

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

BZA Application Form

General Information

	BOARD OF ZONING APPEAL
	831 Massachusetts Avenue, Cambridge MA 02139
COMP DUNCT.	617-349-6100
	BZA Application Form
BZA Number: 1	63881
	831 Massachusetts Avenue, Cambridge MA 02139 617-349-6100 BZA Application Form 63881 General Information Thereby petitions the Board of Zoning Appeal for the following:
The undersigned	d hereby petitions the Board of Zoning Appeal for the following:
Special Permit:	Variance:X Appeal:
PETITIONER: \	<u>Yideben Realty LLC C/O Bob Xie</u>
PETITIONER'S	ADDRESS: 28 Mountford Road, Newton, MA 02461
LOCATION OF	PROPERTY: <u>130 Cushing St , Cambridge, MA</u>
TYPE OF OCCU	JPANCY: R-2, 4 dwelling units ZONING DISTRICT: Residence B Zone
REASON FOR F	PETITION:
/Additions/ /Do	rmer/
DESCRIPTION	N OF PETITIONER'S PROPOSAL:
two story additio	ng space into the basement and attic. Change in fenestration and sunken patio in side yard. Rear n. Dormer additions which exceed the Roof Dormer Design Guidelines, legalize existing parking accessory use violation at rear lot line and open space violation.
SECTIONS OF 2	ZONING ORDINANCE CITED:
Article: 5.000 Article: 8.000 Article: 6.000 Article: 10.000	Section: 5.31 (Table of Dimensional Requirements). Section: 8.22.3 (Non-Conforming Structure). Section: 6.44.1b (Parking Setbacks). Section: 10.30 (Variance).
	Original Signature(s): (Petitioner (s) / Owner) (Print Name)
Data:	Address: Tel. No. 617-818-6496 E-Mail Address: bobxie18@hotmail.com
Date:	

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Yideben Realty LLC Present Use/Occupancy: R-2, 4 dwelling units

Location: 130 Cushing St , Cambridge, MA Zone: Residence B Zone

Phone: 617-818-6496 Requested Use/Occupancy: R-2, 4 dwelling units

		Existing Conditions	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		4477	7772	3046	(max.)
LOT AREA:		6480	6480	17000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		.69	1.2	.47	
LOT AREA OF EACH DWELLING UNIT		1620	1620	4250	
SIZE OF LOT:	WIDTH	54.0	54.0	50	
	DEPTH	120	120	n/a	
SETBACKS IN FEET:	FRONT	17	13.3	15	
	REAR	42.1	42.1	30	
	LEFT SIDE	1.1	.7	7.5	
	RIGHT SIDE	11.1	10.8	12.5, sum 20'	
SIZE OF BUILDING:	HEIGHT	35.5	38.6	35	
	WIDTH	60.7	60.7	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		53%	32%	40%	
NO. OF DWELLING UNITS:		4	4	1	
NO. OF PARKING SPACES:		2	4	4	
NO. OF LOADING AREAS:		0	0	0	
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.:

The proposed construction is Type 5. There are no other buildings on the same lot.

- 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 - OWNERSHIP INFORMATION

To be completed by OWNER, signed before a notary and returned to The Secretary of the Board of Zoning Appeals.

I/WE YIDEBEN REALTY LLC/Shaojun Xie
Address: 154 Webster Ave, Cambridge, MA 02141
State that I/We own the property located at 130-132-134 Cushing St. Cambridge which is the subject of this zoning application. MAO
The record title of this property is in the name of <u>YIDEBEN REALTY</u> LLC
Pursuant to a deed of duly recorded in the date Nov. 14.2013Middlesex South County Registry of Deeds at Book 61697, Page 271; 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
The above-name Shaojun Xie personally appeared before me, this 36 of Fobrum 20 3, and made oath that the above statement is true. Notary
My commission expires June 16 1006 (Notary Seal) SEBASTIEN MAXIMIN Notary Public Commonwealth of Massachusents My Commission Expires June 28, 2026
• 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 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:

The hardship is not being allowed to enlarge and renovate the existing structure as it sits within the front and side setbacks.

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 by not affecting generally the zoning district in which it is located for the following reasons:

The hardship is owing to the fact that the building sits on a narrow lot and fronts the street as do most structures on this street. The location of the building on the lot places the sides and front in the setbacks.

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 suffer as a result of the enlargement and renovation of this four-family. There is not a substantial change or increase in the yard violations. The public good will benefit from the proposed project which will prive code compliant egress and light and air.

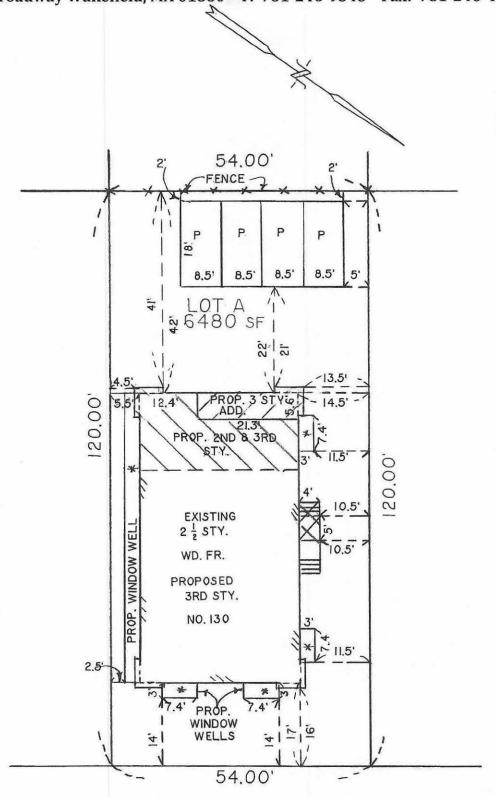
2) Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

There is no change in the use of the building. The proposed project will be a safety, health and welfare improvement for the residing families.

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

GLORAL ASSOCIATES

Registered Land Surveyor Registered Professional Engineer 9 Broadway Wakefield, MA 01880 T: 781-246-9345 Fax: 781-246-4333



PROPOSED

CUSHING

PROPOSED

ST.

ZONE B

LOT AREA = 6,480 S.F.

EXISTING HOUSE = 1,976 S.F.

/// PROPOSED 5.6' X 21.3' 3 STY. ADDITION = 119 S.F.

\\\ PROPOSED 2ND & 3RD STY. ADDITION.

XXX = PROPOSED EXPANSION OF EXISTING STAIRS

PROPOSED WINDOW WELLS

P - PARKING 8.5' X 18' (TYP.4)

LOT COVERAGE = 31.1%

OPEN SPACE = 47.7%

ALEXANDER OF CRUCIOLI TO No. 10300 & CRUCIOLI TO No. 10300 & SURVEY OF LOCAL Date: 2/22/22

Plot Plan In

CAMBRIDGE, MA.

Owner BOB XIE

Scale 1" = 20' Date 2-22-22

PROPOSED EXUENSION OF LIVING SPACE INU BASBIMBNU DITIONS & RENOVATION

130 CUSHING STREET, CAMBRIDGE, MASSACHUSETTS



KEY

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 \boxtimes

SMOKE DETECTOR

CARBON MONOXIDE DETECTOR

1 HOUR CLG. ABOVE (SEE C.T.1/A-3.1)

2 HOUR CLG. WALL(SEE C.T.2/A-3.1)

HEAT DETECTOR

1 HOUR WALL

2 HOUR WALL

45 MIN. DOOR

1-1/2 HOUR DOOR

FIRE EXTINGUISHER

WINDOW TYPE

FAN

ZONING SUMMARY

Use Regulations: Section Table			
Existing	Proposed		
4 F	4F		

Dimensional Regulations: Table					
	Code Requirement		Existing Condition	Proposed Project	Notes
	Any Other Dwelling	Any Other Use			
Lot Area Minimum	5,000 SF				
Min Lot Area for Additional Units	4,000 SF				
Total Required Lot Size	17,000 SF		6,480 SF	6,480 SF VIOLATION	A R T. 5.21
Min Required Lot Width	50'		54'	54'	
Max FAR	.47 (3,046 SF)		0.69 (4,453 SF)	1.2 (7,753 SF) VIOLATION	(.5 < 5,000 SF) + (.35 > 5,000 SF)
Max Building Height	35'		36.2'	38.6' VIOLATION	A R T. 5.30
Usable Open Space	40% LOT AREA		53%	32% VIOLATION	A R T . 5 . 3 0
Min Front Yard	15'		17.1	13.3' VIOLATION	
Min Side Yard	7.5' SUM 20'		1.3' / 11.1'	V 1 0.7/10.8' V10.2/110.N	BLDG DORMER ADDITIONS
Min Rear Yard	30'		42.1'	42.1'	
Min Ratio of open Space to Lot Area	40%				

Other Non-Dimensional Zoning Issues:	
ART. 6-12(b) REQUIRED PARKING: 4 PARKING SPACES	

CODE SUMMARY

EX'G TYPE 5 CONSTRUCTION EX'G R-2 USE GROUP EX'G 2 STORIES & BASEMENT PROPOSED 3 STORIES & BASEMENT EX'G NON-SPRINKLERED & ALARMED PROPOSED FULLY SPRINKLERED & ALARMED

SOIL TESTING

EXISTING PARKING: 2 PARKING SPACES PROPOSED PARKING: 4 PARKING SPACES

NOTE: THERE HAS BEEN NO SOIL TESTING PROVIDED TO THIS OFFICE FOR THIS PROJECT. THE SOIL BEARING CAPACITY OF THIS FOUNDATION SYSTEM AS DESIGNED IS BASED ON A 2 TON MINIMUM SOIL BEARING CAPACITY. SOIL BORINGS SHOULD BE PERFORMED TO VERIFY THAT THE MINIMUM DESIGN BEARING CAPACITIES ARE ACHIEVABLE. IF A SUITABLE SOIL THAT CAN NOT WITHSTAND A 2 TON BEARING CAPACITY IS NOT AVAILABLE, THAN THIS OFFICE SHOULD BE CONTACTED BY THE CONTRACTOR OR OWNER FOR A FOUNDATION REDESIGN.





),	Revision Date

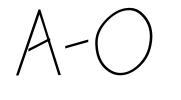
2021162 Project No: AS NOTED 2-23-2022 DF

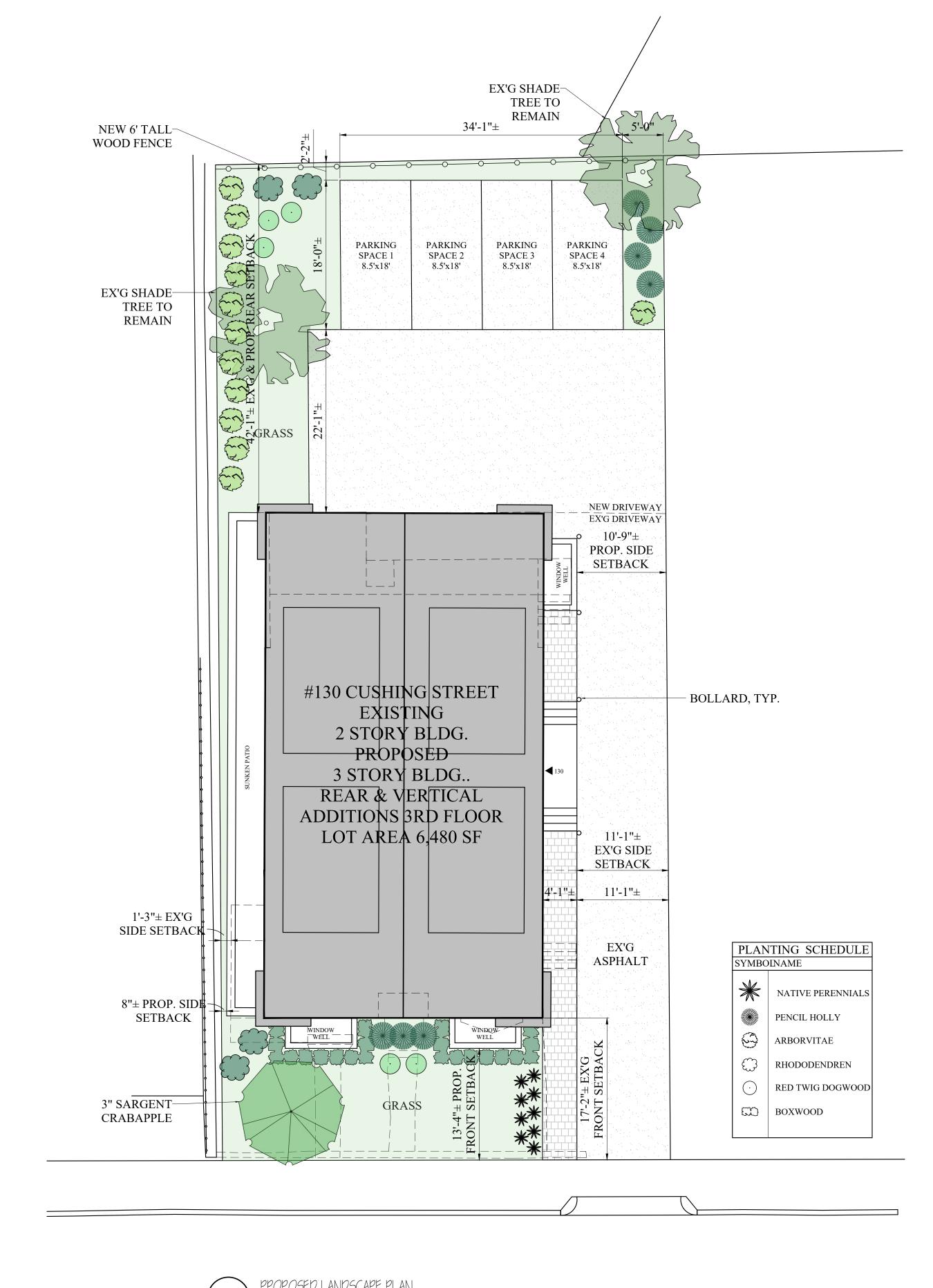
Orawing Name

rawn By:

COVER SHEET

Sheet No.





Location

EXT. OF LIVING SPACE INTO BASEMENT & RENOVATION 130 CHSHING STREET

One Billings Road Quincy, MA 02171
617-786-7727 fax 617-786-7715



Revision Date

Project No: 2021162

Project No: 2021162

Scale: AS NOTED

Date: 2-23-2022

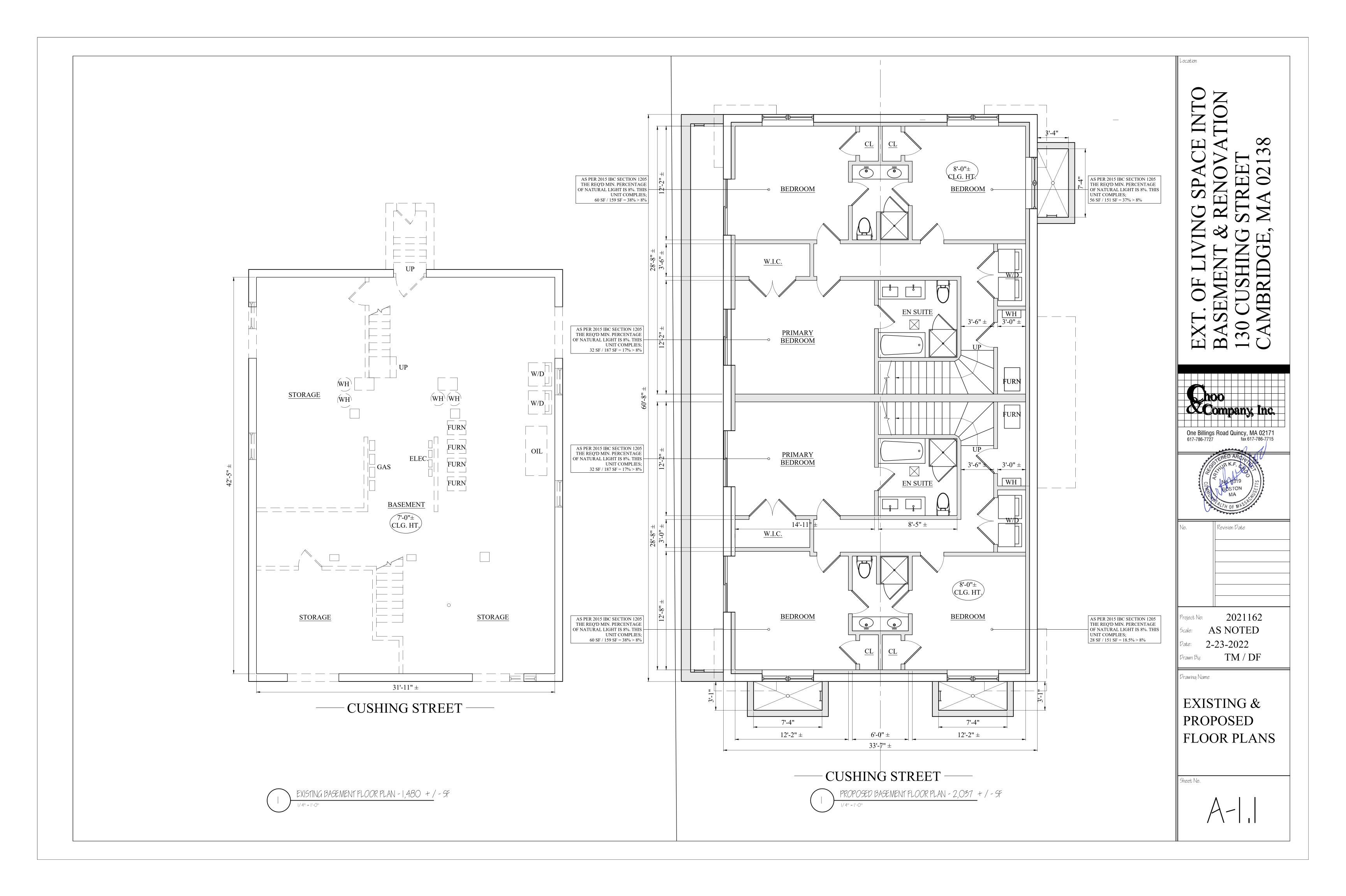
Drawn By: DF

Drawing Name

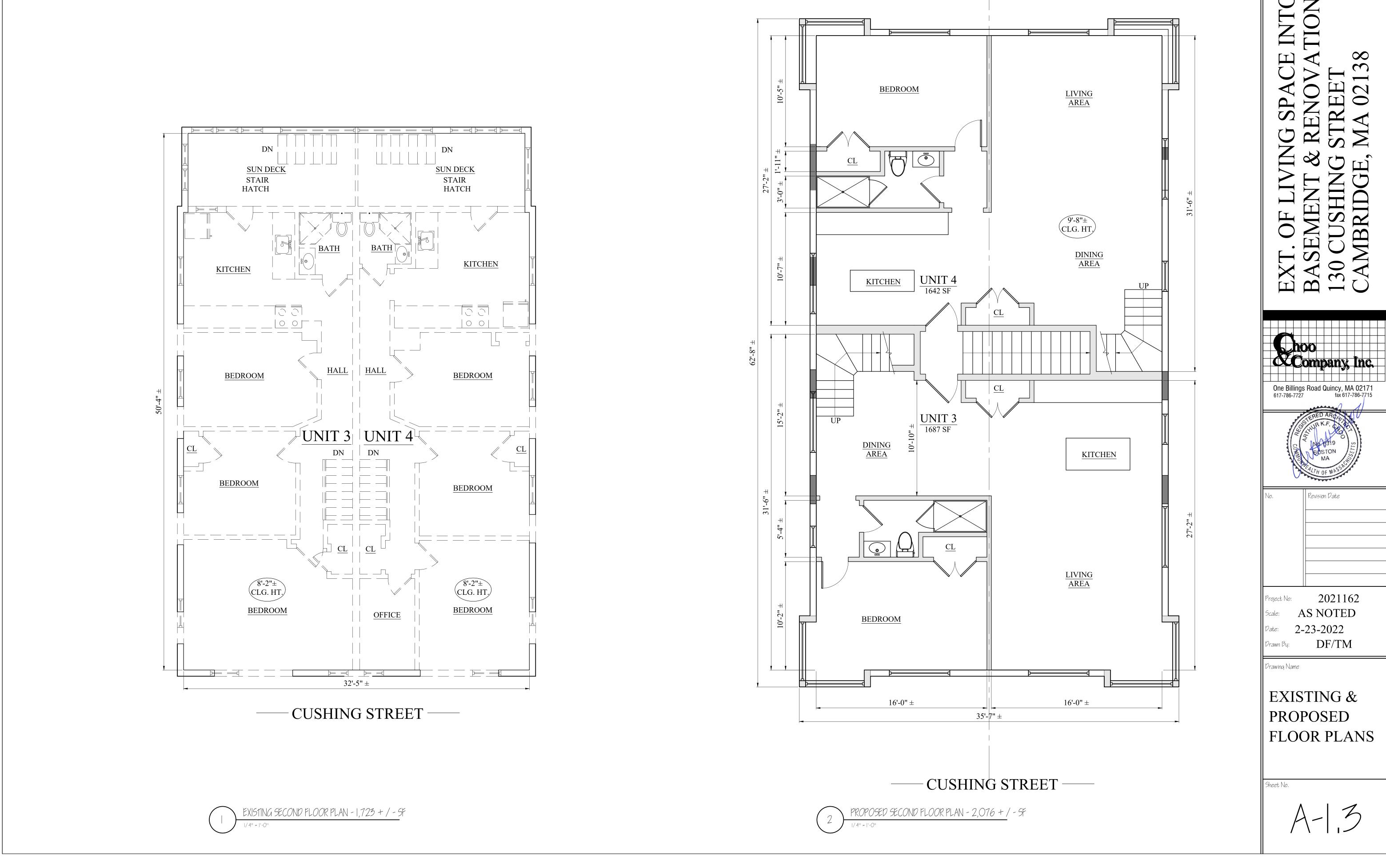
PROPOSED LANDSCAPE PLAN

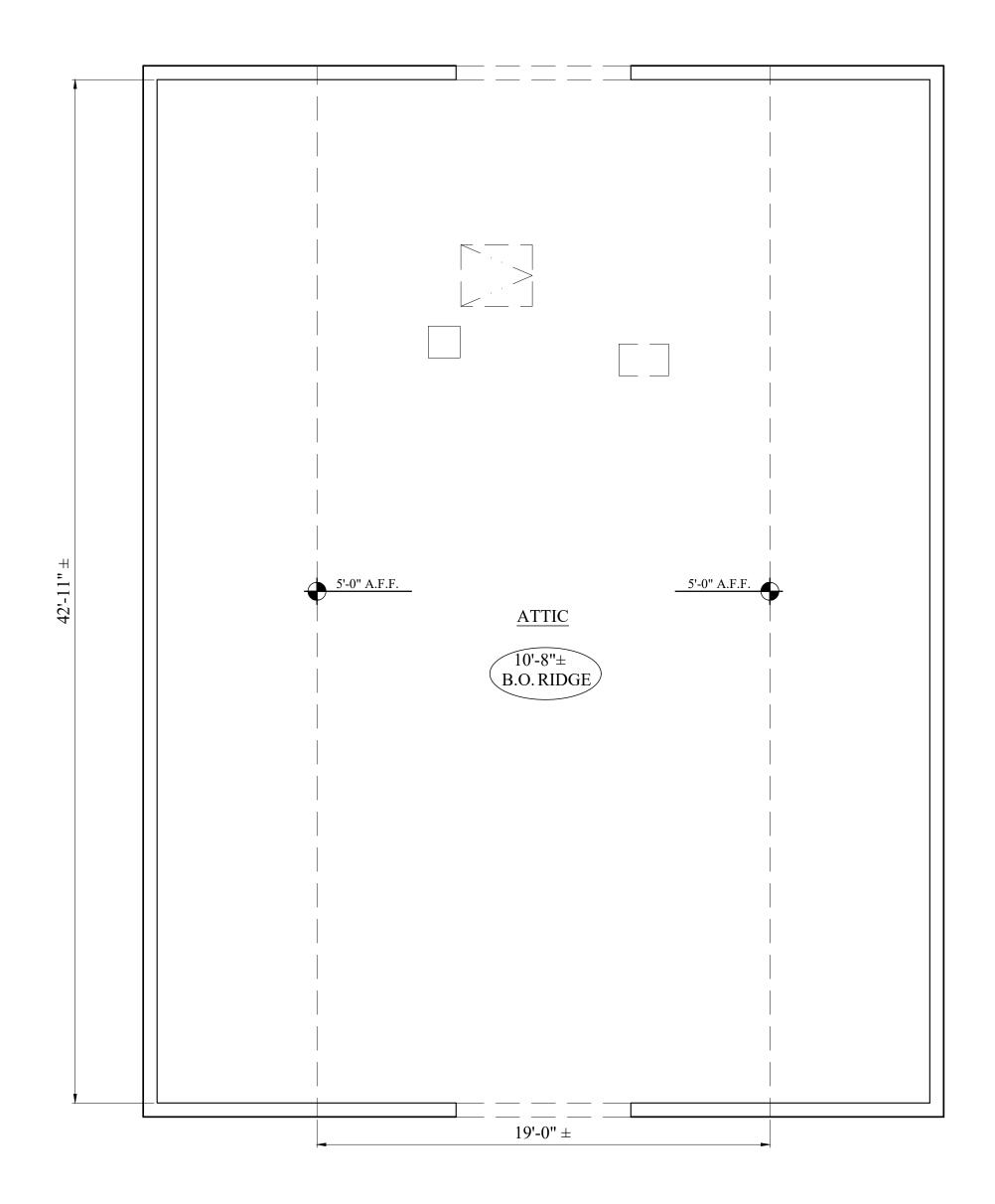
Sheet No.

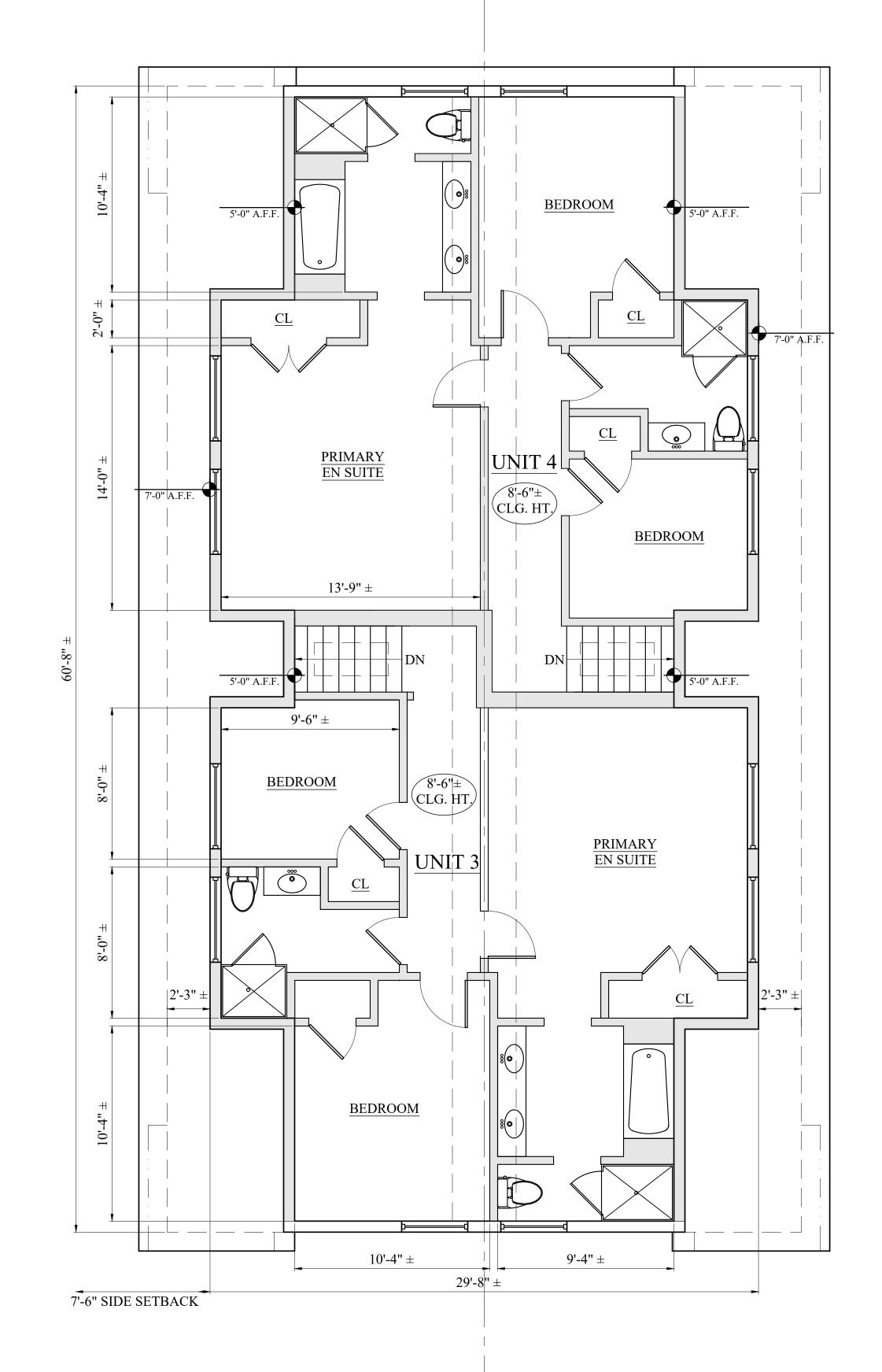
A-1.0









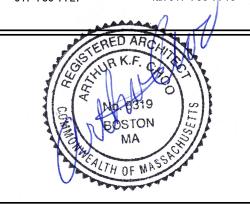


—— CUSHING STREET ——



XT. OF LIVING SPACE INTO





Revision Date

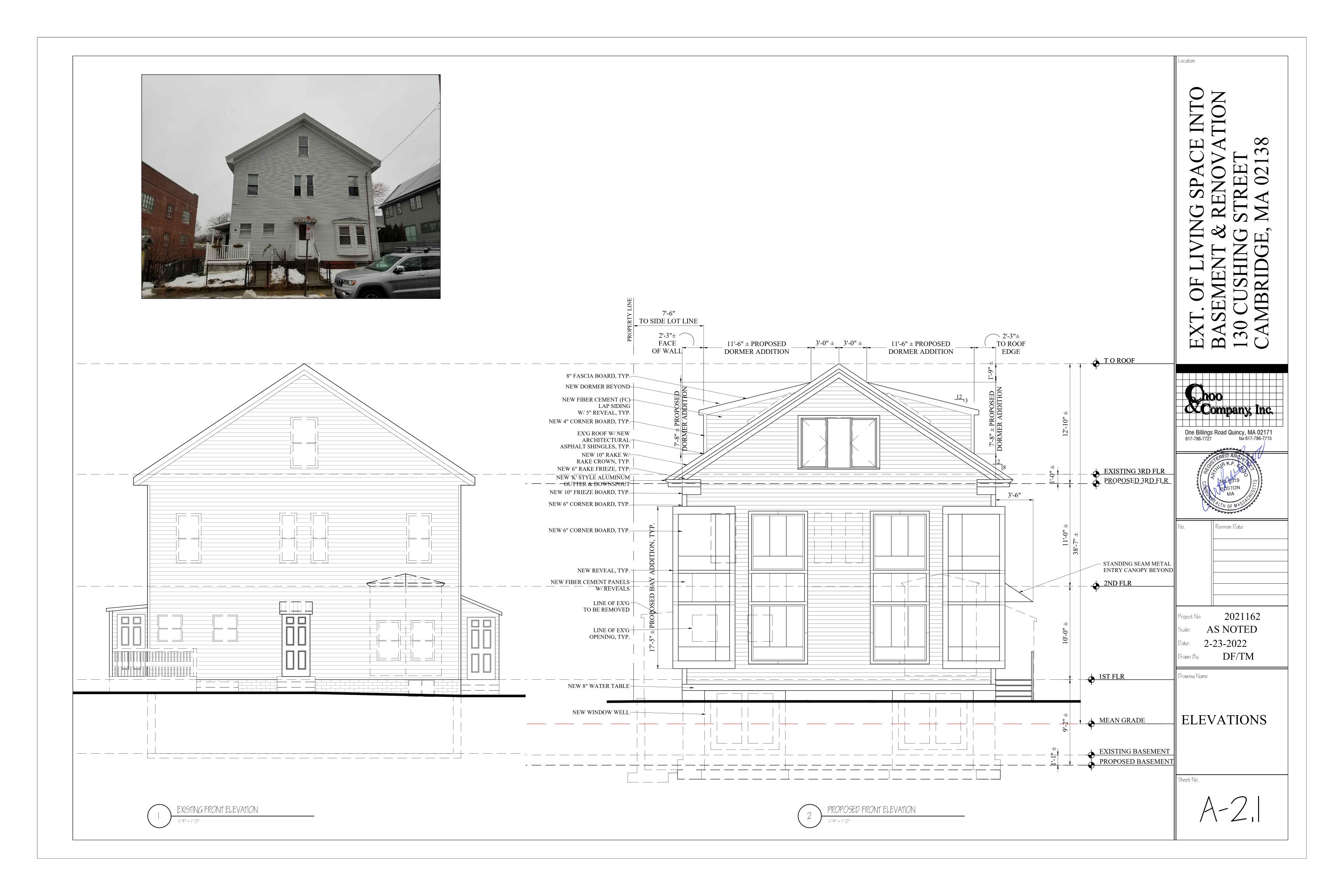
Project No: 2021162
Scale: AS NOTED
Date: 2-23-2022
Drawn By: TM / DF

Drawing Name

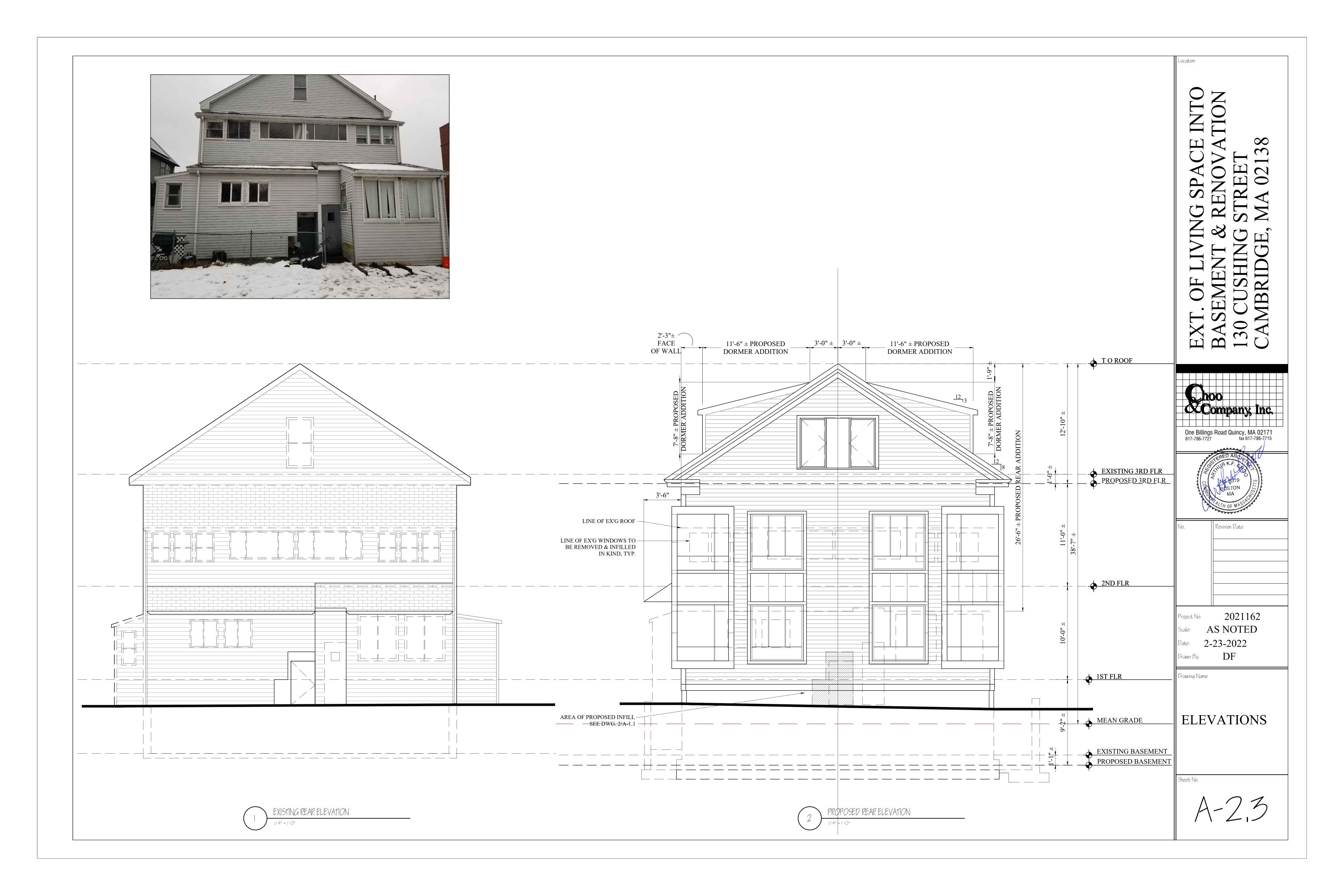
EXISTING &
PROPOSED
FLOOR PLANS

Sheet No.

A-1.4



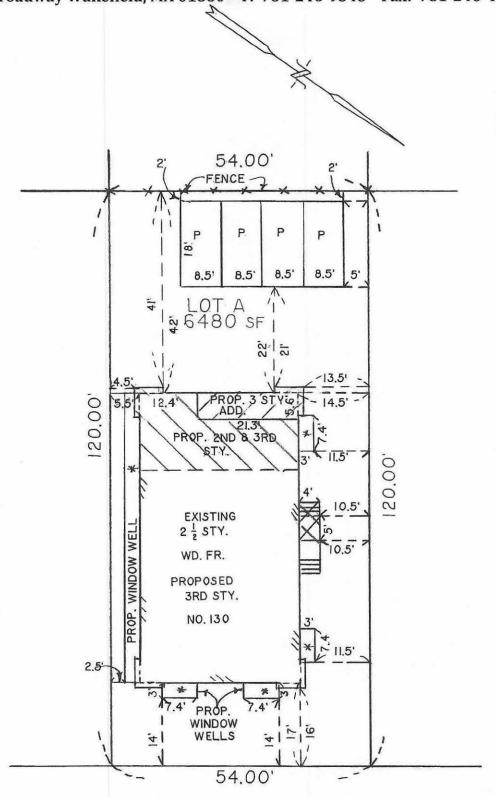






GLORAL ASSOCIATES

Registered Land Surveyor Registered Professional Engineer 9 Broadway Wakefield, MA 01880 T: 781-246-9345 Fax: 781-246-4333



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PROPOSED

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ZONE B

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Plot Plan In

CAMBRIDGE, MA.

Owner BOB XIE

Scale 1" = 20' Date 2-22-22













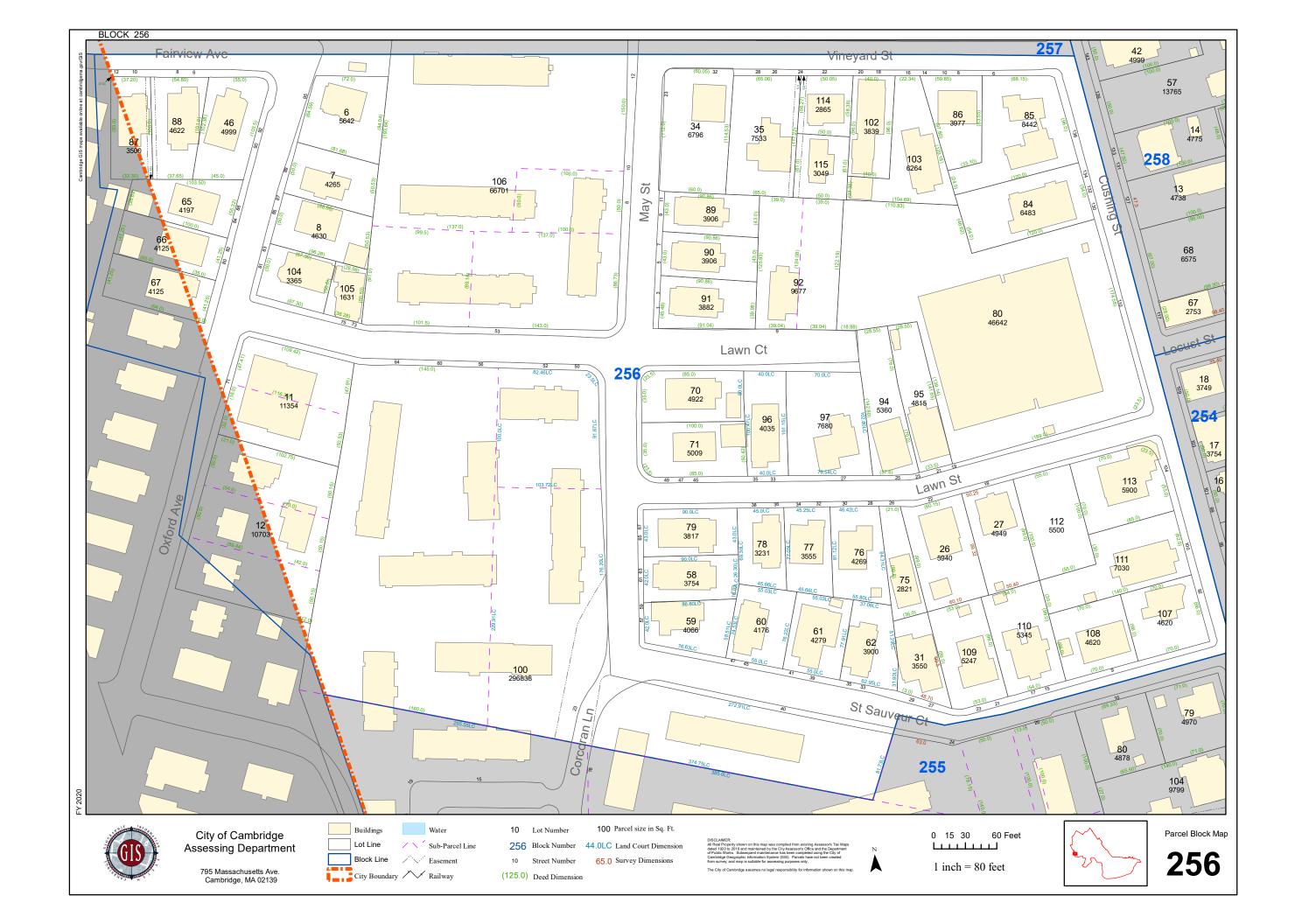












130 Custing St.

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51 Fresh Pond PI 257-47	166 Cushing St	257-39	163 Cushing St ₂₅₈₋₅₅ 258-54	184 Holworthy St ₂₅₈₋₃₀
May St	257-24		250-54	258-38
		162 Cushing St ₁₅₉ (Cushing Store to	180 Holworthy St _{ROAD} 258-31
257-55 41 May St43 May St	257-61	57-25 160 Cushi	ng-St	258-37
257-56		07-25		176 Holworthy St
				258-36
257-45		257-26 158 Cush	ning St 258-63	258-35
		257-26 158 Cush 156 Cush	ning St 153 Cushing St	258-35
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257-11 29 Vineyard St		1		258-64 147-4 Cushing St
25 Vineyard S	St 15 Vineya	d St 257-8	147 Cu	shing St 147-3 Cushing St
		7 Vineyard St		5 Cushing St 258-56
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256-35 26 Vineyard St 2	30-102	eyard St		17 Lodust Ter 258-59
24 Vineyard	16 Vine		36 Cushing	258-11
256-115	256-103		131 Cushing St25	8-14
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256-89		0	134 Cushing St	1 Locust Ter ₂₅₈₋₂₁
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8			130 Cushine St	258-13 3 Locust Ter 258-22
256-90				
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256-91				258-68
9 Lawn Ct		0		258-8 15 Locust St
		256-80	110 Cushing St	258-67
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256-97				254-19
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35 Lawn St	25 Lawn St	12 Lawn St	ROAD 103 Cus	hing St254-17
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38 Lawn St		18 Lawn St	104 Cush	ling St
36 Lawn St	wn St 22 Lawn St		256-113	99 Cushing St ²⁵⁴⁻¹⁶
30 La	wn St	256-112		101 Cushing St
256-78 256-77 256-76	The second secon	56-27		254-64
	256-26 26 Lawn St		100 Cush	ing St 95 Cushing St 254-64
2	56-75		256-111	
256-60			202	254-65
256-61		256-110	The country service of	hing St93 Cushing St ²⁵⁴⁻⁶⁵ 91 Cushing St
/ 256-62	256-31 256-109	256-110	08 256-107	254-13
The Cadyon Ct				204-10

130 Cushing Xt.

256-92 YOUNOSSI, NANCY E. & JEREMIAH A. YOUNOSSI 9 LAWN CT CAMBRIDGE, MA 02138 YIDEBEN REALTY LLC C/O BOB XIE 28 MOUNTFORD ROAD NEWTON, MA 02461 Petationers

256-84

YIDEBEN REALTY LLC

C/O SHAOJUN XIE

154 WEBSTER AVE

CAMBRIDGE, MA 02141

256-102 DIETZ, LAURIE 3 SPARKS PL. CAMBRIDGE, MA 02138 258-57 SPARKS, FRANCINE B. 139 CUSHING ST., #2 CAMBRIDGE, MA 02138 CHOO & COMPANY INC. C/O PING MANDAWE 1 BILLINGS ROAD QUINCY, MA 02171

256-115 CONRAD, HAROLD B., JR. 24 VINEYARD ST. CAMBRIDGE, MA 02138-4421 258-13 RICCI, EDWARD J. & CATHERINE KILLION RICCI 127 CUSHING ST CAMBRIDGE, MA 02138 258-57 DOBBERTEEN, LISA 139 CUSHING ST., #3 CAMBRIDGE, MA 02138

258-68 /256-80 CAMBRIDGE, CITY OF SCHOOL DEPT. 159 THORNDIKE ST CAMBRIDGE, MA 02141 258-68 /256-80 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR 258-68 /256-80 CITY OF CAMBRIDGE C/O LOUIS DEPASQUALE CITY MANAGER

258-57 LEWIN, WALTER H. G. 139 CUSHING ST., #4 CAMBRIDGE, MA 02139 258-57 ANDERSON, CLIFFORD C. & RONEE SAROFF 139 CUSHING ST., UNIT #5 CAMBRIDGE, MA 02138 256-103 SALOMON, AMY, TRUSTEE THE AMY SALOMON REV TRUST 16 VINEYARD ST CAMBRIDGE, MA 02138

256-85 STRANSKY, NICOLAS & LAURA ALICE STRANSKY 6 VINEYARD ST CAMBRIDGE, MA 02138 256-85 HOGARTY, LISA & KEANE ROSEMARY 136 CUSHING ST CAMBRIDGE, MA 02138 256-95 BORELLI, VINCENT JOSEPH, TRS LORRAINE MONA BORELLI, TRS 21 LAWN ST CAMBRIDGE, MA 02138

258-14 RUSSELL ROBERT V & MARGARET J MOREY HANNON VIRGINIA ET AL 131 CUSHING ST CAMBRIDGE, MA 02138 256-86 ZHOU, YIN & BENJAMIN LELAND CHEUNG TRS, THE YIN ZHOU 2014 REV TRUST 8 VINEYARD ST CAMBRIDGE, MA 02138

256-94 MAHONEY, PAUL F., JR. 23 LAWN ST CAMBRIDGE, MA 02138

258-57 SELIGSON, MICHELLE E., TRUSTEE 139 CUSHING ST., #1 CAMBRIDGE, MA 02138

Bk: 62926 Pg: 107

Middlesex South Registry of Deeds

Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number : 239142 Document Type : DEED

Recorded Date : November 14, 2013

Recorded Time : 02:20:15 PM

Recorded Book and Page : 62926 / 107

Number of Pages(including cover sheet) : 3

Receipt Number : 1645134 Recording Fee (including excise) : \$125.00

MASSACHUSETTS EXCISE TAX Southern Middlesex District ROD # 001

Date: 11/14/2013 02:20 PM Ctrl# Doc# 00239142

Fee: \$.00 Cons: \$1.00

Middlesex South Registry of Deeds Maria C. Curtatone, Register 208 Cambridge Street Cambridge, MA 02141 617-679-6300 www.cambridgedeeds.com After Recording, Mail To: YIDEBEN REALTY LLC 154 Webster Ave. Cambridge, MA 02141

QUITCLAIM DEED

Bk: 62926 Pg: 108

I, SHAOJUN XIE, of Newton, Middlesex County, Massachusetts for consideration of less than One Hundred (\$100.00) Dollars, paid grant to YIDEBEN REALTY LLC of 154 Webster Ave. Cambridge MA02141

With quitclaim covenants

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, being shown as Lot A on a "Plan of Land in Cambridge, now or formerly of Henry L. Hale." by Bay State Surveying Co., dated July 20, 1923, recorded with Middlesex South District Deeds at the End of Book 4641, and bounded and described as follows:

NORTHEASTERLY by Cushing Street, fifty-four (54) feet;

SOUTHEASTERLY by land of owners unknown, one hundred twenty (120) feet;

SOUTHWESTERLY by land of owners unknown, fifty-four (54) feet;

NORTHWESTERLY by Lot B as shown on said plan, one hundred twenty (120) feet.

Containing 6,480 square feet of land, according to said plan.

Subject to the restrictions and conditions set forth in deed of William Hilliard to Richard C. Hastings dated June 22, 1850, recorded with Middlesex South District Deeds, Book 586, Page 542, in so far as now in force and applicable.

Subject also to any encumbrances of record, if any there be.

Being the same premises conveyed by Deed recorded at Middlesex South Registry of Deeds Book 61897 Page 271.

Bk: 62926 Pg: 109

Executed to take ef	ect as a sealed instrument this 4 day of Novel, 2013.
	SHAOJUN XIE
Siffolk, ss.	Commonwealth of Massachusetts
the preceding or at	2013, before me, the undersigned notary public, SHAOJUN XIE, proved to me through satisfactory evidence of identification (Lease), to be the persons whose name is signed a ched document, and acknowledged to me that they signed it voluntarily for it
stated purpose,	Notary Public: See Commission Expires: 9/15/14
Comon May 2	My Commission Expires: 9/15/11

Pacheco, Maria

From: Bob Xie <bobxie18@hotmail.com>
Sent: Thursday, April 14, 2022 12:27 PM

To: Pacheco, Maria

Subject: Re: postpone ///Maria Pacheco commented on Preparation for Board of Zoning Appeal

Hearing for Board of Appeal (BZA) Special Permit/Variance #163881

Hello Maria

Thanks for calling me back.

To follow up on our conversation, I am going to send this email to require an extension /postpone the hearing time We might make it ready round July. We will contact you before that when ready to go.

Board of Appeal (BZA) Special Permit/Variance #163881

Thank you very much

Bob S. Xie Yideben Realty LLC PO Box 610017 Newton, MA 02461 Phone:(617)818-6486 E-mail:bobxie18@hotmail.com

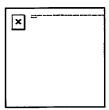
From: City of Cambridge, MA <noreply@viewpointcloud.com>

Sent: Thursday, April 14, 2022 8:29 AM

To: bobxie18@hotmail.com <bobxie18@hotmail.com>

Subject: Maria Pacheco commented on Preparation for Board of Zoning Appeal Hearing for Board of Appeal (BZA) Special

Permit/Variance #163881



City of Cambridge, MA

Maria Pacheco commented on Preparation for Board of Zoning Appeal Hearing for Board of Appeal (BZA) Special Permit/Variance #163881

"Hi,

An email was sent over to you on April 7th at 10:08 am letting you know that the



City of Cambridge

Massachusetts

BOARD OF ZONING APPEAL

2022 APR 20 AM 10: 18

831 Mass Avenue, Cambridge, MAMBRIDGE, MASSACHUSETTS
(617) 349-6100

Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal 831 Mass Avenue Cambridge, MA 02139

RE: Case # BTA - 14388]

Address: 130 Cushing A.

Owner, Detitioner, or Depresentative: Pin Manda and (Print Name)

hereby waives the required time limits for holding a public hearing as required by

Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts,

Massachusetts General Laws, Chapter 40A. The Downer, Petitioner, or Representative further hereby waives the Petitioner's and/or Owner's right to a

Decision by the Board of Zoning Appeal on the above referenced case within the time period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C.

§1455(a), or any other relevant state or federal regulation or law.

Date: 4/19/2022

Signature