

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2022 MAR -8 AM 11:31
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CITY OF CAMBRIDGE

BZA Application Form

BZA Number: 163881

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Yideben Realty LLC C/O Bob Xie

PETITIONER'S ADDRESS: 28 Mountford Road, Newton, MA 02461

LOCATION OF PROPERTY: 130 Cushing St , Cambridge, MA

TYPE OF OCCUPANCY: R-2, 4 dwelling units **ZONING DISTRICT:** Residence B Zone

REASON FOR PETITION:

/Additions/ /Dormer/

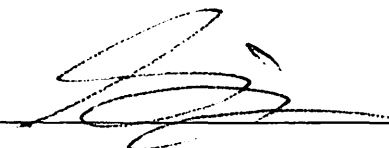
DESCRIPTION OF PETITIONER'S PROPOSAL:

Extension of living space into the basement and attic. Change in fenestration and sunken patio in side yard. Rear two story addition. Dormer additions which exceed the Roof Dormer Design Guidelines, legalize existing parking incurring both an accessory use violation at rear lot line and open space violation.

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: 6.000 Section: 6.44.1b (Parking Setbacks).
- Article: 10.000 Section: 10.30 (Variance).

Original
Signature(s):



(Petitioner (s) / Owner)

Bob Xie

(Print Name)

Address: _____
Tel. No. 617-818-6496
E-Mail Address: bobxie18@hotmail.com

Date: _____

BZA Application Form**DIMENSIONAL INFORMATION**

Applicant: Yideben Realty LLC
Location: 130 Cushing St., Cambridge, MA
Phone: 617-818-6496

Present Use/Occupancy: R-2, 4 dwelling units
Zone: Residence B Zone
Requested Use/Occupancy: R-2, 4 dwelling units

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		4477	7772	3046	(max.)
<u>LOT AREA:</u>		6480	6480	17000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.69	1.2	.47	
<u>LOT AREA OF EACH DWELLING UNIT</u>		1620	1620	4250	
<u>SIZE OF LOT:</u>	WIDTH	54.0	54.0	50	
	DEPTH	120	120	n/a	
<u>SETBACKS IN FEET:</u>	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'	
<u>SIZE OF BUILDING:</u>	HEIGHT	35.5	38.6	35	
	WIDTH	60.7	60.7	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		53%	32%	40%	
<u>NO. OF DWELLING UNITS:</u>		4	4	1	
<u>NO. OF PARKING SPACES:</u>		2	4	4	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		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.

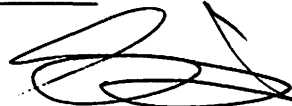
I/We YIDEBEN REALTY LLC / Shaojun Xie
(OWNER)

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. MA 02138

The record title of this property is in the name of YIDEBEN REALTY LLC

*Pursuant to a deed of duly recorded in the date Nov. 14, 2013 Middlesex South
County Registry of Deeds at Book 61897, 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 Middlesex

The above-name Shaojun Xie personally appeared before me,
this 26th of February 2022 and made oath that the above statement is true.

[Signature] Notary

My commission expires June 26 2026 (Notary Seal)



SEBASTIEN MAXIMIN
Notary Public
Commonwealth of Massachusetts
My Commission Expires June 26, 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.

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 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 provide 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.**

1 BRENDAN SULLIVAN: Thank you, Janice.

2 JANICE KAUFFMAN: Thank you.

3 BRENDAN SULLIVAN: For those who are tuning in for
4 the 7:15, which has come and gone, 27 Fayerweather Street is
5 going to be continued. We'll announce the -- I will call
6 that the case in a little while from now, just so that --
7 for those of you who are interested in that case, it will be
8 continued to a further date.

9 The Board will now -- and also, 145 Willow Street,
10 they're asking for a continuance? Okay. If anybody is
11 interested in the 145 Willow Street case, that also will be
12 continued. And again, that will be called at some time down
13 the line here.

14

15 * * * * *

16 (8:44 p.m.)

17 Sitting Members: Constantine Alexander, Brendan Sullivan,
18 Jim Monteverde, Wendy Leiserson,
19 Slater W. Anderson

20 BRENDAN SULLIVAN: Right now, I'm going to call
21 Case No. 163881 -- 130 Cushing Street. Anybody here
22 interested in 130 Cushing Street? Nobody calling in. We

1 are in receipt of correspondence. This is from Bob Xie, X-
2 i-e.

3 "To follow up on our conversation, I'm going to
4 send this e-mail to require an extension or postpone the
5 hearing time. We might make it ready around July. We'll
6 contact you before then when we're ready to go."

7 So the petitioner has asked for a continuance.
8 They have signed a waiver of the statutory requirement for a
9 hearing, please step and a decision to be rendered
10 therefore. What is the date?

11 They should be ready around July, so we mark it up
12 June 30? I would say July 14. Hm? July 14. On the motion
13 to continue Case No. 163881 -- 130 Cushing Street to July --
14 I already forgot it.

15 CONSTANTINE ALEXANDER: Fourteenth.

16 BRENDAN SULLIVAN: July 14 on the condition that
17 the petitioner first of all put up the posting sign, the
18 reasons being -- one of the reasons it's being continued is
19 because there was no posting sign ever picked up or put on
20 the property.

21 That the petitioner put up the posting sign and
22 maintain the posting sign in good order of 14 days prior to

1 the July 14 hearing.

2 That the posting sign reflect the new date of July
3 14, 2022 and the time of 6:00 p.m.

4 That any new submittals different than what is in
5 the file now -- dimensional form, statement of condition and
6 drawings be in the file by 5:00 p.m. on the Monday prior to
7 the July 14 hearing.

8 On the motion to continue this matter, Mr.
9 Alexander?

10 CONSTANTINE ALEXANDER: I vote in favor.

11 BRENDAN SULLIVAN: Jim Monteverde?

12 JIM MONTEVERDE: I vote in favor.

13 WENDY LEISERSON: Wendy Leiserson in favor.

14 BRENDAN SULLIVAN: Slater Anderson to continue.

15 SLATER ANDERSON: Slater Anderson in favor of
16 continuance.

17 BRENDAN SULLIVAN: And Brendan Sullivan yes to
18 continue on the five affirmative votes.

19 [All vote YES]

20 BRENDAN SULLIVAN: The matter is continued until
21 July 14, 2022, at 6:00 p.m.

22



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: Greg McCarthy Date: 6/24/22
(Print)

Address: 130 Cushing St.

Case No. BZA-163881

Hearing Date: 7/14/22

Thank you,
Bza Members

PROPOSED EXTENSION OF LIVING SPACE INTO THE BASEMENT & ATTIC ADDITIONS & RENOVATION

130 CUSHING STREET, CAMBRIDGE, MASSACHUSETTS

CITY OF CAMBRIDGE
INSPECTORIAL SERVICES
2022 JUL 11 P 1:39



ZONING SUMMARY

ZONING CODE ANALYSIS
CAMBRIDGE
SUBDISTRICT: RES B

Use Regulations: Section Table	
Existing	Proposed
4F	4F

	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
Min Required Lot Width	50'		54'	54'	
Max FAR	.47 (3,046 SF)		0.69 (4,153 SF)	1.7 (7,753 SF)	VIOLATION
Max Building Height	35'		36.2'	36.5'	VIOLATION
Usable Open Space	40% LOT AREA		53%	33%	VIOLATION
Min Front Yard	15'		17.1'	13.3'	VIOLATION
Min Side Yard	7.5' SUM 20'		1.3' / 11.0'	0.7' / 10.9'	VIOLATION
Min Rear Yard	30'		42.1'	42.1'	
Min Ratio of open Space to Lot Area	40%				

Overlays:

Other Non-Dimensional Zoning Issues:
ART. 6-12(b) REQUIRED PARKING: 4 PARKING SPACES
EXISTING PARKING: 2 PARKING SPACES
PROPOSED PARKING: 4 PARKING SPACES

KEY

- ☉ SMOKE DETECTOR
- ⊙ HEAT DETECTOR
- ⊙ CARBON MONOXIDE DETECTOR
- ◇ 1 HOUR WALL
- ◇ 2 HOUR WALL
- ⊗ FAN
- ⊙ 45 MIN. DOOR
- ⊙ 1-1/2 HOUR DOOR
- ◇ WINDOW TYPE
- 1 1 HOUR CLG. ABOVE (SEE C.T.1/A-3.1)
- 2 2 HOUR CLG. WALL (SEE C.T.2/A-3.1)
- ⊙ FIRE EXTINGUISHER

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

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.

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

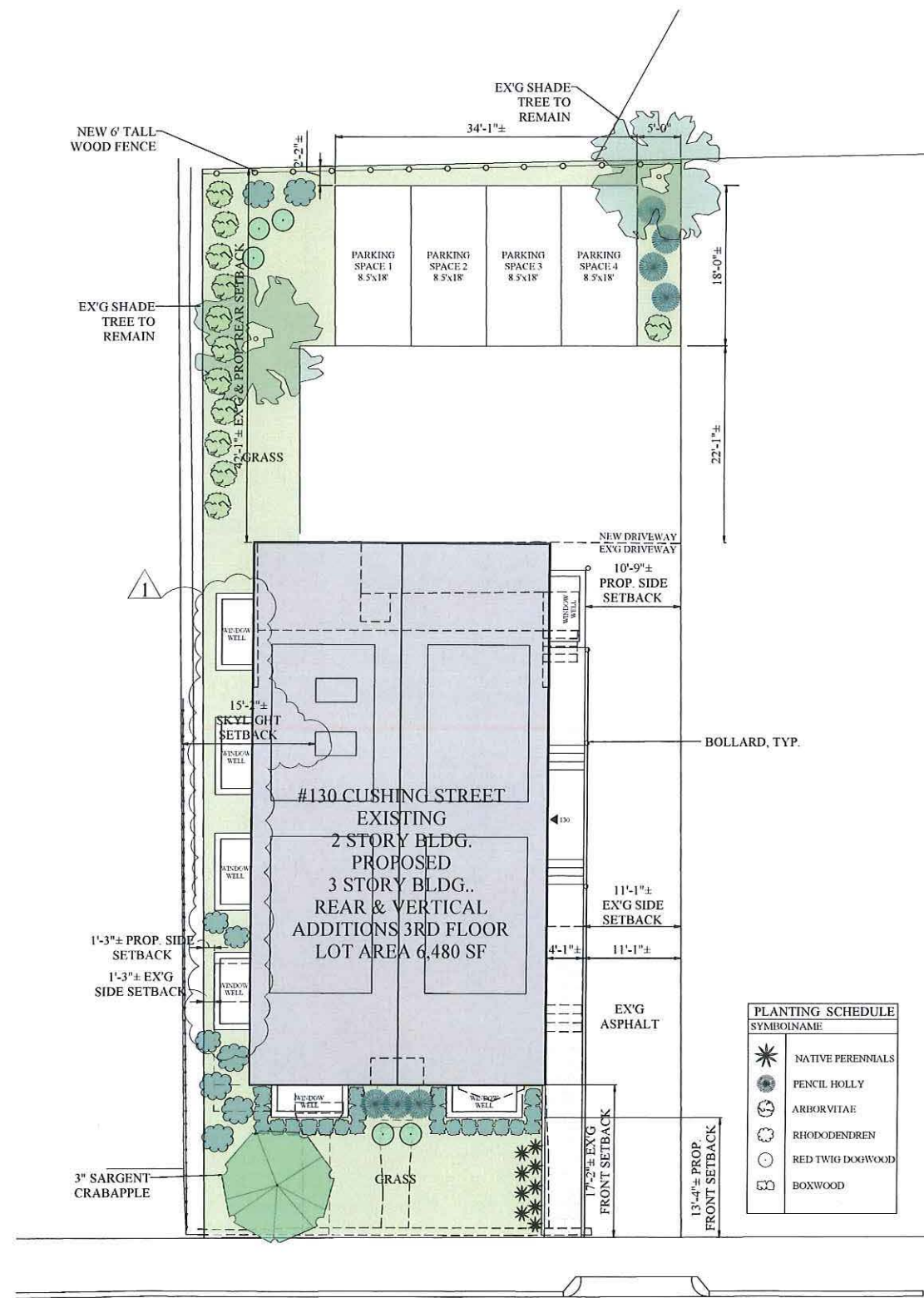
Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-786-7727 fax 617-786-7715



Project No: 2021162-2022137
Scale: AS NOTED
Date: 2-23-2022
Drawn By: DF

Drawing Name:
COVER SHEET

Sheet No:
A-0



PLANTING SCHEDULE	
SYMBOL	NAME
★	NATIVE PERENNIALS
●	FENCIL HOLLY
○	ARBORVITAE
○	RHODODENDREN
○	RED TWIG DOGWOOD
○	BOXWOOD

1 PROPOSED LANDSCAPE PLAN
1/8" = 1'-0"

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

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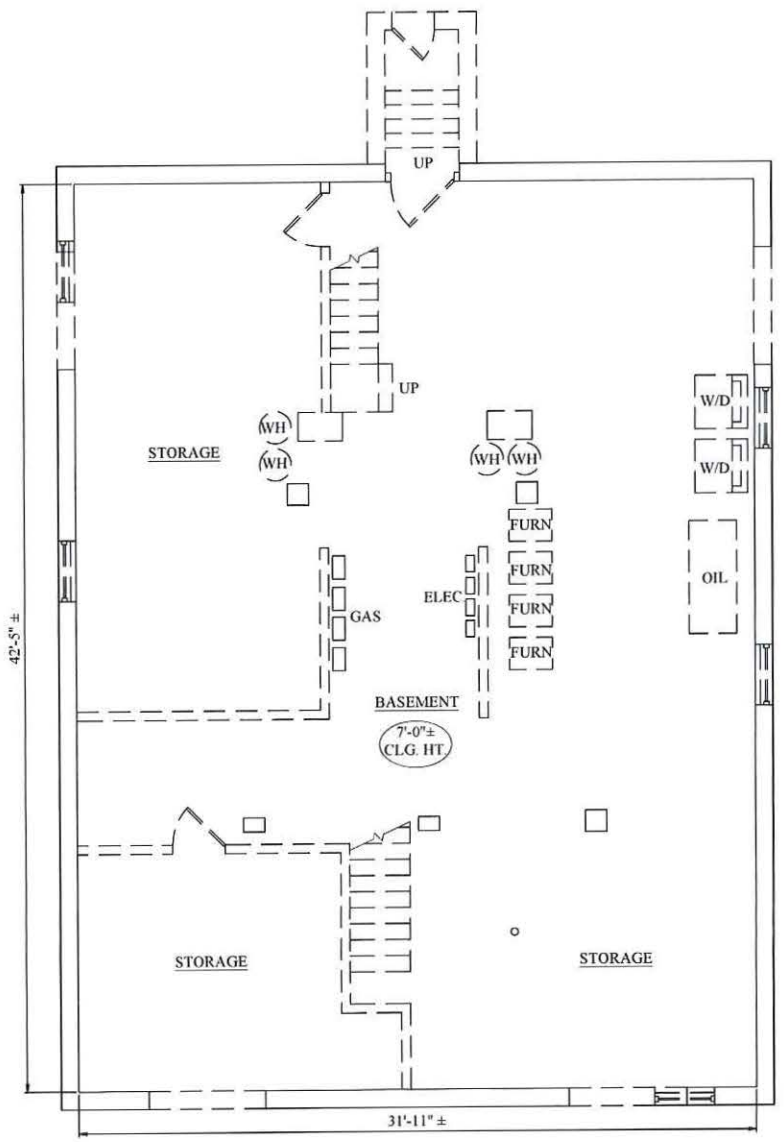


No.	Revision Date
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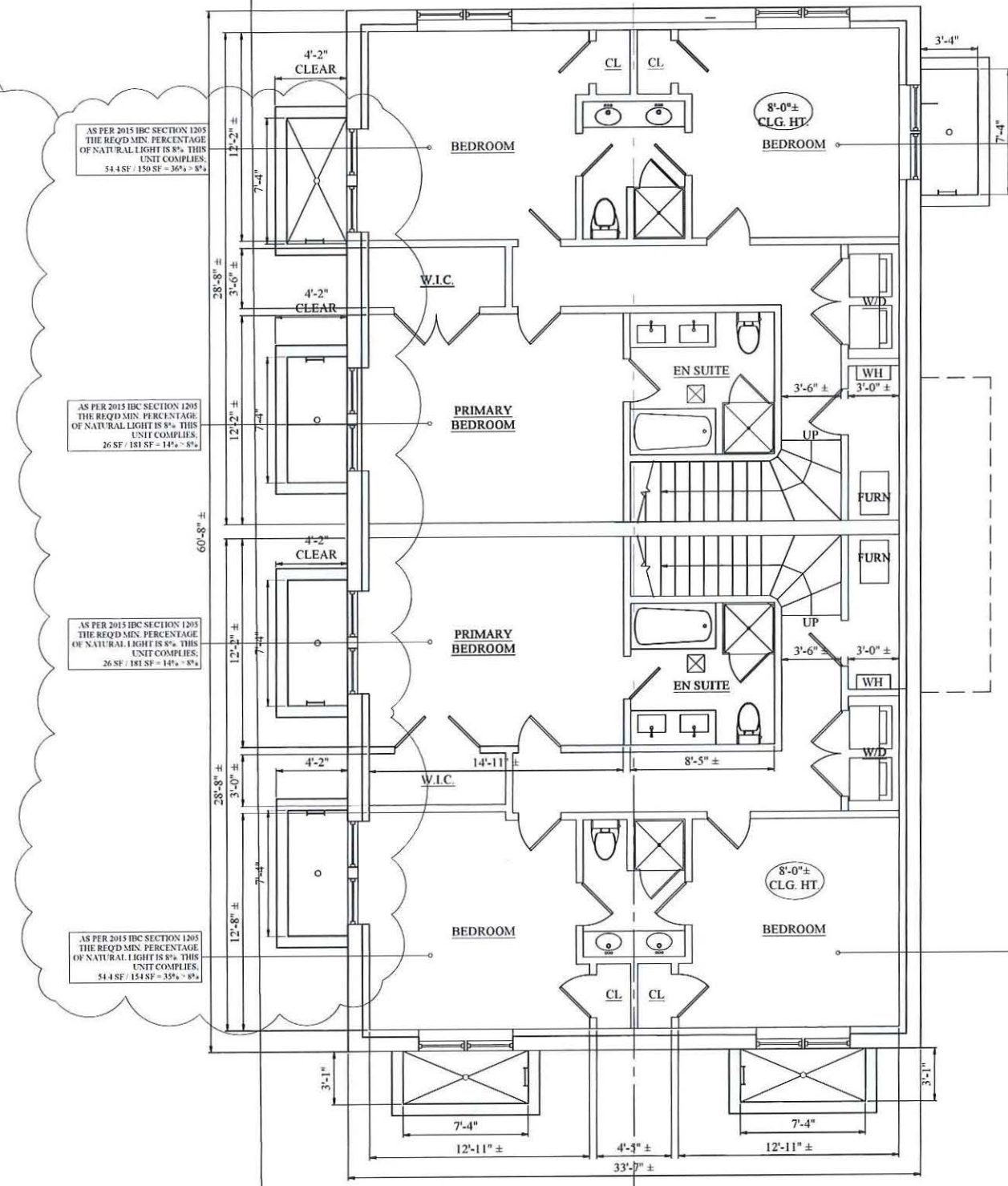
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Scale: AS NOTED
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Drawn By: DF

Proposed
LANDSCAPE
PLAN

Sheet No.
A-1.0



1 EXISTING BASEMENT FLOOR PLAN - 1,480 +/- SF
1/4" = 1'-0"



1 PROPOSED BASEMENT FLOOR PLAN - 2,057 +/- SF
1/4" = 1'-0"

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 54.4 SF / 150 SF = 36% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 26 SF / 181 SF = 14% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 26 SF / 181 SF = 14% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 54.4 SF / 154 SF = 35% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 56.8 SF / 150 SF = 37% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES. 28.4 SF / 150 SF = 18% > 8%

Location

**EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138**

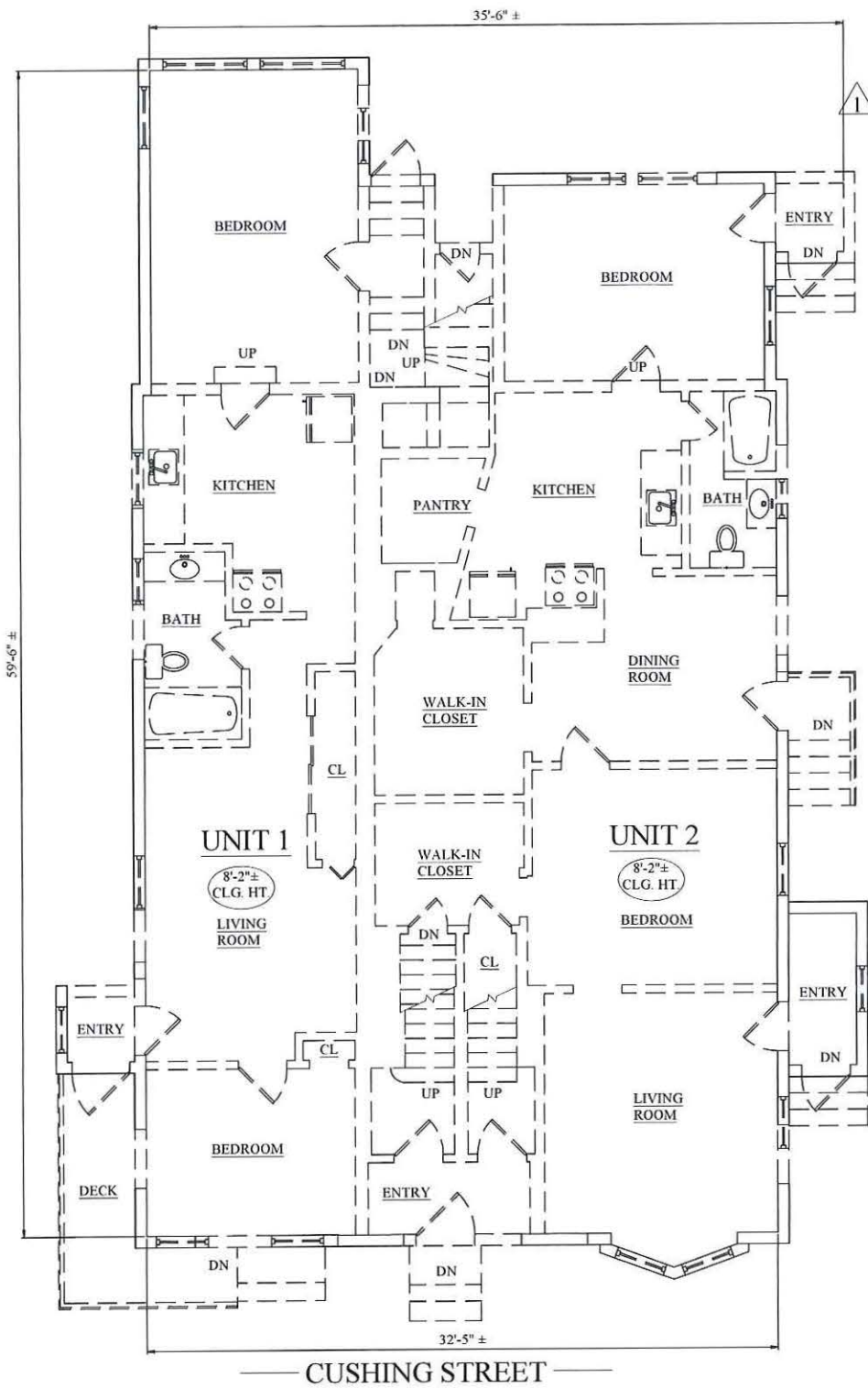
Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-785-7727 fax 617-786-7715

No. 1 Revision Date
07-07-2022

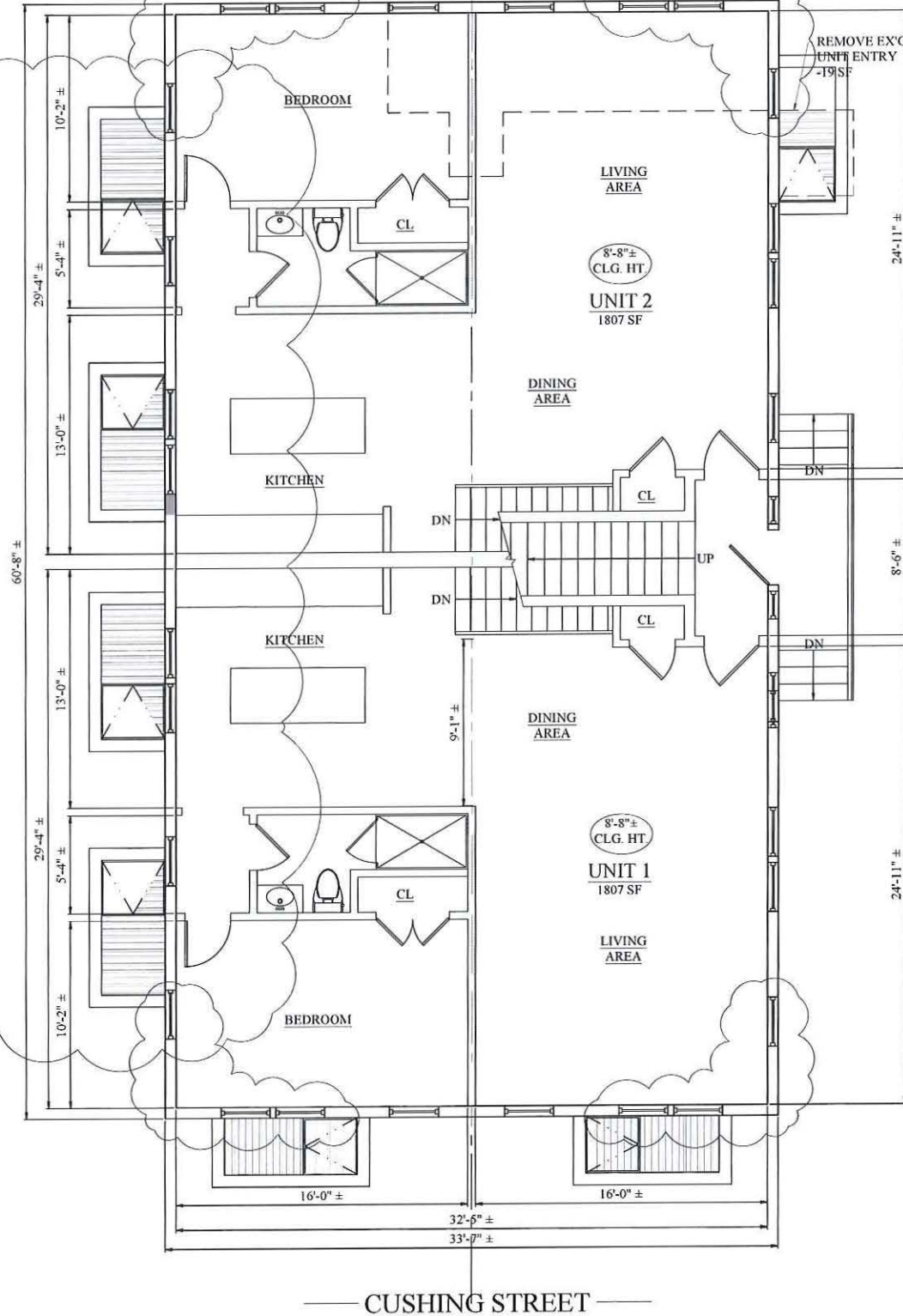
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Drawing Name
EXISTING & PROPOSED FLOOR PLANS

Sheet No.
A-1.1



1 EXISTING FIRST FLOOR PLAN - 1968 +/- SF
K-F-P-C



2 PROPOSED FIRST FLOOR PLAN - 2,016 +/- SF
K-F-P-C

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo Company, Inc.
One Billings Road Quincy, MA 02171
617-766-7727 fax 617-766-7715

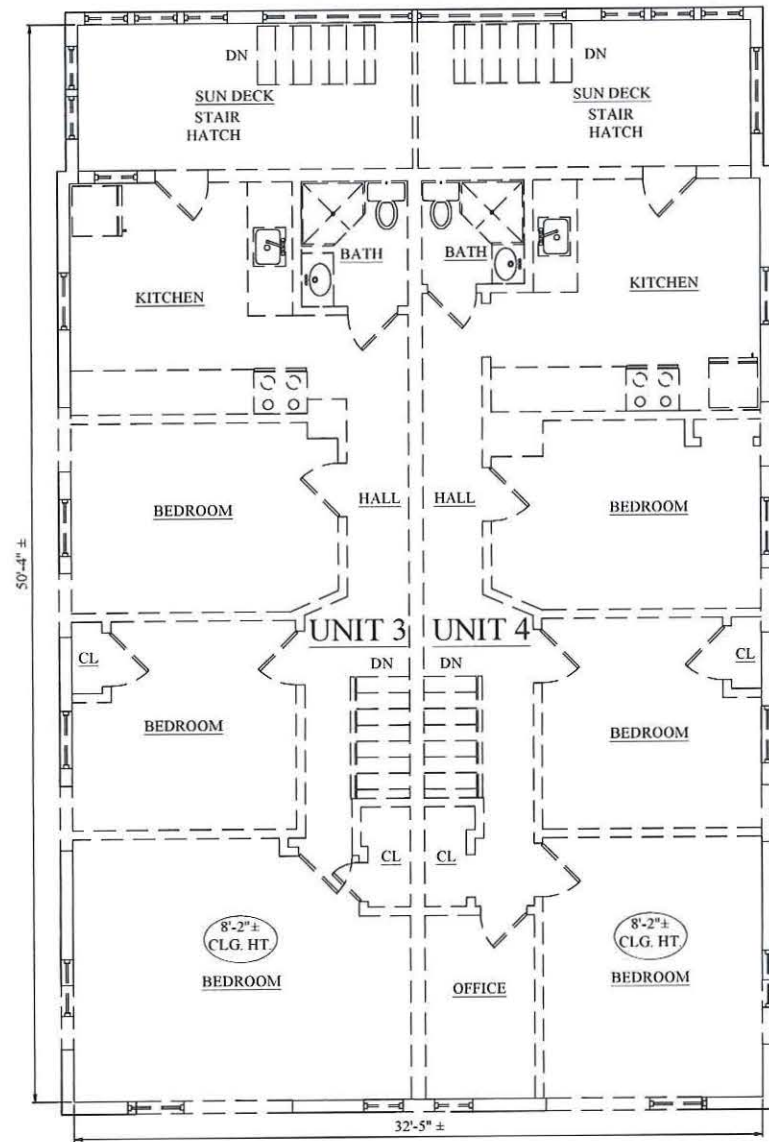


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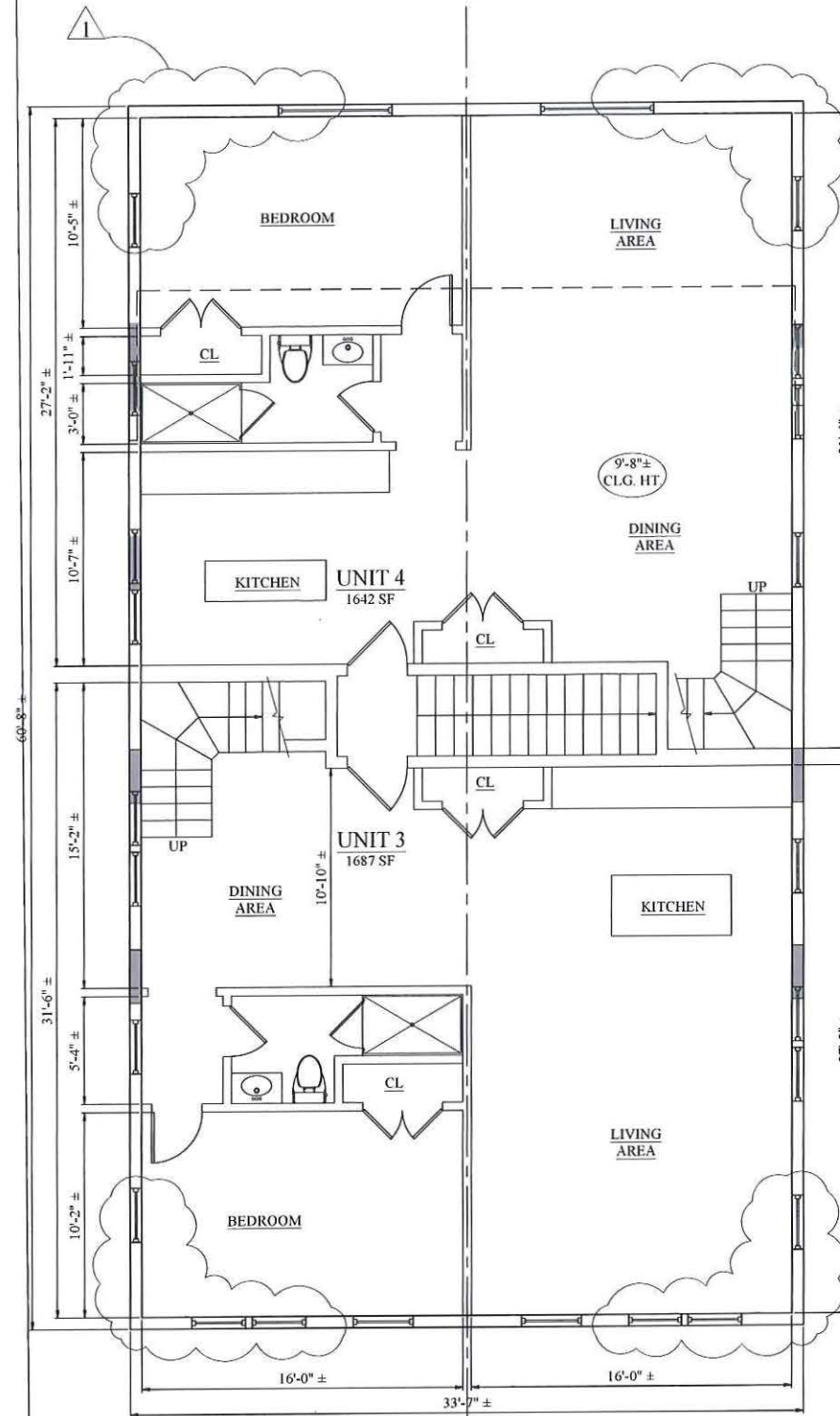
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EXISTING & PROPOSED FLOOR PLANS

Sheet No:
A-1.2



— CUSHING STREET —

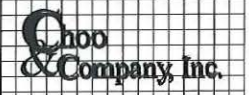
1 EXISTING SECOND FLOOR PLAN - 1,723 +/- SF
1/4" = 1'-0"



— CUSHING STREET —

2 PROPOSED SECOND FLOOR PLAN - 2,076 +/- SF
1/4" = 1'-0"

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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



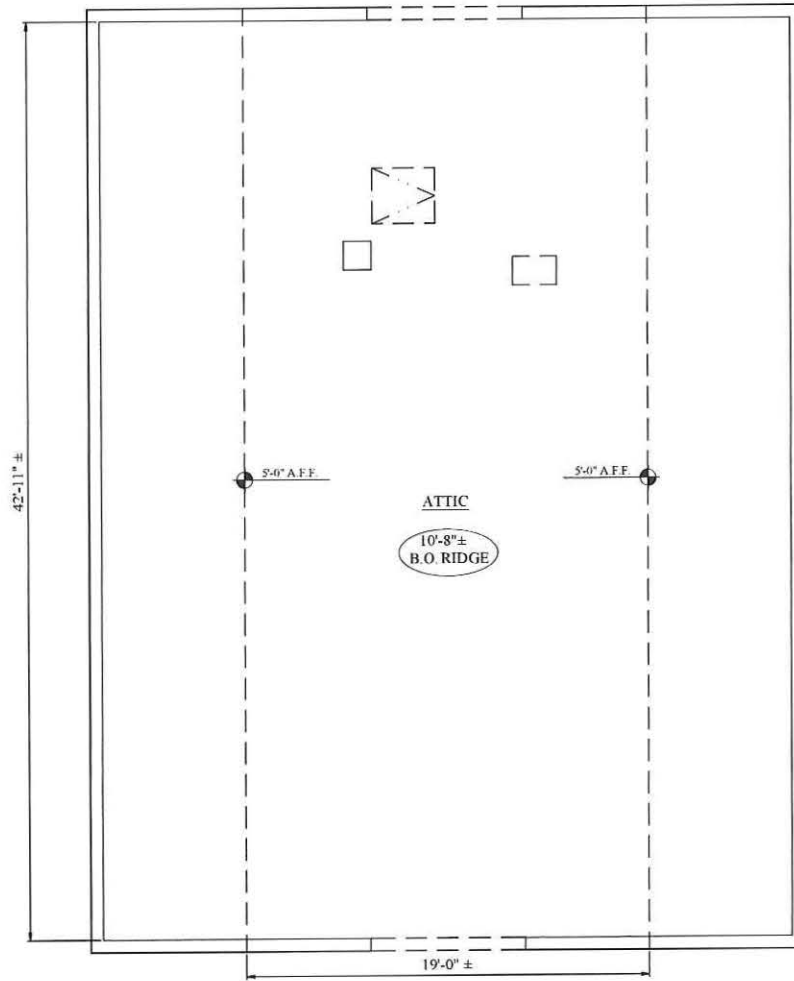
No.	Revision Date
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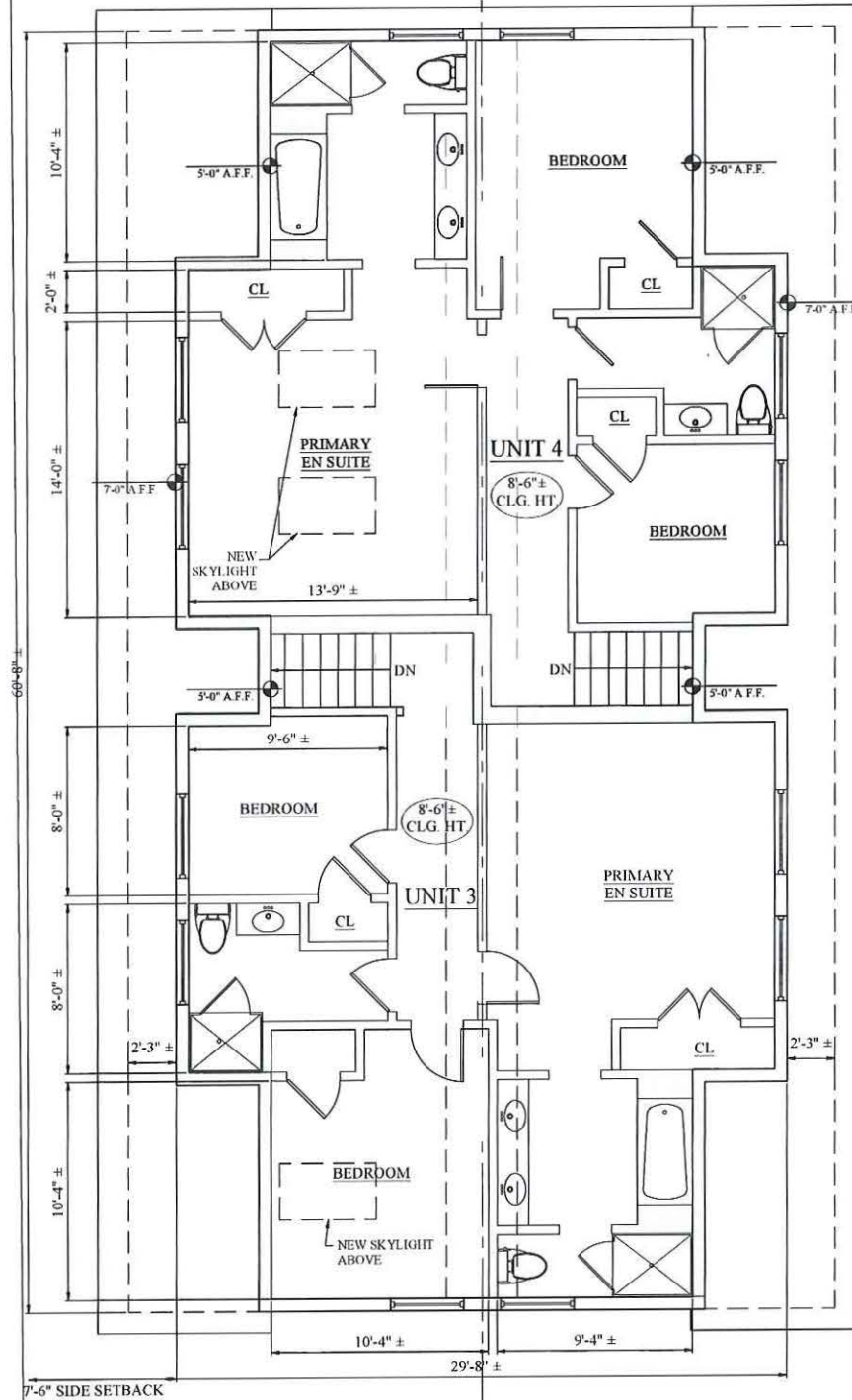
Drawing Name:
EXISTING & PROPOSED FLOOR PLANS

Sheet No.

A-1.3



2 EXISTING THIRD FLOOR PLAN - 838 +/- SF
1/8" = 1'-0"



2 PROPOSED THIRD FLOOR PLAN - 1,606 +/- SF
1/8" = 1'-0"

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo
Company, Inc.

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

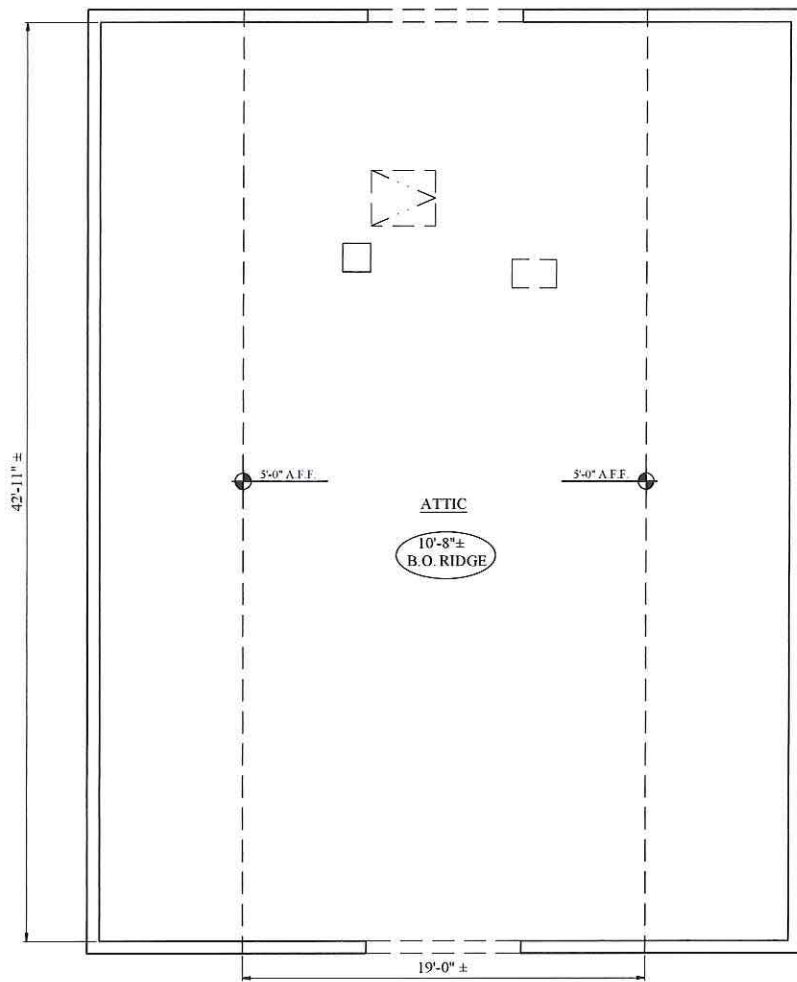


No.	Revision Date

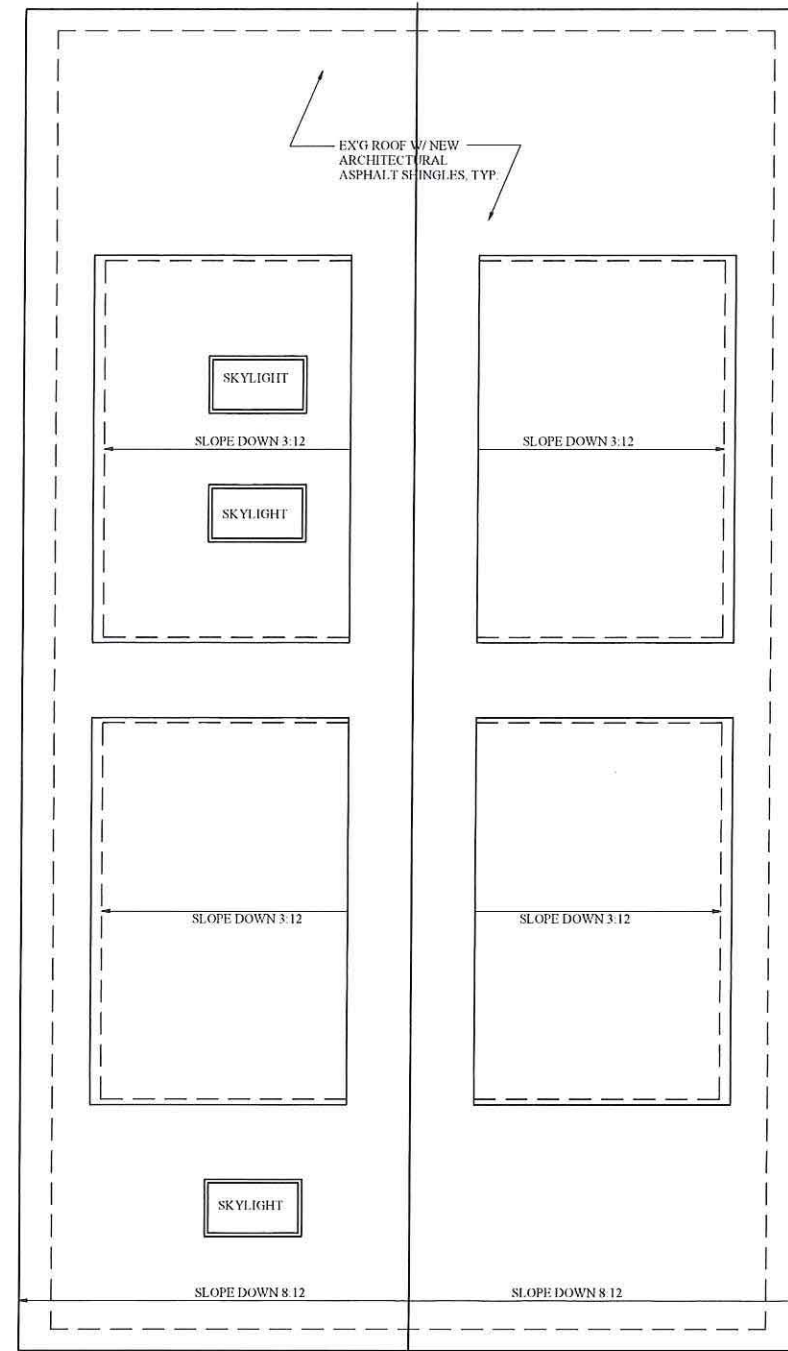
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Project Name:
EXISTING &
PROPOSED
FLOOR PLANS

Sheet No.
A-1.4



2 EXISTING THIRD FLOOR PLAN - 838 +/- SF
1/4" = 1'-0"



2 PROPOSED THIRD FLOOR PLAN - 1,606 +/- SF
1/4" = 1'-0"

— CUSHING STREET —

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Quinn & Company, Inc.

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

REGISTERED ARCHITECT
ARTHUR K.F. QUINN
3110
BOSTON
MA
STATE OF MASSACHUSETTS

No.	Revision Date

Project No: 2021162-2022137
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Drawing Name:
EXISTING & PROPOSED ROOF PLANS

Sheet No.
A-1.5



EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION
 130 CUSHING STREET
 CAMBRIDGE, MA 02138

Quoos & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-788-7727 fax 617-789-7715

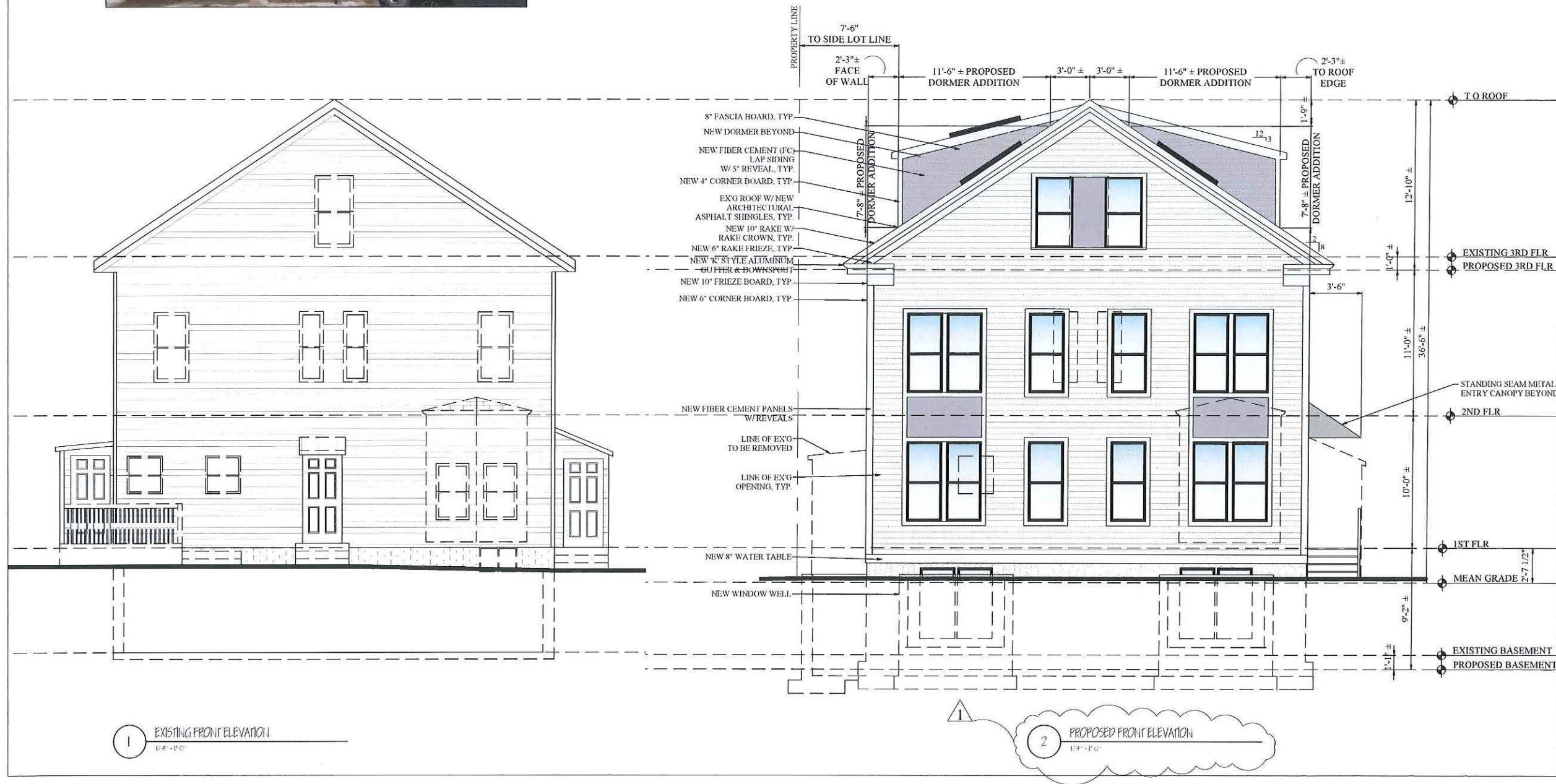


No. **1** Revision Date
07-07-2022

Project No. **2021162-2022137**
 Scale: **AS NOTED**
 Date: **2-23-2022**
 Drawn By: **DF/TM**

Project Name
ELEVATIONS

Sheet No.
A-2.1





Location

**EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138**

Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-786-7727 fax 617-786-7715



No.	Revision Date
1	07-07-2022

Project No. 2021162-2022137
Scale: AS NOTED
Date: 2-23-2022
Drawn By: DF

Drawn Name

ELEVATIONS

Sheet No.

A-2.2



Location
**EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION**
130 CUSHING STREET
CAMBRIDGE, MA 02138

**Choo
 & Company, Inc.**
 One Billings Road Quincy, MA 02171
 617-788-7727 fax 617-788-7715



No. **1** Revision Date
07-07-2022

Project No: **2021162-2022137**
 Scale: **AS NOTED**
 Date: **2-23-2022**
 Drawn By: **DF**

Project Name:

ELEVATIONS

Sheet No.

A-2.3



1 EXISTING REAR ELEVATION
 1/4" = 1'-0"

2 PROPOSED REAR ELEVATION
 1/4" = 1'-0"

AS PER 2015 IBC TABLE 705.8,
THE MAXIMUM ALLOWABLE
AREA OF OPENINGS IS 25% W/
FSD OF 5' < 10'. 44 SF OPENINGS
/ 176 SF OF WALL = 25% < 25%
OK.



EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

**Choo
& Company, Inc.**

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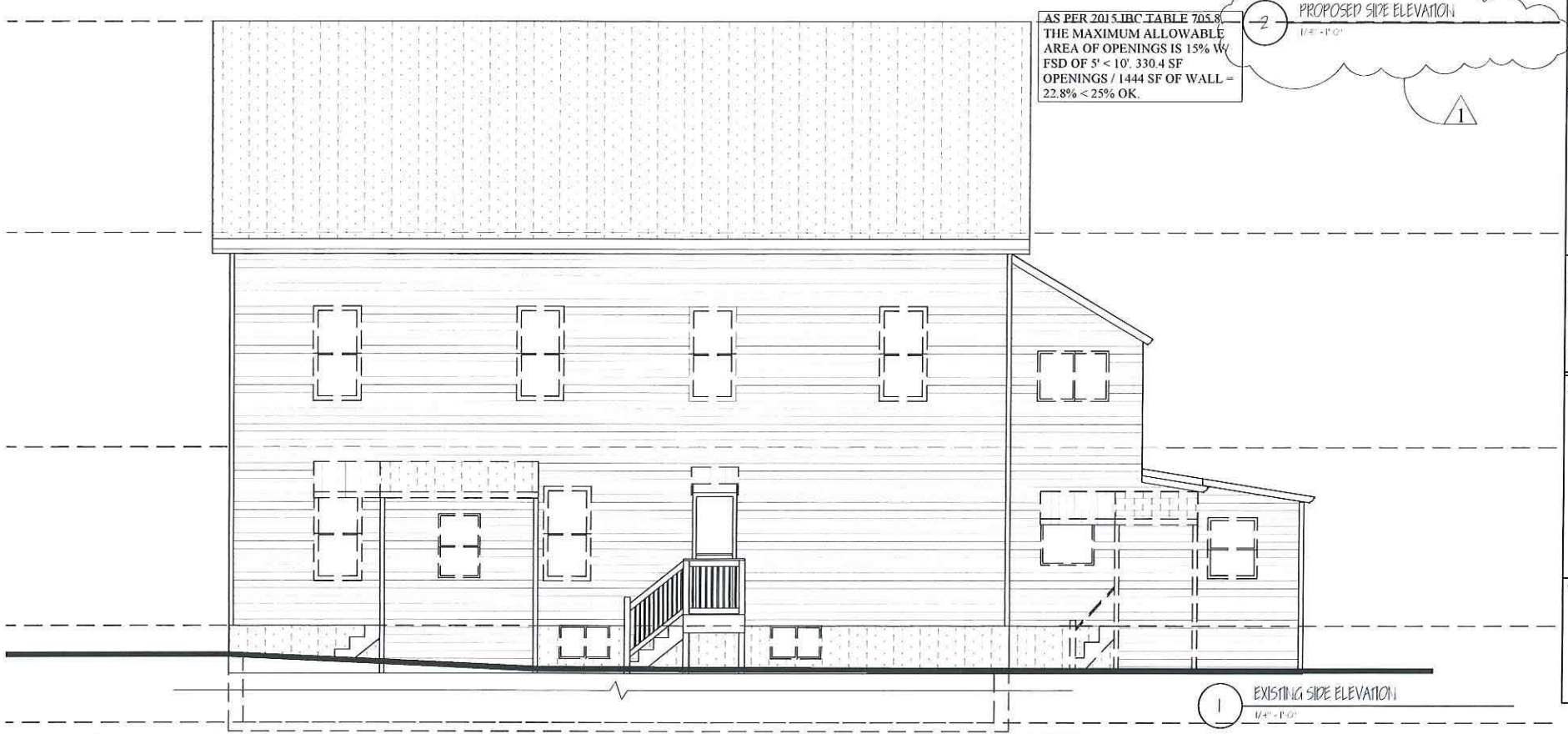


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Drawn By: DF

Drawing Name:
ELEVATIONS

Sheet No:
A-2.4



Pacheco, Maria

From: david@choo-design.com
Sent: Wednesday, July 13, 2022 4:27 PM
To: Pacheco, Maria
Cc: 'Greg McCarthy'
Subject: 2022137, 130 Cushing
Attachments: BZA 130 Cushing Street Dimensional Informaiton 07-13-2022.pdf

Hi Maria,

Please find attached a revised BZA Dimensional Information form. The revisions are;

1. Proposed Gross Floor Area
2. Proposed FAR
3. Left side setback

Please confirm receipt and let me know if there is anything else you need prior to our hearing. Thank you!

Kind regards,

David Freed, AIA

CHOO & CO., INC.
1 Billings Road, Quincy, MA 02171
(T) 617-786-7727, (F) 617-786-7715

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Address: _____
 Tel. No. 617-818-6496
 E-Mail Address: bobxie18@hotmail.com

Date: 07-13-2022

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	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		4477	7674	3046	(max.)
LOT AREA:		6480	6480	17000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		.69	1.18	.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	1.15'	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 * * * * *

2 (6:14 p.m.)

3 Sitting Members: Brendan Sullivan, Wendy Leiserson, Jim
4 Monteverde, Matina Williams, and Jason
5 Marshall

6 BRENDAN SULLIVAN: The Board will hear Case No.
7 163881 -- 130 Cushing Street.

8 DAVID FREED: Yes, hi. Good evening. My name is
9 David Freed. I'm an architect at Choo and Company. And I'm
10 pleased tonight to present our proposed renovation plans at
11 130 Cushing Street.

12 BRENDAN SULLIVAN: All right. The Board is
13 familiar with the plan's proposal, but if you could just
14 briefly walk us through it -- again, briefly, if you will,
15 without taking any of your thunder away. That's fine.

16 DAVID FREED: Okay. Thank you. This is an image
17 of the present condition of the property. It's currently a
18 four-family with a number of bedrooms scattered around the
19 perimeter of the building with five entrances, one on the
20 left side, one on the center, in the front and three on the
21 driveway side.

22 Next slide, please?

1 This is a landscape plan that just shows our
2 proposal, in which we would like to extend living spaces in
3 the basement and into the attic and add some dormers, as
4 well as extend the rear back about nine feet on the second
5 and third floor, to align with the first floor below.

6 We want to legalize some parking in the rear as
7 well, to a four-car.

8 Next slide, please?

9 This is our basement plan. Basically, we've
10 eliminated -- if we go to the next slide, please?

11 We've eliminated the front entrance, the left
12 entrance, and two entrances on the driveway side, and have
13 relocated that to the center of the building and divided the
14 building front and back to create two sets of duplex units,
15 each of which has four bedrooms.

16 Next slide, please?

17 This would be representative of the typical unit.
18 You'd enter into a dining room, kitchen, living area, large
19 open living, with either a bedroom or a home office on that
20 floor.

21 And then above -- next slide, please? -- would be
22 three bedrooms and two baths, one of which would be a

1 primary ensuite.

2 Next slide, please?

3 This is the roof plan that just shows our dormers.
4 The dormers themselves are dimensionally compliant. The --
5 what incurs our setback violations are the rear addition.

6 The next slide, please?

7 On the left is the existing elevation, and on the
8 right is the renovated elevation. The building would be
9 trimmed out with Boral, and have more traditional detailing,
10 with corner boards and a water table. It would have lap
11 siding and punched openings as well.

12 Next slide, please?

13 This is the left side elevation that faces the
14 school.

15 Next slide, please?

16 This is our rear elevation. And last slide
17 please?

18 This would be the driveway side elevation, and the
19 front of our building. The dormers themselves exceed the
20 Dormer Guidelines. But we felt that we really wanted to try
21 to provide some decent living space in the attic.

22 The next slide, please?

1 This is the plot plan, that shows more clearly the
2 levels of additions. So on the rear, there's a proposed
3 three-story addition towards the -- going towards the front
4 a little bit of that rear addition would be a second- and
5 third-story addition.

6 Next slide, please?

7 Our project has some existing nonconformities, one
8 of which is the total gross floor area, the lot area, the
9 ratio of gross floor area to lot area, and the lot area per
10 dwelling unit.

11 Our lot does dimensionally conform. The setbacks,
12 however, do not. And [audio unclear] for our residents and
13 for our -- some districts do not. But we feel that the
14 improvements to this building would be a benefit to the
15 neighborhood, and with a fully renovated building that would
16 be fire sprinkled, the units themselves would be code-
17 compliant and have lots of light and air, have new finishes,
18 be insulated well.

19 And that wraps up my presentation. Does anyone
20 have any questions?

21 BRENDAN SULLIVAN: I'm sure the Board is going to
22 have a lot of questions. Let me start off by saying I think

1 it's very, very ambitious.

2 And it appears -- what was the -- well, the
3 building is rental right now, four units rental? Or I'm not
4 even sure if it's even occupied, because it seems to have
5 very little activity, having gone by there a number of
6 times.

7 DAVID FREED: Yes, it was a good rental.

8 BRENDAN SULLIVAN: It is rental? Going forward --

9 DAVID FREED: Yes.

10 BRENDAN SULLIVAN: -- is it going to be rental, or
11 is it going to be condo?

12 DAVID FREED: I believe the homeowners should have
13 condos.

14 BRENDAN SULLIVAN: It's going to be what?

15 DAVID FREED: It will be condos.

16 BRENDAN SULLIVAN: Condos, okay.

17 DAVID FREED: Yes.

18 BRENDAN SULLIVAN: If I could have Olivia pull up
19 the floor plan, and if the Board will bear with me a little
20 bit; Sheet A-1.1.

21 And right now in the basement, there is basically
22 nothing other than just storage. If we go to the first-

1 floor proposed, there is one, two, three, four bedrooms, is
2 that correct?

3 DAVID FREED: Yes.

4 BRENDAN SULLIVAN: And what is proposed --

5 DAVID FREED: Bedrooms, I'm sorry.

6 BRENDAN SULLIVAN: -- what is proposed is going to
7 be two bedrooms on the first floor?

8 DAVID FREED: Correct.

9 BRENDAN SULLIVAN: Separate from Unit 1 and 2.
10 Just I'm trying to get a total count here.

11 DAVID FREED: Yes.

12 BRENDAN SULLIVAN: If we go up to the -- I'm
13 sorry, let me back up to the -- and the basement of the --
14 what is proposed in the basement, is there nothing there now
15 and they're proposing six bedrooms in the basement, and two
16 bathrooms?

17 I'm sorry, four bathrooms -- two units or four
18 bathrooms. So what is proposed is six bedrooms and four
19 bathrooms in the basement level?

20 DAVID FREED: That's correct. Yes.

21 BRENDAN SULLIVAN: Okay. First floor, there is
22 existing four bedrooms; you are proposing two?

1 DAVID FREED: Correct.

2 BRENDAN SULLIVAN: First floor two bedrooms and
3 two bathrooms. Okay. On the second floor, second floor
4 existing has six bedrooms --

5 DAVID FREED: Yes.

6 BRENDAN SULLIVAN: -- and two bathrooms. You're
7 proposing two bedrooms and two bathrooms?

8 DAVID FREED: Correct.

9 BRENDAN SULLIVAN: The third floor, there is no
10 living space there right now? There was no bedrooms, no
11 bathrooms, you are proposing six bedrooms and four
12 bathrooms?

13 DAVID FREED: Correct.

14 BRENDAN SULLIVAN: So what is there now is 10
15 bedrooms, you are proposing 16 bedrooms?

16 DAVID FREED: Yes.

17 BRENDAN SULLIVAN: There are now four bathrooms in
18 the structure, and you are proposing 12?

19 DAVID FREED: Yes.

20 BRENDAN SULLIVAN: The FAR, which is -- if I can
21 pull up that dimensional form -- 0.69, which is already over
22 and you're requesting 1.2, which is double what the

1 ordinance allows... Everything about this to me is just way
2 over the top.

3 And especially -- then we got to the dormers and
4 yes, you are correct that you exceed the Dormer Guidelines
5 tremendously, and we take the Dormer Guidelines seriously.
6 And to me this thing is just -- my way of thinking it's just
7 way over the top.

8 And then we go back to your pleadings, and you
9 have to prove hardship. A literal enforcement of the
10 provisions of the ordinance would involve a substantial
11 hardship, financial or otherwise to the petitioner.

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

15 Well, nobody has the right or to a variance. And
16 you can enlarge or renovate the existing structure, but you
17 have to follow, obviously the ordinance and the requirements
18 of the ordinance.

19 The hardship is owing to the following
20 circumstances relating to the soil conditions, shape or
21 topography of such land or structure, and especially
22 affecting such land or structure, but not affecting

1 generally the zoning district in which I was located.

2 The answer is the hardship is owing to the fact
3 that the building sits on a narrow lot and fronts the
4 street, as do most structures on the street. The location
5 of the building on the lot places the side and front in the
6 setback. Doesn't answer the hardship question.

7 And the public good will not suffer -- that could
8 be debated, but right now it's rental, it's going to go
9 condo.

10 So we're taking rental markets off the city
11 market, and I think we sit here on Thursday nights and one
12 of the things we do is we sometimes if you look at the
13 broader overview of what we do, sometimes it chips away at
14 starter homes, because they're being -- two-families are
15 being turned into singles.

16 And also what was rental is now being turned into
17 condos, and it becomes less and less affordable for people
18 to find rental units.

19 And so, those are my thoughts. I will listen to
20 the members of the Board, and we have a hopefully robust
21 discussion.

22 Jim Monteverde, your thoughts?

1 JIM MONTEVERDE: I concur, Mr. Chair. The items
2 that concern me are the -- I believe the requested FAR is
3 two and a half times the ordinance, and the Dormer
4 Guidelines are exceeded by I believe a factor of four.

5 And I'm not seeing a hardship in the application.
6 So I would not favor this variance.

7 BRENDAN SULLIVAN: Okay. Wendy, your -- any
8 thoughts?

9 WENDY LEISERSON: I concur. I thought you
10 explained it very well, and also Jim. The one thing I would
11 also add that concerns me is that the ratio of usable open
12 space is going to become non-conforming, and I'm not happy
13 about that either. So.

14 BRENDAN SULLIVAN: Matina? Any thoughts or
15 questions at this time?

16 MATINA WILLIAMS: Yeah. I'm agreeing with the
17 comments that have been made so far.

18 BRENDAN SULLIVAN: Okay, great. Thank you. Jason
19 Marshall?

20 JASON MARSHALL: Yeah, thank you, Mr. Chair.
21 Yeah, I agree with everything that my colleagues have said
22 so far, no need to restate that.

1 And not to pile on, but to the extent you come
2 back before us, I also paused on the answer to the hardship
3 question. The answer is effectively it's a hardship because
4 I can't build beyond what I'm allowed to. There needs to be
5 something beyond that.

6 I can't build what I would like to and something.
7 And that's not answered here. And I can only infer based on
8 the discussion earlier that what's really happening here is
9 it's an -- it is an attempt to maximize the economic benefit
10 of the property.

11 And I won't fault someone for doing that.
12 However, that's not a standard meaning hardship. That's
13 text case law at this point. So for those reasons, I am
14 also not inclined to grant the request for relief.

15 BRENDAN SULLIVAN: Okay. I'll give you a chance,
16 David to respond. Let me open it up to public comment. Any
17 members of the public who wish to speak should now click the
18 button that says, "Participants," and then click the button
19 that says, "Raise hand."

20 If you are calling in by phone, you can raise your
21 hand by pressing *9 and unmute or mute by pressing *6, and I
22 ask that you have up to three minutes for your comments.

1 OLIVIA RATAY: Amy Salomon?

2 BRENDAN SULLIVAN: Amy?

3 AMY SALOMON: Yes, thank you. Just unmuting. I'm
4 an abutter with just a small portion --

5 BRENDAN SULLIVAN: Amy, if you could have your
6 address for the record.

7 AMY SALOMON: Oh, I'm very sorry. 16, 14-16
8 Vineyard Street.

9 BRENDAN SULLIVAN: Yep.

10 AMY SALOMON: So we're an abutter, and a few
11 things occur to me just in listening to this. One is -- and
12 this is something about the design feels inconsistent with
13 the neighborhood.

14 And part of the neighborhood charm is that it's
15 mainly two-family and single-family homes, and when
16 renovations happened, it's been done with a lot of respect,
17 to the feeling for the neighborhood. And this feels to me
18 like a small apartment building is being built.

19 So that's just an aesthetic concern. And I don't
20 know if you take that into consideration or not. But I
21 think it will change the feel for the neighborhood. So
22 that's sort of one thing.

1 The other thing that is disturbing and concerning
2 to me that I don't think anybody has pointed out yet has to
3 do with the parking situation. That's what abuts my
4 property, probably one and a half parking spaces' worth.

5 But nevertheless, we now are not -- I'm certainly
6 not aware -- I don't think anybody parks right up next to
7 the back fence.

8 And what will end up happening there is yes, three
9 out of the four spots will be basically over the school
10 playground, but the other one will be right in our patio
11 area.

12 So different car, you know, noises and odors and
13 that sort of thing without having much space between the car
14 and the fence -- I couldn't really tell how much space is
15 there, but it looks quite limited is another issue that I'm
16 concerned about.

17 So for the moment, I think those are the two major
18 things.

19 BRENDAN SULLIVAN: Thank you for calling in.

20 DAVID FREED: Thank you for your feedback.

21 BRENDAN SULLIVAN: That's the end of anybody
22 calling in. There is no correspondence. So I will close

1 the public comment back, give it back to you, David, for
2 thoughts. I think you've heard the sentiment of the Board.

3 DAVID FREED: Yes.

4 BRENDAN SULLIVAN: You need for affirmative votes,
5 and it doesn't appear that you're going to get one. And I
6 think that the sense of the Board is that this is a -- way
7 over the top, it's an overreach.

8 DAVID FREED: I know. I understand. So I think
9 we would like to withdraw our application if we could and
10 reconsider our work and what we would do and then go from
11 there?

12 BRENDAN SULLIVAN: All right. Now, if you
13 withdraw, it's with prejudice and --

14 DAVID FREED: Oh.

15 BRENDAN SULLIVAN: -- and you cannot come back for
16 two years.

17 DAVID FREED: Oh, okay.

18 BRENDAN SULLIVAN: Just to explain, unless it is a
19 substantially different application. Now, if you were to
20 come back -- and it would appear that it may have to be
21 substantially different.

22 If you do come back with another plan within that

1 two years, then it would have to go to the Planning Board
2 first. The Planning Board would then review it, the new
3 plan that you are submitting vis-à-vis the old plan that's
4 before us tonight, they would then have to find that your
5 new application is substantially different.

6 DAVID FREED: I see.

7 BRENDAN SULLIVAN: That then comes back to us on
8 the hearing, and we then have to concur with the Planning
9 Board that it is a substantially different plan, and then it
10 can get marked up for a regular hearing.

11 So there is days, weeks, months -- you know,
12 you're going to have to go back to the drawing board, time
13 is going to fly by, and then there are bureaucratic hurdles
14 that you have to cross.

15 The other option would be to continue this matter,
16 it keeps it alive, and then we don't run afoul of the
17 repetitive petition. You can -- and you're going to have to
18 modify it, scale it back down, but at least it keeps you in
19 the queue somewhere, and it keeps it on life support, if you
20 will.

21 DAVID FREED: Yeah, I'm -- thank you, I think we
22 would prefer to continue this.

1 BRENDAN SULLIVAN: All right. Because -- and
2 then, again, maybe you can always withdraw it, if you decide
3 that whatever. But at least it gives you the option of
4 keeping this open.

5 So it's a wise decision, I think, to continue this
6 matter, reflect on what you heard and possibly alternatives.

7 DAVID FREED: Yes.

8 BRENDAN SULLIVAN: How much time do you think you
9 would need? This is the middle of July.

10 DAVID FREED: I think we would need until --

11 BRENDAN SULLIVAN: You went to September, the end
12 of September or something like that?

13 DAVID FREED: I would say October.

14 BRENDAN SULLIVAN: October, that's fine.

15 DAVID FREED: Three months from now.

16 BRENDAN SULLIVAN: So I'm going to -- the Board
17 members, this is a case heard. So there are two dates:
18 October 6 and October 27, and Jim Monteverde are you
19 available on either one of those dates?

20 JIM MONTEVERDE: I will be.

21 BRENDAN SULLIVAN: Jason, are you available on
22 October 6, 27?

1 JASON MARSHALL: I am available on the twenty-
2 seventh, not the sixth.

3 BRENDAN SULLIVAN: Okay. Wendy, are you available
4 on the twenty-seventh?

5 WENDY LEISERSON: Yes, I am.

6 BRENDAN SULLIVAN: And Matina, are you available
7 on the twenty-seventh.

8 MATINA WILLIAMS: Yes.

9 BRENDAN SULLIVAN: Okay. And Brendan Sullivan, I
10 am available on the twenty-seventh. So David, it looks like
11 October 27?

12 DAVID FREED: That's perfect. Thank you.

13 BRENDAN SULLIVAN: Okay. So I'm going to make a
14 motion, then, to continue this matter until October 27, 2022
15 at 6:00 p.m., on the condition that we change the posting
16 sign to reflect the new date of October 27 and a time of
17 6:00 p.m. That sign has to be maintained for at least 14
18 days prior to October 27.

19 What that means: It can be taken down, but it
20 should be put back up again October 10,11, 12 or something
21 like that. Okay? So it can be taken down, but it has to be
22 maintained 14 days prior to October 27.

1 That in the event there are any new submittals
2 different from what is in the file now. Those new
3 submittals with supporting statements, dimensional forms, be
4 in the file by 5:00 p.m. on the Monday prior to October 27.
5 That will give the Board members time to review any new
6 submittals.

7 And if you have any questions, you can always --
8 can ask Maria or something like that or whatever it may be
9 or something like that.

10 So this matter, on the motion, then, to continue
11 this matter to October 27 -- oh, and also that you sign -- I
12 think you already have signed a waiver -- we have the waiver
13 already in the file, okay.

14 On the motion, then, to continue this matter to
15 October 27, 2002 at 6:00 p.m., Jim Monteverde?

16 JIM MONTEVERDE: I concur.

17 BRENDAN SULLIVAN: Jason Marshall?

18 BRENDAN SULLIVAN: Yes.

19 BRENDAN SULLIVAN: Wendy Leiserson?

20 WENDY LEISERSON: Yes.

21 BRENDAN SULLIVAN: Matina Williams?

22 MATINA WILLIAMS: Yes.

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BRENDAN SULLIVAN: And Brendan Sullivan yes.

[All vote YES]

BRENDAN SULLIVAN: This matter is continued until
October 27. Thank you, David. See you then.

DAVID FREED: Thank you very much for your time.

BRENDAN SULLIVAN: Yep.

DAVID FREED: Goodnight.

PROPOSED ADDITIONS & WINDOW WELLS & PARKING

130 CUSHING STREET, CAMBRIDGE, MASSACHUSETTS

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES
2023 JAN 23 P 12:01

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



ZONING SUMMARY

ZONING CODE ANALYSIS
CAMBRIDGE
SUBDISTRICT: RES B, RENOVATION PER CAMB. ZONING SECTION 8.22c

Use Regulations: Section Table	
Existing	Proposed
4F	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	ART. 8.23.210
Min Required Lot Width	50'		54'	54'	
Max FAR	.47 (3,018 SF)		0.94 (6,070 SF)	0.97 (6,313 SF) VIOLATION	ART. 8.23.210
Max Building Height	35'		36.5' +/-	38.2' +/- VIOLATION	WINDOW WELLS
Private Open Space	40% LOT AREA		39%	0% VIOLATION	2.5115 PRIVATE OR LIFE LANDSCAPED AREA
Min Front Yard	15'		17'	17'	
Min Side Yard	7.5' SUM 20'		2' / 10.5'	1.1' / 15.4' VIOLATION	MIN. SIDE YARD WINDOW ADDITIONS
Min Rear Yard	30'		42'	42'	
Min Ratio of open Space to Lot Area	40%				

Other Non-Dimensional Zoning Issues:
PROPOSED PARKING: 4 PARKING SPACES, 2 REG, 2 COMPACT

Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-786-7727 fax 617-786-7715



No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

KEY

- ⊙ SMOKE DETECTOR
- ⊙ HEAT DETECTOR
- ⊙ CARBON MONOXIDE DETECTOR
- ◇ 1 HOUR WALL
- ◇ 2 HOUR WALL
- ⊠ FAN
- ⊙ 45 MIN. DOOR
- ⊙ 1-1/2 HOUR DOOR
- ⊙ WINDOW TYPE
- 1 1 HOUR CLG. ABOVE (SEE C.T.1/A-3.1)
- 2 2 HOUR CLG. WALL (SEE C.T.2/A-3.1)
- ⊙ FIRE EXTINGUISHER

CODE SUMMARY

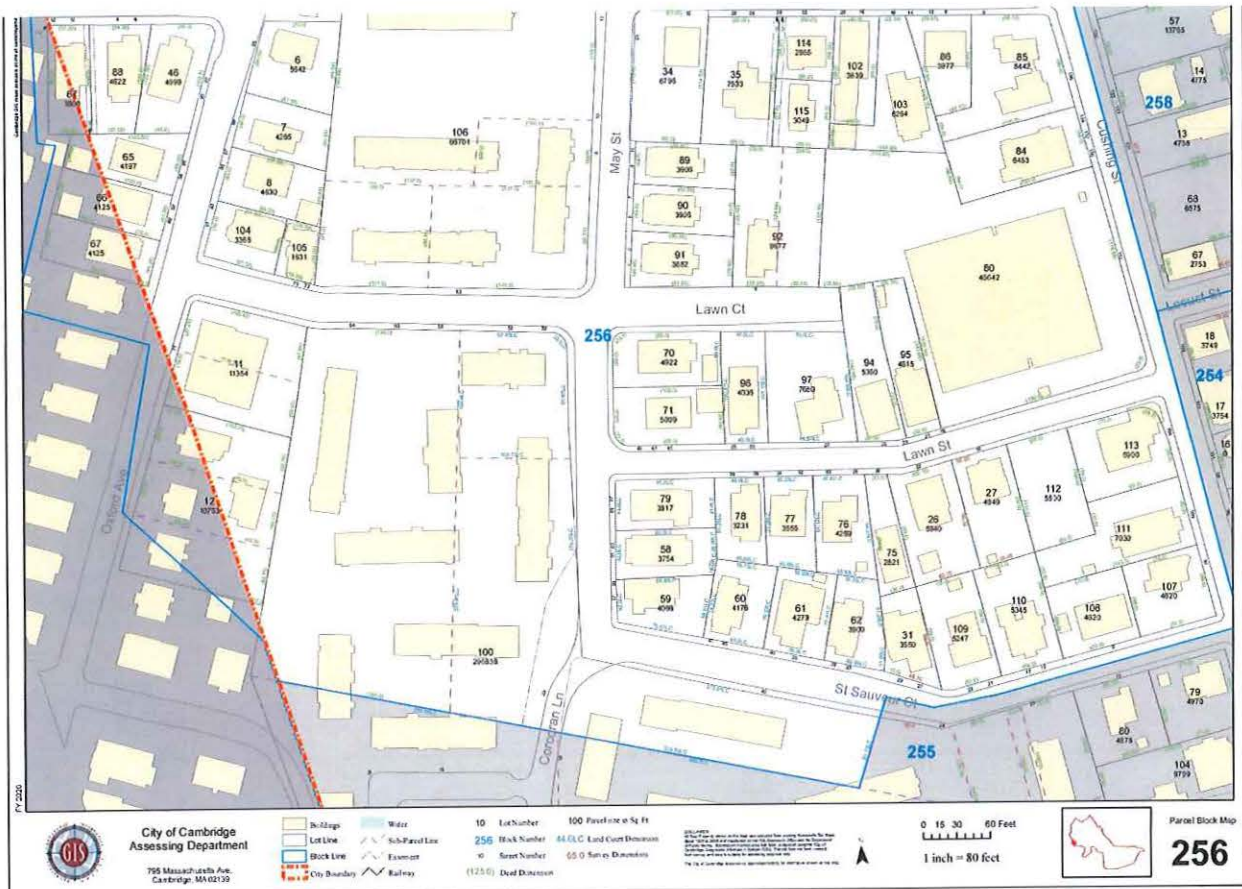
EX'G TYPE 5 CONSTRUCTION
EX'G R-2 USE GROUP
EX'G 3 STORIES & BASEMENT
EX'G NON-SPRINKLERED & ALARMED
PROPOSED FULLY SPRINKLERED & ALARMED

SOIL TESTING

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.

Drawing Name
COVER SHEET

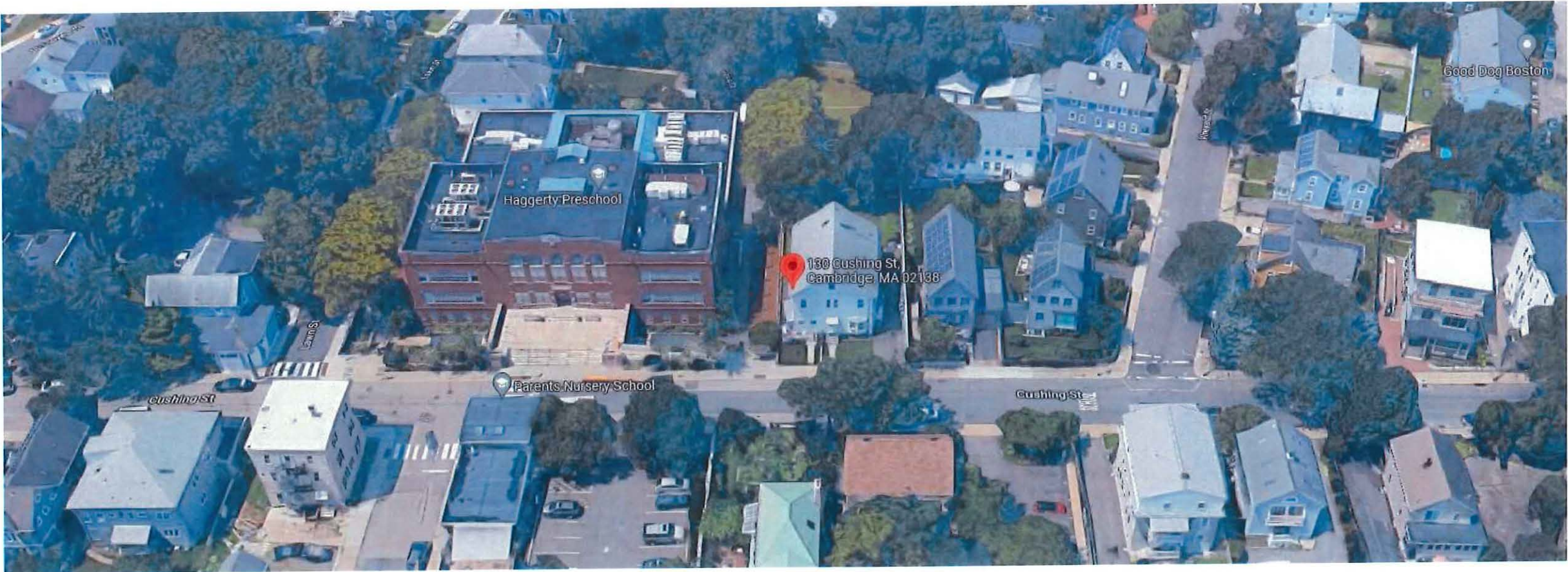
Sheet No.
A-0



1 MAP BLOCK 256
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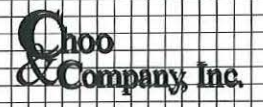


2 AERIAL VIEW GOOGLE MAPS
 N/S



3 BIRDSEYE VIEW GOOGLE MAPS
 N/S

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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



No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
CONTEXT IMAGES

Sheet No.
G-0

EX'G TREES TO REMAIN
TYP.

EX'G GRASS
YARD TO REMAIN
2,521± SF

SETBACK ENVELOPE

#130 CUSHING ST.
RENOVATION

EX'G
ASPHALT

GRASS

GRASS

CUSHING STREET

1 EXISTING LANDSCAPE PLAN
1/8" = 1'-0"

THESE PLANS WERE PREPARED FROM A PLOT PLAN UNDERLAY PROVIDED BY GLORAL ASSOCIATES, 9 BROADWAY, WAKEFIELD, MA 01880 DATED 7-12-22

NEW 6' TALL WOOD
FENCE ALONG REAR
& RIGHT SIDE LOT LINES

EX'G TREES TO REMAIN
TYP.

NEW PERMEABLE PAVING
ENCIRCLED W/ 4"
GRANITE CURBING

EXCEEDING MAXIMUM
PARKING ALLOWED
ART. 6.35.2

EX'G CHAIN LINK
FENCE TO REMAIN

PROPOSED FIRST
FLOOR ADDITION
125 SF

PROPOSED SECOND
FLOOR ADDITION
103 SF

SETBACK ENVELOPE

PROPOSED WINDOW
WELLS

PROPOSED
UNENCLOSED
STEPS

PROPOSED FIRST
FLOOR ADDITION
15 SF±

PROPOSED WINDOW
WELLS

PROPOSED CANOPY
ADDITION
15 SF

12'-3"

41'-9"±

COMPACT
PARKING
SPACE
7.5' x 18'

PARKING
SPACE
8.5' x 18'

PARKING
SPACE
8.5' x 18'

COMPACT
PARKING
SPACE
7.5' x 18'

PROPOSED
PARKING AREA
PERMEABLE
PAVING

GRASS
987± SF

5'-11"±

15'-6"±

1'-8"±

11'-3"±

1'-2"±

EX'G
ASPHALT
DRIVEWAY

#130 CUSHING ST.
EX'G FOUR FAMILY

11'-2"±

GRASS
195± SF

GRASS
194± SF

CUSHING STREET

2 PROPOSED LANDSCAPE PLAN
1/8" = 1'-0"

PLANTING SCHEDULE	
SYMBOL	NAME
	DECIDUOUS TREE
	ARBORVITAE
	RHODODENDREN
	JAPANESE HOLLY

PROPOSED RENOVATION

130 CUSHING STREET
CAMBRIDGE, MA 02138



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

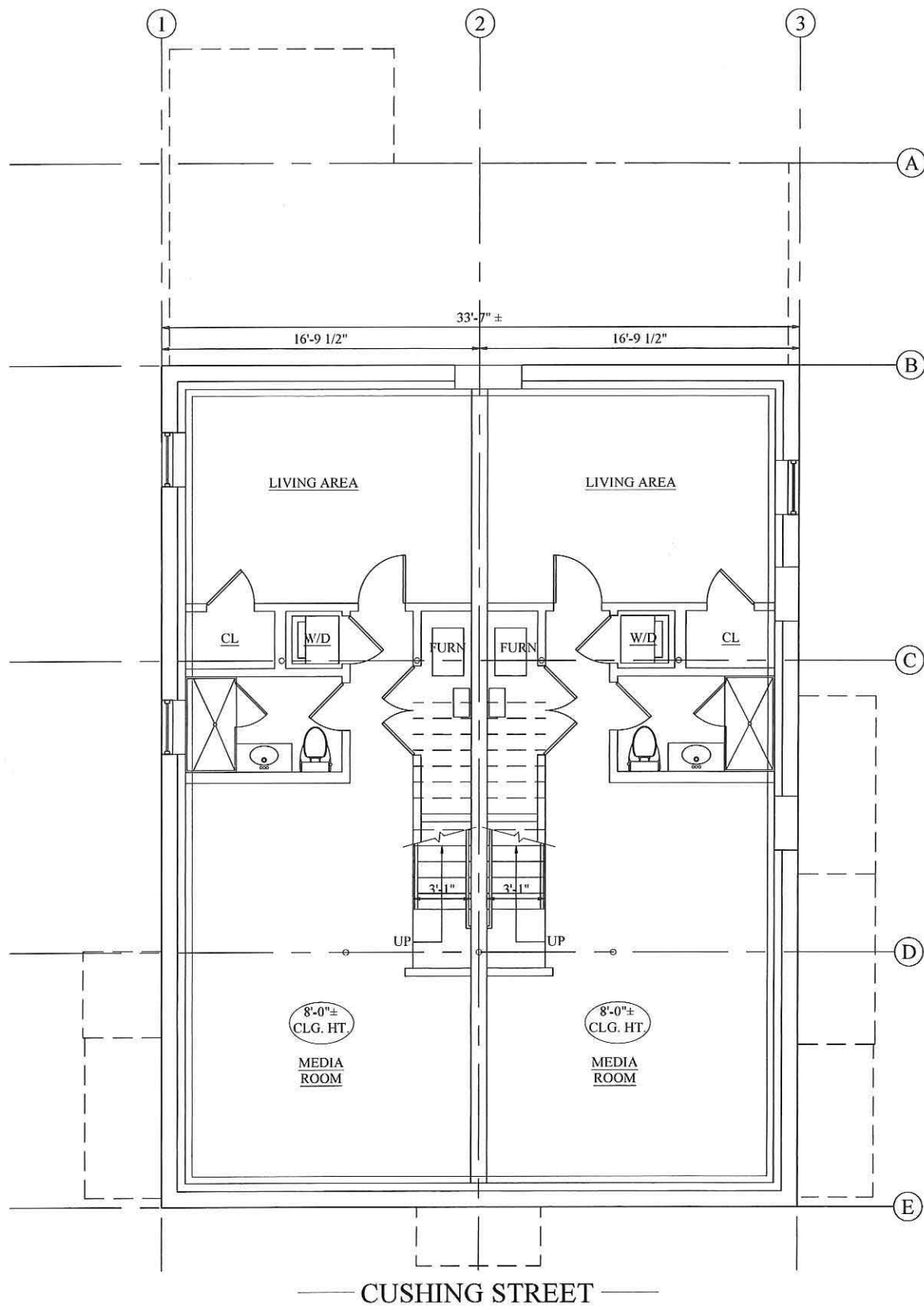


No.	Revision Date

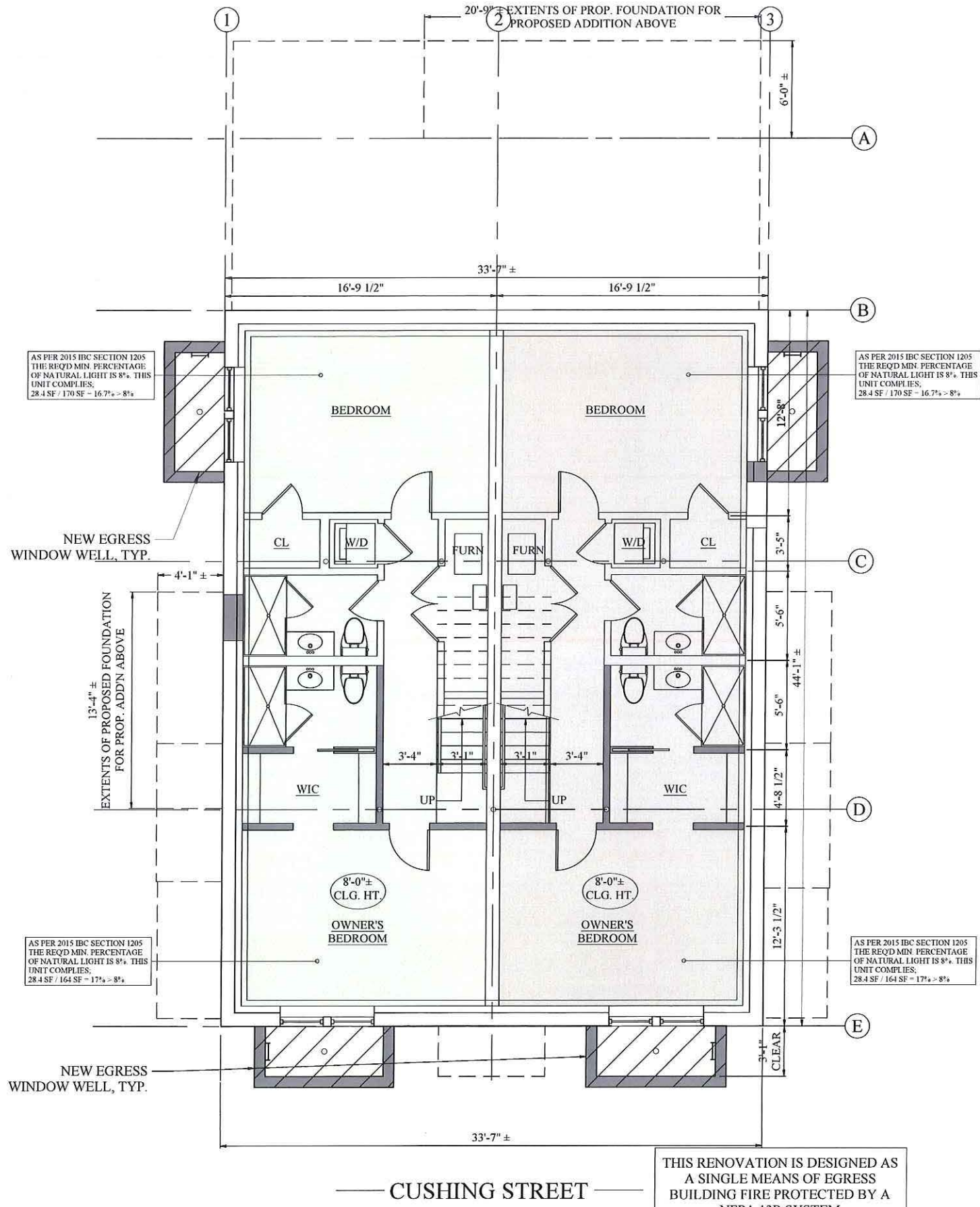
Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name
**PROPOSED
LANDSCAPE
PLAN**

Sheet No.
A-1.0



1 EXISTING BASEMENT FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED BASEMENT FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS A SINGLE MEANS OF EGRESS BUILDING FIRE PROTECTED BY A NFPA 13R SYSTEM

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-786-7727 fax 617-786-7715

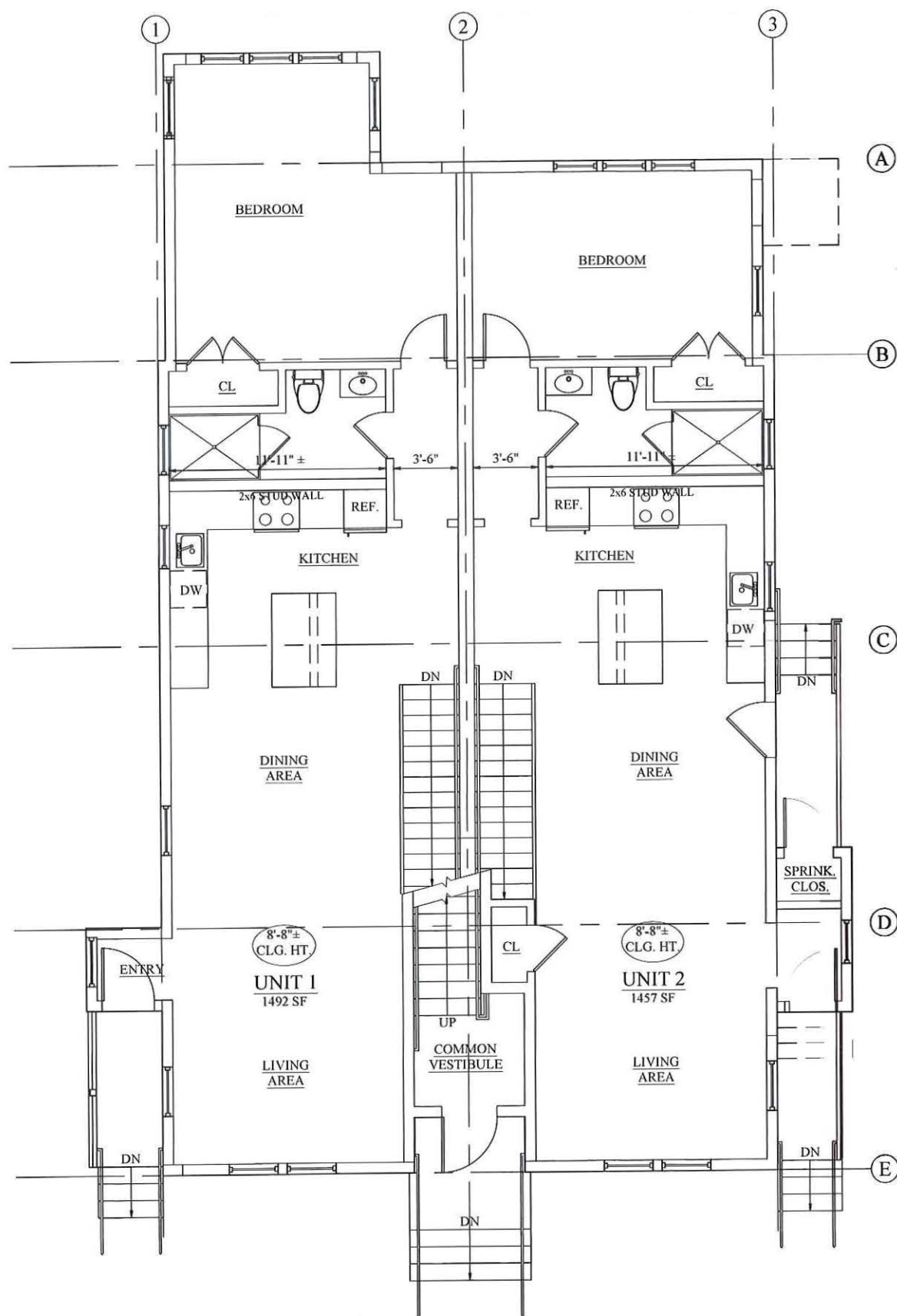


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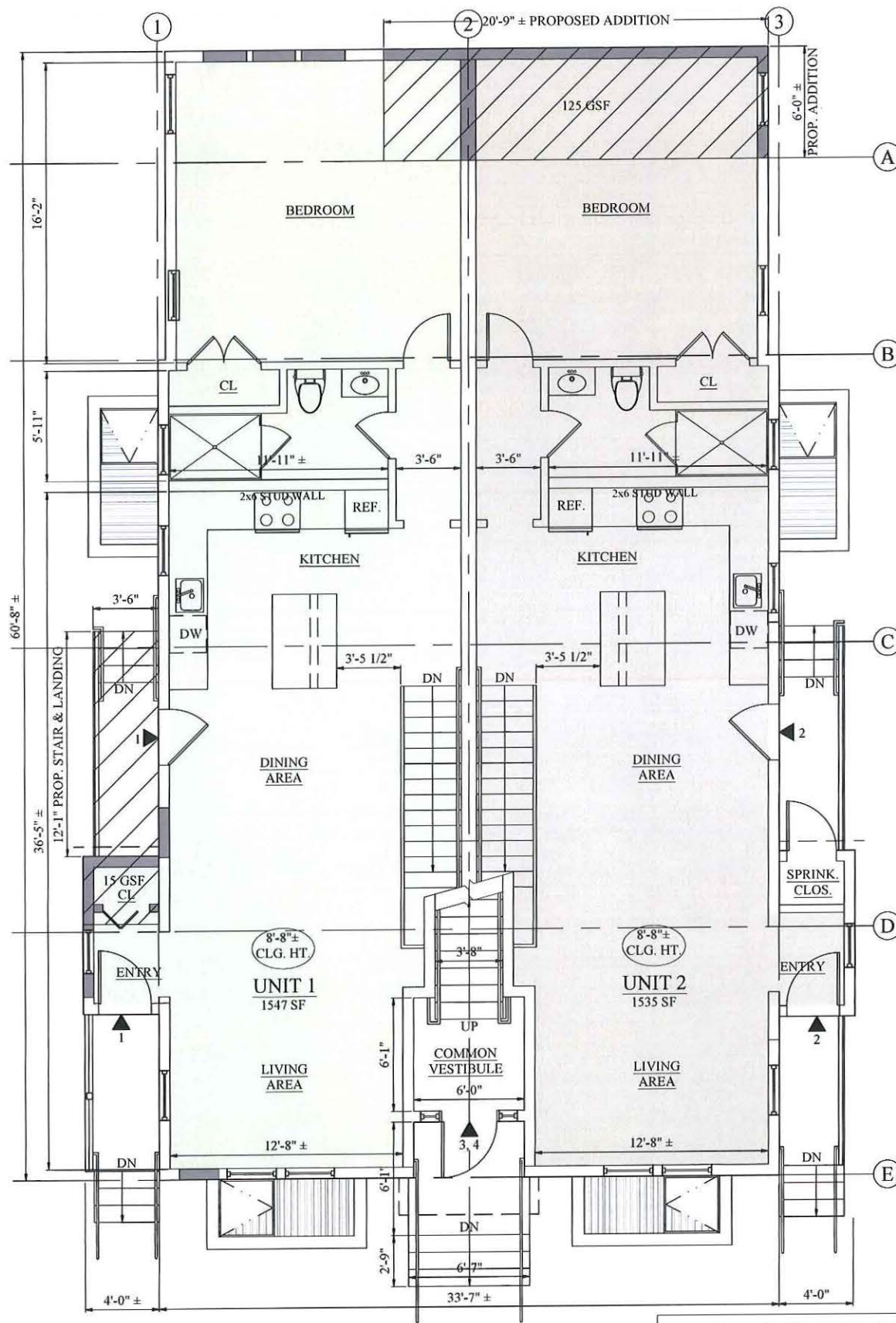
Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

EXISTING & PROPOSED BASEMENT FLOOR PLANS

Sheet No.
A-1.1



1 EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS A SINGLE MEANS OF EGRESS BUILDING FIRE PROTECTED BY A NFPA 13R SYSTEM

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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



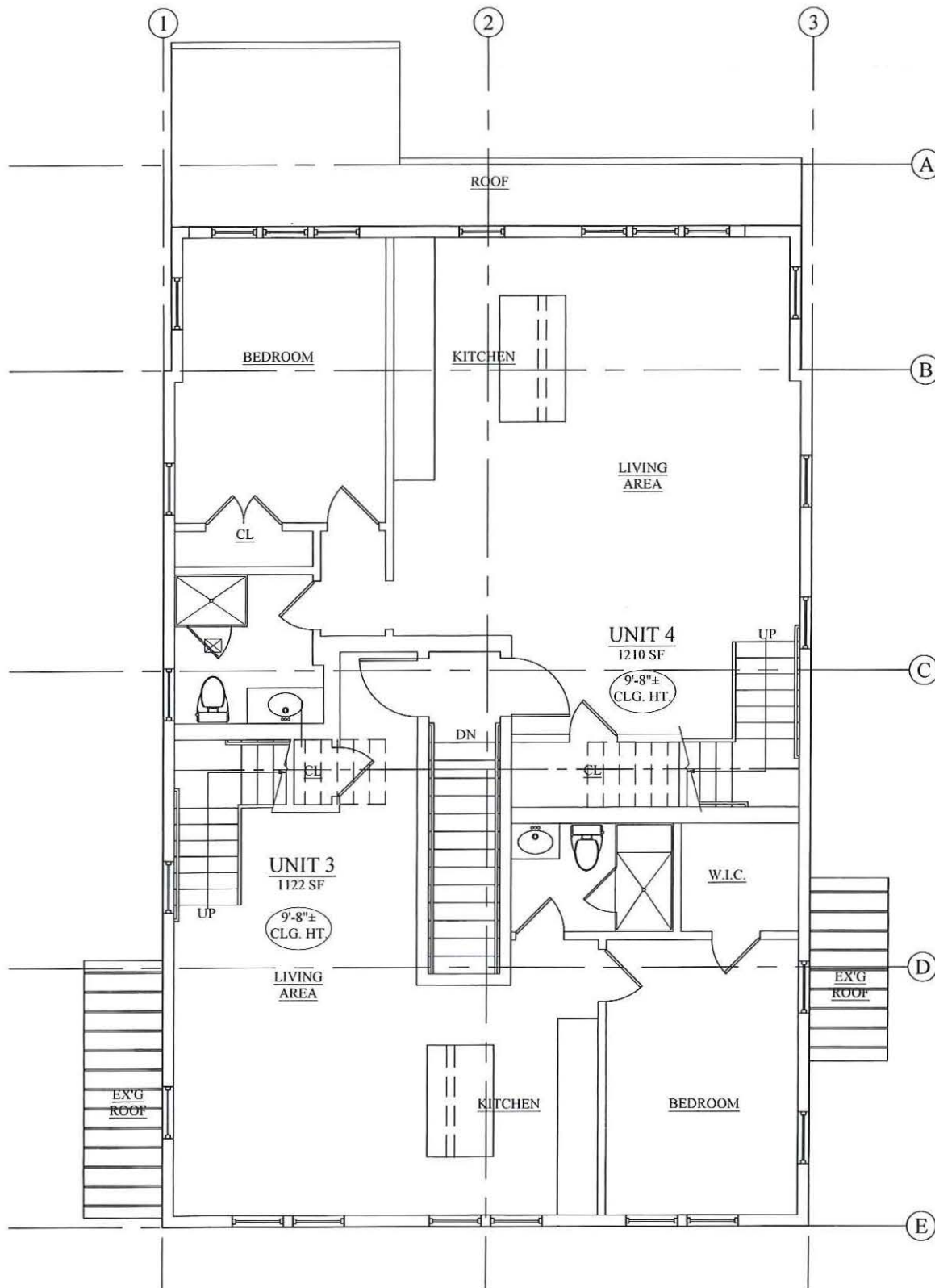
No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

EXISTING & PROPOSED
FIRST FLOOR
PLANS

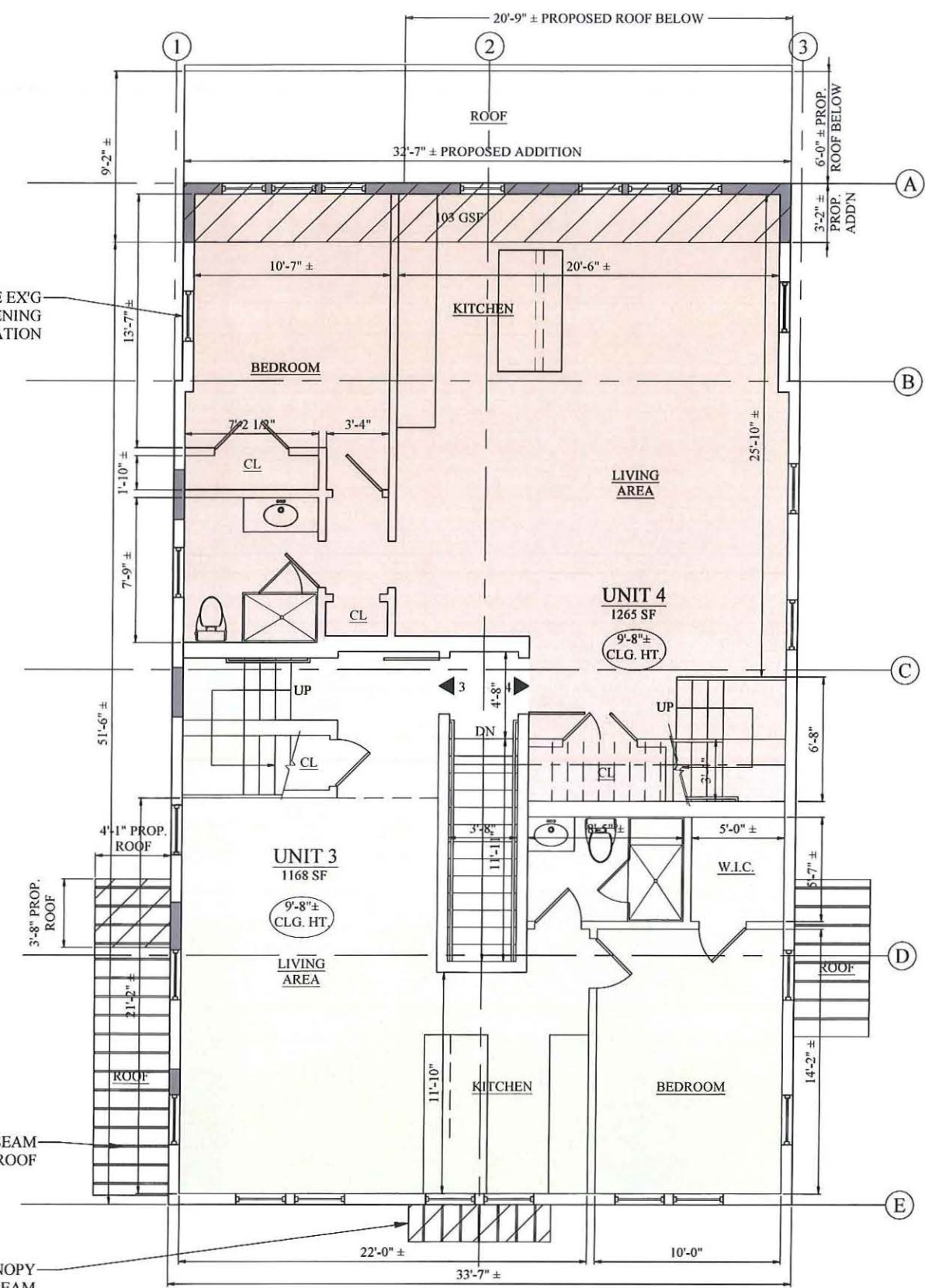
Sheet No.

A-1.2



1 EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"

ENLARGE EX'G WINDOW OPENING
SEE ELEVATION



2 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS

CUSHING STREET

THIS RENOVATION IS DESIGNED AS
A SINGLE MEANS OF EGRESS
BUILDING FIRE PROTECTED BY A
NFPA 13R SYSTEM

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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

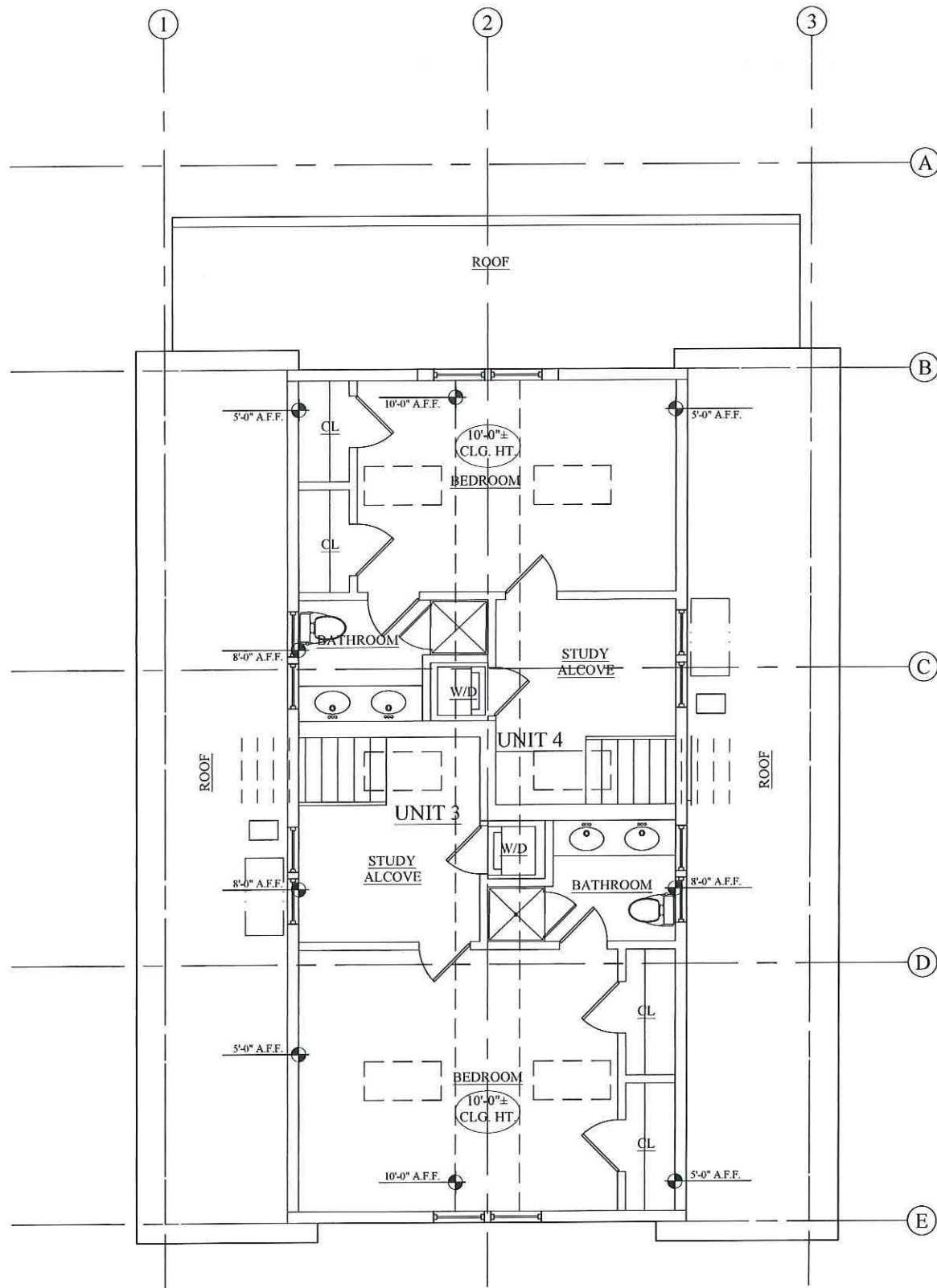


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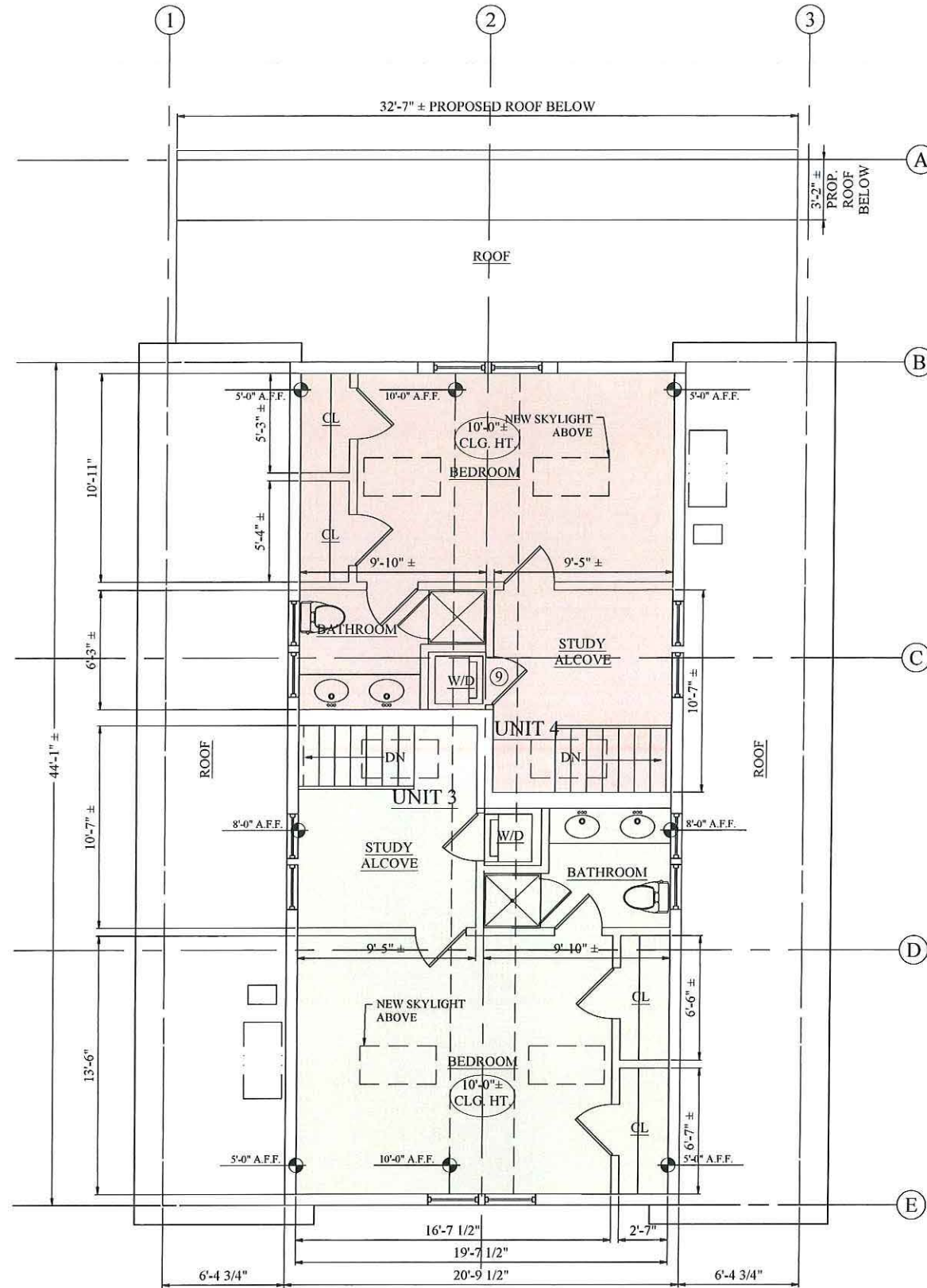
Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

EXISTING &
PROPOSED
SECOND FLOOR
PLANS

Sheet No.
A-1.3



THIS RENOVATION IS DESIGNED AS



CUSHING STREET

THIS RENOVATION IS DESIGNED AS
A SINGLE MEANS OF EGRESS
BUILDING FIRE PROTECTED BY A
NFPA 13R SYSTEM

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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

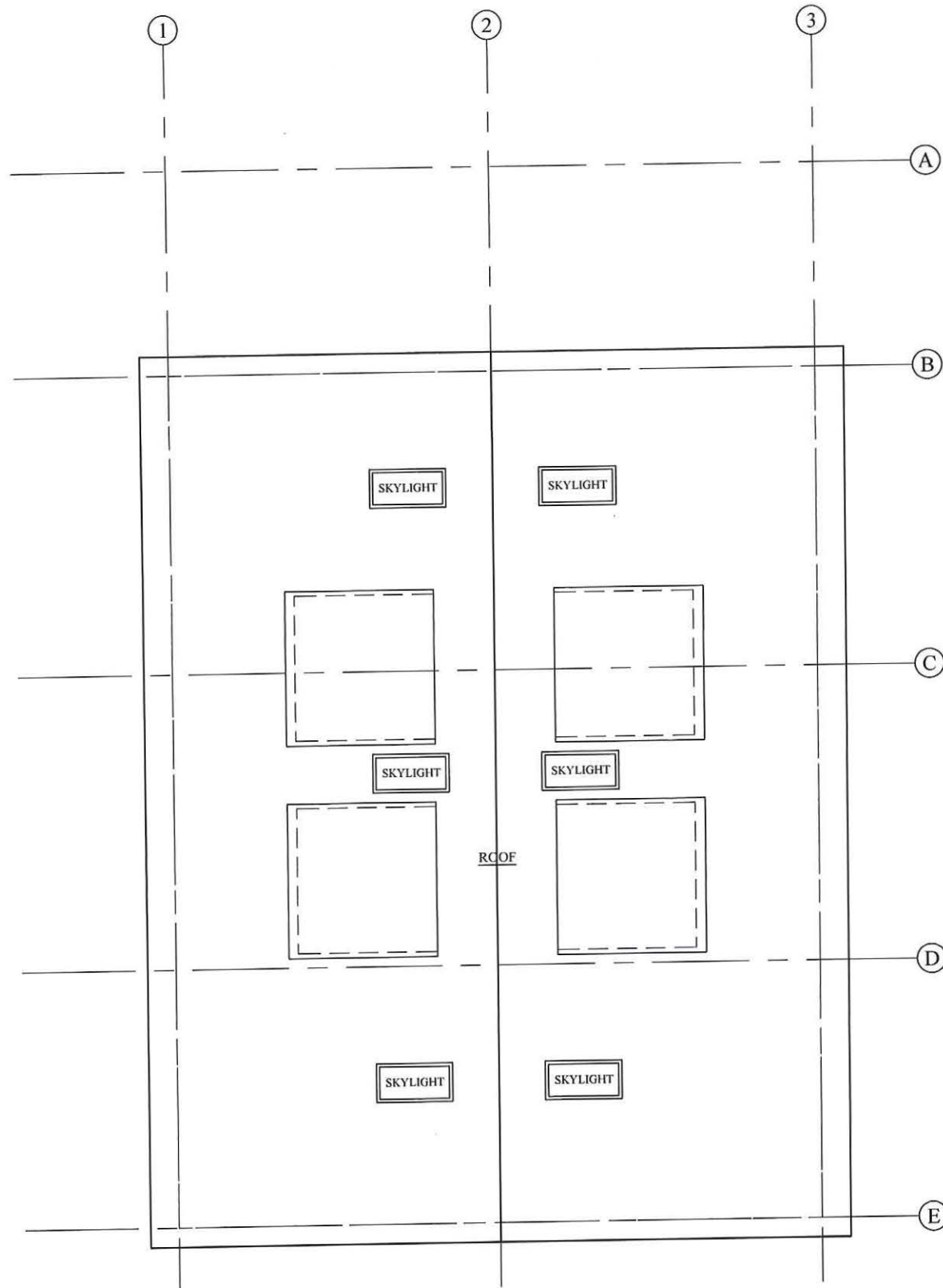


No.	Revision Date
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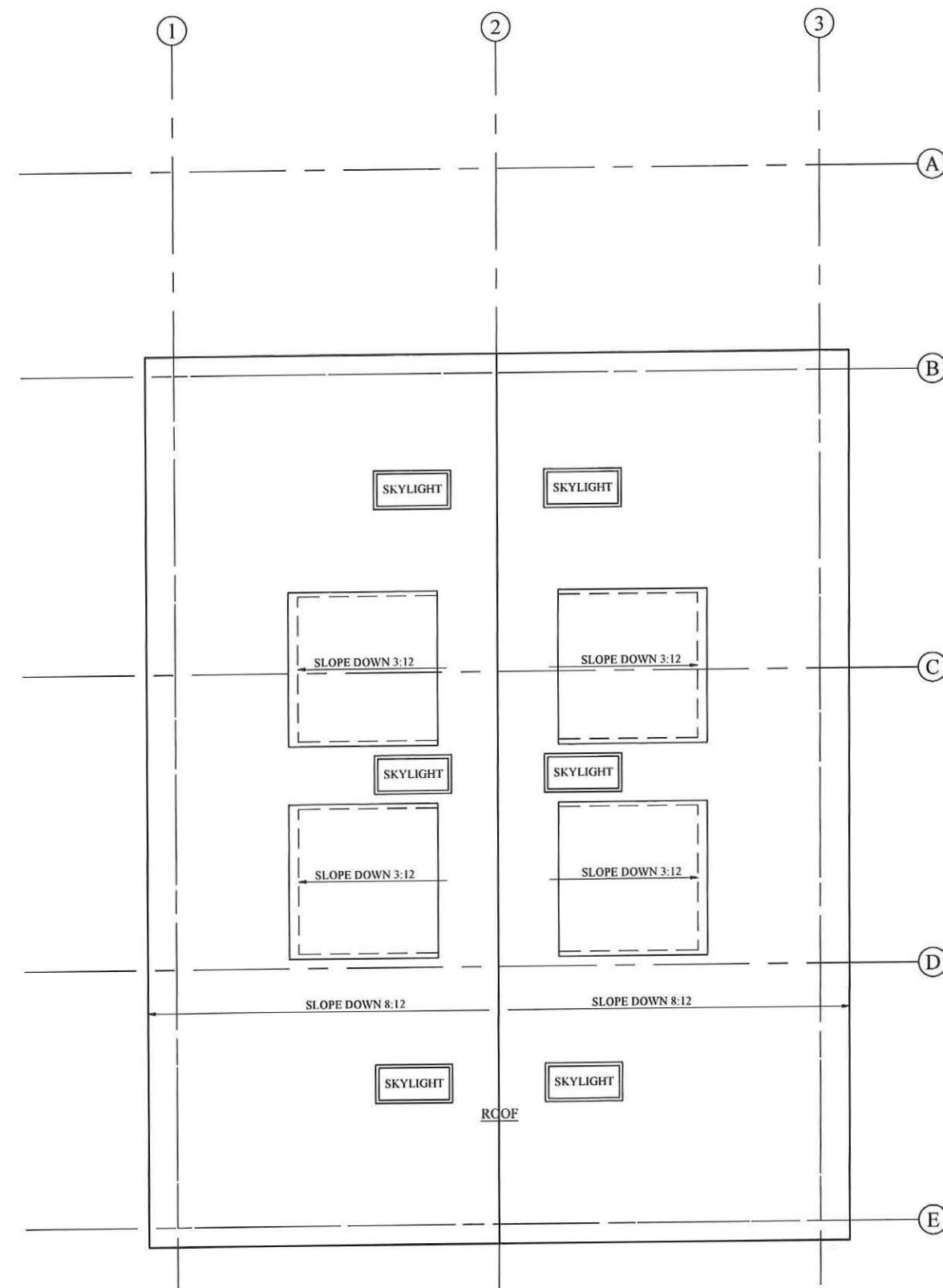
Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

EXISTING &
PROPOSED
THIRD FLOOR
PLANS

Sheet No.
A-1.4

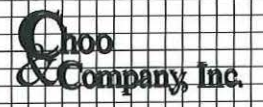


1 EXISTING ROOF PLAN
1/4" = 1'-0"



2 PROPOSED ROOF PLAN
1/4" = 1'-0"

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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



No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name:
EXISTING & PROPOSED ROOF PLANS

Sheet No:
A-1.5



Location

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 fax 617-786-7715

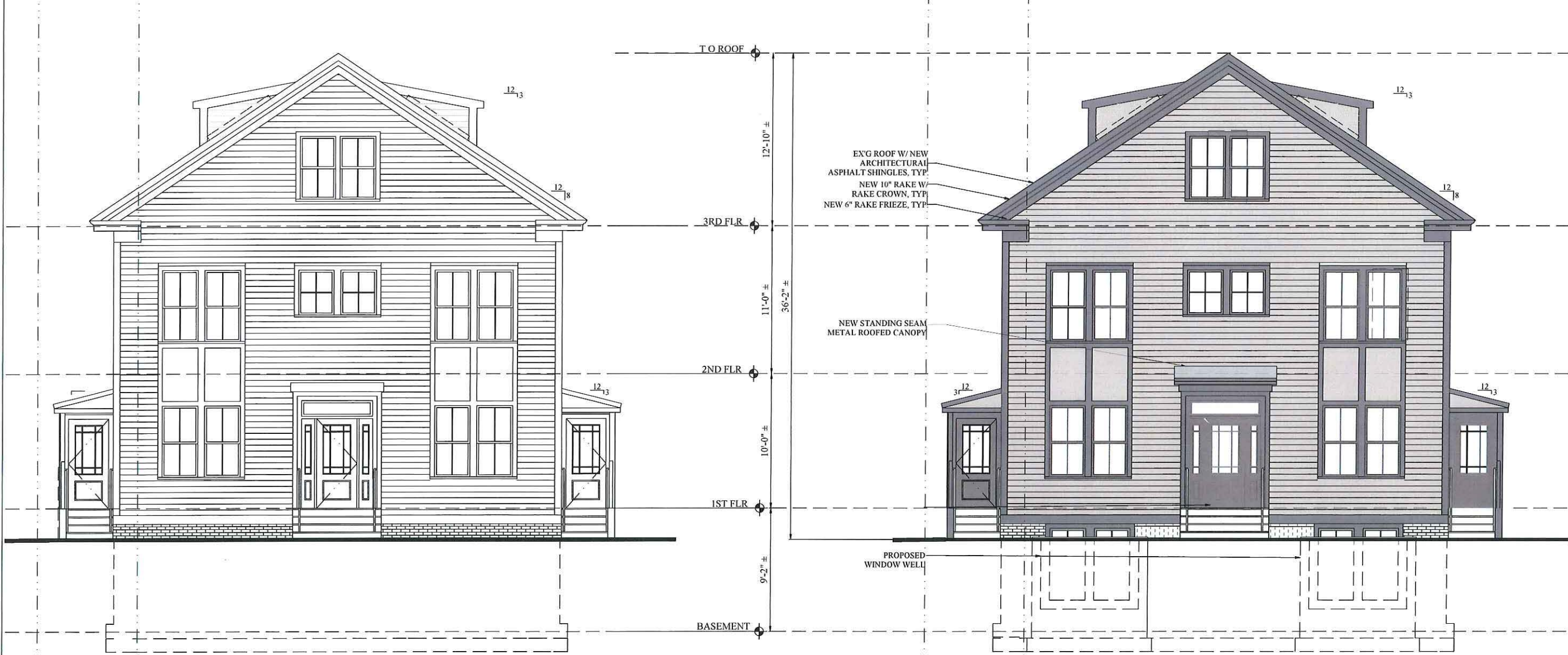


No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
**EX'G & PROP.
 CUSHING STREET
 ELEVATIONS
 (FRONT)**

Sheet No.
A-2.1



1 EXISTING CUSHING STREET ELEVATION (FRONT)
 1/4" = 1'-0"

2 PROPOSED CUSHING STREET ELEVATION (FRONT)
 1/4" = 1'-0"

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 fax 617-786-7715



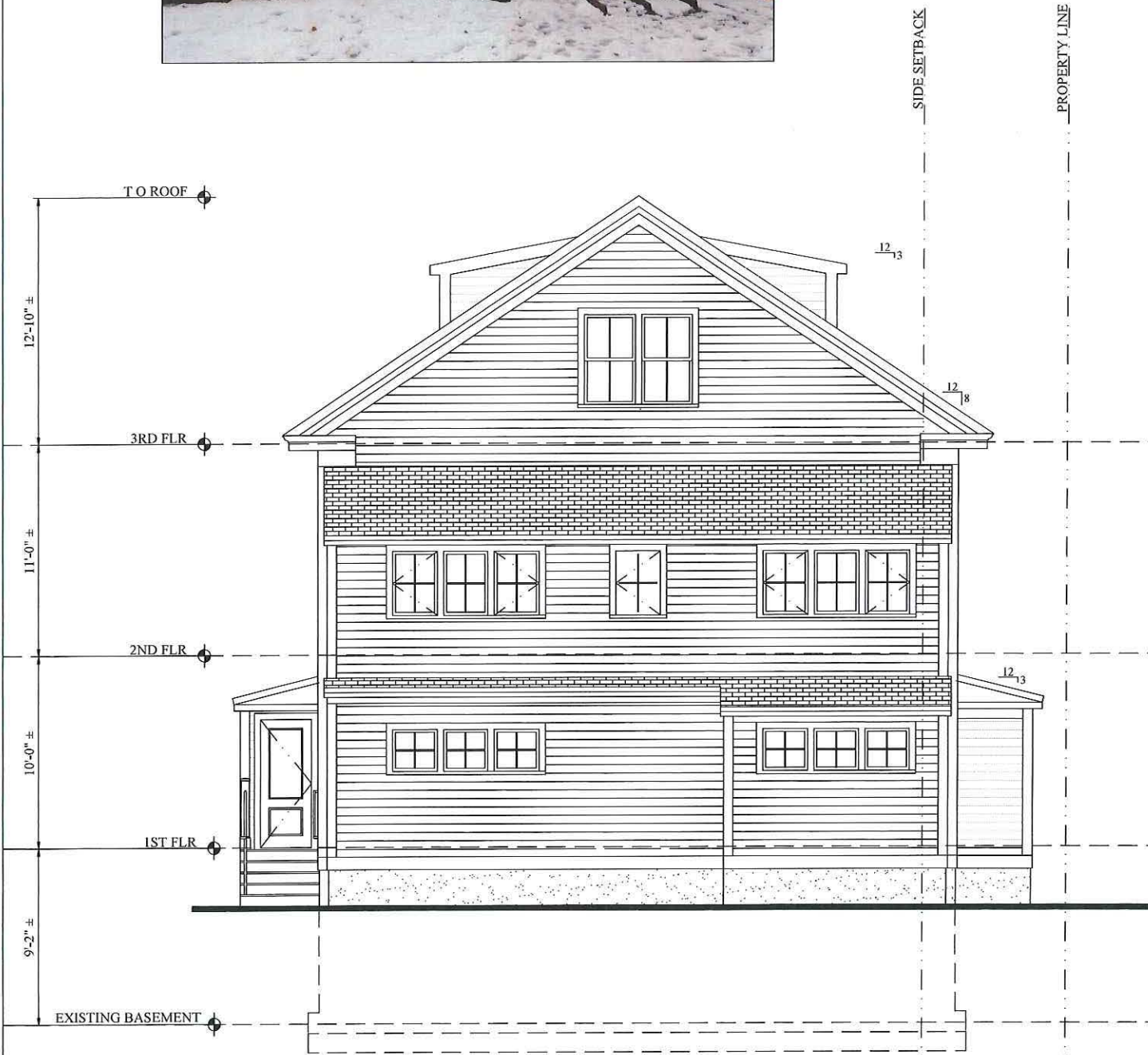
No.	Revision Date

Project No. 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

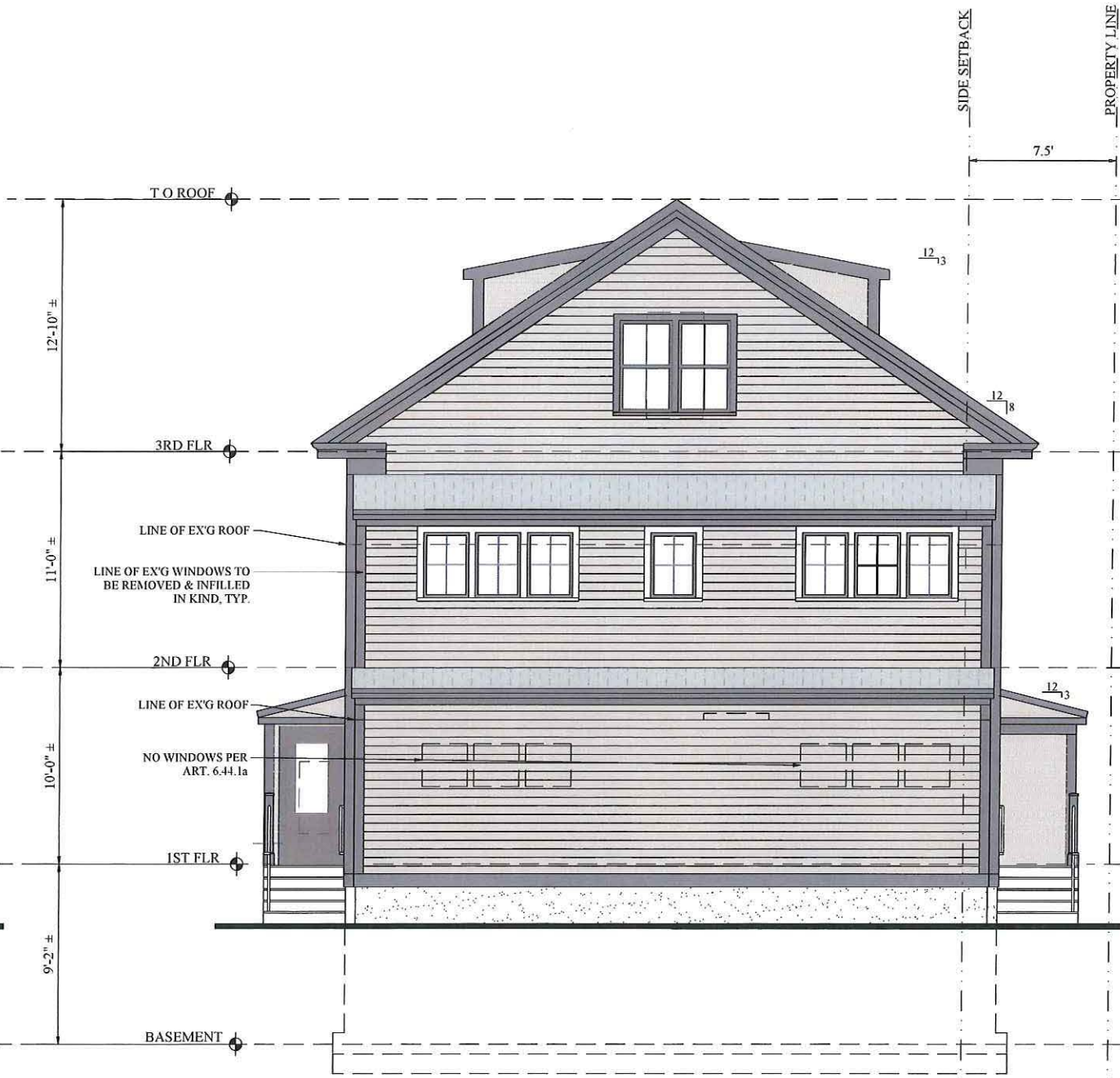
Drawing Name:
EXISTING & PROPOSED LEFT SIDE ELEVATIONS

Sheet No.
A-2.2





1 EXISTING REAR ELEVATION
1/4" = 1'-0"



2 PROPOSED REAR ELEVATION
1/4" = 1'-0"

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-766-7727 fax 617-766-7715



No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
EXISTING & PROPOSED REAR ELEVATIONS

Sheet No.
A-2.3

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 fax 617-786-7715

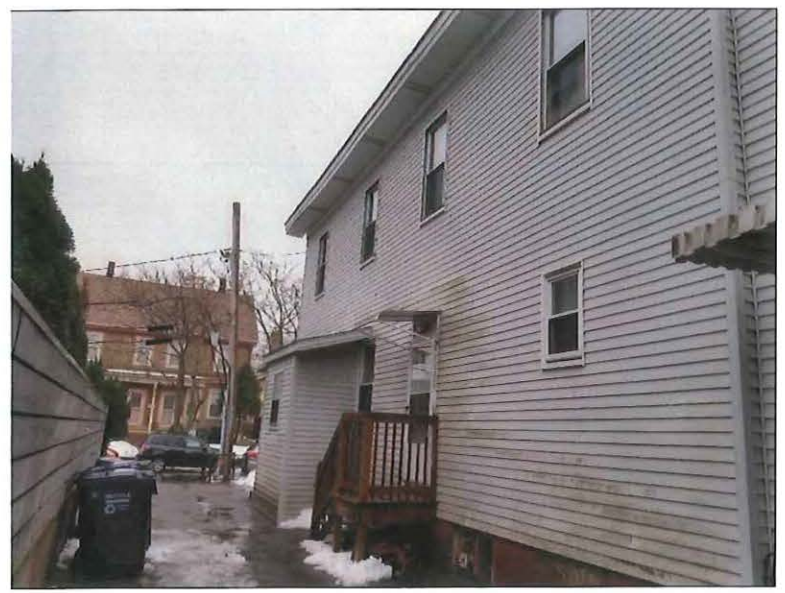


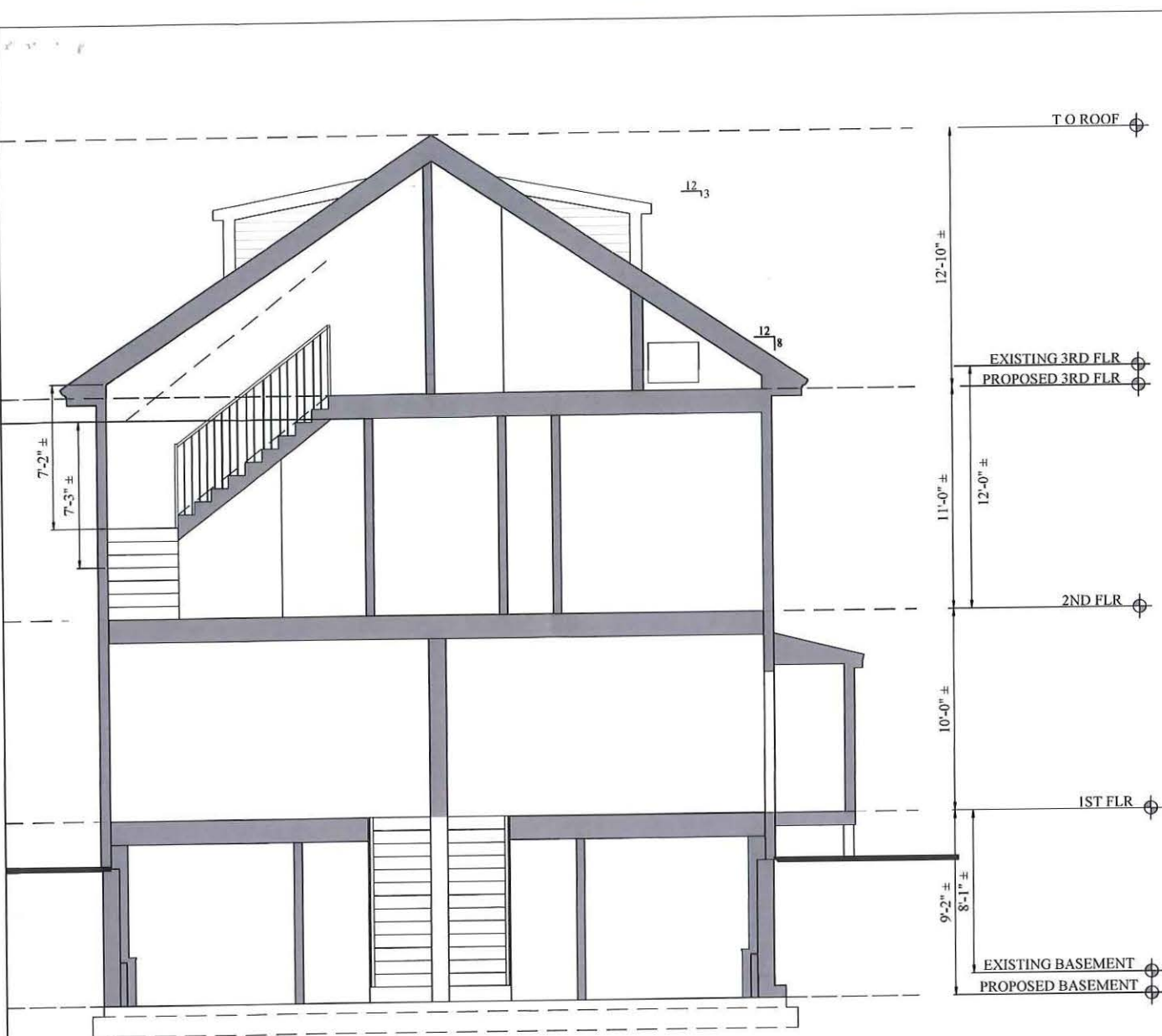
No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

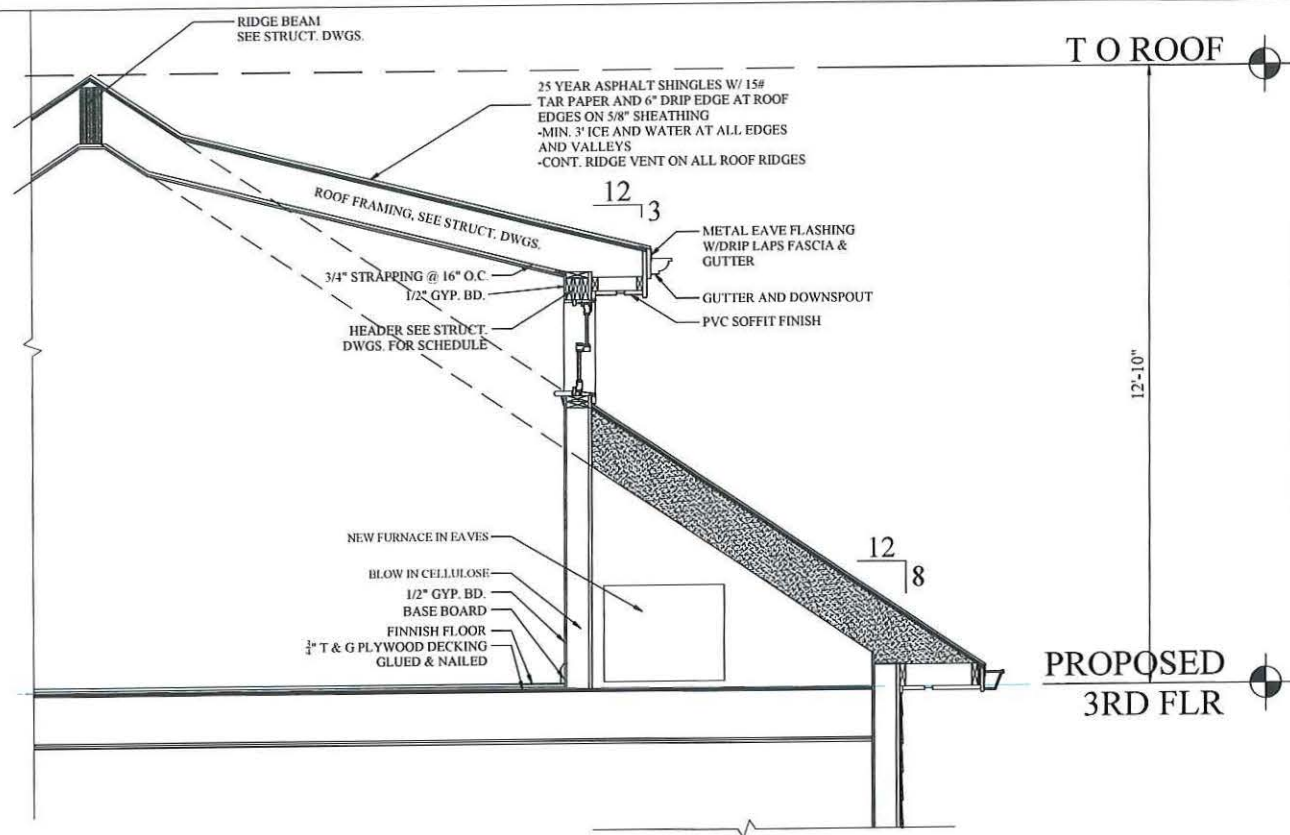
Drawing Name
EXISTING & PROPOSED RIGHT SIDE ELEVATIONS

Sheet No.
A-2.4



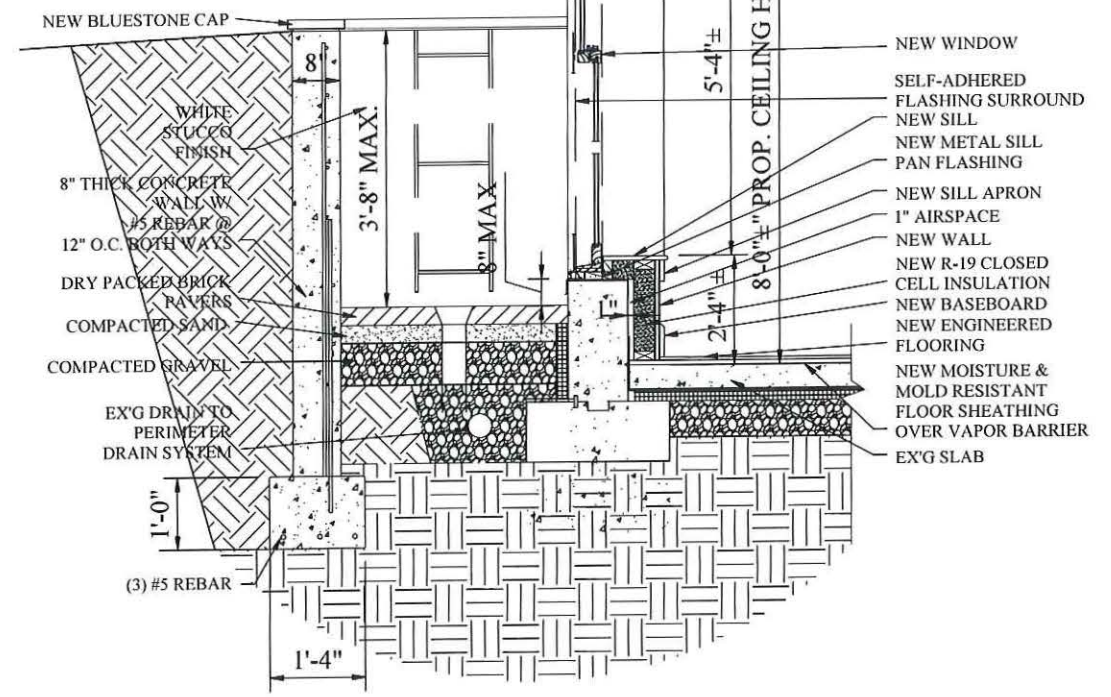


1 PROPOSED BUILDING SECTION
1/4" = 1'-0"



2 PROPOSED DORMER DETAIL
1/2" = 1'-0"

EGRESS WINDOW REQUIREMENT
 -EMERGENCY ESCAPE WINDOWS SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR.
 -ALL EMERGENCY ESCAPE WINDOWS ON A GRADE FLOOR SHALL HAVE A MIN. NET CLEAR OPENING OF 5.0 SQUARE FEET.
 -THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES.
 -THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES.
 - PROVIDE A FIXED PAINTED STEEL LADDER IF WELL DEPTH EXCEEDS 44" IN DEPTH



3 PROPOSED WINDOW WELL
1/2" = 1'-0"

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 fax 617-786-7715



No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
BUILDING SECTION AND DETAILS

Sheet No.
A-3.1

1 * * * * *

2 (6:02 p.m.)

3 Sitting Members: Brendan Sullivan, Wendy Leiserson, Jim
4 Monteverde, Matina Williams and Jason
5 Marshall

6 BRENDAN SULLIVAN: First case I'll call tonight is
7 Case No. 163881 -- 130 Cushing Street. Anybody present from
8 the petitioner wishing to speak on this matter? We are in
9 receipt of correspondence from Greg McCarthy, dated Tuesday,
10 October 25.

11 "Thank you for taking my call today, Olivia. As
12 discussed, we would like to continue our BZA hearing for 130
13 Cushing Street. Apologies on our end for any extra
14 coordination that this required. We will be sure to have
15 everything properly situated for the next meeting.

16 "I will be handling things from here on out, as
17 Bob has sold the property to me."

18 For the Board's information: This was not going
19 to go forward tonight, because the posting sign was never
20 displaced, and as such the petitioner was notified and hence
21 the letter.

22 I will make a motion, then, to continue this

1 matter until December 15, 2022 at 6:00 p.m. on the condition
2 that the petitioner obtain and maintain the posting sign at
3 least 14 days prior to the December 15 meeting, reflecting
4 the new date of December 15, 2022, and the time of 6:00 p.m.

5 That any new submittals regarding this proposal be
6 in the file by 5:00 p.m. on the Monday prior to December 15,
7 2022 and that -- we do have a waiver -- I believe it is in
8 the file from previous continuations. So that is in order.

9 On the motion, then, to continue this matter to
10 until December 15, 2022? Jim Monteverde?

11 JIM MONTEVERDE: In favor.

12 BRENDAN SULLIVAN: Wendy Leiserson?

13 WENDY LEISERSON: In favor.

14 BRENDAN SULLIVAN: Jason Marshall?

15 JASON MARSHALL: In favor.

16 BRENDAN SULLIVAN: Matina Williams?

17 MATINA WILLIAMS: In favor.

18 BRENDAN SULLIVAN: And Brendan Sullivan yes.

19 [All vote YES]

20 BRENDAN SULLIVAN: On the five affirmative votes,
21 this matter is continued to December 15, 2022.

22

1 * * * * *

2 (6:02 p.m.)

3 Sitting Members: Brendan Sullivan, Jim Monteverde, Wendy
4 Leiserson, Matina Williams, and Jason
5 Marshall

6 BRENDAN SULLIVAN: The first case I will call
7 tonight is Case No. 163881 -- 130 Cushing Street.

8 Mr. McCarthy? Or --

9 GREG MCCARTHY: Yep. Hi, how are you?

10 ANDREA HICKEY: Mr. Chair, this is Andrea Hickey.
11 I believe this is a case heard, and I was not on the
12 original case. Would you confirm that, please?

13 BRENDAN SULLIVAN: Yes. So myself was on it, Jim
14 Monteverde, Wendy Leiserson, Matina, and Jason Marshall were
15 on it.

16 ANDREA HICKEY: Great. Then I'll just --

17 BRENDAN SULLIVAN: And you were not on the next
18 one that we roll call; the third one, which would be the
19 1654 Mass Avenue; we will need you for that.

20 ANDREA HICKEY: Great. I'll be listening in and
21 be ready to join when that case comes up. Thank you, Mr.
22 Chair.

1 BRENDAN SULLIVAN: Thank you.

2 Mr. McCarthy?

3 GREG MCCARTHY: So unfortunately, tonight we're
4 here to ask for a continuance. We unfortunately did not get
5 our signs up in time to inform the neighborhood. It was
6 kind of a huge mistake on our part, on my part. It went
7 overlooked. And it kind of left us in a difficult position.

8 I wanted to ask for a continuance and apologize
9 for wasting anybody's time or making the schedule difficult,
10 or just the overall inconvenience, and hope that we're able
11 to continue at another date.

12 BRENDAN SULLIVAN: Yeah. The reason I asked Maria
13 to ask you to be online tonight is basically to -- not here
14 to beat you up, but, you know, the Board extends these
15 courtesies, but we also expect sort of reciprocal respect
16 coming back.

17 What happens is that we hold a time slot for you.
18 Other people who are ready to go forward or need to be
19 continued, you know, we look at the agenda, and we don't
20 want to overload the agenda, not fair to the Board members,
21 applicants, and not fair to the public or the applicants.
22 And so, you're holding a slot.

1 You know, this is the second time this has
2 happened that we've had to -- actually, this is the third
3 time that we've had to continue this case for various
4 reasons. This will be the last time that we will continue
5 this case.

6 So you've got to be ready. You've got to do what
7 is necessary. You need to put up the posting sign; it needs
8 to be maintained. And you have to be prepared to go
9 forward.

10 The earliest date that we have would be either
11 February 9 or February 23. Now, let me ask the members of
12 the Board if they are available for either one of those two
13 dates, either the ninth of February or the twenty-third?
14 And Jim Monteverde, are you available on either the ninth or
15 the twenty-third?

16 JIM MONTEVERDE: Yes, both.

17 BRENDAN SULLIVAN: Okay. Wendy Leiserson, are you
18 available for either the ninth or the twenty-third?

19 WENDY LEISERSON: I am only available on the
20 ninth.

21 BRENDAN SULLIVAN: On the ninth, okay. Matina
22 Williams, available on the ninth?

1 MATINA WILLIAMS: Yes, on the ninth. Not the --

2 BRENDAN SULLIVAN: Okay. And Jason Marshall, are
3 you available on February 9?

4 JASON MARSHALL: Yes. February 9 is fine.

5 BRENDAN SULLIVAN: Okay. So let me -- back to Mr.
6 McCarthy, are you prepared to go forward on February 9 at
7 6:00 p.m.?

8 GREG MCCARTHY: I am. I really appreciate it.

9 BRENDAN SULLIVAN: So that's a yes that you're
10 ready to go forward on the ninth?

11 GREG MCCARTHY: Yes. Absolutely on the ninth.

12 BRENDAN SULLIVAN: Okay. Let me make a motion,
13 then, to continue this matter to February 9, 2023 as a case
14 heard on the condition that the petitioner obtain and post
15 the posting sign to reflect the new date of February 9,
16 2023, and the time of 6:00 p.m.

17 Such posting sign must be maintained at least 14
18 days prior to the February 9 hearing. Doesn't have to be
19 put up immediately, but at least 14 days prior to February
20 9, the sign has to be posted.

21 Any changes to the documents that are now in the
22 file must be submitted by 5:00 p.m. on the Monday prior to

1 the February 9, 2023 hearing. And again, we will go forward
2 on that night. If you're not ready, then I'll make a motion
3 to potentially have it withdrawn or denied.

4 So it's very critical; if you have any questions
5 on this, you really need to mark your calendar. And as the
6 date approaches, you know, a couple weeks ahead of time, if
7 you have any questions at all, you can call staff at
8 Inspectional Services.

9 So on the motion, then, to continue this matter
10 until February 9, 2023, Jim Monteverde?

11 JIM MONTEVERDE: In favor.

12 BRENDAN SULLIVAN: Wendy Leiserson?

13 WENDY LEISERSON: I agree.

14 BRENDAN SULLIVAN: Matina Williams?

15 MATINA WILLIAMS: I agree.

16 BRENDAN SULLIVAN: Jason Marshall.

17 JASON MARSHALL: In favor.

18 BRENDAN SULLIVAN: And Brendan Sullivan yes.

19 [All vote YES]

20 BRENDAN SULLIVAN: This matter is continued until
21 6:00 p.m. on February 9, 2023. Okay, Mr. McCarthy. See you
22 then.

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GREG MCCARTHY: Thank you very much.

BRENDAN SULLIVAN: Okay.

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.

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 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 provide 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.**

BZA Application Form**DIMENSIONAL INFORMATION**

Applicant: Yideben Realty LLC
Location: 130 Cushing St., Cambridge, MA
Phone: 617-818-6496

Present Use/Occupancy: R-2, 4 dwelling units
Zone: Residence B Zone
Requested Use/Occupancy: R-2, 4 dwelling units

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		6070 SF	6314 SF	3046	(max.)
<u>LOT AREA:</u>		6480 SF	6480	17000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.94	.97	.47	
<u>LOT AREA OF EACH DWELLING UNIT</u>		1620 SF	1620	4250	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	54'	54'	50	
	<u>DEPTH</u>	120'	120'	n/a	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	17'	13.5'	15'	
	<u>REAR</u>	42.1'	42.1'	30'	
	<u>LEFT SIDE</u>	1.1'	1.1'	7.5'	
	<u>RIGHT SIDE</u>	11.1'	11.1'	12.5', sum 20'	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	37.0'	37.5'	35'	
	<u>WIDTH</u>	60.7'	60.7'	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		39%	0%	40%	
<u>NO. OF DWELLING UNITS:</u>		4	4	1	
<u>NO. OF PARKING SPACES:</u>		2	4	4	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		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'.

1 * * * * *

2 (6:02 p.m.)

3 Sitting Members: Brendan Sullivan, Jim Monteverde, Matina
4 Williams, Jason Marshall and Wendy
5 Leiserson

6 BRENDAN SULLIVAN: First case I'm going to call
7 is Case No. 163881 -- 130 Cushing Street. Sitting on this
8 case is myself -- Brendan Sullivan -- Jim Monteverde, Matina
9 Williams, Jason Marshall and Wendy Leiserson.

10 130 Cushing? Mr. McCarthy? Mr. McCarthy? Well,
11 we will try and reach Mr. McCarthy. Let me -- Jason, is it
12 possible if you could possibly hang by a little bit?

13 JASON MARSHALL: I'll -- I can do a few minutes,
14 Mr. Chair, sure.

15 BRENDAN SULLIVAN: Just a few minutes? Okay.
16 Let's -- yeah, I don't want to go to the next case, because
17 then that may mean that you may have to step aside and --
18 which means we'd only have four members for Cushing Street.
19 Let's see if Olivia can raise Mr. McCarthy here.

20 OLIVIA RATAY: Hi, this is Olivia Ratay. Are you
21 -- you're presenting to me? [Conversation with the
22 proponent.] Okay, he's on.

1 BRENDAN SULLIVAN: Okay. Mr. McCarthy, are you
2 there? Mr. McCarthy?

3 GREGORY MCCARTHY: Hi, how are you?

4 BRENDAN SULLIVAN: Okay, fine.

5 GREGORY MCCARTHY: Sorry, I was having trouble
6 with my Zoom there.

7 BRENDAN SULLIVAN: All right. If you would just
8 introduce yourself for the record and tell us what you would
9 like to do at 130 Cushing Street.

10 We are aware that you have submitted new drawings
11 dated January 23 regarding the project, but if you would
12 just sort of briefly tell us he was you would like to do and
13 the -- how you meet the legal standard for the variance.

14 GREGORY MCCARTHY: Sure, so we have been here
15 before a few months back. And I think there was some -- you
16 know, opposition for a few of the things that we were
17 proposing. So we kind of limited the scale of what we have
18 here. Most of it is kind of catered to window wells and
19 parking.

20 I did ask my architect to join us here today, who
21 can kind of point out the dimensions a little bit better
22 than me on kind of where we're -- where we're violating

1 things and all that kind of stuff.

2 But essentially, it's -- you know, we're proposing
3 window wells that are -- you know, the building's already
4 within the setback. So those are a violation. And we are
5 proposing dormers.

6 It might actually even be better for David to kind
7 of walk you through it if that's okay, just so he can kind
8 of explain it a little bit more clearly, just because some
9 of the violations I don't understand as well.

10 Yeah, no, as long as we get it right. Sure. So

11 --

12 GREGORY MCCARTHY: Yeah.

13 BRENDAN SULLIVAN: -- if he's available, yep.

14 GREGORY MCCARTHY: David, are you still on here?

15 Hate to --

16 DAVID FREED: -- do we really?

17 GREGORY MCCARTHY: Sorry about that.

18 BRENDAN SULLIVAN: Okay. So if -- David, if you
19 could introduce yourself for the record?

20 DAVID FREED: Yes. My name is David Freed. And
21 I'm an architect at Choo and Company. And yes, we've been
22 working on this proposal for some time.

1 We're here tonight for a very scaled back proposal
2 for some proposed window wells, some proposed small
3 additions on the left side entry, on the first-floor rear,
4 and on the second-floor rear.

5 And -- and then a change of private space, private
6 open space to parking in the rear of the building.

7 Next page, please?

8 BRENDAN SULLIVAN: All right. One of the
9 questions that I had was the dimensions of the dormers that
10 I cannot determine from the drawings. And I went to Sheet -
11 - Olivia, I don't know if you could pull up A1.4, which is
12 the proposed third-floor plan?

13 And, you know, again, going to A1.5, which
14 basically look down to the roof and you can see the two
15 dormers but absent of any dimensions and sort of interested
16 in the dimensions of those -- each one of those four
17 dormers, if you have that ready?

18 DAVID FREED: Yeah. The -- the -- the dormers I
19 believe are as-of-right. They -- they don't increase the
20 floor area at all, they just provide some head room. But
21 dimensionally, they do comply with the Dormer Guidelines,
22 and in terms of the length of the building and the total

1 length of the dormers together, which -- I don't have the
2 dimensions in front of me.

3 I thought that the total width could not exceed
4 15', but I may be mistaken in those -- in that number.

5 If you go to Page A31, there's a section on
6 Drawing #2 in the upper right that describes the dormer
7 itself. And it really is just -- we're already at the 5'
8 line where the dormer picks up off the roof. So we're not
9 increasing any floor area there, we're just getting a little
10 bit of head room for the bathrooms.

11 BRENDAN SULLIVAN: Okay. All right. All right.
12 It's just -- again, in order -- you know, if we're going to
13 grant relief -- again, this is maybe for future reference or
14 what have you -- we're really looking for a lot of
15 dimensions on this, only because we're going to -- should we
16 approve this, and I have to sign off on it.

17 Then, you know, I pass this off to the Building
18 Inspector and also then for final review.

19 And sometimes a lot of that -- the more
20 information we have, then it cuts down on any kind of
21 indecision, so permitting stage of this. So --

22 DAVID FREED: Yeah, so --

1 BRENDAN SULLIVAN: Any kind of, like, dimensions
2 and what have you is crucial, so that the inspector when he
3 gets it, it's -- the information he's looking for is quite
4 obvious. So that's how.

5 And, you know, we couldn't scale it, because
6 obviously it was your master set has a scale, but we can't
7 scale the submitted drawings, but it's obviously been
8 shrunk. So anyhow -- all right, anything else to add at
9 this junction?

10 DAVID FREED: Yes, I just wanted to -- although
11 the dimensions are not on this particular set, they were on
12 the as-of-right set we submitted for permitting. And we
13 certainly can provide the -- an updated sheet tomorrow to
14 Maria. But it's -- it's something that the Board would want
15 to see.

16 If I can go to the -- the small additions that
17 we're seeking to get approval on?

18 BRENDAN SULLIVAN: Yep.

19 DAVID FREED: Back to -- if we can go to All? I'm
20 sorry, say so -- yeah, All we have -- we'd like to add four
21 window wells to the basement, and the way they're building
22 the set on the site, basically all four dormers fall into

1 the setback. And we -- although we have two bedrooms
2 already in the basement, the addition of the two dormers in
3 the front would provide us with two additional bedrooms for
4 that unit.

5 If we go to A12, please? We are looking for a
6 small addition at the entrance of Unit 1 on the left and a
7 small stair landing on the left side also, with access to
8 the rear yard.

9 And then in the rear of Unit 2 and 1, we're
10 looking to square off the building back there. And the
11 reason being is that the -- the head room at the outside
12 wall is -- is very low. It's a little above 6' there.

13 So we wanted to -- we have to reframe the roof.
14 We'd like to reframe the roof anyway for the headroom, and
15 so, we're seeking a small addition there. And also, if we
16 can go to A13, a small addition in the same area on the
17 second floor.

18 The additions in total really only add 0.03 FAR to
19 the existing FAR. It's not significant and it raises it
20 from 0.94 to 0.97.

21 And our final item that we're here to seek relief
22 is the open space.

1 So if you could go to -- it's A10.

2 We'd like to provide parking for the existing four
3 units off the street, and although we don't -- dimensionally
4 we don't meet the 15 x 15 dimension for open space, we do
5 end up having 1376 square feet of landscaped open space
6 still on the parcel.

7 The parking does -- is set back from the rear lot
8 line 6'8" and from the back of the house 3'10." But since we
9 don't have any windows on the rear there, we -- the parking
10 would not -- we would not get a violation in that -- I
11 believe it's Section 8. And so, we were at 8.22.

12 And that's -- that's really what we're here for
13 tonight.

14 BRENDAN SULLIVAN: Okay.

15 JASON MARSHALL: Mr. Chair, can I ask just a
16 clarifying question on the open space? Am I right that the
17 -- in your dimensional form, you're asking for a variance to
18 go down to 0 percent open space from the 40 percent
19 requirement?

20 DAVID FREED: Yeah. Yes. Because the -- laying
21 out the parking to meet the dimensions of the ordinance,
22 we're just under 15'.

1 If you look at the -- on our proposed plan, we
2 only have a 12'3" wide strip in the back. And then the open
3 space on the front, again, doesn't -- doesn't count, because
4 the width of those two grassy areas are just under 15'.

5 JASON MARSHALL: All right. Thanks for your
6 answer. Yeah, I mean, I know you've scaled this back a lot.
7 You've put a lot of work into reconfiguring this.

8 I will just note on that issue, even putting aside
9 the hardship, which we haven't talked about yet, it seems
10 like the material lasts to go to 0 percent open space when
11 you look at the variance standard.

12 And one of the problems is that it doesn't nullify
13 or substantially derogating from the intent or purpose of
14 the ordinance. Just to go to 0 percent, that strikes me as
15 pretty material. So maybe we can discuss it and just -- I
16 will note that at the outset that that's an issue for me.

17 DAVID FREED: Yeah. If I reduce the width of the
18 walkways in the front, I would achieve the 15' of width in
19 those two grass areas. And I would at least have some
20 percentage of open space. But it would probably only be 5
21 percent to 10 percent.

22 In the back, I'm not able to get 15' dimension

1 because of the width of the lot. Even at 54', when you take
2 into account the parking space dimension plus the
3 maneuverability dimension, I'm just left with 12'3".

4 BRENDAN SULLIVAN: Ok. Jason, any other questions
5 at this time?

6 JASON MARSHALL: Not right now, Mr. Chair. Thank
7 you. All right. Jim Monteverde, do you have any questions
8 at this juncture?

9 JIM MONTEVERDE: Just two. One to follow up, Mr.
10 Chair, on your question about the dormers. I'm looking --
11 I'd be comfortable if we at least could mention a condition
12 that those dormers will be no wider than 15' in total
13 outside to outside.

14 Looking at the drawings, scaling off the drawing I
15 -- and looking at the plan, I suspect that they are in fact
16 at the moment wider. They're at least 16', 17', 17.5' wide.
17 So anyway, if we can do that condition, that would be -- I
18 could be okay with that.

19 The comment about the ground floor, and I just
20 wanted to understand again the parking space that you have
21 next to the building that's 3'10" away from the ground-
22 floor, am I correct in the floor plan that that faces a

1 bedroom?

2 And there are windows in the bedroom and the
3 adjacent living room on the ground-floor, is that correct?
4 Facing that parking space?

5 DAVID FREED: No, on the ground-floor of --

6 JIM MONTEVERDE: Oh, I'm sorry. I'm looking at a
7 different drawing.

8 DAVID FREED: Yeah, if we look at Drawing A23,
9 I've removed the windows on the first floor --

10 JIM MONTEVERDE: Oh, okay. Gotcha. Okay. I'm
11 looking at a different set. Okay. Thank you.

12 BRENDAN SULLIVAN: Okay, Jim, anything else at
13 this point?

14 JIM MONTEVERDE: No, thank you. Matina Williams
15 any questions or comments at this time?

16 MATINA WILLIAMS: No, not at this time.

17 JIM MONTEVERDE: Wendy, any questions, comments?

18 WENDY LEISERSON: I think I can want to echo
19 Jason's comments and concerns regarding the hardship factor
20 and the open space.

21 It -- I find it really troubling to go from almost
22 compliant to the ordinance to 0 percent of open space, just

1 to get parking. I find that a big ask.

2 BRENDAN SULLIVAN: Okay, good. Let me open it to
3 public comment. Any members of the public who wishes to
4 speak should now click the button that says, "Participants,"
5 and then click the button that says, "Raise hand."

6 If you are calling in by phone, you can raise your
7 hand by pressing *9 and unmute or mute by pressing *6. We
8 would ask that you have up to three minutes in which to
9 comment.

10 [Pause]

11 There appears to be nobody calling in. There was
12 correspondence earlier regarding the original case, and
13 there was an abutting neighbor who was commenting actually
14 about the parking plan.

15 I can raise it up here in a couple minutes --
16 which subsequent my estimation that the parking plan has
17 shifted away from his side of the property, the adjoining
18 lot line, and shifted over to the opposite side. So I think
19 that his concern has been somewhat mollified at this point.
20 It may have been lost in the shuffling of papers here.

21 I think that would be my only comment at this
22 time. All right, let me close the public comment aspect of

1 it, and David if you could -- you heard a couple of comments
2 by members of the Board raising the open space that is being
3 taken away number one and also the legal hurdle that you
4 have to meet or go over to justify the granting of a
5 variance. So if you could talk about the open space number
6 one.

7 And I guess as a result of taking away the open
8 space is before there were two parking spaces, and now
9 you're providing obviously four.

10 DAVID FREED: Yes.

11 BRENDAN SULLIVAN: So that each unit has a parking
12 space.

13 DAVID FREED: Correct. There is not a particular
14 hardship on this parcel that I can think of to justify the
15 change of open space to parking, other than the taking the
16 couple cars off the street for the neighborhood.

17 But I know it's a big ask. And we -- would it be
18 possible to just reduce the parking and to two spaces in the
19 rear and that would bring back a substantial amount of open
20 space?

21 BRENDAN SULLIVAN: And there's no other way to
22 reconfigure I think according to the plan on A10, it appears

1 that those are minimal spaces and probably in the spot that
2 they fit as easy as possible, accessible as possible, and
3 gets it away from the adjoining neighbors' side of the
4 property.

5 DAVID FREED: Yeah, I really worked hard to make
6 this as small as possible. We have -- as you can see, there
7 are two regular-sized spaces and two compact spaces. That
8 was probably the -- the best layout I could do here.

9 BRENDAN SULLIVAN: All right. Now the hardship
10 question, which literal enforcement of the provisions of the
11 ordinance would involve a substantial hardship, financial or
12 otherwise to the petitioner.

13 And the hardship is owing to the following
14 circumstances relating to the soil conditions, shape or
15 shape or topography of such land or structures, and
16 especially affecting such land or structures, not affecting
17 generally the zoning district in which it is located, and
18 for the following reasons.

19 And now you'll have to fill in for the following
20 reasons. So they have to address what is the hardship for
21 the ask and then what is the hardship based on? What is the
22 hardship, and then what is the legal standard that it meets?

1 DAVID FREED: Greg, do you have a -- do you have
2 any -- for the parking specifically or --

3 GREGORY MCCARTHY: Yeah.

4 DAVID FREED: -- for the open space?

5 GREGORY MCCARTHY: For the open space, parking.

6 BRENDAN SULLIVAN: Well, for whatever you're
7 requesting relief from or for. If I go to the dimensional
8 form, you're adding somewhat, 200 and some-odd square feet,
9 is that correct?

10 GREGORY MCCARTHY: Yes.

11 BRENDAN SULLIVAN: 240 plus square feet?

12 GREGORY MCCARTHY: Right.

13 BRENDAN SULLIVAN: So you're going from a 0.94 to
14 a 0.97? And you're also going on the height 37" to 37.5,"
15 which is probably the result of the window wells, which add
16 the -- to the mean height, grade height, even though you're
17 not changing the height of the building at all?

18 DAVID FREED: Correct.

19 BRENDAN SULLIVAN: And then the other area, of
20 course, is the ratio of open space, which you're going from
21 39 percent down to 40.

22 The number of dwelling units: Four. You're

1 staying with four. The number of parking spaces you have
2 two now. The ordinance you don't have to provide any
3 parking at all, but you're asking for.

4 So what you're asking for is a tick up in the GFA
5 for the height. There is an infraction on the setbacks, and
6 the ratio of usable open space and obviously the height of
7 the building, so.

8 So there are some asks there, and we have a legal
9 standard that we're asking you to tell us how you meet it.

10 GREGORY MCCARTHY: Sure. So for the window wells,
11 the building's already within the setbacks. So by adding
12 any window well, it would create a variance. I think it's
13 the lot dimensions, just where the structure sits within the
14 setbacks.

15 For the additional space, the relatively low floor
16 area ratio for a four-unit building. So I think it's very
17 restricted. The building's a little bit restricted in terms
18 of the size of the unit, so what we can do there in terms of
19 the small additions that we're proposing.

20 They also -- should cost, you know, limited change
21 to the building also.

22 In terms of the parking, I guess it's, you know,

1 only two of the units we're able to have parking for, and
2 the only way to provide the parking is to decrease the open
3 space.

4 I guess, similarly because of the lot dimensions,
5 we can't meet the width to provide a true actual percentage
6 of open space, even though we have some. So I guess pretty
7 much all of the hardships are due to the existing conditions
8 and the lot conditions.

9 BRENDAN SULLIVAN: Okay. Let me send it back to
10 the Board. Let me give my own thoughts on this. Initially
11 when this came down before us back over a year ago -- just
12 about a year ago, and it was actually big ask, and obviously
13 to me it was an excessive grab to try and maximize it as
14 much as possible.

15 And I think going through the transcripts, the
16 other members of the Board sort of felt the same way. It
17 was way over the top as far as the dormers up in the roof,
18 and it was really maxing out the site and the parking plan
19 at the time, obviously affecting an abutting neighbor.

20 And so, it was going to be a very tough sell.

21 Since that time, and there's been sort of a couple
22 starts and stops, with the latest plan before us, I was -- I

1 don't want to say pleasantly surprised, but I was a little
2 bit more amenable to it, so that it was greatly scaled down.
3 That it seemed to be a decent and workable plan, a little
4 bit -- you know, and I share the members' feelings about the
5 open space.

6 And then I've gone by this building and walked
7 around and so on and so forth. And the size of the building
8 sitting on the lot really doesn't give too much room for
9 open space when you factor in the parking.

10 And what are the benefits of the parking? Well,
11 the benefits of the parking, as David has said, is it
12 obviously takes parking -- takes vehicles off the road, and
13 puts it on the lot, which can be a benefit to the
14 neighborhood.

15 And what is the harm? Well, it backs up to a
16 school. And if you take away the parking to satisfy the
17 open space requirement, and require the applicant to put in
18 green space, you say, "Will that really be totally
19 noticeable?"

20 And vis-à-vis the benefit to whoever lives in the
21 building, occupies the building and has a dedicated space
22 that they can pull into and out of, as opposed to going

1 around on the street.

2 That particular section of town, most of the
3 houses do have some type of off-street parking, but there
4 are more units -- apartment units -- residential units --
5 than there are parking spaces.

6 And so, there is a benefit I think of taking it
7 off the street and putting it in the back. And because the
8 building occupies a great deal of visual impact from the
9 streetscape looking back, I think I can live with the
10 parking plan that is proposed. Now if you say, "Well, okay,
11 we need to get that number from 0 to something on the open
12 space and can we create it in the front?"

13 Well, then you've got these narrow little paths,
14 even if that will increase the number from 0 to something,
15 and yet it seems that workable?

16 Is that official to the occupants of the
17 structure, or to have a decent sized walkway for a variety
18 of reasons, not the least of which here we are in the middle
19 of the winter, and ice and snow to have a wide enough path
20 to be able to walk over it safely.

21 So -- so anyhow, my thoughts are that I am
22 comfortable with the plan that is before us. I think they

1 have made great steps to downsize it.

2 I think the additions in the back are probably
3 necessary in order to provide some adequate bedrooms, living
4 space in the back, which makes the units a little bit more
5 livable, and will provide some kind of quality housing,
6 albeit it's not rental.

7 But the building, which was built in 1871,
8 probably has been rental for a long time and is sort of in
9 the condition that you would expect sort of some rental
10 properties to be, and probably not garnering a whole lot of
11 income, and as such suffered sort of the -- the need to
12 upgrade it and to make it more attractive.

13 So these will probably be sold as condos, will
14 provide some nice quality housing with modern systems, and I
15 think it will be a benefit overall to the neighborhood,
16 which is going through tremendous revitalization of some of
17 the existing housing stock.

18 So that's my thoughts anyhow, and I obviously
19 value the input of members of the Board.

20 Jim Monteverde, any additional thoughts?

21 JIM MONTEVERDE: I don't have anything to add.

22 Thank you.

1 BRENDAN SULLIVAN: All right. Matina, anything --
2 comments, words of wisdom, input?

3 MATINA WILLIAMS: No. I value everything that was
4 said. I still don't agree with the parking, but that's all
5 I have.

6 BRENDAN SULLIVAN: Okay. Wendy? Comments?

7 WENDY LEISERSON: Yes. I mean, I think I can I'd
8 actually like to hear from Jason first, though, because I
9 have a feeling he'll articulate this.

10 BRENDAN SULLIVAN: [Laughter] All right.

11 WENDY LEISERSON: And then please come back to me.

12 BRENDAN SULLIVAN: All right. Jason, we throw the
13 ball into your court.

14 JASON MARSHALL: I probably will disappoint Wendy
15 as usual. I mean, I -- you know, to start with, Mr. Chair,
16 I agree with you too.

17 I definitely value the input of my colleagues, and
18 it helps form my decision-making and really your perspective
19 in particular. And as usual, you know, you lay out a
20 justification and it's grounded within the lot of
21 pragmatism, and appreciate that.

22 I think on this case, however, I -- I think I just

1 have a different perspective on the Standard, and whether it
2 can and has been met here. I know it's a high standard to
3 meet. It sounded to me like the applicants were -- and this
4 isn't a criticism, it's very difficult to formulate.

5 It sounded like maybe the applicant was trying to
6 fashion it a little bit on the fly, and that's difficult.
7 This case has been continued for a long time, though, and
8 perhaps more work could have been done to provide that --
9 that rationale and to meet the legal standard.

10 But on the open space, I still think it fails on a
11 couple of prongs. One is just to go to 0 I think really --
12 you know, not only it nullifies, it completely eliminates
13 the requirement that the City Council has put in place for
14 open space. And I don't see how you meet the standard for
15 substantial hardship.

16 I think the presentation has much acknowledged
17 that it wasn't met explicitly to swap out open space for
18 parking. I don't know how that qualifies as a substantial
19 hardship.

20 Now it certainly provides benefits. I don't think
21 there is any question of that. It will provide a benefit to
22 the resident living there.

1 I could see the potential benefit to the
2 neighborhood from taking a car off the street. I actually
3 know that street well, I grew up there. I grew up on that
4 street. But that's not the same as justifying a substantial
5 benefit. And I -- I'm just not there. I don't think you
6 need it.

7 So I'll turn it to Wendy. As usual, she'll
8 probably articulate it better than I can.

9 BRENDAN SULLIVAN: No, I think it's well said.
10 Well spoken. I appreciate that and respect your thoughts.
11 So Wendy?

12 WENDY LEISERSON: Yes.

13 BRENDAN SULLIVAN: He has thrown it back to you.

14 WENDY LEISERSON: And Jason, you did not
15 disappoint me at all. So I agree with Jason's point of
16 view. I think all of these cases, it's hard to distinguish
17 what is a legal perspective versus a policy decision.

18 And while Brendan's comments, you know, were
19 persuasive perhaps from a policy point of view, I -- my job
20 is to look at what is the legal standard. And the legal
21 standard is one of substantial hardship.

22 And whether I agree or not with Brendan's point of

1 view, I just don't see that the legal standard of
2 substantial hardship has been met.

3 That said, there are some aspects of this -- and I
4 do appreciate how hard the petitioner has worked to rescale
5 their ask -- that, you know, I might have been persuaded by,
6 you know, if we separate these things such as, well, to vary
7 the gross floor area, if you were to have argued that the
8 hardship would have been not meeting a building code -- a
9 modern building code, something like that for the bathroom
10 height or something like that, perhaps that would have
11 persuaded me on that particular aspect.

12 Or, you know, the window wells affecting the need
13 for relief in the setbacks, if that would have been
14 articulated as related to something in the current building
15 codes that couldn't otherwise be met to maintain the four
16 family units that already exist.

17 But I don't -- I'm not making your arguments for
18 you. I don't know whether these arguments are valid, but
19 with regard to the open space issue, I understand that to
20 have been sort of a question of policy preference the way
21 Brendan was phrasing it. You know, do we want parking off
22 the street? Yes. But do we want parking off the street at

1 the cost of open space? No, is what -- I can't say that.
2 I can't make that decision.

3 Because my job is to look at what is the legal
4 requirement of the ordinance, and the ordinance clearly
5 requires a 40 percent open space, which the property as it
6 is is almost compliant with that. So it's a big ask to go
7 from almost completely compliant at 39 percent to 0 percent.
8 And I don't think parking justifies it.

9 And I would say that open space is not to be
10 measured or considered only in -- you know, in the context
11 of will it benefit the occupants? Open space in our city is
12 to benefit our community at large, especially as it's
13 backing up to a school. Do we want cars, you know, and more
14 exhaust and whatever near the school, or do we want more
15 green space near the school?

16 So I have not walked around that long as Brendan
17 has, to understand if that particular, you know, vista would
18 be accurate.

19 But the point is open space in and of itself for
20 the green qualities of our community is a value that the
21 City has put into this ordinance. And I'm not comfortable,
22 especially without any hardship, varying from that.

1 BRENDAN SULLIVAN: Okay.

2 JIM MONTEVERDE: If I can --

3 BRENDAN SULLIVAN: Yes.

4 JIM MONTEVERDE: -- if I can offer a couple
5 thoughts? I kind of -- I agree with the discussion about
6 the open space. I think there's got to be some compromise
7 there.

8 And I think the suggestion about reducing -- I
9 mean, I think about it treason it comes to 0, it must be the
10 way it has to be calculated, a minimum width. Because
11 there's definitely open space around the lot -- in the
12 front, in the side, in the back.

13 But I think getting rid of a couple parking spaces
14 would definitely help.

15 I was just going to offer some thoughts for the
16 rest of the Board to consider, just about I'm looking at the
17 existing plans and then the proposed plans. And I think the
18 hardship may not have been spoken about yet -- and
19 "hardship" in quotes, because you can decide if it's a
20 hardship.

21 But if you look at these existing units, they are
22 peculiar. I'm, I'm not conversant in the Federal Housing

1 Authority requirements for rooms and for apartment layouts,
2 but these are peculiar.

3 If they're really substandard in terms of
4 contemporary living arrangements, even if you discount that
5 this is going from rental to condo.

6 If you look at the second-floor plan, there are
7 three bedrooms, a kitchen and a bath. No living room, no
8 dining room. It's a railroad flat. You know? Every room
9 you exit into the hallway. It's really -- and the bedrooms
10 are small. I'm not sure they'd be compliant as bedrooms
11 anymore.

12 And I think the plan that's created basically
13 gives it -- you know, the units become in essence duplexes,
14 two floor, so that they can -- it's the -- and they do
15 increase a bedroom per unit. But they spread it out over a
16 little more area and make these spaces what you would expect
17 a contemporary living unit to have. They're not overly
18 gracious.

19 And I think on the ground-floor, it's the same
20 thing, there are some rooms in there that are particularly
21 small at the proposed plan by making use of the basement,
22 which the ordinance does encourage, I believe. And hence

1 the need for the window wells and hence the change in the he
2 is.

3 It basically takes a unit that again is -- I would
4 consider substandard. The two units are not ground-floor.
5 It allows them to stretch out into the basement level.

6 I think that's the hardship is that these
7 apartments: Yes, they provide some living space, but
8 they're really -- I would view them as substandard. And
9 what's being proposed -- again, although it does add a
10 bedroom per unit at least -- really brings it up to
11 contemporary standards.

12 I would favor the proposal with some change made
13 to get some additional open space.

14 BRENDAN SULLIVAN: Okay. Let me -- it appears,
15 Mr. McCarthy and David, that you're going to need four
16 affirmative votes, and it appears that you don't have those
17 four affirmative votes.

18 And in the transcripts of the last meeting, which
19 was continued because there was no posting and so on and so
20 forth -- and I basically said that was the third time that
21 we continued, and there would be no more continuances.

22 However, let me -- I think it's important for the

1 property, and it's important for the neighborhood to come to
2 a resolution of this site and to have the building be
3 revitalized, repurposed.

4 And so, as such, I would suggest that we probably
5 continue this matter; that you digest what you just heard
6 from members of the Board, go back to the drawing board, see
7 how you can address the concerns to the -- that the Board
8 has raised, which were very, very valid and to the point,
9 and come back to us with a reworked design.

10 Short of that, if we were to take it to a vote,
11 you would not get the four affirmative votes, and then you
12 would be precluded for two years.

13 And I don't think that's -- to be honest with you,
14 I don't think that's the right thing to do as far as the
15 neighborhood is concerned, and as far as this particular
16 property. And I think it would be, you know, just not the
17 right thing too.

18 BRENDAN SULLIVAN: So would the Board be amenable
19 to my requesting a continuance? Jason?

20 JASON MARSHALL: Yes, I would, Mr. Chair. Thank
21 you. And I guess I would ask --

22 BRENDAN SULLIVAN: You're welcome.

1 JASON MARSHALL: I think I'm already on the
2 continued cases for March 9. I don't know if it's possible
3 to schedule that if it's the will of the Board?

4 BRENDAN SULLIVAN: We have 12 cases that night.
5 The only other we would have would be March 23. This is to
6 the other members of the Board too. We have March 23, we
7 have April 13 open, and really basically the rest of the
8 year, 4/27: April 27.

9 So we're overloaded on March 9. I think it's
10 going to take -- our next meeting is on April 23. I'm
11 sorry, say February 23 and I don't think it's going to be
12 possible, Dave, for you and Mr. McCarthy to be able to put
13 something together. I mean, you -- it's too short.

14 March 9 --

15 GREGORY MCCARTHY: So what date? I'm sorry?

16 BRENDAN SULLIVAN: I'm sorry?

17 GREGORY MCCARTHY: For what date?

18 BRENDAN SULLIVAN: For February 23.

19 GREGORY MCCARTHY: Well, I think we could, if our
20 main goal here is to be revising the open space. I think we
21 should be able to do that for the twenty-third.

22 BRENDAN SULLIVAN: All right. Well, let me see.

1 Jason, are you available on the twenty-third?

2 JASON MARSHALL: I am not.

3 BRENDAN SULLIVAN: Okay, so -- and that was their
4 problem, Dave, is that we have to assemble the same five
5 members. So -- and I think --

6 GREGORY MCCARTHY: Is there a -- is there a
7 certain open space that would satisfy? Is there any way to
8 figure it -- just because, you know, we do have a vacant
9 property here, and it -- if we could figure it out sooner
10 rather than later, it would obviously be, you know, much
11 better for us.

12 But is there -- you know, like a certain
13 percentage of open space that if we met, we could move
14 forward with this? Or is it just too big of a --

15 BRENDAN SULLIVAN: Well, we're not going to design
16 it on the fly here tonight, no. That is going to take I
17 think a session between you and the architect to go over it.
18 So I think it's -- we're going to have to continue it, we're
19 going to have to kick it forward to at least another month
20 or so. And then you're going to have to come back.

21 So what I'm trying to determine now is the
22 availability of the five members of the Board.

1 So Jason, on March 23 -- and other members of the
2 Board and Wendy and Matina and also Jim, March 23 is there
3 anybody not available?

4 MATINA WILLIAMS: I won't be available the twenty-
5 third.

6 BRENDAN SULLIVAN: Okay. Then we're at April 13.
7 Is there anybody not available? So April 13 we could
8 reschedule this? Yes, yes, yes, yes?

9 COLLECTIVE: Yes.

10 JIM MONTEVERDE: Yes.

11 JASON MARSHALL: That works here.

12 BRENDAN SULLIVAN: Okay.

13 JIM MONTEVERDE: That works.

14 BRENDAN SULLIVAN: Okay, fine. So let me make a
15 motion, motion, then, to continue this matter until April
16 13, 2023 at 6:00 p.m. on the condition that the petitioner
17 already has a waiver signed, and that they change the
18 posting sign, which has to be maintained for at least 14
19 days prior to the April 13 hearing.

20 That sign must be changed and reflect the new date
21 of April 13, 2023 and the time of 6:00 p.m.

22 Any new submittals that are different than what is

1 in the record as of today must be in the -- submitted to the
2 Inspectional Services by 5:00 p.m. on the Monday prior to
3 the April 13 hearing.

4 In conjunction with that, I would ask that there's
5 a couple of documents that I would like you to go over. One
6 is the ownership form. Mr. McCarthy, you're the owner of
7 the property, or are you representing some entity?

8 GREGORY MCCARTHY: Yep, exactly -- and entity.

9 BRENDAN SULLIVAN: Okay, as opposed to Yideben
10 Realty, LLC you're no longer associated with them?

11 GREGORY MCCARTHY: Correct. Yep.

12 BRENDAN SULLIVAN: Okay. So we need to change the
13 ownership form to update it to the current owner, whatever
14 entity -- whatever entity that is and get that in the file
15 to change that for the record.

16 The other thing is the dimensional form would ask
17 that you go back through that and make sure that those
18 numbers are all correct, which -- the one that was submitted
19 today as basically planning what was on the drawings.

20 The other issue is that I want that the dormers --
21 the dimensional, dimension of those dormers -- be outlined
22 on the drawings clearly, so that we can see it. Is there

1 any other things from the members of the Board that they are
2 requesting, aside from the fact that you may want to go over
3 the supporting statements for the hardship and what is the
4 hardship based on?

5 And, you know, you may want to revisit that and
6 resubmit that, should you come up with a more salient reason
7 for us granting you the variance.

8 Anything else, members of the Board?

9 JIM MONTEVERDE: No, that will do it.

10 BRENDAN SULLIVAN: Okay. So on the motion, then,
11 to continue this matter to April 13, 2023 at 6:00 p.m.
12 Matina Williams?

13 MATINA WILLIAMS: Yes, I agree.

14 BRENDAN SULLIVAN: Jason Marshall?

15 JASON MARSHALL: Yes.

16 BRENDAN SULLIVAN: Wendy Leiserson?

17 WENDY LEISERSON: Yes, I agree.

18 BRENDAN SULLIVAN: Jim Monteverde?

19 JIM MONTEVERDE: I agree.

20 BRENDAN SULLIVAN: And Brendan Sullivan, yes.

21 [All vote YES]

22 BRENDAN SULLIVAN: On the five affirmative votes,

1 this matter is continued to April 13, 2023. All right.

2 And again, if you have any questions, check with
3 Inspectional Services, should you have -- want any
4 clarification of anything, even though we're not going to
5 give any specific numbers without the Board being totally
6 assembled.

7 So you just have to give it your best, and then
8 we'll see you back on April 13.

9 GREGORY MCCARTHY: Great.

10 BRENDAN SULLIVAN: Okay.

11 GREGORY MCCARTHY: Thank you so much.

12

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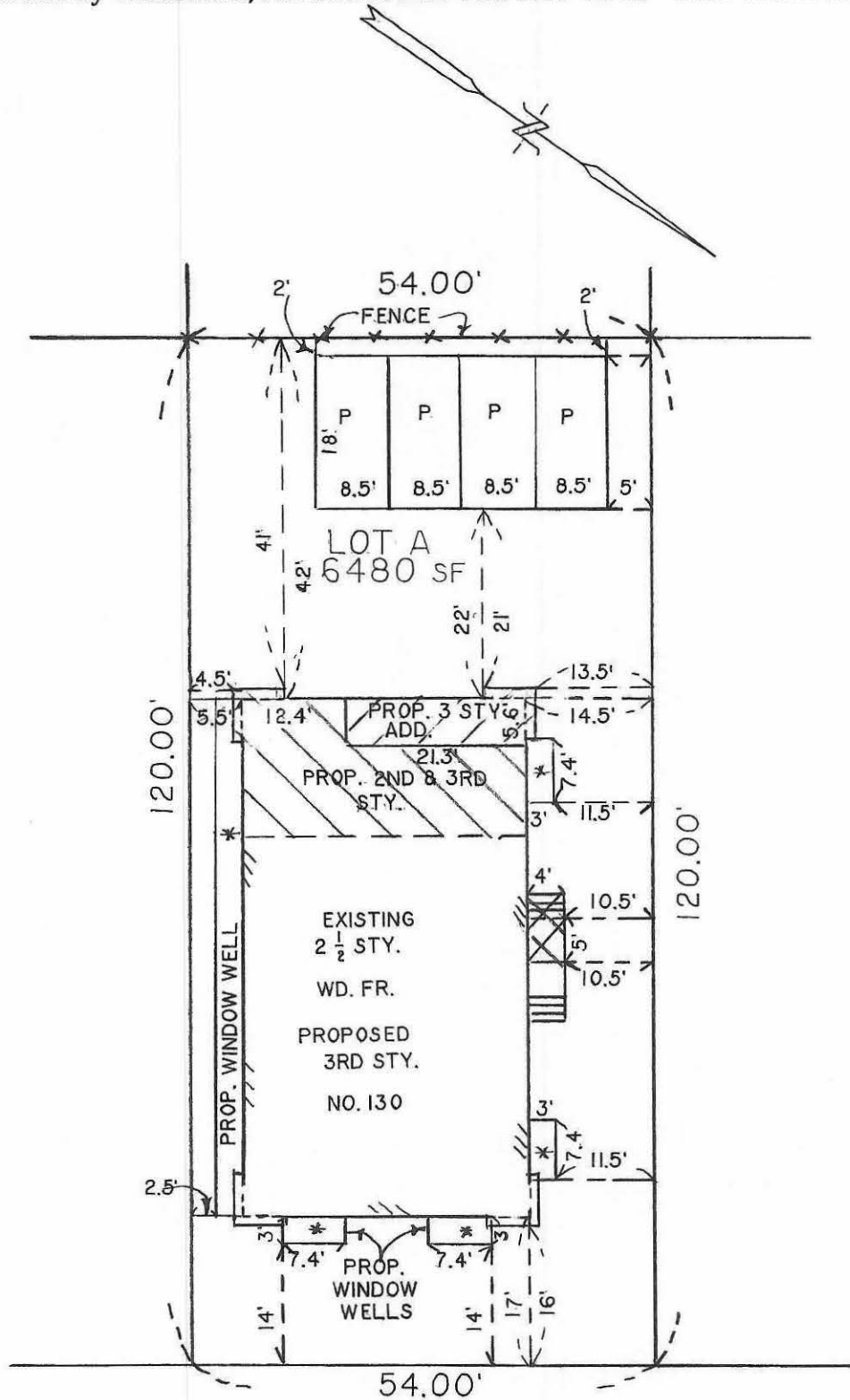
20

21

22

GLORAL ASSOCIATES

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



PROPOSED

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

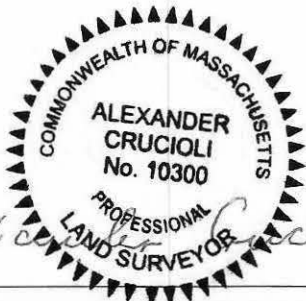
PROPOSED WINDOW WELLS

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

LOT COVERAGE = 31.1%

OPEN SPACE = 47.7%

CUSHING ST.
 PROPOSED



Alexander Crucoli
 Signature: _____

Date: 2/22/22

Plot Plan
 In
CAMBRIDGE, MA.

Owner
 BOB XIE

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

PROPOSED EXTENSION OF LIVING SPACE INTO SPACE INTO THE BASEMENT & ATTIC ADDITIONS & RENOVATION

130 CUSHING STREET, CAMBRIDGE, MASSACHUSETTS

Location
**EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION
 130 CUSHING STREET
 CAMBRIDGE, MA 02138**



ZONING SUMMARY

ZONING CODE ANALYSIS
 CAMBRIDGE
 SUBDISTRICT: RES B

Use Regulations: Section Table	
Existing	Proposed
4F	4F

	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	ART. 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 x 5,000 SF) x (.25 x 5,000 SF)
Max Building Height	35'		36.2'	38.6' VIOLATION	ART. 5.20
Usable Open Space	40% LOT AREA		53%	32% VIOLATION	ART. 5.20
Min Front Yard	15'		17.1'	13.3' VIOLATION	
Min Side Yard	7.5' SUM 20'		1.3' / 11.1'	0.7' / 10.8' VIOLATION	BLOG FORMER ADDITIONS
Min Rear Yard	30'		42.1'	42.1'	
Min Ratio of open Space to Lot Area	40%				

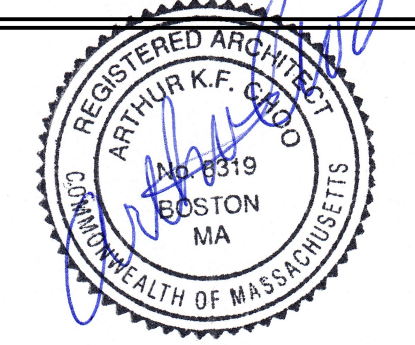
Overlays:

Other Non-Dimensional Zoning Issues:

ART. 6-12(b) REQUIRED PARKING: 4 PARKING SPACES
 EXISTING PARKING: 2 PARKING SPACES
 PROPOSED PARKING: 4 PARKING SPACES

Choo & Company, Inc.

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



No.	Revision Date

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

Drawing Name
COVER SHEET

Sheet No.
A-0

KEY

- SMOKE DETECTOR
- HEAT DETECTOR
- CARBON MONOXIDE DETECTOR
- ◇ 1 HOUR WALL
- ◇ 2 HOUR WALL
- ⊠ FAN
- ⊙ 45 MIN. DOOR
- ⊙ 1-1/2 HOUR DOOR
- ◇ WINDOW TYPE
- 1 1 HOUR CLG. ABOVE (SEE C.T.1/A-3.1)
- 2 2 HOUR CLG. WALL(SEE C.T.2/A-3.1)
- FIRE EXTINGUISHER

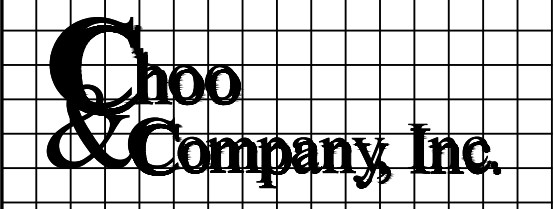
CODE SUMMARY

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

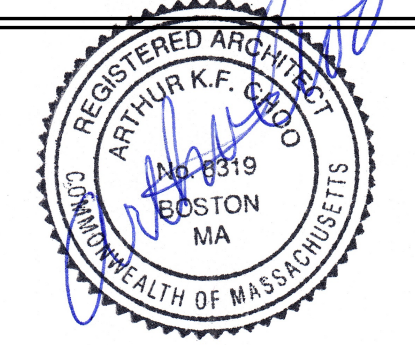
SOIL TESTING

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.

Location
**EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION
 130 CUSHING STREET
 CAMBRIDGE, MA 02138**



One Billings Road Quincy, MA 02171
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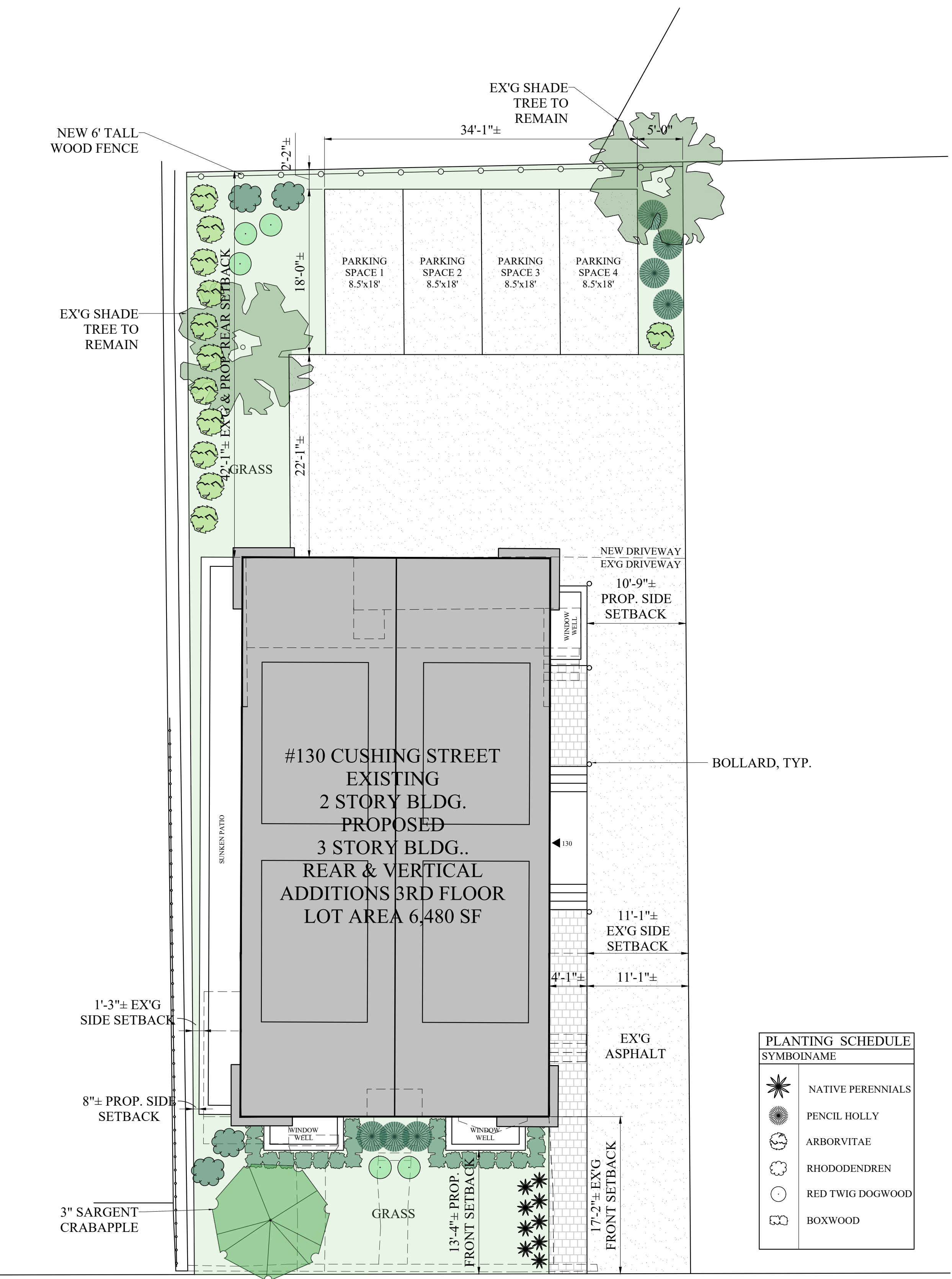


No.	Revision Date

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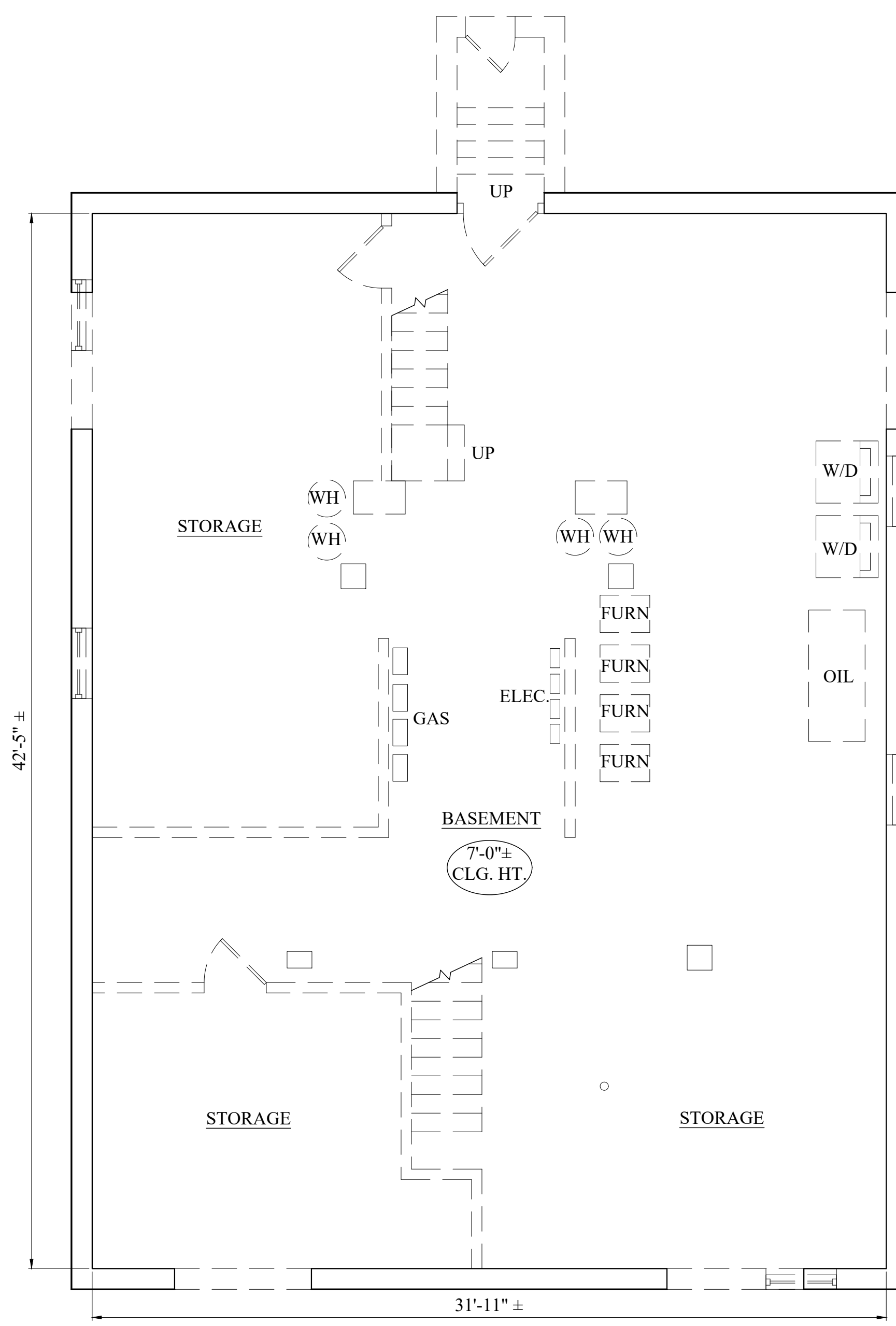
Drawing Name
**PROPOSED
 LANDSCAPE
 PLAN**

Sheet No.
A-1.0



PLANTING SCHEDULE	
SYMBOL	NAME
✳	NATIVE PERENNIALS
●	PENCIL HOLLY
⊕	ARBORVITAE
⊙	RHODODENDREN
○	RED TWIG DOGWOOD
⊞	BOXWOOD

1 PROPOSED LANDSCAPE PLAN
 1/8" = 1'-0"



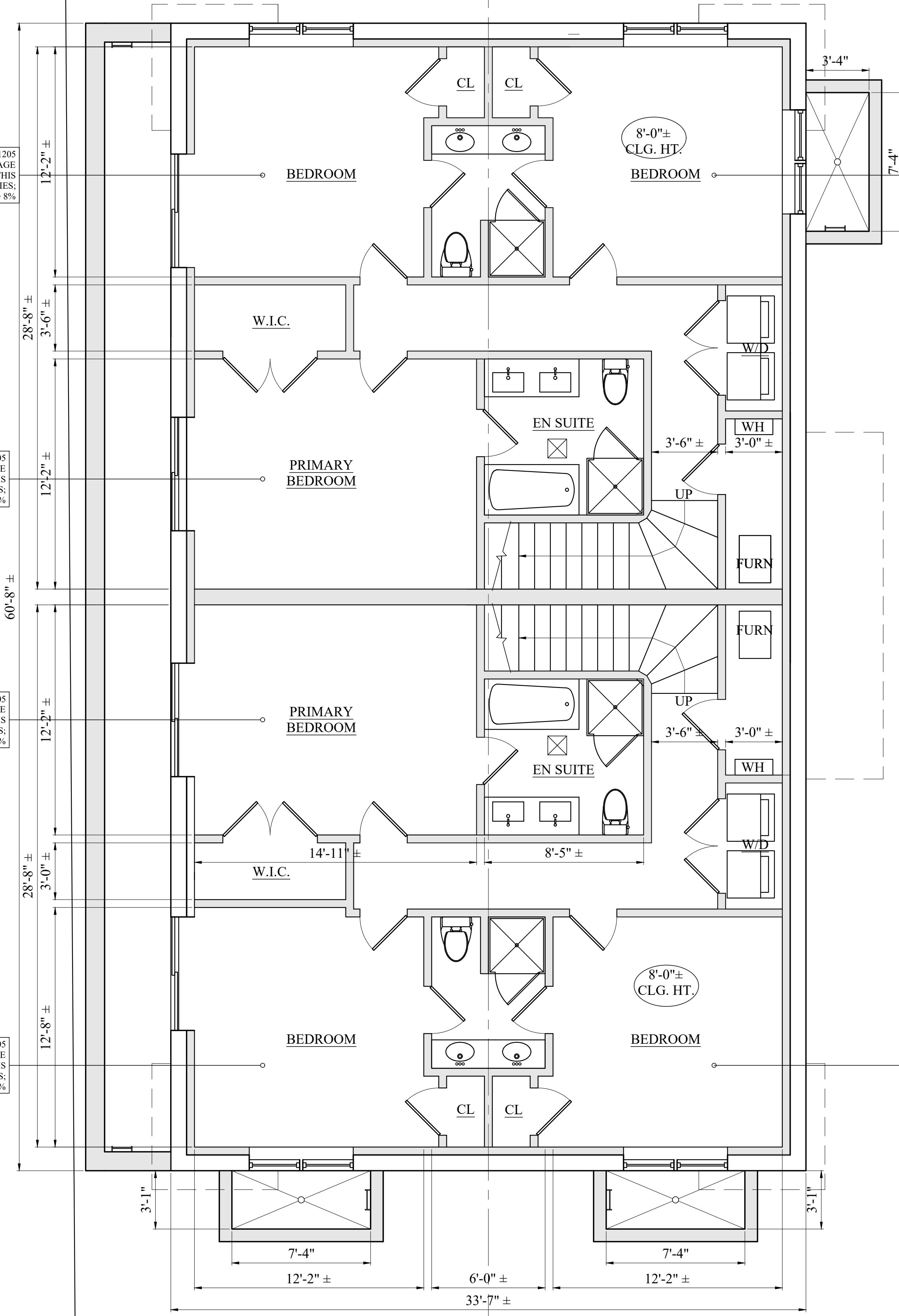
1 EXISTING BASEMENT FLOOR PLAN - 1,480 +/- SF
1/4" = 1'-0"

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 60 SF / 159 SF = 38% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 32 SF / 187 SF = 17% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 32 SF / 187 SF = 17% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 60 SF / 159 SF = 38% > 8%



1 PROPOSED BASEMENT FLOOR PLAN - 2,057 +/- SF
1/4" = 1'-0"

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 56 SF / 151 SF = 37% > 8%

AS PER 2015 IBC SECTION 1205 THE REQ'D MIN. PERCENTAGE OF NATURAL LIGHT IS 8%. THIS UNIT COMPLIES; 28 SF / 151 SF = 18.5% > 8%

Location

EXT. OF LIVING SPACE INTO BASEMENT & RENOVATION 130 CUSHING STREET CAMBRIDGE, MA 02138

Choo & Company, Inc.

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

REGISTERED ARCHITECT
ARTHUR K.F. CHOO
No. 2319
BOSTON
MA
COMMONWEALTH OF MASSACHUSETTS

No.	Revision Date

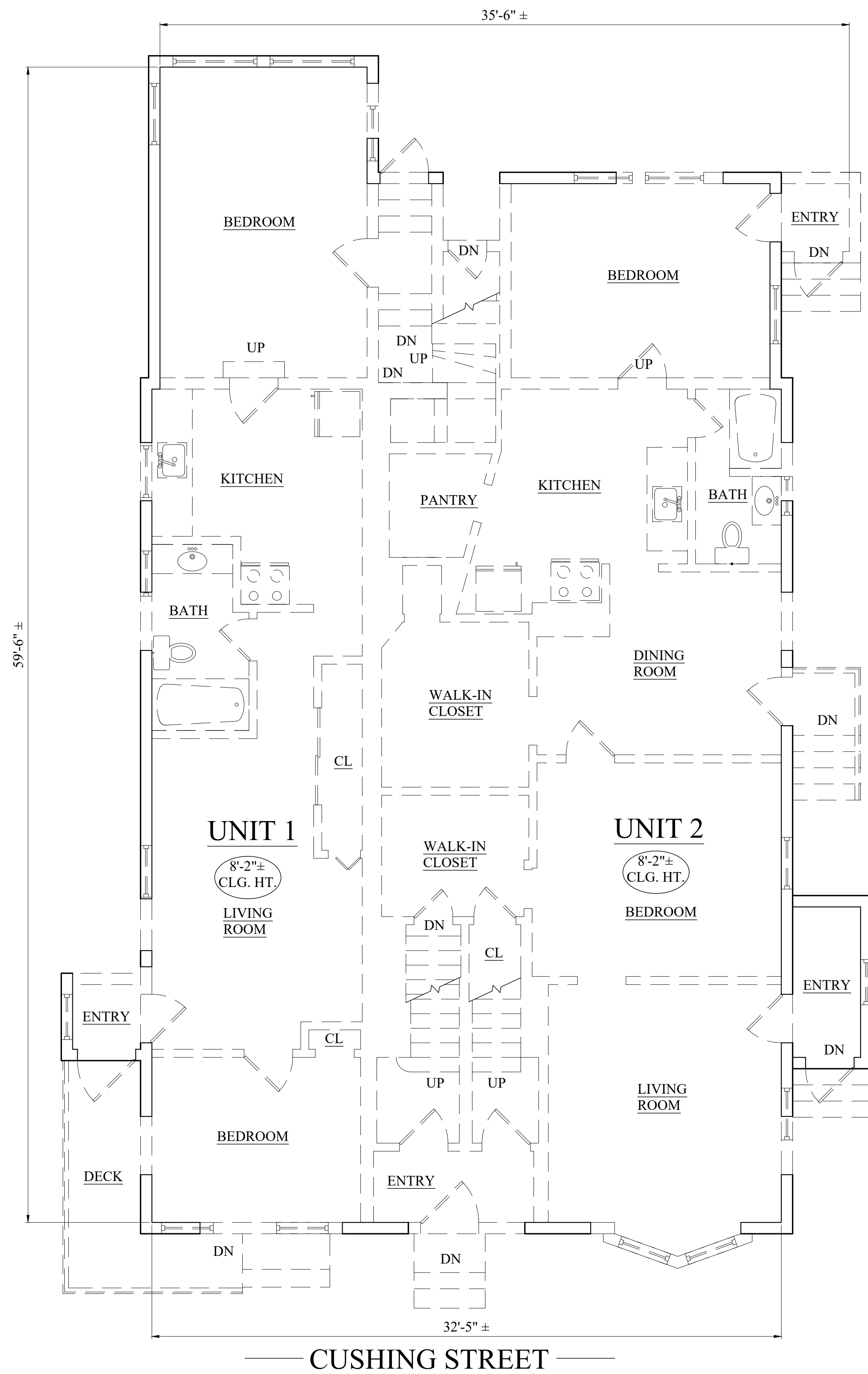
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Scale: AS NOTED
Date: 2-23-2022
Drawn By: TM / DF

Drawing Name

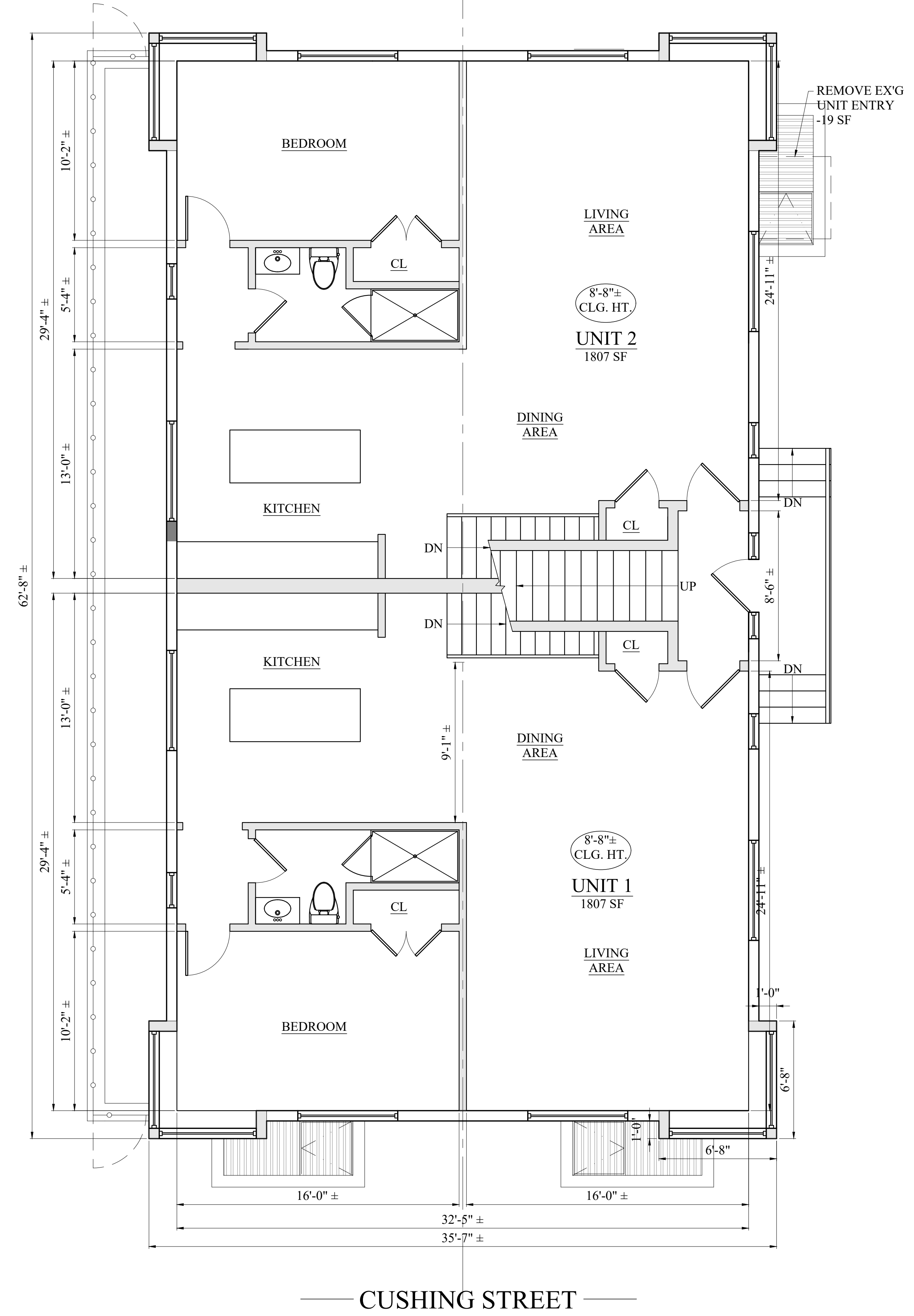
EXISTING & PROPOSED FLOOR PLANS

Sheet No.

A-1.1



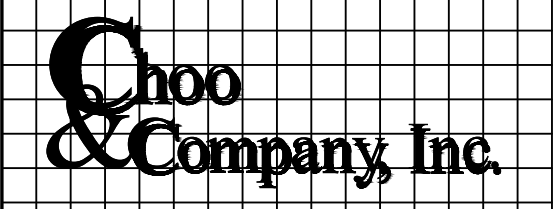
1 EXISTING FIRST FLOOR PLAN - 1,968 +/- SF
1/4" = 1'-0"



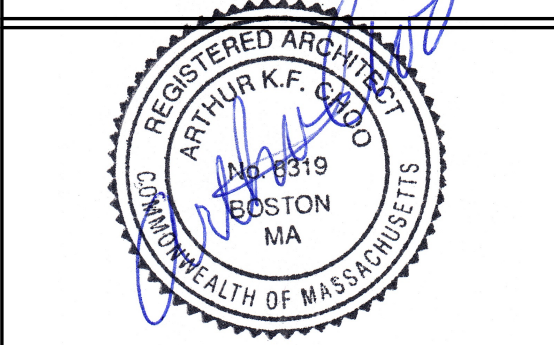
2 PROPOSED FIRST FLOOR PLAN - 2,076 +/- SF
1/4" = 1'-0"

Location

**EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138**



One Billings Road Quincy, MA 02171
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No.	Revision Date

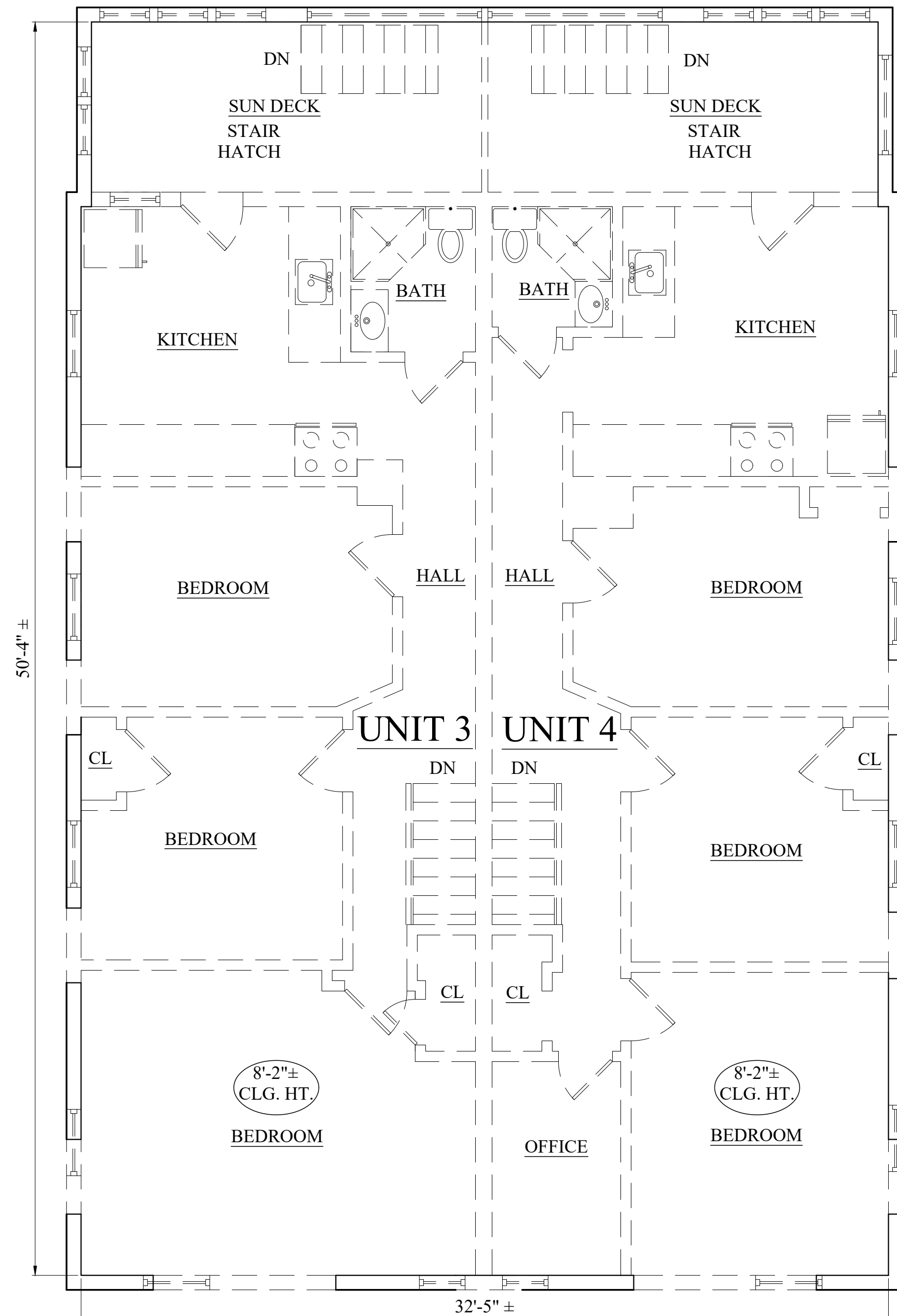
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Scale: AS NOTED
Date: 2-23-2022
Drawn By: TM / DF

Drawing Name

EXISTING & PROPOSED FLOOR PLANS

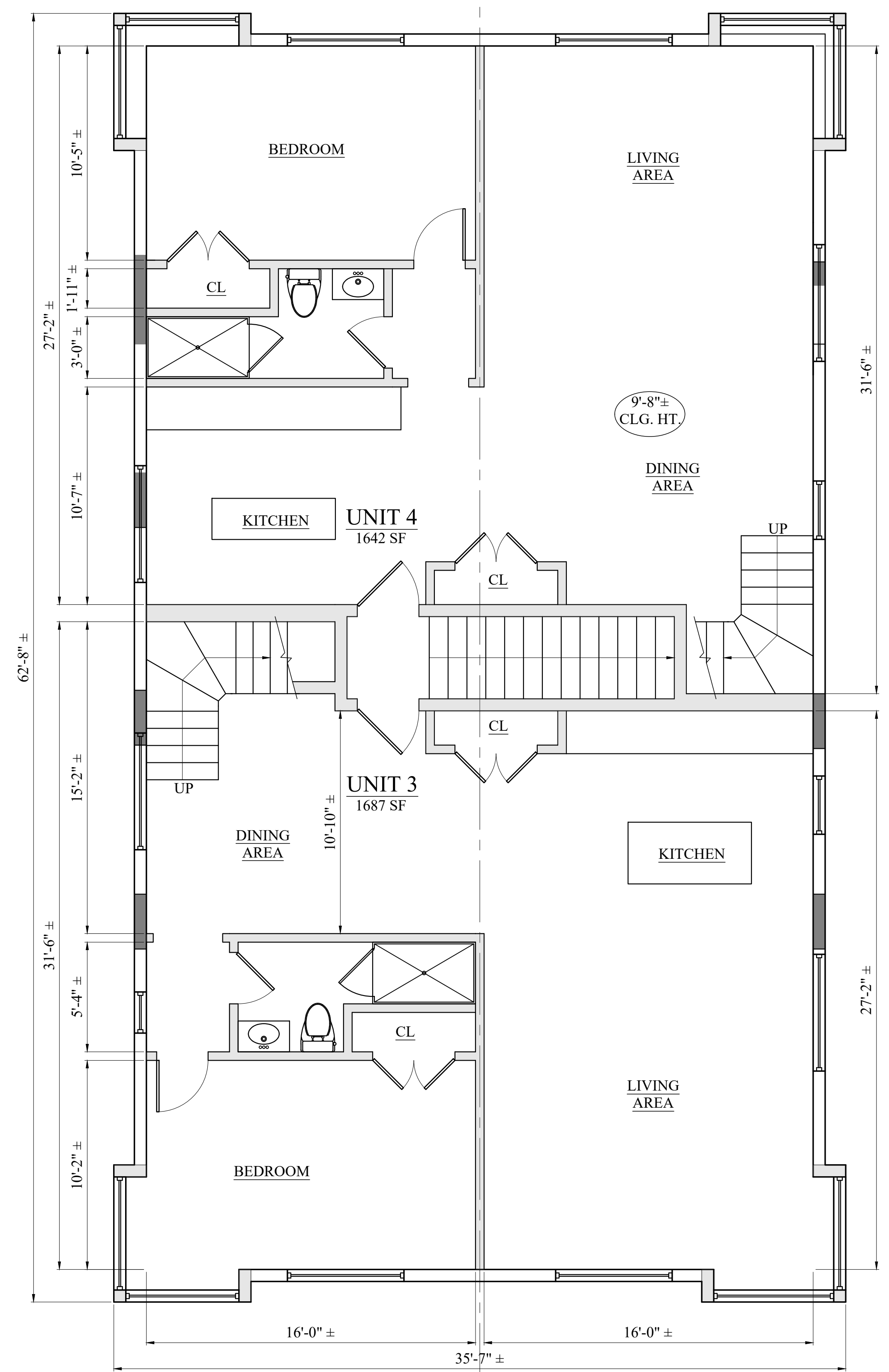
Sheet No.

A-1.2



CUSHING STREET

1 EXISTING SECOND FLOOR PLAN - 1,723 +/- SF
1/4" = 1'-0"



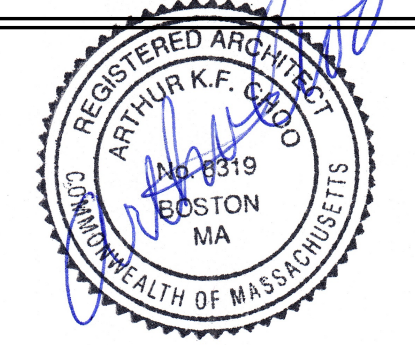
CUSHING STREET

2 PROPOSED SECOND FLOOR PLAN - 2,076 +/- SF
1/4" = 1'-0"

Location
**EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION**
 130 CUSHING STREET
 CAMBRIDGE, MA 02138



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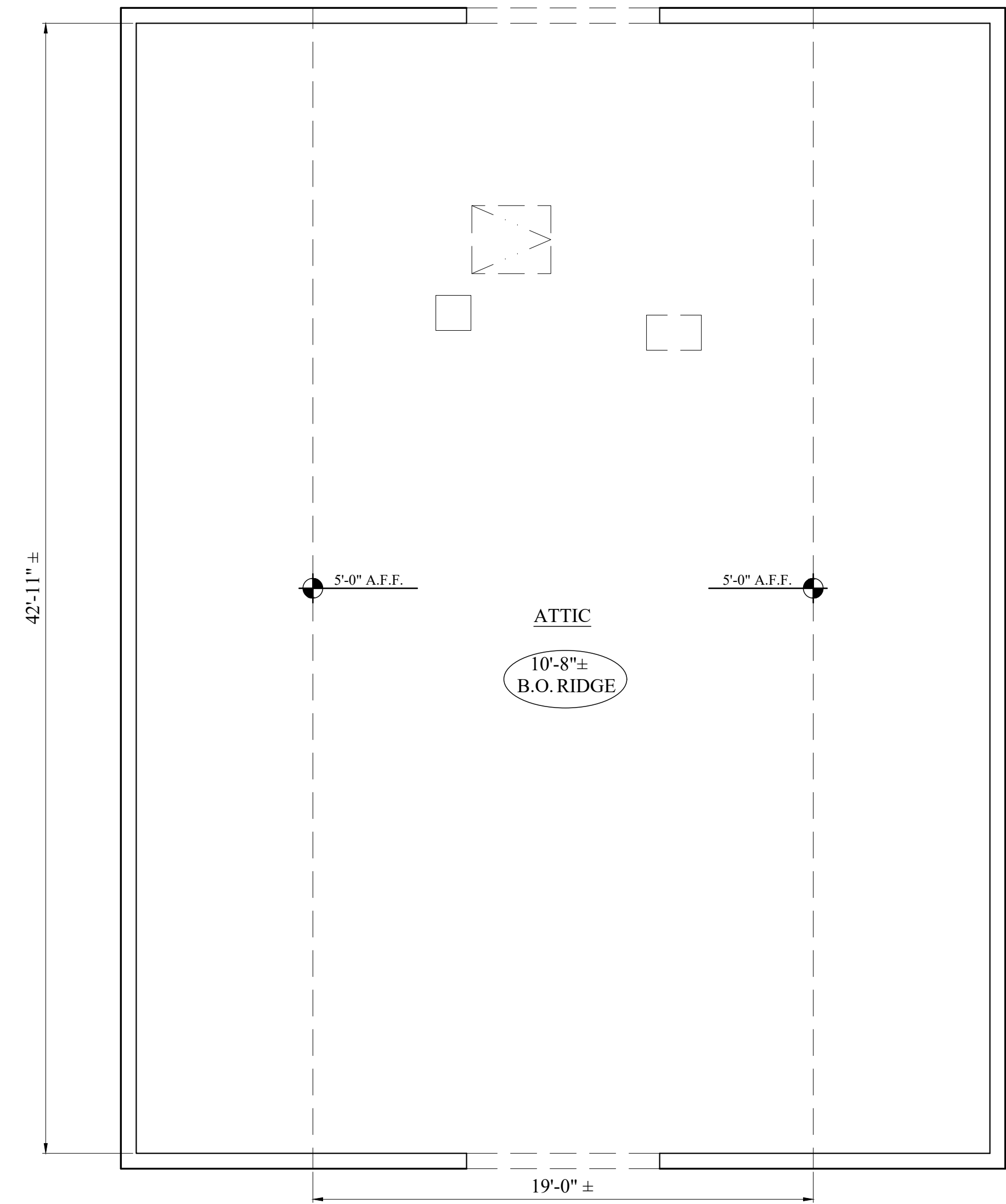


No.	Revision Date

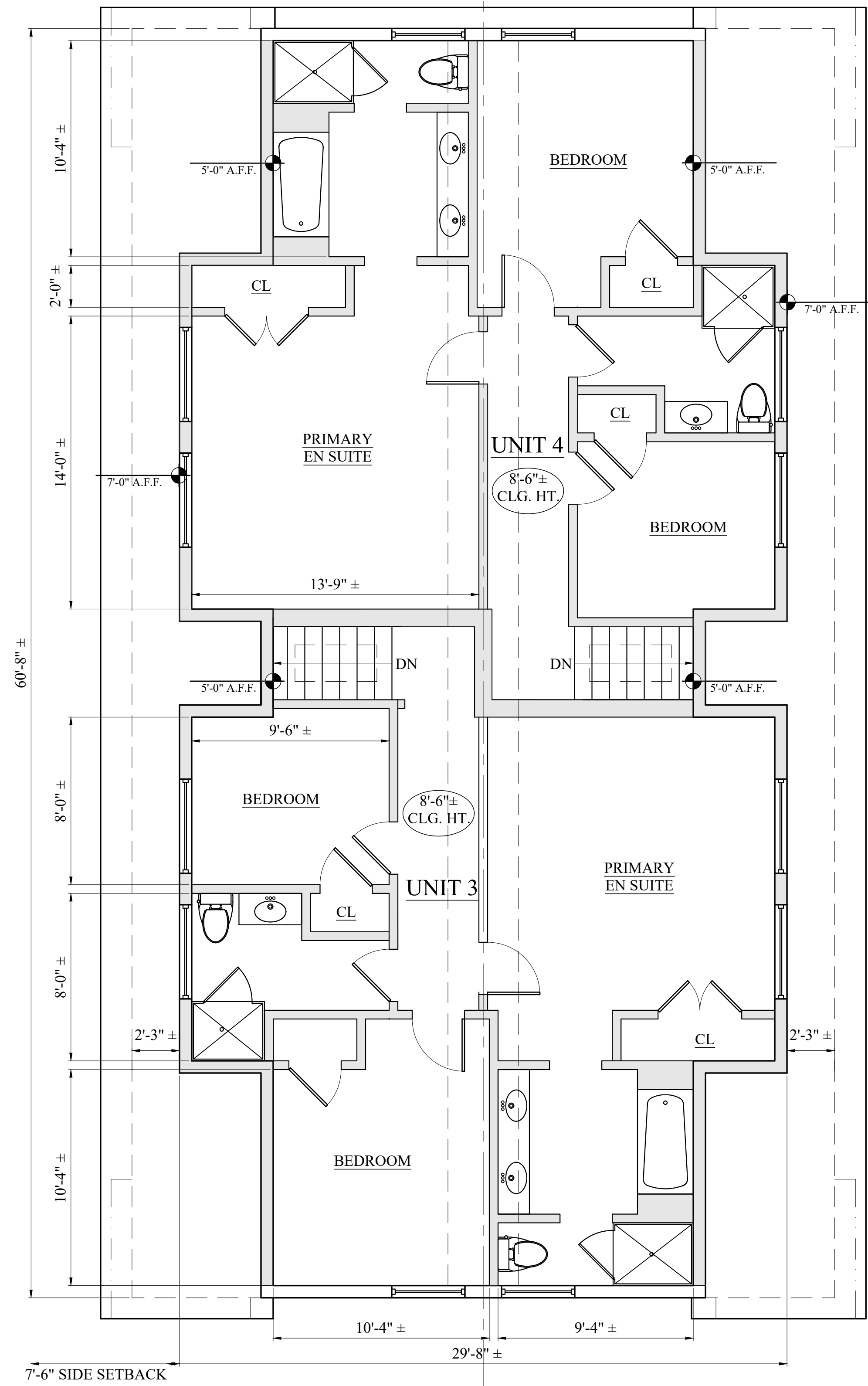
Project No: 2021162
 Scale: AS NOTED
 Date: 2-23-2022
 Drawn By: DF/TM

Drawing Name
**EXISTING &
 PROPOSED
 FLOOR PLANS**

Sheet No.
A-1.3

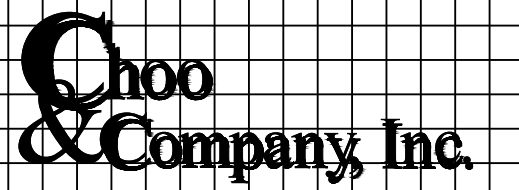


2 EXISTING THIRD FLOOR PLAN - 858 +/- SF
1/4" = 1'-0"



2 PROPOSED THIRD FLOOR PLAN - 1,606 +/- SF
1/4" = 1'-0"

EXT. OF LIVING SPACE INTO
BASEMENT & RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



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No.	Revision Date

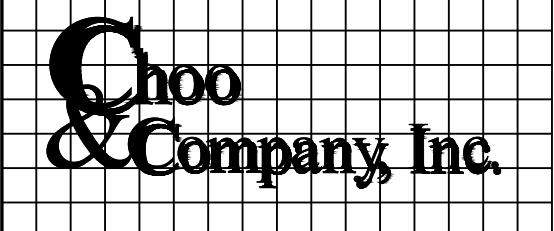
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Date: 2-23-2022
Drawn By: TM / DF

Drawing Name
**EXISTING &
PROPOSED
FLOOR PLANS**

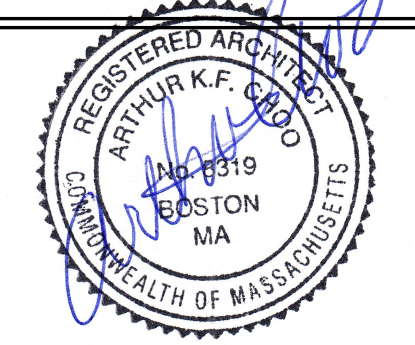
Sheet No.
A-1.4



Location
**EXT. OF LIVING SPACE INTO
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No.	Revision Date

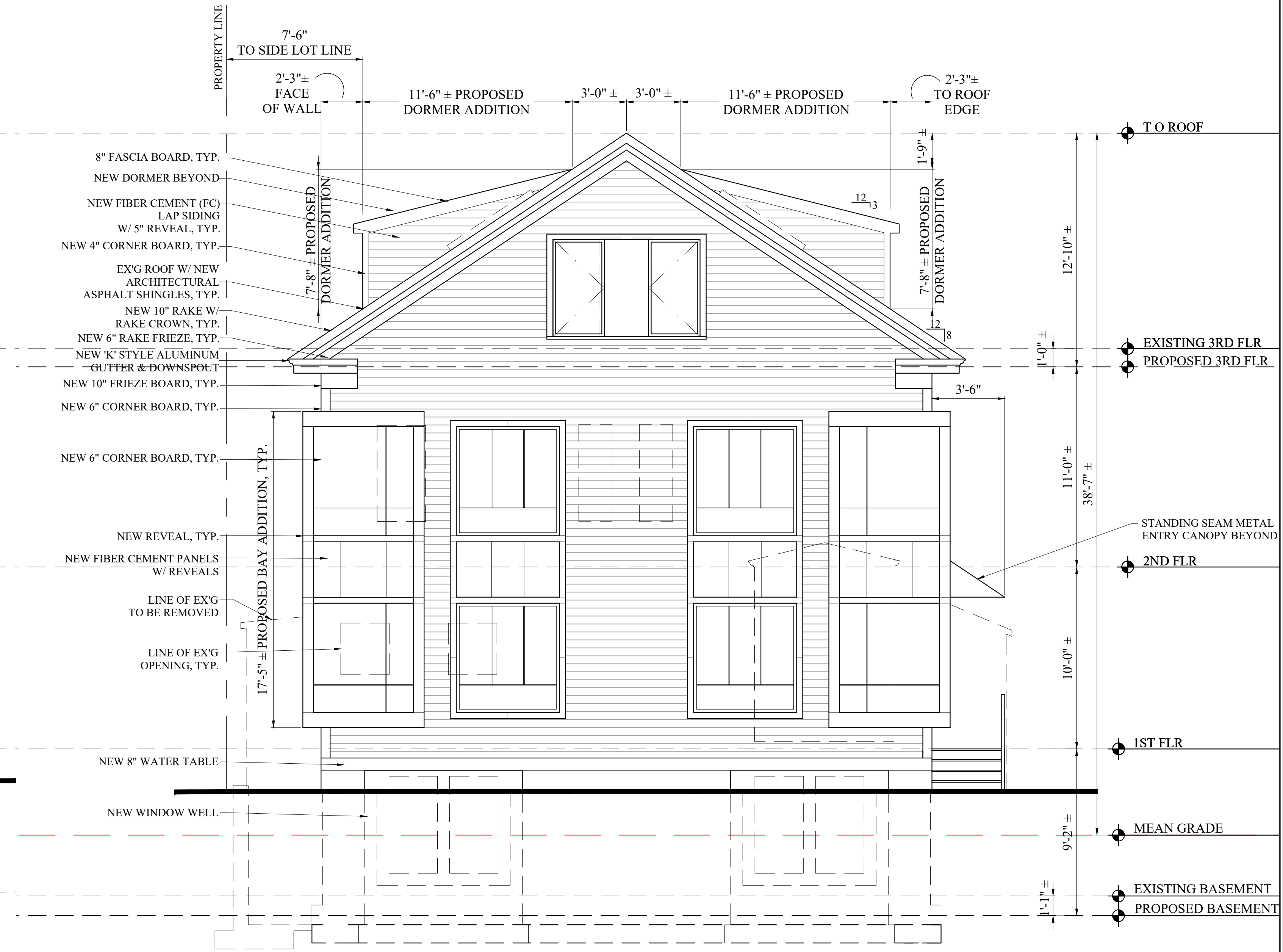
Project No: 2021162
 Scale: AS NOTED
 Date: 2-23-2022
 Drawn By: DF/TM

Drawing Name
ELEVATIONS

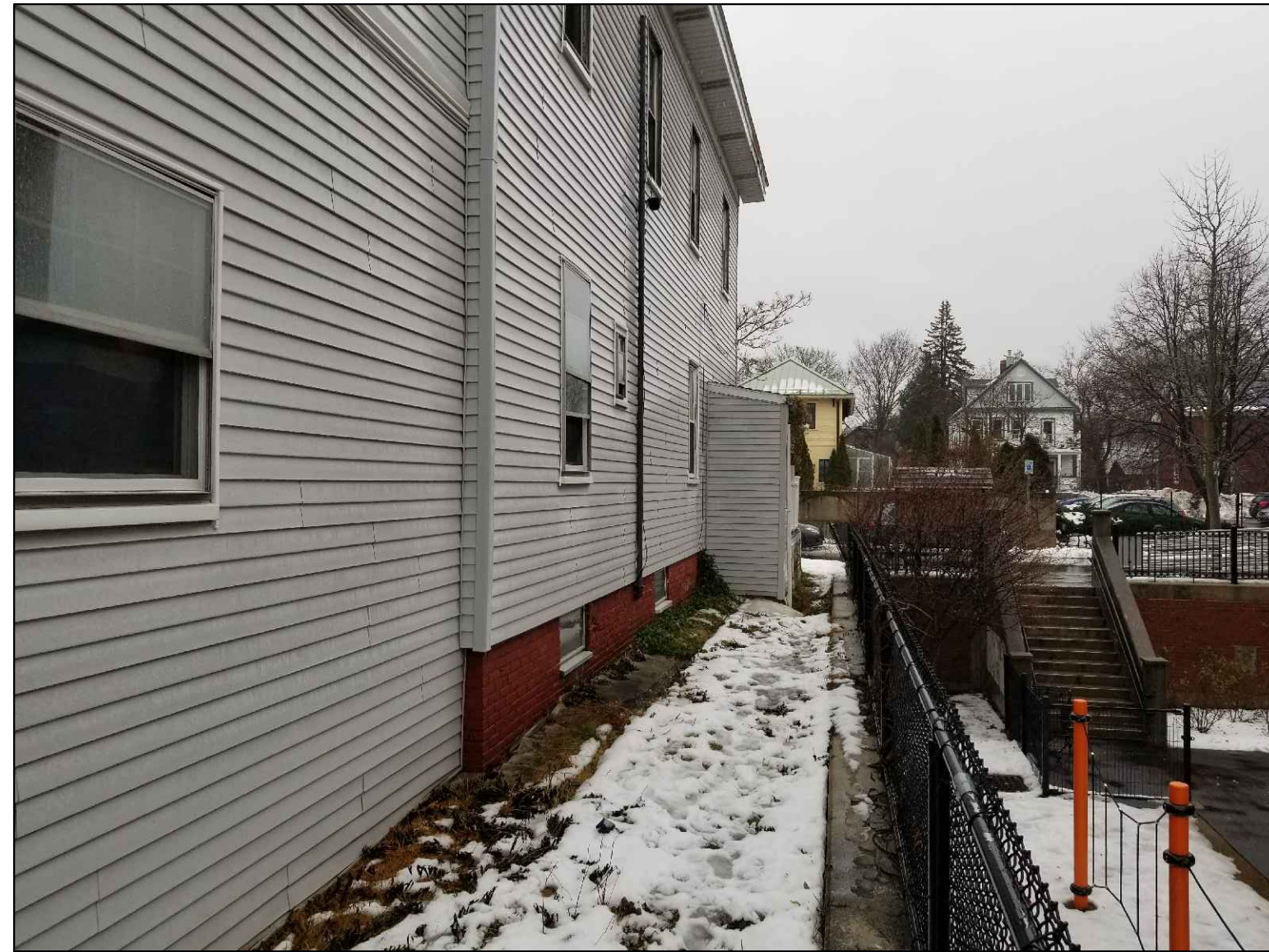
Sheet No.
A-2.1



1 EXISTING FRONT ELEVATION
 1/4" = 1'-0"



2 PROPOSED FRONT ELEVATION
 1/4" = 1'-0"

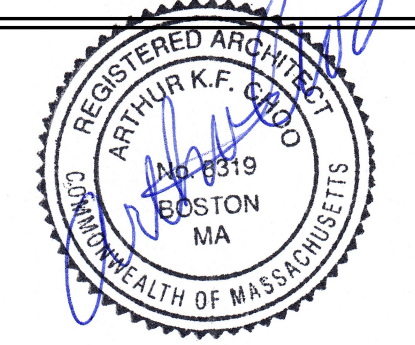


Location

**EXT. OF LIVING SPACE INTO
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130 CUSHING STREET
CAMBRIDGE, MA 02138**

**Choo
& Company, Inc.**

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



No.	Revision Date

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

Drawing Name

ELEVATIONS

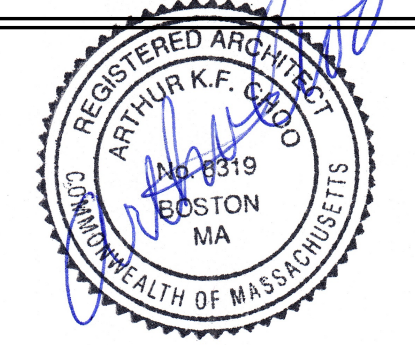
Sheet No.

A-2.2



Location
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130 CUSHING STREET
CAMBRIDGE, MA 02138

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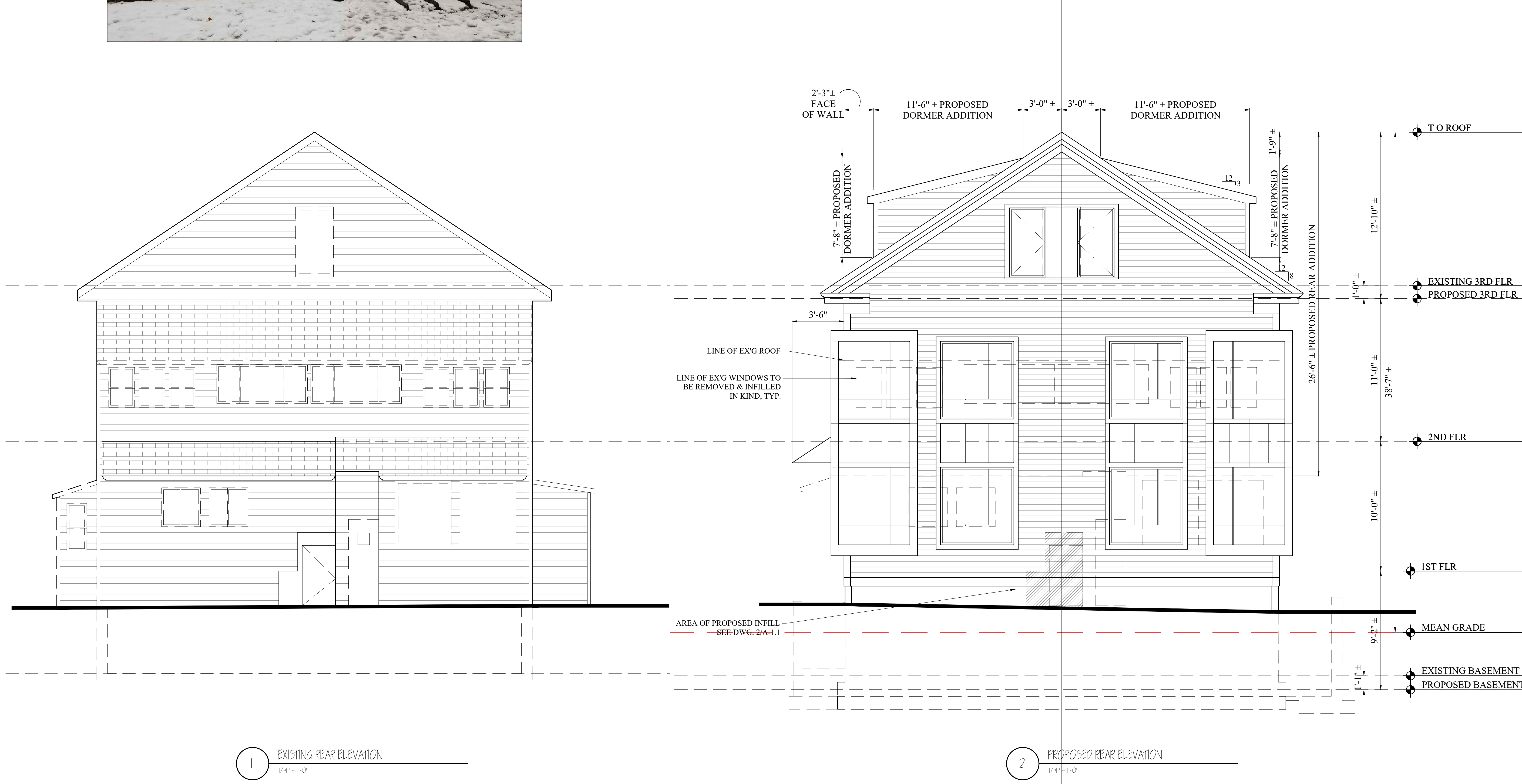


No.	Revision Date

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

Drawing Name
ELEVATIONS

Sheet No.
A-2.3



1 EXISTING REAR ELEVATION
 1/4" = 1'-0"

2 PROPOSED REAR ELEVATION
 1/4" = 1'-0"



2 PROPOSED SIDE ELEVATION
1/4" = 1'-0"

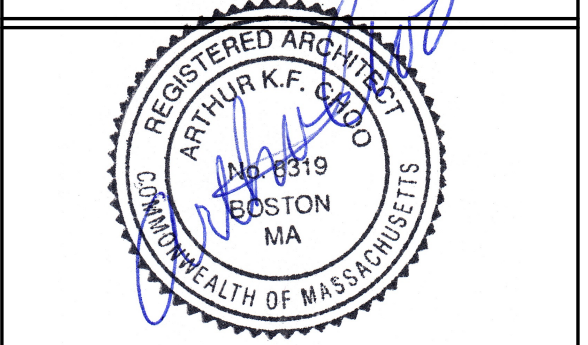


1 EXISTING SIDE ELEVATION
1/4" = 1'-0"

Location
**EXT. OF LIVING SPACE INTO
 BASEMENT & RENOVATION**
 130 CUSHING STREET
 CAMBRIDGE, MA 02138

**Choo
 & Company, Inc.**

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



No.	Revision Date

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

Drawing Name
ELEVATIONS

Sheet No.
A-2.4



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

*Replacement
Board
for 4/13/23
Hearing*

BZA

POSTING NOTICE – PICK UP SHEET

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

Name: Lucas Santos Date: 3-24-23
(Print)

Address: 130 Cushing St

Case No. BZA-163881

Hearing Date: 4-13-23

Thank you,
Bza Members

BZA APPLICATION FORM - OWNERSHIP INFORMATION

2023 APR -6 A 9:58

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

I/We Gjm 130 Cushing Llc , Greg McCarthy
(OWNER)

Address: 275 main st boston ma, 02129

State that I/We own the property located at 130 Cushing street,
which is the subject of this zoning application.

The record title of this property is in the name of Gjm 130 Cushing Llc

*Pursuant to a deed of duly recorded in the date 9/12/2022, Middlesex South
County Registry of Deeds at Book 80698, Page 497; 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.

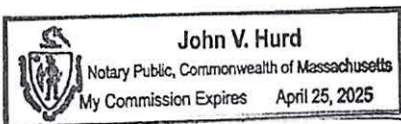
Commonwealth of Massachusetts, County of Suffolk

The above-name Gregory McCarthy personally appeared before me,
this 5th of April, 2023, and made oath that the above statement is true.

Notary

My commission expires 4/25/25 (Notary Seal).

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



BZA APPLICATION FORM
SUPPORTING STATEMENT FOR A VARIANCE

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2023 APR 14 9:58 AM

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 Location of the structure on the lot does not allow for window wells. It would be of great benefit for the residents to have more light and access to exterior in the Below ground living area. The below ground living area exists already, and adding these window wells will only benefit the living enjoyment and safety of the residents, without any detriment to the public.

The existing parking takes up a great deal of the open space but only provides parking for 1 unit to have tandem parking. In this scenario we will be making a beautiful new driveway, with ability for all 4 units to get their cars off the street. Given the generous open space requirement in this district, and the generous building footprint on the site, the only way to do this would require furthering the open space nonconformity.

- B) The hardship is owing to the following circumstances relating to the size, 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 variance is due to the location of the structure on the lot. The placement of the structure is within both side and front yard setbacks. The window well would further a side yard violation but would not hinder any egresses or be detrimental to aesthetics.

Given the shape of the lot, The only parking that can be provided is 2 tandem parking, and the only way to provide additional parking is by furthering the open space nonconformity.

- C)

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

Ample open space will still be provided, and a beautiful brand new landscaping. 3 additional units will have off street parking in the neighborhood. The improvements to the driveway, front, side and rear yards will be a great improvement and much more pleasant for the neighbors than the existing.

The window wells are out of site, and will not be an eye sore.

The goal for the renovation and proposed alteration is to make beautiful home that fits the neighborhood.

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

The window wells should be of no harm to the public and in this circumstance the location of the building of the lot is hindering

Although the open space is decreasing, the overall landscaping will be greatly improving throughout the entire property, and off street parking would then be provided for 3 additional units

- * If applicable legal requirements, you should consult with your own attorney.

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: GREG MCCARTHY **PRESENT USE/OCCUPANCY:** 4F **CITY OF CAMBRIDGE**
LOCATION: 130 CUSHING STREET **ZONE:** RES B **INSPECTORIAL SERVICES**
PHONE: (508) 868-0801 **REQUESTED USE/OCCUPANCY:** 4F **2023 APR - 6 A 9 58**

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹	
TOTAL GROSS FLOOR AREA:	6070 SF	6314 SF	3046 SF	(max.)
LOT AREA:	6480 SF		17000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA:²	.94	.97	.47	(max.)
LOT AREA FOR EACH DWELLING UNIT:	1620 SF	1620 SF	4250 SF	(min.)
SIZE OF LOT:	WIDTH	54'	50'	(min.)
	DEPTH	120'		
Setbacks in Feet:	FRONT	17'	13.5'	(min.)
	REAR	42.1'	42.1'	(min.)
	LEFT SIDE	1.1'	1.1'	(min.)
	RIGHT SIDE	11.1'	11.1'	12.5' (SUM 20') (min.)
SIZE OF BLDG.:	HEIGHT	37'	37.5'	(max.)
	LENGTH	60.7'		
	WIDTH	41.7'		
RATIO OF USABLE OPEN SPACE TO LOT AREA:³	39%	26%	40%	(min.)
NO. OF DWELLING UNITS:	4	4	1	(max.)
NO. OF PARKING SPACES:	2	4	4	(min./max)
NO. OF LOADING AREAS:	0	0	0	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	N/A	N/A	N/A	(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.

There is a school to the left and a two-family to the right. The four family Use will remain. The building is wood framed, construction type 5B.

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'.

PROPOSED ADDITIONS & WINDOW WELLS & PARKING

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2023 APR 10 P 3:58

130 CUSHING STREET, CAMBRIDGE, MASSACHUSETTS



ZONING SUMMARY

ZONING CODE ANALYSIS

CAMBRIDGE
SUBDISTRICT: RES B, RENOVATION PER CAMB. ZONING SECTION 8.22c

Use Regulations: Section Table	
Existing	Proposed
4F	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	ART 8.24.2011
Min Required Lot Width	50'		54'	54'	
Max FAR	.47 (3,018 SF)		0.94 (6,070 SF)	0.97 (6,313 SF) VIOLATION	11.2000001-100.0000001
Max Building Height	35'		36.5' / 41'	38' 2" / 41' VIOLATION	WINDOW VENTS
Private Open Space	40% LOT AREA		39%	16% VIOLATION	1000 SF PRIVATE DS
Min Front Yard	15'		17'	17'	
Min Side Yard	7.5' SUM 20'		2' / 10.5'	1.1' / 15.4' VIOLATION	MIN 10 FT YARD
Min Rear Yard	30'		42'	42'	MIN 10 FT YARD
Min Ratio of open Space to Lot Area	40%				

Other Non-Dimensional Zoning Issues:

PROPOSED PARKING: 4 PARKING SPACES, 2 REG, 2 COMPACT

KEY

- ⊙ SMOKE DETECTOR
- ⊙ HEAT DETECTOR
- ⊙ CARBON MONOXIDE DETECTOR
- ◇ 1 HOUR WALL
- ◇ 2 HOUR WALL
- ⊠ FAN
- ⊙ 45 MIN. DOOR
- ⊙ 1-1/2 HOUR DOOR
- ① WINDOW TYPE
- ① 1 HOUR CLG. ABOVE (SEE C.T.1/A-3.1)
- ② 2 HOUR CLG. WALL (SEE C.T.2/A-3.1)
- ⊙ FIRE EXTINGUISHER

CODE SUMMARY

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

SOIL TESTING

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.

Location

PROPOSED RENOVATION

130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.

One Billings Road Quincy, MA 02171
617-766-7127 fax 617-766-7115



No.	Revision Date
①	4-07-2023

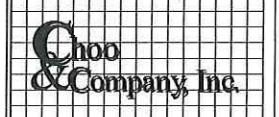
Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name
COVER SHEET

Sheet No.
A-0

Location

PROPOSED RENOVATION 130 CUSHING STREET CAMBRIDGE, MA 02138



One Billings Road Quincy, MA 02171
617-765-7727 fax 617-765-7715

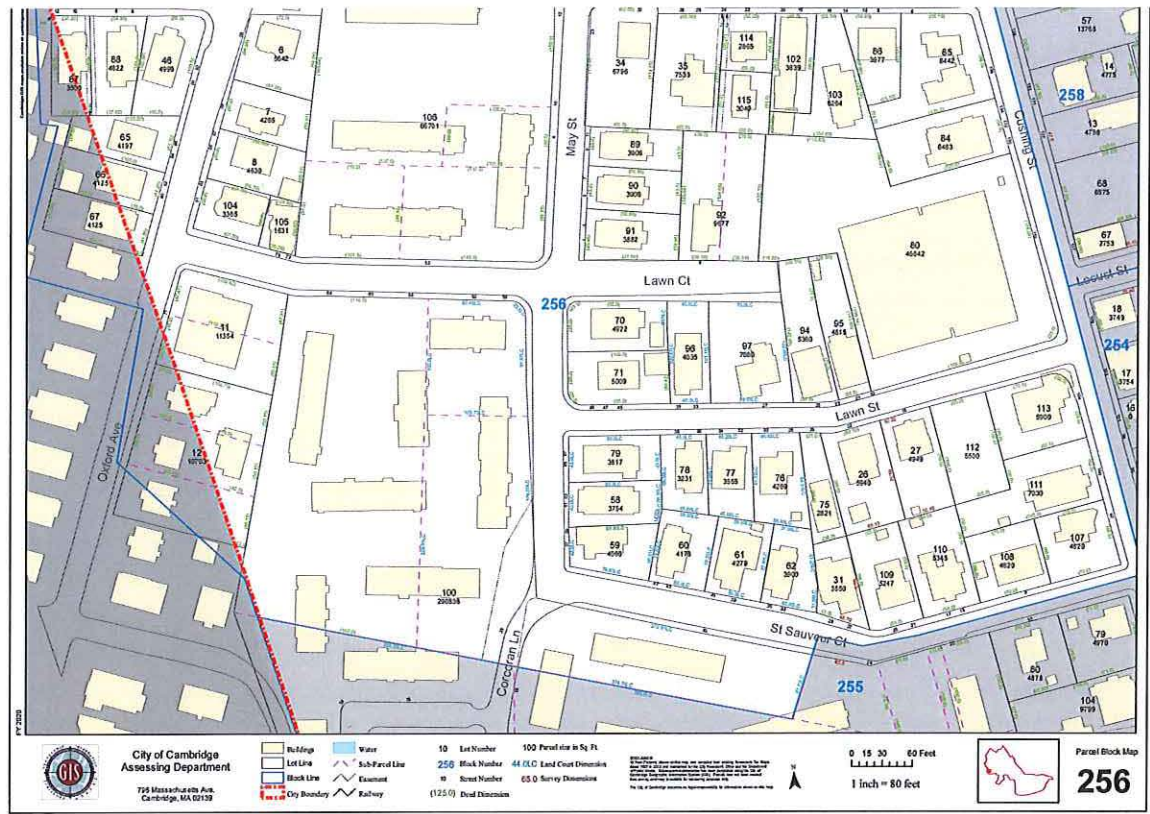


No.	Revision Date

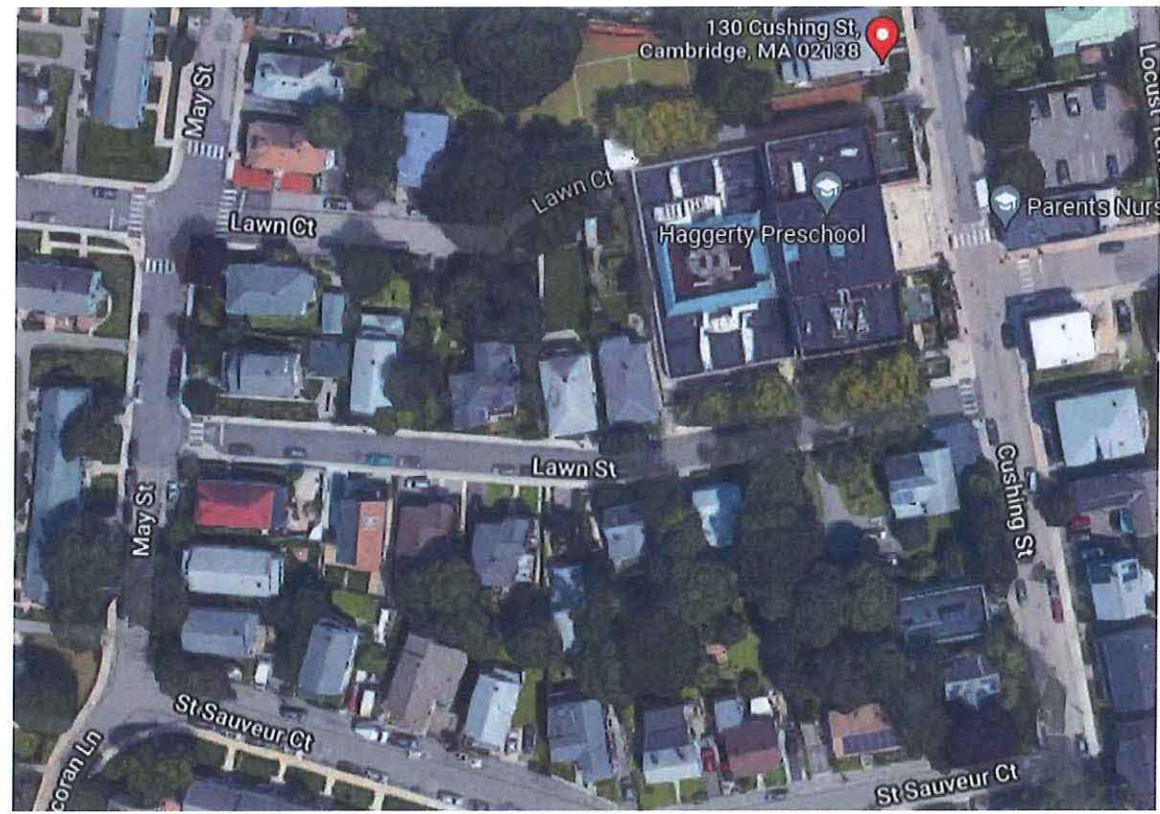
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 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
**CONTEXT
 IMAGES**

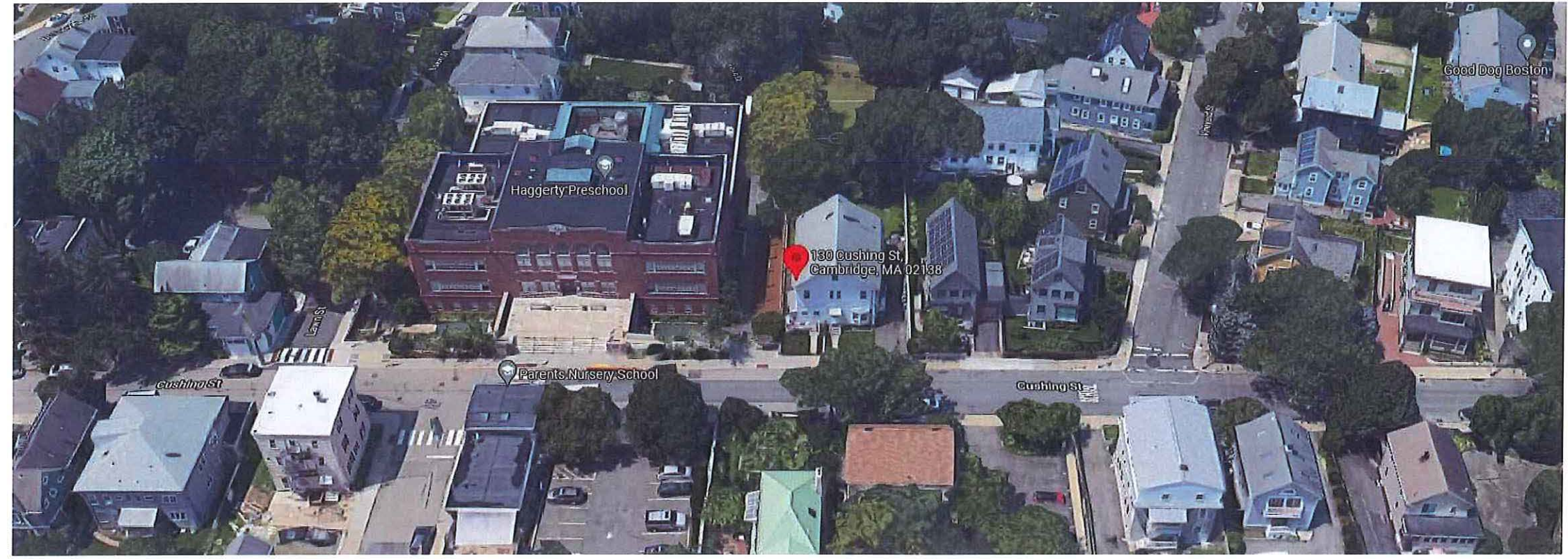
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G-0



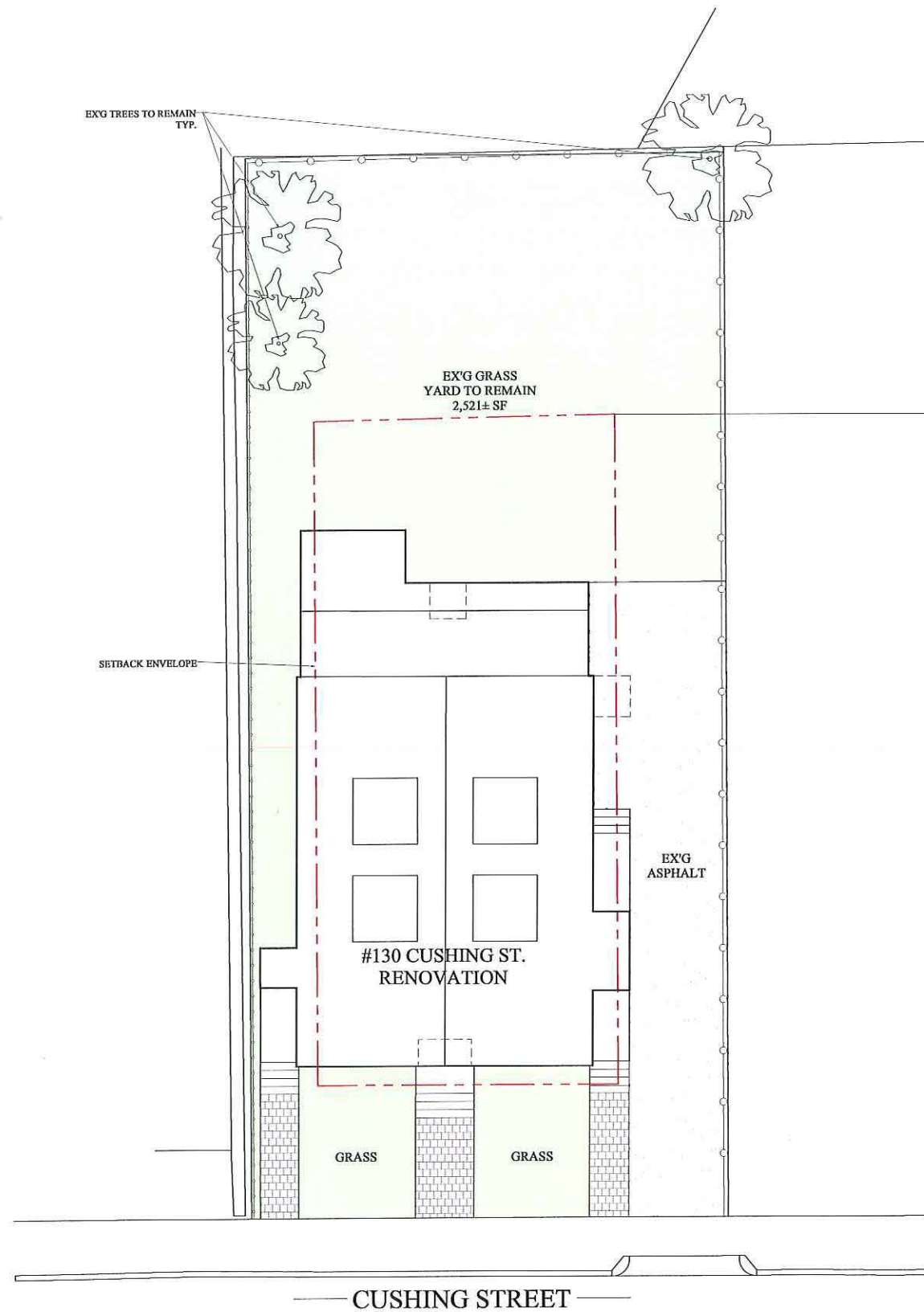
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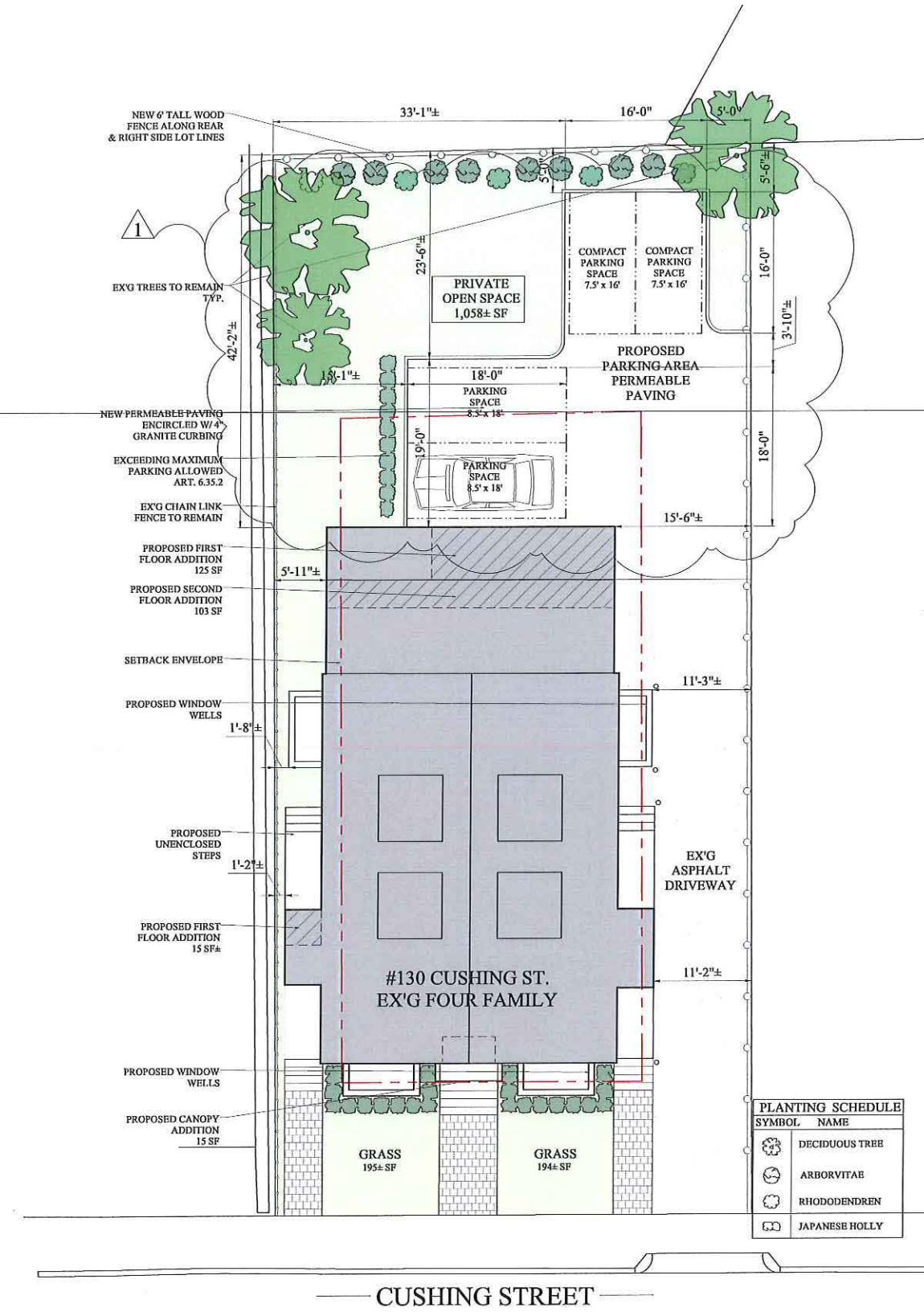
2 AERIAL VIEW GOOGLE MAPS



3 BIRDSEYE VIEW GOOGLE MAPS



1 EXISTING LANDSCAPE PLAN
1/8" = 1'-0"



2 PROPOSED LANDSCAPE PLAN
1/8" = 1'-0"

PLANTING SCHEDULE	
SYMBOL	NAME
	DECIDUOUS TREE
	ARBORVITAE
	RHODODENDREN
	JAPANESE HOLLY

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-788-7727 Fax 617-788-7715



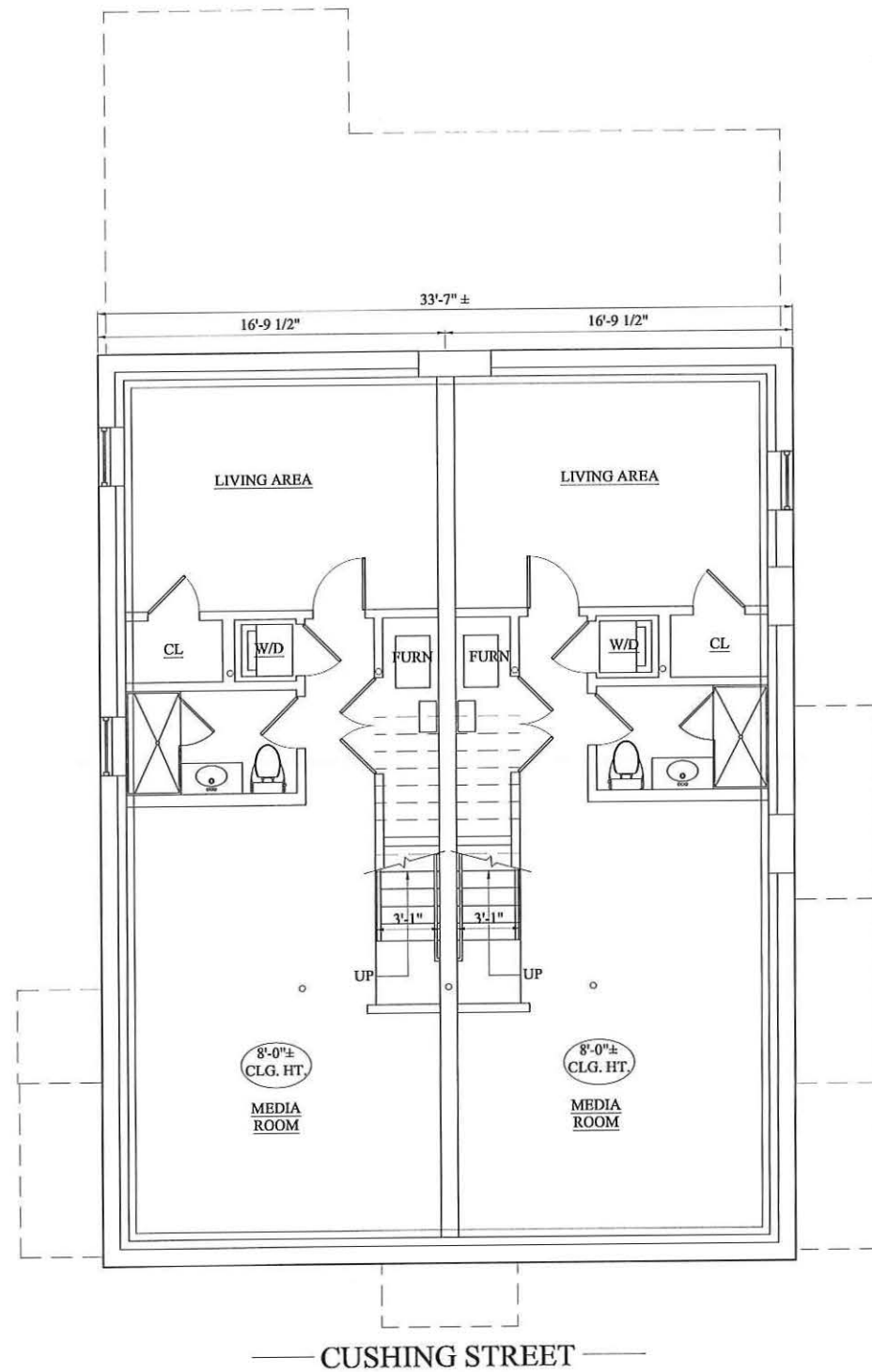
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1	4-07-2023

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

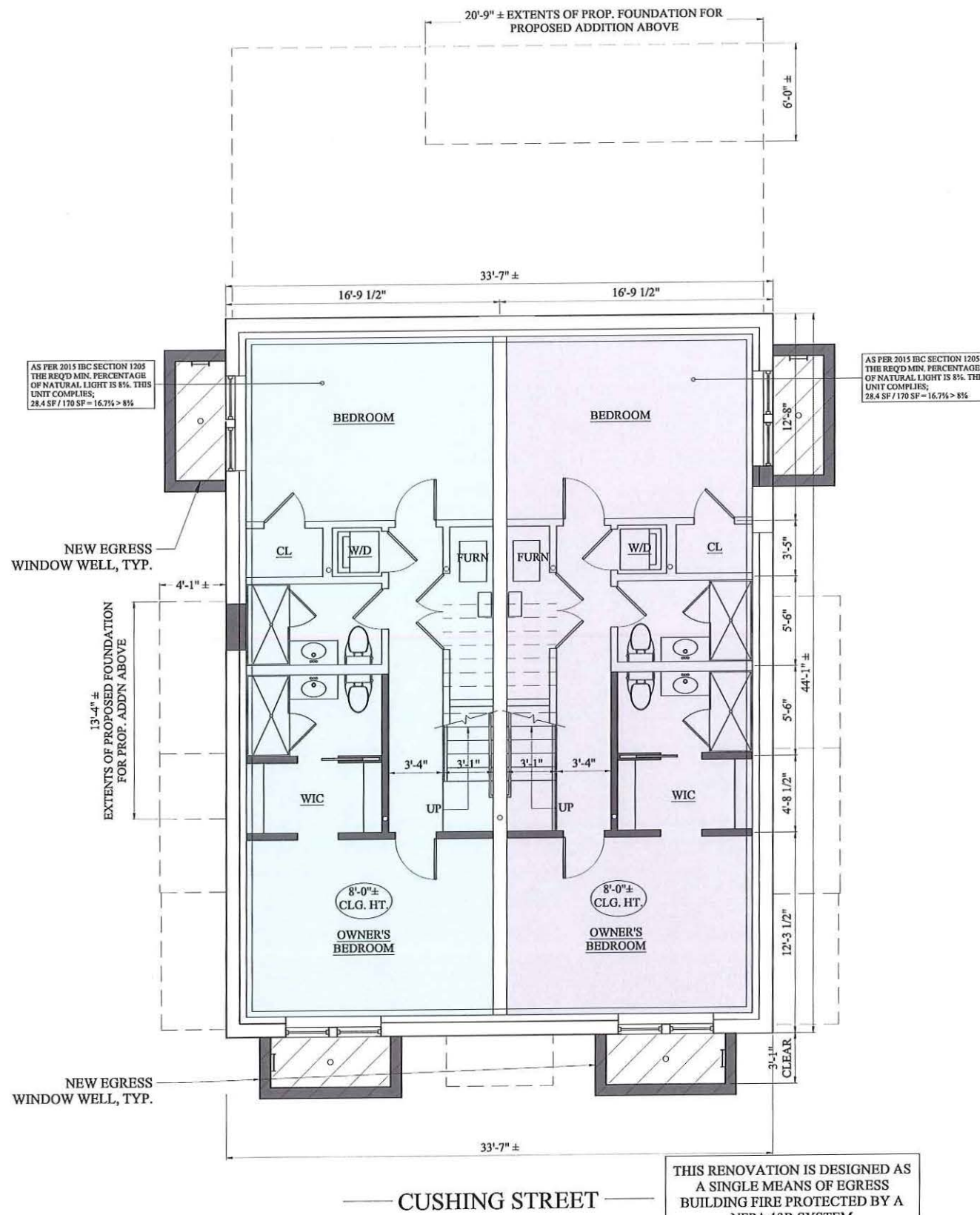
Drawing Name
PROPOSED LANDSCAPE PLAN

Sheet No.
A-1.0

THESE PLANS WERE PREPARED FROM A PLOT PLAN UNDERLAY PROVIDED BY GLORAL ASSOCIATES, 9 BROADWAY, WAKEFIELD, MA 01880 DATED 7-12-22



1 EXISTING BASEMENT FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED BASEMENT FLOOR PLAN
1/4" = 1'-0"

Location

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



One Billings Road Quincy, MA 02171
617-766-7727 Fax 617-766-7715

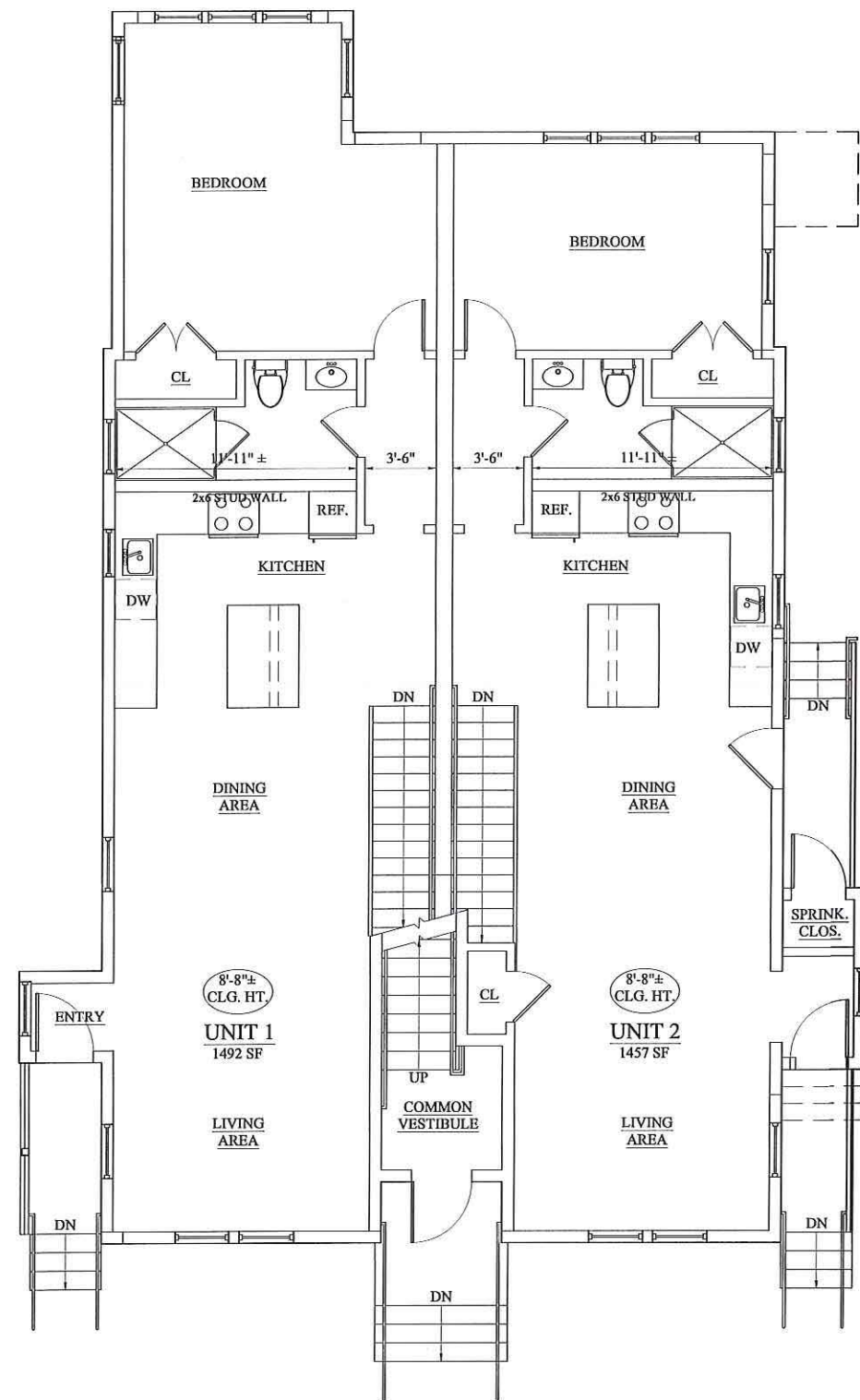


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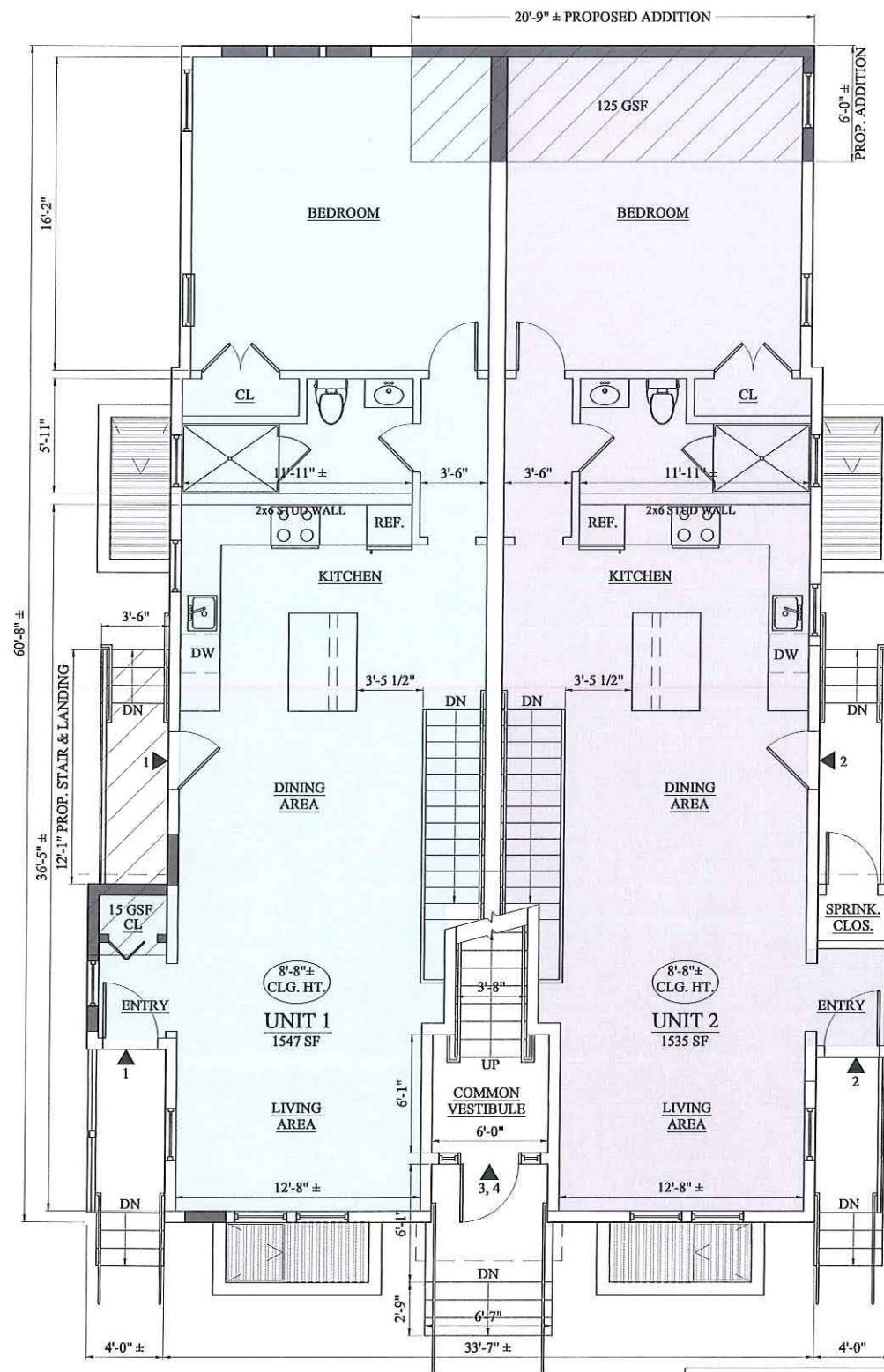
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Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name
EXISTING & PROPOSED BASEMENT FLOOR PLANS

Sheet No.
A-1.1



1 EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED FIRST FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS A SINGLE MEANS OF EGRESS BUILDING FIRE PROTECTED BY A NFPA 13R SYSTEM

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
One Billings Road Quincy, MA 02171
617-766-7727 fax 617-766-7715

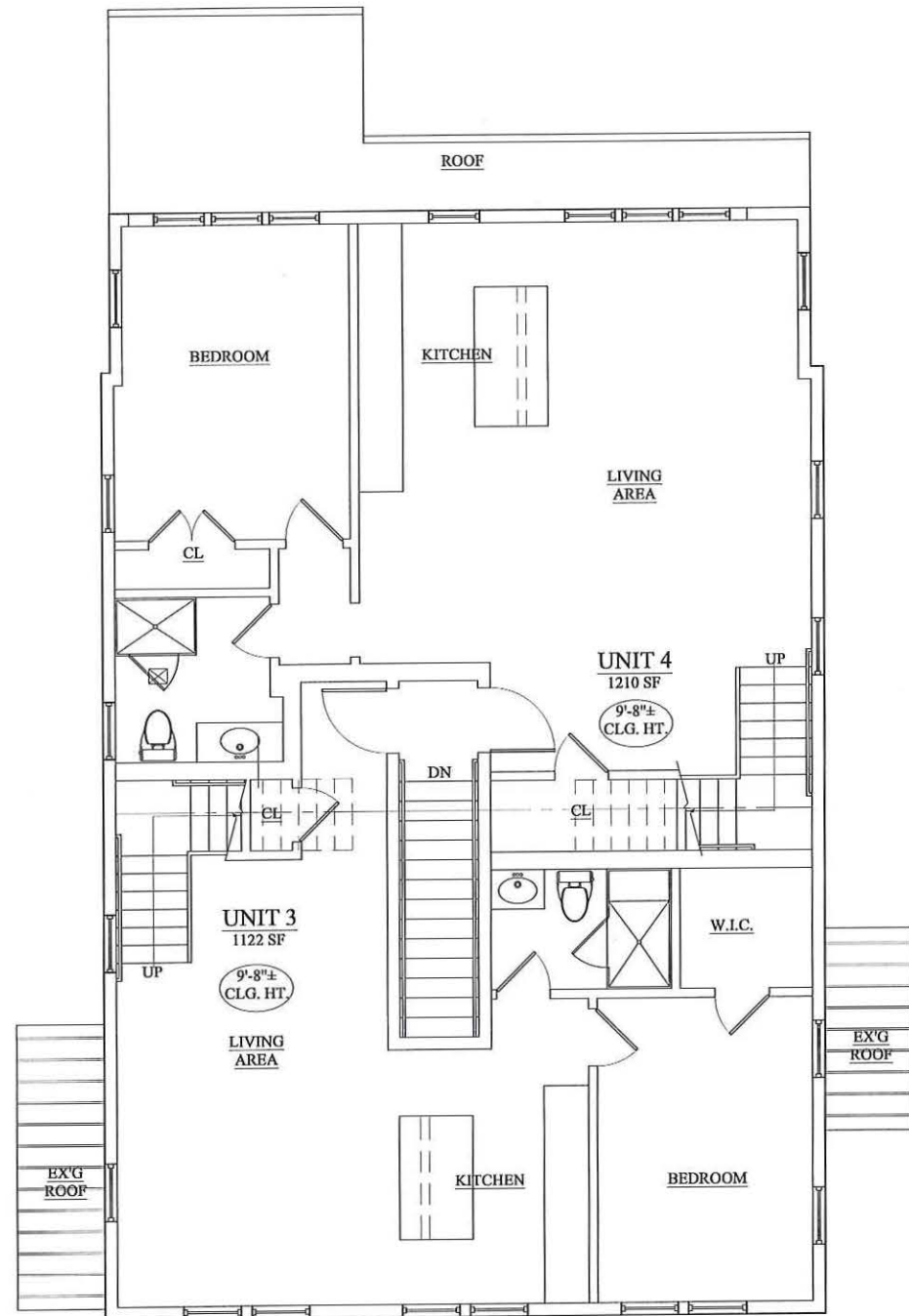


No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name
EXISTING & PROPOSED FIRST FLOOR PLANS

Sheet No.
A-1.2



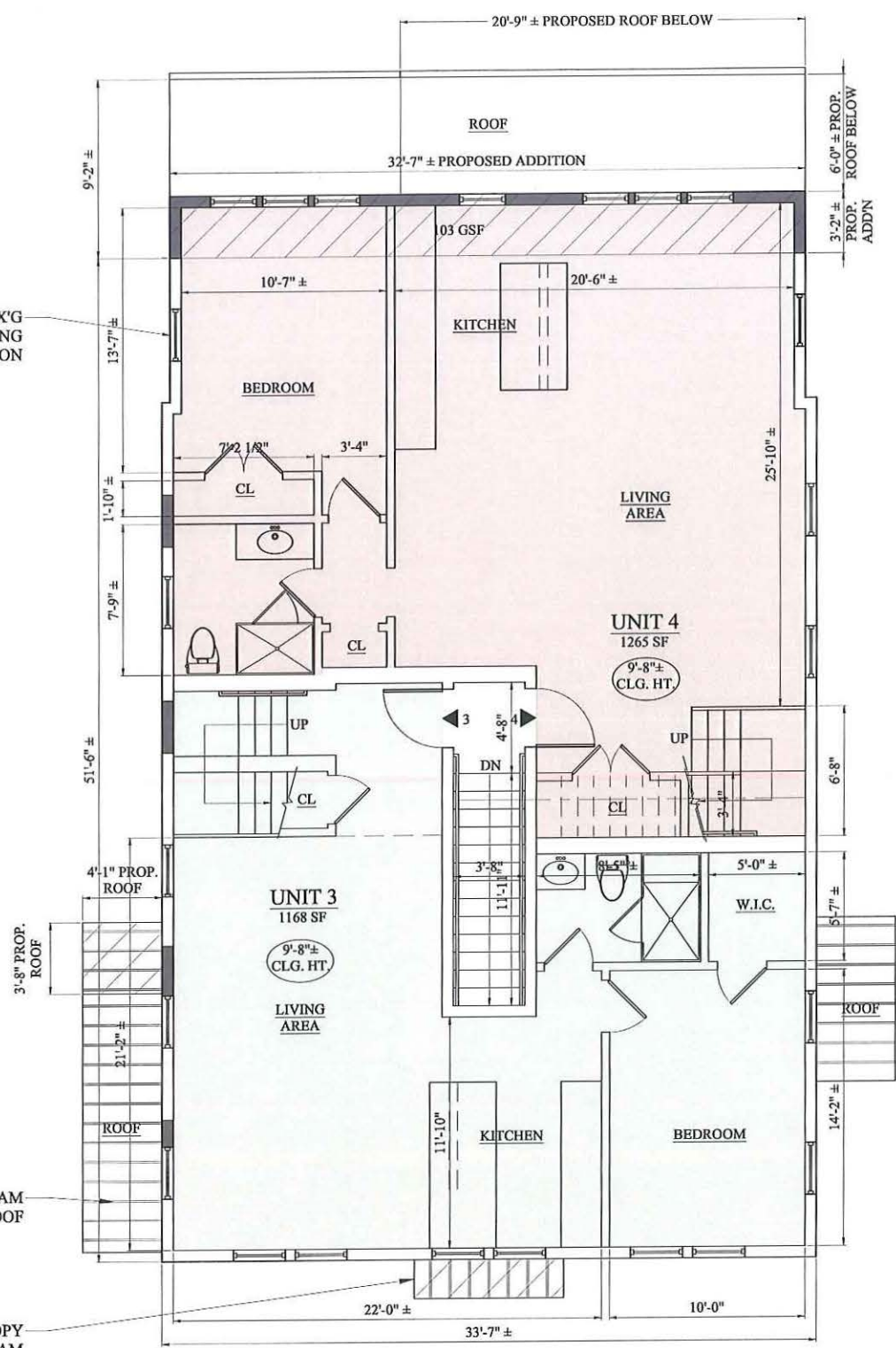
1 EXISTING SECOND FLOOR PLAN
1/4" = 1'-0"

ENLARGE EX'G WINDOW OPENING SEE ELEVATION

STANDING SEAM METAL ROOF

PROPOSED CANOPY STANDING SEAM METAL ROOF

THIS RENOVATION IS DESIGNED AS



2 PROPOSED SECOND FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS A SINGLE MEANS OF EGRESS BUILDING FIRE PROTECTED BY A NFPA 13R SYSTEM

Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138



One Billings Road Quincy, MA 02171
617-766-7727 fax 617-766-7715



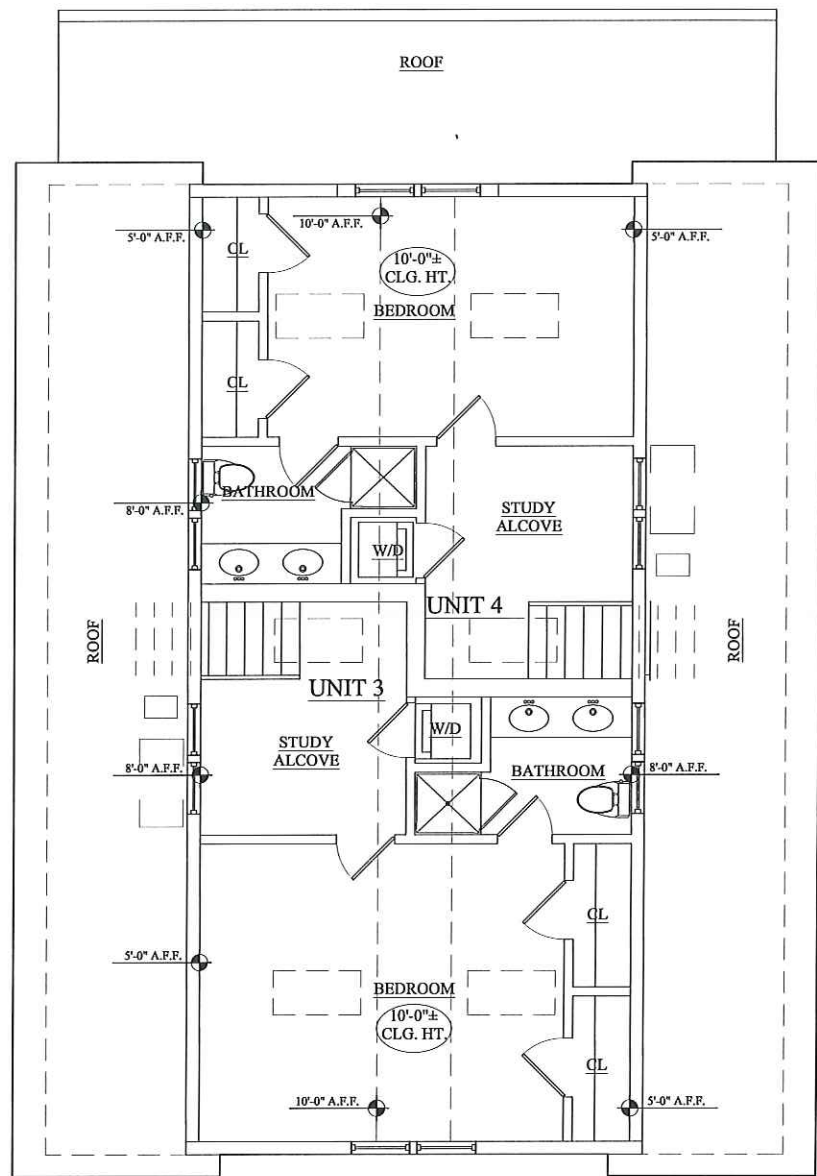
No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

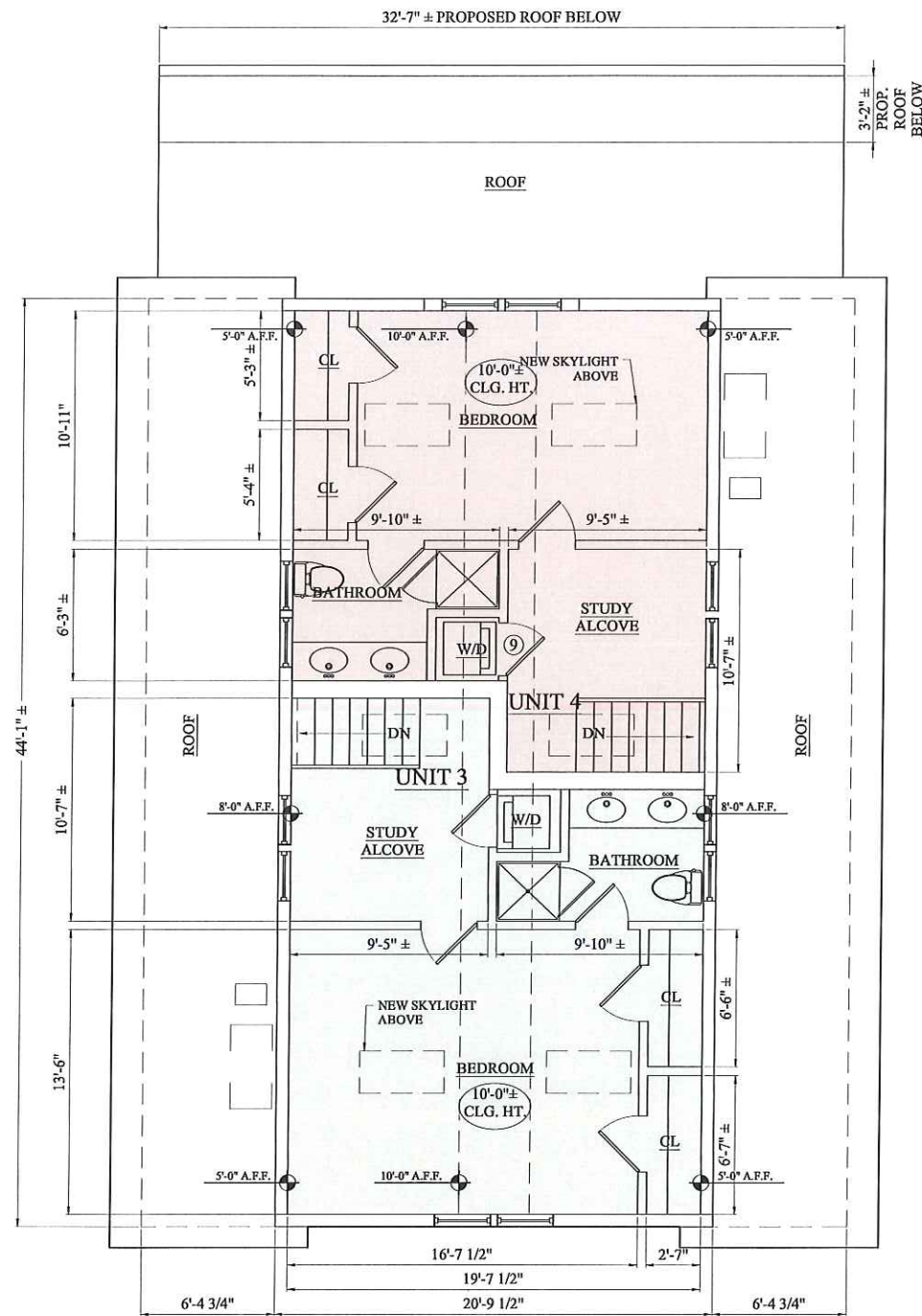
Drawing Name
EXISTING & PROPOSED SECOND FLOOR PLANS

Sheet No.
A-1.3

CUSHING STREET



1 EXISTING THIRD FLOOR PLAN
1/4" = 1'-0"



2 PROPOSED THIRD FLOOR PLAN
1/4" = 1'-0"

THIS RENOVATION IS DESIGNED AS

CUSHING STREET

THIS RENOVATION IS DESIGNED AS
A SINGLE MEANS OF EGRESS
BUILDING FIRE PROTECTED BY A
NFPA 13R SYSTEM

Location

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo
& Company, Inc.

One Billings Road Quincy, MA 02171
617-766-7727 fax 617-766-7715



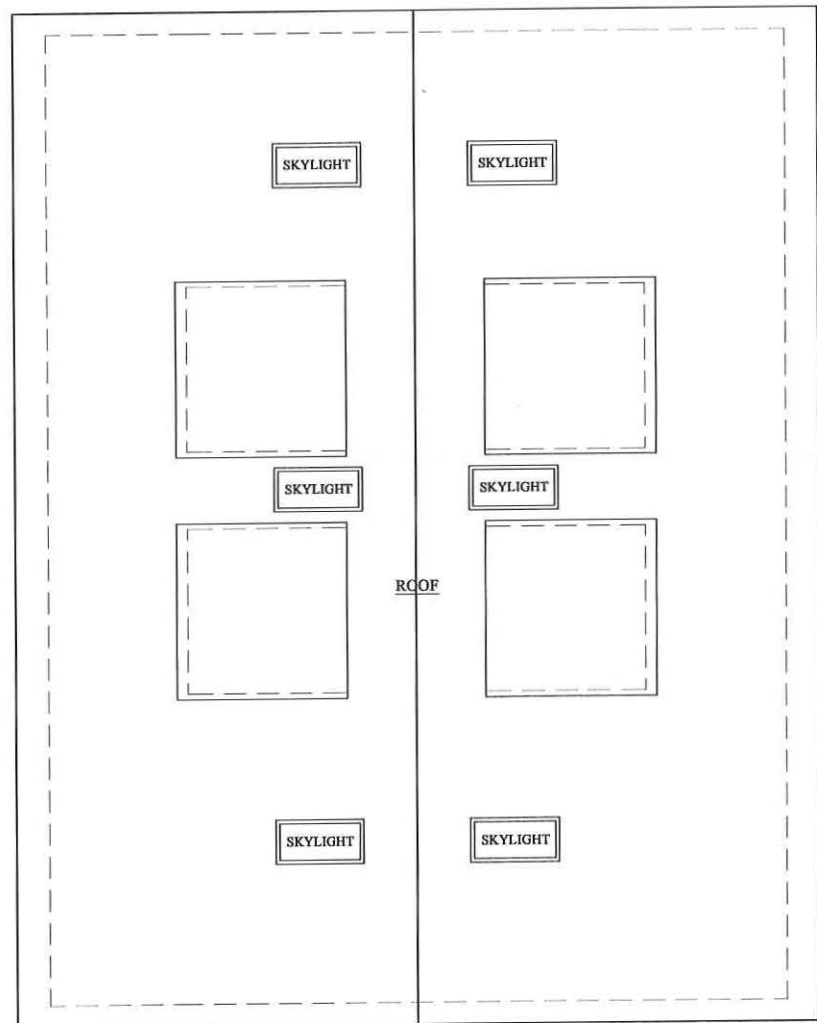
No.	Revision Date
	4-13-2020 BZA

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

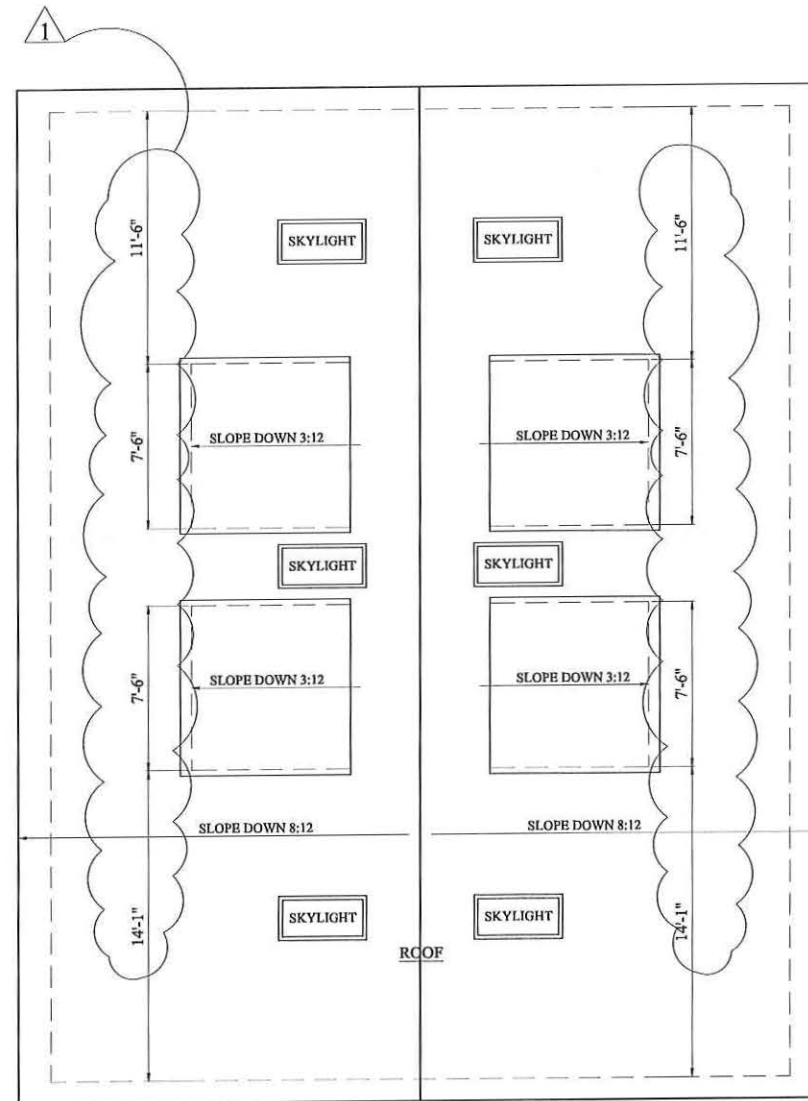
Drawing Name
EXISTING &
PROPOSED
THIRD FLOOR
PLANS

Sheet No.

A-1.4



1 EXISTING ROOF PLAN
1/4" = 1'-0"



2 PROPOSED ROOF PLAN
1/4" = 1'-0"

Location

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-766-7727 Fax 617-766-7715

No.	Revision Date
1	4-07-2023

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name

EXISTING & PROPOSED ROOF PLANS

Sheet No.

A-1.5



Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-766-7727 fax 617-766-7715

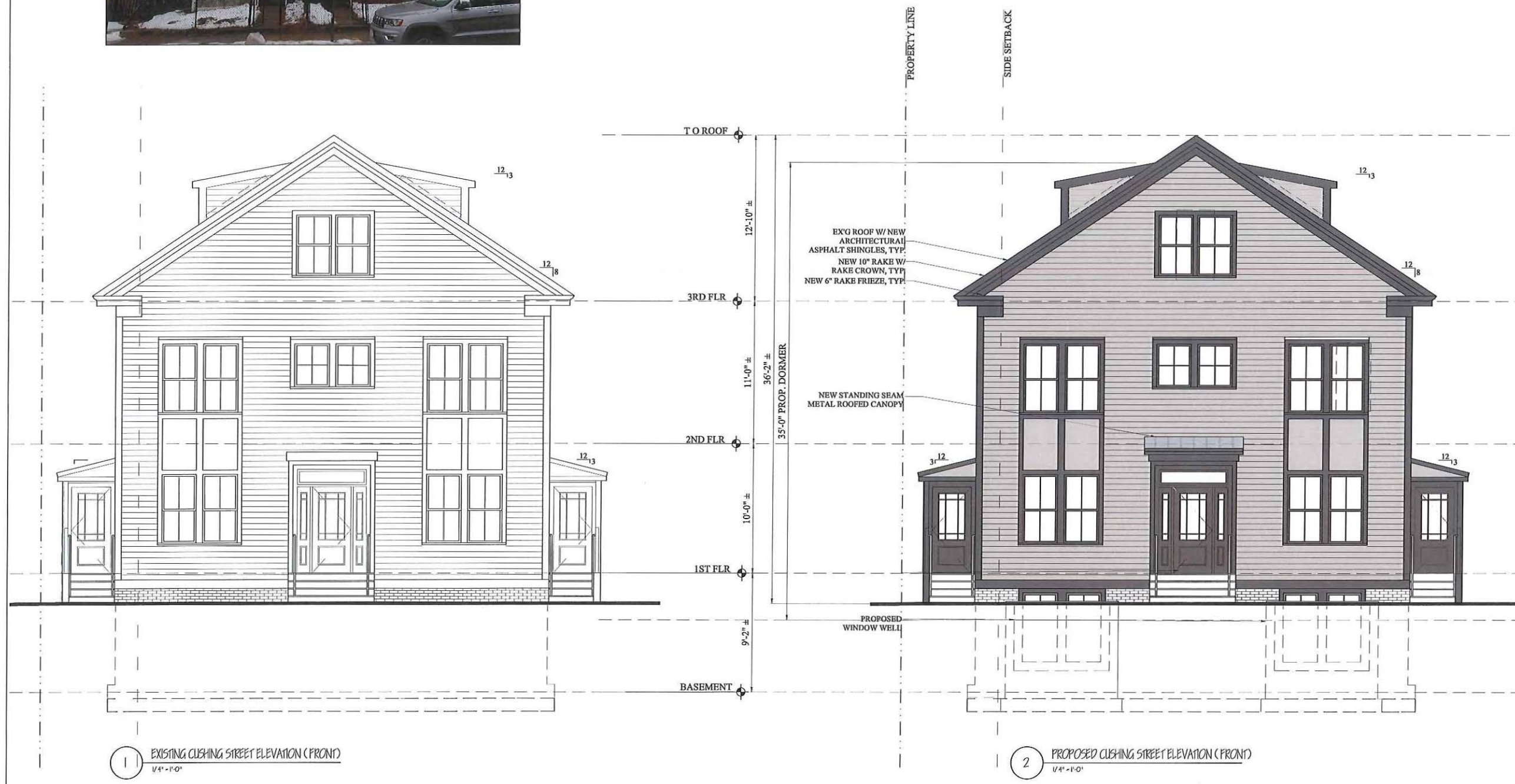
REGISTERED ARCHITECT
 K.F. CHOO
 1979
 BOSTON
 MA
 COMMONWEALTH OF MASSACHUSETTS

No.	Revision Date

Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
**EX'G & PROP.
 CUSHING STREET
 ELEVATIONS
 (FRONT)**

Sheet No.
A-2.1



1 EXISTING CUSHING STREET ELEVATION (FRONT)
 1/4" = 1'-0"

2 PROPOSED CUSHING STREET ELEVATION (FRONT)
 1/4" = 1'-0"



Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-786-7727 Fax 617-786-7715



No.	Revision Date
1	4-07-2023

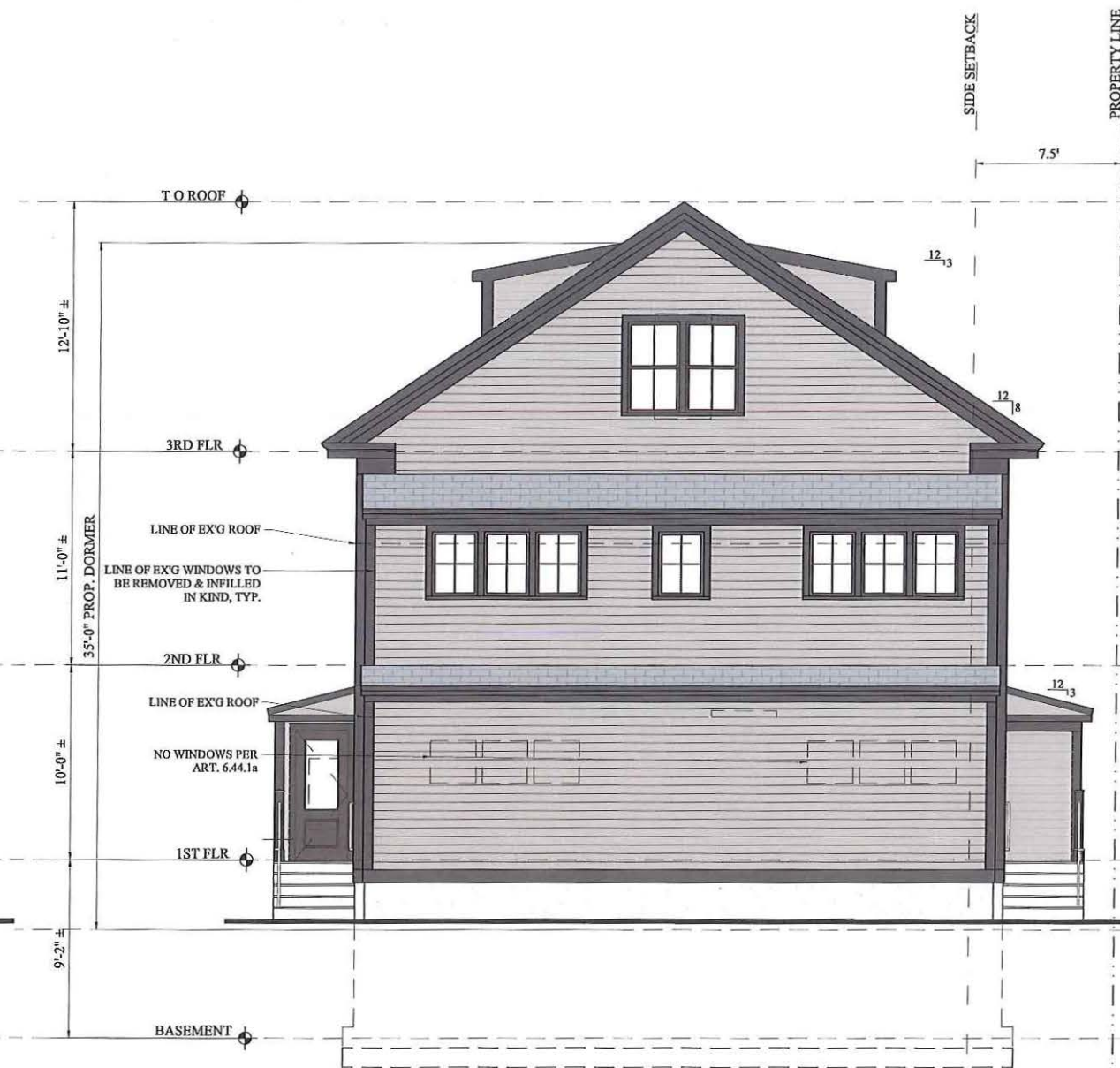
Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
EXISTING & PROPOSED LEFT SIDE ELEVATIONS

Sheet No.
A-2.2



1 EXISTING REAR ELEVATION
1/4" = 1'-0"



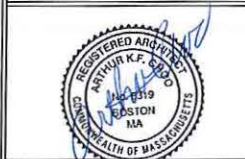
2 PROPOSED REAR ELEVATION
1/4" = 1'-0"

Location

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Shoo & Company, Inc.

One Billings Road Quincy, MA 02171
617-766-7727 fax 617-766-7715



No.	Revision Date

Project No: 2022137
Scale: AS NOTED
Date: 12-09-2022
Drawn By: DF

Drawing Name
EXISTING & PROPOSED REAR ELEVATIONS

Sheet No.

A-2.3



Location
PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-766-7727 fax 617-766-7715

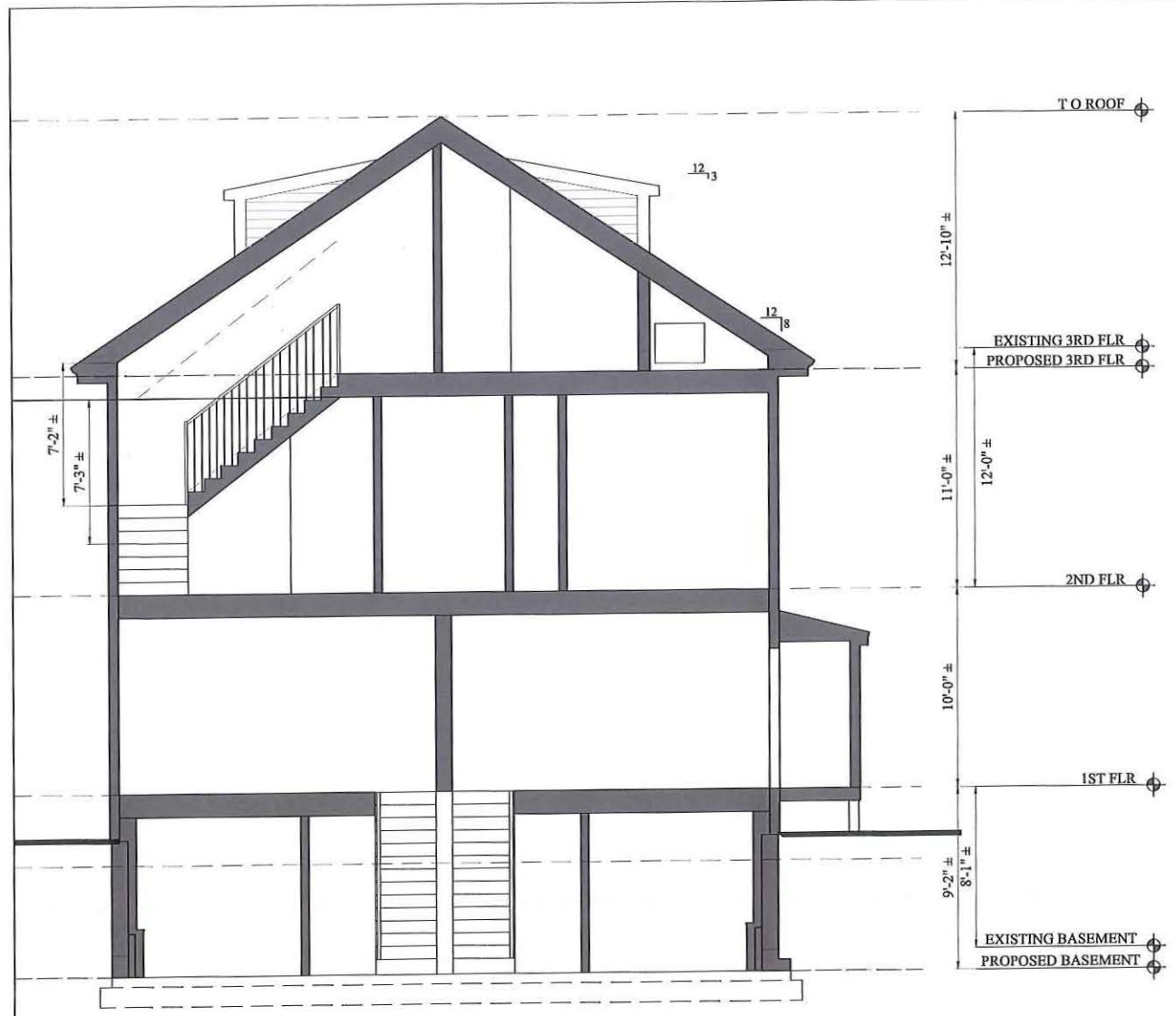


No.	Revision Date
1	4-07-2023

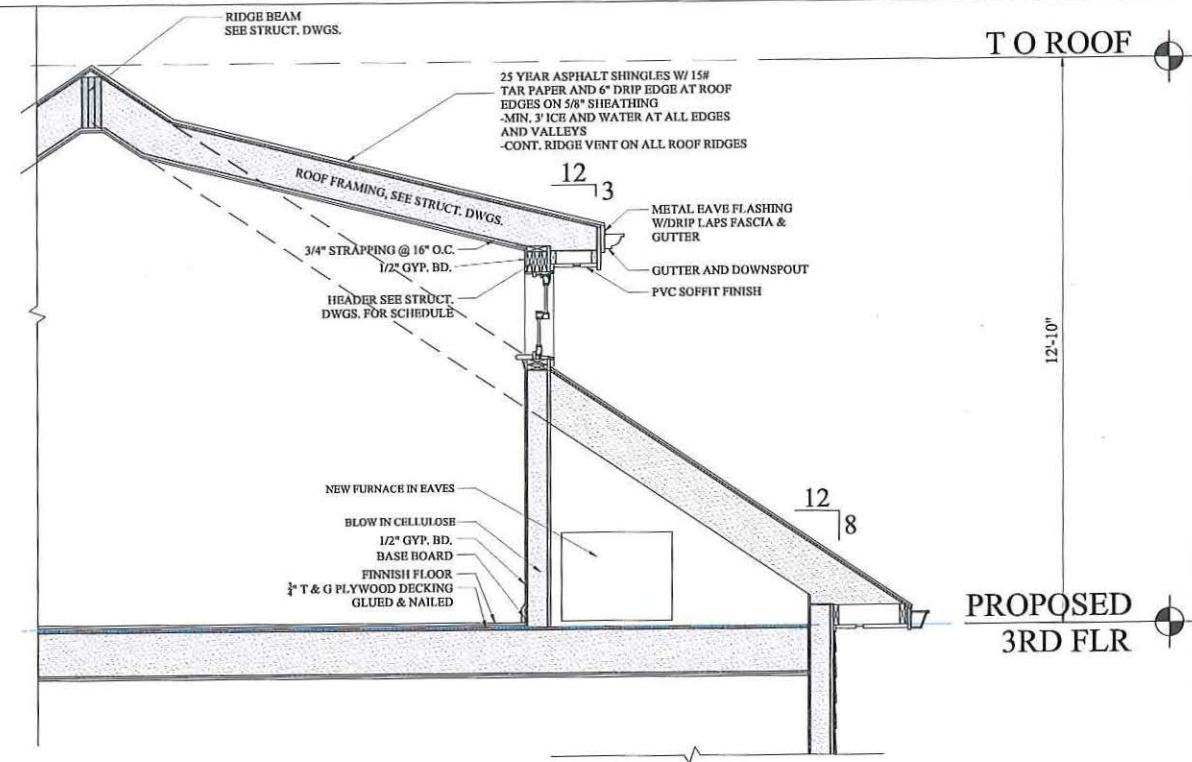
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 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name
EXISTING & PROPOSED RIGHT SIDE ELEVATIONS

Sheet No.
A-2.4

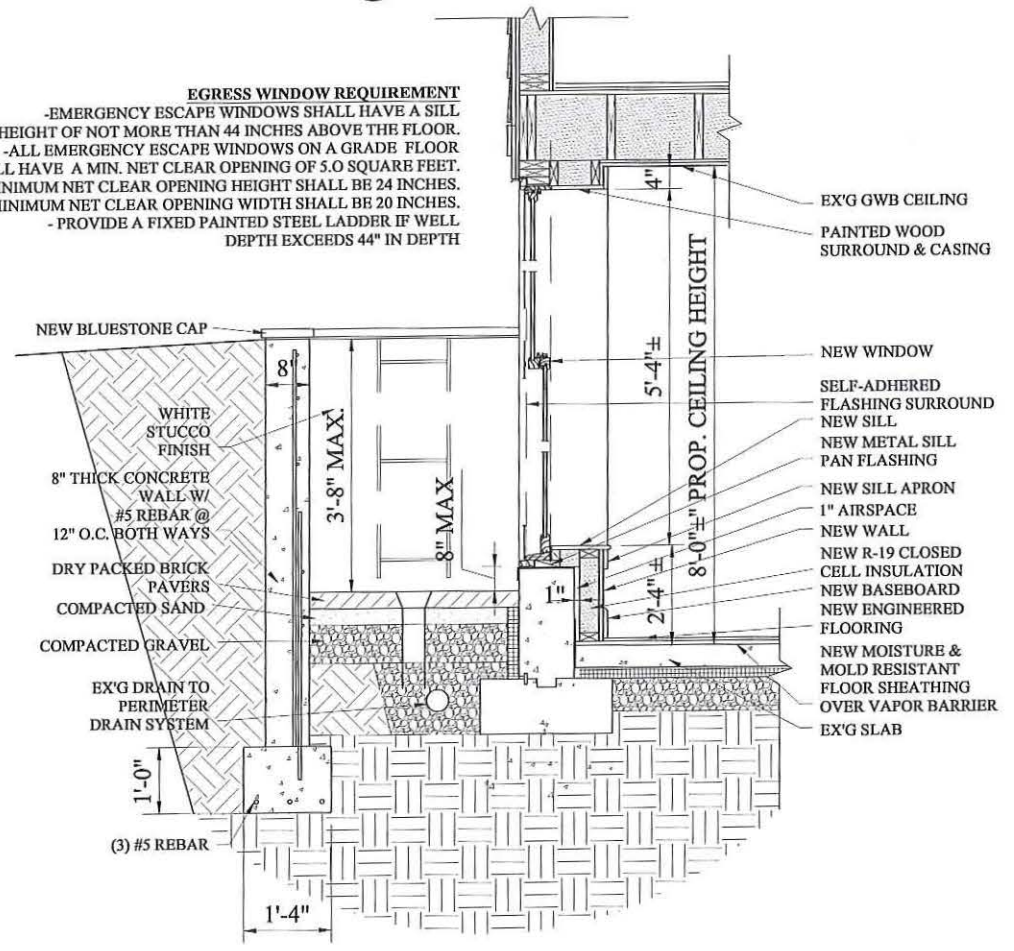


1 PROPOSED BUILDING SECTION
1/4" = 1'-0"



2 PROPOSED DORMER DETAIL
1/2" = 1'-0"

EGRESS WINDOW REQUIREMENT
 -EMERGENCY ESCAPE WINDOWS SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR.
 -ALL EMERGENCY ESCAPE WINDOWS ON A GRADE FLOOR SHALL HAVE A MIN. NET CLEAR OPENING OF 5.0 SQUARE FEET.
 -THE MINIMUM NET CLEAR OPENING HEIGHT SHALL BE 24 INCHES.
 -THE MINIMUM NET CLEAR OPENING WIDTH SHALL BE 20 INCHES.
 - PROVIDE A FIXED PAINTED STEEL LADDER IF WELL DEPTH EXCEEDS 44" IN DEPTH



3 PROPOSED WINDOW WELL
1/2" = 1'-0"

PROPOSED RENOVATION
130 CUSHING STREET
CAMBRIDGE, MA 02138

Choo & Company, Inc.
 One Billings Road Quincy, MA 02171
 617-766-7727 fax 617-766-7715

REGISTERED ARCHITECT
 ARCHITECT K.F. 5380
 2019
 REGISTRATION
 MA
 COMMONWEALTH OF MASSACHUSETTS

No.	Revision Date

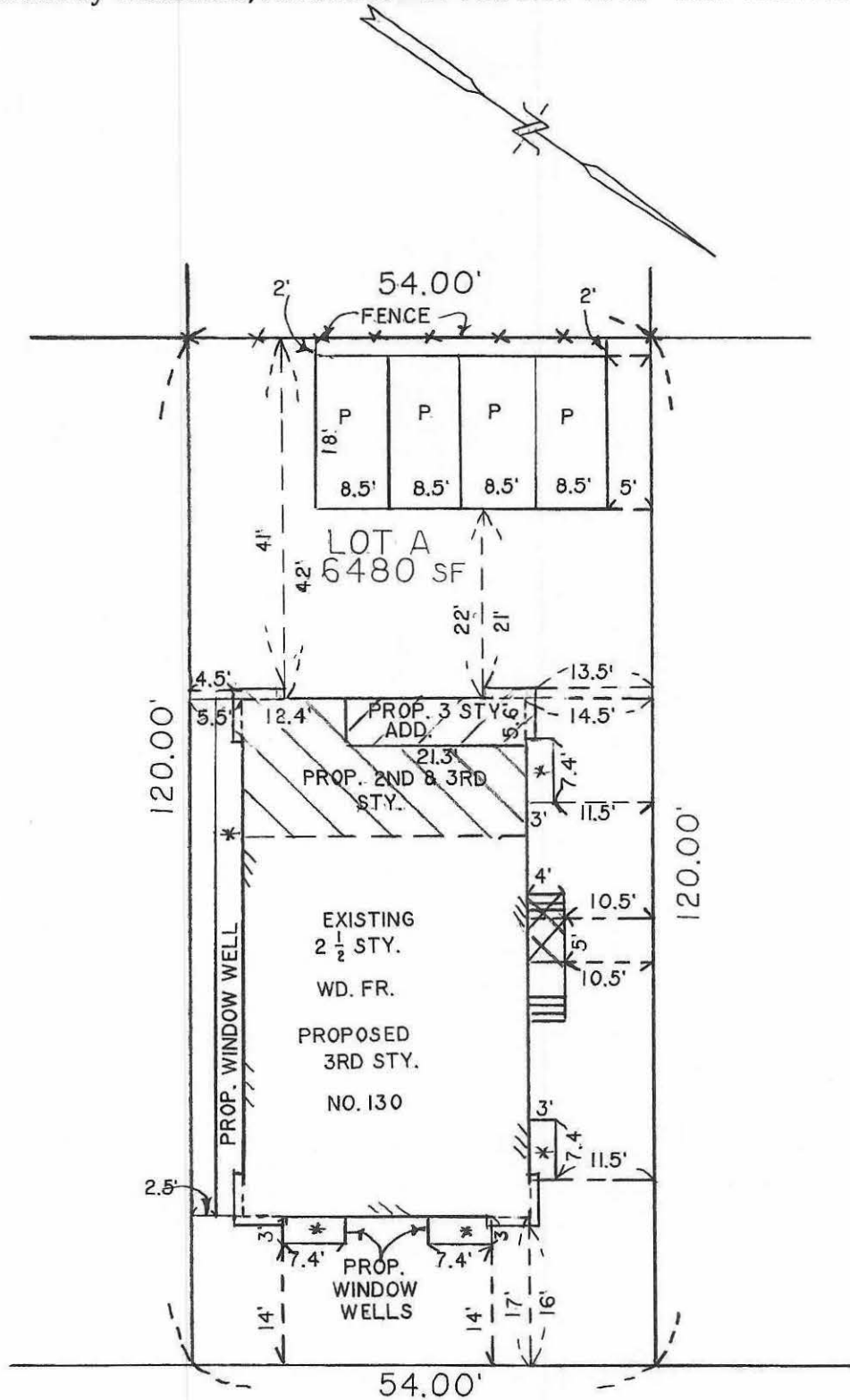
Project No: 2022137
 Scale: AS NOTED
 Date: 12-09-2022
 Drawn By: DF

Drawing Name:
BUILDING SECTION AND DETAILS

Sheet No.
A-3.1

GLORAL ASSOCIATES

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



PROPOSED

CUSHING ST.

PROPOSED

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.

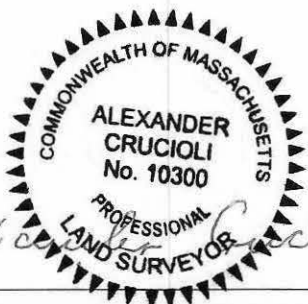
XXX = PROPOSED EXPANSION OF EXISTING STAIRS

PROPOSED WINDOW WELLS

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

LOT COVERAGE = 31.1%

OPEN SPACE = 47.7%



Alexander Crucoli
 Signature: _____

Date: 2/22/22

Plot Plan
 In
CAMBRIDGE, MA.

Owner
 BOB XIE

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



130

132

NO PARKING
TOW ZONE
NO PARKING
TOW ZONE
NO PARKING
TOW ZONE



132





NO
TRESPASSING
or DEFACING
of
PROPERTY

Welcome to the Higgins School

130





132



34





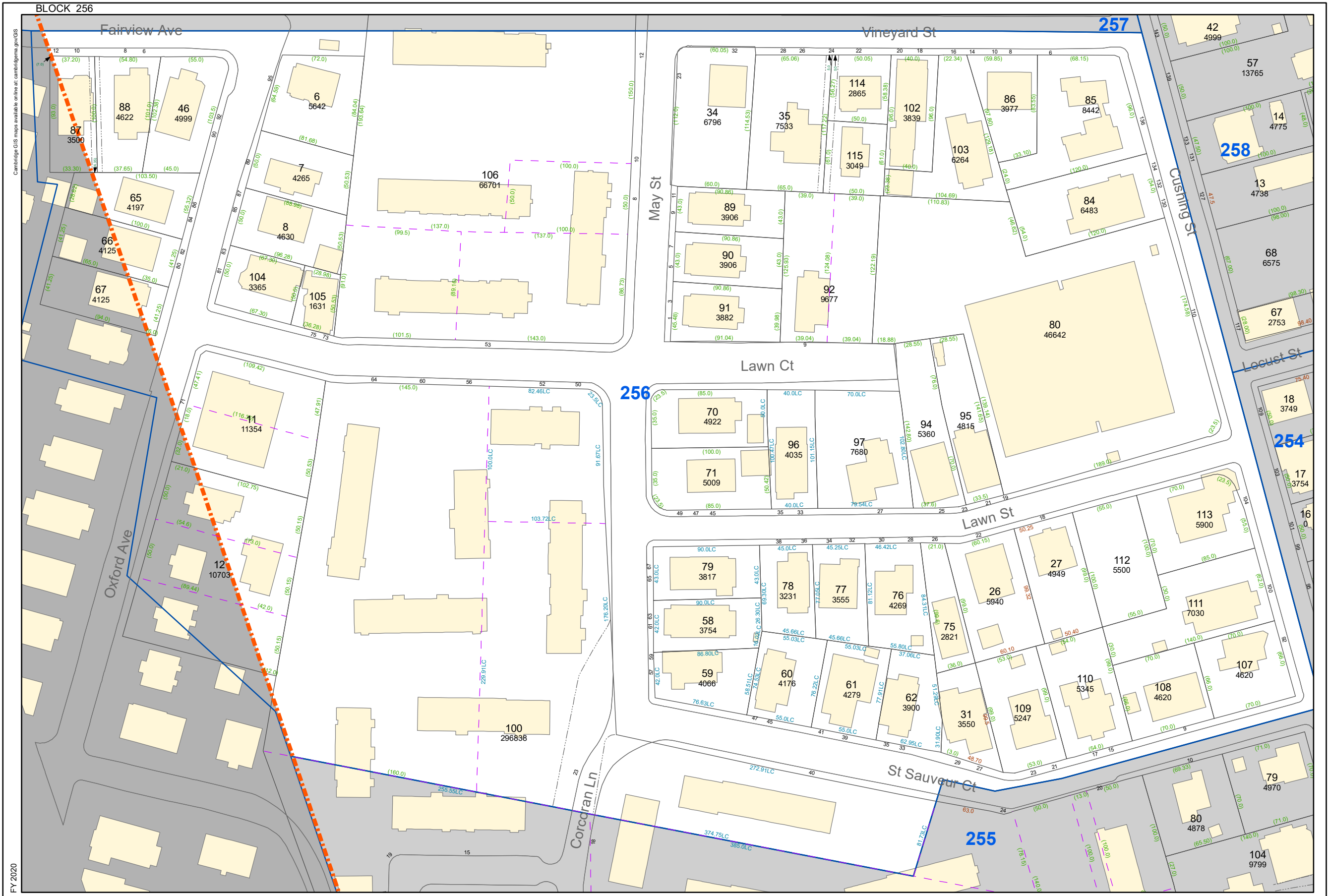












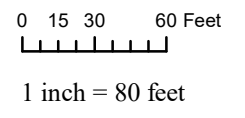
FY 2020



**City of Cambridge
Assessing Department**
795 Massachusetts Ave.
Cambridge, MA 02139

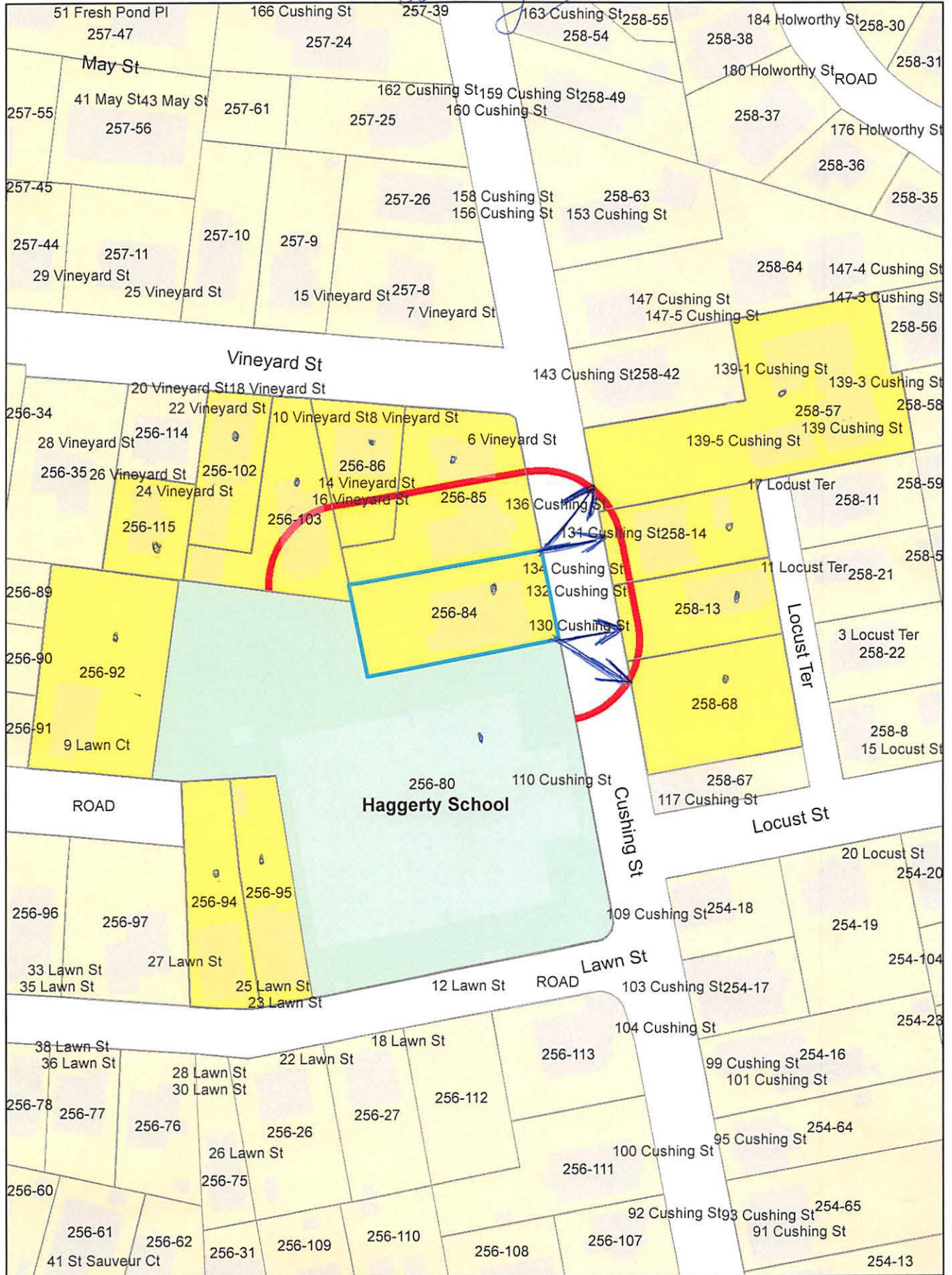
- Buildings
- Lot Line
- Sub-Parcel Line
- Block Line
- City Boundary
- Water
- Easement
- Railway
- 10 Lot Number
- 256 Block Number
- 10 Street Number
- 100 Parcel size in Sq. Ft.
- 44.0LC Land Court Dimension
- 65.0 Survey Dimensions
- (125.0) Deed Dimension

DISCLAIMER:
All Real Property shown on this map was compiled from existing Assessor's Tax Maps dated 1990 to 2019 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.



Parcel Block Map
256

130 Cushing St.



130 Cushing St.

Petitioners

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

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 MANDAWA
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
DOBBERTEN, 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

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

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.

Property Address: 130 Cushing Street, Cambridge, Middlesex County, Massachusetts

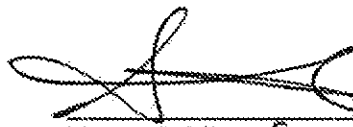
Executed to take effect as a sealed instrument this 14 day of November, 2013.


SHAOJUN XIE

South, ss.

Commonwealth of Massachusetts

On this 14 day of November, 2013, before me, the undersigned notary public, personally appeared SHAOJUN XIE, proved to me through satisfactory evidence of identification (to wit: MA License), to be the persons whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.


Notary Public: Sean Chen
My Commission Expires: 9/15/17



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.

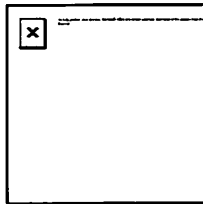
To follow up on our conversation, I am going to send this email to require an extension /postpone the hearing time We might make it ready round July . We will contact you before that when ready to go.

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

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

2022 APR 20 AM 10:18

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

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

RE: Case # BZA-163881

Address: 130 Cushing St.

Owner, Petitioner, or Representative: Priya Mandavare
(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 Owner, 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]
Signature