



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

BZA APPLICATION FORM

Plan No: BZA-017110-2019

GENERAL INFORMATION

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

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

PETITIONER : Guillermo Trotti and Dava Newman - C/O James J. Rafferty, Esq.

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

LOCATION OF PROPERTY : 116 Magazine St Cambridge, MA

TYPE OF OCCUPANCY : _____ **ZONING DISTRICT :** Residence C Zone


REASON FOR PETITION :
Additions

DESCRIPTION OF PETITIONER'S PROPOSAL :

Petitioner seeks variance to convert nonconforming laundromat to a single family use and construct second story addition. Petitioner also seeks Special Permit to reduce parking requirement of one space.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000 Section 5.22.1 (Private Open Space).
 Article 5.000 Section 5.31 (Table of Dimensional Requirements).
 Article 8.000 Section 8.22.3 (Non-Conforming Structure).
 Article 6.000 Section 6.12(d); 6.35.1 (Parking).
 Article 10.000 Section 10.30 (Variance).

Original Signature(s) :  _____
(Petitioner(s) / Owner)
James J. Rafferty
 (Print Name)

Address : 907 Massachusetts Avenue
Cambridge, MA 02139
Tel. No. : (617) 492-4100
E-Mail Address : jrafferty@adamsrafferty.com

Date : 4/22/19

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

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

Guillermo Trothi & Dava Newman

(Owner or Petitioner)

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

Location of Premises: 105 Larchwood Drive

the record title standing in the name of ICUBE, LLC

whose address is 116 Magazine 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 72332 Page 95 or _____ Registry

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

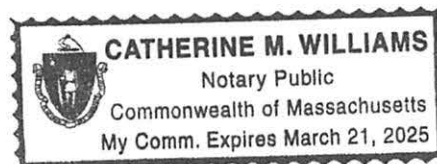
David J. Newman
(Owner)

=====

On this ___ day of April, 2019, before me, the undersigned notary public, personally appeared DAVID J. NEWMAN 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.

Catherine M. Williams
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 prevent the petitioners from constructing a second floor bedroom.

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 mercantile design of the existing structure and its lack of setbacks from two public streets.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

There will be no detriment to the public good as a result of this application. Converting the existing structure to a single family residence is consistent with the surrounding neighborhood.

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

The application seeks to convert a pre-existing nonconforming use to a conforming use in the Residence C District. Moreover, the proposed second floor addition will conform to the sideyard setbacks.

*** 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 116 Magazine 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:
Section 6.35.1 allows for a reduction in parking where it will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood.
- 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 allowing a single family dwelling to not provide an off street parking 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, many of which do not provide off street parking.
- 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 a single parking space will not adversely affect the health, safety, and/or welfare of the people living or working in the dwelling, 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 many residential dwellings in the Cambridgeport neighborhood. Moreover, this location is within an easy walking distance to the Central Square transit station.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: James Rafferty, Esq. **PRESENT USE/OCCUPANCY:** Commercial

LOCATION: 116 Magazine St Cambridge, MA **ZONE:** Residence C Zone

PHONE: _____ **REQUESTED USE/OCCUPANCY:** Residence

	<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>1,800 sf</u>	<u>2,286.5 sf</u>	<u>1,184 sf</u>	(max.)
<u>LOT AREA:</u>	<u>1,974 sf</u>	<u>no change</u>	<u>5,000 sf</u>	(min.)
<u>RATIO OF GROSS FLOOR AREA</u> <u>TO LOT AREA:</u> ²	<u>.91</u>	<u>1.15</u>	<u>.6</u>	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>	<u>N/A</u>	<u>1,974 sf</u>	<u>1,800 sf</u>	(min.)
<u>SIZE OF LOT:</u>				
WIDTH	<u>30.8/68</u>	<u>no change</u>	<u>50</u>	(min.)
DEPTH	<u>28/68</u>	<u>no change</u>	<u>N/A</u>	
<u>SETBACKS IN FEET:</u>				
FRONT	<u>0'</u>	<u>no change</u>	<u>10'</u>	(min.)
REAR	<u>N/A</u>	<u>no change</u>	<u>N/A</u>	(min.)
LEFT SIDE	<u>0</u>	<u>no change</u>	<u>11.5'</u>	(min.)
RIGHT SIDE	<u>8'</u>	<u>no change</u>	<u>7.96'</u>	(min.)
<u>SIZE OF BLDG.:</u>				
HEIGHT	<u>15'4"</u>	<u>25'2"</u>	<u>35'</u>	(max.)
LENGTH	<u>30.06'/60'</u>	<u>no change</u>	<u>N/A</u>	
WIDTH	<u>30.06'/60'</u>	<u>no change</u>	<u>N/A</u>	
<u>RATIO OF USABLE OPEN SPACE</u> <u>TO LOT AREA:</u>	<u>0</u>	<u>no change</u>	<u>36%</u>	(min.)
<u>NO. OF DWELLING UNITS:</u>	<u>0</u>	<u>1</u>	<u>1</u>	(max.)
<u>NO. OF PARKING SPACES:</u>	<u>0</u>	<u>no change</u>	<u>1</u>	(min./max)
<u>NO. OF LOADING AREAS:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(min.)
<u>DISTANCE TO NEAREST BLDG.</u> <u>ON SAME LOT:</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	(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.

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'.



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2019 APR 22 PM 3:43
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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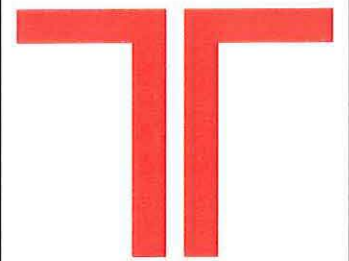
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Original Signature(s) : _____
(Handwritten Signature)
James J. Rafferty
(Petitioner(s) / Owner)
(Print Name)

Address : 907 Massachusetts Avenue
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Tel. No. : (617) 492-4100
E-Mail Address : jr Rafferty@adamsrafferty.com

Date : 4/22/19



TROTTI + ASSOCIATES, INC.
20 Nonantum Rd.
Marblehead, MA - 01945
Tel. 781.244.0034
www.trottistudio.com

KEY PLAN

116 MAGAZINE STREET
BUILDING
GUILLERMO TROTTI

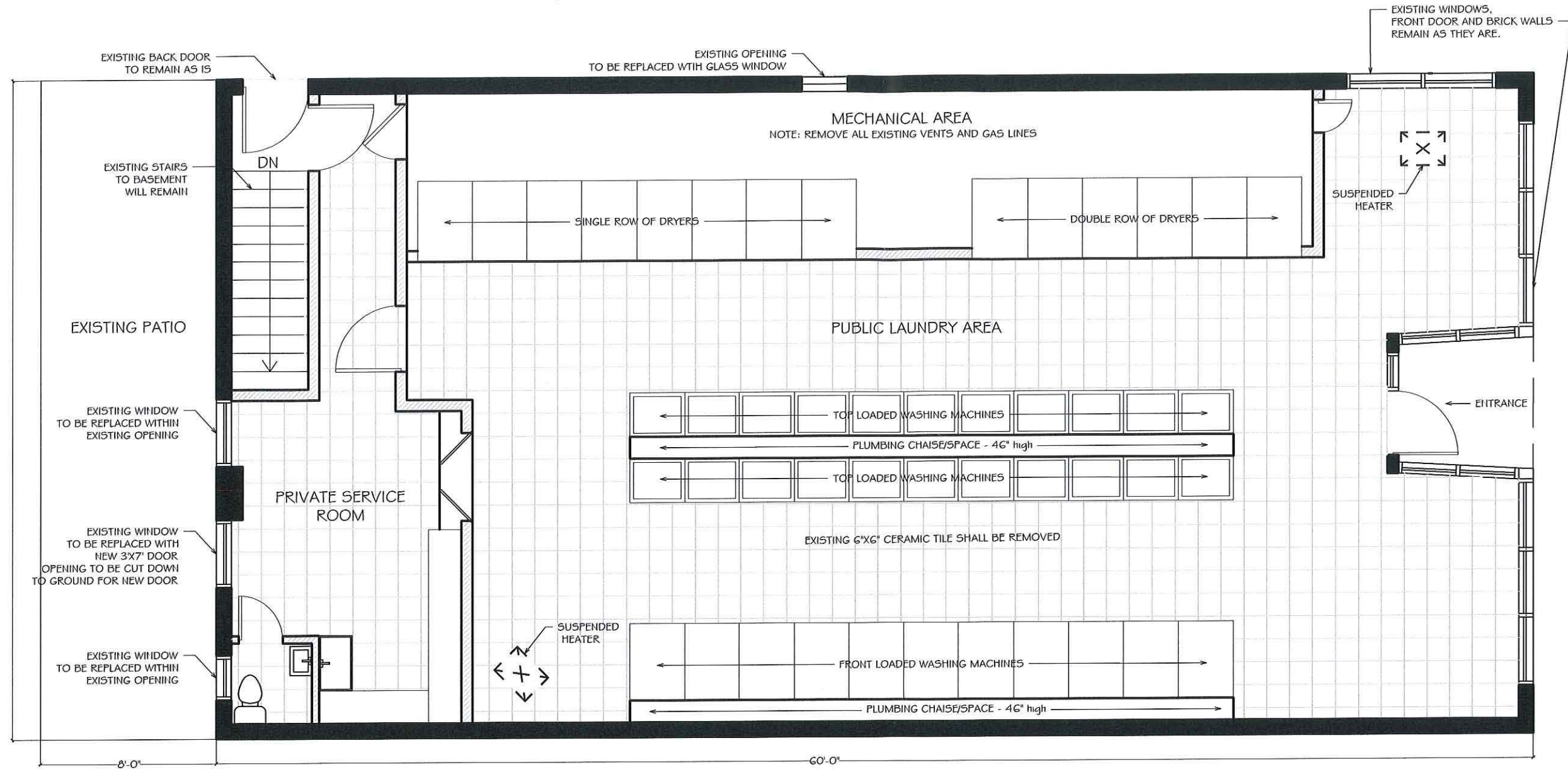
GENERAL NOTES:
VERIFY ALL DIMENSIONS ON FIELD
DRAWINGS NOT FOR CONSTRUCTION

Revisions		
Mark	Date	Description

EXISTING /DEMOLITION
FLOOR PLAN

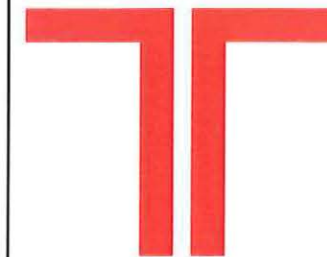
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JOB NO:	DWN:
3/16"=- 1'-0"	25-MARCH-19
SCALE:	DATE:

D100

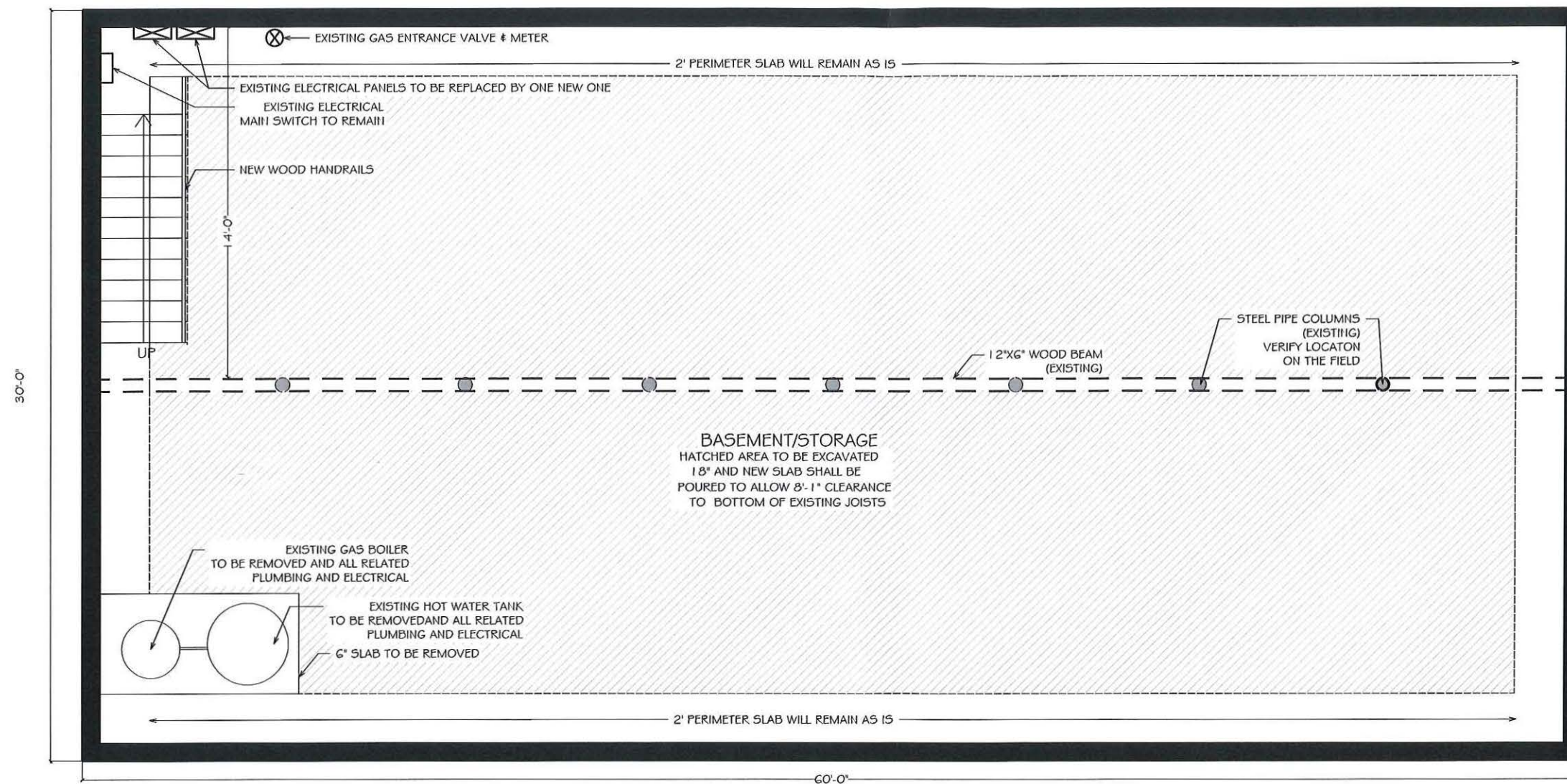


1 EXISTING/ DEMOLITION FLOOR PLAN
D100 SCALE: 3/16"=- 1'-0"

GENERAL NOTE:
EVERYTHING ON THIS FIRST FLOOR
WILL BE REMOVED TO THE ORIGINAL
WOOD FLOORING DECK.
(ALL INTERIOR WALLS, ALL
EQUIPMENT AND RELATED PLUMBING
AND ELECTRICAL, ALL SUSPENDED
ACOUSTICAL TILE CEILING AND
FLUORESCENT LIGHTING, ALL
FURNISHINGS, TWO SUSPENDED
HEATERS, EXISTING CERAMIC FLOOR,
PLASTER WALLS AND CEILINGS.)
REMOVE EXISTING SINKS AND
TOILET.



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1 EXISTING/ DEMOLITION BASEMENT FLOOR PLAN
 D102 SCALE: 3/16" = 1'-0"

NOTE:
 REMOVE EXISTING FLUORESCENT
 LIGHT FIXTURES AND WIRING

KEY PLAN

116 MAGAZINE STREET
 BUILDING

GUILLERMO TROTTI

GENERAL NOTES:
 VERIFY ALL DIMENSIONS ON FIELD
 DRAWINGS NOT FOR CONSTRUCTION

Revisions		
Mark	Date	Description

EXISTING /DEMOLITION
 FLOOR PLAN

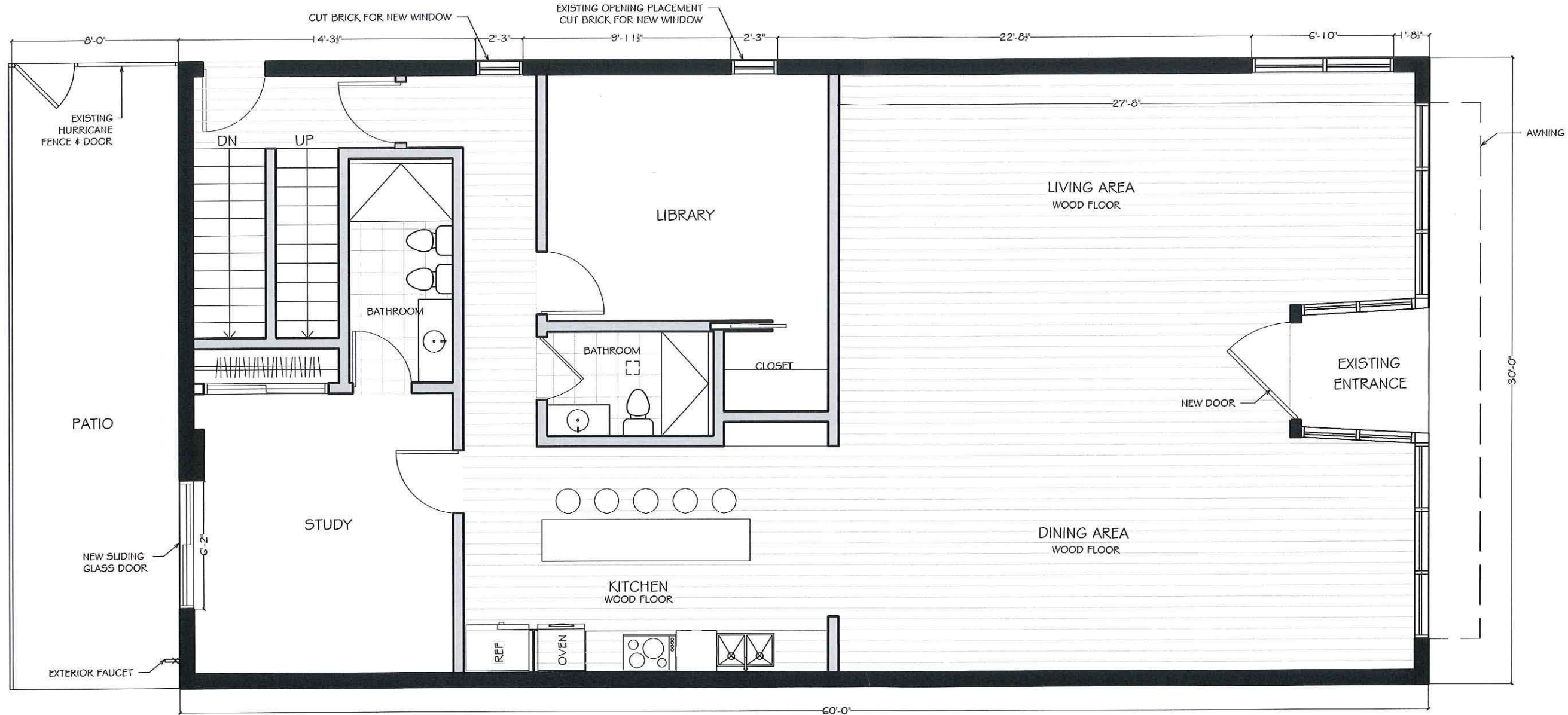
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JOB NO:	DWN:
3/16" = 1'-0"	25-MARCH-19
SCALE:	DATE:

D102

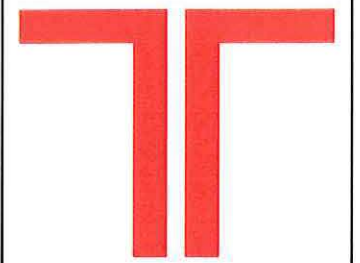
ALLSTON STREET

SIDE WALK



1 1ST FLOOR PLAN
A100 SCALE: 3/16" = 1'-0"

NOTE
EXISTING WALLS 
NEW WALLS 



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KEY PLAN

116 MAGAZINE STREET
BUILDING
GUILLERMO TROTTI

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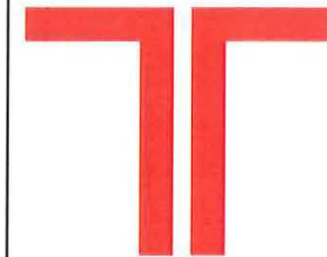
Revisions		
Mark	Date	Description

1 ST FLOOR
FLOOR PLAN

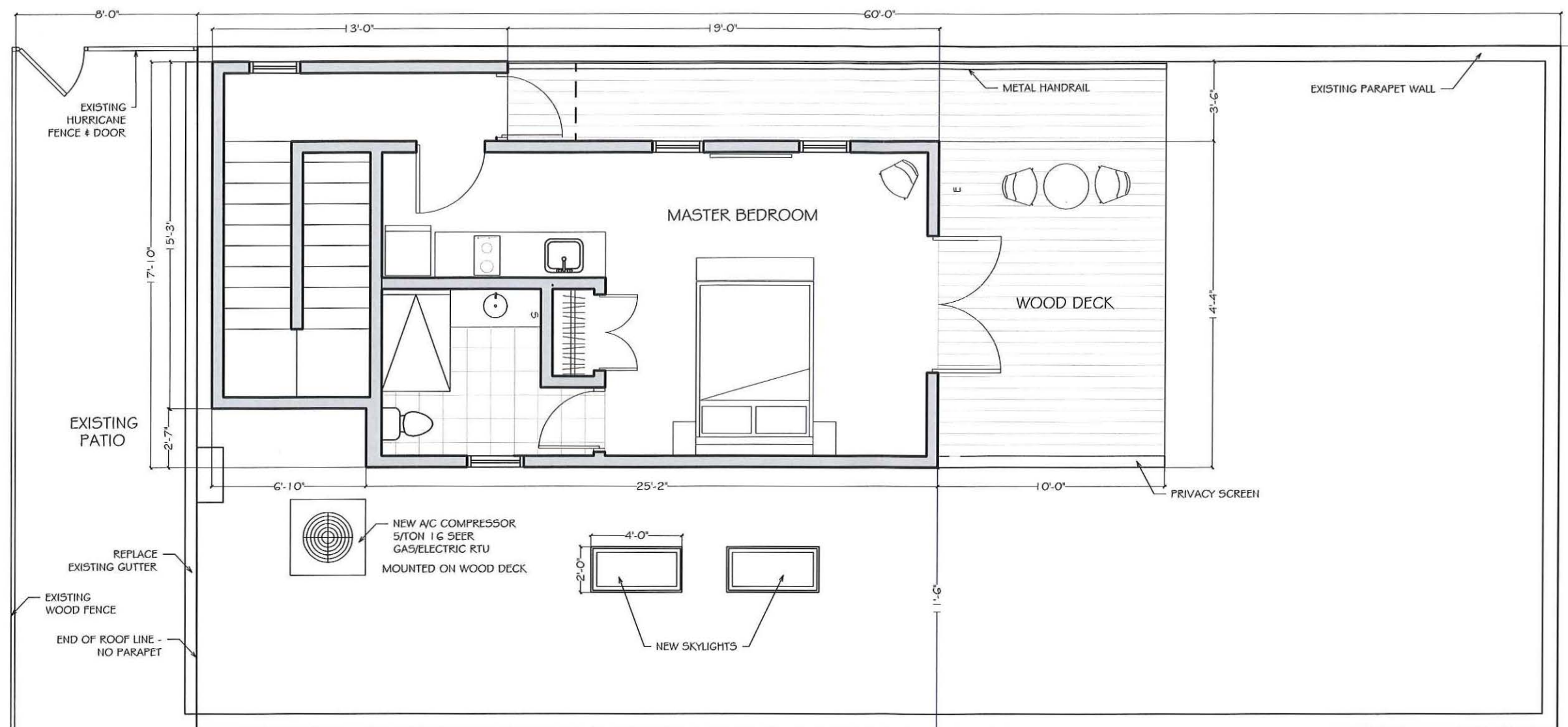
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3/16" = 1'-0"	4-APRIL-19
SCALE:	DATE:

A100



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1 2ND FLOOR PLAN
 A101 SCALE: 3/16" = 1'-0"

KEY PLAN

116 MAGAZINE STREET
 BUILDING

GUILLERMO TROTTI

GENERAL NOTES:
 VERIFY ALL DIMENSIONS ON FIELD
 DRAWINGS NOT FOR CONSTRUCTION

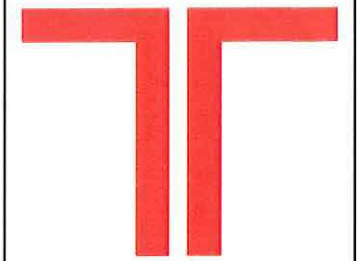
Revisions		
Mark	Date	Description

2ND FLOOR
 FLOOR PLAN

DRAWING TITLE:

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JOB NO:	DWN:
3/16" = 1'-0"	4-APRIL-19
SCALE:	DATE:

A101



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KEY PLAN

116 MAGAZINE STREET
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 GUILLERMO TROTTI

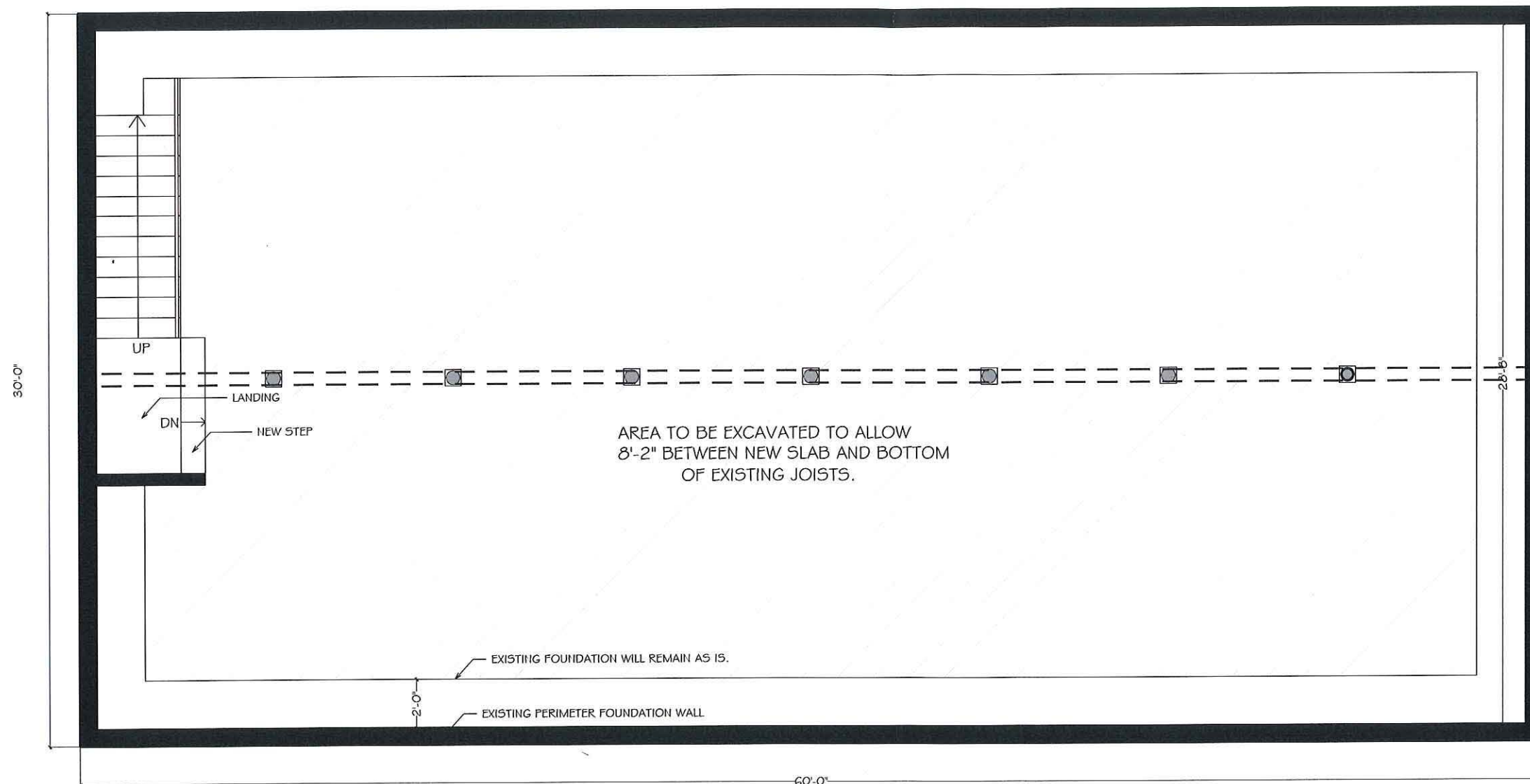
GENERAL NOTES:
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Revisions		
Mark	Date	Description

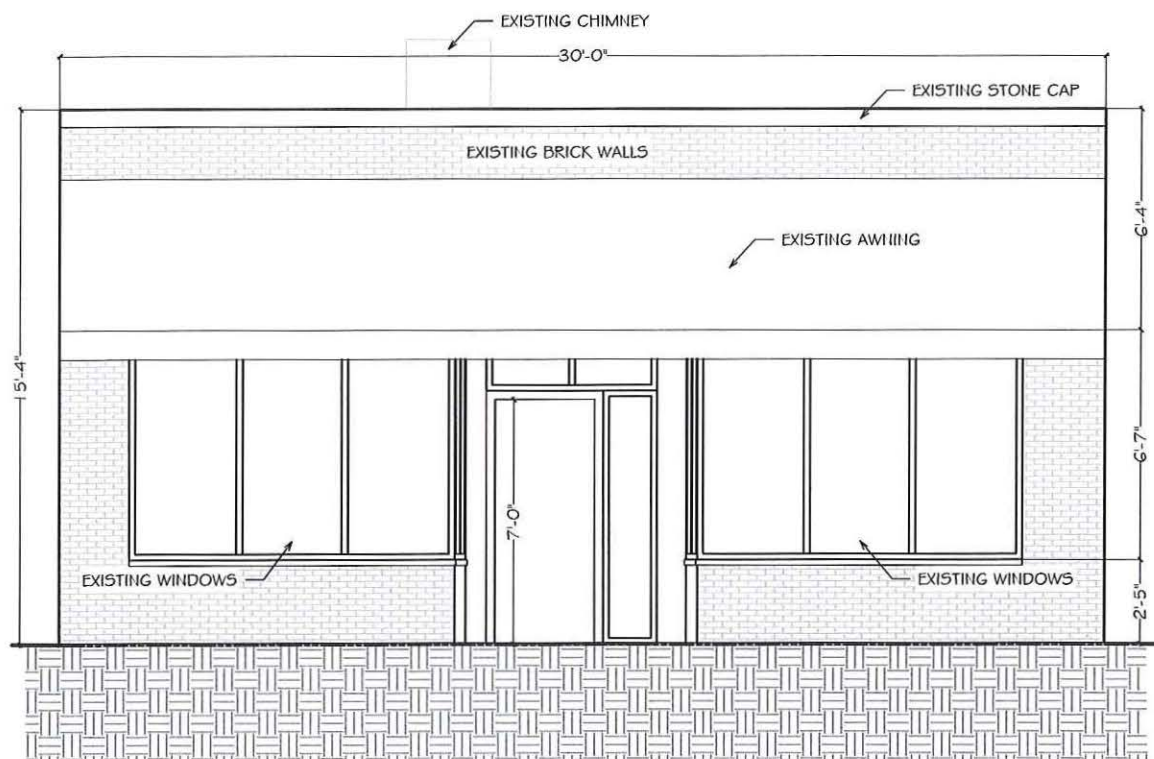
**BASEMENT
 FLOOR PLAN**

DRAWING TITLE:
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 JOB NO: DWN:
 3/16" = 1'-0" 4-APRIL-19
 SCALE: DATE:

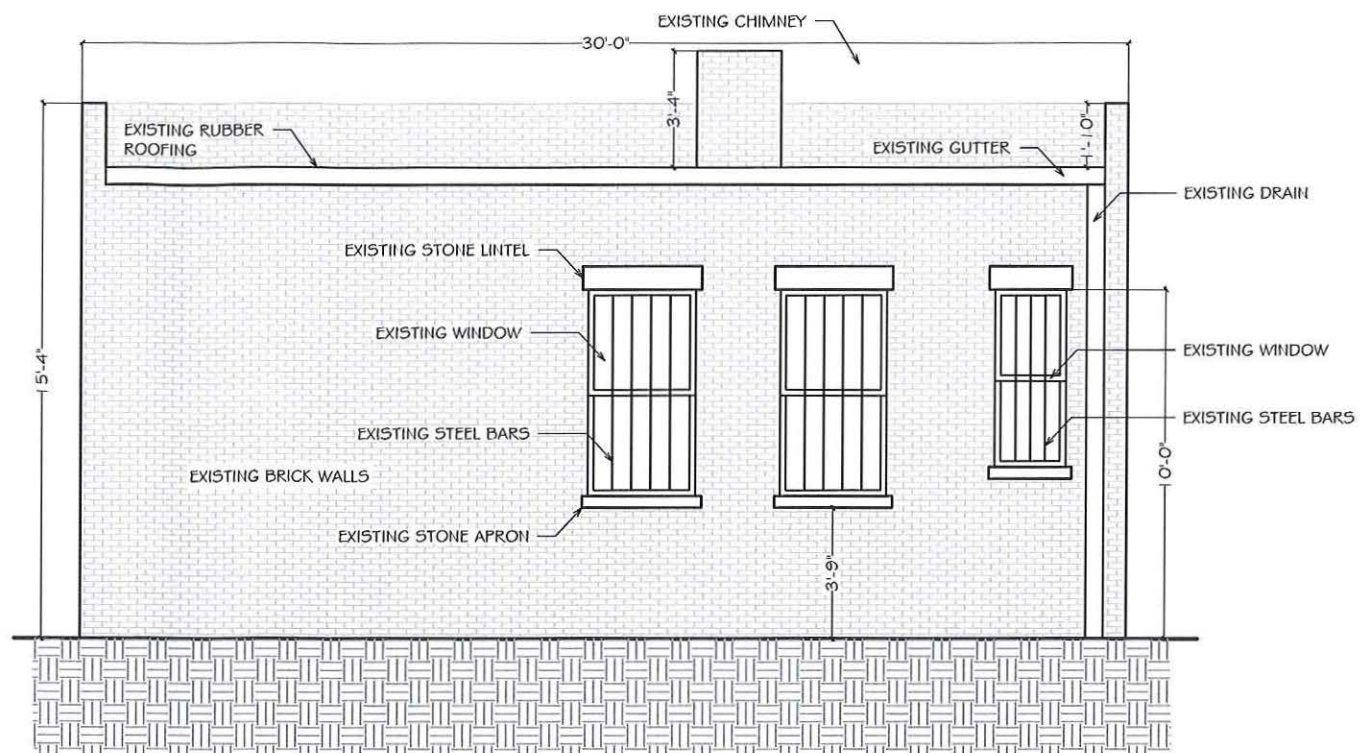
A102



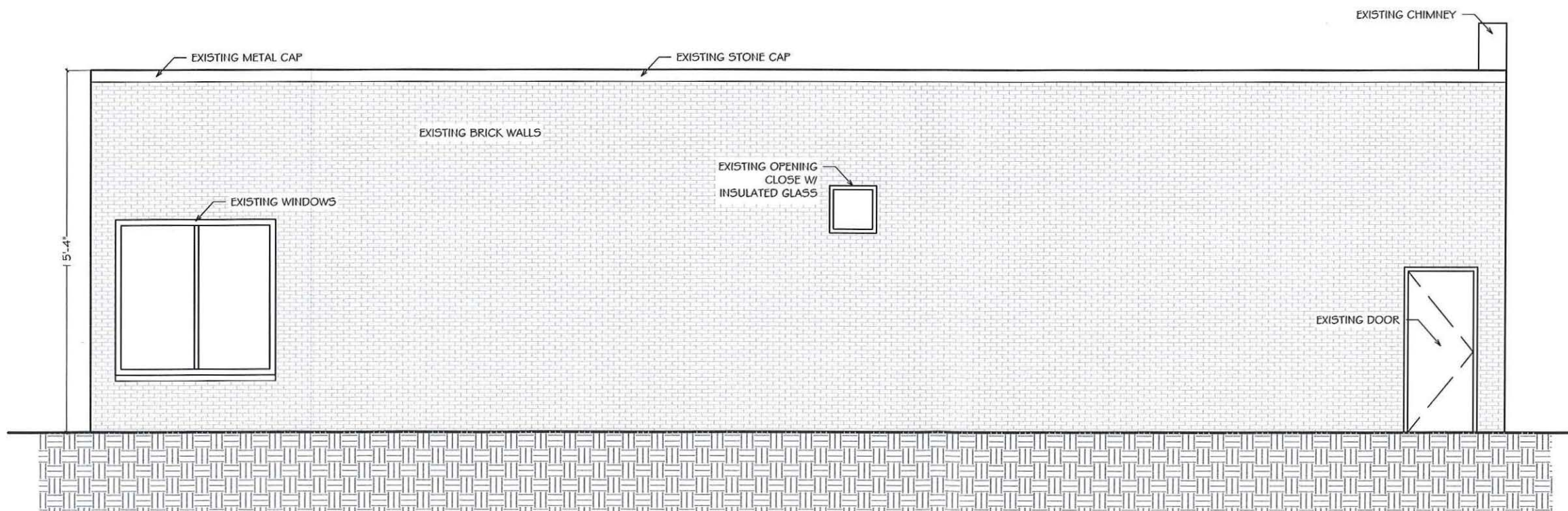
1 BASEMENT FLOOR PLAN
 A102 SCALE: 3/16" = 1'-0"



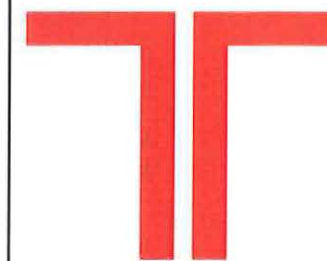
1 SOUTH ELEVATION
A200 SCALE: 1/4" = 1'-0"



2 EXISTING ELEVATION
A200 SCALE: 1/4" = 1'-0"



3 EXISTING LATERAL ELEVATION
A200 SCALE: 3/16" = 1'-0"



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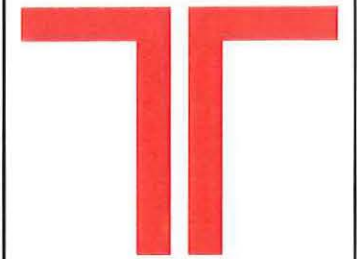
Revisions		
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EXISTING
ELEVATIONS

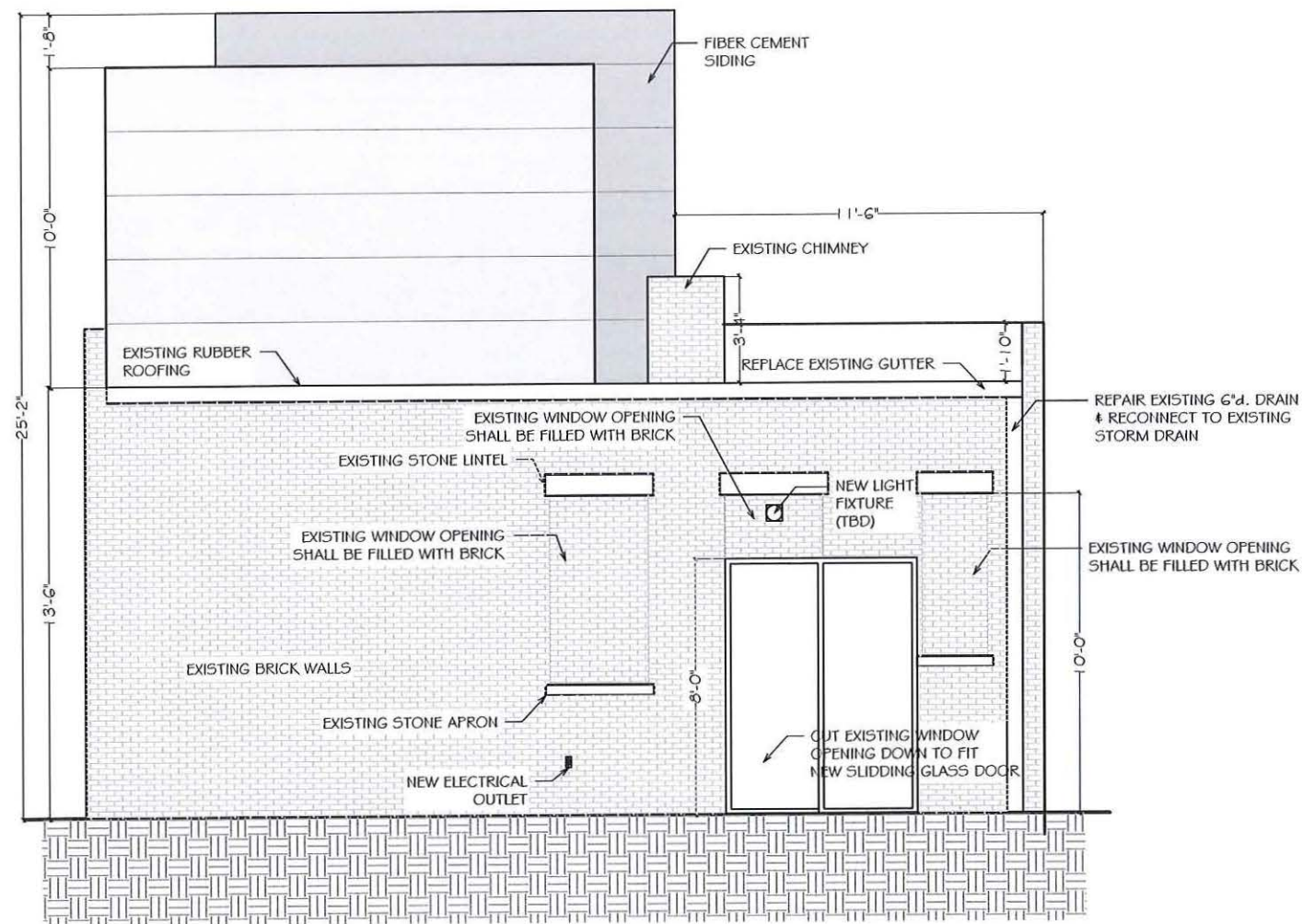
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3/16" = 1'-0"	4-APRIL-19
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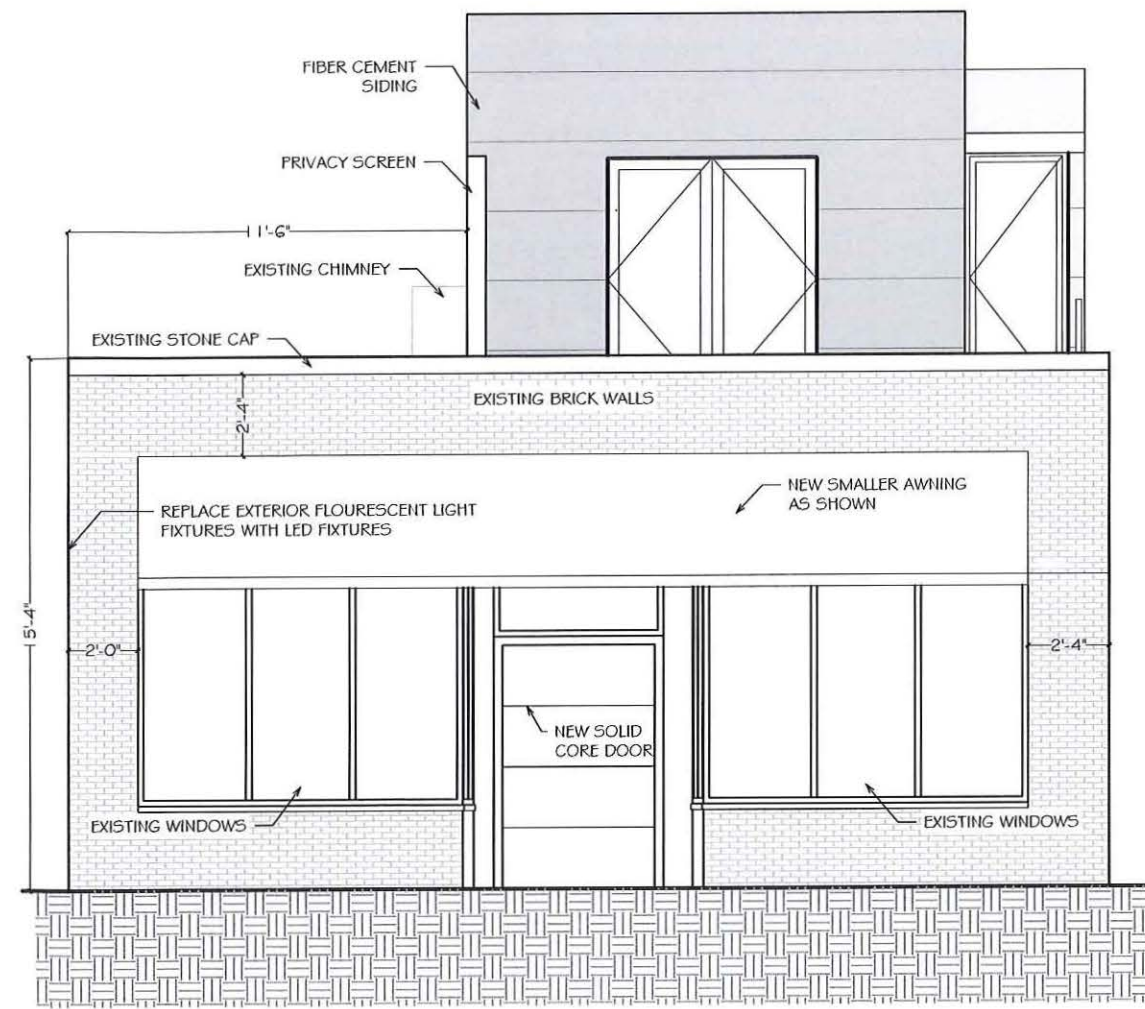
A200



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3 NEW BACK ELEVATION
 A201 SCALE: 1/4" = 1'-0"



1 NEW FRONT ELEVATION
 A200 SCALE: 1/4" = 1'-0"

KEY PLAN

116 MAGAZINE STREET
 BUILDING
 GUILLERMO TROTTI

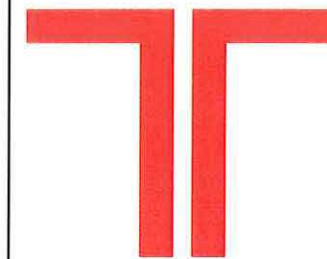
GENERAL NOTES:
 VERIFY ALL DIMENSIONS ON FIELD
 DRAWINGS NOT FOR CONSTRUCTION

Revisions		
Mark	Date	Description

NEW FRONT AND
 BACK ELEVATIONS

DRAWING TITLE:	
0000	MJM
JOB NO:	DWN:
3/16" = 1'-0"	25-MARCH-19
SCALE:	DATE:

A201



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KEY PLAN

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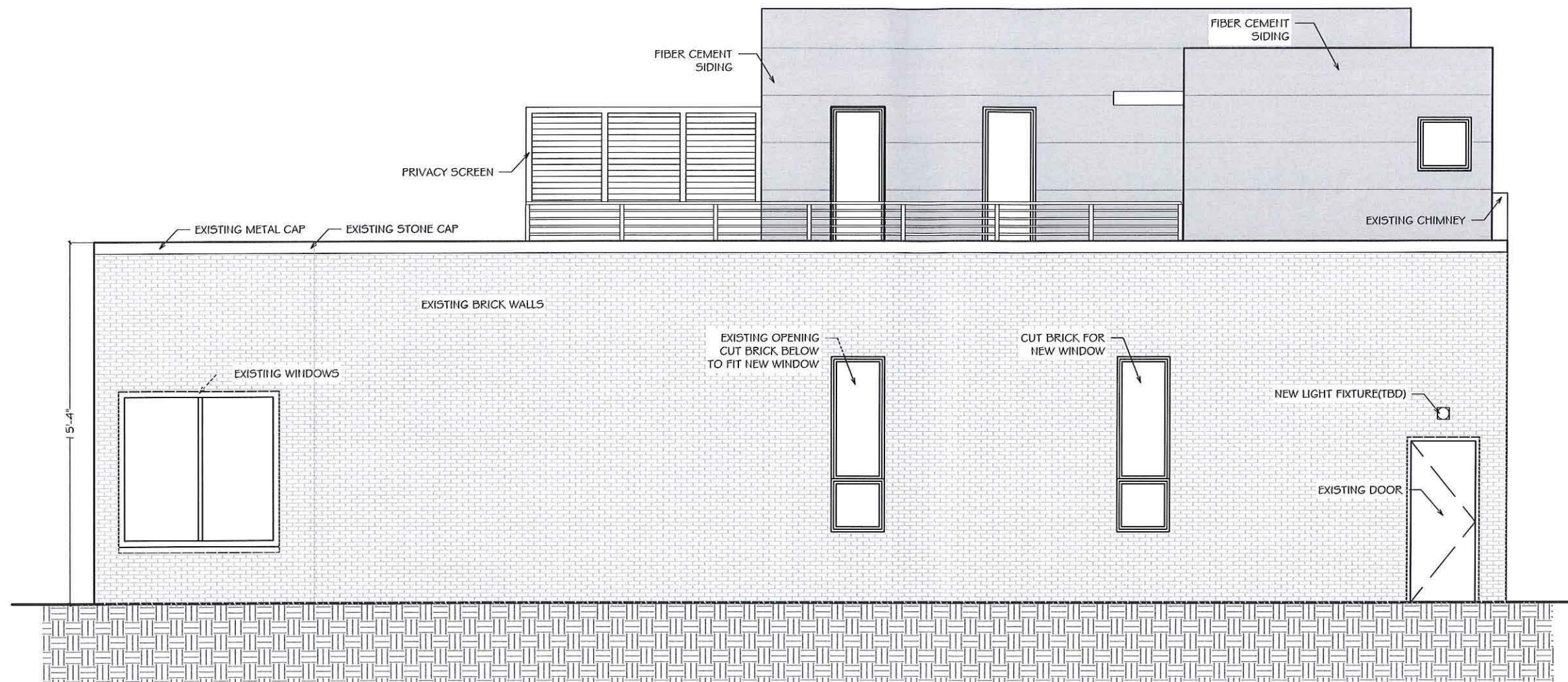
Revisions		
Mark	Date	Description

ALLSTON ST.
 ELEVATION

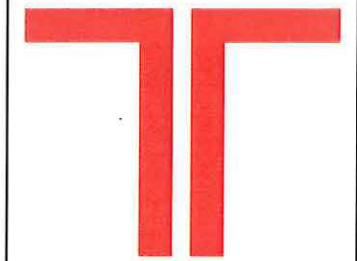
DRAWING TITLE:

0000	MJM
JOB NO:	DWN:
3/16" = 1'-0"	5-APRIL-19
SCALE:	DATE:

A202



4 NEW LATERAL (STREET) ELEVATION
 A200 SCALE: 3/16" = 1'-0"



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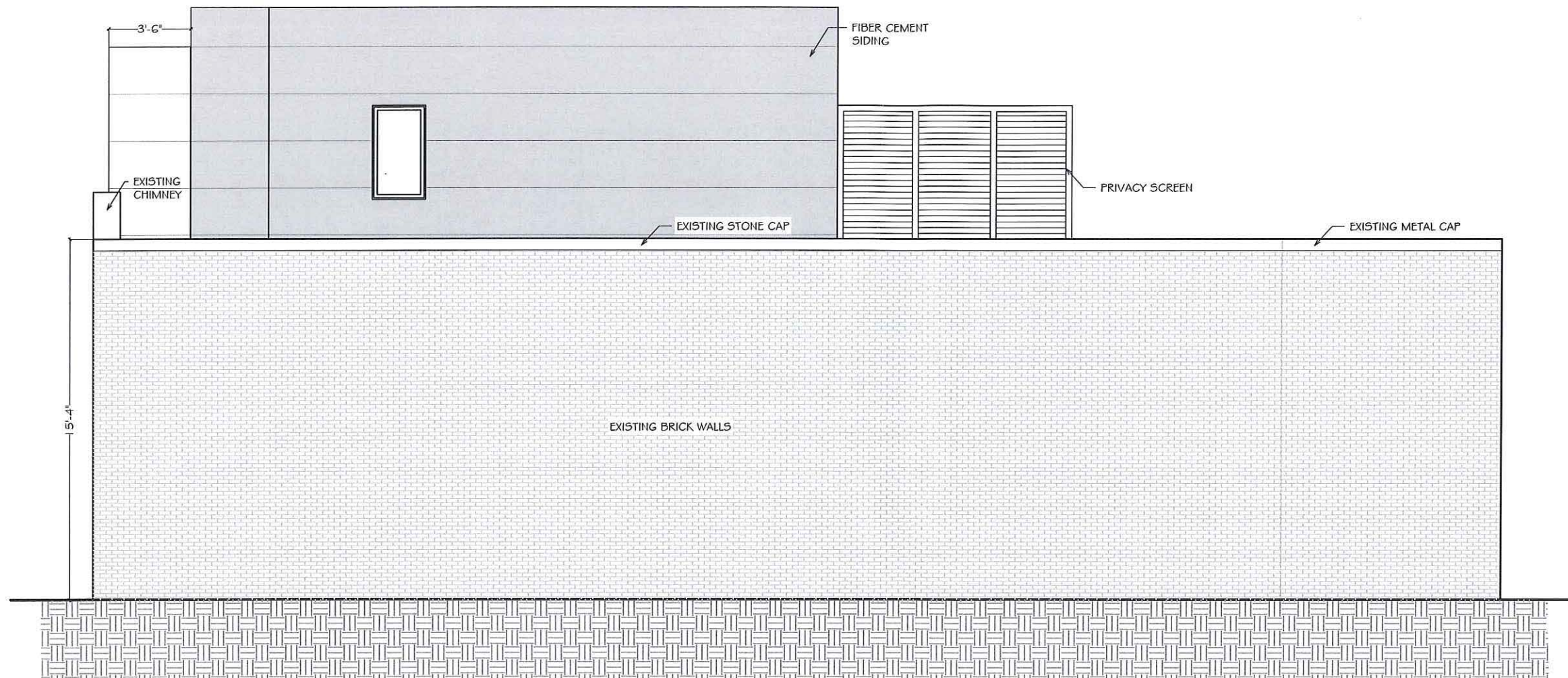
GENERAL NOTES:
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Revisions		
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NEIGHBOR'S VIEW
 ELEVATION


DRAWING TITLE:	
0000	MJM
JOB NO:	DWN:
3/16"=- 1'-0"	5- APRIL-19
SCALE:	DATE:

A203



4 NEW LATERAL (NEIGHBORS) ELEVATION
 A200 SCALE: 3/16"=- 1'-0"

NEW ENGLAND LAND SURVEY
Professional Land Surveyors

 **710 MAIN STREET**
N.Oxford, MA 01537

PHONE: (508) 987-0025

FAX: (508) 438-6604

REGISTRY SOUTHERN MIDDLESEX

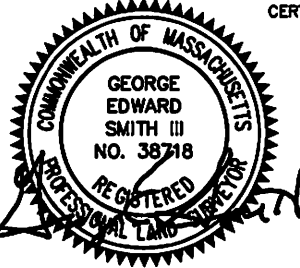
MORTGAGE INSPECTION PLAN

NAME DAVA J NEWMAN AND GUILLERMO L TROTTI

LOCATION 116 MAGAZINE STREET
CAMBRIDGE, MA

SCALE 1"=20' **DATE** 03/01/19

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING DWELLING STRUCTURES TO PROPERTY LINE OFFSETS (UNLESS OTHERWISE NOTED IN DRAWING BELOW). NOTE: NOT DEFINED ARE ABOVE GROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS, ETC. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.



CERTIFY TO: MARBLEHEAD BANK

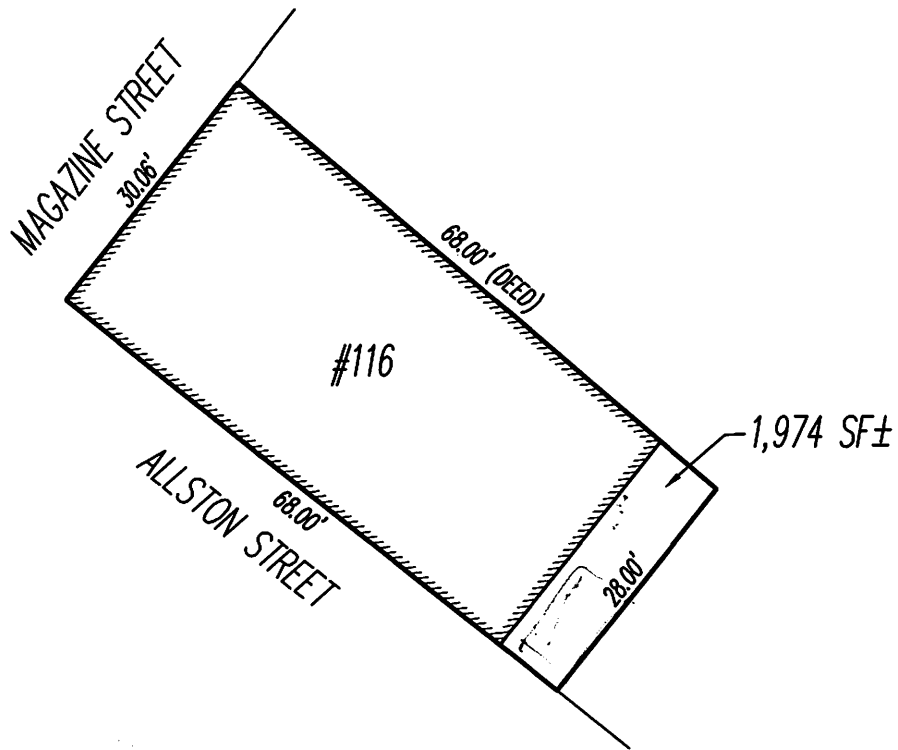
DEED REFERENCE: 48878/340

PLAN REFERENCE: 5529/40

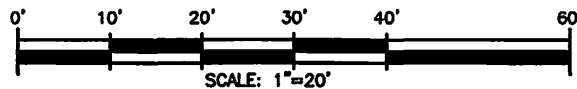
WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FIRM:

25017C0576E **DTD:** 06/04/2010

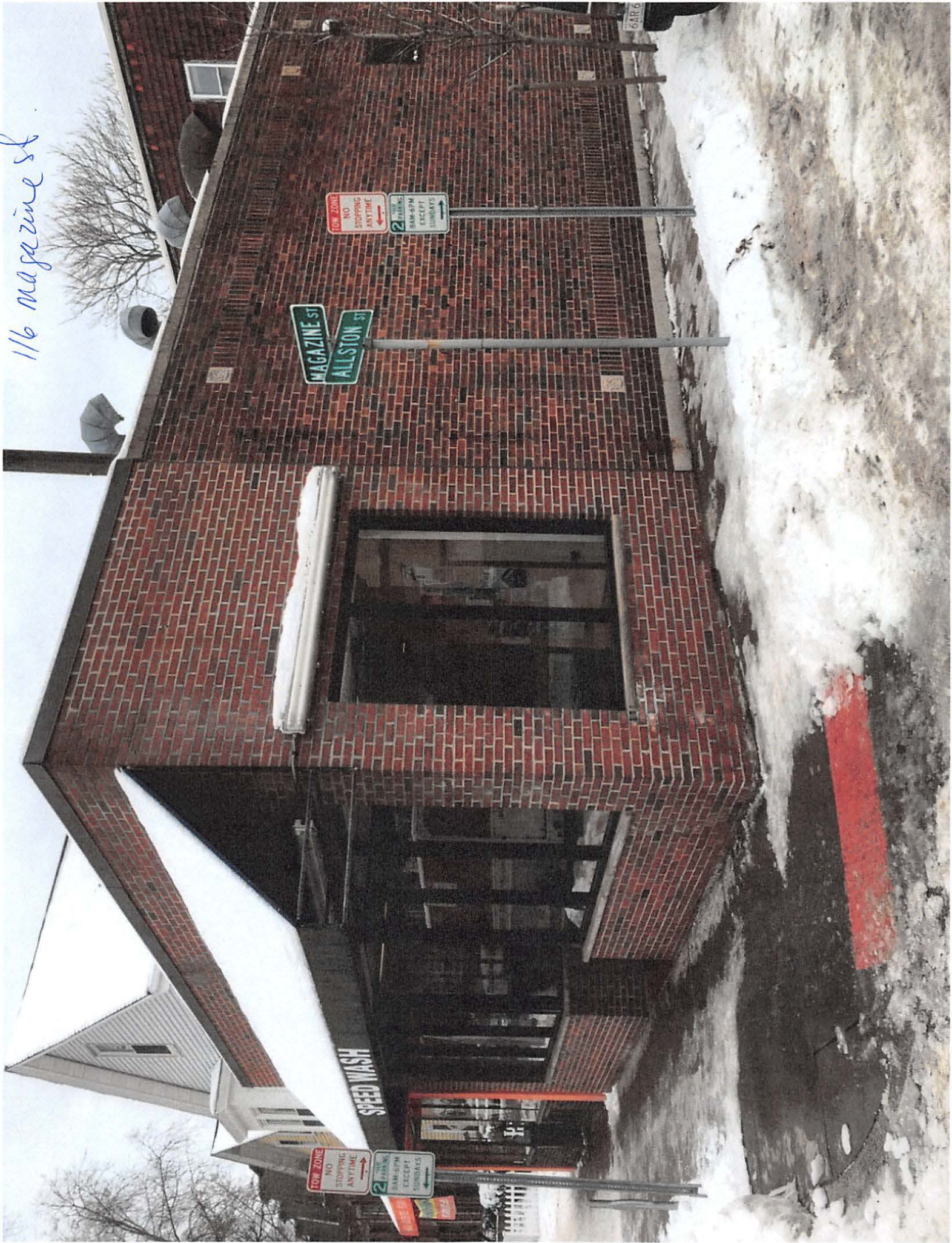
FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY HUD AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



REQUESTED BY: LAUSIER & LAUSIER LLC
DRAWN BY: CRC
CHECKED BY: GES
FILE: 19MIP2163



116 Magazine St



MAGAZINE ST
ALLSTON ST

TOW ZONE
NO STOPPING
ANYTIME

2 HOUR
PARKING
8AM-6PM
EXCEPT
SUNDAYS

TOW ZONE
NO STOPPING
ANYTIME

2 HOUR
PARKING
8AM-6PM
EXCEPT
SUNDAYS

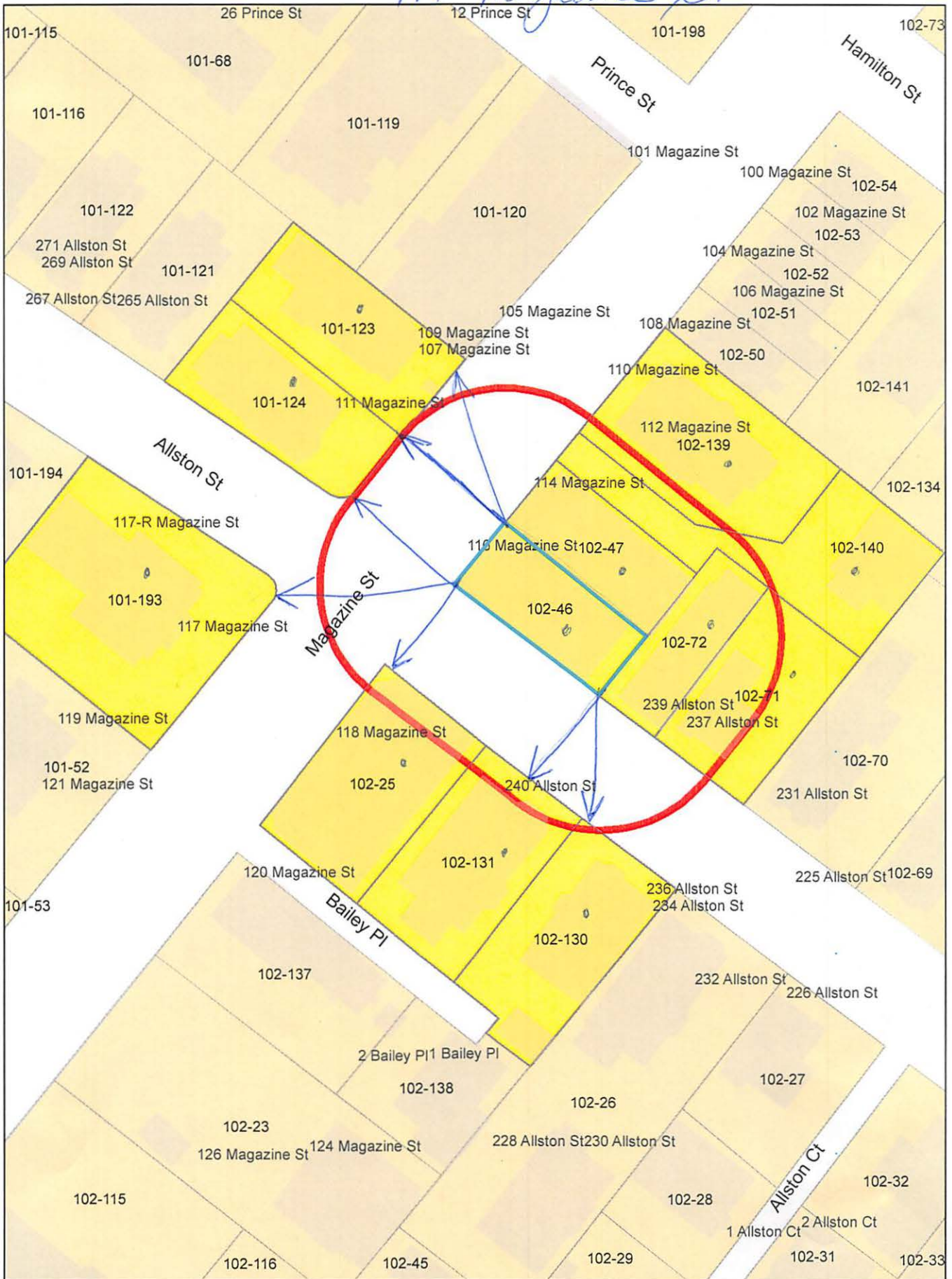
SPEED WASH

6AR 6

SPEED WASH



116 Magazine St.



116 Magazine St.

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

101-123
SCANTLEBURY, KAREN V.
109 MAGAZINE ST
CAMBRIDGE, MA 02139

101-124
MOYER, REBACCA L. & JULIE A. PALMER
111 MAGAZINE ST.#1
CAMBRIDGE, MA 02139

101-124
GRIFFITH, LISA A. & OTHON ILIOPOULOS
111 MAGAZINE ST UNIT #2
CAMBRIDGE, MA 02139

101-193
DOWNING, ROBERT E. & HEATHER E. GRAHAM
115 MAGAZINE ST
CAMBRIDGE, MA 02139

101-193
KONIAK, SUSAN P.
115-117 MAGAZINE ST, #117A
CAMBRIDGE, MA 02139.

101-193
ELLENBERGER, CAROLYN L.
117B MAGAZINE ST
CAMBRIDGE, MA 02139

102-25
HARGREAVES, GEORGE C/O HARGREAVES
ASSOCIATES, INC
970 TENNESSEE ST
SAN FRANCISCO, CA 94107

102-46
SPUNT, ERIC S. & KATHRYN K. SPUNT
110 ELGIN ST.
NEWTON, MA 02459

102-47
HALAJIAN, CRAIG A., TR OF 114 MAGAZINE
STREET TRUST
114 MAGAZINE ST
CAMBRIDGE, MA 02139

102-71
SELAYA, LINDA
237 ALLSTON ST
CAMBRIDGE, MA 02139

102-72
GAVANESCU, IRINA C.
239 ALLSTON ST. UNIT#1
CAMBRIDGE, MA 02139

102-72
COWLES, LORI
24 UPTON ST
CAMBRIDGE, MA 02139

102-72
CHENG, WENJIE C/O HENNEBERGER, IAN M. &
1 CHERRY ST
LEXINGTON, MA 02421

102-130
YUNG CHANG CHEN
236 ALLSTON STREET
CAMBRIDGE, MA 02139.

102-131
CYRUS LLC
5 FOLSOM POND RD
WAYLAND, MA 01778

102-139
STEVENS, KEVIN & JANICE LINNANE STEVENS
110 MAGAZINE STREET
CAMBRIDGE, MA 02139

102-139
SLOAN, SHARON
110-112 MAGAZINE ST., UNIT #112
CAMBRIDGE, MA 02139

102-140
ESTUS, BOYD
112 R MAGAZINE ST.
CAMBRIDGE, MA 02139

101-124
ILIOPOULOS, OTHON
111 MAGAZINE ST #2
CAMBRIDGE, MA 02139