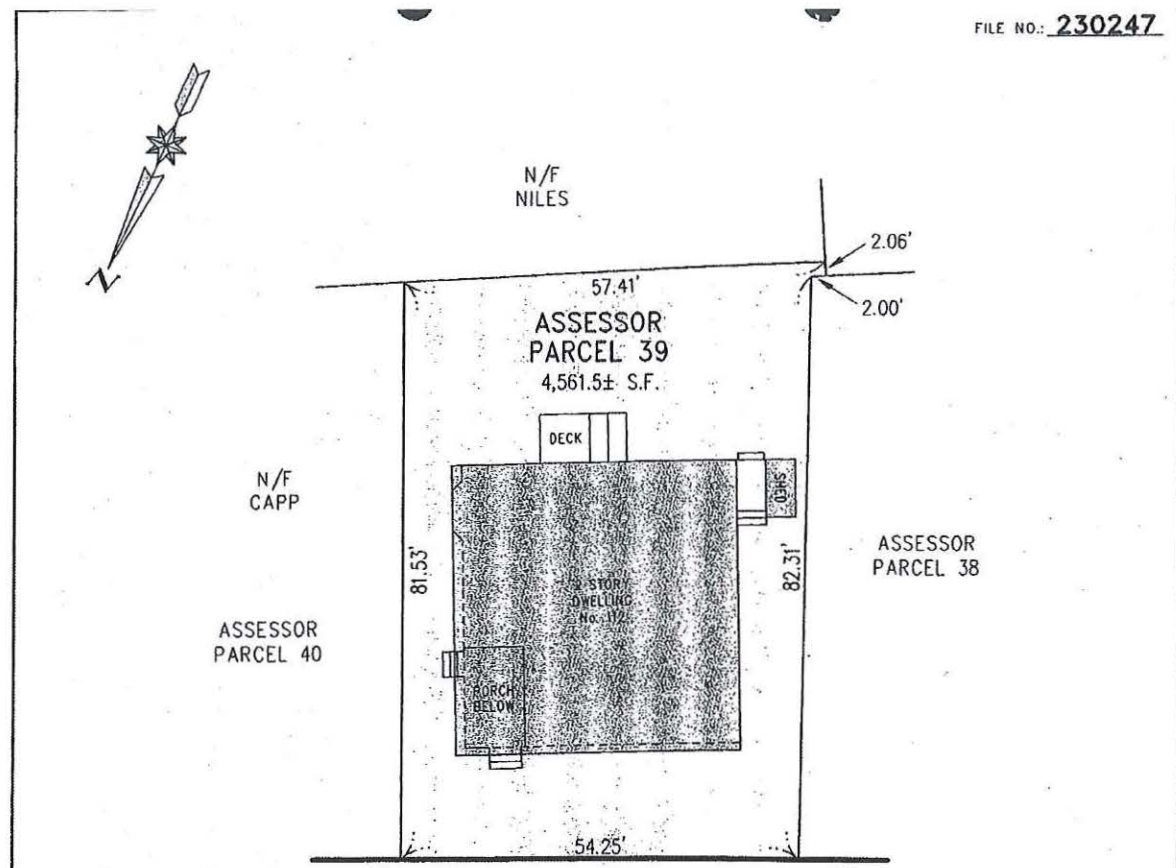


APPLICANT'S NOTES

- 1.) During pre-application interview, it was not determined to be necessary to provide a new site survey. This existing survey is provided as a reference.
- 2.) No utility is identified
- 3.) No title examination provided.
- 4.) Spot elevation information via Google Earth, provided by applicant

HARTNESS RESIDENCE, 112 UPLAND RD

FILE NO.: 230247



LOT CONFIGURATION IS BASED
ON DEED, AND/OR
ASSESSOR'S MAP, AND
OCCUPATION. A MORE
ACCURATE REPRESENTATION
WILL REQUIRE AN INSTRUMENT
SURVEY.

MORTGAGE LENDER
USE ONLY

| | | |
|--|--|--|
| <p>plotplans.com</p> <p>DES LAURIERS & ASSOCIATES, INC. 420 FORTUNE BOULEVARD MILFORD, MA 01757 (600)287-8800 FAX: (508)528-4011</p> | <p>Sotiri Sougaris, Attorney at Law</p> <p>(617) 323-0030 Fax: (617) 507-8255 17 Cocasset Street Foxborough, MA 02035</p> | |
| <p>MORTGAGE INSPECTION PLAN</p> <p>ADDRESS: 112 UPLAND ROAD, CAMBRIDGE, MA</p> <p>LENDER: NEW FEDERAL MORTGAGE CORP.</p> <p>ATTORNEY: SOTIRI SOUGARIS, ATTORNEY AT LAW HARTNESS</p> <p>OWNER: ROBERT N. SHAPIRO, TRUSTEE OF THE JOEL HIRSH FEIGON TRUST</p> <p>APPLICANT: ANDREW HARTNESS AND MARIE-EMMANUELLE HARTNESS</p> <p>DATE: 5/10/2018 SCALE: 1"=20' COUNTY: MIDDLESEX</p> <p>UNREGISTERED LAND</p> <p>DEED BOOK: 70843 PAGE: 71</p> <p>PLAN BOOK: PAGE: LOT(S):</p> <p>PLAN NUMBER: OF</p> <p>REGISTERED LAND</p> <p>CERTIFICATE OF TITLE:</p> <p>REGISTRATION BOOK: PAGE:</p> <p>PLAN NUMBER: LOT(S):</p> | <p>THERE ARE NO DEEDED EASEMENTS IN THE ABOVE REFERENCED DEED OR ENCROACHMENTS WITH RESPECT TO DWELLING SITUATED ON THIS LOT EXCEPT AS STATED ON THE DEED OF RECORD SHOWN.</p> <p>THE LOCATION OF THE DWELLING AS SHOWN HEREON EITHER WAS IN COMPLIANCE WITH THE LOCAL ZONING BY-LAWS IN EFFECT WHEN CONSTRUCTED (WITH RESPECT TO STRUCTURAL SETBACK REQUIREMENTS ONLY), OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAPTER 40A, SECTION 7.</p> <p>ASSESSORS MAP: 210 BLOCK: LOT: 39</p> | |

GENERAL NOTES: (1) THE DECLARATIONS MADE ABOVE ARE ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF AS THE RESULT OF A MORTGAGE INSPECTION TAPE SURVEY, NOT THE RESULT OF AN INSTRUMENT SURVEY MADE TO THE NORMAL STANDARD OF CARE OF REGISTERED LAND SURVEYORS PRACTICING IN MASSACHUSETTS. (2) DECLARATIONS ARE MADE TO THE ABOVE NAMED CLIENT ONLY AS OF THIS DATE. (3) THIS PLAN WAS NOT MADE FOR RECORDING PURPOSES, FOR USE IN PREPARING DEED DESCRIPTIONS OR FOR CONSTRUCTION. (4) VERIFICATIONS OF PROPERTY LINE DIMENSIONS, BUILDING OFFSETS, FENCES, OR LOT CONFIGURATION MAY BE ACCOMPLISHED BY AN ACCURATE INSTRUMENT SURVEY. (5) NO RESPONSIBILITY IS ASSUMED HEREIN TO THE LAND OWNER OR OCCUPANT.

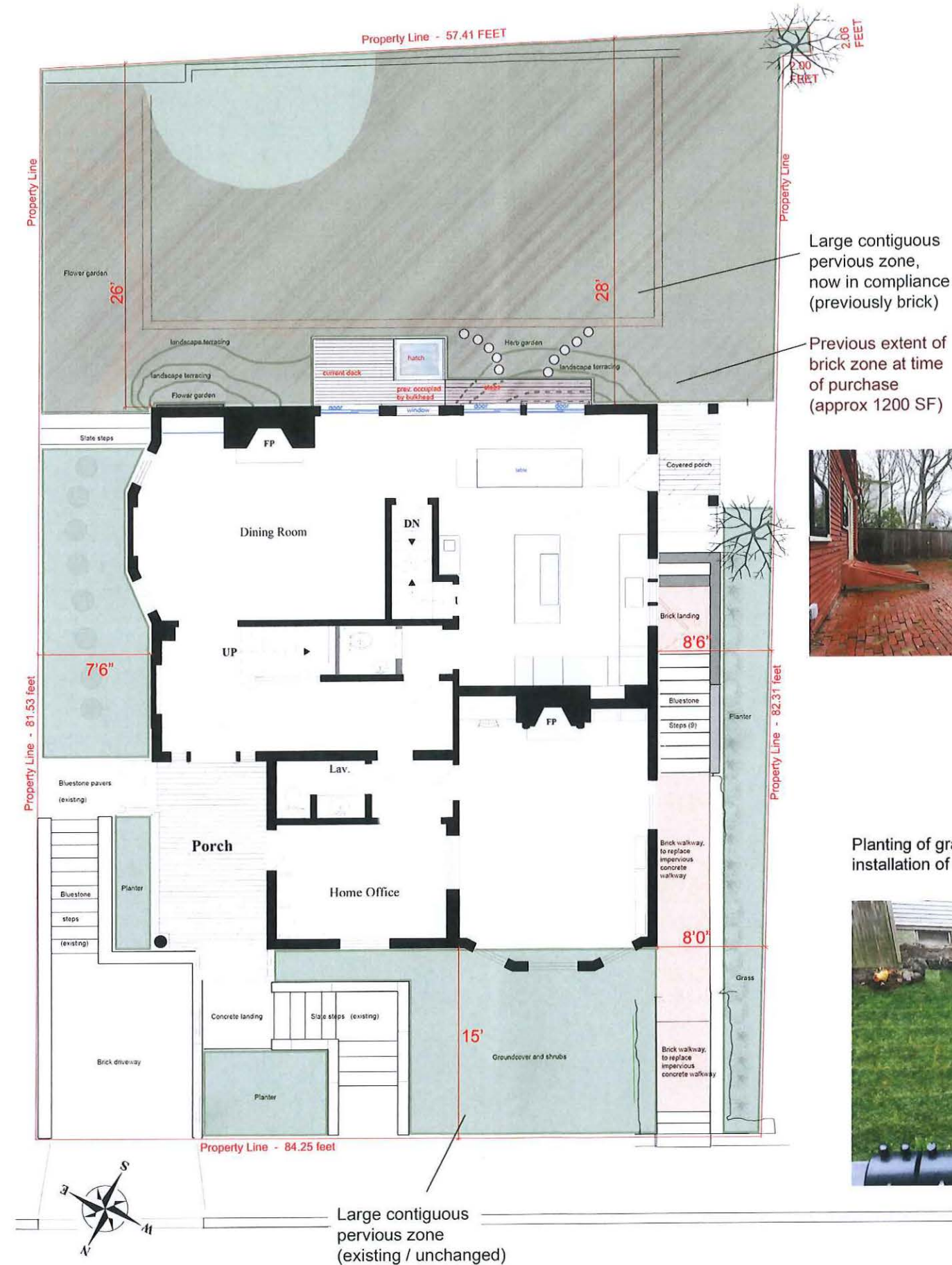
ZI
Zoning
Table and
Relief Requested

| | | <u>EXISTING</u> | <u>REQUESTED</u> | <u>REQUIRED / ALLOWED</u> | <u>RELIEF OR COMPLIANCE</u> |
|---|------------|-----------------|------------------|---------------------------|---|
| TOTAL GROSS FLOOR AREA: | | 6119 sf | 6119 sf | 2874 sf (max.) | Existing nonconformity, Requires relief |
| LOT AREA: | | 4645 sf | no change | 5000 sf (min.) | Existing nonconformity, no change |
| RATIO OF GROSS FLOOR AREA TO LOT AREA: | | 1.32 | 1.32 | 0.5 (max.) | Existing nonconformity, Deck requires relief |
| <u>SIZE OF LOT:</u> | WIDTH | 54-57 ft | 54-57 ft. | 50 ft (min.) | No change |
| | DEPTH | 81-82 ft | 81-82 ft. | 100 ft | Existing nonconformity, no change |
| <u>SETBACKS IN FEET</u> | FRONT | 15 ft | | 15 ft (min.) | No change |
| | REAR | 21 ft | 21 ft | 25 ft (min.) | Existing nonconformity, Glazed hatch requires relief |
| | LEFT SIDE | 7 ft 6 in. | 7 ft 6 in. | 7 ft 6 in. (min.) | No change |
| | RIGHT SIDE | 8 ft 6 in. | 8 ft 6 in. | 7 ft 6 in. (min.) | Basement door requires retroactive relief (setback aggregate) |
| RATIO OF USABLE OPEN SPACE TO LOT AREA | | 42 % | 40% 42% | 40 % (min.) | Open space complies |

Z2

Dimensional Site Plan & Open Space

HARTNESS RESIDENCE, 112 UPLAND RD



Planting of grass, flowerbeds,
installation of edging



scale 1" = 10'



Basement Plan

scale 1" = 10'



scale 1" = 10'

Relocation of unsanitary lavatory
Installation of glazed egress hatch
Replacement 8 windows
Creation of basement door egress and steps, reinforcement with retaining wall
Placement of partition walls



A3

Facade North

HARTNESS RESIDENCE, 112 UPLAND RD

Current front yard
elevation
scale 1" = 10'



Project front yard
elevation:
- walkway, stairs
- new basement
windows
scale 1" = 10'



A4

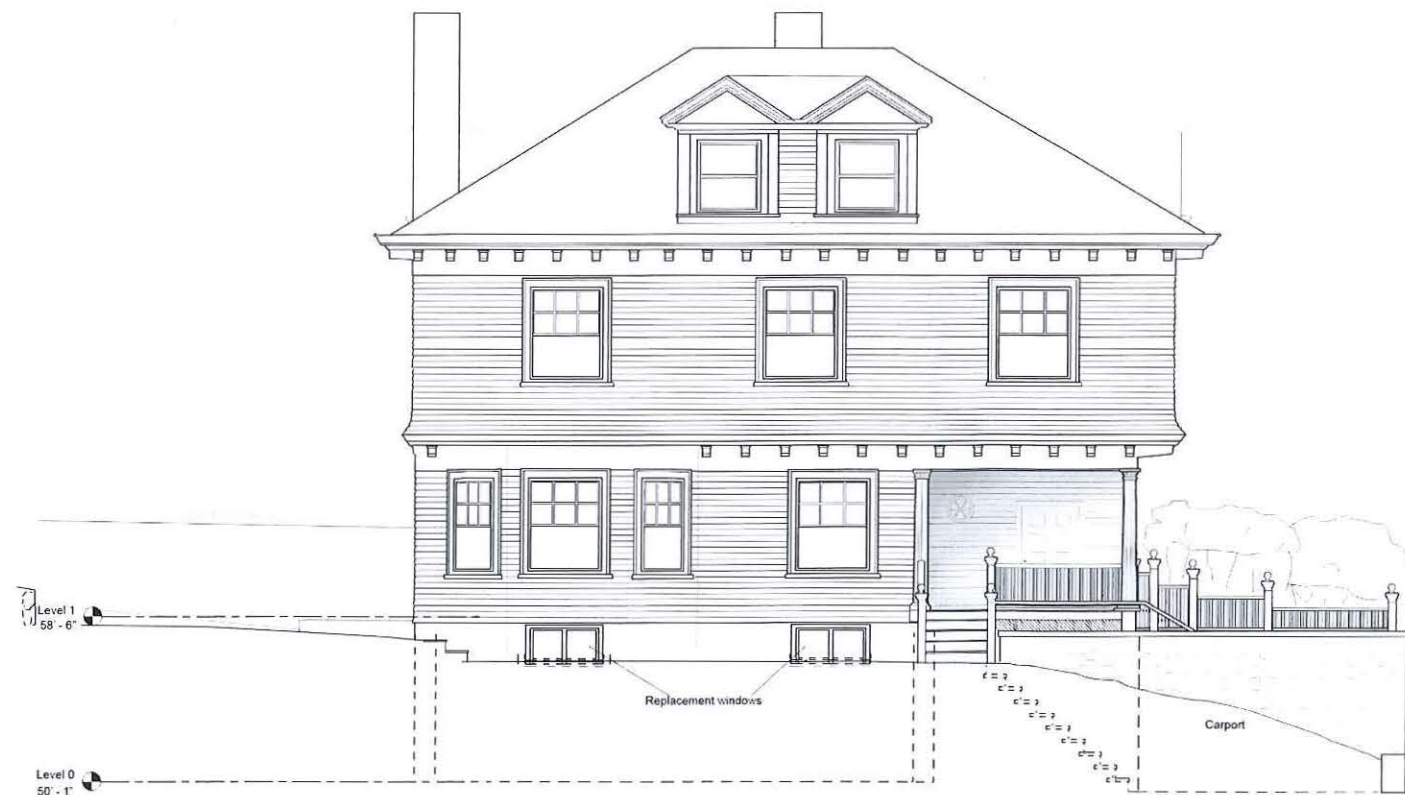
Facade east

HARTNESS RESIDENCE, 112 UPLAND RD



Current left side
elevation

scale 1" = 10'



Project left side
elevation:

- new basement
windows, wells

scale 1" = 10'

A5

Facade South

HARTNESS RESIDENCE, 112 UPLAND RD

Current rear yard
elevation

scale 1" = 10'



Project rear yard
elevation:

- Replacement and enlargement of deck
- new basement windows
- Replacement of bulkhead with glazed hatch

scale 1" = 10'



A6

Facade west

HARTNESS RESIDENCE, 112 UPLAND RD

Current right side
yard elevation
scale 1" = 10'



Project right side
yard elevation:
- Creation of bsmt
door
- new basement
windows

scale 1" = 10'



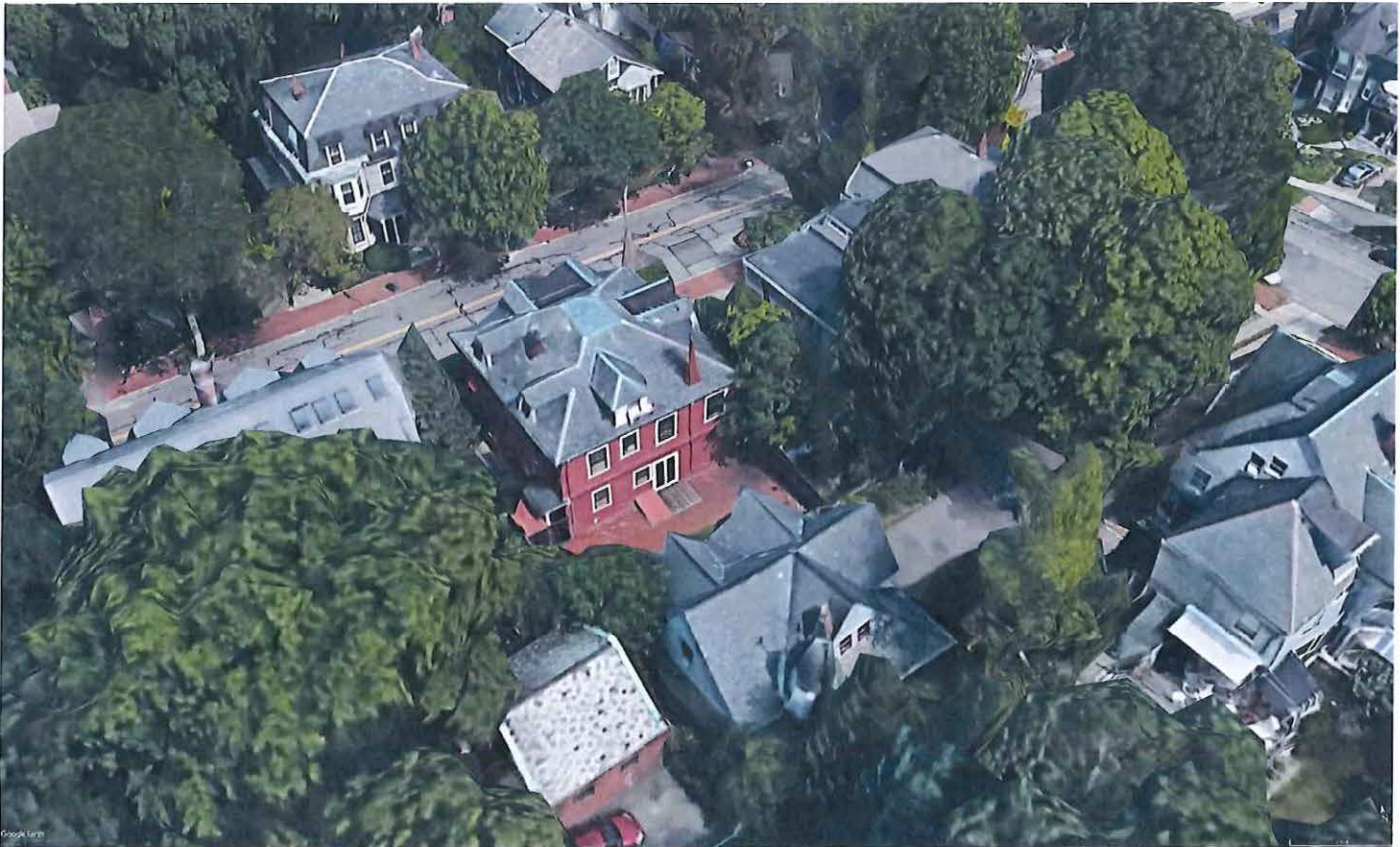
ECI

Existing Photos,
as seen from
above

HARTNESS RESIDENCE, 112 UPLAND RD



Birdseye view
from Northeast,
above Upland Rd



Birdseye view
from Southwest,
indicating abutting
carriage houses on
properties at rear
yard and all-brick
coverage of rear
yard.

EC2

Existing Photos,
as seen from
street.



80% brick coverage of rear yard, before
installation of grass

HARTNESS RESIDENCE, 112 UPLAND RD



Front of house, on Upland Rd



View of Northeast facade, from Upland Rd



View of Northwest facade, from Upland Rd

REI

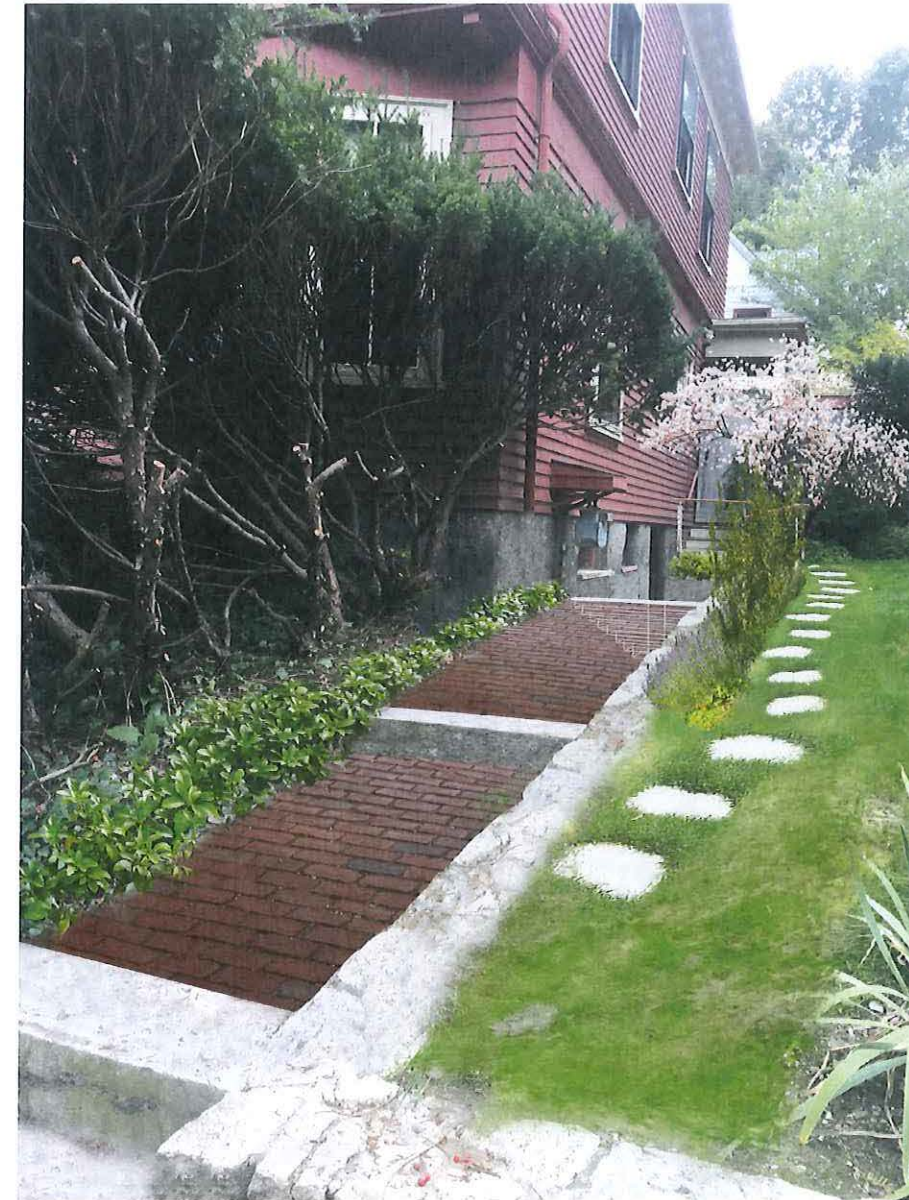
Proposed
Basement entry
on west facade

HARTNESS RESIDENCE, 112 UPLAND RD

Previous conditions



Proposed project, to replace pathway
and create doorway to basement



RE2

Proposed
glazed hatch

Former
conditions



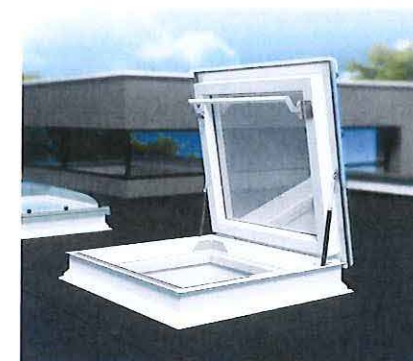
Current conditions



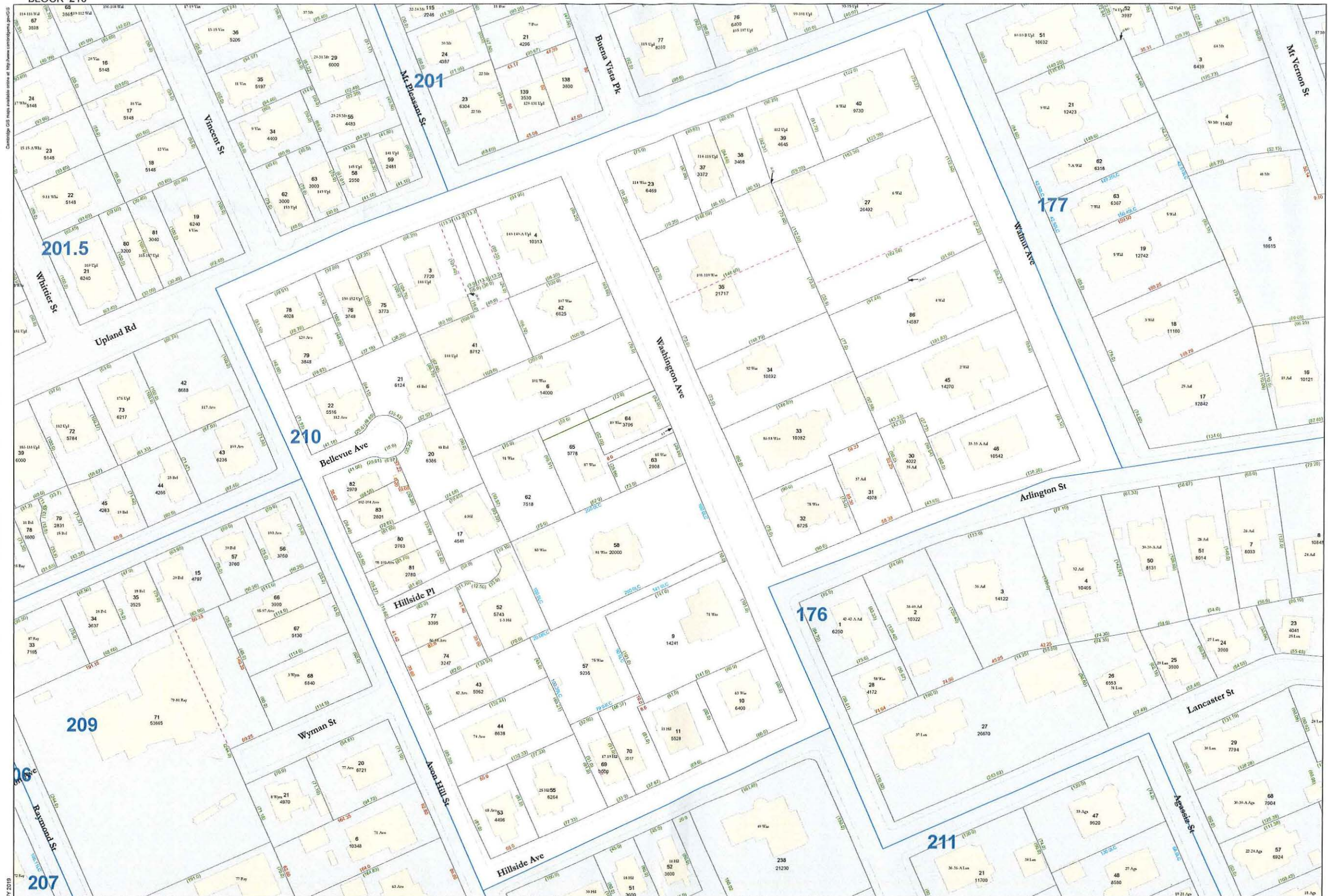
Proposed project, to replace
bulkhead with glazed hatch for
daylighting and easier egress



Selected glazing product:
Fakro 48" x 48" "hatch",
with tempered glass and
triple glazing



BLOCK 210



City of Cambridge
Assessing Department

795 Massachusetts Ave.
Cambridge, MA 02139

- Buildings
- Water
- Sub-Parcel Line
- Lot Line
- Easement
- Block Line
- Railway
- City Boundary

10 Lot Number 100 Parcel size in Sq. Ft.
 210 Block Number 44.0LC Land Court Dimension
 10 Cam Street Number 65.0 Survey Dimensions
 (125.0) Deed Dimension

DISCLAIMER
 All Real Property shown on this map was compiled from existing Assessor's Tax Maps dated 1990 to 2018 and maintained by the City Assessor's Office and the Department of Public Works. Subsequent maintenance has been completed using the City of Cambridge Geographic Information System (GIS). Parcels have not been created from survey, and map is suitable for assessing purposes only.
 The City of Cambridge assumes no legal responsibility for information shown on this map.



0 15 30 60 Feet
 1 inch = 40 feet



Parcel Block Map

210

Southern Middlesex - 20/20 Perfect Vision i2 Document Detail Report

Current datetime: 7/3/2019 8:03:54 AM

| Doc# | Document Type | Town | Book/Page | File Date | Consideration |
|---|---------------|------|-----------|------------|---------------|
| 113546 | DEED | | 71384/341 | 07/27/2018 | 1.00 |
| Property-Street Address and/or Description | | | | | |
| 112 UPLAND RD | | | | | |
| Grantors | | | | | |
| HARTNESS ANDREW | | | | | |
| Grantees | | | | | |
| HARTNESS ANDREW, HARTNESS MARIE-EMMANUELLE | | | | | |
| References-Book/Pg Description Recorded Year | | | | | |
| | | | | | |
| Registered Land Certificate(s)-Cert# Book/Pg | | | | | |
| | | | | | |



2018 00113546

Bk: 71384 Pg: 341 Doc: DEED
Page: 1 of 2 07/27/2018 01:50 PM

QUITCLAIM DEED

Andrew Hartness, a married person, of 112 Upland Road, Cambridge, Massachusetts,
for consideration paid and in full consideration of One and 00/100 (\$1.00) Dollar,
grant to Andrew Hartness and Marie-Emmanuelle Hartness, husband and wife, as
Tenants by the Entirety, of 112 Upland Road, Cambridge, Massachusetts,
with Quitclaim Covenants,

A certain parcel of land with the building thereon commonly known and numbered as
112 Upland Road in Cambridge, Middlesex County, Commonwealth of Massachusetts
bounded and described as follows:

Beginning at a point on the Southerly side of said Upland Road distant One Hundred
Twenty-Two (122) feet Westerly from the corner of Walnut Avenue; THENCE running
Southerly by land formerly of Cummings now or formerly of Capp, Eighty-One and
53/100 (81.53) feet to land now or formerly of Niles; THENCE turning and running
Westerly Fifty-Seven and 41/100 (57.41) feet; THENCE turning and running Northerly
Two and 06/100 (2.06) feet; THENCE turning and running Easterly Two (2) feet;
THENCE turning and running Northerly again Eighty-Two and 31/100 (82.31) feet to
Upland Road; THENCE turning and running Easterly on said Upland Road Fifty-Four
and 25/100 (54.25) feet.

Containing 4,561.5 square feet more or less, being any of said contents more or less,
being any of said measurements more or less.

For Grantor's title see deed from Robert N. Shapiro, Trustee of the Joel Hirsh Feigon
Trust, dated July 23, 2018 and recorded with the Middlesex South District Registry, on
July 27, 2018, immediately hereto.

Locus: 112 Upland Road, Cambridge, Massachusetts

EXECUTED under seal this 27th day of July, 2018.



Andrew Hartness

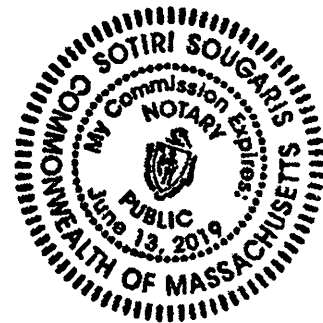
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

On this 27th day of July, 2018, before me, the undersigned notary public, Andrew Hartness personally appeared, proved to me through satisfactory evidence of identification which were MADL, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public:
My Commission Expires: _____





2018 00113545

Bk: 71384 Pg: 339 Doc: HOME

Page: 1 of 2 07/27/2018 01:50 PM

DECLARATION OF HOMESTEAD
M.G.L. c. 188 § 3 (For Homes Owned by Natural Person(s))

We, ANDREW HARTNESS, hereby declare homestead pursuant to M.G. L. c. 188, § 3, with respect to the herein-described premises and state as follows:

1. I am the owner of the premises at 112 Upland Road, Cambridge, Massachusetts, by virtue of:

(a) ☒ deed from Robert N. Shapiro, Trustee of the Joel Hirsh Feigon Trust, dated July 23, 2018 and recorded in Middlesex South Registry of Deeds:

(i) ☐ in Book _____, Page _____;

(ii) ☒ herewith

(b) ☐ Certificate of Title _____, filed with _____ District of the Land Court

(c) ☐ Inheritance from _____, _____ Probate Case No. _____

(d) ☐ Other [describe document and provide appropriate recording/registration/court docket information]: _____

which I occupy or intend to occupy said premises as my principal residence.

2. I am:

(a) ☐ unmarried

(b) ☐ married to each other

(c) ☐ married to _____, who is a co-owner of the premises and:

(i) ☐ who also occupies or intends to occupy the premises as his/her principal residence and who has the benefit of a declaration of homestead under M.G. L. c. 188, § 2 recorded/filed with said Registry of Deeds/District:

(a) ☐ in Book _____, Page _____/as Document No. _____

(b) ☐ herewith

(ii) ☐ who does not occupy or intend to occupy the premises as his/her principal residence.

(d) ☒ married to Marie-Emmanuelle Hartness, who is not a co-owner of the premises and:

(i) ☒ who also occupies or intends to occupy the premises as her principal residence.

(ii) ☐ who does not occupy or intend to occupy the premises as his/her principal residence.

REBA Form 16

Signed under the penalties of perjury this 27th day of July, 2018.

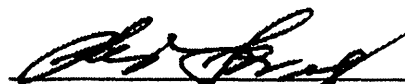


ANDREW HARTNESS

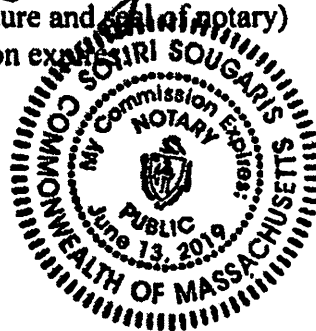
COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 27th day of July, 2018, before me, the undersigned notary public, personally appeared Andrew Hartness (name of document signer), proved to me through satisfactory evidence of identification, which were MAID, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his) (her) knowledge and belief.



(official signature and seal of notary)
My commission expires



N/F
NILES

2.06'

2.00'

ASSESSOR
PARCEL 39
4,561.5± S.F.N/F
CAPPASSESSOR
PARCEL 40ASSESSOR
PARCEL 38

81.53'

82.31'

54.25'

UPLAND

ROAD



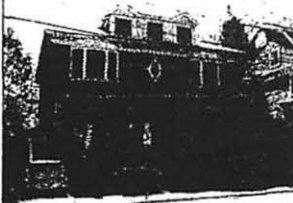
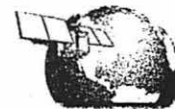
LOT CONFIGURATION IS BASED
ON DEED, AND/OR
ASSESSOR'S MAP, AND
OCCUPATION. A MORE
ACCURATE REPRESENTATION
WILL REQUIRE AN INSTRUMENT
SURVEY.

MORTGAGE LENDER**USE ONLY****plotplans.com**

**DES LAURIERS
& ASSOCIATES, INC.**
420 FORTUNE BOULEVARD
MILFORD, MA 01757
(800)287-8800 FAX: (508)528-4011

Sotiri Sougaris,
Attorney at Law

(617) 323-0030
Fax: (617) 507-8255
17 Cocasset Street
Foxborough, MA 02035

**MORTGAGE INSPECTION PLAN**

ADDRESS: 112 UPLAND ROAD, CAMBRIDGE, MA
LENDER: NEW FEDERAL MORTGAGE CORP.
ATTORNEY: SOTIRI SOUGARIS, ATTORNEY AT LAW HARTNESS
OWNER: ROBERT N. SHAPIRO, TRUSTEE OF THE JOEL HIRSH FEIGON TRUST
APPLICANT: ANDREW HARTNESS AND MARIE-EMMANUELLE HARTNESS
DATE: 5/10/2018 SCALE: 1"=20' COUNTY: MIDDLESEX

UNREGISTERED LAND

DEED BOOK: 70843 PAGE: 71
PLAN BOOK: _____ PAGE: _____ LOT(S): _____
PLAN NUMBER: _____ OF _____

REGISTERED LAND

CERTIFICATE OF TITLE: _____
REGISTRATION BOOK: _____ PAGE: _____
PLAN NUMBER: _____ LOT(S): _____

THERE ARE NO DEEDED EASEMENTS IN
THE ABOVE REFERENCED DEED OR
ENCROACHMENTS WITH RESPECT TO
DWELLING SITUATED ON THIS LOT
EXCEPT AS STATED ON THE DEED OF
RECORD SHOWN.

THE LOCATION OF THE DWELLING AS
SHOWN HEREON EITHER WAS IN
COMPLIANCE WITH THE LOCAL ZONING
BY-LAWS IN EFFECT WHEN
CONSTRUCTED (WITH RESPECT TO
STRUCTURAL SETBACK REQUIREMENTS
ONLY), OR IS EXEMPT FROM VIOLATION
ENFORCEMENT ACTION UNDER MASS. G.L.
TITLE VII, CHAPTER 40A, SECTION 7.

FLOOD HAZARD INFO.:

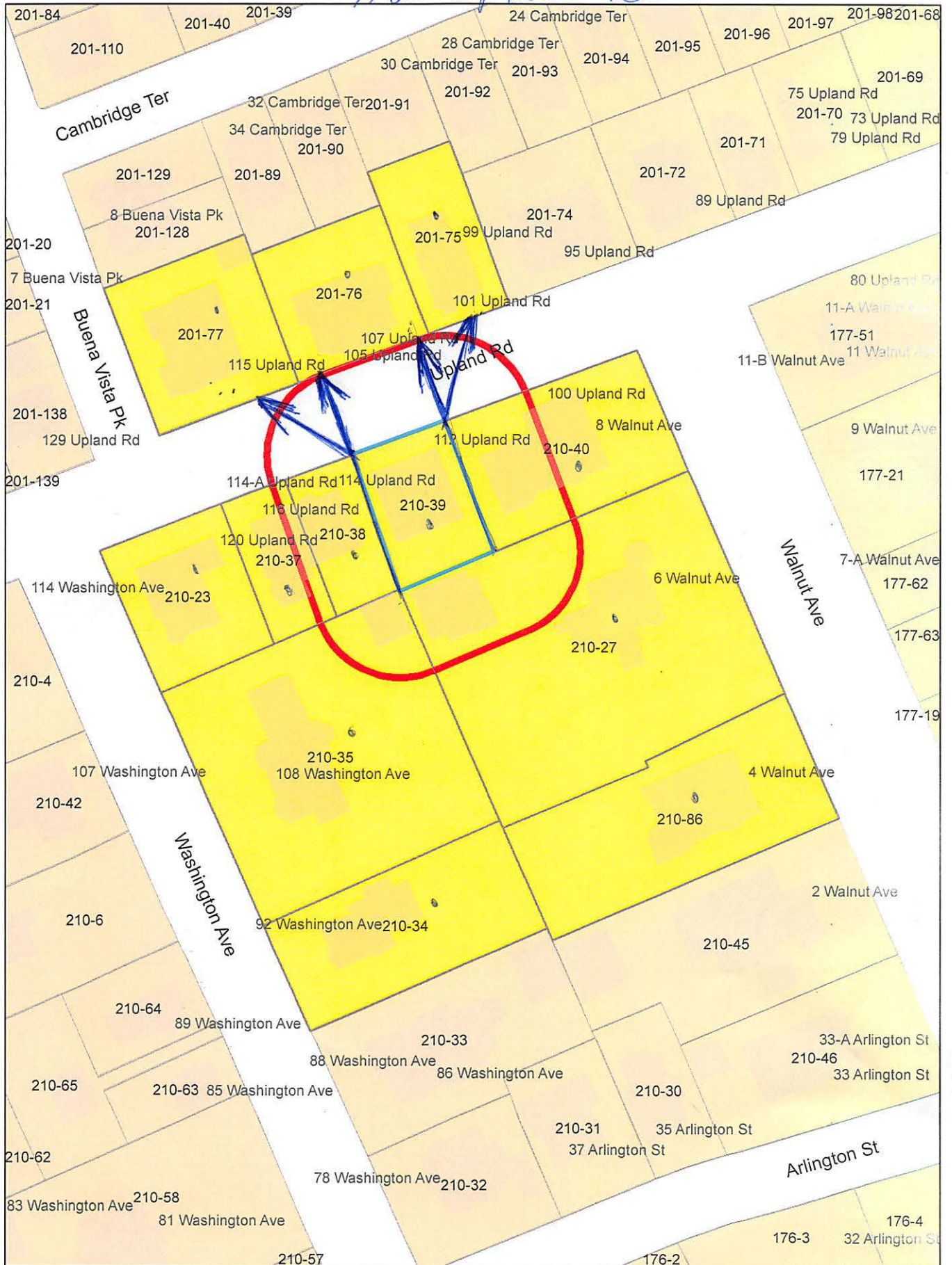
ZONE: X DATED: 6/4/2010
COMMUNITY PANEL: 250186 0438E

THE LOCATION OF THE DWELLING SHOWN
DOES NOT FALL WITHIN A SPECIAL
FLOOD HAZARD ZONE, EXCEPT AS MAY
BE INDICATED.

ASSESSORS MAP: 210BLOCK: _____ LOT: 39

GENERAL NOTES: (1) THE DECLARATIONS MADE ABOVE ARE ON THE BASIS OF MY KNOWLEDGE, INFORMATION, AND BELIEF AS THE RESULT OF A MORTGAGE INSPECTION TAPE SURVEY, NOT THE RESULT OF AN INSTRUMENT SURVEY MADE TO THE NORMAL STANDARD OF CARE OF REGISTERED LAND SURVEYORS PRACTICING IN MASSACHUSETTS. (2) DECLARATIONS ARE MADE TO THE ABOVE NAMED CLIENT ONLY AS OF THIS DATE. (3) THIS PLAN WAS NOT MADE FOR RECORDING PURPOSES, FOR USE IN PREPARING DEED DESCRIPTIONS OR FOR CONSTRUCTION. (4) VERIFICATIONS OF PROPERTY LINE DIMENSIONS, BUILDING OFFSETS, FENCES, OR LOT CONFIGURATION MAY BE ACCOMPLISHED BY AN ACCURATE INSTRUMENT SURVEY. (5) NO RESPONSIBILITY IS ASSUMED HEREIN TO THE LAND OWNER OR OCCUPANT.

112 Upland Rd.



112 Upland Rd.

Petitioner

201-75

TULLIUS, STEFAN G. & CHRISTINE FALZONE
101 UPLAND RD
CAMBRIDGE, MA 02140

201-76

WELCH, ROBERT J. & DINA M. GAMSER
105-107 UPLAND ROAD
CAMBRIDGE, MA 02140

ANDREW F. HARTNESS
112 UPLAND ROAD
CAMBRIDGE, MA 02140

201-77

CORNIE, JAMES A. & RUTH A. RYALS
115 UPLAND RD
CAMBRIDGE, MA 02140

210-23

CORY, SUSAN E.
114 WASHINGTON AVENUE
CAMBRIDGE, MA 02140

210-27

HENN, JOHN H. & CATHERINE E. C. HENN
6 WALNUT AVE
CAMBRIDGE, MA 02140

210-34

DAHL, OPHELIA & LISA FRANTZIS
92 WASHINGTON AVE
CAMBRIDGE, MA 02140

210-35

LORSCH, PATRICIA & JAY W. LORSCH,
TRUSTEE THE PATRICIA & JAY LORSCH
2013 REV TRUS
108 WASHINGTON AVE
CAMBRIDGE, MA 02140

210-37

LUPFER, JONATHAN B. & SUSAN W. BERSETH
116 UPLAND RD.
CAMBRIDGE, MA 02140

210-39

FEIGON, JOEL H.
C/O ROPES & GRAY-26-005
800 BOYLSTON STREET
BOSTON, MA 02199

210-40

WALNUT AVENUE MANAGEMENT, LLC.
C/O RIVERSIDE MANAGEMENT, INC
P.O. BOX 440317
27 CHESTER ST.
SOMERVILLE, MA 02144

210-86

KASDON, LOUISA
TR. OF PINK HOUSE NOMINEE TRUST
4 WALNUT AVE
CAMBRIDGE, MA 02140

210-38

HURD, SAMUEL S. & AMANDA W. HURD
114 UPLAND RD
CAMBRIDGE, MA 02139

210-38

LLOYD ST. ANTOINE, SARA L. & ROBIN E. KELSEY
114 UPLAND RD. UNIT#2
CAMBRIDGE, MA 02140

201-76

STALNAKER, ROBERT C. & NAN Y. STALNAKER
107 UPLAND RD., #107
CAMBRIDGE, MA 02140