



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139 2023 MAY 22 AM 11:58

617-349-6100

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 223906

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Jeffrey T. Berg and Shary Page Berg C/O James J. Rafferty

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

LOCATION OF PROPERTY: 11 Perry St., Cambridge, MA

TYPE OF OCCUPANCY: Two Family

ZONING DISTRICT: Residence C Zone

REASON FOR PETITION:

/Conversion to Additional Dwelling Units/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to convert existing accessory barn into a dwelling unit. Petitioner also seeks to add dormer within required setback.


SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).

Article: 8.000 Section: 8.22.3 (Non- Conforming Structure).

Article: 10.000 Section: 10.30 (Variance).

Original
Signature(s):



(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner
(Print Name)

Address: 907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139
Tel. No. 617.492.4100
E-Mail Address: jrafferty@adamsrafferty.com

Date: May 18, 2023

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

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

Jeffrey T. Berg and Shary Page Berg
(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 11 Perry Street

the record title standing in the name of Jeffrey T. Berg and Shary Page Berg

whose address is 11 Perry 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 25402 Page 548 or _____ Registry

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

Jeffrey T. Berg
(Owner)

On this 16 day of March ~~February~~, 2022, before me, the undersigned notary public, personally appeared Jeffrey J. Berg proved to me through satisfactory evidence of identification, which were Mass. Driver's 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.



NIVEDITA BASNYAT
Notary Public
Commonwealth of Massachusetts
My Commission Expires
February 21, 2025

Ratna
Notary Public

My commission expires: 2/21/2025

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 provisions of this Ordinance would prevent the petitioner from converting an underutilized dimensionally nonconforming barn into a dwelling unit that would otherwise be eligible for conversion due to meeting the lot area per dwelling unit requirement of the Residence C zoning district.

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 directly related to the size and shape of the existing structure and its location on the lot.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The public good will not be negatively impacted by the conversion of this existing structure utilized as vehicular parking and storage to a dwelling unit. Furthermore, the proposed dormers are set 9' 4" from the floor and will not pose a privacy risk for abutting property owners.

2) Desirable 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 conversion of accessory structures into dwelling units. Due to its height and mass, this structure does not qualify as an accessory structure, but "given contemporary lifestyles, housing needs, and energy and maintenance costs, it is beneficial to the City to allow greater flexibility in the use of such buildings to add new dwelling units without substantially altering the environmental quality of the surrounding neighborhoods." (4.22 of the Zoning Ordinance).

Furthermore, after the conversion, the lot will still conform to the lot area per dwelling unit and open space requirements of the Ordinance.

***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: Jeffrey T. Berg and Shary Page Berg
Location: 11 Perry St., Cambridge, MA
Phone: 617.492.4100

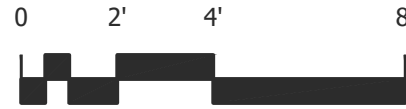
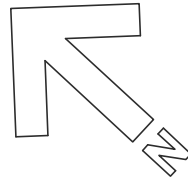
Present Use/Occupancy: Two Family
Zone: Residence C Zone
Requested Use/Occupancy: Two Family + 1 Family

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		5,440 sf	no change	4,802 sf	(max.)
<u>LOT AREA:</u>		6,403 sf	no change	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.85	no change	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		3,201.5	2,134	1,800	
<u>SIZE OF LOT:</u>	WIDTH	50	no change	50	
	DEPTH	129.9'	no change	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	12.8'	No change	11.26'	
	REAR	2.8'	No change	27.48'	
	LEFT SIDE	0.2'	No change	7'6"	
	RIGHT SIDE	0.7'	No change	7'6"	
<u>SIZE OF BUILDING:</u>	HEIGHT	24' barn, 35' two family	No change	35'	
	WIDTH	see attached	no change	N/A	
	LENGTH	see attached	no change	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		+/- 40	+/- 39	+/- 36	
<u>NO. OF DWELLING UNITS:</u>		2	3	N/A	
<u>NO. OF PARKING SPACES:</u>		2	2	0	
<u>NO. OF LOADING AREAS:</u>		0	no change	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		+/- 20'	no change	10'	




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.:

- N/A
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'.

TRUE NORTH

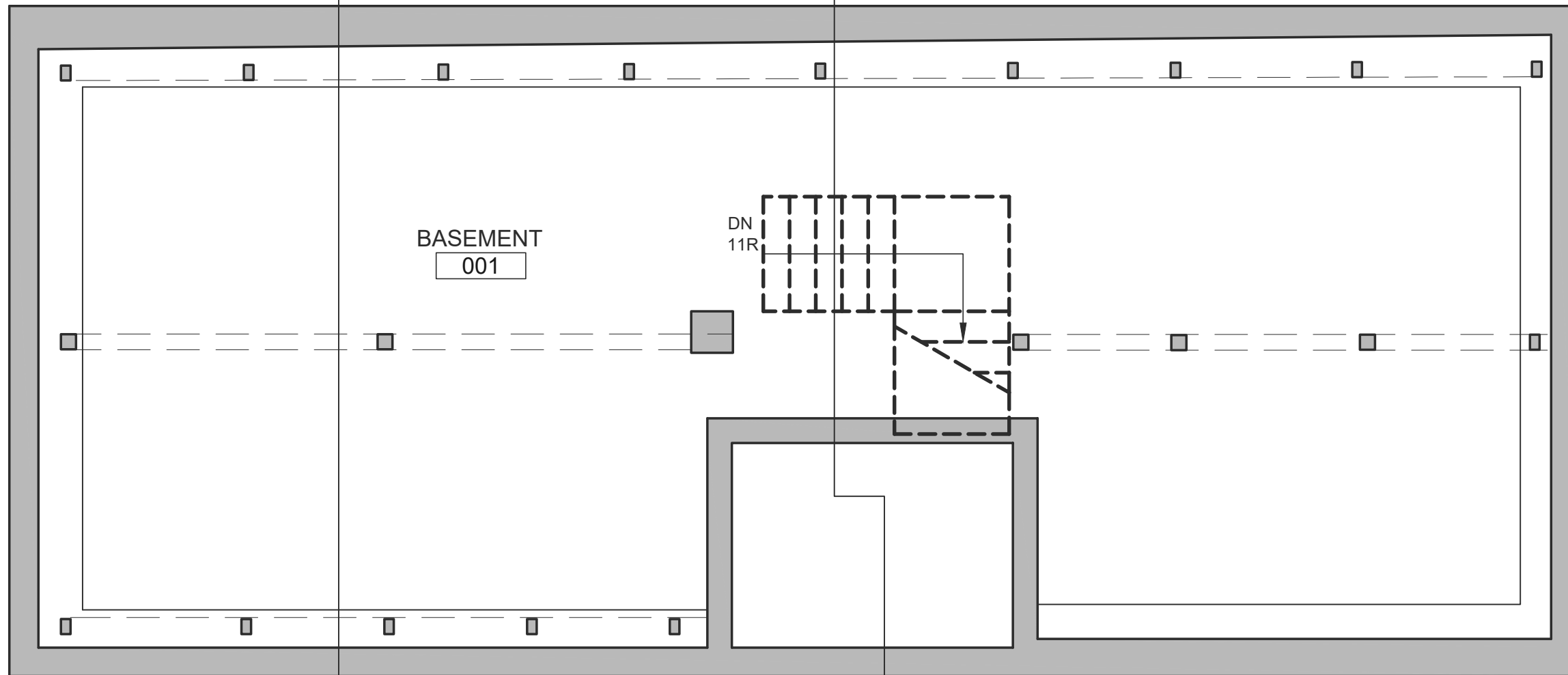
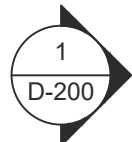
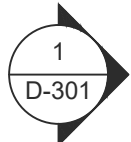
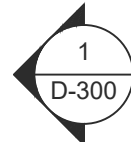


LEGEND KEY

-  EXISTING PARTITION TO BE REMOVED
-  EXISTING PARTITION TO REMAIN
-  NEW PARTITION

TORREY
ARCHITECTURE

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No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
CAMBRIDGE, MA

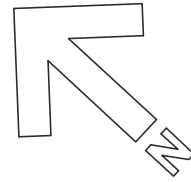
**DEMOLITION
BASEMENT PLAN**

Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT




D-100

Scale AS NOTED

TRUE NORTH

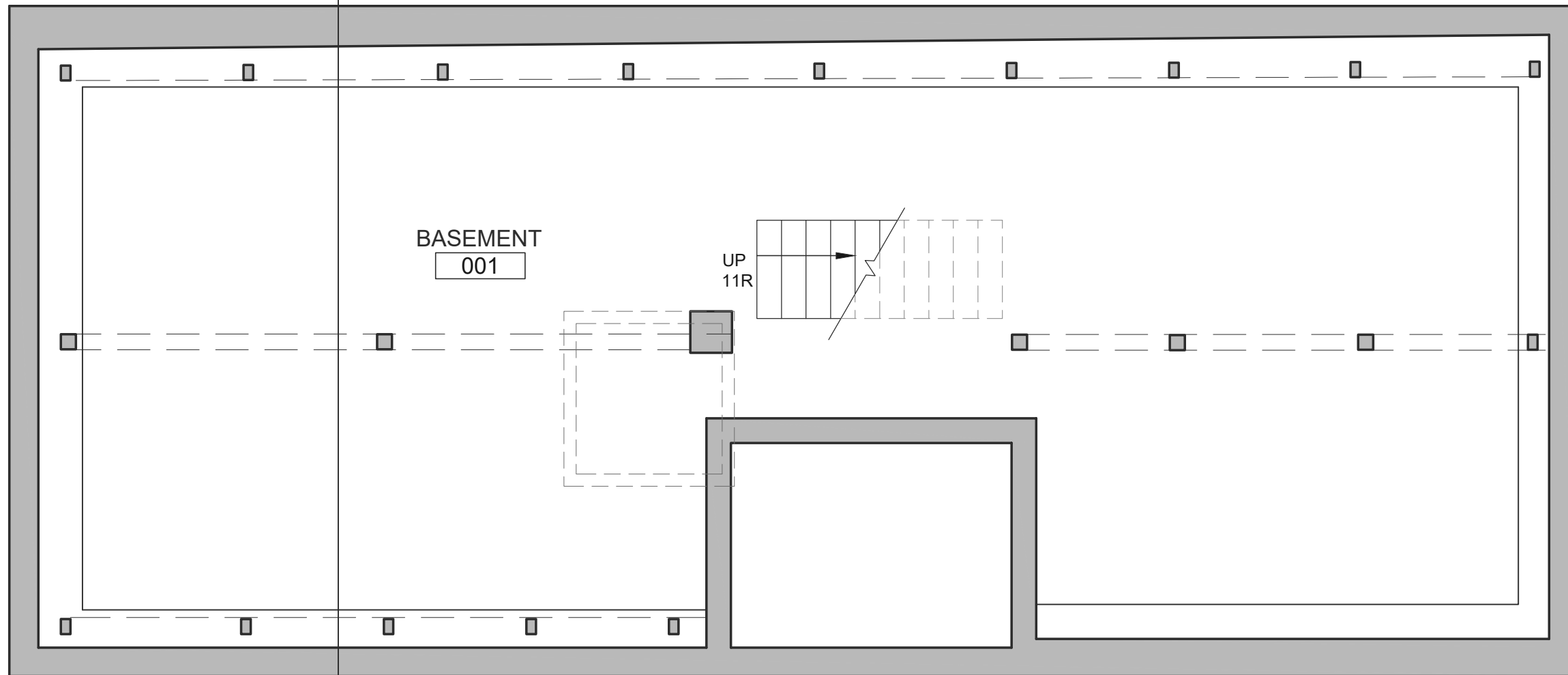
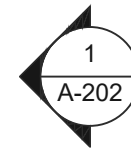
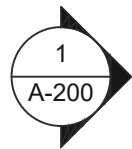
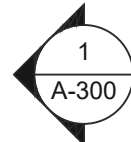


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11 PERRY ST.
CAMBRIDGE, MA

BASEMENT PLAN

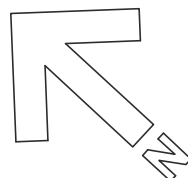
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Date	03-14-23
Drawn by	DM
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A-100




Scale AS NOTED

1 BASEMENT PLAN
SCALE: 1/4"=1'-0"

TRUE NORTH

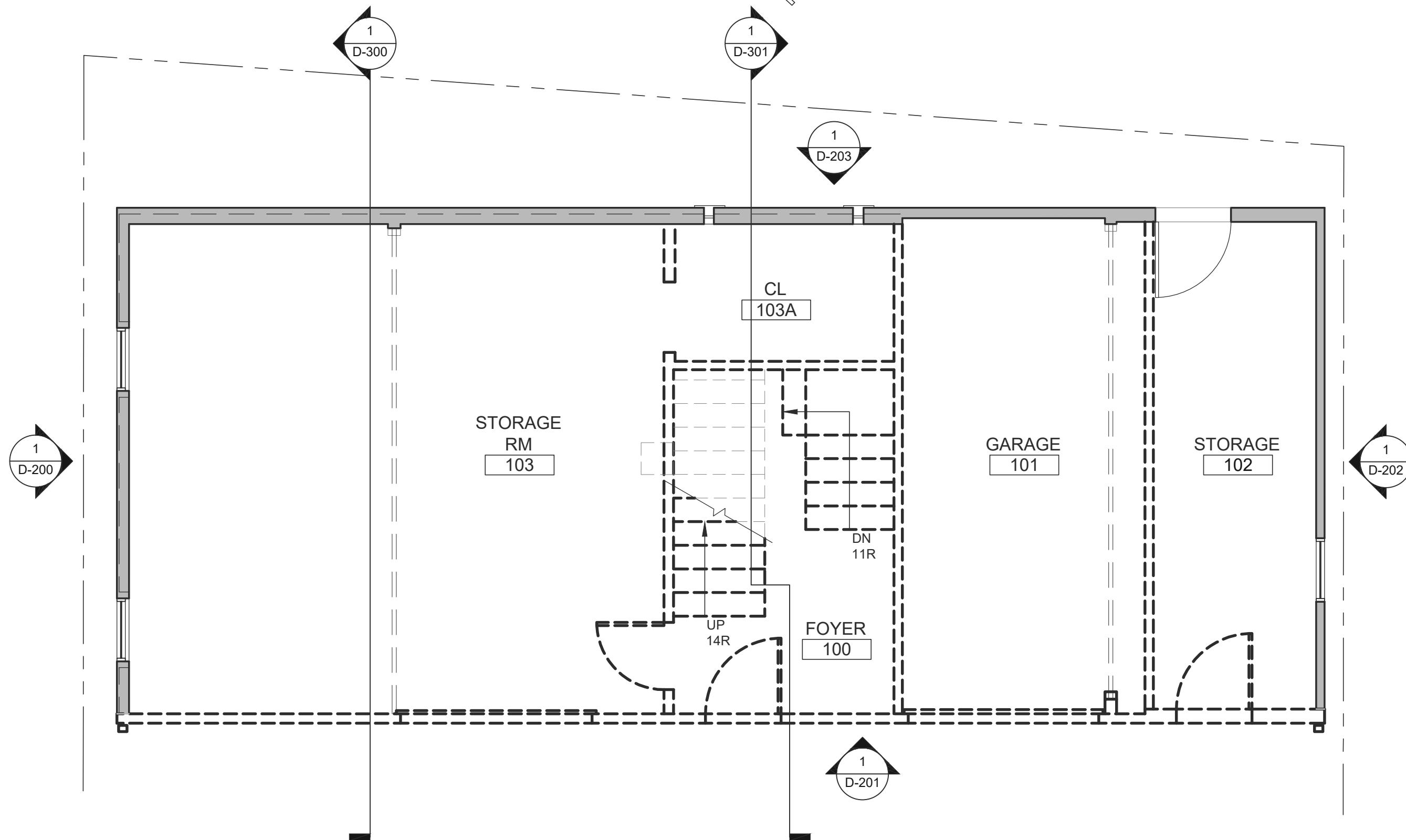


LEGEND KEY

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-  NEW PARTITION

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**DEMOLITION
FIRST FLOOR PLAN**

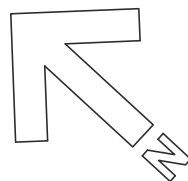
Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT

D-101

Scale AS NOTED

GENERAL NOTES:
 BASEMENT FLOOR AREA: 980 GROSS SQ FT
 FIRST FLOOR AREA: 980 GROSS SQ FT
 SECOND FLOOR AREA: 980 GROSS SQ FT

TRUE NORTH

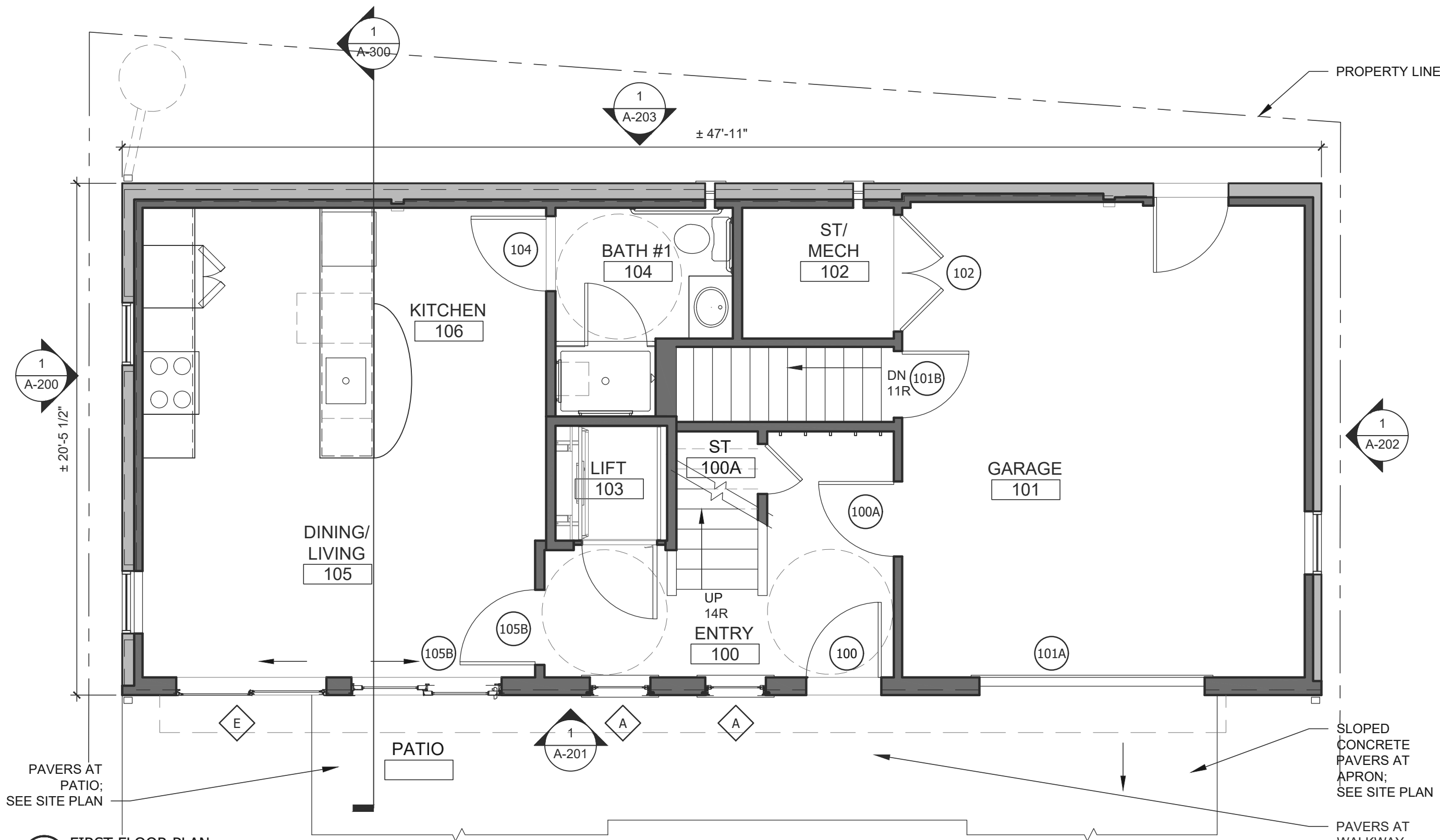


LEGEND KEY

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FIRST FLOOR PLAN

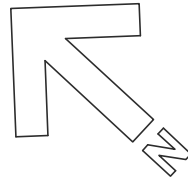
Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT

A-101

Scale AS NOTED

1 FIRST FLOOR PLAN
 SCALE: 1/4"=1'-0"

TRUE
NORTH

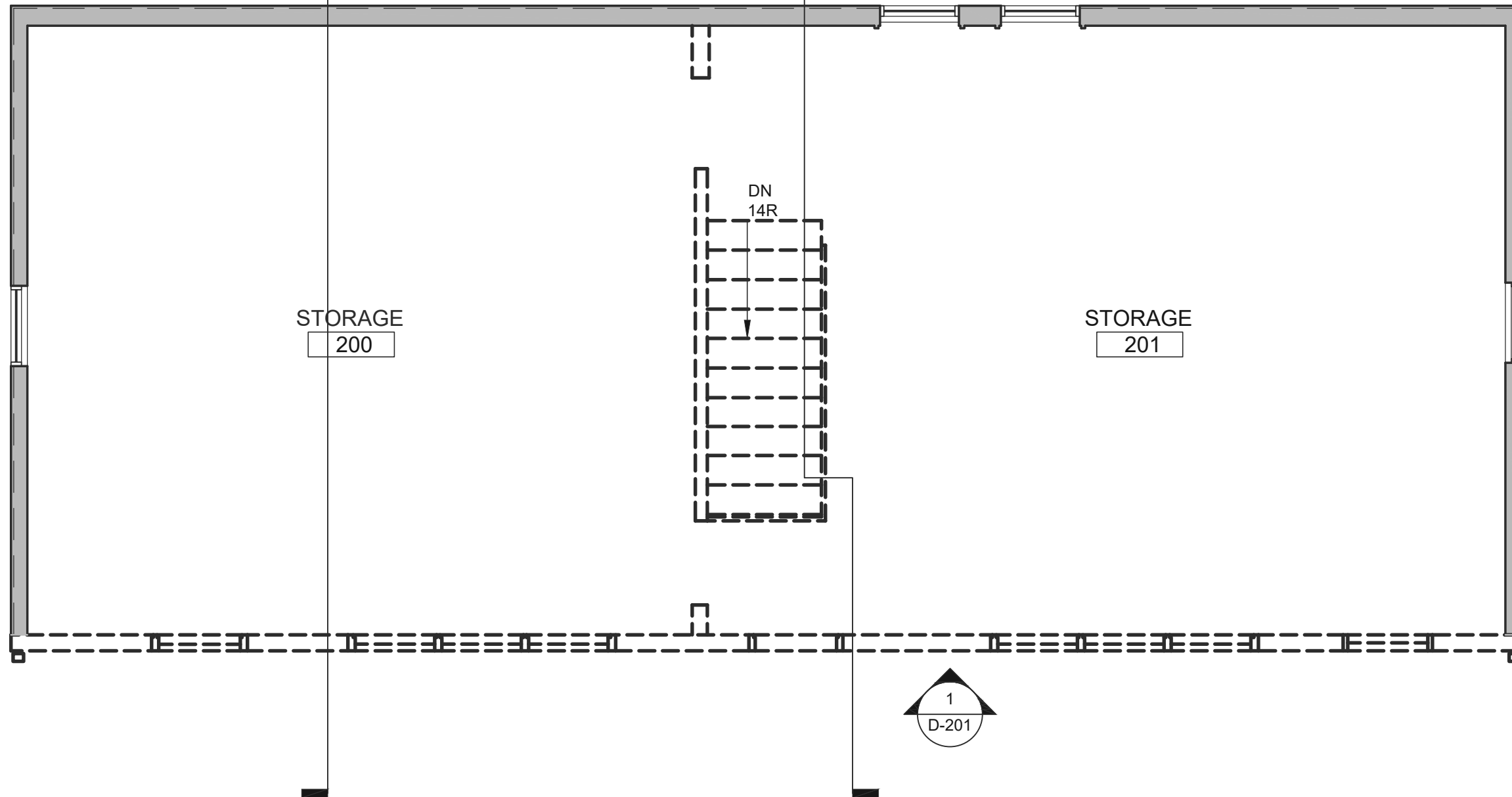
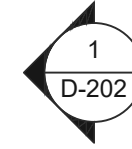
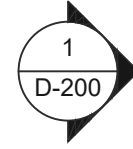
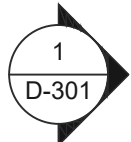
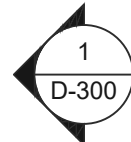


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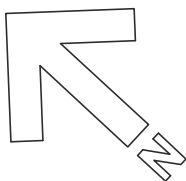
DEMOLITION SECOND FLR. PLAN

Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT

D-102

Scale AS NOTED

TRUE NORTH

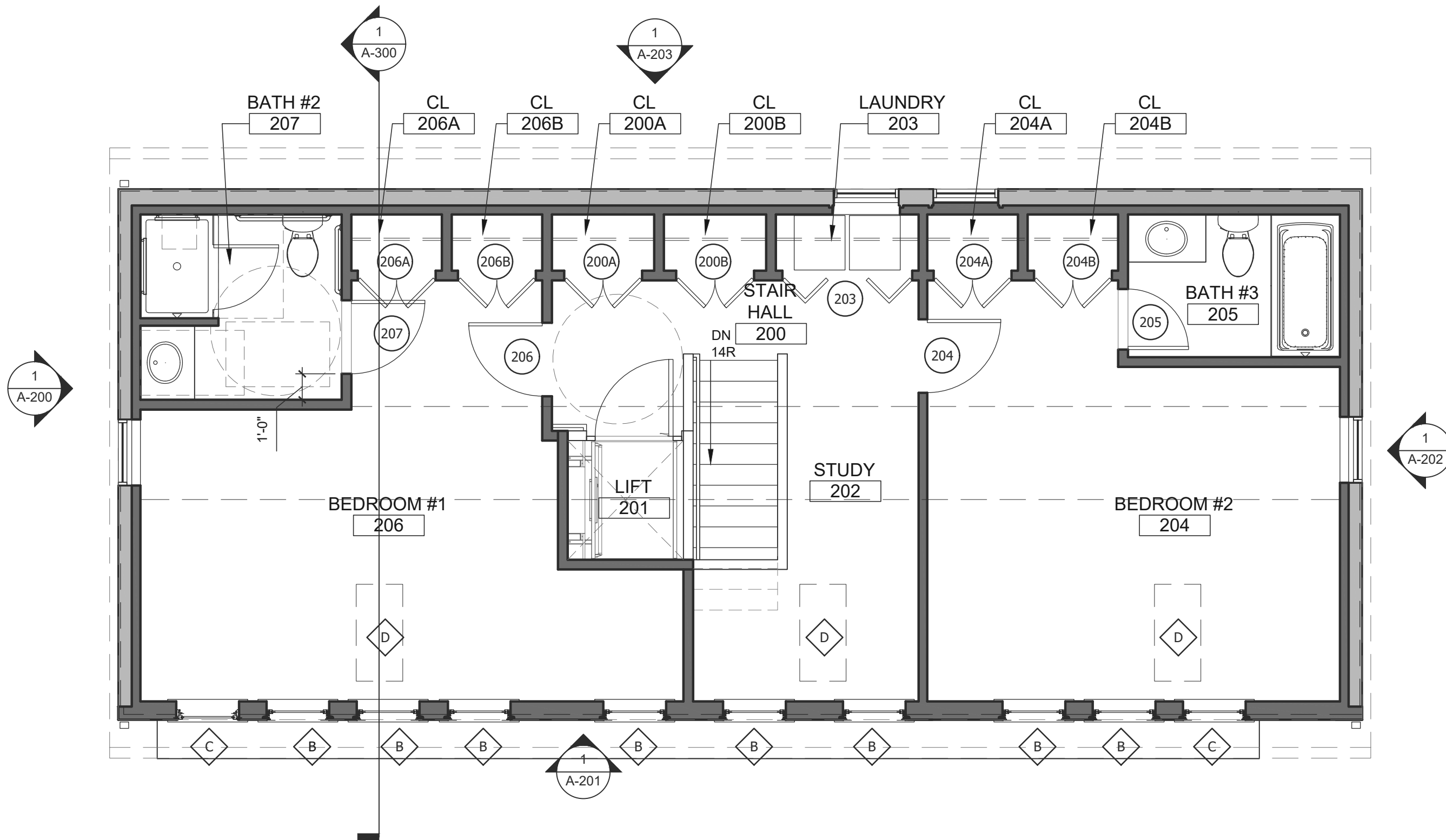


LEGEND KEY

- EXISTING PARTITION TO BE REMOVED
- EXISTING PARTITION TO REMAIN
- NEW PARTITION

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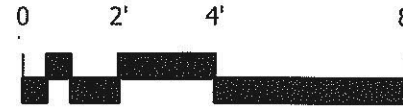
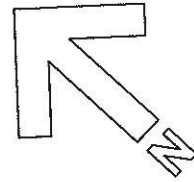
SECOND FLR. PLAN

Project number	2105
Date	03-14-23
Drawn by	DM
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A-102

Scale AS NOTED

TRUE
NORTH



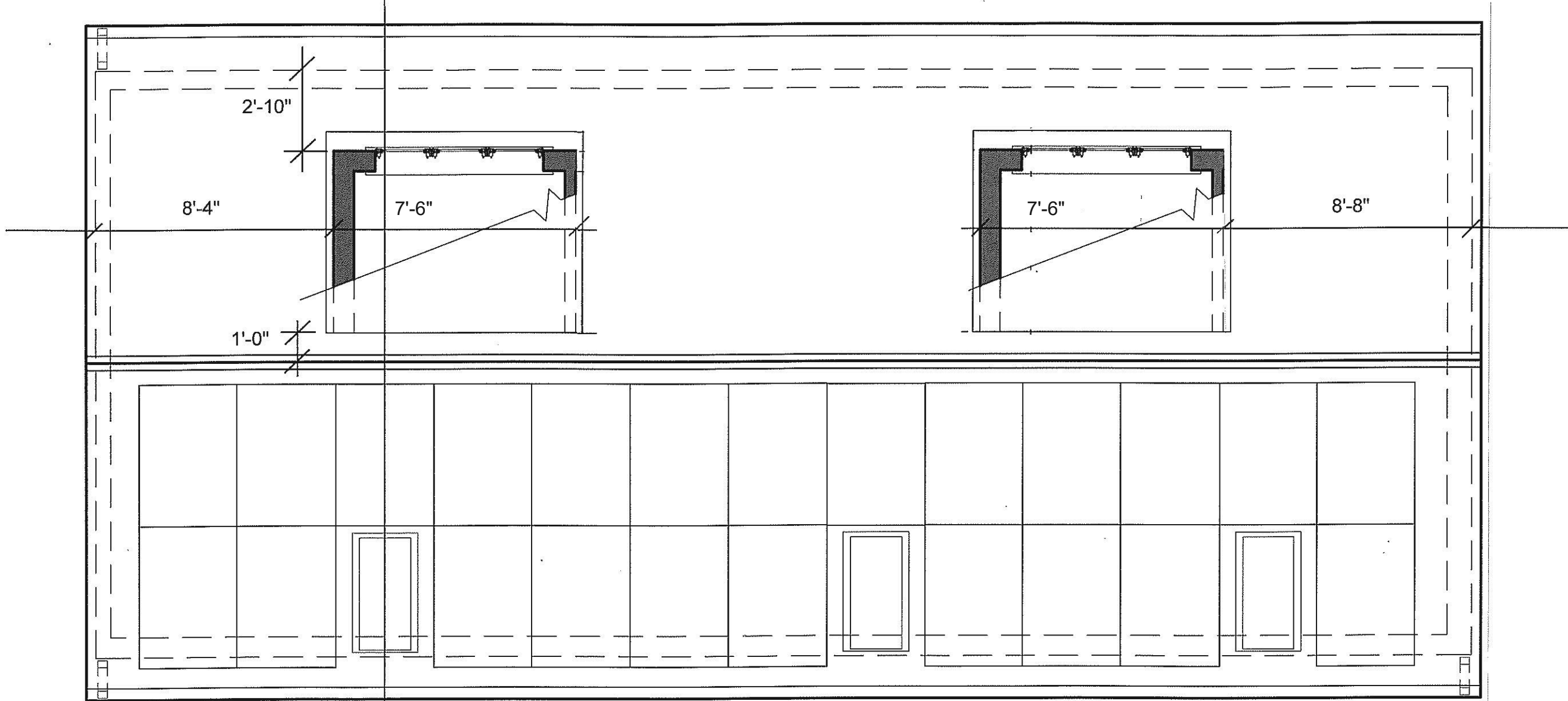
LEGEND KEY

-  EXISTING PARTITION TO BE REMOVED
-  EXISTING PARTITION TO REMAIN
-  NEW PARTITION

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A-300



No.	Description	Date
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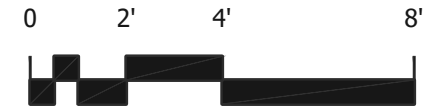
ROOF PLAN

Project number	2105
Date	03-14-23
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A-103

Scale AS NOTED

1 ROOF PLAN
SCALE: 1/4"=1'-0"



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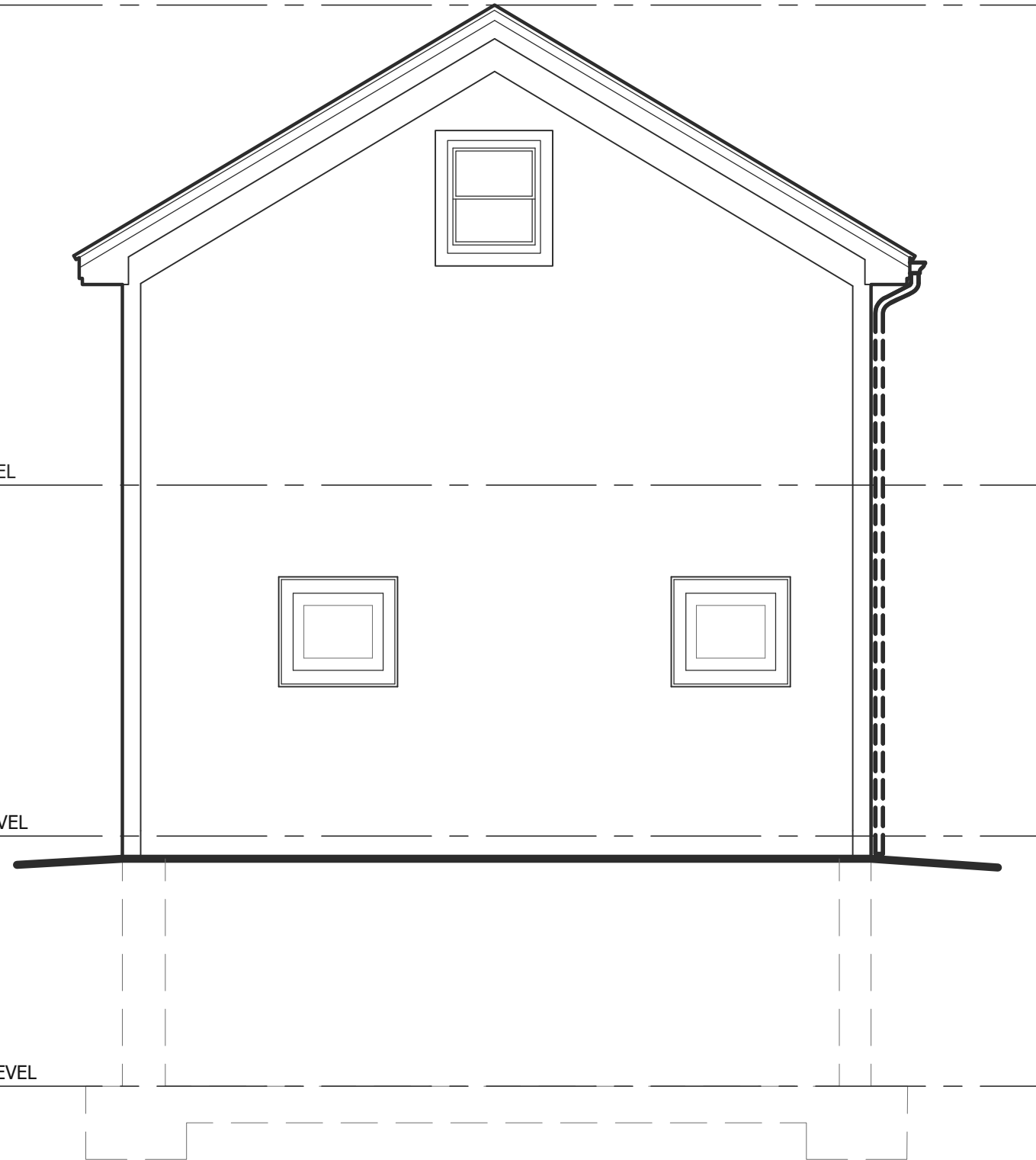
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ROOF PEAK
± 22'-8 1/2"

SECOND FLOOR LEVEL
± 9'-7"

EX. FIRST FLOOR LEVEL
0'-0" DATUM

BASEMENT FLOOR LEVEL
± -6'-10"



No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
CAMBRIDGE, MA

**DEMOLITION
WEST ELEVATION**

Project number 2105

Date 03-14-23

Drawn by DM

Checked by DT

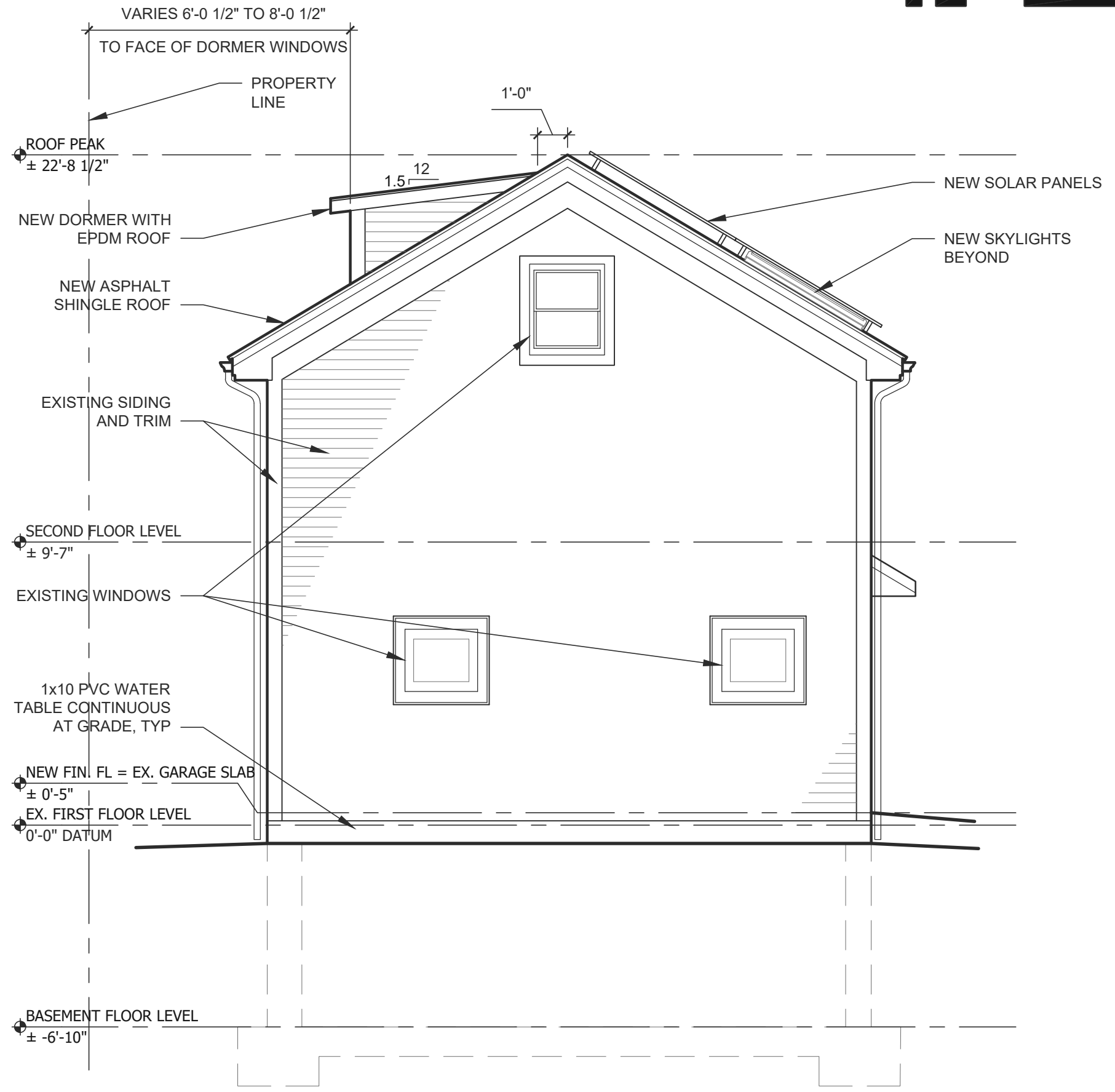
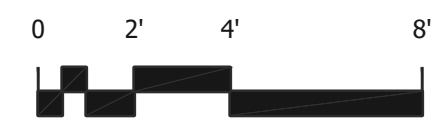
D-200

Scale AS NOTED

1

DEMOLITION WEST ELEVATION

SCALE: 1/4"=1'-0"



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No.	Description	Date
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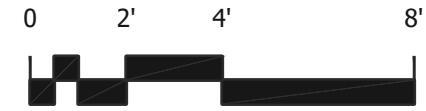
11 PERRY ST.
 CAMBRIDGE, MA

WEST ELEVATION

Project number	2105
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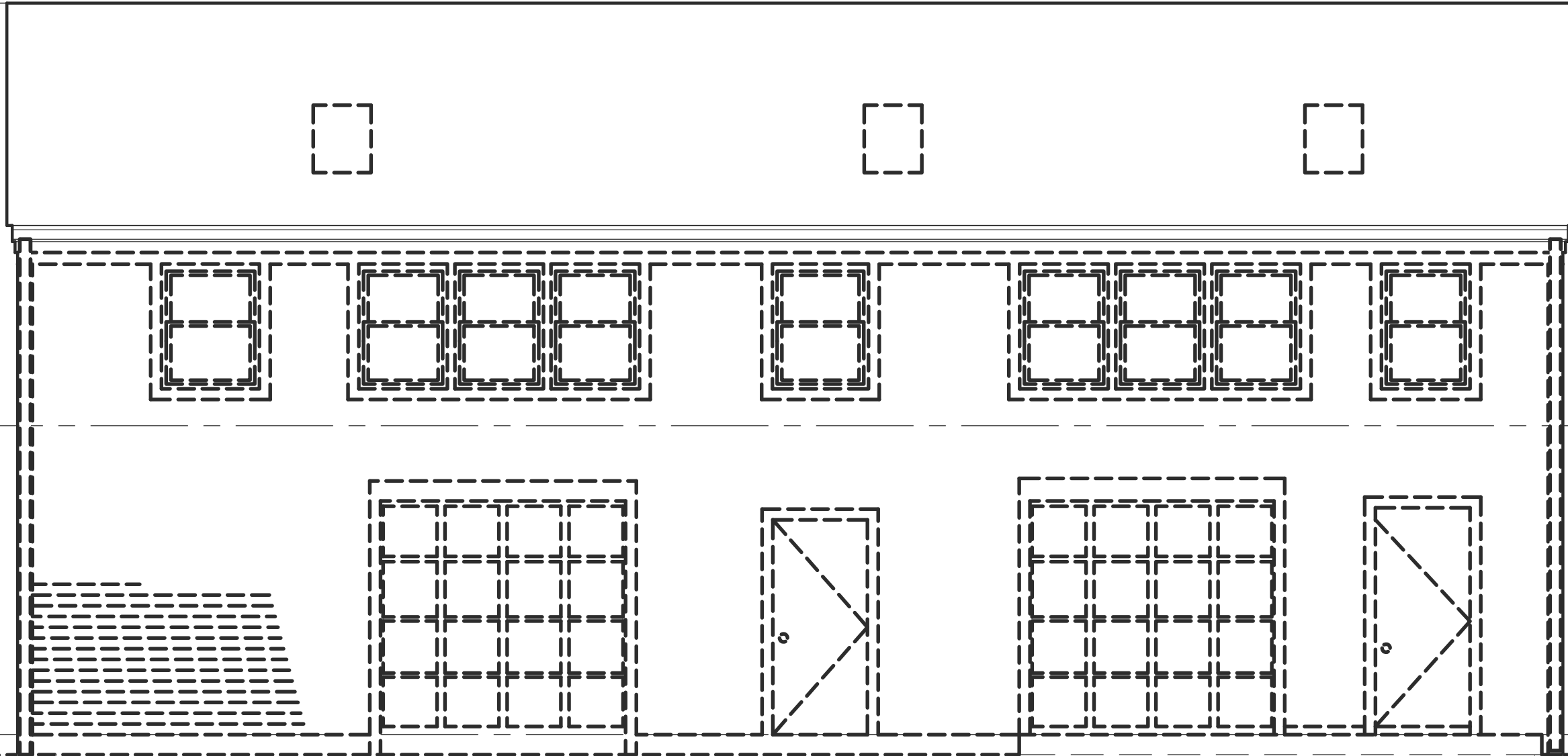
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ROOF PEAK
± 22'-8 1/2"

SECOND FLOOR LEVEL
± 9'-7"

EX. FIRST FLOOR LEVEL
0'-0" DATUM

BASEMENT FLOOR LEVEL
± -6'-10"



No.	Description	Date
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11 PERRY ST.
CAMBRIDGE, MA

DEMOLITION
SOUTH ELEVATION

Project number 2105

Date 03-14-23

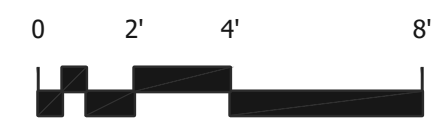
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D-201

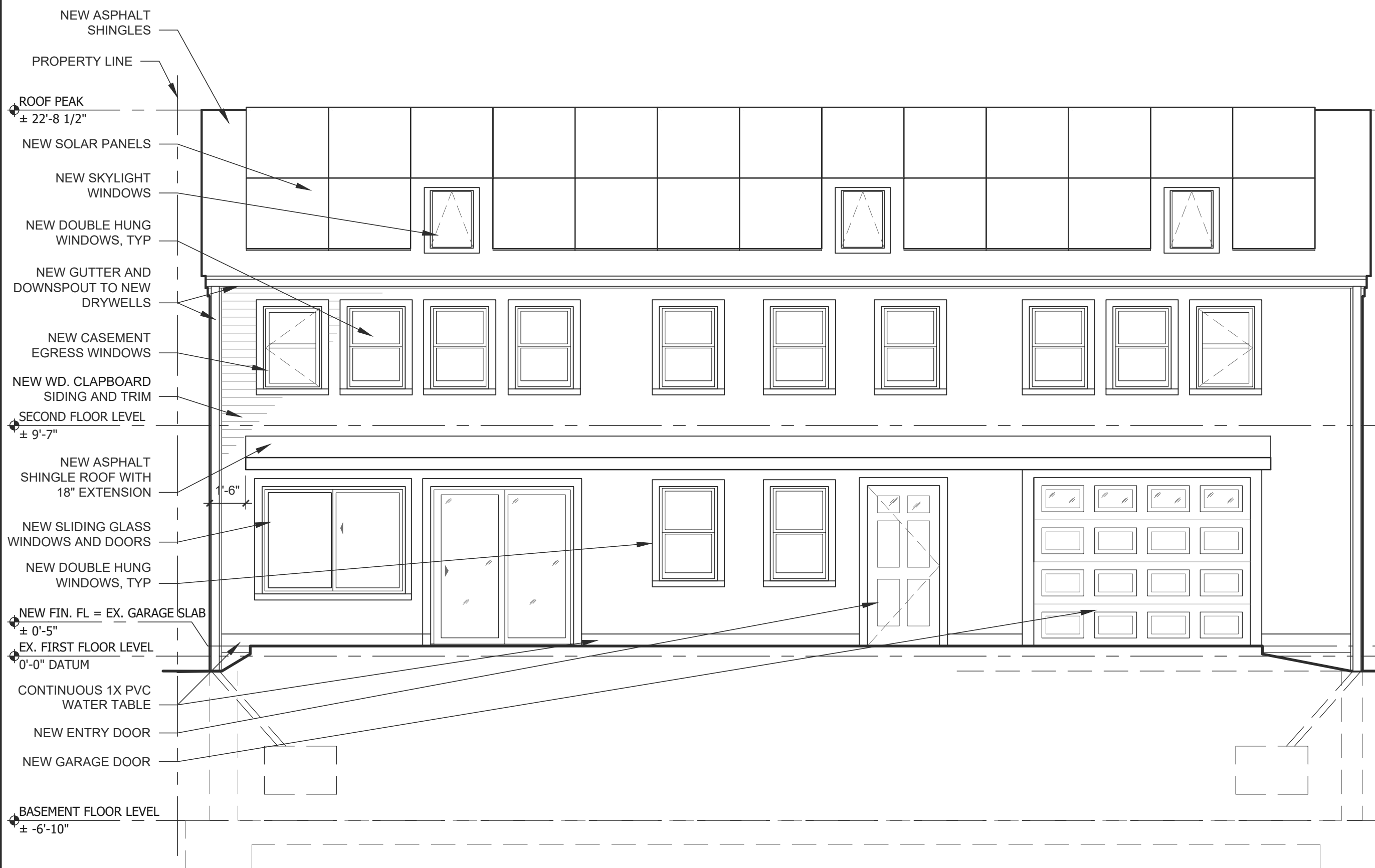
Scale AS NOTED

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



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- NEW ASPHALT SHINGLES
- PROPERTY LINE
- ROOF PEAK
± 22'-8 1/2"
- NEW SOLAR PANELS
- NEW SKYLIGHT WINDOWS
- NEW DOUBLE HUNG WINDOWS, TYP
- NEW GUTTER AND DOWNSPOUT TO NEW DRYWELLS
- NEW CASEMENT EGRESS WINDOWS
- NEW WD. CLAPBOARD SIDING AND TRIM
- SECOND FLOOR LEVEL
± 9'-7"
- NEW ASPHALT SHINGLE ROOF WITH 18" EXTENSION
- NEW SLIDING GLASS WINDOWS AND DOORS
- NEW DOUBLE HUNG WINDOWS, TYP
- NEW FIN. FL = EX. GARAGE SLAB
± 0'-5"
- EX. FIRST FLOOR LEVEL
0'-0" DATUM
- CONTINUOUS 1X PVC WATER TABLE
- NEW ENTRY DOOR
- NEW GARAGE DOOR
- BASEMENT FLOOR LEVEL
± -6'-10"

No.	Description	Date
	BZA SET	03/14

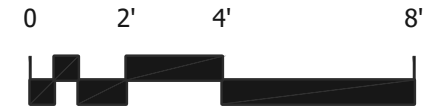
11 PERRY ST.
CAMBRIDGE, MA

SOUTH ELEVATION

Project number	2105
Date	03-14-23
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A-201

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ARCHITECTURE

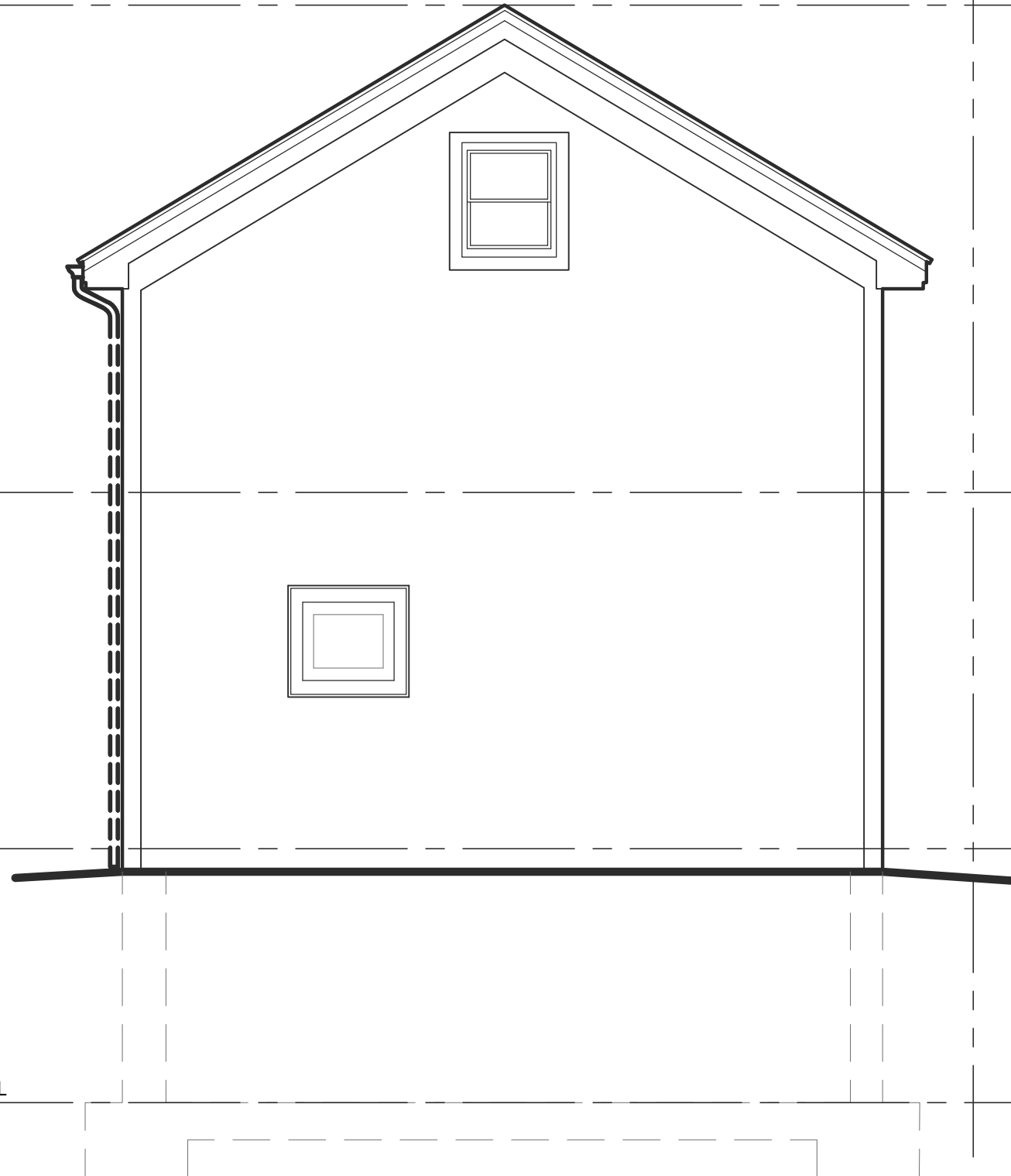
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ROOF PEAK
± 22'-8 1/2"

SECOND FLOOR LEVEL
± 9'-7"

EX. FIRST FLOOR LEVEL
0'-0" DATUM

BASEMENT FLOOR LEVEL
± -6'-10"



No.	Description	Date
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11 PERRY ST.
CAMBRIDGE, MA

**DEMOLITION
EAST ELEVATION**

Project number 2105

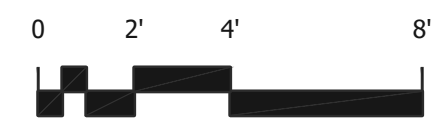
Date 03-14-23

Drawn by DM

Checked by DT

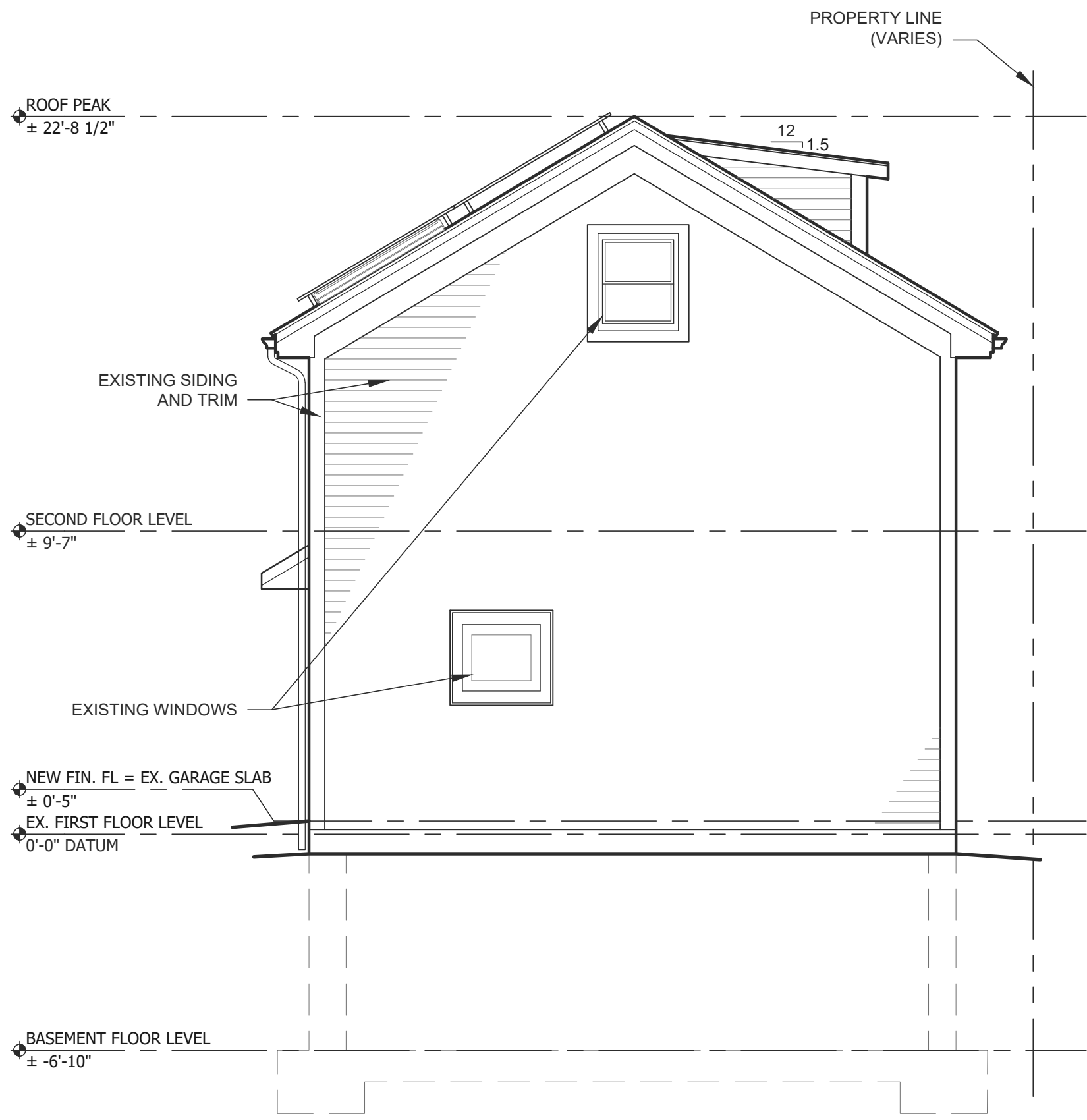
D-202

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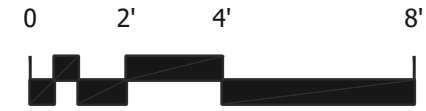
11 PERRY ST.
CAMBRIDGE, MA

EAST ELEVATION

Project number	2105
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A-202

Scale AS NOTED



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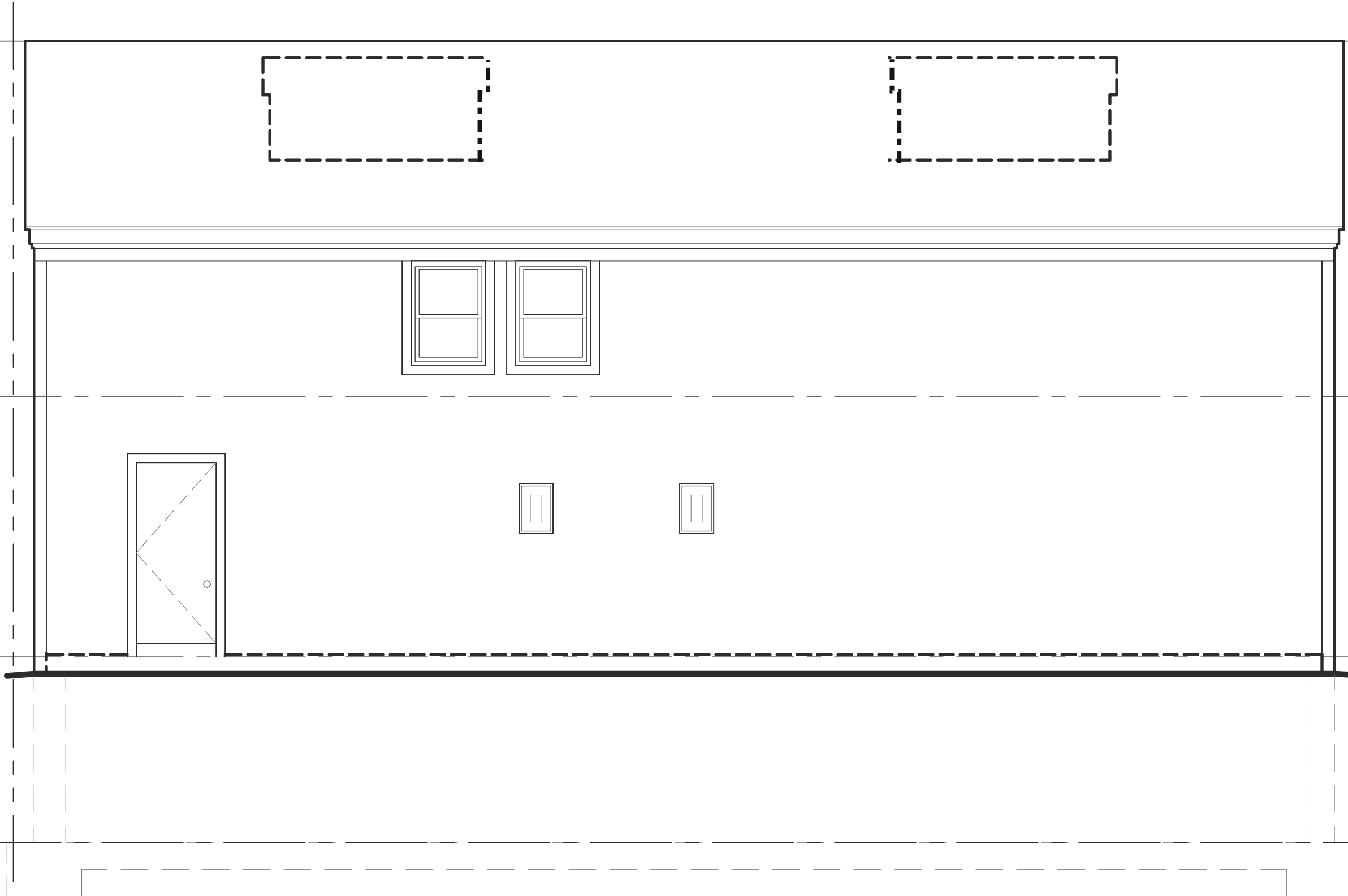
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ROOF PEAK
± 22'-8 1/2"

SECOND FLOOR LEVEL
± 9'-7"

EX. FIRST FLOOR LEVEL
0'-0" DATUM

BASEMENT FLOOR LEVEL
± -6'-10"



No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
CAMBRIDGE, MA

**DEMOLITION
NORTH ELEVATION**

Project number 2105

Date 03-14-23

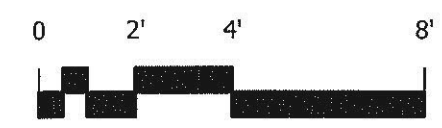
Drawn by DM

Checked by DT

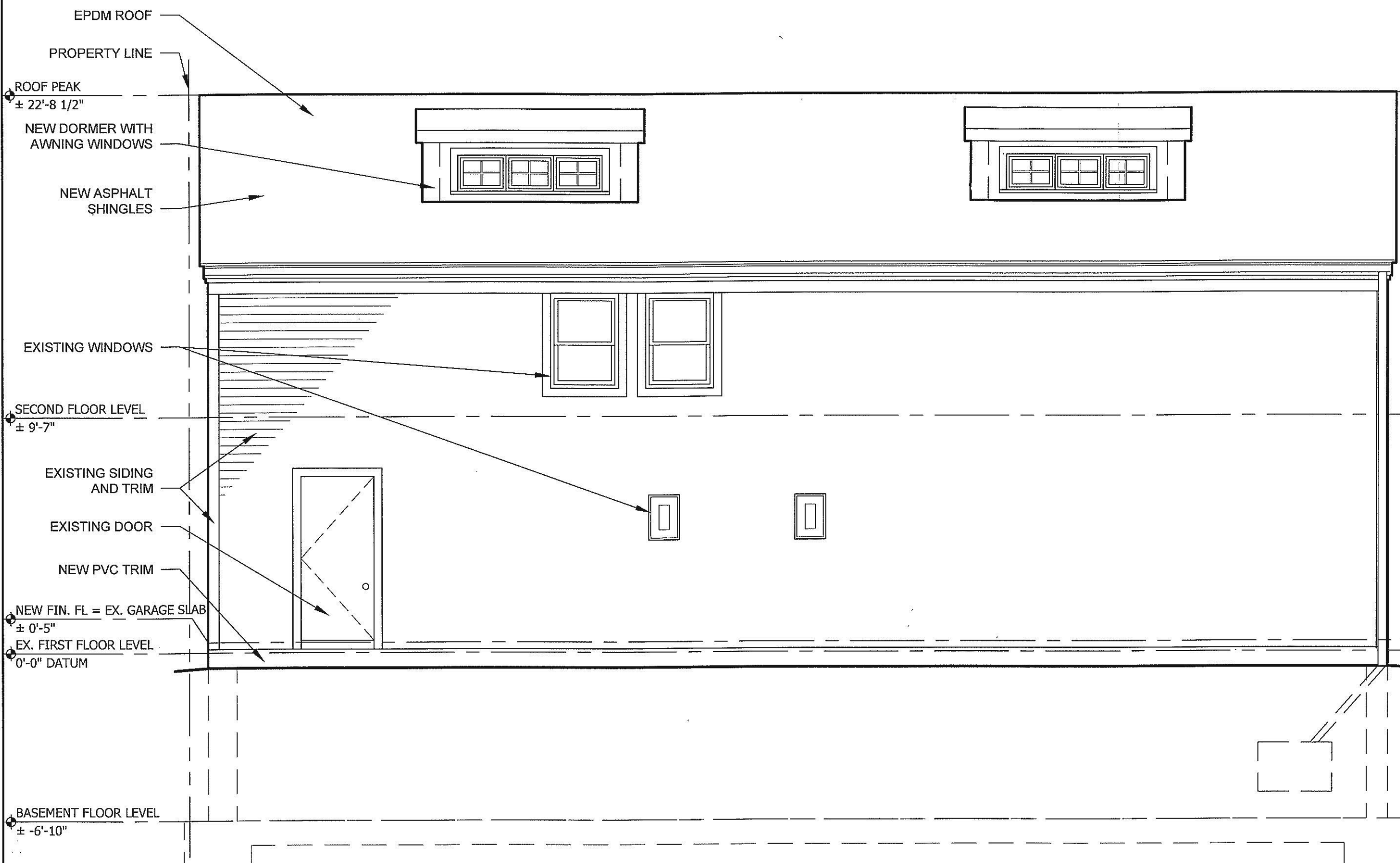
D-203

Scale AS NOTED

1 DEMOLITION NORTH ELEVATION
SCALE: 1/4"=1'-0"



TORREY ARCHITECTURE
 75 Kneeland Street
 Boston, MA 02111
 617-227-1477
 www.torreyarchitecture.com



No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
 CAMBRIDGE, MA

NORTH ELEVATION

Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT

A-203




Scale AS NOTED

1 NORTH ELEVATION
 SCALE: 1/4"=1'-0"

0 2' 4' 8'



LEGEND KEY

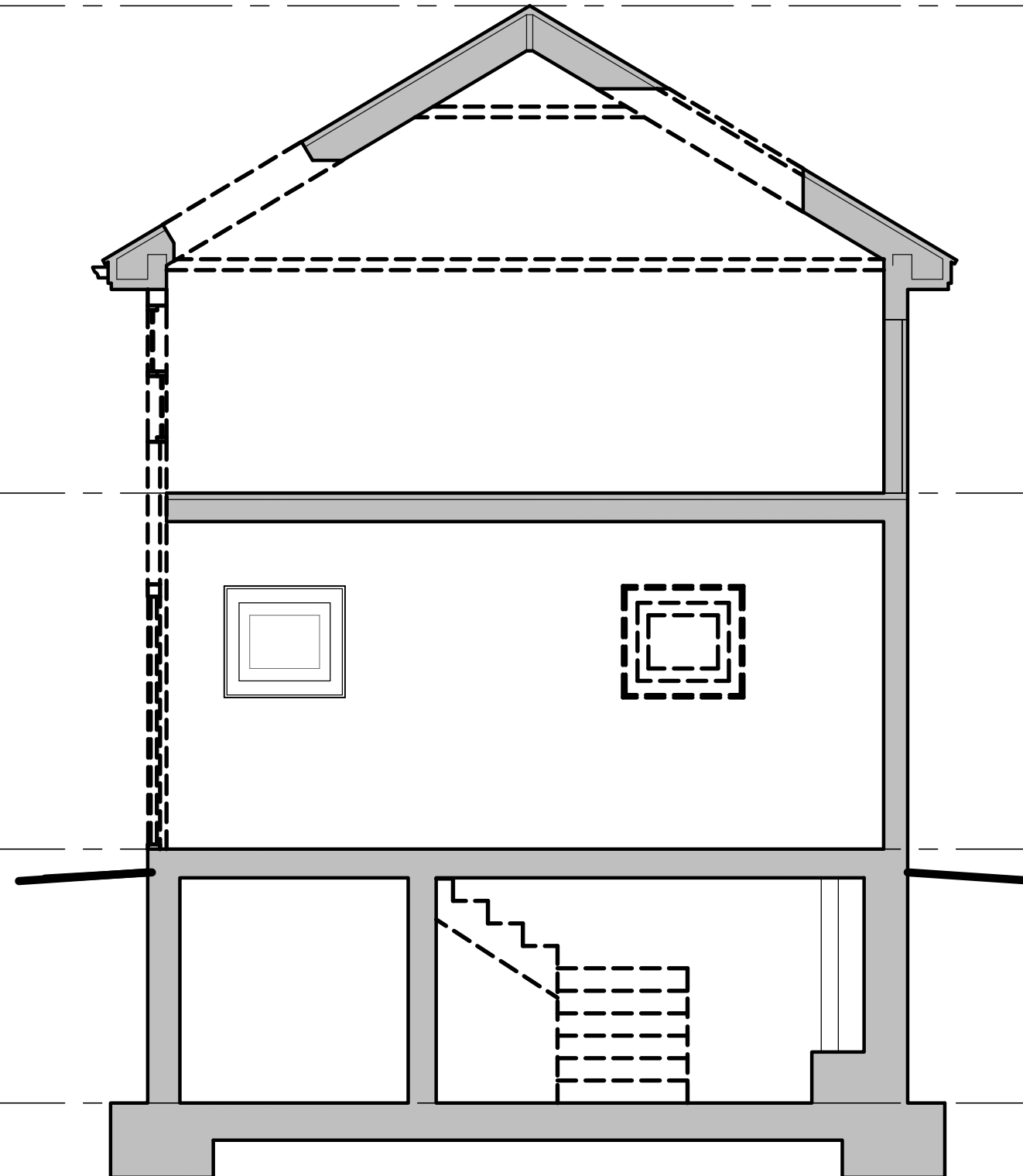
-  EXISTING PARTITION TO BE REMOVED
-  EXISTING PARTITION TO REMAIN
-  NEW PARTITION

ROOF PEAK
± 22'-8 1/2"

SECOND FLOOR LEVEL
± 9'-7"

FIRST FLOOR LEVEL
0'-0" DATUM

BASEMENT FLOOR LEVEL
± -6'-10"



TORREY
ARCHITECTURE

75 Kneeland Street
Boston, MA 02111
617-227-1477
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No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
CAMBRIDGE, MA

**DEMOLITION
BUILDING SECTION**

Project number 2105

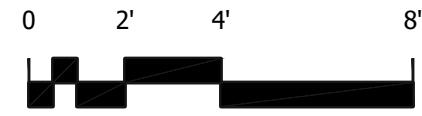
Date 03-14-23

Drawn by DM




Checked by DT

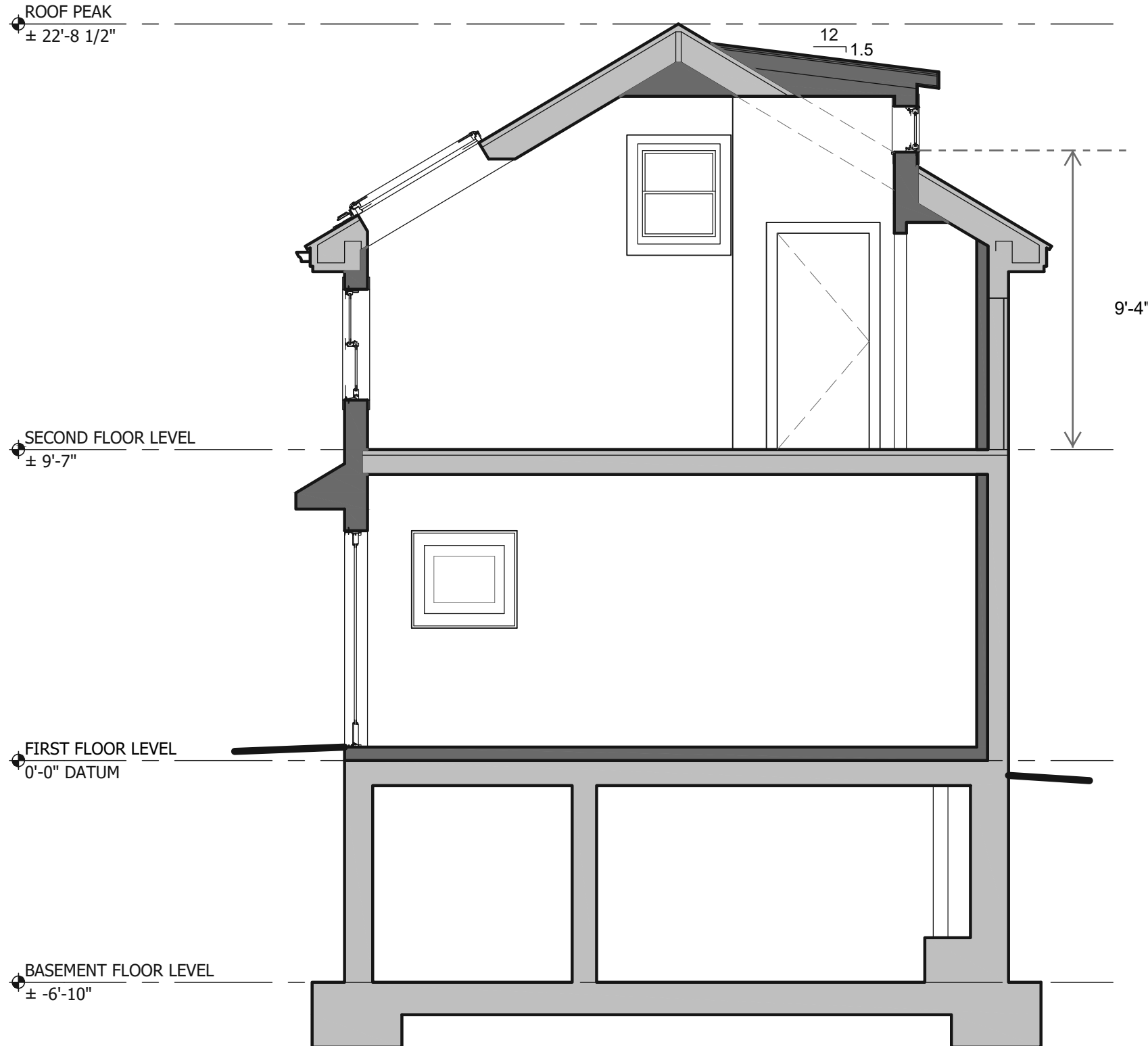
D-300

Scale AS NOTED



LEGEND KEY

-  EXISTING PARTITION TO BE REMOVED
-  EXISTING PARTITION TO REMAIN
-  NEW PARTITION



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 Boston, MA 02111
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No.	Description	Date
	BZA SET	03/14

11 PERRY ST.
 CAMBRIDGE, MA

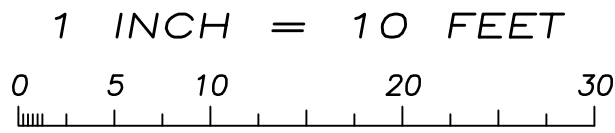
BUILDING SECTION

Project number	2105
Date	03-14-23
Drawn by	DM
Checked by	DT

A-300
 Scale AS NOTED

1 DEMOLITION BUILDING SECTION
 SCALE: 1/4"=1'-0"

NORTH FROM PLAN 1036 OF 1989

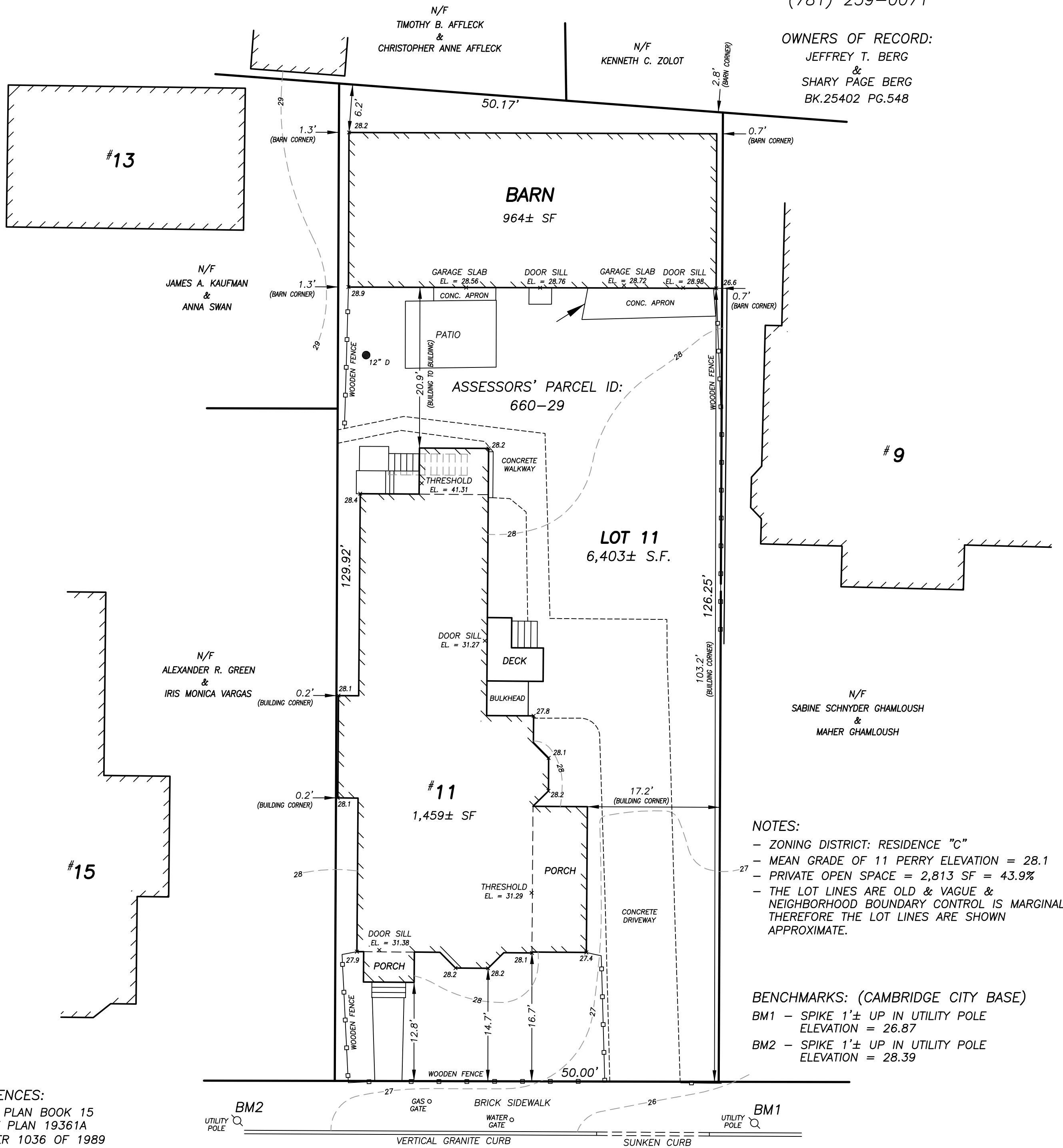


EXISTING CONDITIONS PLAN
11 PERRY STREET
CAMBRIDGE, MASSACHUSETTS

1 INCH = 10 FEET APRIL 26, 2023

SNELLING & HAMEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS & ENGINEERS
10 LEWIS STREET P.O. BOX 102
LINCOLN, MASSACHUSETTS 01773
(781) 259-0071

OWNERS OF RECORD:
JEFFREY T. BERG
&
SHARY PAGE BERG
BK.25402 PG.548



- NOTES:
- ZONING DISTRICT: RESIDENCE "C"
 - MEAN GRADE OF 11 PERRY ELEVATION = 28.1
 - PRIVATE OPEN SPACE = 2,813 SF = 43.9%
 - THE LOT LINES ARE OLD & VAGUE & NEIGHBORHOOD BOUNDARY CONTROL IS MARGINAL, THEREFORE THE LOT LINES ARE SHOWN APPROXIMATE.

- BENCHMARKS: (CAMBRIDGE CITY BASE)
- BM1 - SPIKE 1'± UP IN UTILITY POLE ELEVATION = 26.87
 - BM2 - SPIKE 1'± UP IN UTILITY POLE ELEVATION = 28.39

- PLAN REFERENCES:
- PLAN 24 IN PLAN BOOK 15
 - LAND COURT PLAN 19361A
 - PLAN NUMBER 1036 OF 1989
 - PLAN NUMBER 634 OF 1948

I HEREBY STATE THAT THE LOCATION OF THE FEATURES SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED AS OF OCTOBER 8, 2022.

John R. Hamel
JOHN R. HAMEL
PROFESSIONAL
LAND SURVEYOR



APRIL 26, 2023
DATE:





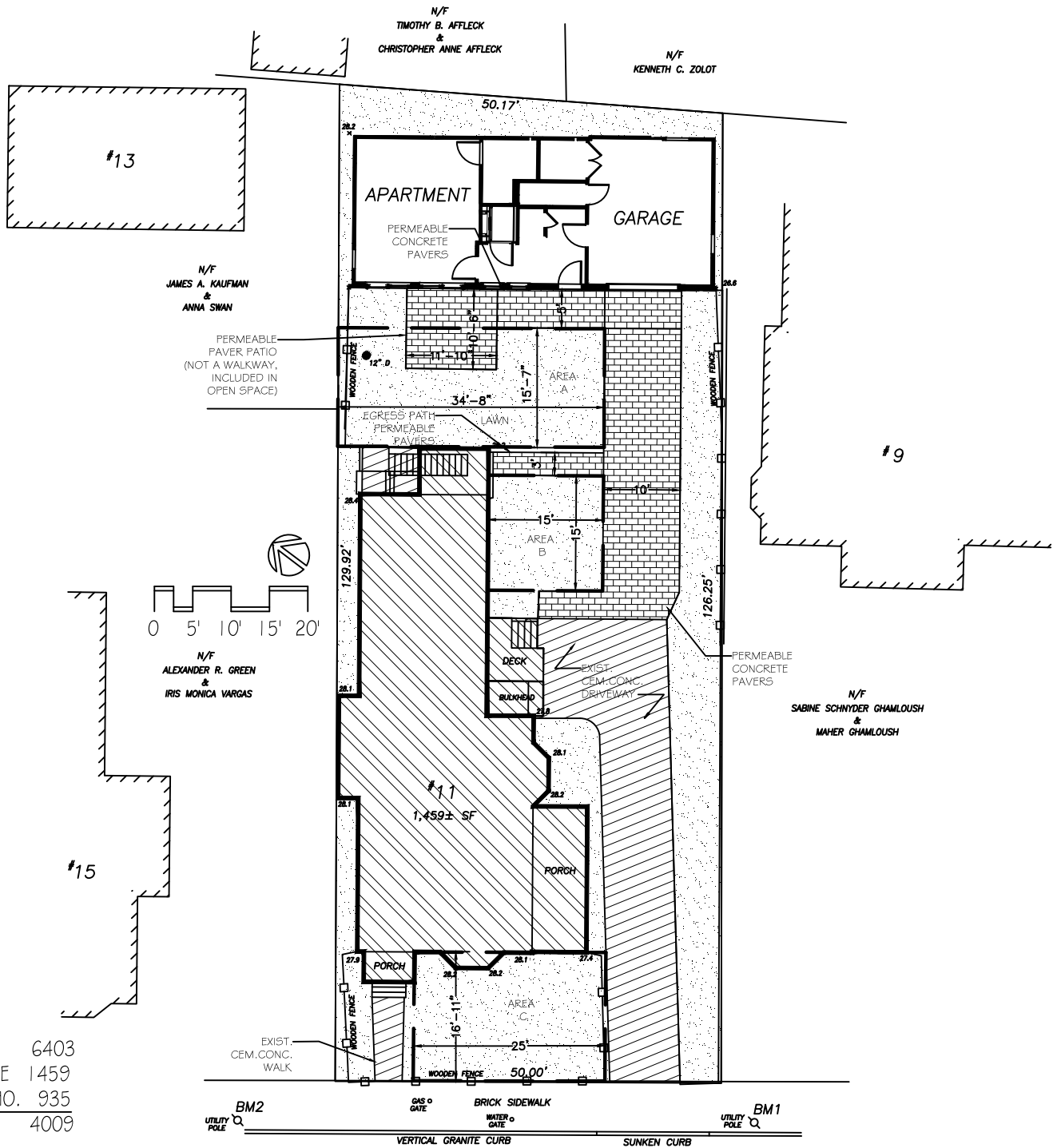












TOTAL LOT 6403
 MAIN HOUSE 1459
 CARRIAGE HO. 935
 TOTAL SITE 4009

DECK & BULKH. 90
 DRIVEWAY 650
 CONC. WALKS 88
 TOTAL IMPERV. 828

PERV. PAVERS 694
 LANDSCAPED 2489
 TOTAL PERV. 3183

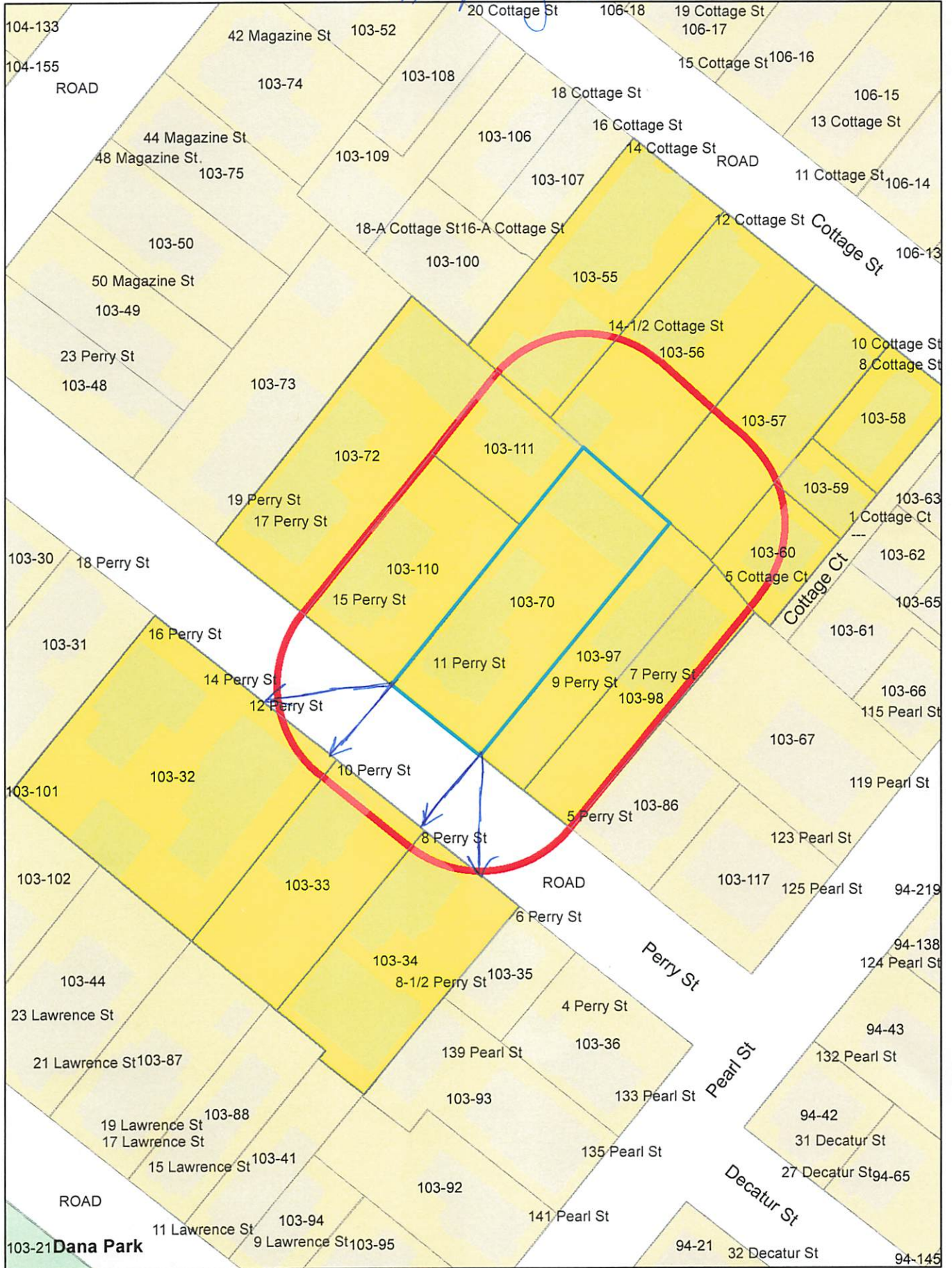
$$\frac{\text{LANDSCAPED}}{\text{TOTAL LOT}} = 39\%$$

$$\frac{\text{OPEN AREA } > 15 \times 15}{\text{TOTAL LOT}} = 18.6\%$$

P E R R Y S T R E E T

SITE PERMEABILITY MEASUREMENTS
 11 PERRY STREET, CAMBRIDGE, MA
 Weinmayr/Jay Assoc. Inc.
 Torrey Architecture
 March 14, 2023

11 Perry St.



11 Perry St.

Petitioner

103-33
FINLEY, NATHANIEL C. & SHANNON M. FINLEY
10 PERRY ST
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., UNIT #3
CAMBRIDGE, MA 02139

JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE – SUITE 300
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., #1
CAMBRIDGE, MA 02139

103-58
FULLER, STEPHEN D.
8 COTTAGE ST
CAMBRIDGE, MA 02139

103-111
KAUFMAN, JAMES A. AND ANNA SWAN
13 PERRY ST
CAMBRIDGE, MA 02139

103-59
SHANNON, KATHLEEN
1 COTTAGE CT
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
10 COTTAGE ST., #2
CAMBRIDGE, MA 02139

103-60
MUSCO, LISA MARIORENI & PAUL S. MUSCO
5 COTTAGE CT
CAMBRIDGE, MA 02139

103-70
BERG, JEFFREY T. & SHARY PAGE BERG
11 PERRY ST
CAMBRIDGE, MA 02139-3911

103-98
LOH, PENN S. &
JACQUELYN A. CEFOLA TRUSTEES
7 PERRY ST
CAMBRIDGE, MA 02139

103-110
GREEN, ALEXANDER R. & IRIS MONICA VARGAS
15 PERRY ST
CAMBRIDGE, MA 02139

103-32
FRISHMAN, ANDREW &
LEIGH ANNE NEEDLEMAN, TRS
14 PERRY ST., #1
CAMBRIDGE, MA 02139

103-32
BROWNE, FELIX O.
12 PERRY ST. UNIT#1
CAMBRIDGE, MA 02139

103-55
WEI, JESSE & NANCY WEI
18 ROCKINGHAM ST
CAMBRIDGE, MA 02139

103-55
BRUNER, ERIC & CATHERINE SWEENEY
14 1/2 COTTAGE ST
CAMBRIDGE, MA 02139

103-32
BAJPAYEE, ANURAG & BAJPAYEE, AMBIKA
12 PERRY ST 5
CAMBRIDGE, MA 02139

103-72
ANDERS, GEORGE M.
17 PERRY ST., #3
CAMBRIDGE, MA 02139

103-72
HABER, EDWARD F. & JAMIE LOGAN
271 DEAN RD
BROOKLINE, MA 02445

103-55
MARKS, ZOE E. & ERICA CHENOWETH
14 COTTAGE ST UNIT 3
CAMBRIDGE, MA 02139

103-55
MURRAY PAMELA JANE HORWITZ
CHRISTOPHER MAX
14 COTTAGE ST - UNIT 14-2
CAMBRIDGE, MA 02139

103-72
BENDAPUDI PRANUT
17 PERRY ST - UNIT 17-1
CAMBRIDGE, MA 02139

103-34
ANTONOPOULOS JOHN
8 PERRY ST
CAMBRIDGE, MA 02139

103-57
ZOLOT, KENNETH C.
TRUSTEE OF THE ZOLOT COTTAGE REAL ESTATE
10 COTTAGE ST
CAMBRIDGE, MA 02139

103-32
LEE, ALICE I.
12 PERRY ST UNIT 4
CAMBRIDGE, MA 02139

103-97
GHAMLLOUSH, SABINE SCHNYDER &
MAHER GHAMLLOUSH
9 PERRY ST
CAMBRIDGE, MA 02139

103-32
MONOSSON, DEBORAH J
TRS DEBORAH J MONOSSON TR
16 PERRY ST
CAMBRIDGE, MA 02139

103-56
BABALAS, EMANUEL AND DEBRA A. BABALAS
354 PAYSON ROAD
BELMONT, MA 02478-3402

June 24, 2023

Board of Zoning Appeal
City of Cambridge
831 Mass Ave
Cambridge, MA 02139

Re: Petition 223906: 9 Perry Street, Cambridge

Dear Sir/Madam:

I am writing in support of my neighbor Jeffrey Berg in the above petition wherein he seeks a variance. Mr. Berg has been a resident on the street for a very long time and has been an outstanding neighbor.

The variance will add two more cars to an already crowded parking area. I have discussed this with Mr. Berg and he has agreed that when the city has street sweeping, he and his new tenants will park their cars in their long driveway.

Thank you for your consideration.

Sincerely,



Vincent J. Panico, Atty
5 Perry Street
Cambridge, MA 02139
617-909-0205



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

BZA

POSTING NOTICE – PICK UP SHEET

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name: *[Signature]* Date: 6/7/23
(Print)

Address: 11 Perry St.

Case No. BZA-223906

Hearing Date: 6/29/23

Thank you,
Bza Members