

BZA Application Form

BZA Number: 151499

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

2021 OCT 29 PM 1:04
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

PETITIONER: Paul Boyd C/O Adam J. Glassman, R.A.

PETITIONER'S ADDRESS: 2 Worthington Street , Cambridge , MA 02138

LOCATION OF PROPERTY: 152 Pearl St , Unit 5 , Cambridge, MA

TYPE OF OCCUPANCY: Residential

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/4th Floor Roof Deck Addition /

DESCRIPTION OF PETITIONER'S PROPOSAL:

New 4th floor roof deck addition with 48" tall guardrails.

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).

Original
Signature(s):

Adam J. Glassman

(Petitioner (s) / Owner)

Adam J. Glassman

(Print Name)

Address:

Tel. No. 617-412-8450

E-Mail Address: ajglassman.ra@gmail.com

Date: 10/28/2021

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Paul Boyd

Present Use/Occupancy: Residential

Location: 2 Worthington Street

Zone: Residence C-1 Zone

Phone: 617-412-8450

Requested Use/Occupancy: Residential

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	6,199.00	6,555.00	1,991.00	(max.)
<u>LOT AREA:</u>	2,655.0	2,655.0	5,000.0	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	2.33	2.46	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>	442.00	No Change	1,500.00	
<u>SIZE OF LOT:</u>				
WIDTH	50.0	No Change	50.0	
DEPTH	53.0	No Change	NA	
<u>SETBACKS IN FEET:</u>				
FRONT	8.0'	31.5' from proposed deck to street	10.0'	
REAR	5.1'	5.1'	20.6'	
LEFT SIDE	4.5'	4.5'	16.5'	
RIGHT SIDE	5.6'	5.6'	16.5	
<u>SIZE OF BUILDING:</u>				
HEIGHT	42.3'	39.0 +/- TO TOP OF GUARDRAIL	35.0'	
WIDTH	51.5'	No Change	NA	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	0%	13.4%	15% Usable Open Space	
<u>NO. OF DWELLING UNITS:</u>	6	No Change	1	
<u>NO. OF PARKING SPACES:</u>	0	0	6	
<u>NO. OF LOADING AREAS:</u>	NA	NA	NA	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	NA	NA	NA	

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.:

Existing structure is wood frame, new deck would be wood frame, there are no other structures on the 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

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10.

- A)** A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

A literal enforcement of the ordinance would prevent the owners from being able to safely utilize the modest roof area to which they have exclusive use right and currently use as their only outdoor space. At this time the roof has on its right side an extremely unsafe rope railing system with decaying planter boxes which have fallen into disrepair, and there is no guardrail whatsoever on the left side. In addition to adding proper and code compliant guardrails along the perimeter of the flat roof area, the owners also need to protect the rubber roof membrane with a proper deck system. As the property has no functionally useable open space, their roof area is the only outdoor space they can enjoy, and with both owners working more hours from home due to Covid and the associated changing work practices, their roof area is an amenity they rely on more and more for outdoor space. The minimal work required to make their roof area safe for use and provide proper roof protection requires zoning relief. Additionally, without the construction of proper guardrails around the perimeter of the flat roof section of their property, the condo association is struggling to find a new master insurance policy. As the owners contemplate having children the need for proper decking and a code compliant guardrail system is even more important.

- 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 2,655 SF lot is very small and nonconforming due to setbacks, building height and FAR. Not even the most modest exterior work can be done to their area of the roof of this structure without the need for zoning relief.

- 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 character and scale of the existing building will not change, the proposed deck and railings cannot be seen from Pearl Street and the view from Valentine Street is very distant and very limited. The new work will remain well under the existing building highpoints, there will be no increase to the non-conforming setbacks. There will be no loss of street parking, and the 1% increase in FAR per the 4th story roof deck is negligible. 356.0 SF of useable open space will be added to a property that currently has 0 SF of useable open space.

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

Adding decking and guardrails to the area of the roof to which the owners already enjoy exclusive rights will not pose potential loss of privacy for any of their abutters. Additionally, the proposed roof deck would be smaller than the total roof area the owners are currently allowed to occupy per the condo deed as the proposed design will remove the existing rope railings and planters and install the new guardrails 14" away from the edge of the roof where the rope railing and planters are currently located, thus reducing the total footprint of the occupiable area. There will be no increase in noise, there will no shadows cast on the abutting properties. The proposed work is a modest but important set of improvements to what are currently unsafe and improper conditions for an occupiable roof

space and for the safety of those performing roof related maintenance. All work will be consistent with the character of the building and the neighborhood. All direct abutters and co-owners within the building support this petition for zoning relief.

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

Campbell H. Ellsworth
146-148 Pearl Street (currently under construction)
(currently residing at 267 Norfolk Street)
Cambridge, MA 02139

December 13, 2021

To the Board of Zoning Appeals

I am a direct abutter to the petitioner's proposed project at 152 Pearl. I am building a house for my family at 146-148 Pearl Street, one structure away from 152 Pearl, to the north east. My building envelope, which has been designed and built as-of-right, is 7.5 feet from my property line. The plane of the petitioner's building that they are requesting to enlarge, is only 4.5' from their property line, a non-conforming dimension. Therefore, the petitioner is requesting to extend a non-conforming aspect of their structure, in both setbacks and height. I am affected by the work that the petitioner is proposing, and I have concerns about the impact that their project will have on my property with regard to both privacy and light. I object to the work as it is currently proposed.

Let me also state that I am supportive of families that wish to invest in their properties, to take advantage of unused or underutilized space, and to provide needed amenities for their families.

ISSUES OF FACT:

There are a number of items in the Petitioner's Dimensional Form, and Supporting Statement, that I wish to comment on and/or correct. I offer a corrected dimensional form attached.

DIMENSIONAL INFORMATION

- 152 Pearl Street is in the C zone. It is not in the C-1 zone as is stated in the Dimensional Form, and as has been advertised in the legal notice. This clarification is based on the Base Zoning Map that is available online from the City.
- This change in zone affects the calculations on the Dimensional Form. I offer a corrected dimensional form here.
- The petitioner's calculation of the added GFA appears not to include the approximately 64 SF of the stairs themselves, which would need to be included if the 4th floor deck becomes habitable. My calculations indicated that instead of the petitioner's 356 adder SF of GFA, that the number is more like 420. This increase changes some of the calculations, as seen in the dimensional form.
- The number of units in the building is 5, and not 6.
- The number of parking spaces in the building is 1, and not 0.

SUPPORTING STATEMENT FOR A VARIANCE

Below are sections from the Supporting Statement, with comments:

Supporting Statement: C, 1: “the proposed deck and railings cannot be seen from Pearl Street”	This is not true. The proposed addition of the deck and railings will be seen from Pearl Street, from both the left and right sides of the building. See PHOTO SHEET 1.
Supporting Statement: C, 1: “the view from Valentine Street is very distant and very limited”	This is a value judgement, but I offer a photograph, with the proposed deck, on PHOTO SHEET 2. Given that 152 Pearl Street is only one structure from the corner of Pearl and Valentine, and the fact that the corner property at 156 Pearl Street is very low, the addition of a 4th floor deck will be very visible.
Supporting Statement: C, 1: The new work will remain well under the existing building highpoints	This statement appears slightly misleading. The “existing building highpoint” is the height of the rear stair headhouse, which is a piece of the structure that would normally <u>not</u> be included in the building height if it were used <u>ONLY</u> to access mechanical equipment or roof access. As soon as it is intended to access habitable space, it would count in the zoning controlled building height (and GFA). By granting a variance to an accessible deck with the addition of deck railings, the BZA is also granting a variance for the habitability and the height of the stair tower, at 42'-3".
Supporting Statement: C, 1: there will be no increase to the non-conforming setbacks	True, but, I would ask that the BZA not allow for a continuation of a non-conforming setback. There are better solutions.
Supporting Statement: C, 1: “and the 1% increase in FAR per the 4th story roof deck is negligible.”	True that the FAR only goes up by just over 1%. But the GFA is going up by 5.74% (6,555 SF / 6,199 SF). However the declared 356 SF increase seems to include only the new deck surface. If this deck is allowed to be habitable space (GFA) then the stair plan itself, at approximately 64 SF would also have to be included in the request. This brings the requested GFA increase to 420SF, or an increase of 6.78% over the original 6,199 SF of the building.
Supporting Statement: C, 2: there will no shadows cast on the abutting properties	Not true. Shadows will be cast on my property by the Petitioner's new deck.
Supporting Statement: C, 2: All direct abutters and co-owners within the building support this petition for zoning relief	Not true. I have concerns about the project as it affects my privacy and light, and the precedent it sets for the City.

CONCLUSION:

Our own needs: privacy and light:

As I wrote above, I am supportive of individuals and families making use of their available space. However, to protect our privacy and our sun, I would like to request a diminution of the size of the deck. See **PLAN SUGGESTION**, attached.

And to ensure that future shading is not increased, if the application passes, I would request that any non-habitable space close to our structure, not be filled up with temporary planters that create additional shading on our building.

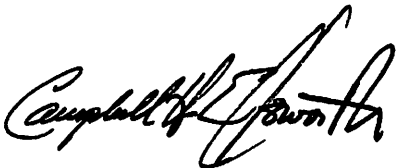
An additional specific concern; a question for the BZA:

If the desired relief is granted and the roof, or part of the roof, is deemed habitable, and therefore the SF added to the existing GFA, what is keeping the petitioner from covering the deck at any point in the future? This might be either open trellis or pergola, or could be fully covered, and the height of that covering would still not exceed the height of the existing stair headhouse. This would potentially increase the amount of shading that would occur on my home. I would request that, if any relief is granted for a habitable deck that it be written that the deck will not be covered, now or in the future.

A general concern for the City:

I believe that by granting this variance that the City may be opening itself up to an abundance of variance requests. There are many 3 story buildings with rubber roofs that also have headhouses to access the roof for maintenance. By granting habitable GFA above the specific zone height limit will set a bad precedent.

Sincerely,



Campbell H. Ellsworth

EXHIBITS

- DIMENSIONAL FORM, corrected
- PHOTO SHEET #1, Views from Pearl Street
- PHOTO SHEET #2, Views from Valentine Street
- UPDATED FRONT ELEVATION
- REAR ELEVATIONS, showing our adjacent property,
- PLAN SUGGESTION

BZA Application Form**DIMENSIONAL INFORMATION**Applicant: Paul BoydPresent Use/Occupancy: Residential**"C" ZONE**Location: 2 Worthington StreetZone: Residence C-1 ZonePhone: 617-412-8450Requested Use/Occupancy: Residential**WHEN STAIR PLAN @ 4TH FLOOR
(ROOF) IS INCLUDED**

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	6,199.00	6,555.00 6,619	1,991.00 1,593	(max.)
<u>LOT AREA:</u>	2,655.0	2,655.0	5,000.0	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	2.33	2.46 2.49	.75 0.60	
<u>LOT AREA OF EACH DWELLING UNIT</u>	442.00 531	No Change	1,500.00 1,800	
<u>SIZE OF LOT:</u>				
WIDTH	50.0	No Change	50.0	
DEPTH	53.0	No Change	NA	
<u>SETBACKS IN FEET:</u>				
FRONT	8.0'	31.5' from proposed deck to street	10.0'	
REAR	5.1'	5.1'	20.6'	
LEFT SIDE	4.5'	4.5'	16.5'	
RIGHT SIDE	5.6'	5.6'	16.5	
<u>SIZE OF BUILDING:</u>				
HEIGHT	42.3'	39.0 +/- TO TOP OF GUARDRAIL	35.0'	
WIDTH	51.5'	No Change	NA	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	0%	13.4%	15% Usable Open Space	36% = 956SF
<u>NO. OF DWELLING UNITS:</u>	6 5	No Change	1	
<u>NO. OF PARKING SPACES:</u>	0 1	0 1	6 5	
<u>NO. OF LOADING AREAS:</u>	NA	NA	NA	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	NA	NA	NA	

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.:

Existing structure is wood frame, new deck would be wood frame, there are no other structures on the 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'.

DECK WILL BE VISABLE FROM PEARL STREET



152 Pearl Street, LEFT SIDE, with proposed deck visible

DECK WILL BE VISABLE FROM PEARL STREET



152 Pearl Street, RIGHT SIDE, with proposed deck visible

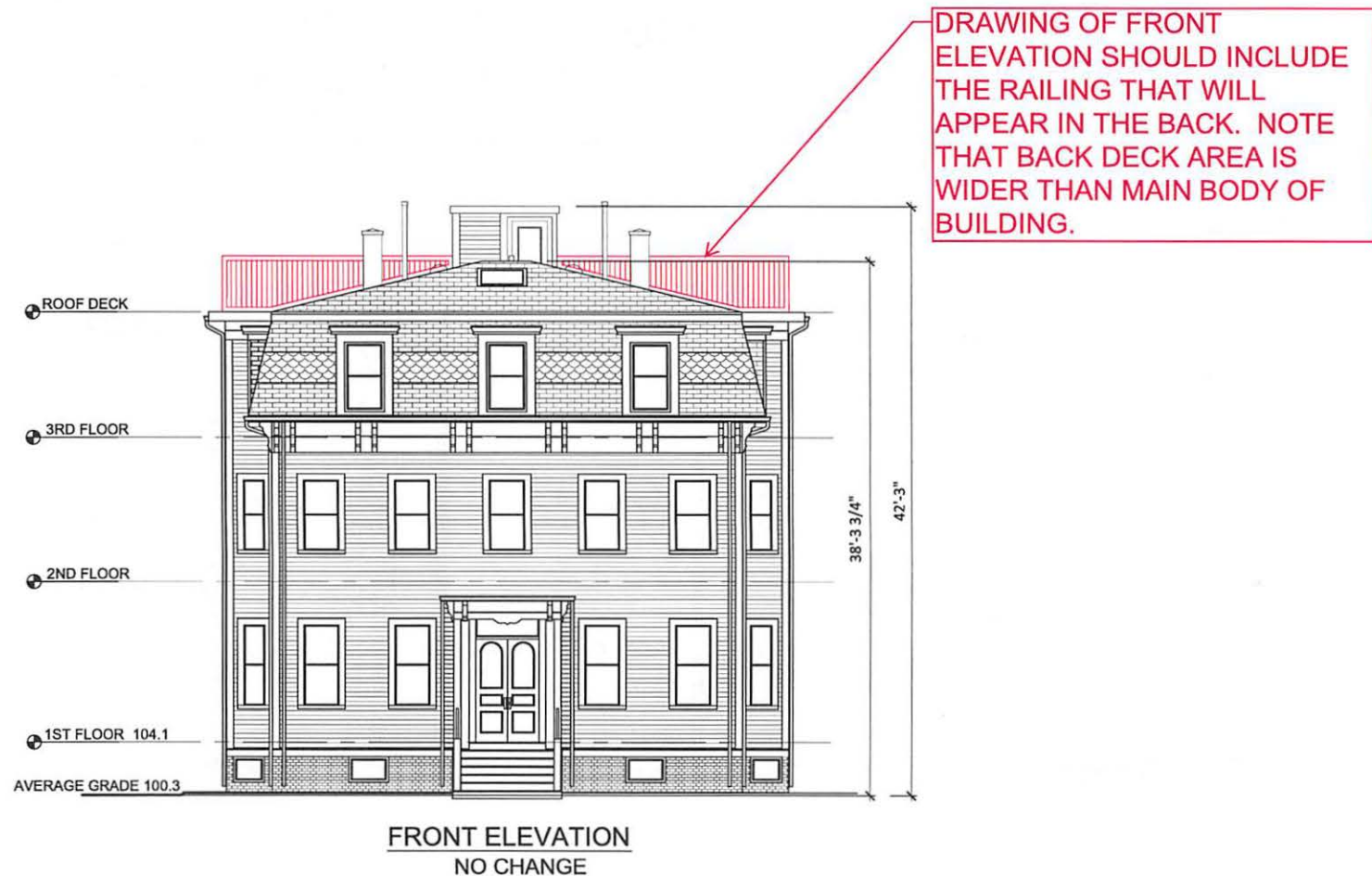
PHOTO SHEET #1
VIEWS FROM PEARL STREET



152 Pearl Street, VIEW FROM VALENTINE ST, Without railing



152 Pearl Street, VIEW FROM VALENTINE ST, With railing



PROJECT:
PROPOSED ROOF
DECK ADDITION

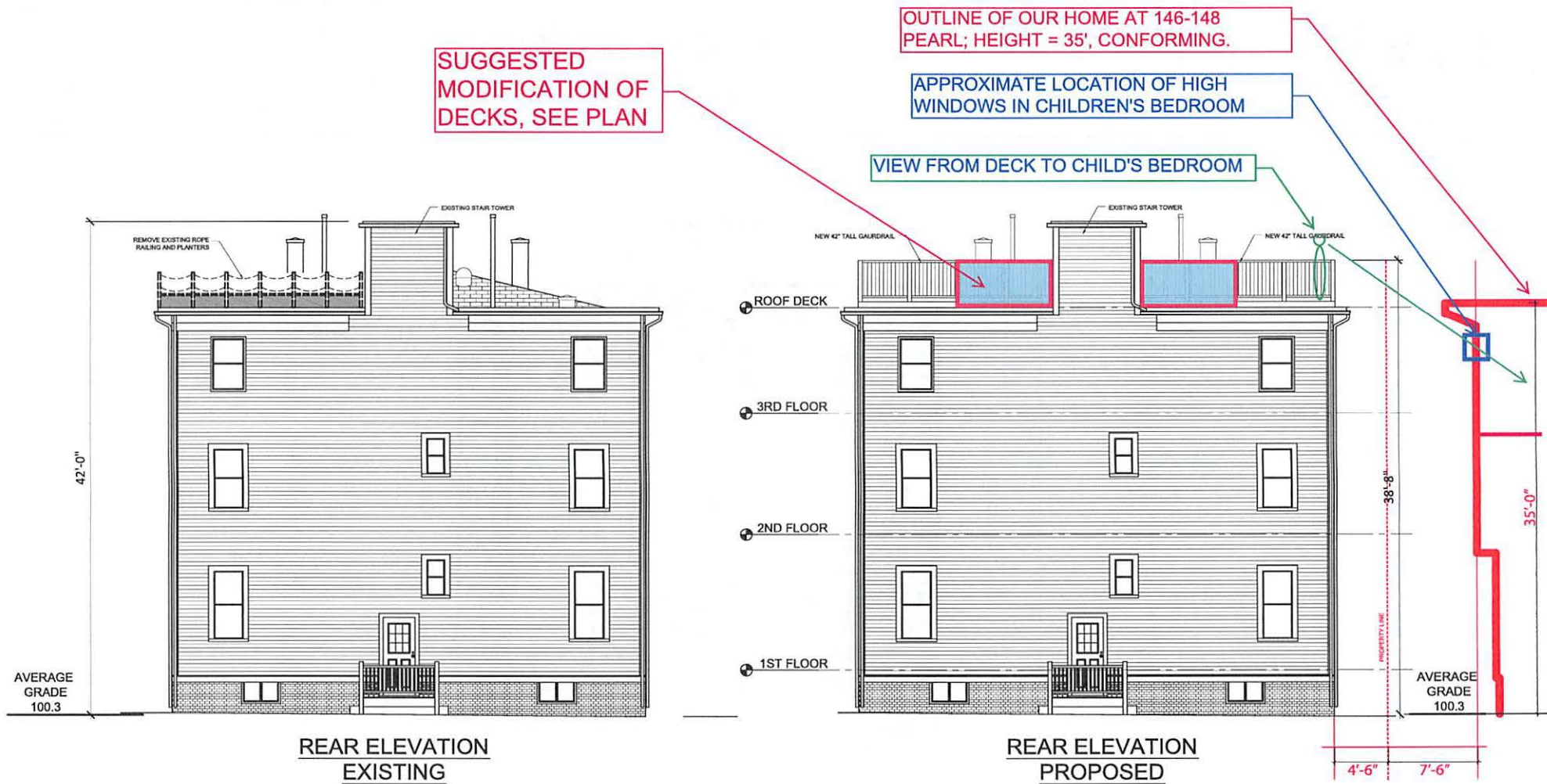
152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.1



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.2

LOT SIZE: 2,655.00 SF

MAX FAR ALLOWABLE: .75 per Res C-1

FAR EXISTING: 6,199.0 GFA ENTIRE BUILDING / 2,655 SF LOT = 2.33

FAR PROPOSED: 6,199.0 GFA + 356.0 SF ROOF DECK = 6,555.0 GFA / 2,655 SF LOT = 2.46

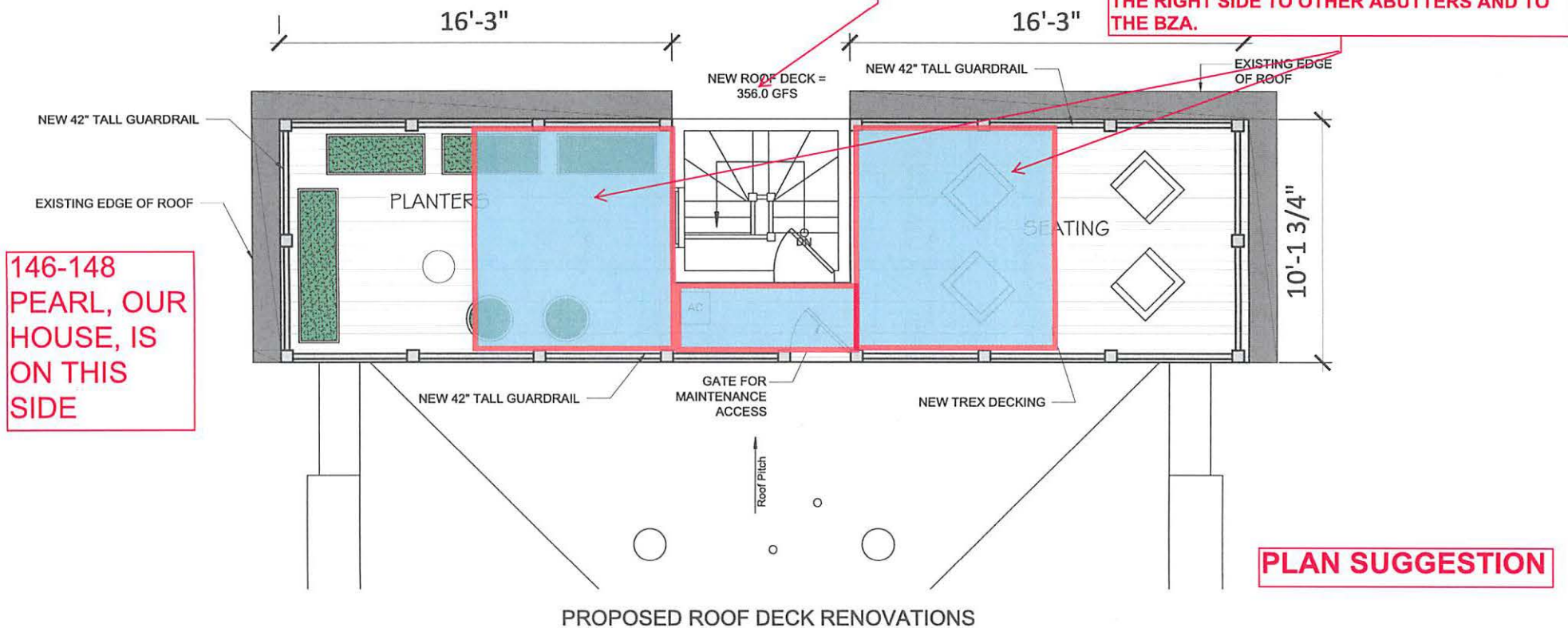
FAR ALLOWABLE 2,655 SF LOT x .75 = 1,991.0 GFA

USABLE OPEN SPACE: 356.0 GFA ROOF DECK / 2,655.0 SF LOT = 13.4%

This amount, 356 SF seems not to include the area of the stairs, which I estimate to be approx 8' x 8', or an additional 64 SF. If so, the total is not 356 SF but 420, as the stairway to the roof, which would normally not have been included in the GFA, is now required to be included.

WE SUGGEST REDUCING THE SIZE OF THE DECKS LEFT AND RIGHT OF THE STAIR TOWER, TO APPROXIMATELY HALF OF THEIR EXISTING SIZE.

THIS WILL ENSURE PRIVACY FOR US AND OTHER ABUTTERS, AND NO ADDITIONAL SHADING ON OUR HOUSE. AS OUR HOUSE IS AFFECTED SOLELY BY THE LEFT SIDE DECK OF THIS DRAWING, WE LEAVE THE JUDGEMENT OF THE RIGHT SIDE TO OTHER ABUTTERS AND TO THE BZA.



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
ROOF DECK ENLARGED PLAN**

DATE:
9/08/2021

DRAWING:
A1.3



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: ADAM GLOSSMAN Date: 11/23/21
(Print)

Address: 152 Pearl St.

Case No. BZA-151499

Hearing Date: 12/16/21

Thank you,
Bza Members

BZA Application Form

BZA Number: 151499

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2021 FEB -3 P 1:47

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: Paul Boyd C/O Adam J. Glassman, R.A.

PETITIONER'S ADDRESS: 2 Worthington Street , Cambridge , MA 02138

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

Original
Signature(s):



(Petitioner (s) / Owner)

ADAM J. GLASSMAN, R.A.

(Print Name)

Address:

Tel. No. 617-412-8450

E-Mail Address: ajglassman.ra@gmail.com

Date: 2/3/22

BZA Application Form

DIMENSIONAL INFORMATION

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

Applicant: Paul Boyd
Location: 2 Worthington Street
Phone: 617-412-8450

2021 FEB -3 P 1:47
Present Use/Occupancy: Residential
Zone: Residence C-1 Zone
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<u>NO. OF DWELLING UNITS:</u>	2 5	No Change	1	
<u>NO. OF PARKING SPACES:</u>	0 1	0 1	0 5	
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<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	NA	NA	NA	

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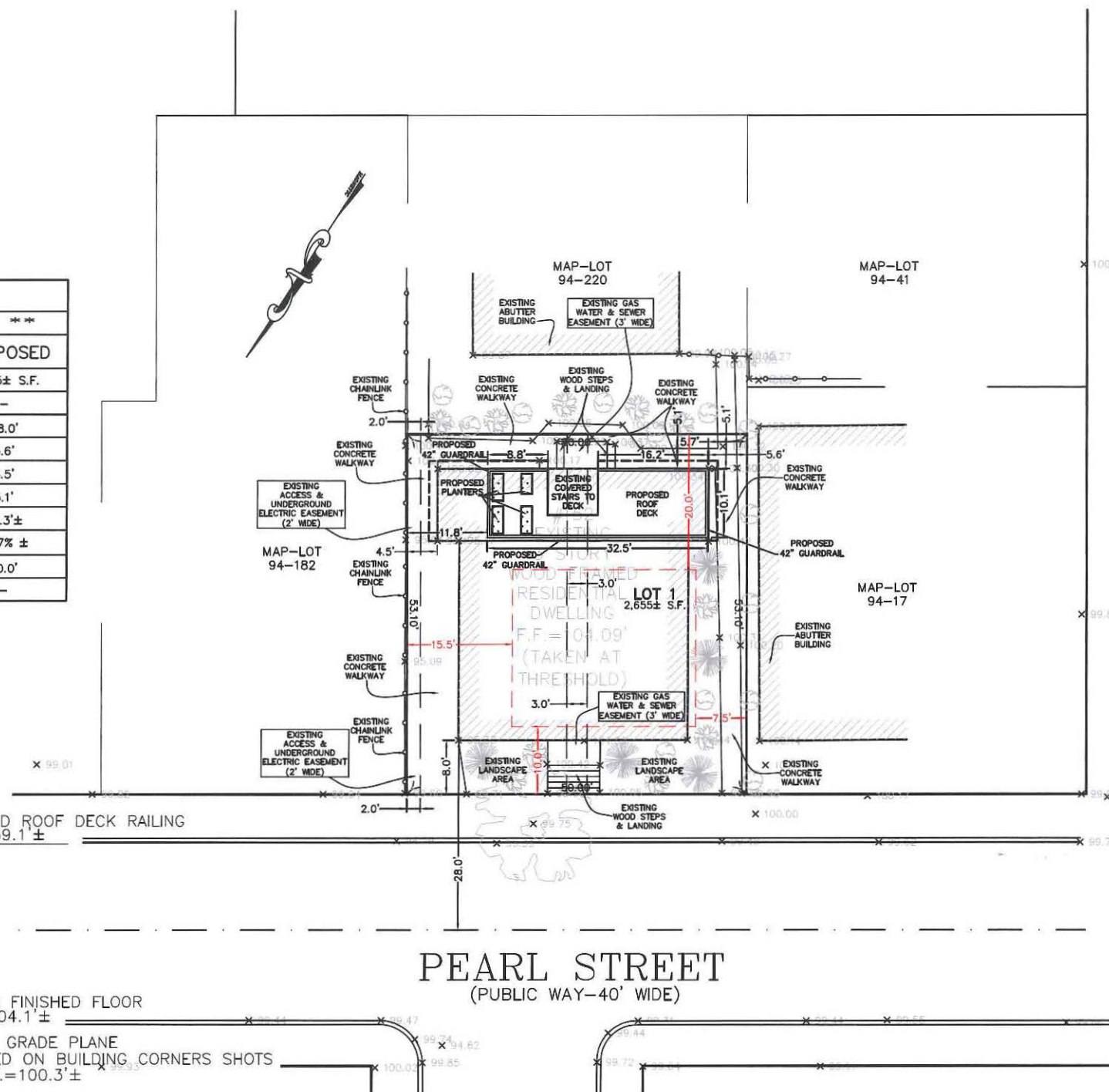
EXISTING LEGEND

SS	SEWER LINE
⊙	SEWER MANHOLE
W	WATER LINE
G	GAS LINE
UT	UTILITY POLE
GV	GAS VALVE
E	OVERHEAD ELECTRIC SERVICE
WV	WATER VALVE
□	CATCH BASIN
○	FENCE
-205-	CONTOUR LINE (MJR)
-195-	CONTOUR LINE (MNR)
X	SPOT GRADE
⊕	DRAIN MANHOLE
⊕	HYDRANT
⊕	TREE

ZONING LEGEND

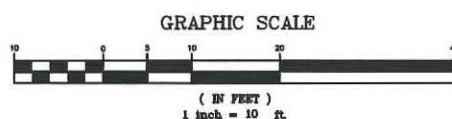
ZONING DISTRICT: RESIDENCE C **

	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	5,000 S.F.	2,655± S.F.	2,655± S.F.
MIN. LOT AREA PER DWELLING UNIT	1,800 S.F.	-	-
MIN. YARD FRONT	10.0'	28.0'	28.0'
SIDE (RIGHT)	7.5'	5.6'	5.6'
SIDE (LEFT)	15.5'	4.5'	4.5'
REAR	20.0'	5.1'	5.1'
MAX. BLDG. HEIGHT	35'	42.3'±	42.3'±
MIN. OPEN SPACE	36%	46.7% ±	46.7% ±
MIN. LOT WIDTH	50'	50.0'	50.0'
MAX. F.A.R.	0.6	-	-



PEARL STREET
(PUBLIC WAY-40' WIDE)

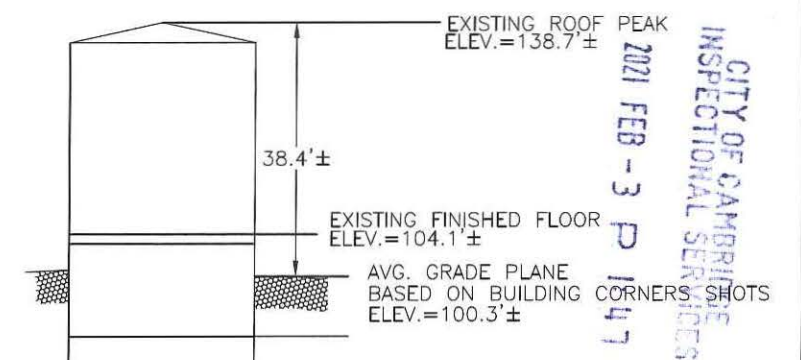
PROPOSED PROFILE
NOT TO SCALE



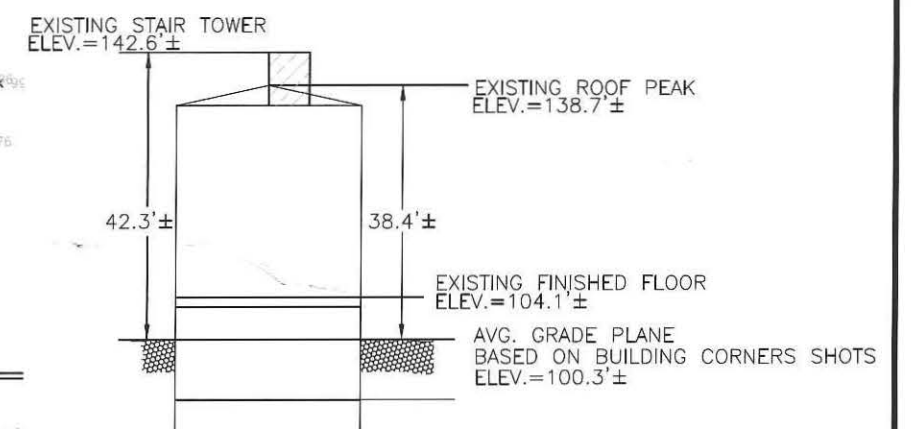
PETER NOLAN & ASSOCIATES LLC SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, METHODS, TECHNIQUES, OR PROCEDURES UTILIZED BY THE CONTRACTOR, NOR FOR THE SAFETY OF PUBLIC OR CONTRACTOR'S EMPLOYEES, OR FOR THE FAILURE OF THE CONTRACTOR TO CARRY OUT THE WORKING ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE EXTENT OF PETER NOLAN & ASSOCIATES LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST.
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All Rights Reserved
NO PART OF THIS DOCUMENT MAY BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC, MECHANICAL, PHOTOCOPYING, RECORDING OR OTHERWISE, WITHOUT THE PRIOR WRITTEN PERMISSION OF PETER NOLAN & ASSOCIATES LLC ANY VIOLATION OF THIS DOCUMENT WILL BE THE SUBJECT OF IMMEDIATE ACTION BY PETER NOLAN & ASSOCIATES LLC AGAINST THE VIOLATOR AND ANY VIOLATOR.

NOTES:


1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 09/13/2021.
2. DEED REFERENCE: DOCUMENT #1352863 (LAND COURT)
PLAN REFERENCE: PLAN #8756-A & #8756-B
MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS.
3. THIS PLAN IS NOT INTENDED TO BE RECORDED.
4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0576E, PANEL NUMBER 0576E, COMMUNITY NUMBER: 250186, DATED JUNE 4, 2010.
5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.
6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.
7. NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS PETER NOLAN & ASSOCIATES LLC ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.
8. ZONING DISTRICT = RESIDENCE-C



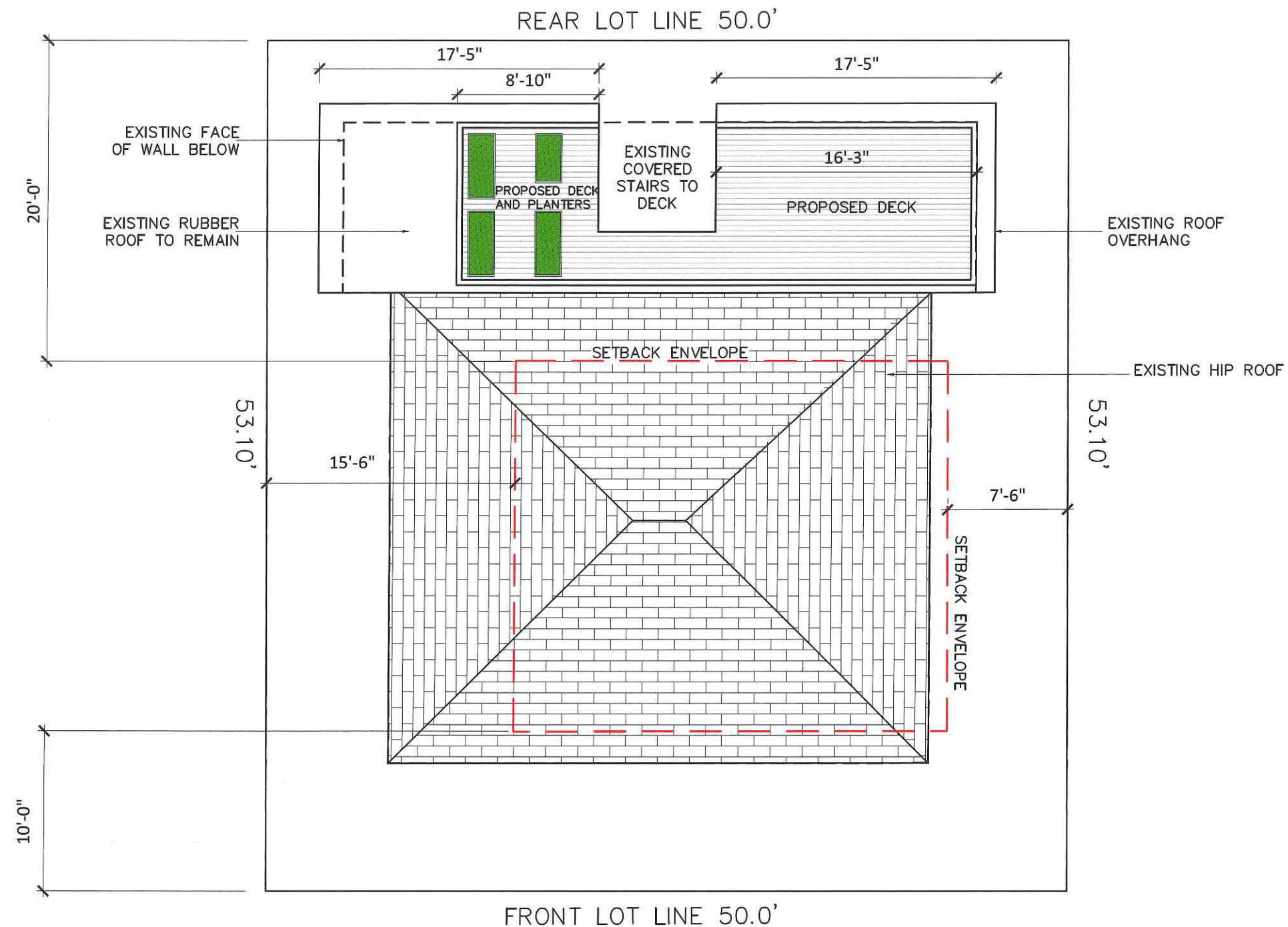
EXISTING PROFILE
NOT TO SCALE



EXISTING PROFILE
NOT TO SCALE

SCALE				
1"=10'				
DATE				
10/08/2021	REV	DATE	REVISION	BY
SHEET	152 PEARL STREET CAMBRIDGE MASSACHUSETTS			
1				
PLAN NO.				
1 OF 1	PROPOSED PLOT PLAN OF LAND			
CLIENT:				
DRAWN BY	 PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com			
CHKD BY				
PJN				
APPD BY				
PJN				

SHEET NO.
1



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:

**PROPOSED
SITE PLAN**

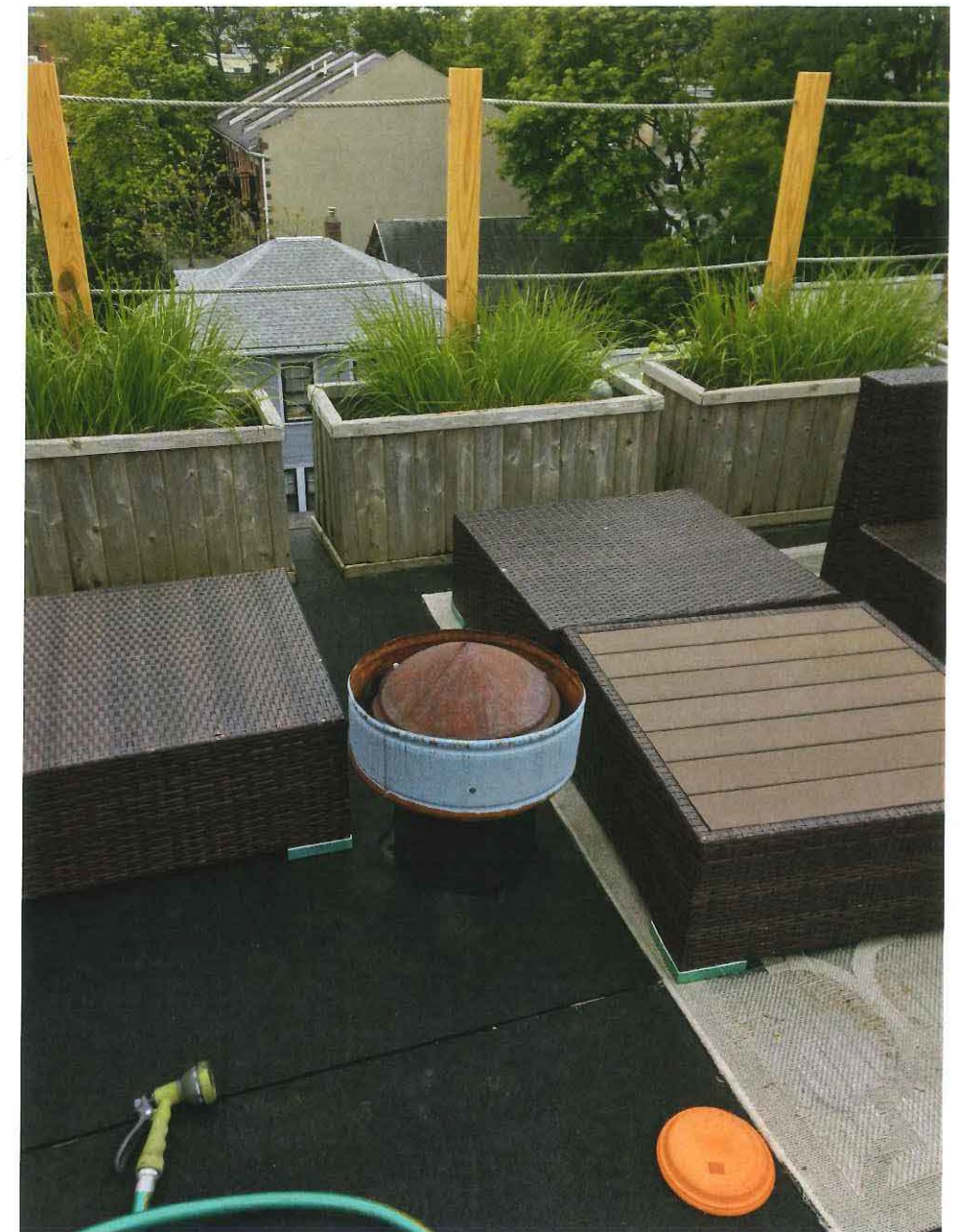
DATE:

09-08-2021

REV 1-25-2022

DRAWING:

A1.0



EXISTING RIGHT SIDE ROOF DECK AREA

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
09-08-2021

REV 1-25-2022

DRAWING:
0.1



EXISTING PROPERTY VIEWS FROM PEARL STREET

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:

09-08-2021

REV 1-25-2022

DRAWING:

0.2



EXISTING ROOF VIEWS
TOWARD VALENTINE
AND PEARL STREET



EXISTING PROPERTY VIEWS
FROM VALENTINE STREET



EXISTING ROOF VIEW
TOWARD REAR

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
EXISTING PROPERTY
PHOTOS

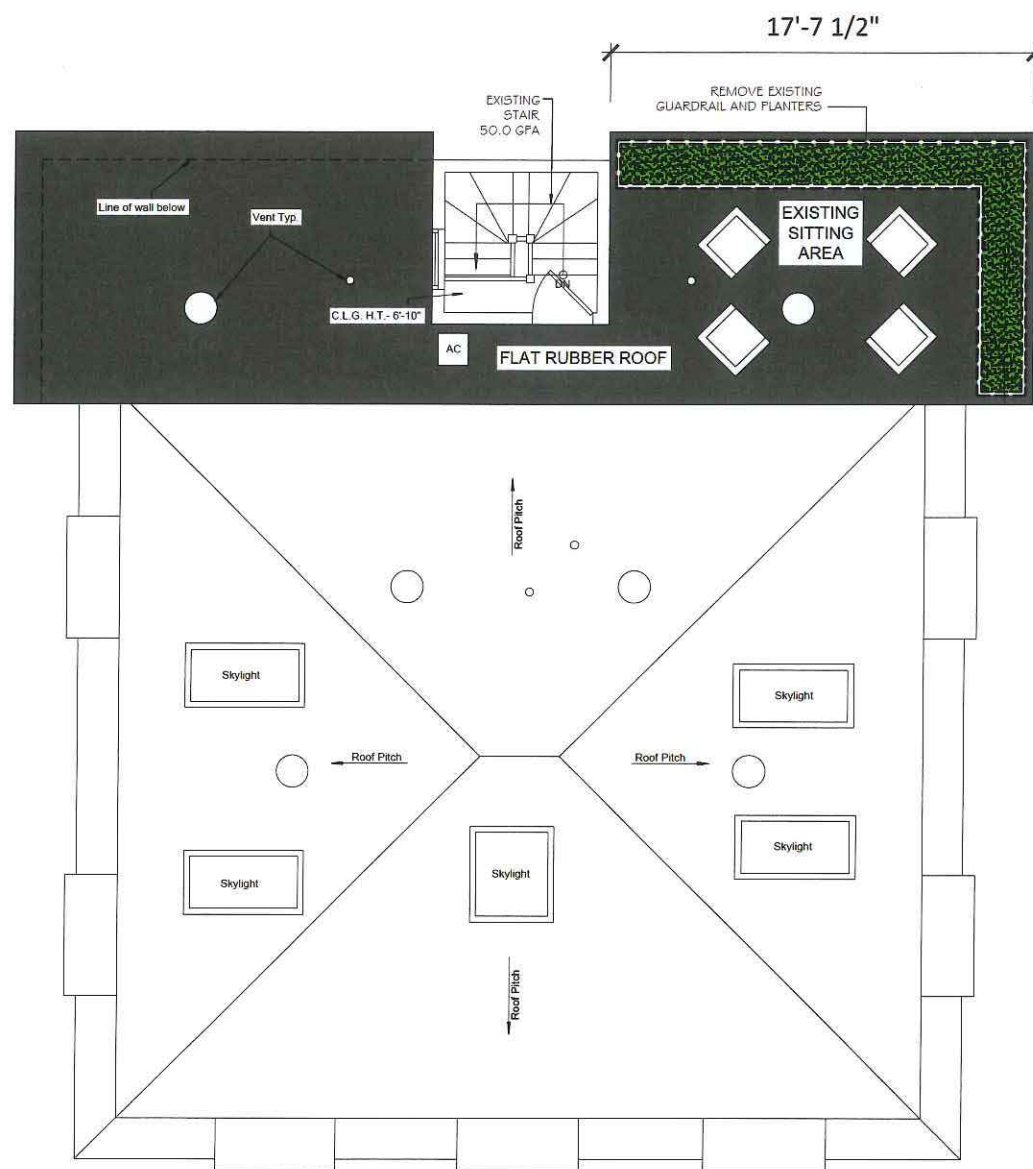
DATE:

09-08-2021

REV 1-25-2022

DRAWING:

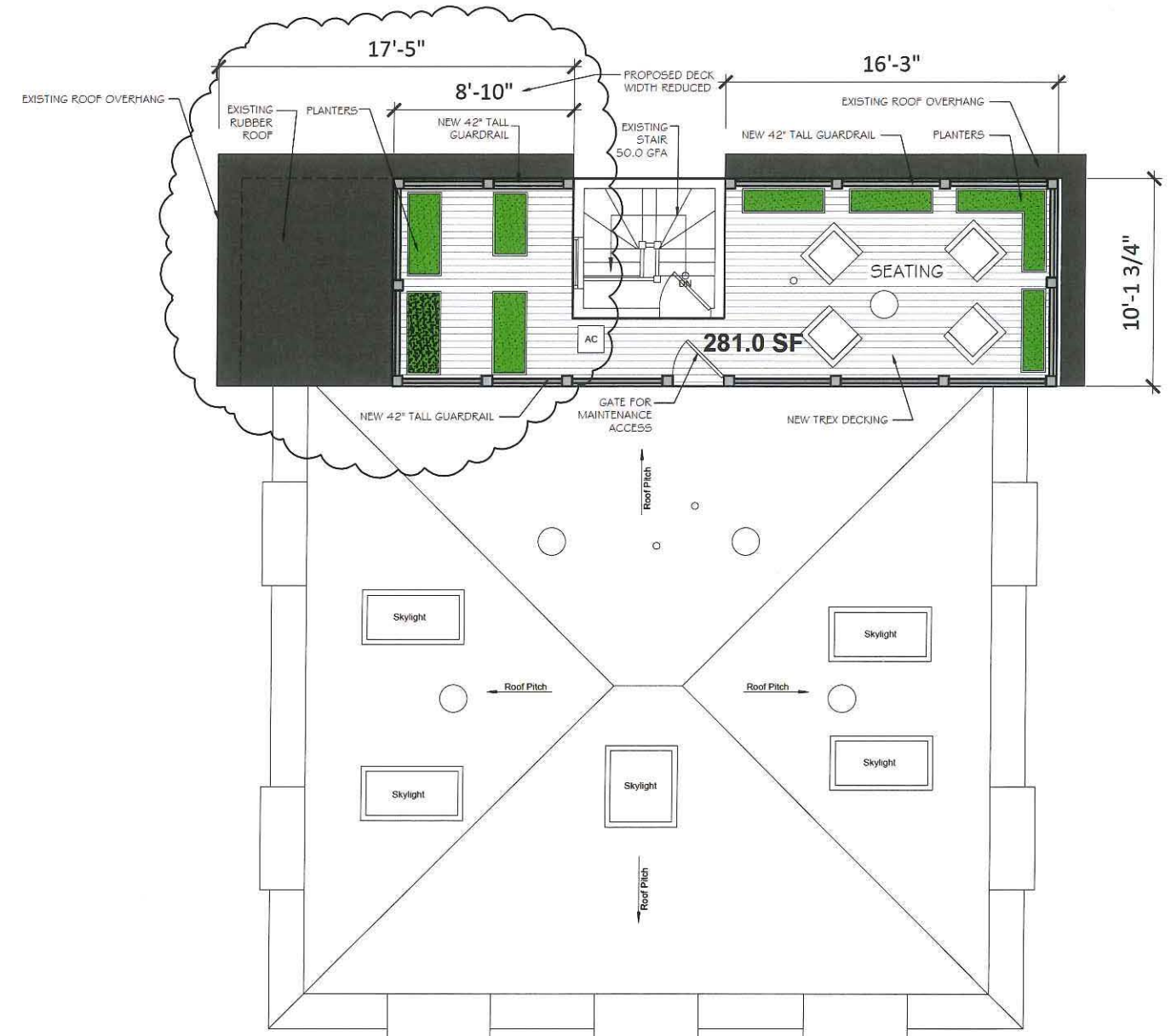
0.3



EXISTING ROOF PLAN



EXISTING ROOF DECK



PROPOSED ROOF DECK PLAN

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:

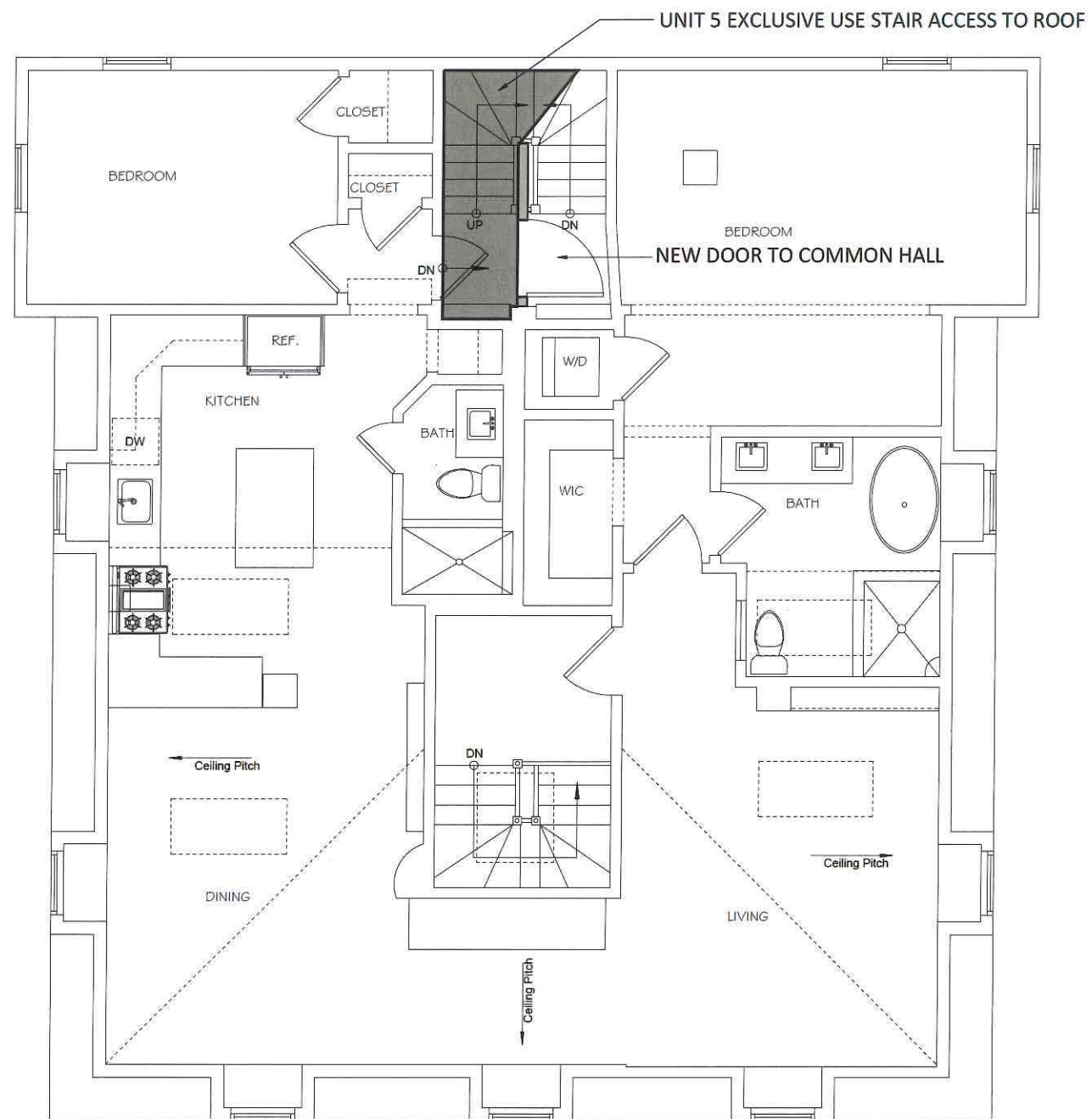
EXISTING AND PROPOSED ROOF PLANS

DATE:
09-08-2021

REV 1-25-2022

DRAWING:

A1.1



THIRD FLOOR PLAN - UNIT 5

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
NEW DOOR TO COMMON STAIR**

DATE:

09-08-2021

REV 1-25-2022

DRAWING:

A1.2

LOT SIZE: 2,655.00 SF

MAX FAR ALLOWABLE: .60 per Res C

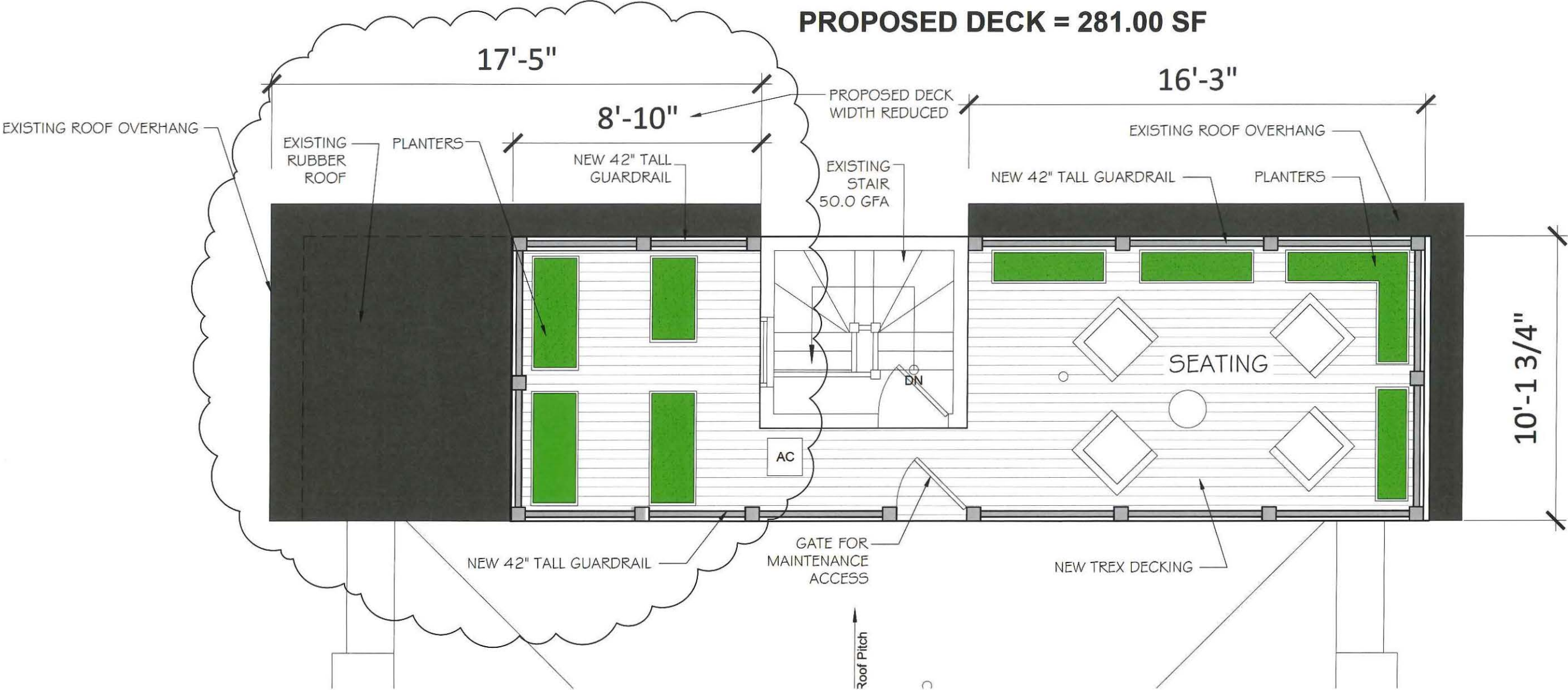
FAR EXISTING: 5,662.0 GFA ENTIRE BUILDING / 2,655 SF LOT = 2.13

FAR PROPOSED: 5,662.0 GFA + 281.0 SF ROOF DECK = 5,943 .0 GFA / 2,655 SF LOT = 2.23

FAR ALLOWABLE 2,655 SF LOT x .60 = 1,599.0 GFA

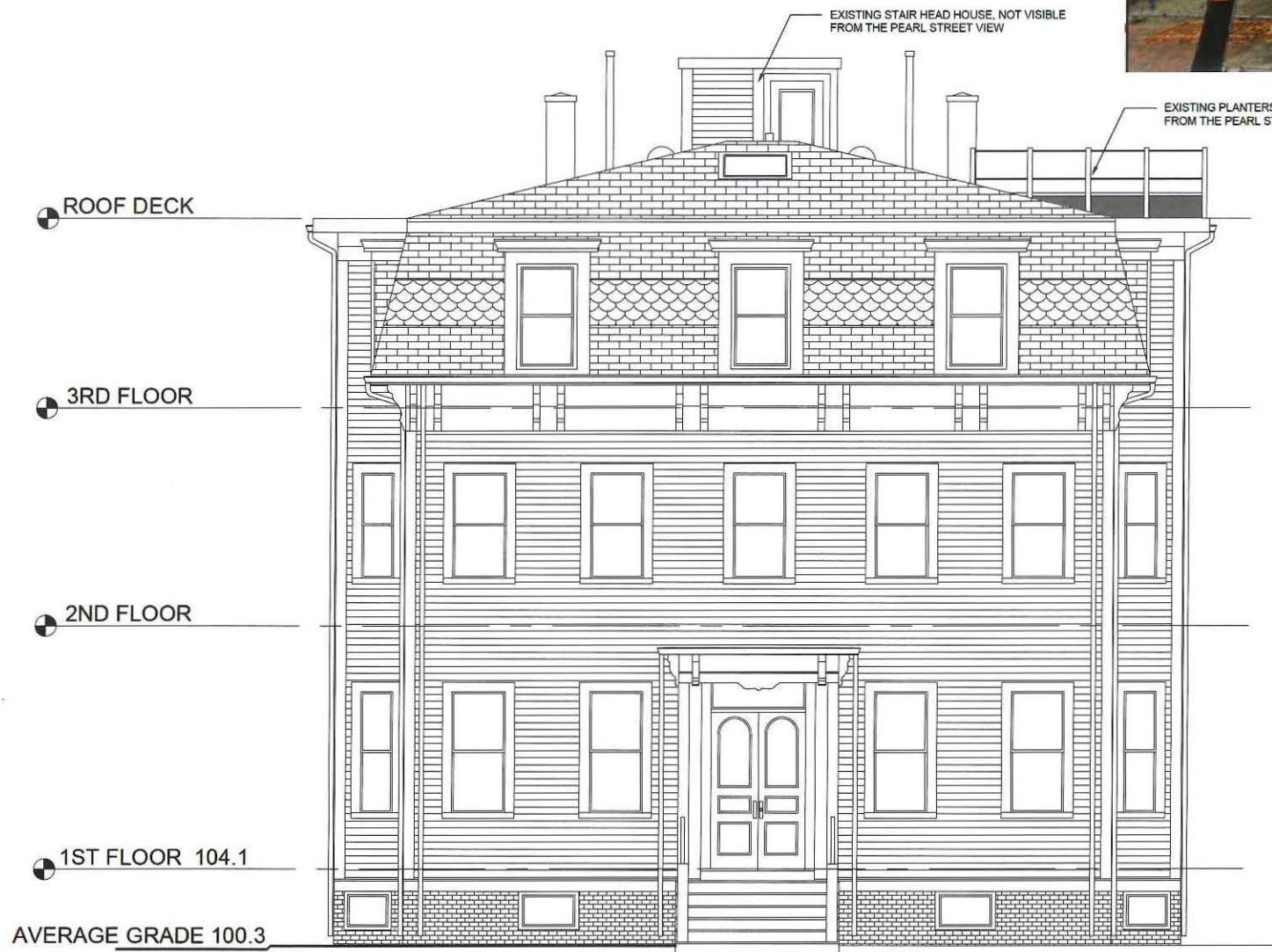
USABLE OPEN SPACE: 281.0 GFA ROOF DECK / 2,655.0 SF LOT = 11.0%

CONDITION FOR BZA APPROVAL: NO ONE MAY ALTER THE PROPOSED DECK FOOTPRINT, GUARDRAILS, ADD PRIVACY SCREENS, OR ENCLOSE ANY PORTION OF THE ROOF DECK WITHOUT A NEW APPROVAL OF PLANS BY THE CAMBRIDGE BZA AND SUPPORT FROM THE DIRECT ABUTTERS



PROPOSED ROOF DECK RENOVATIONS

<p>PROJECT: PROPOSED ROOF DECK ADDITION</p> <p>152 PEARL STREET CAMBRIDGE, MA</p>	<p>PREPARED BY: GCD ARCHITECTS</p> <p>2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman@hotmail.com www.glassmanchungdesign.com</p>	<p>TITLE: PROPOSED ROOF DECK ENLARGED PLAN</p>	<p>DATE: 09-08-2021 REV 1-25-2022</p>	<p>DRAWING: A1.3</p>
---	---	--	---	--------------------------



FRONT ELEVATION
EXIST NG



FRONT ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
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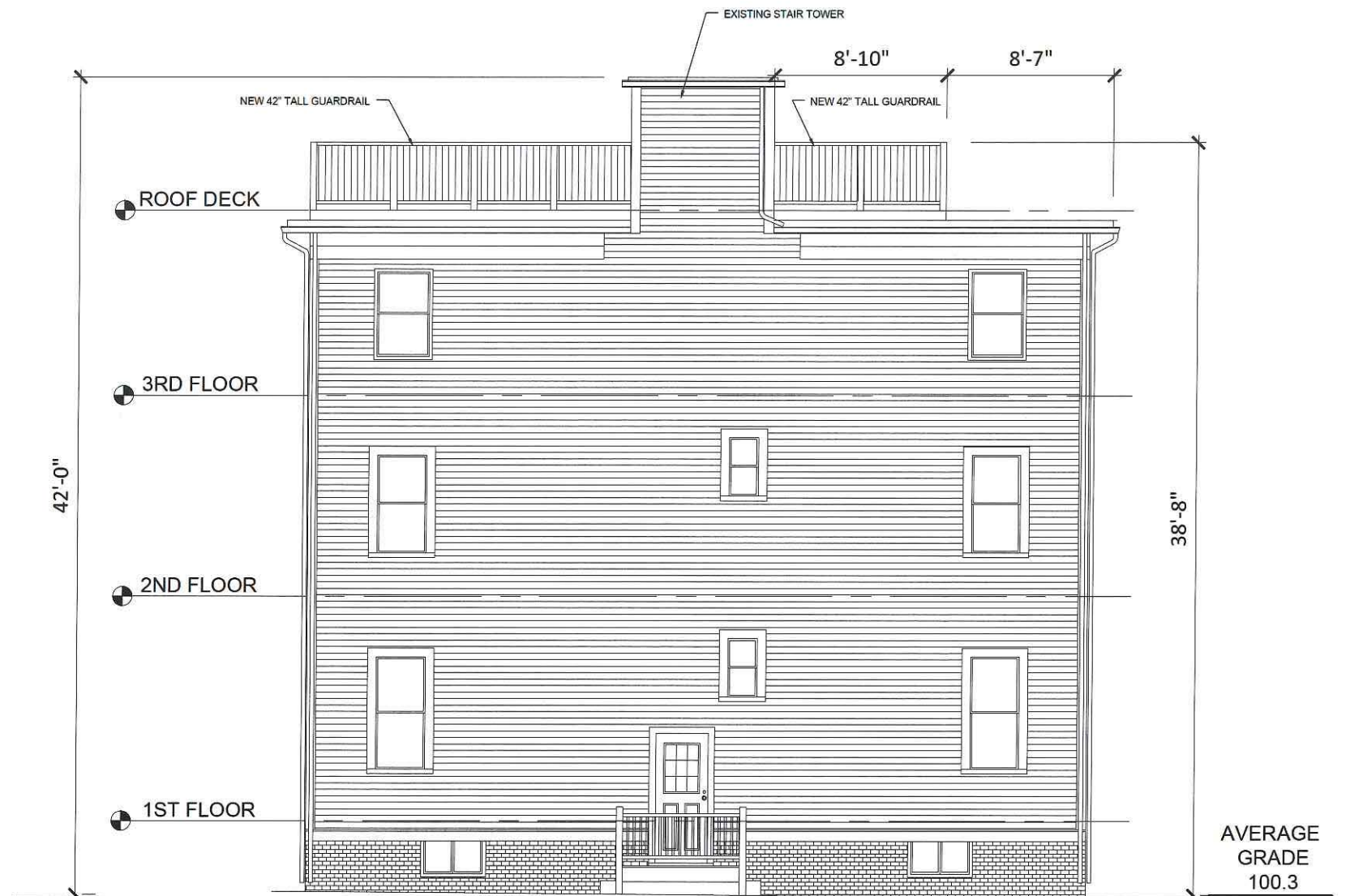
TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021
REV 1-25-2022

DRAWING:
A2.1



REAR ELEVATION
EXISTING



REAR ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

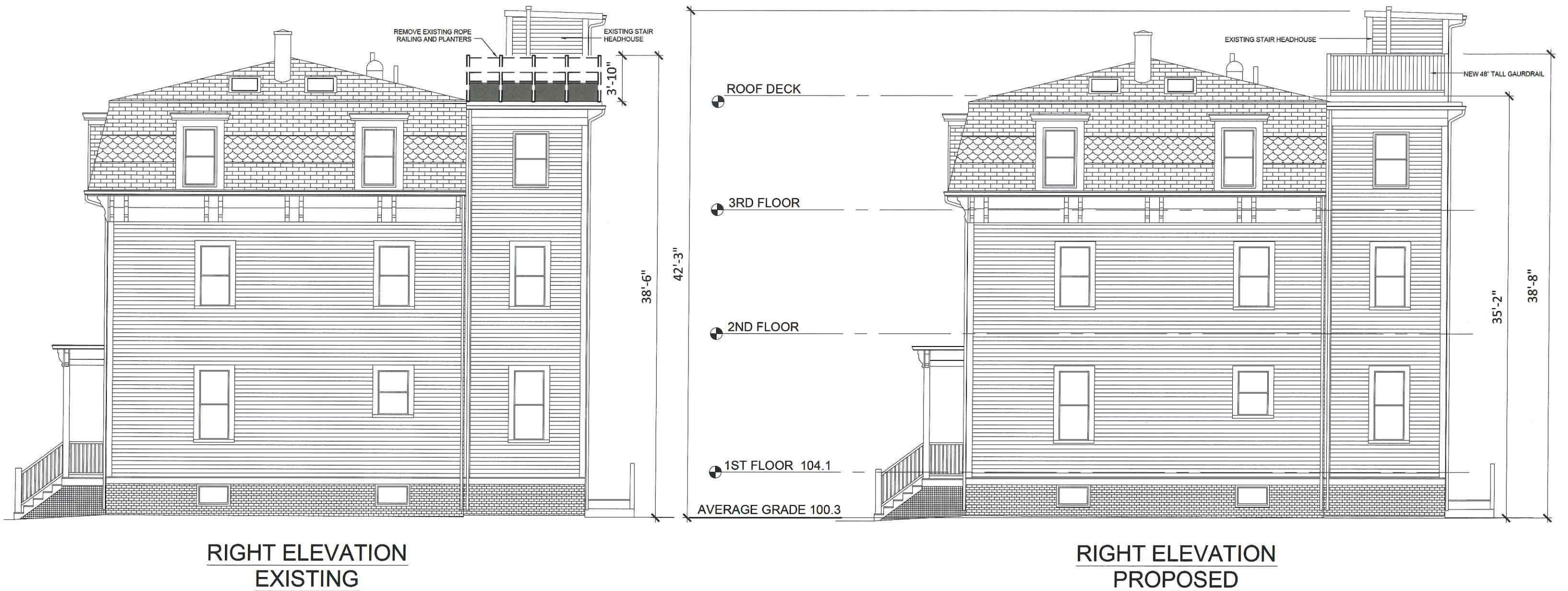
152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021
REV 1-25-2022

DRAWING:
A2.2



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.3



**LEFT ELEVATION
EXISTING**



**LEFT ELEVATION
PROPOSED**

PROJECT:
PROPOSED ROOF
DECK ADDITION

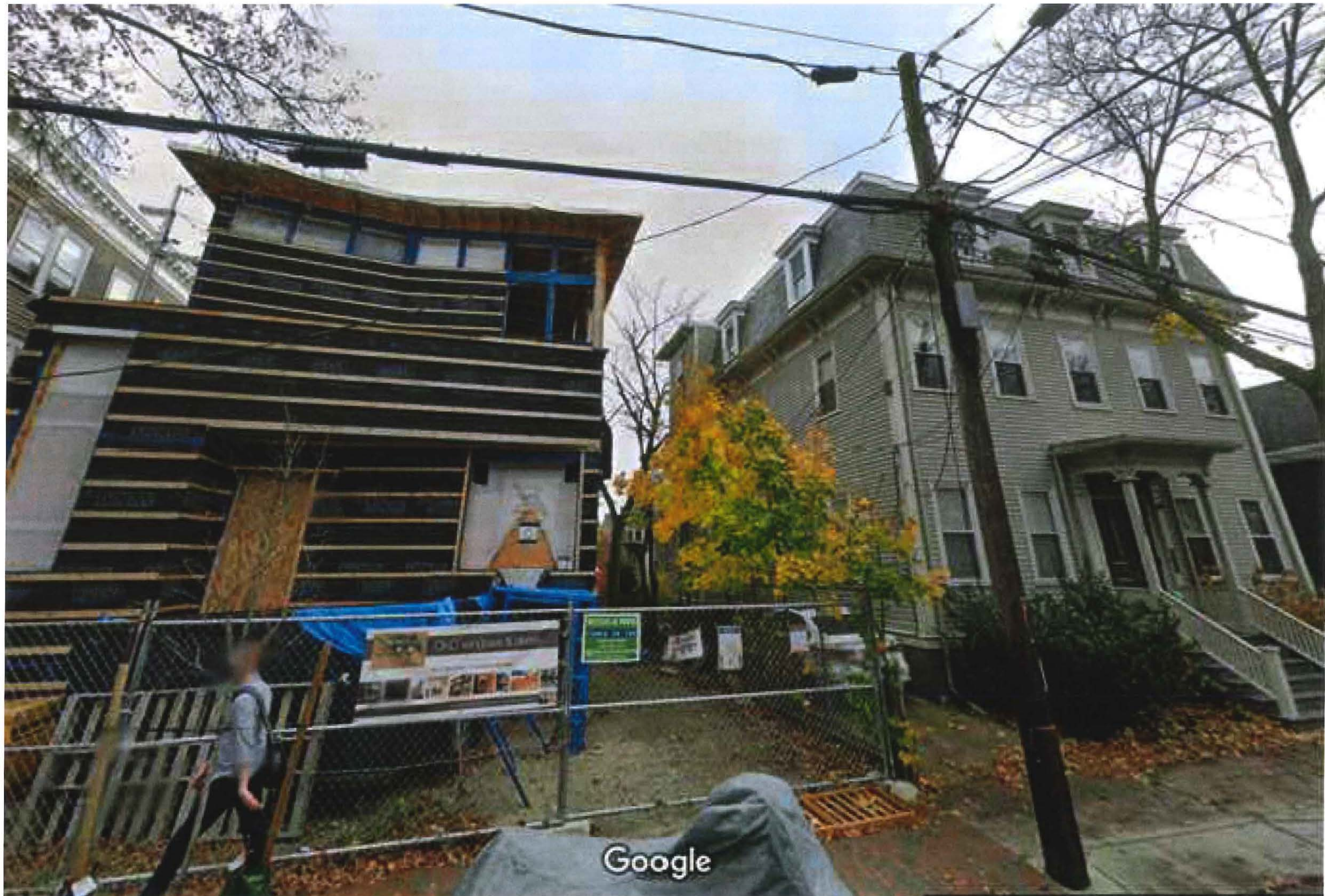
152 PEARL STREET
CAMBRIDGE, MA

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2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.4



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

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Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS

DATE:
9/08/2021

DRAWING:
A3.1



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS

DATE:
9/08/2021

DRAWING:
A3.2



EXISTING GUARDRAILS
VIEW FROM PEARL &
VALENTINE STREETS

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS

DATE:
9/08/2021

DRAWING:
A3.3



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS

DATE:
9/08/2021

DRAWING:
A3.4

EXISTING VIEW FROM VALENTINE ST



PROPOSED VIEW FROM VALENTINE ST



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
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2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS
RENDERED GUARD RAIL

DATE:
9/08/2021

DRAWING:
A3.5

Fwd: Upcoming HOA meeting

----- Forwarded message -----

From: **Campbell Ellsworth** <campbell@ellsworth-associates.com>

Date: Tue, Dec 14, 2021 at 4:25 PM

Subject: Re: Upcoming HOA meeting

To: Paul Boyd <paul.boyd1@icloud.com>

Cc: Justin Chen <Justinchenmd@gmail.com>

**Paul and Justin,
Thank you for your email.**

Yes, if you are willing to pull the 42" railing back to to approximately half the distance of that left hand deck, which would address our issues of privacy and light, I would be able to support your petition.

However, you will see in my letter and diagrams to the BZA I believe there are other issues to surmount, specifically the precedent of allowing a 4th floor habitable space above the zone regulated allowable height.

The GFA increase is less important as we know that your building is big, and the lot small.

Thank you for your quick response to my email.

Best regards,
Campbell

On Mon, Dec 13, 2021, 5:02 PM Paul Boyd <paul.boyd1@icloud.com> wrote:

Hi Campbell,

Thanks very much for sharing your concerns. Because we want to make sure you are comfortable in your new home, we can explore moving the 42" railing back from the edge of the building (as shown in the attached image). I think that should mitigate any concerns with privacy with that bedroom without the use of a privacy screen. Further, it would not infringe on the light for your solar panels. But it would still provide with an albeit smaller garden area for us to grow some vegetables.

Given the hearing is in 3 days, we'd very much appreciate your comments as soon as possible.

Thanks
Paul & Justin

[Quoted text hidden]



Untitled.png
97K

* * * * *

(7:57 p.m.)

Sitting Members: Constantine Alexander, Brendan Sullivan,
Andrea Hickey, Wendy Leiserson, Jim
Monteverde

CONSTANTINE ALEXANDER: Okay. The Chair will now
call Case Number 151499 -- 152 Pearl Street. Anyone wishing
to be heard on this matter?

OLIVIA RATAY: No.

CONSTANTINE ALEXANDER: No one wishes to be heard,
because the petitioner has requested an extension of time.
They want a continuance of the case. And so this will be a
case not heard.

But the Chair will move -- will make the motion to
continue the case with the usual conditions. And what's the
new date?

OLIVIA RATAY: February 10. February 10.

CONSTANTINE ALEXANDER: Okay. The Chair moves
that we grant -- we continue this case as a case not heard
until 6:00 p.m. on February 10, subject to the following
conditions:

That the petitioner sign a waiver of time for

1 decision. That waiver must be signed no later than a week
2 from this coming Monday. If that is not done -- and the
3 waiver is a standard form that the city uses -- if that is
4 not done timely, this case will be dismissed.

5 Second, that a new or modified posting sign much
6 better erected on the property reflecting the new date,
7 February 10, and the new time, 6:00 p.m. And that the sign
8 must be maintained for 14 days prior to the hearing, as was
9 done with regard to tonight's case.

10 And lastly to the extent that there are new or
11 revised plans, specifications, drawings, other data, that
12 must be in the file or in the files of the Inspectional
13 Services Department no later than 5:00 p.m. on the Monday
14 before February 10. Brendan?

15 BRENDAN SULLIVAN: Brendan Sullivan yes to the
16 continuance.

17 CONSTANTINE ALEXANDER: Jim?

18 JIM MONTEVERDE: Jim Monteverde yes to the
19 continuance.

20 CONSTANTINE ALEXANDER: Andrea?

21 ANDREA HICKEY: Andrea Hickey yes in favor of
22 granting the continuance.

1 CONSTANTINE ALEXANDER: Wendy?

2 WENDY LEISERSON: Wendy Leiserson yes in favor of
3 granting the continuance.

4 CONSTANTINE ALEXANDER: Okay. And the Chairman
5 votes yes as well.

6 [All vote YES]

7 CONSTANTINE ALEXANDER: This case will be
8 continued until February 10.

9 BRENDAN SULLIVAN: Can we take five minutes, Mr.
10 Chair?

11 CONSTANTINE ALEXANDER: Yeah, I was going to say
12 the same thing.

13 We're going to take a five-minute recess. It's
14 now 8:00. We'll resume at 8:05.

15 OLIVIA RATAY: It's hot in here.

16 [BREAK]

17

18

19

20

21

22



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2021 DEC 15 AM 11:34
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-151499

Address: 152 Pearl St.

☐ Owner, ☐ Petitioner, or ☐ Representative: Adam Glassman, Architect
(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: 12/15/21

Adam Glassman 12/15/2021
Signature



EXISTING RIGHT SIDE ROOF DECK AREA

<p>PROJECT: PROPOSED ROOF DECK ADDITION</p> <p>152 PEARL STREET CAMBRIDGE, MA</p>	<p>PREPARED BY: GCD ARCHITECTS</p> <p>2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman@hotmail.com www.glassmanchungdesign.com</p>	<p>TITLE: EXISTING PROPERTY PHOTOS</p>	<p>DATE: 09-08-2021</p> <p>REV 1-25-2022 REV 4-1-2022</p>	<p>DRAWING: 0.1</p>
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EXISTING PROPERTY VIEWS FROM PEARL STREET

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:
0.1



EXISTING ROOF VIEWS
TOWARD VALENTINE
AND PEARL STREET



EXISTING PROPERTY VIEWS
FROM VALENTINE STREET



EXISTING ROOF VIEW
TOWARD REAR

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

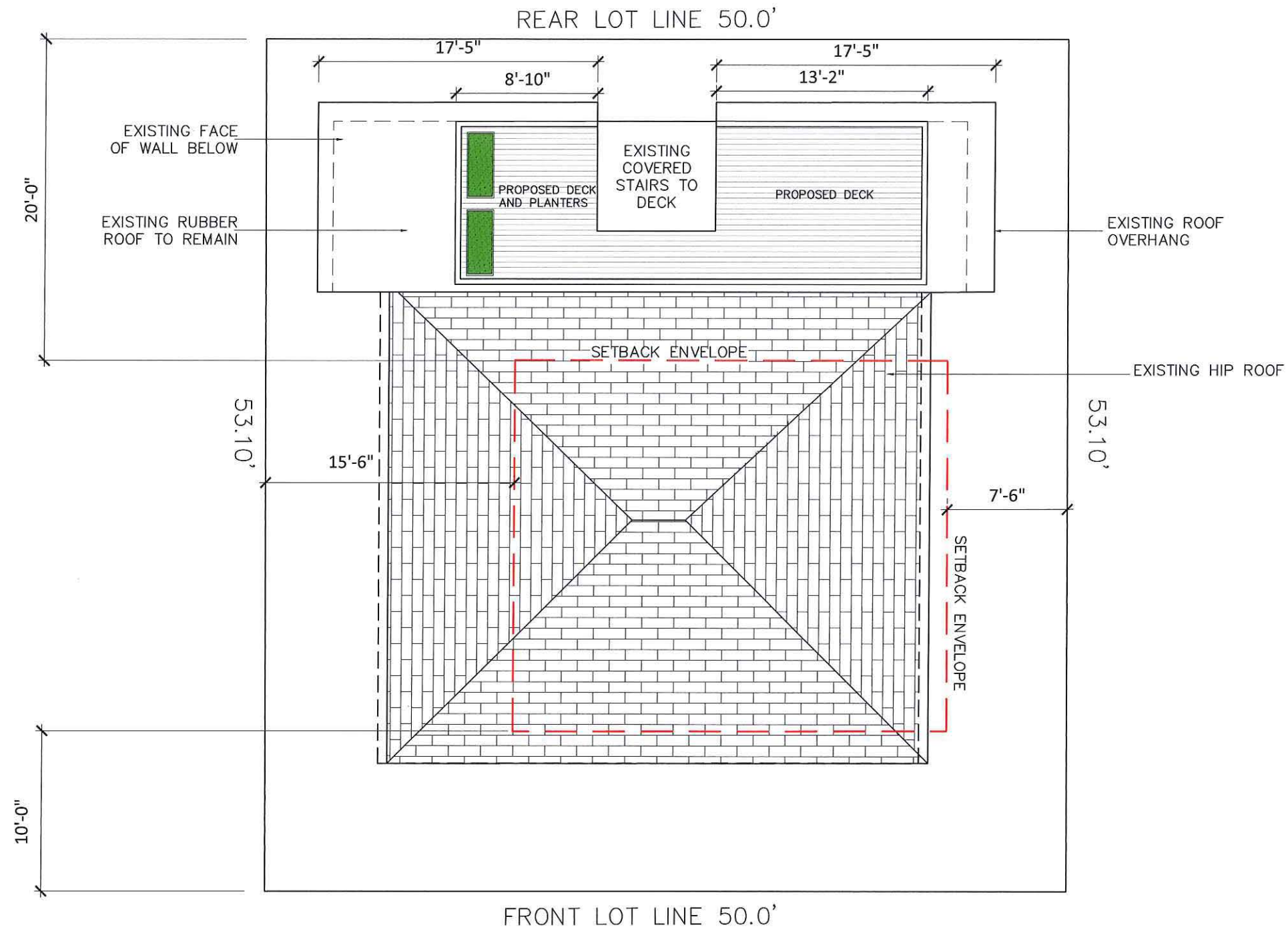
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2 Worthington St
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Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:
0.1



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
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ajglassman@hotmail.com
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TITLE:

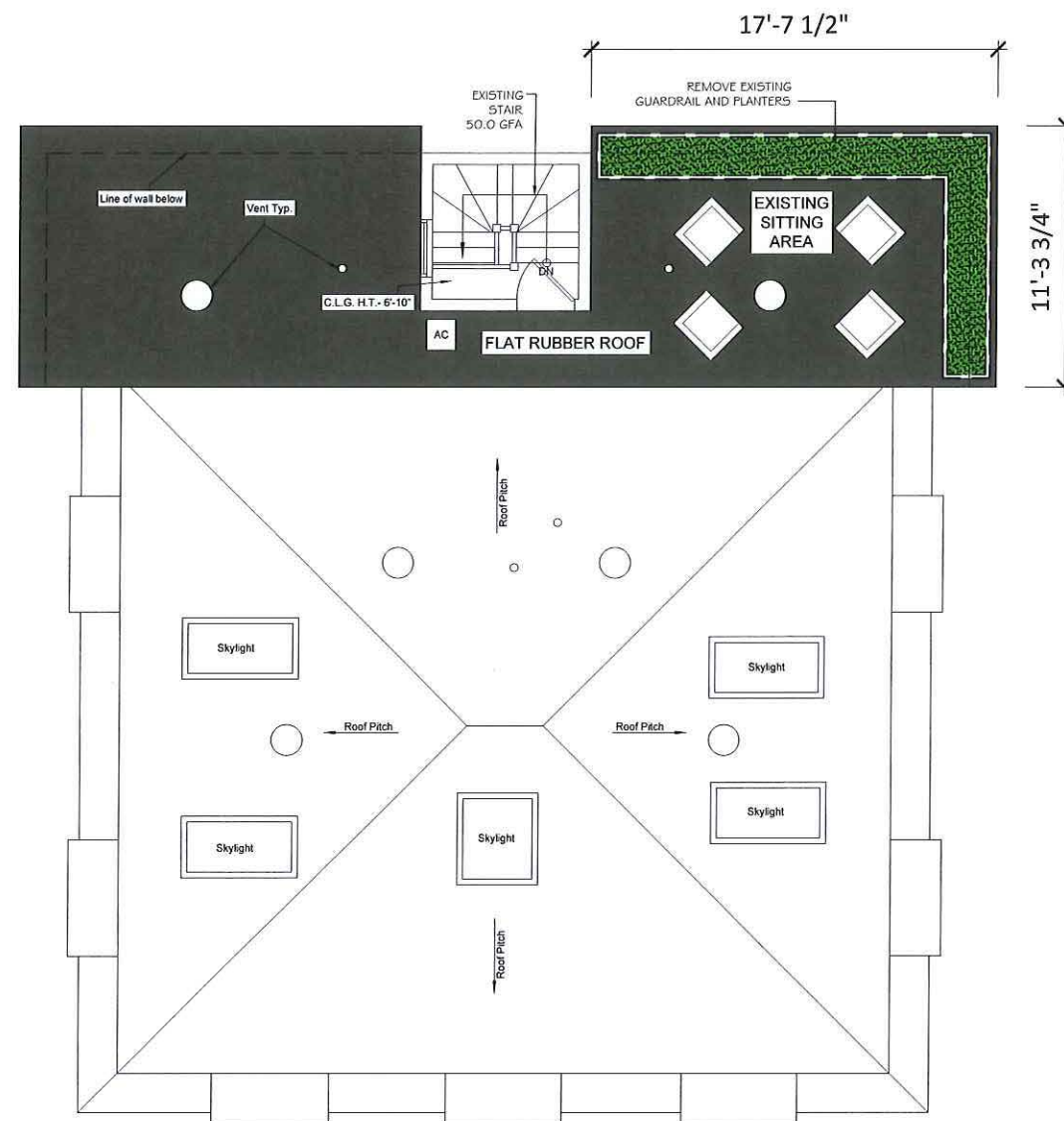
**PROPOSED
SITE PLAN**

DATE:
09-08-2021

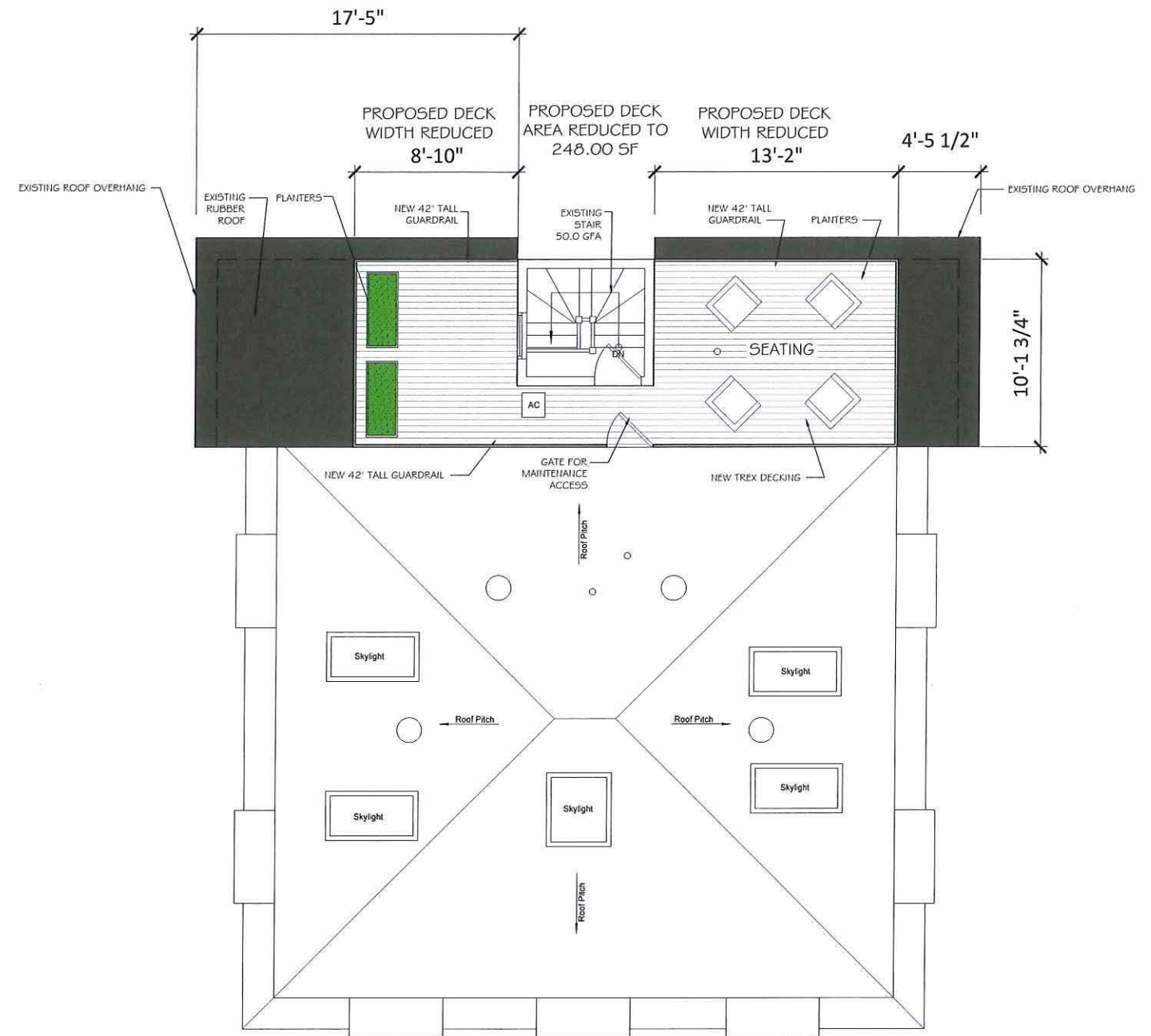
REV 1-25-2022
REV 4-1-2022

DRAWING:

A1.0



EXISTING ROOF PLAN



PROPOSED ROOF DECK PLAN

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

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TITLE:

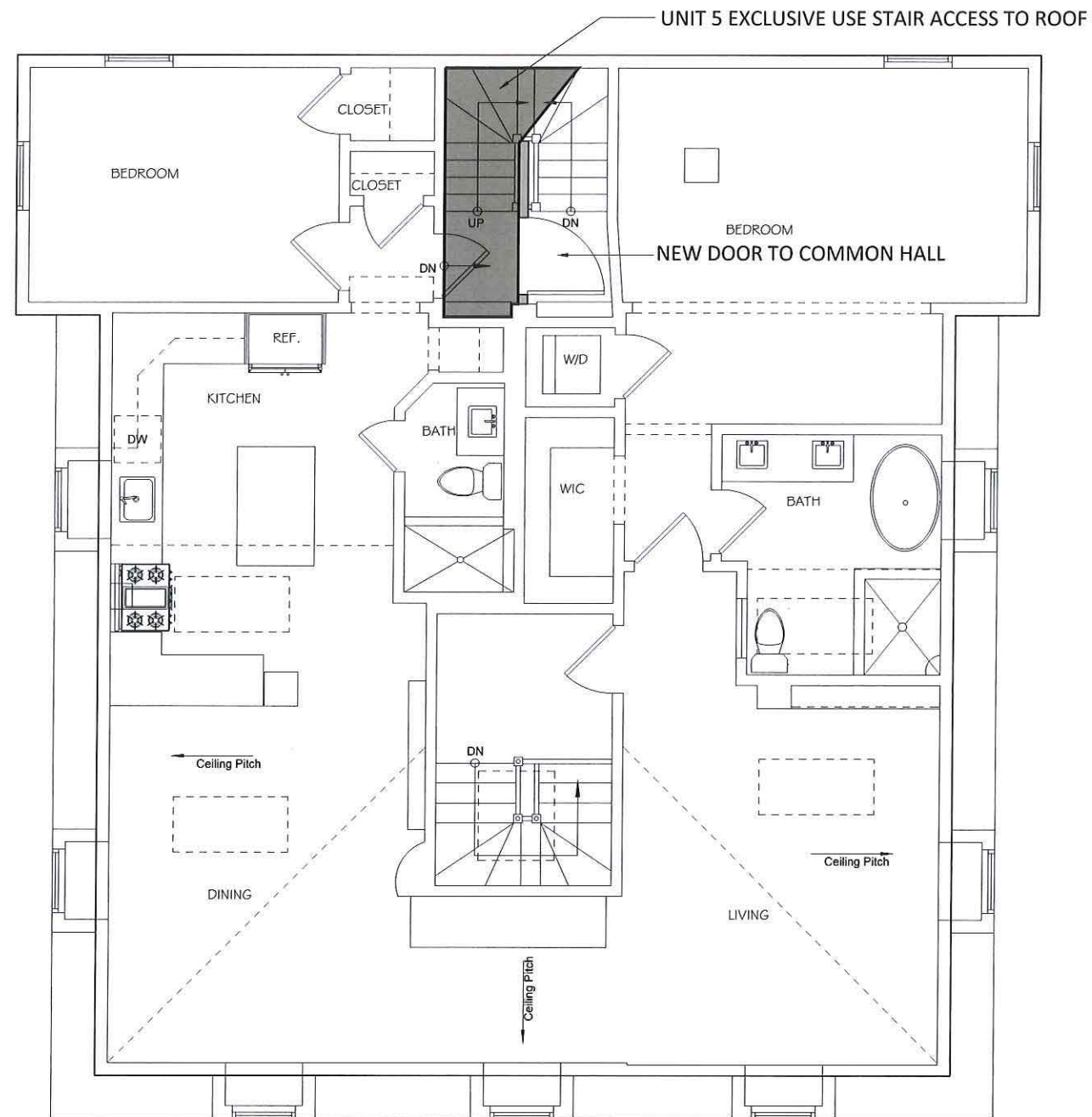
**EXISTING AND PROPOSED
ROOF PLANS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A1.1



THIRD FLOOR PLAN - UNIT 5
1,403 GSF

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
NEW DOOR TO COMMON STAIR**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A1.2

LOT SIZE: 2,655.00 SF

MAX FAR ALLOWABLE: .75 per Res C-1

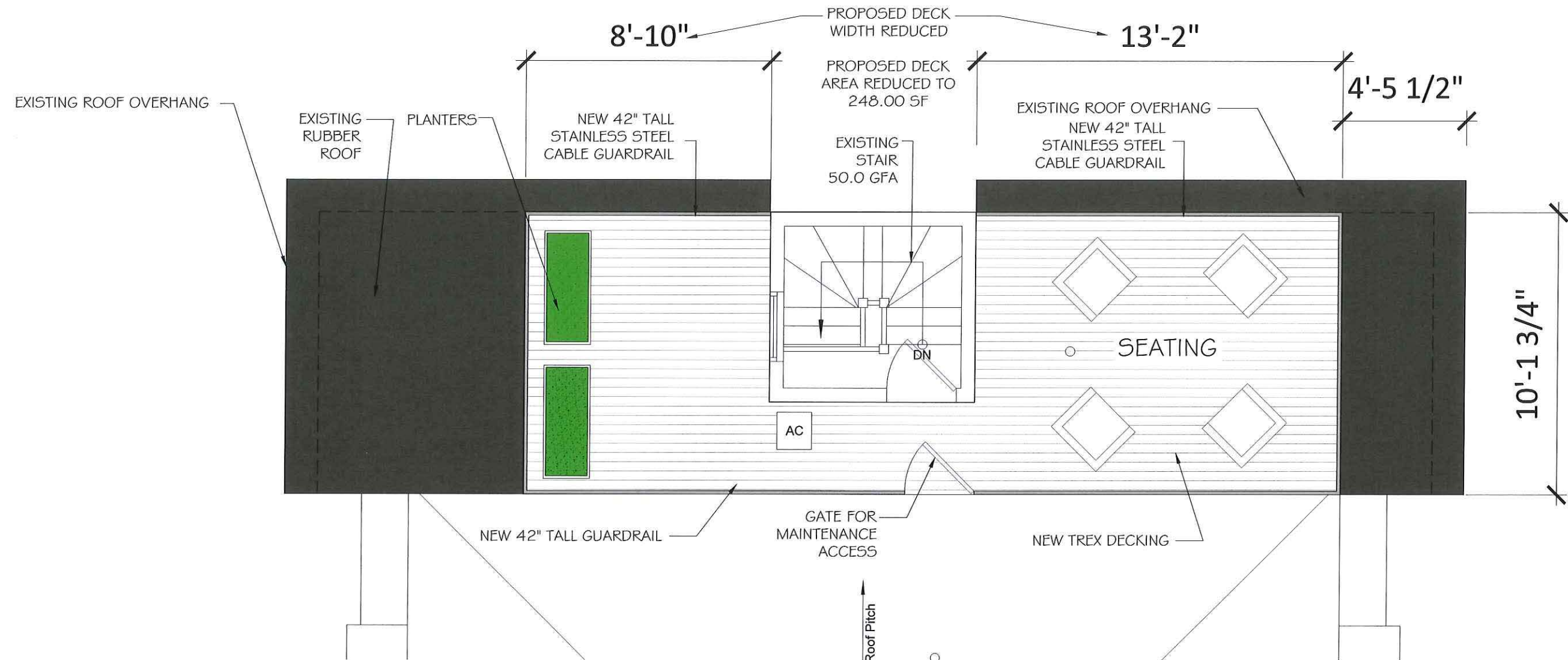
FAR EXISTING: 5,662.0 GFA ENTIRE BUILDING / 2,655 SF LOT = 2.13

FAR PROPOSED: 5,662.0 GFA + 248.0 SF ROOF DECK = 5,910.0 GFA / 2,655 SF LOT = 2.22

FAR ALLOWABLE 2,655 SF LOT x .75 = 1,991.0 GFA

USABLE OPEN SPACE: 248.0 GFA ROOF DECK / 2,655.0 SF LOT = .093%

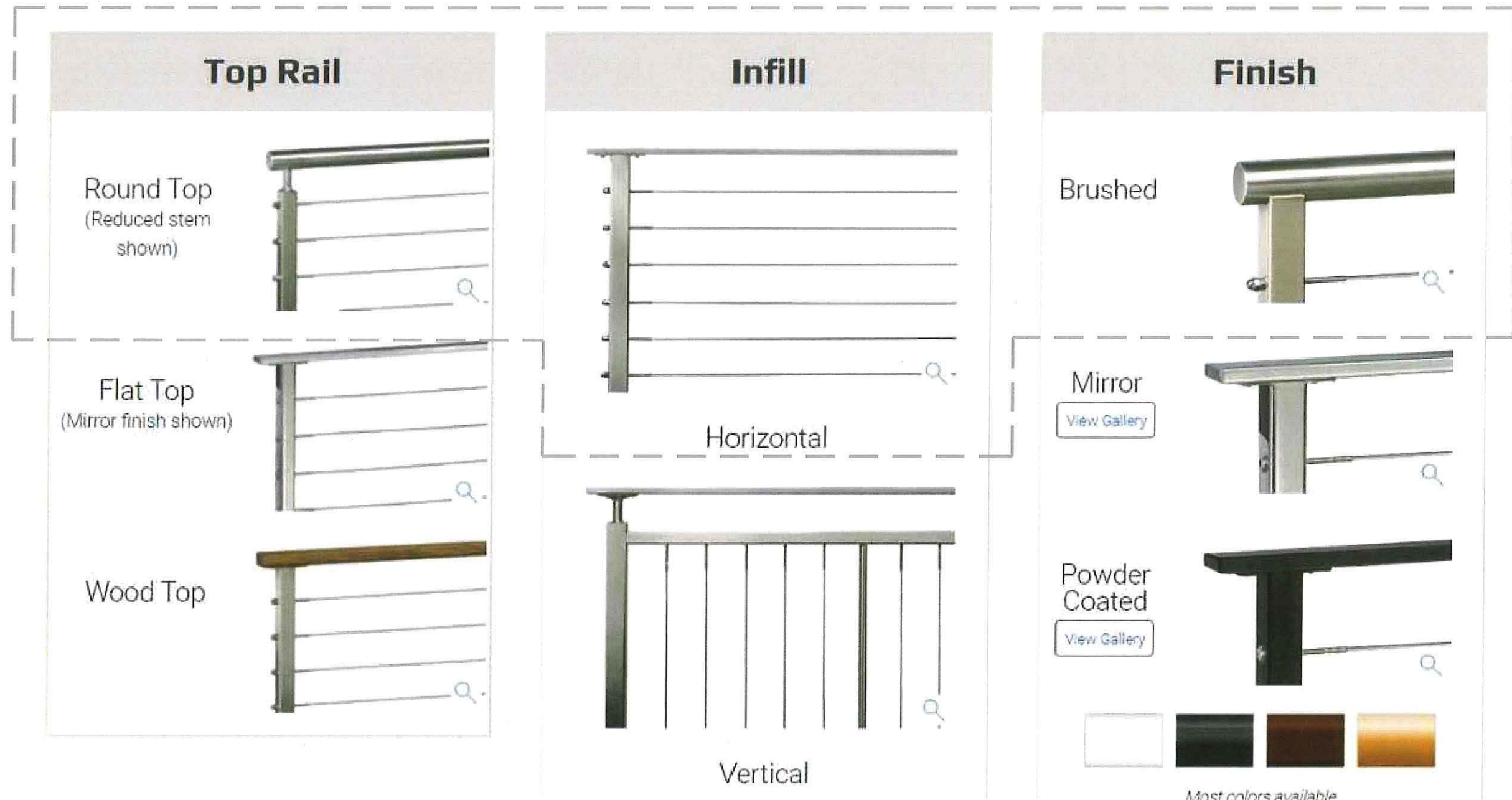
CONDITION FOR BZA APPROVAL: NO ONE MAY ALTER THE PROPOSED DECK FOOTPRINT, GUARDRAILS, ADD PRIVACY SCREENS, OR ENCLOSE ANY PORTION OF THE ROOF DECK WITHOUT A NEW APPROVAL OF PLANS BY THE CAMBRIDGE BZA AND SUPPORT FROM THE DIRECT ABUTTERS



PROPOSED ROOF DECK RENOVATIONS

<p>PROJECT: PROPOSED ROOF DECK ADDITION</p> <p>152 PEARL STREET CAMBRIDGE, MA</p>	<p>PREPARED BY: GCD ARCHITECTS</p> <p>2 Worthington St Cambridge, MA 02138 Tel. 617-412-8450 ajglassman@hotmail.com www.glassmanchungdesign.com</p>	<p>TITLE: PROPOSED ROOF DECK ENLARGED PLAN</p>	<p>DATE: 09-08-2021</p> <p>REV 1-25-2022 REV 4-1-2022</p>	<p>DRAWING: A1.3</p>
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PROPOSED STAINLESS STEEL CABLE GUARDRAILING SYSTEM



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**GUARD RAIL
MATERIAL SPECS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A1.4

EXISTING VIEW FROM VALENTINE ST



PROPOSED VIEW FROM VALENTINE ST



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

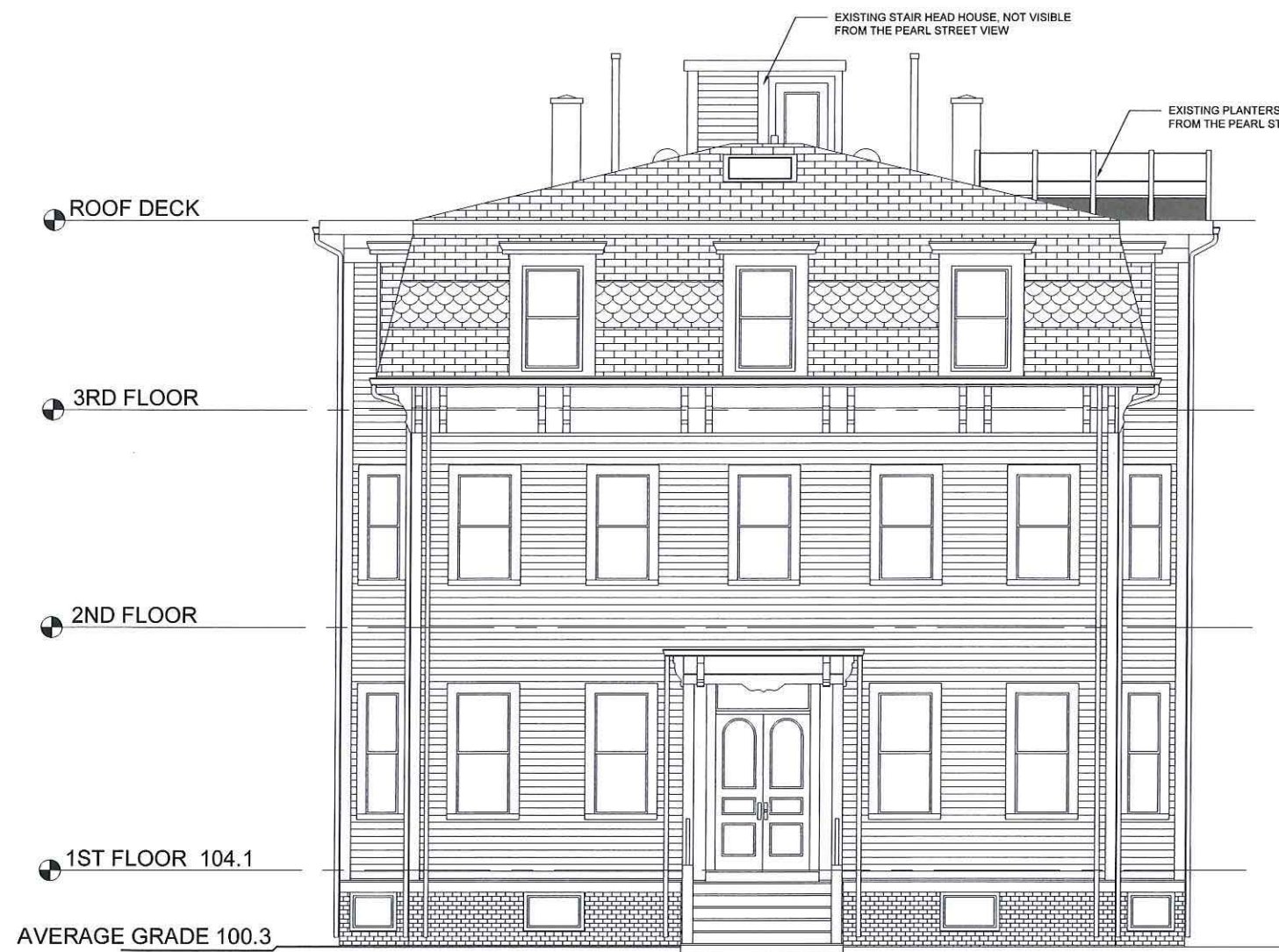
PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**CONTEXT PHOTOS
RENDERED STAINLESS
STEEL CABLE GUARD RAIL**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:
A1.5



FRONT ELEVATION
EXISTNG



FRONT ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

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TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021

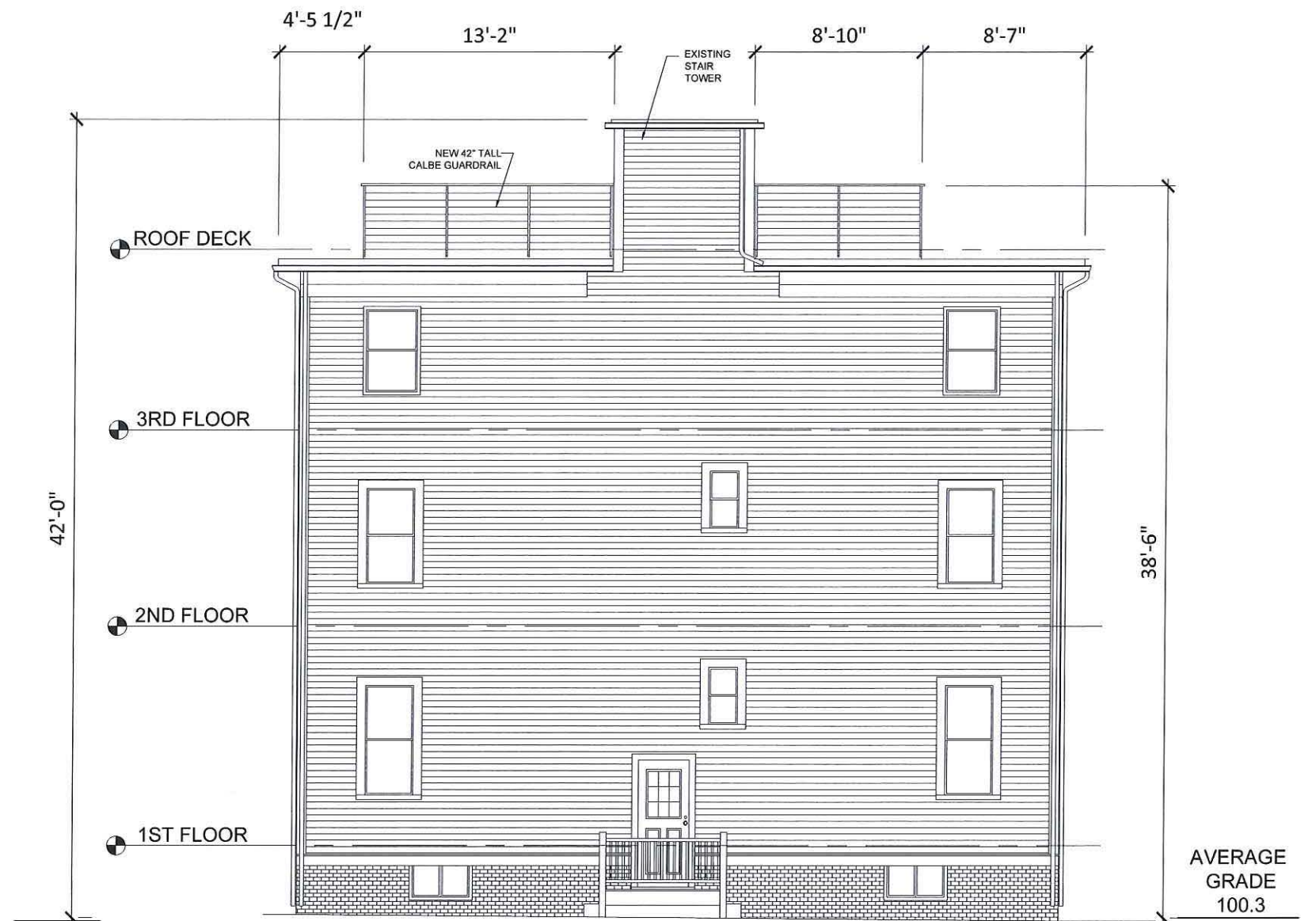
REV 1-25-2022
REV 4-1-2022

DRAWING:

A2.1



REAR ELEVATION
EXISTING



REAR ELEVATION
PROPOSED

PROJECT:
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DECK ADDITION

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TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A2.2



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

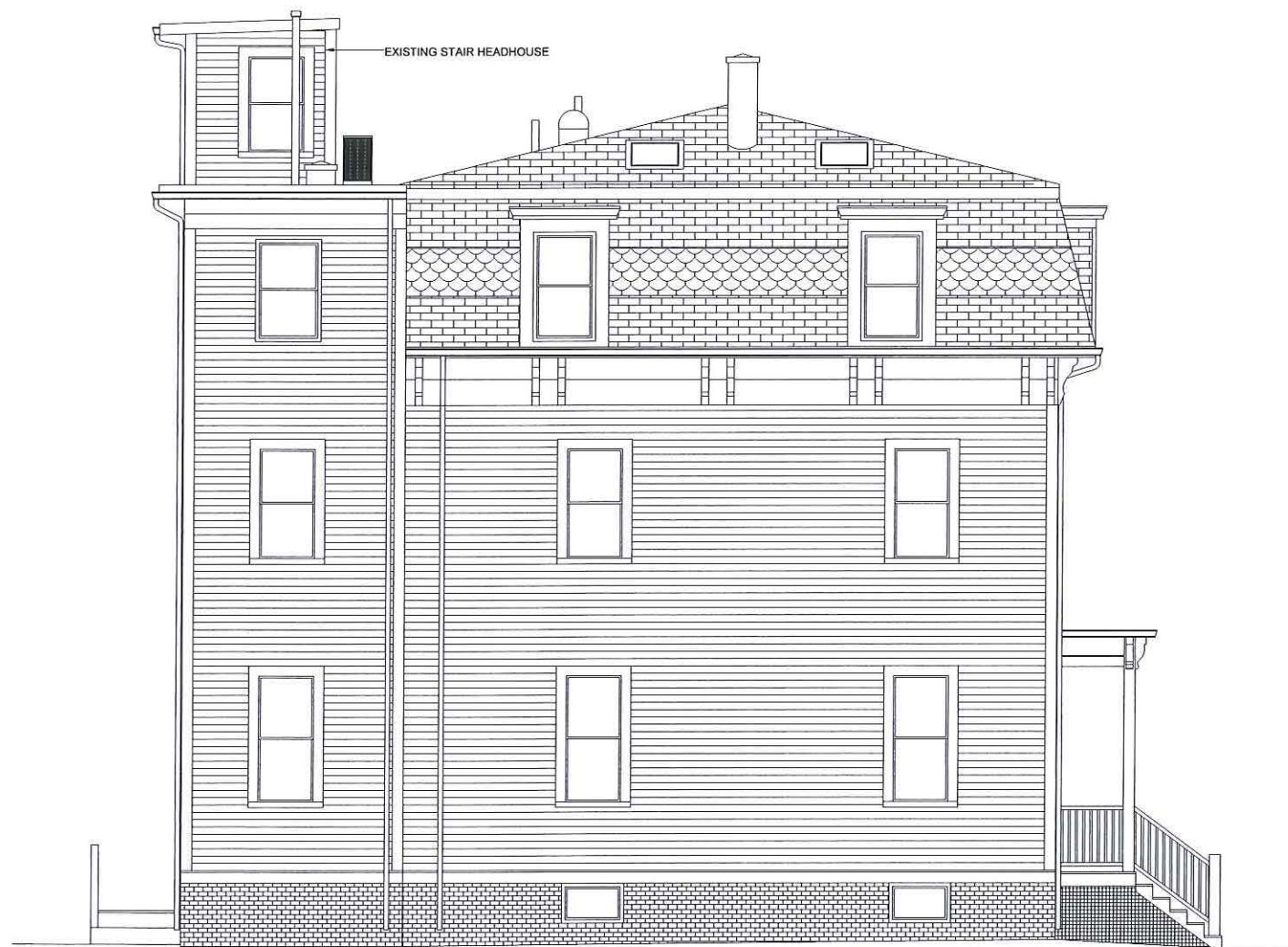
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TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:
A2.3



LEFT ELEVATION
EXISTING



LEFT ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

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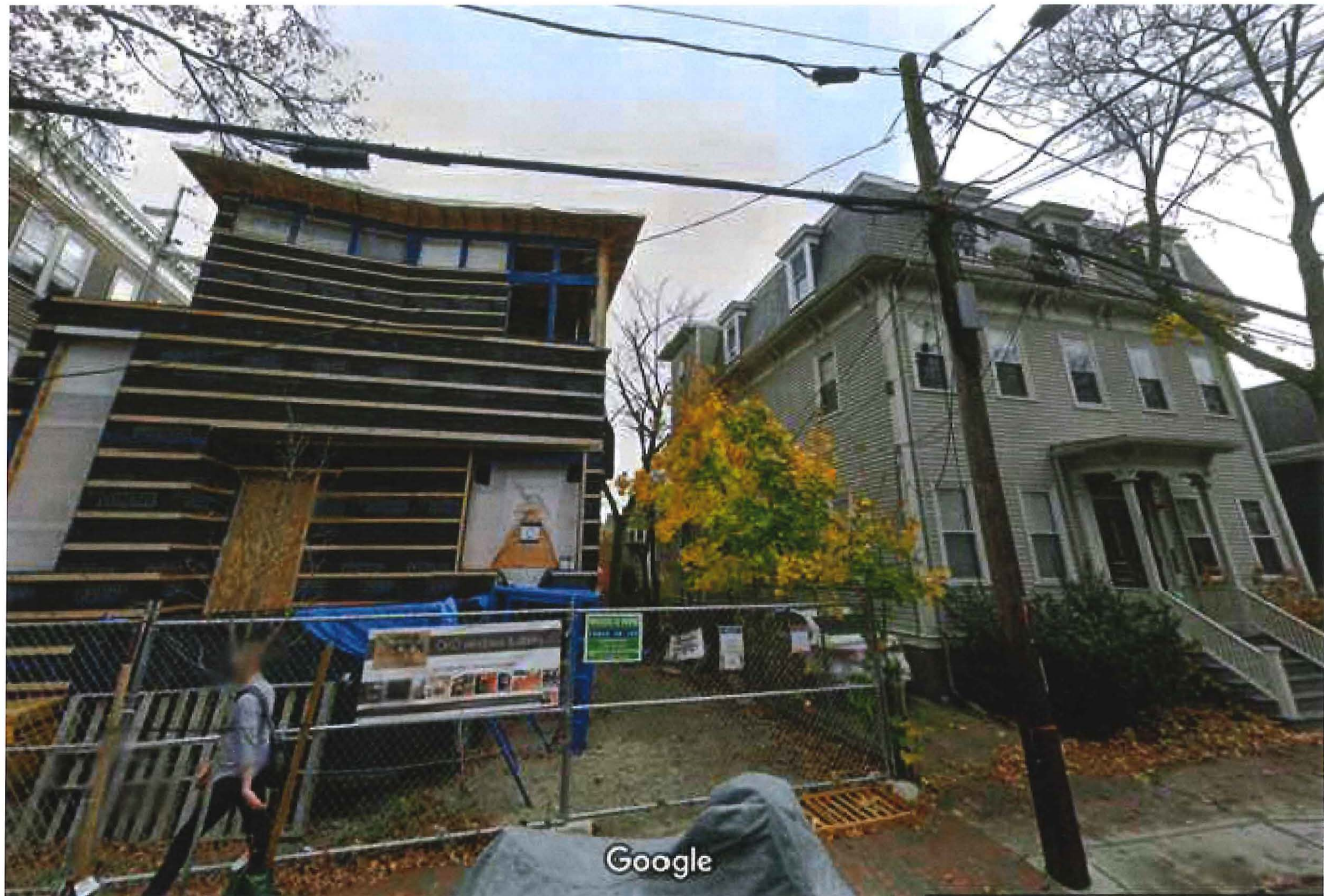
TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A2.4



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

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TITLE:
CONTEXT PHOTOS

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A3.1



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

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TITLE:
CONTEXT PHOTOS

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A3.2



EXISTING GUARDRAILS
VIEW FROM PEARL &
VALENTINE STREETS

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
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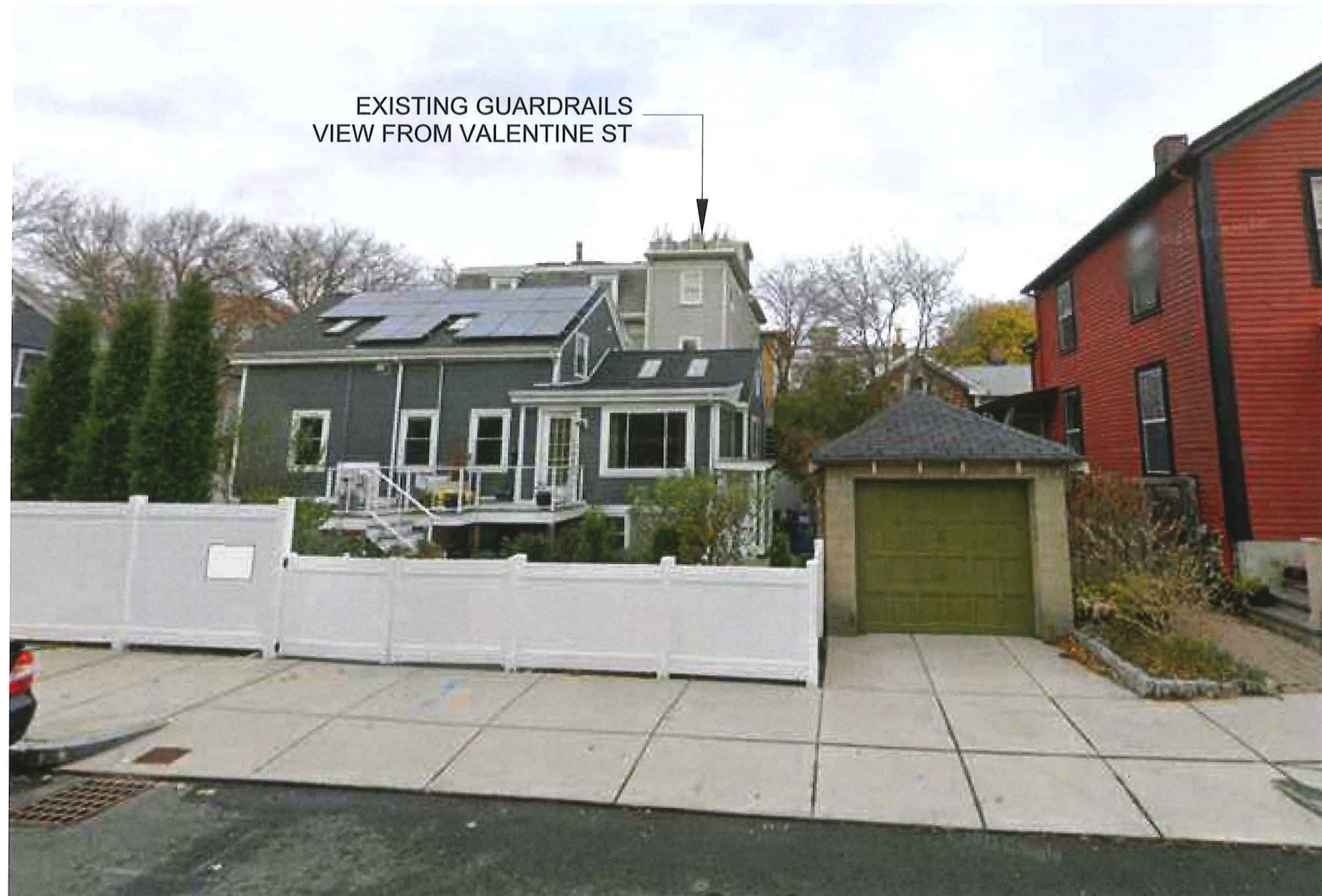
TITLE:
CONTEXT PHOTOS

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A3.3



EXISTING GUARDRAILS
VIEW FROM VALENTINE ST

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
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2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
CONTEXT PHOTOS

DATE:
09-08-2021

REV 1-25-2022
REV 4-1-2022

DRAWING:

A3.4

April 9, 2022

Cambridge Board of Zoning Approval
831 Massachusetts Avenue
Cambridge MA 02139

As agreed upon April 7th, 2022 by unanimous vote of the Trustee's of the Home Owners Association of 152 Pearl Street, Cambridge MA and per the revised plans and elevations prepared by GCD Architects, The 152 Pearl Street HOA has unanimously approved the revised plans for a 248.00 SF roof deck with stainless steel cable railings to be built over the flat part of the roof per the plans.

This addition will benefit the building's appeal, lower the insurance costs, and will contribute to the beautification of the neighborhood. We know Paul Boyd and Justin Chen, the owners of the unit to which exclusive use has been granted, are responsible neighbors and thus have no concerns about noise complaints.

This approval is conditional upon the conditions:

- 1) A Structural Engineer's report that demonstrates the flat portion of the roof can handle the load of the proposed deck.
- 2) Written report by a licensed contractor/roofer regarding the condition of the current roof membrane and the feasibility of covering it with a roof deck in its current condition.
- 3) Submission of the Structural Engineer's affidavit after construction is complete.

Sincerely,

Andrew Robertson

Andrew Robertson
Association Manager
152 Pearl St. HOA

BZA Application Form

BZA Number: 151499

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: Paul Boyd C/O Adam J. Glassman, R.A.

PETITIONER'S ADDRESS: 2 Worthington Street, Cambridge, MA 02138

LOCATION OF PROPERTY: 152 Pearl St, Unit 5, Cambridge, MA

TYPE OF OCCUPANCY: Residential

ZONING DISTRICT: Residence ~~C-1~~ ^S Zone

REASON FOR PETITION:

/4th Floor Roof Deck Addition /

DESCRIPTION OF PETITIONER'S PROPOSAL:


New 4th floor roof deck addition with 48" tall guardrails.

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).

Original
Signature(s):



(Petitioner (s) / Owner)

ADAM J. GLASSMAN, R.A.

(Print Name)

Address:

Tel. No. 617-412-8450

E-Mail Address: ajglassman.ra@gmail.com

Date: 2/3/22

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Paul Boyd
Location: 2 Worthington Street
Phone: 617-412-8450

Present Use/Occupancy: Residential
Zone: Residence C-1 Zone
Requested Use/Occupancy: Residential

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	6,499.00 5,662.0	6,555.00 5,943.0	1,991.00	(max.)
<u>LOT AREA:</u>	2,655.0	2,655.0	5,000.0	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²	2.43 2.13	2.48 2.23	.78 .60	
<u>LOT AREA OF EACH DWELLING UNIT</u>	442.00 531.00	No Change	1,500.00 1,800.00	
<u>SIZE OF LOT:</u>				
WIDTH	50.0	No Change	50.0	
DEPTH	53.0	No Change	NA	
<u>SETBACKS IN FEET:</u>				
FRONT	8.0'	31.5' from proposed deck to street	10.0'	
REAR	5.1'	5.1'	20.0'	
LEFT SIDE	4.5'	4.5'	15.5'	
RIGHT SIDE	5.6'	5.6'	7.5'	
<u>SIZE OF BUILDING:</u>				
HEIGHT	42.3'	39.0 +/- TO TOP OF GUARDRAIL	35.0'	
WIDTH	51.5'	No Change	NA	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	0%	10.4% 11%	10% Usable Open Space	18%
<u>NO. OF DWELLING UNITS:</u>	8 5	No Change	1	
<u>NO. OF PARKING SPACES:</u>	8 1	8 1	8 5	
<u>NO. OF LOADING AREAS:</u>	NA	NA	NA	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	NA	NA	NA	

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.:

Existing structure is wood frame, new deck would be wood frame, there are no other structures on the 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'.

* * * * *

(6:33 p.m.)

Sitting Members: Constantine Alexander, Brendan Sullivan,
Andrea A. Hickey, Wendy Leiserson, and Jim
Monteverde

BRENDAN SULLIVAN: The next case The Board will
hear is No. 151499 -- #152 Pearl Street. Mr. Glassman? Or
whoever's presenting it? Mr. Boyd?

ADAM GLASSMAN: Hello. Did I miss the
introduction there?

BRENDAN SULLIVAN: Yes.

JIM MONTEVERDE: Yep.

ADAM GLASSMAN: Oh, sorry. Okay. So this is Adam
Glassman with GCD Architects representing Paul Boyd and
Justin Chen, who reside at 152 Pearl Street. We're here
petitioning relief in the form of a variance for a new or
reconstructed and expanded roof deck.

Whoever is -- is Olivia doing the slideshow
tonight?

CONSTANTINE ALEXANDER: Yes.

ADAM GLASSMAN: This first slide is the site plan,
and you can see the red envelope, the red dashed line in the

1 middle plan. That is our setback envelope.

2 Due to the small size of the lot and the large size
3 of the building, this is an existing, nonconforming lot.
4 And there is no way to utilize the rights to their roof deck
5 without zoning relief from the Board.

6 On the left side, where you see on the right side
7 where it says, "proposed roof deck" that's actually an
8 existing roof deck area. We don't believe it was ever
9 permitted. It was there when they bought their unit, and
10 their unit has the full roof rights in the back portion of
11 the building.

12 So it's an area they've been using. They've been
13 using it quietly and considerately. But it is in disrepair
14 and needs upgrades.

15 BRENDAN SULLIVAN: Adam, can we -- can anybody
16 determine when that deck was created?

17 ADAM GLASSMAN: Well, Justin, how long have you
18 lived there?

19 JUSTIN CHEN: We've been here for three years. And
20 I think it's been in sort of property listings for up to 20
21 years? Yeah. The previous owner had it, and the owner
22 before that had it. So it's changed hands at least twice.

1 BRENDAN SULLIVAN: In its current form?

2 JUSTIN CHEN: Correct.

3 PAUL BOYD: That's correct.

4 BRENDAN SULLIVAN: Absent --

5 ADAM GLASSMAN: Okay. Next slide, please?

6 BRENDAN SULLIVAN: I guess the reason why I bring
7 that up is that if an item -- this is a different item --
8 which is in violation of the zoning, i.e., the stair, has
9 been in existence for more than 10 years, then under the
10 amended state regulation, it self-corrects. So that it in
11 fact -- even though it was never officially sanctioned, can
12 be allowed.

13 And the proper word is, "grandfathered in" but it
14 can be allowed without having to receive the zoning
15 approval, because it self-corrects. So that, in effect,
16 what we're being asked for tonight, even though it's an
17 amended deck, is a railing, which goes around it.

18 So anyhow, that being said, I know you have a full
19 presentation, Adam, so you can continue.

20 ADAM GLASSMAN: Okay. Well, thank you for that,
21 Brendan. I guess if we're looking at the next slide, the
22 area where it says, "proposed deck to the right of the

1 stair" that's the existing utilized space. To the left of
2 the stair, where it says, "proposed deck and planters that
3 would be an extension. That area is not currently used as
4 the side on the right. So I know they would like to expand
5 the existing deck somewhat to utilize the roof space.

6 BRENDAN SULLIVAN: So the deck -- as we're facing
7 it, the deck on the left side of the stairs is in existence,
8 and the proposed deck is not. And it's an extension of --

9 ADAM GLASSMAN: Well, the side on the left of the
10 stair would be new. Where you see the planters, that area
11 would be new.

12 BRENDAN SULLIVAN: That's new?

13 ADAM GLASSMAN: Yep.

14 BRENDAN SULLIVAN: Okay. So the deck on the right
15 is existing?

16 ADAM GLASSMAN: Is existing, that's correct.

17 BRENDAN SULLIVAN: Okay. I know there's a deck up
18 there, but I just saw it. So I just want to get reoriented
19 here. So okay. All right.

20 ADAM GLASSMAN: Next?

21 BRENDAN SULLIVAN: Continue.

22 ADAM GLASSMAN: Okay. So where the new extension

1 is "eight ten" off the stair, that's the size that our left
2 side abutter agreed to when we reviewed the plans with him
3 and had extensive back and forth.

4 So that's -- given that he's the only one really
5 impacted by this work, you know, we believe that was a
6 reasonable accommodation to him.

7 Next slide, please?

8 Photos of the existing space. You can see beyond
9 the furniture built into planters, which were rotting, and
10 this rope guardrail, which recently had to be removed as it
11 was falling down. So safety up here became a big concern.
12 And that's one of the main reasons for the reconstruction.

13 Next slide, please?

14 Neither the existing deck nor the proposed
15 extension is visible in any meaningful way from this section
16 of Pearl Street, either from the left of the building, the
17 front of the building or the right of the building.

18 Next slide?

19 Views from the deck show you how far away it is
20 from the right and the rear abutters.

21 And the photo below on the left, existing property
22 views from Valentine Street, show you how minimal the view

1 is, where it is most exposed to Valentine Street.

2 Next slide?

3 Again, comparisons of the existing conditions,
4 which you see on the left, and the proposed conditions on
5 the right. And we're actually proposing to reduce the size
6 of the existing deck.

7 Currently, the planters, the railings, all went out
8 extending eve beyond the face of the building. We're
9 proposing, as you can see on the right side, to pull it back
10 to align with the exterior walls, which reduces its
11 visibility even more.

12 Next slide?

13 Paul and Justin have a private connection to the
14 roof deck. It is not in any way accessible to the rest of
15 the building.

16 Next slide?

17 Enlarged version of our proposal -- a deck 8' 10"
18 on the left, 16' 3" on the right. Part of the variance
19 relief is due to an FAR increase that is minimal, one-tenth
20 of one percent, going from a 2.13 to a 2.23.

21 We are adding useable open space -- something that
22 the lot has none of for any of its occupants at this time.

1 And although it's not a common roof deck, at least
2 these owners will have some outdoor space, which they badly
3 need, as everyone knows working from home during a pandemic
4 to at-home professionals make something like this a
5 necessity to keep sane on the third floor.

6 Next slide, please?

7 Elevations, just to compare the railing system that
8 was there recently removed. The railing system that we're
9 proposing very little difference from this view.

10 And actually, from this street view, it's important
11 to note in a 2-D, you can see the railings when who present
12 it in a two-dimensional elevation. But in reality, at the
13 street level you cannot see either the existing railings or
14 the proposed.

15 Next slide, please?

16 Another comparison. Views from the rear -- also
17 very hard to see anywhere from the street. We'd be
18 correcting and improving the existing conditions on the left
19 with something more stable, more suitable for the context of
20 the neighborhood -- something a little bit tidier.

21 Next slide?

22 More elevations showing the same. Our existing

1 conditions on the left with the rope guardrail, the
2 planters, and on the right just a simple, traditional
3 guardrail.

4 Next slide, please?

5 On the left, existing conditions. On the right,
6 the addition of a guardrail.

7 Next slide, please?

8 More views from the street to show you how low
9 impact this proposal is. Here, you know, again even looking
10 between the homes on the left and their building on the
11 right, you can see none of this.

12 Next slide, please?

13 More views. Nothing to see, as far as the new work
14 goes.

15 Next view?

16 On the corner of Pearl and Valentine, you can see
17 the existing or recently existing planters and guardrail.

18 Next slide?

19 And again, the view from Valentine Street of what
20 is there now or was recently there.

21 Next slide?

22 For comparison -- again, the view from Valentine

1 Street -- the guardrails that were there and the guardrails
2 that we're proposing, with planters behind them.

3 Next slide, please?

4 I think that's it. Oh, our corrected FAR form, or
5 our corrected dimensional sheet, I don't think we have to go
6 through it. We're not changing the building height. Our
7 FAR goes up very minimally -- no change to parking
8 conditions. No increase in the units.

9 And I believe that is it. I'll let Paul and Justin
10 say a little bit about themselves, and then we'll open it up
11 to questions.

12 PAUL BOYD: Thanks so much, Adam. So my name is
13 Paul Boyd, and this is Justin.

14 We bought the house -- the unit -- about three
15 years ago, and at the time outdoor space was super important
16 to us. And that was certainly before COVID, and that
17 changed our working from home and, you know, being able to
18 access outside is certainly a huge help.

19 We've been using the space -- you know, our
20 neighbors are completely unaware when we're up there. It's
21 very sort of quiet usage -- you know, just sort of enjoying
22 the sunsets type of thing.

1 And in fact, the unit owners, or the other unit
2 owners in the buildings were the ones who sort of suggested
3 we explore properly building out that space to increase the
4 safety and sort of robustness of that space.

5 In fact, we've struggled to find master insurance
6 that wasn't exorbitantly expensive. So the railings we feel
7 are good for the building, as much as it is for us.

8 And as Adam I think very nicely said, there's just
9 no other outdoor space around the building. And so this is
10 our -- sort of our opportunity to get there.

11 And, you know, we were married during COVID. And
12 we're starting to build a family here. And so we really are
13 looking for some safety around the home. We're certainly --
14 you know, well into our careers and not in any way expecting
15 to throw any parties up there.

16 So, you know, thanks, you know, very much for
17 listening to our petition.

18 BRENDAN SULLIVAN: Great. Thank you. Let me ask
19 the Board. Mr. Alexander, any questions?

20 CONSTANTINE ALEXANDER: Yes. I find this case
21 very troubling. We are talking about effectively elevating
22 the size of the building to 38 or 39 feet, and our zoning

1 law says 35 -- no more than 35.

2 If -- but there is, as Brendan has quoted, there
3 is an inspection in the state law saying with something has
4 been built in violation of the zoning bylaw -- and I'm
5 paraphrasing -- and it's been there for at least 10 years
6 without any objection from the authorities, that it's --
7 grandfathered, it's okay now.

8 That's not necessarily true of what is being
9 before us tonight. You're talking about a fencing that's
10 much more visible than the fencing that currently exists.
11 You're talking about adding planters to the top of the
12 building.

13 I'm having a lot of trouble finding that we should
14 grant the relief being sought for these reasons, because I
15 don't think you otherwise meet the requirements for a
16 variance, the standard, three-part definition. So I'm
17 troubled. I'm not sure I'm going to vote in favor of this.

18 ADAM GLASSMAN: Could I address the Chair's
19 concerns?

20 BRENDAN SULLIVAN: Yep.

21 ADAM GLASSMAN: We're not actually raising the
22 building height. It's the rooflines of the front porch and

1 the building are well above the deck and the railings.
2 That's not changing. The existing stair in the back is not
3 changing; that's always been there and that's taller than
4 the location of the deck or the railings.

5 The railings we are putting in would be recessed
6 back from the edge of the roof, and would therefore be less
7 visible from the street from the Valentine view than the
8 existing rope railings. The planters we're proposing are
9 behind the railing.

10 Again, there have been existing planters there
11 now, and they really don't -- they'd be invisible to the
12 public. So I -- we're not really creating new building
13 heights or new, you know, anything new to see from the
14 street that doesn't already exist. In fact, what we're
15 proposing is an improvement.

16 CONSTANTINE ALEXANDER: If I can continue. It's
17 not a question of an -- well, I know it's an improvement
18 from a safety point of view. The fact of the matter is
19 that from a visual point of view, that building is going to
20 get higher with the fencing that it proposed. And that is
21 the problem.

22 ADAM GLASSMAN: But how is that -- I just don't

1 see how that's true, where we're replacing --

2 CONSTANTINE ALEXANDER: I have the plans that you
3 submitted. I've got them -- if you look at the drawings,
4 particularly in comparison --

5 ADAM GLASSMAN: Can we go to the rendering that --
6 the last slide? So on the left, you can see the tall
7 guardrails, and you can see the planters.

8 What we're proposing is no taller than what's
9 there now. And because it's recessed back from the edge of
10 the roof, it'll appear shorter than the existing guardrails.

11 CONSTANTINE ALEXANDER: But even if it shorter in
12 appearance, it's still too tall for purposes of our
13 ordinance. That's the problem. And if you were just doing
14 the same thing you had before, I would have no problem
15 granting relief.

16 That's not what you're doing -- for good reason,
17 I'm not being critical -- but I'm in trouble. I'm going to
18 ruminate here with my other Board Members on how I'm going
19 to vote. And I can't say right this moment I'm in favor.

20 BRENDAN SULLIVAN: Andrea, any comments?

21 ANDREA HICKEY: Yeah. I share Gus's concerns.

22 And I'm at the moment not on board with what's being

1 requested. If this was coming to us in it first instance,
2 and if there was not a deck up there already, personally
3 there's no way I would approve this in its first instance.

4 I think from a safety perspective, I agree 100
5 percent that what is there now is troubling.

6 But I think the visual of what you're adding in
7 terms of something that would provide a safety rail, it
8 really sort of changes the view. And in my opinion, it does
9 make the building taller than what it is now.

10 Could I ask Mr. Glassman to remind me why this
11 case was continued?

12 ADAM GLASSMAN: This case was continued because
13 our left-side abutter had concerns about his sense of
14 privacy, and possibly shadows. So we -- he suggested to us
15 a size that he felt he could support, and that's the size of
16 the deck on the left we are proposing. And --

17 ANDREA HICKEY: And was that Mr. Ellsworth?

18 ADAM GLASSMAN: That's Mr. Ellsworth, right.

19 ANDREA HICKEY: Okay.

20 ADAM GLASSMAN: But I would like to --

21 ANDREA HICKEY: So --

22 ADAM GLASSMAN: -- say one thing about -- I mean,

1 the aesthetics we can definitely work on. We could put in a
2 -- something that almost disappears up in the skies --
3 something like the steel cable rail system, and not have the
4 planters, and then there would be very little to see from
5 Valentine Street.

6 ANDREA HICKEY: Can you step it back?

7 ADAM GLASSMAN: We can step it back more, sure.

8 ANDREA HICKEY: I'd have an easier time if you
9 could. So is Mr. Ellsworth, I know -- I don't know whether
10 he's on the call, but in your negotiations, I guess, with
11 him, this is a -- what you're proposing tonight is something
12 that he said he could live with?

13 ADAM GLASSMAN: Yes. And in our -- there should
14 be in the packet a letter which he e-mailed to us --

15 ANDREA HICKEY: Mm-hm.

16 ADAM GLASSMAN: His support is highlighted in red,
17 and it's also attached -- should be in that e-mail -- what
18 his suggestion was for us.

19 ANDREA HICKEY: Okay.

20 ADAM GLASSMAN: And the one that he really cared
21 about was the left side, and bringing it to "eight ten" off
22 the stair was his suggestion.

1 ANDREA HICKEY: All right. Now, in your original
2 submission, you did have an approval of the condo
3 association. Do you have an updated approval because you're
4 concept now has changed?

5 CONSTANTINE ALEXANDER: [Laughter]

6 ADAM GLASSMAN: We have voted within the HOA, and
7 it has been approved, according to HOA policy.

8 ANDREA HICKEY: And is that in our file? It's
9 required to be in a written format. I didn't see it. All I
10 saw was the original approval, which doesn't really apply.

11 ADAM GLASSMAN: Oh. We can certainly get a new
12 one. We assumed that because it was a smaller roof deck, we
13 wouldn't need to resupply it. But we could certainly do
14 that.

15 ANDREA HICKEY: Yeah. It's a change, so in my
16 opinion --

17 ADAM GLASSMAN: Okay.

18 ANDREA HICKEY: -- and I'll also defer to my
19 fellow Board Members. But if you're proposing something
20 different, I think that an approval of that difference is
21 necessary to document our file.

22 ADAM GLASSMAN: Yep.

1 ANDREA HICKEY: All right. And I'll ask -- I just
2 have one final question, Mr. Glassman. In Mr. Ellsworth's
3 original objection to the first submission, he raised the
4 issue of including the square -- the area for the stairs in
5 your calculations.

6 ADAM GLASSMAN: Yes, we --

7 ANDREA HICKEY: Could we just --

8 ADAM GLASSMAN: -- we resubmitted and revised, and
9 his -- so the FAR is included in the calculation, which is
10 on I believe Slide 8.

11 And in addition to that, to address his concerns,
12 we included a condition in response to him, which says that
13 neither the footprint of the deck proposed here or the
14 design of the railings -- the height of the railings --
15 could change without going back to the BZA, that we would
16 not be enclosing space, that what we're presenting is what
17 would remain unless we came back to the Zoning Board, or a
18 future owner came back to the Zoning Board.

19 ANDREA HICKEY: Great. I think it's important to
20 have that in our record tonight. And so this rendering,
21 A1.3 "Proposed deck 281 square feet" that area, again, does
22 include the stairs?

1 ADAM GLASSMAN: The stairs is included in the GFA
2 of the entire building.

3 ANDREA HICKEY: Okay.

4 ADAM GLASSMAN: And the deck is what is
5 additional.

6 ANDREA HICKEY: Okay. So the proposed deck, then,
7 is 281. And what was the area, if you would just remind me
8 of the deck as it exists now?

9 ADAM GLASSMAN: Let me see. I can tell you that
10 in a second, if -- give me a moment.

11 [Pause]

12 While I'm pulling this up, does anyone else want
13 to comment, and I'll definitely answer this question in a
14 moment?

15 [Pause]

16 No?

17 ADAM GLASSMAN: I'm sorry, while I'm pulling this
18 up -- I don't have it handy, but I will in a moment -- does
19 the next Board Member want to pick up, or --

20 BRENDAN SULLIVAN: Do you want to --

21 ADAM GLASSMAN: Just give -- I just need another
22 minute here. But if you -- I'm just having trouble opening

1 this file.

2 JIM MONTEVERDE: Hold on a second --

3 ADAM GLASSMAN: Oh, here we go.

4 JIM MONTEVERDE: -- I can do it quicker.

5 ADAM GLASSMAN: Yeah, hold on. I have it here.

6 So the existing roof deck -- okay. The existing roof deck,
7 because it goes to the extent of the roof eave, we're
8 actually reducing that.

9 All right. The existing roof deck is 233 square
10 feet.

11 ANDREA HICKEY: And you're asking now for 281?

12 ADAM GLASSMAN: Yes.

13 ANDREA HICKEY: I have a problem with that. I
14 will sort of yield to the next Board Member and see if
15 something might come out that will make me feel differently.
16 That's all I have at the moment.

17 BRENDAN SULLIVAN: Okay. We'll come back to you,
18 Andrea.

19 ANDREA HICKEY: Thank you.

20 BRENDAN SULLIVAN: Wendy, any questions?

21 WENDY LEISERSON: I have no other questions than
22 those that have been raised by my other Board Members.

1 BRENDAN SULLIVAN: Thank you, Wendy. Jim, any
2 questions?

3 JIM MONTEVERDE: My only concern, which I share
4 with Gus's comments, is about the character of the rail
5 itself and how it kind of imposes on the, or gives the
6 appearance of being so much taller, at least in the rendered
7 view.

8 The assembly on the -- or configuration on the
9 right-hand side that's there I take no exception to. It's
10 pretty much what was there before. On the left, the
11 extension -- you know, that to me is a question as the -- is
12 it -- why?

13 But my greatest is just the character of the rail
14 itself. That's all. Thank you.

15 BRENDAN SULLIVAN: Okay. Thank you. Let me open
16 it up to public comment. Any member of the public who
17 wishes to speak should now click the button that says,
18 "Participants," and then click the button that says, "Raise
19 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
22 you will have up to three minutes to speak.

1 OLIVIA RATAY: Campbell Ellsworth?

2 BRENDAN SULLIVAN: Campbell?

3 CAMPBELL ELLSWORTH: Good evening. I'm happy to -
4 - well, yes. I wish I had my 11-year-old who could help me
5 with this technology. But I was going to put -- I was going
6 to get a video on, I'm not sure how to do that, but here I
7 am.

8 Yes, I'm Campbell Ellsworth. I am building -- I
9 own and build, I'm building and will live at the house just
10 to the left of the structure at 146-148 Pearl Street. I'm
11 sure that you've seen my letter that I wrote to the Board
12 December 13 with my concerns. I'll go through a couple of
13 those.

14 And yes, I do want to articulate that on -- as is
15 in the petitioner's package on December 14, I did write to
16 them and I said that if they were willing to basically pull
17 that deck back to about half the proposed size that I would
18 be okay with that.

19 That structure, that deck the way it's proposed,
20 that's a nonconforming setback on that property line by
21 about -- you know, to about five and a half feet. I'm just
22 another seven and a half feet conforming beyond that, and

1 I've got children's bedrooms and all.

2 And I discussed that with Paul. Paul has seen my
3 house, and I've seen -- you know, obviously lived there and
4 worked. And so their -- their willingness to pull that back
5 is terrific. And I can support this.

6 I did want to articulate, as is written in that
7 December 13 letter, that I do have other concerns. I think
8 that they have been somewhat articulated by the Board.

9 I can't -- the interpretation of the weather
10 [1:00:31 audio unclear] has been in existence for more than
11 10 years. It's a -- it's worthy of discussion, to be sure.

12 My concern is that effectively what's happening
13 here is that new habitable square footage and construction
14 is occurring, as Mr. Alexander said, above the height limit
15 of the zone.

16 As an architect, and as a frequent visitor to the
17 Board of Zoning Appeals representing clients, my concern
18 would be that this might open up a lot of people wanting to
19 build above their allowable height.

20 Now, that having been said, I support the
21 petitioners in creating usable space. COVID, et cetera, has
22 made us all absolutely nuts. And having a safe --

1 BRENDAN SULLIVAN: 30 seconds. 30 seconds.

2 CAMPBELL ELLSWORTH: Okay. Having safe refuge is
3 a great place to do it. I would just -- and I hear -- I
4 hear some objection, and I don't want to interpret what the
5 Board is saying, but there might be a solution to -- again -
6 - scale this back, and to allow them to have what they want,
7 without shooting the whole thing down.

8 But I support it, but I have those concerns. And
9 they have met my general concern about pulling it back.

10 BRENDAN SULLIVAN: Great.

11 CAMPBELL ELLSWORTH: And I thank them very much.

12 BRENDAN SULLIVAN: Thank you. Thank you,
13 Campbell.

14 The Board is in receipt of correspondence from
15 Carol Aplin on 52 Pearl Street, Unit 3.

16 "I am the owner of 152 Pearl Street, one of the
17 three owner-occupied units in our building. Paul Boyd and
18 Justin Chen have reviewed with me their plans for a proposed
19 rear fourth-story roof deck, and I've also had the
20 opportunity to read the letter of support provided by Andrew
21 Robertson.

22 "I wish to add my full support to the plans and my

1 voice in urging the BZA to grant Paul and Justin the zoning
2 relief to make the roof space to which they have exclusive
3 easement, a safe and livable amenity.

4 "This work is needed to put in place correctly
5 safety measures, in particular guardrails and property --
6 properly graded decking to prevent falls and to prevent the
7 vulnerable roof membrane."

8 There is also correspondence from Mr. Andrew
9 Robertson. He's the owner of 152 Pearl Unit 2, one of the
10 three owners.

11 "We approve these plans, and urge the BZA to grant
12 Justin and Paul the zoning relief they need to correct the
13 existing structural and life-safety efficiencies, which are
14 required to make their current rooftop space a safe
15 amenity."

16 And he mentions about there is an issue,
17 obviously, with getting insurance in the building. And the
18 proposed work he finds as tasteful, modest and reasonable
19 solution to the existing roof, life safety and structural
20 issues facing the building.

21 And that is the sum and substance of the
22 correspondence.

1 And also, a letter and some detailed information
2 from Mr. Ellsworth, which he elaborated on.

3 I will close public comment.

4 OLIVIA RATAY: There's someone else.

5 BRENDAN SULLIVAN: Oh, sorry.

6 OLIVIA RATAY: There's one more.

7 BRENDAN SULLIVAN: There's another call in.

8 OLIVIA RATAY: Michael Brandon.

9 BRENDAN SULLIVAN: Michael, up to three minutes.

10 MICHAEL BRANDON: Thank you, Mr. Chair. It's
11 Michael Brandon, 27 Seven Pines Avenue. I had a few quick
12 comments, having seen this presentation and discussion.

13 One is on the issue of this 10-year period, after
14 which the nonconformity is apparently -- becomes legal, it
15 would be helpful if the Board could cite the specific
16 statute that's being referenced.

17 I'm aware, I believe, that a building permit
18 cannot be challenged after 10 years, and I don't know if
19 that's the provision or perhaps something else.

20 I agree with the Board Members' comments about the
21 obtrusiveness of the guardrail that's proposed. I thought
22 maybe if it were white, rather than black, it would be less

1 obtrusive.

2 And I believe the architect suggested that there
3 are different systems -- you know, steel wire system -- that
4 might be more acceptable to the Board. And it does sound as
5 though this is going to -- the case is going to be continued
6 and come back.

7 Regarding the planters, I just had a question as
8 far as the weight of those, and what impacts that might have
9 on the rooftop. Also, I wonder if the planters were
10 continuous, if they might serve as -- essentially as a
11 guardrail, depending on how high they were.

12 And I think the only other comment I would have is
13 that I would -- if the Board does grant this relief, then
14 include a condition that there be no grilling or barbecuing
15 or fire pits on this rooftop, for safety reasons.

16 Thank you very much for considering my comments.

17 BRENDAN SULLIVAN: Thank you very much, Michael.

18 OLIVIA RATAY: Dianne Haas?

19 DIANNE HAAS: Can you hear me?

20 BRENDAN SULLIVAN: Yes.

21 DIANNE HAAS: Okay. I'm -- I own Unit #3 in the
22 building. I do not live there. I was the original

1 developer of the building in 2004. And I'm not opposing the
2 roof deck -- I want you to know that, but I do need to clear
3 up something.

4 When I developed the building, I was -- I did
5 check with neighbors. I did not apply for a variance, and I
6 made sure that that roof deck was not a real roof deck. I
7 did allow -- well, not me but the first buyer asked if they
8 could put some planters up there.

9 And as the condo association allowed her to do
10 that, what I think was shown as a guardrail was not attached
11 to the roof in any way. It was attached to the planters.
12 So she was allowed to plant. She wasn't supposed to have
13 any furniture up there.

14 I don't recall know what was going on, but I just
15 wanted the Board to know that it was not a true roof deck.
16 We allowed her to do a roof garden, to garden up there.

17 BRENDAN SULLIVAN: Thank you, Dianne.

18 DIANNE HAAS: Again, I'm not -- you know, I'm not
19 saying I'm opposed, I just want -- I wanted to clear that
20 up. And it was in 2004 that I developed it.

21 BRENDAN SULLIVAN: Thank you.

22 OLIVIA RATAY: Phone number ending in 8311.

1 HEATHER HOFFMAN: Hi. Heather Hoffman, 213 Hurley
2 Street. Since Michael Brandon raised the question about
3 whether the Board was properly citing the law, I wanted to
4 say that that is my understanding: If you build something
5 with a building permit, after six years whatever you built
6 is okay. And if you build without one, after 10 years then
7 for zoning purposes, if not for any other purposes, it's
8 also okay.

9 And now you have a question as to when it might
10 possibly become actually a used deck. And I hope you get an
11 appropriate answer to it. Thanks.

12 BRENDAN SULLIVAN: Thank you for calling in,
13 Heather. And that is the sum and substance of anybody
14 calling in. So I will close the public comment part of
15 this.

16 Adam?

17 ADAM GLASSMAN: Sure. First of all, just so no
18 one gets the wrong idea, we were never coming here saying
19 that this was a previously permitted deck. That is not at
20 all what we're saying.

21 And I appreciate you, Brendan, bringing that point
22 to us as, you know, as information. Our assumption was that

1 we needed relief to do everything here. It sounds like we
2 probably still do. So I think we were correct there.

3 I think we'd like to ask for a continuance. And
4 I'd also like a little bit more direction from the Board. I
5 think we'd be happy to do with the steel cable railing
6 system.

7 I can't tell if the Board is pro-planter or anti-
8 planter. I think your suggestion would be helpful there.
9 If we could go with a more transparent-style railing, then
10 whatever behind it is more visible. That was part of the
11 reason for our design was to create something that from the
12 street the view really wouldn't change -- the railing, the
13 planters, you would never really see what was behind that.

14 But we can definitely go to a more transparent-
15 style railing, and we can do fewer planters. We can keep
16 the planters we have; whatever you think is appropriate.

17 BRENDAN SULLIVAN: Okay. Thank you. I have not
18 opined, listening to my other Board Members. And I value
19 their input and their intellect greater than mine.

20 On this particular proposal, I am in favor of it
21 in the fact that it is an existing deck that's been in use
22 for a number of years, and that what is proposed is an

1 improvement to an existing condition.

2 That it is being pulled in a little bit on the
3 sides to align with the edge of the building -- before it
4 was sort of hanging out almost to the gutter line -- and I
5 think in deference to Mr. Ellsworth's concern that the
6 petitioner has pulled it back considerably to respect his
7 wishes, his privacy, and has now given his support with
8 conditions, I think, that it can be potentially improved
9 upon.

10 Listening to my fellow Board Members, I hear them,
11 and I respect their opinion, and probably right on point
12 that maybe it needs to be redone. I think, Andrea, you had
13 mentioned that if this was a de novo, it would be a
14 nonstarter from the beginning, and that would be my
15 viewpoint also.

16 And so I would not support it if it was coming
17 down before us as a new beginning. But it is existing. The
18 petitioners have used it. There have not been any
19 complaints, outcry from adjoining properties over these last
20 many years, and that the presentation shows that it is their
21 only outdoor space.

22 And I think, you know, however those condo deeds

1 are set up, that this is an amenity I think that is
2 exclusive to the third-floor unit. And I don't see any
3 adverse effect of it. Can it be improved? Potentially. So
4 that's my thought on this.

5 So going back to Mr. Glassman's suggestion of
6 continuing the matter, let me poll the Board again. Mr.
7 Alexander, your thought on how it can be improved, or your -
8 -

9 CONSTANTINE ALEXANDER: I'm always reluctant to
10 help design. We're not here to design. We're asked about a
11 design being presented to us by the homeowner or the
12 property owner and his architect and counsel, if he has one.
13 So I think there were a lot of comments made, and I think
14 Mr. Glassman, you have a sense of what the issues are. And
15 so I would not propose to say anything more.

16 BRENDAN SULLIVAN: Okay. Andrea, your thoughts to
17 possibly nudge the petitioner to a better design, or --

18 ANDREA HICKEY: Well --

19 BRENDAN SULLIVAN: -- as possible?

20 ANDREA HICKEY: -- right. After hearing from Ms.
21 Haas, the original developer, I now -- frankly -- have a
22 question as to whether what is there now is an existing

1 deck? It begs the question for me, "What is a deck?" if
2 you put a chair up on a tar roof and put a planter on the
3 edge, does that make it a deck?"

4 ADAM GLASSMAN: Well --

5 ANDREA HICKEY: I'm struggling with that question
6 now, as to sort of when it became a deck, if it ever did.
7 Because if we are going to rely on the fact that there's
8 been a deck there for 10 years, what constitutes a deck for
9 that purpose? Putting one piece of furniture up there?
10 Putting one planter up there? I am struggling with that.

11 And I'm open to hearing from the petitioners or
12 Mr. Glassman or anyone as to how I can resolve that issue.

13 ADAM GLASSMAN: I guess I would say a deck, a
14 rooftop deck is a defined area for safe habitation and use,
15 and it has been used accordingly. The deck space that was
16 there when Paul and Justin bought their unit and moved in
17 and started enjoying it included protective, heavy-duty mats
18 over the roof membrane. It included built-in planters all
19 around the perimeter. It included a guardrail.

20 All those elements put together, it's not one
21 planter, it's not -- you know, one piece of protective
22 covering, it's not -- you know, just a section of railing,

1 it was really -- it had all the components of a safe,
2 occupiable rooftop area with a history of use.

3 ANDREA HICKEY: When you say, "built-in" planters,
4 what are they built into? Are they connected to the roof
5 somehow?

6 ADAM GLASSMAN: Well, I guess they were so -- the
7 size of them, the weight of them, how they were more or less
8 attached to the railing system, all of these things -- I
9 mean, the railing was attached to the roof, the planters
10 were -- I believe, more or less attached to the railing
11 system.

12 They were big, wooden boxes and we have photos of
13 them. They weren't small, plastic pots you could just, you
14 know, buy from the store.

15 ANDREA HICKEY: Right. They don't look to me like
16 they're built in or attached. But I'm --

17 ADAM GLASSMAN: I guess given the extent of them;
18 they did serve as an additional barrier. They continued to
19 have the same extent across the edge of the space, just as
20 the railings did. And I would say --

21 ANDREA HICKEY: Do you know when those planters
22 went up there?

1 PAUL BOYD: This is what we said earlier: It was
2 at least two owners before us. And then just to add a bit
3 more color to that, the rope which constituted the railing
4 was attached to the head house.

5 And then through the wooden spikes that connected
6 to these hundred-pound, multi-hundred-pound planters that
7 created a space, the furniture up there was there
8 permanently, it wasn't like a folding chair that, you know,
9 it was like that furniture stayed up and in fact was quite
10 difficult to get down.

11 So it really did form a space. The rubber, the
12 thick, heavy membrane that Adam mentioned was glued to the
13 rubber membrane. So, you, it wasn't just the furniture
14 sitting on the rubber membrane. So there was real effort to
15 create a space in there. That space was in the listing for
16 the unit. And so, you know, I think through usage and by --
17 this was not a temporary measure, this was affixed to the
18 building, either through weight or through cables.

19 ANDREA HICKEY: Thank you. I have concerns around
20 whether what is there is a deck. I'll leave it at that for
21 now.

22 ADAM GLASSMAN: Could I just -- I'd like to take a

1 step back for a moment and just say that, you know, as we
2 all know, the Board issues variances for all kinds of zoning
3 issues every two weeks. Sometimes it's a setback, sometimes
4 it's far. Sometimes it's building height.

5 In this case, I'm not sure why the building height
6 raises such objection, given that we're talking about 42-
7 inch rails to replace rails that have been there.

8 You know, the hardship here is real. And if we,
9 you know, step out of the zoning box for a minute, this
10 proposed deck and the deck that was there, the space that
11 was used before -- again, there were no complaints, there is
12 no detriment to the community, to abutters, to the building.

13 And zoning relief would allow these gentleman to
14 enjoy their roof deck as they have been, without any real
15 change to the character or the livability of the
16 neighborhood. No one's experience will be changed from this
17 neighborhood by granting relief for their hardship.

18 BRENDAN SULLIVAN: Andrea, would you be open,
19 amenable to a redo again on this? A re -- possibly a
20 redesign and to another look at it?

21 ANDREA HICKEY: I'm 100 percent open to a
22 continuance. I -- it will give me some time to think

1 further. And I would be in favor of a continuance.

2 And if I were inclined to approve a proposal, I'd
3 like to see the area no bigger than what is there now, in
4 terms of I believe it was 233 square feet. And if I were to
5 approve something like this, I'd want to see it pulled back
6 from the edge more.

7 BRENDAN SULLIVAN: Right.

8 ANDREA HICKEY: Thank you.

9 ADAM GLASSMAN: So how --

10 BRENDAN SULLIVAN: Wendy, any further thoughts
11 from you at all on this, and would you be amenable to a
12 redo?

13 ANDREA HICKEY: I would like to see a continuance
14 and a redo, yes.

15 BRENDAN SULLIVAN: Okay. Jim? Your thoughts?

16 JIM MONTEVERDE: As I stated before, my only
17 concern was the character of the rail itself. I have no
18 objection to the planting up there, no objection to the
19 extent, to the addition of it. Strictly just the character
20 of the rail itself.

21 BRENDAN SULLIVAN: And any suggestions, Jim, as to
22 --

1 JIM MONTEVERDE: No, I think Adam started to run
2 down the usual list of suspects, right? It's either glass,
3 it's either wire, it's cable, it's --

4 BRENDAN SULLIVAN: Okay.

5 JIM MONTEVERDE: -- I'm scratching my head just
6 looking at the diagram if legally or technically code wise
7 you really need a guardrail? Because the planter stops
8 someone from getting to the edge. But it's probably a good
9 idea. You know, could it be an OSHA rail? You know, just
10 top rail, middle rail, bottom rail? And pipe stock?

11 Any of those things that are more transparent,
12 more open I think, Adam, you're well versed in what all
13 those options may be.

14 ADAM GLASSMAN: Yeah, I think building code they
15 may require something at least 42 inches. Now, whether or
16 not the planters would act -- I don't know, that's a
17 Building Inspector --

18 JIM MONTEVERDE: Yeah. I'll leave that to Mr.
19 Glassman.

20 ADAM GLASSMAN: Thank you.

21 BRENDAN SULLIVAN: Well, I think if you've heard
22 the sentiment of the Board, I tend to agree with Andrea on

1 the size of the deck being bigger square footage wise than
2 what's there now. So how you pull it in in order to satisfy
3 Mr. Ellsworth, and then --

4 ADAM GLASSMAN: Sure.

5 BRENDAN SULLIVAN: -- from there 200 and --

6 ADAM GLASSMAN: Sure.

7 BRENDAN SULLIVAN: -- proceed there?

8 ADAM GLASSMAN: Sure.

9 BRENDAN SULLIVAN: But anyhow, that would be one
10 suggestion that I would have. If you continue this matter,
11 the earliest would be May 5. Because we have a full
12 schedule for March and April. So the earliest we could get
13 you on would be May 5.

14 ADAM GLASSMAN: Okay.

15 BRENDAN SULLIVAN: And Mr. Alexander, you'll be
16 here on May 5?

17 CONSTANTINE ALEXANDER: Yes.

18 BRENDAN SULLIVAN: Andrea, we're going to keep --
19 we're not going to let you go. Are you still here on May 5?

20 ANDREA HICKEY: Yes, I am.

21 BRENDAN SULLIVAN: Wendy, will you be available on
22 the May 5?

1 WENDY LEISERSON: Yes.

2 BRENDAN SULLIVAN: And Jim?

3 JIM MONTEVERDE: I am available. Thank you.

4 BRENDAN SULLIVAN: Okay. And I'm not going
5 anywhere. All right. Let me make a motion, then, to
6 continue this matter.

7 CONSTANTINE ALEXANDER: Brendan, before you make
8 the motion, I think we should require the petitioner to
9 deliver consent from the condo association, which they
10 didn't do. That should be in our files before May 5.

11 BRENDAN SULLIVAN: Yeah. Thank you. What I was
12 going to suggest was something along that line anyhow; that
13 -- let me make a motion, then, to continue this matter until
14 May 5, 2022 at 6:00 p.m. on the condition that the
15 petitioner -- we already signed a waiver to the statutory
16 requirement for a hearing and a decision -- change the
17 posting sign to reflect the new date of May 5 and the new
18 time of 6:00 p.m.

19 Further, that if there be any changes to the
20 current plan, that they be in the file no later than 5:00
21 p.m. on the Monday prior to May 5, 2022. If there are any
22 said changes, that the other owners of the condo association

1 be shown those and voice their opinion as to those changes,
2 either in support or not.

3 CONSTANTINE ALEXANDER: Yeah, the only things
4 that's being waived for a time for a decision, a week from
5 Monday. You didn't mention that.

6 BRENDAN SULLIVAN: This has already been
7 continued. So yes.

8 CONSTANTINE ALEXANDER: I'm sorry?

9 BRENDAN SULLIVAN: This matter has already been
10 continued, so you've already signed a waiver, right? Is
11 that right, Adam?

12 ADAM GLASSMAN: That's correct.

13 BRENDAN SULLIVAN: Yes, okay.

14 CONSTANTINE ALEXANDER: Okay, we're good. Thank
15 you. Understood.

16 BRENDAN SULLIVAN: All right any other? Okay.
17 Then, on the motion, then, to continue this matter to May 5,
18 Mr. Alexander?

19 CONSTANTINE ALEXANDER: I vote in favor?

20 BRENDAN SULLIVAN: Andrea Hickey?

21 ANDREA HICKEY: Yes, in favor.

22 BRENDAN SULLIVAN: Wendy?

1 WENDY LEISERSON: Yes, in favor.

2 BRENDAN SULLIVAN: Jim.

3 JIM MONTEVERDE: Yes, in favor.

4 BRENDAN SULLIVAN: Brendan Sullivan yes on the
5 motion.

6 [All vote YES]

7 BRENDAN SULLIVAN: This matter is continued until
8 May 5, 2022.

9 ADAM GLASSMAN: Thank you.

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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 Justin Chen
(OWNER)

Address: 152 Pearl St. #5, Cambridge, MA 02139

State that I/We own the property located at 152 Pearl St. #5, Cambridge, MA 02139,
which is the subject of this zoning application.

The record title of this property is in the name of Justin Chen

*Pursuant to a deed of duly recorded in the date 08/09/2019, Middlesex South
County Registry of Deeds at Book 155, Page 43; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

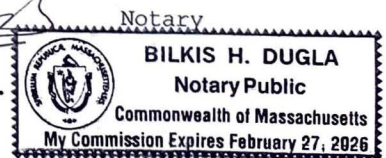

SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

**Written evidence of Agent's standing to represent petitioner may be requested.*

Commonwealth of Massachusetts, County of Middlesex

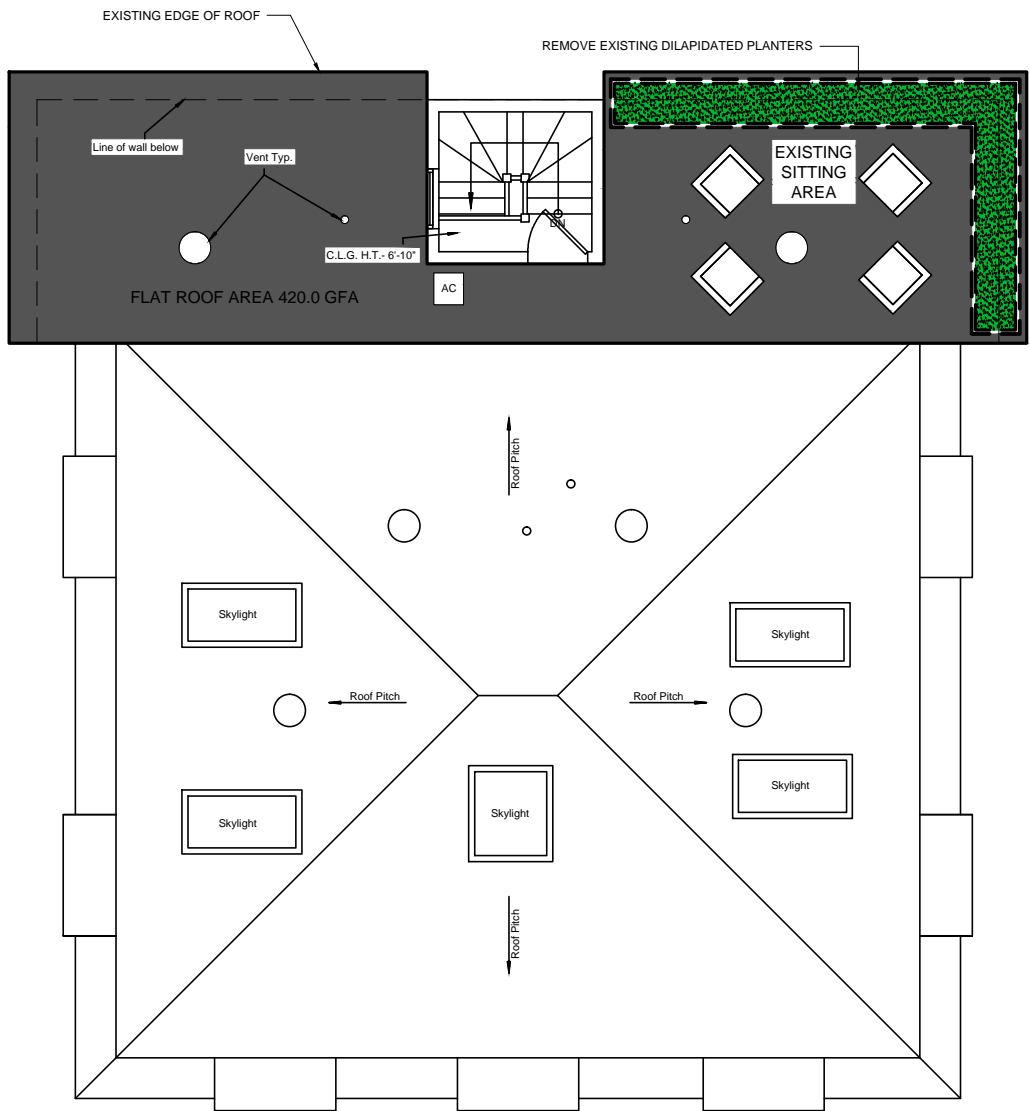
The above-name Justin Albert Chen personally appeared before me,
this 3rd of November 2021, and made oath that the above statement is true.

My commission expires Feb 27, 2026 (Notary Seal).

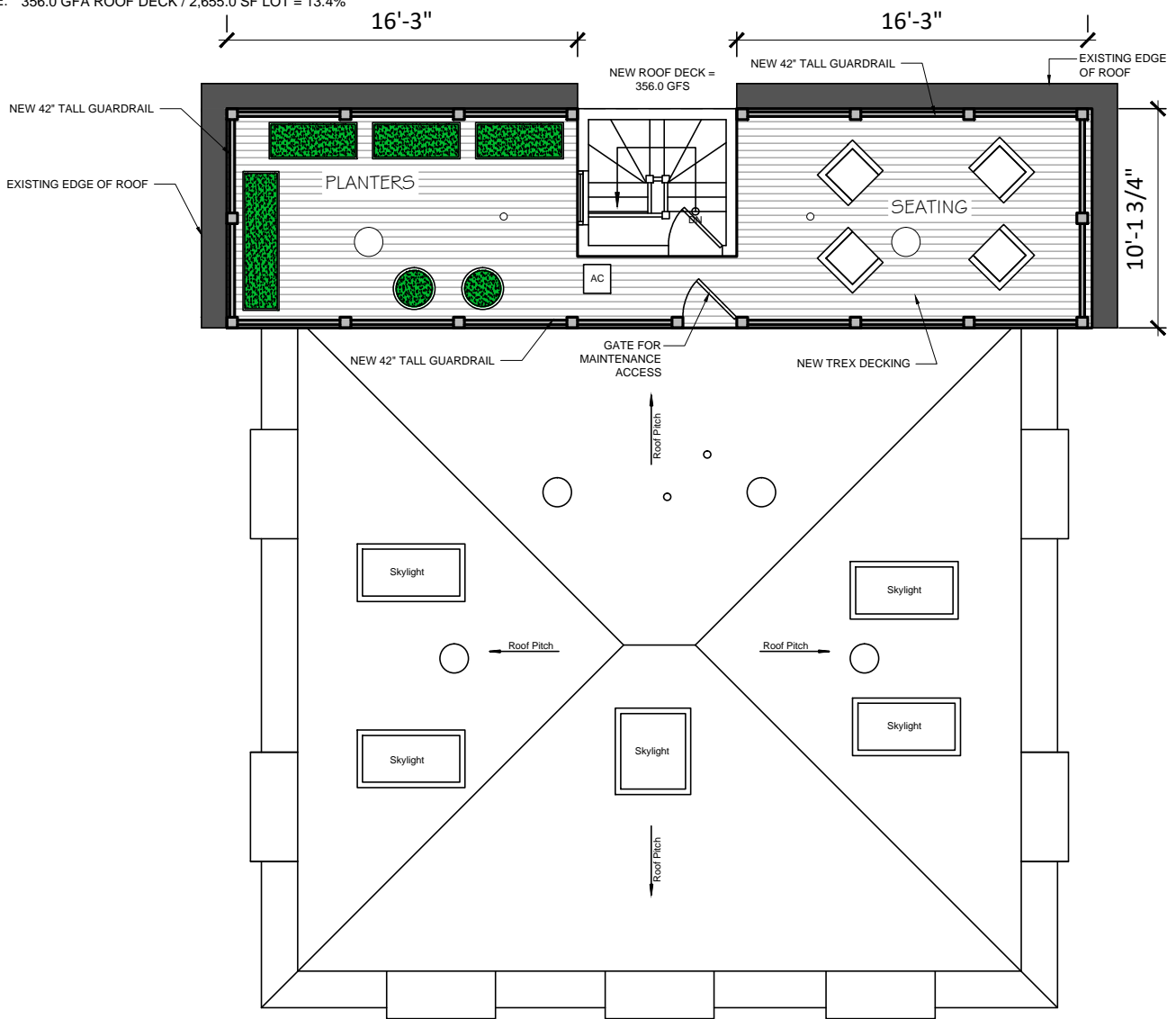


- If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.

LOT SIZE: 2,655.00 SF
MAX FAR ALLOWABLE: .75 per Res C-1
FAR EXISTING: 6,199.0 GFA ENTIRE BUILDING / 2,655 SF LOT = 2.33
FAR PROPOSED: 6,199.0 GFA + 356.0 SF ROOF DECK = 6,555.0 GFA / 2,655 SF LOT = 2.46
FAR ALLOWABLE 2,655 SF LOT x .75 = 1,991.0 GFA
USABLE OPEN SPACE: 356.0 GFA ROOF DECK / 2,655.0 SF LOT = 13.4%



EXISTING ROOF PLAN



PROPOSED ROOF DECK PLAN

PROJECT:
PROPOSED ROOF
DECK ADDITION

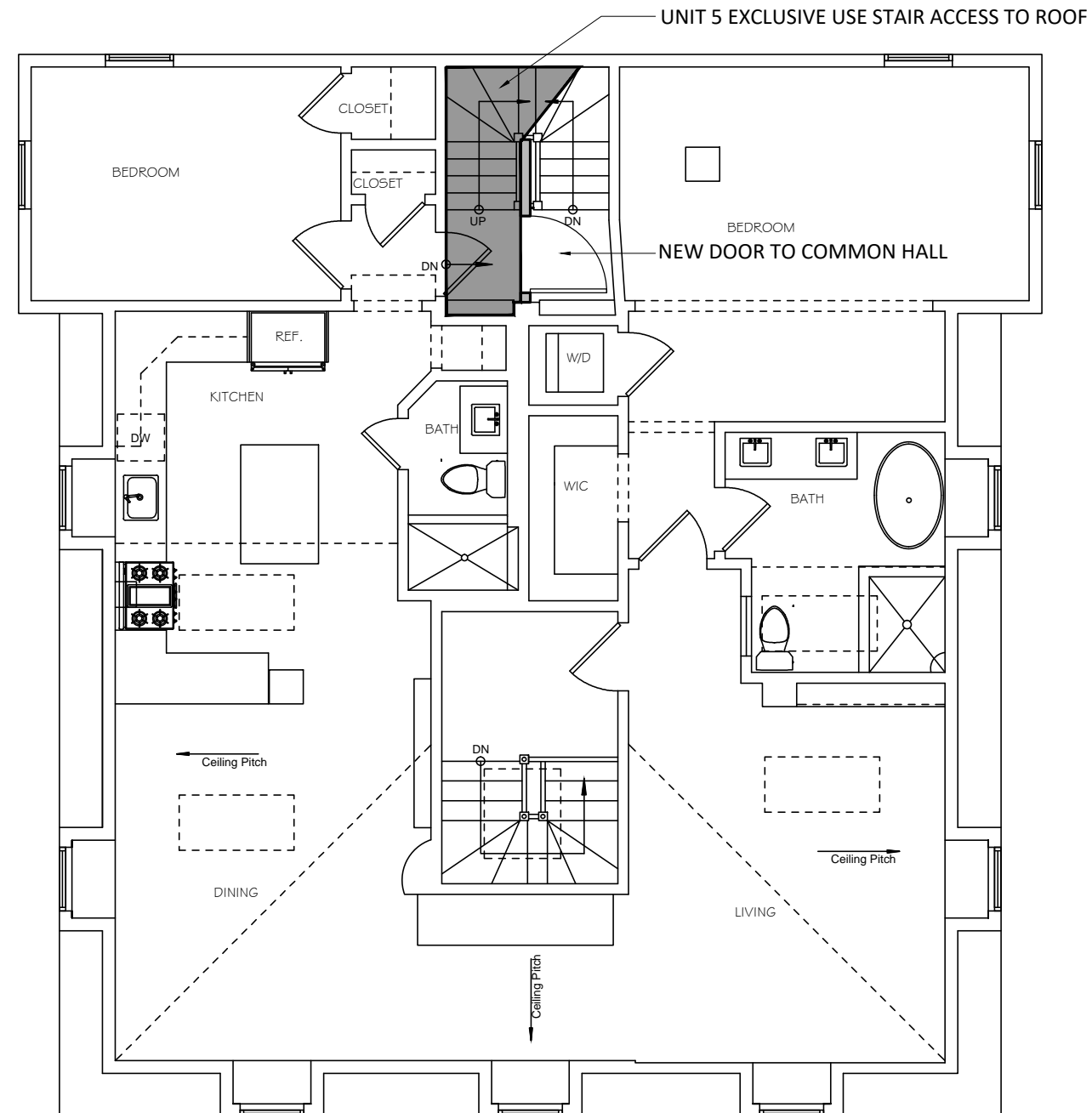
152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING AND PROPOSED
ROOF PLANS**

DATE:
9/08/2021

DRAWING:
A1.1



THIRD FLOOR PLAN - UNIT 5

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

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Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
NEW DOOR TO COMMON STAIR**

DATE:
9/08/2021

DRAWING:
A1.2

LOT SIZE: 2,655.00 SF

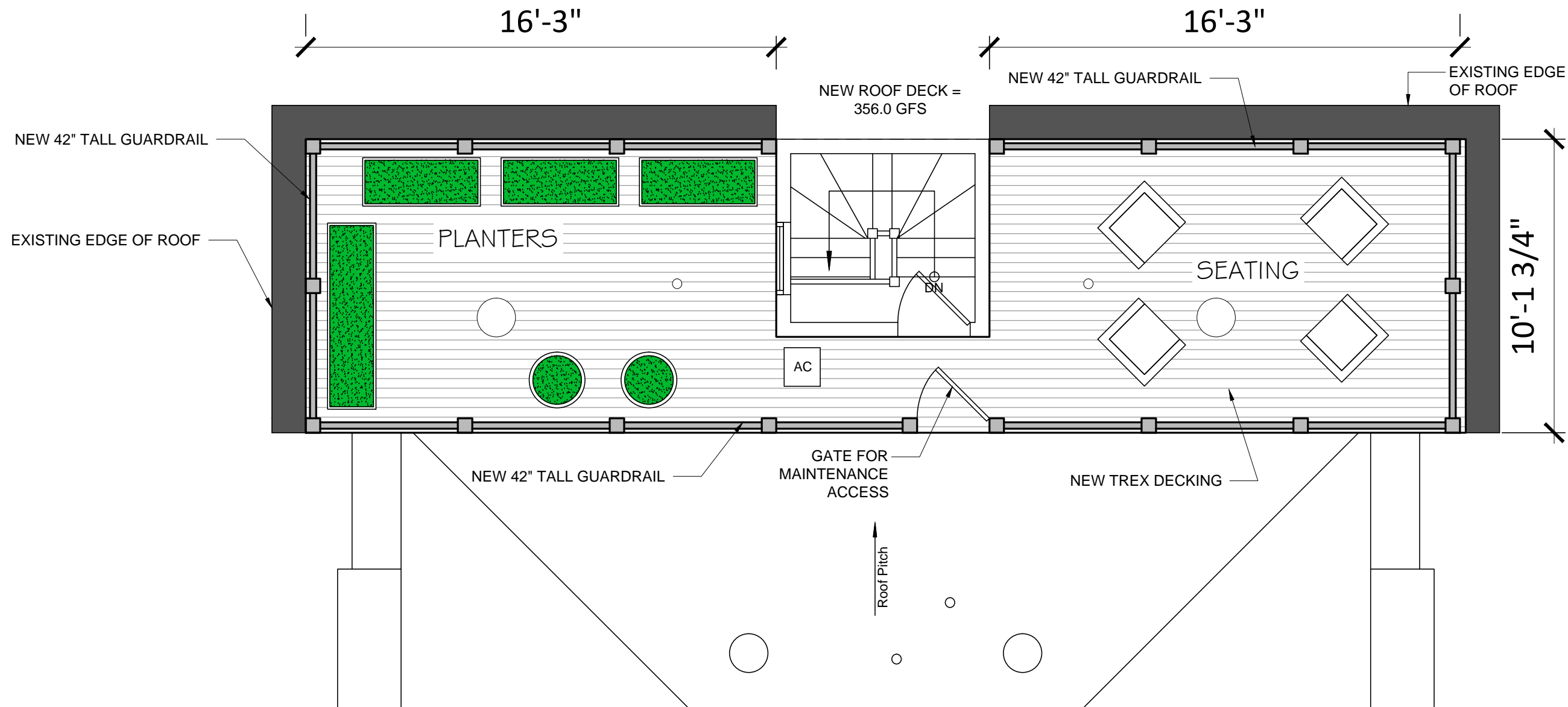
MAX FAR ALLOWABLE: .75 per Res C-1

FAR EXISTING: 6,199.0 GFA ENTIRE BUILDING / 2,655 SF LOT = 2.33

FAR PROPOSED: 6,199.0 GFA + 356.0 SF ROOF DECK = 6,555.0 GFA / 2,655 SF LOT = 2.46

FAR ALLOWABLE 2,655 SF LOT x .75 = 1,991.0 GFA

USABLE OPEN SPACE: 356.0 GFA ROOF DECK / 2,655.0 SF LOT = 13.4%



PROPOSED ROOF DECK RENOVATIONS

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

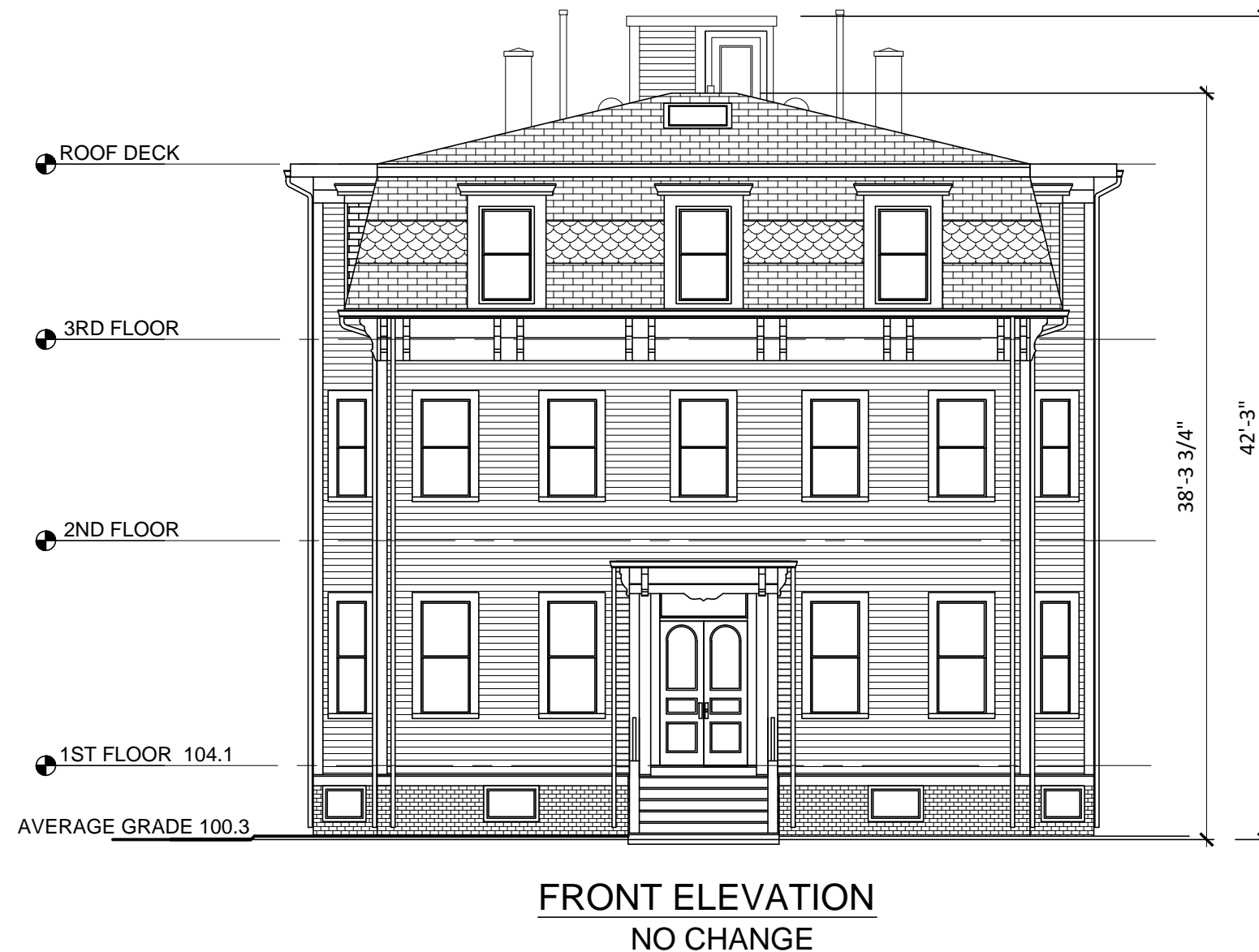
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GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
PROPOSED
ROOF DECK ENLARGED PLAN

DATE:
9/08/2021

DRAWING:
A1.3



PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
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Tel. 617-412-8450
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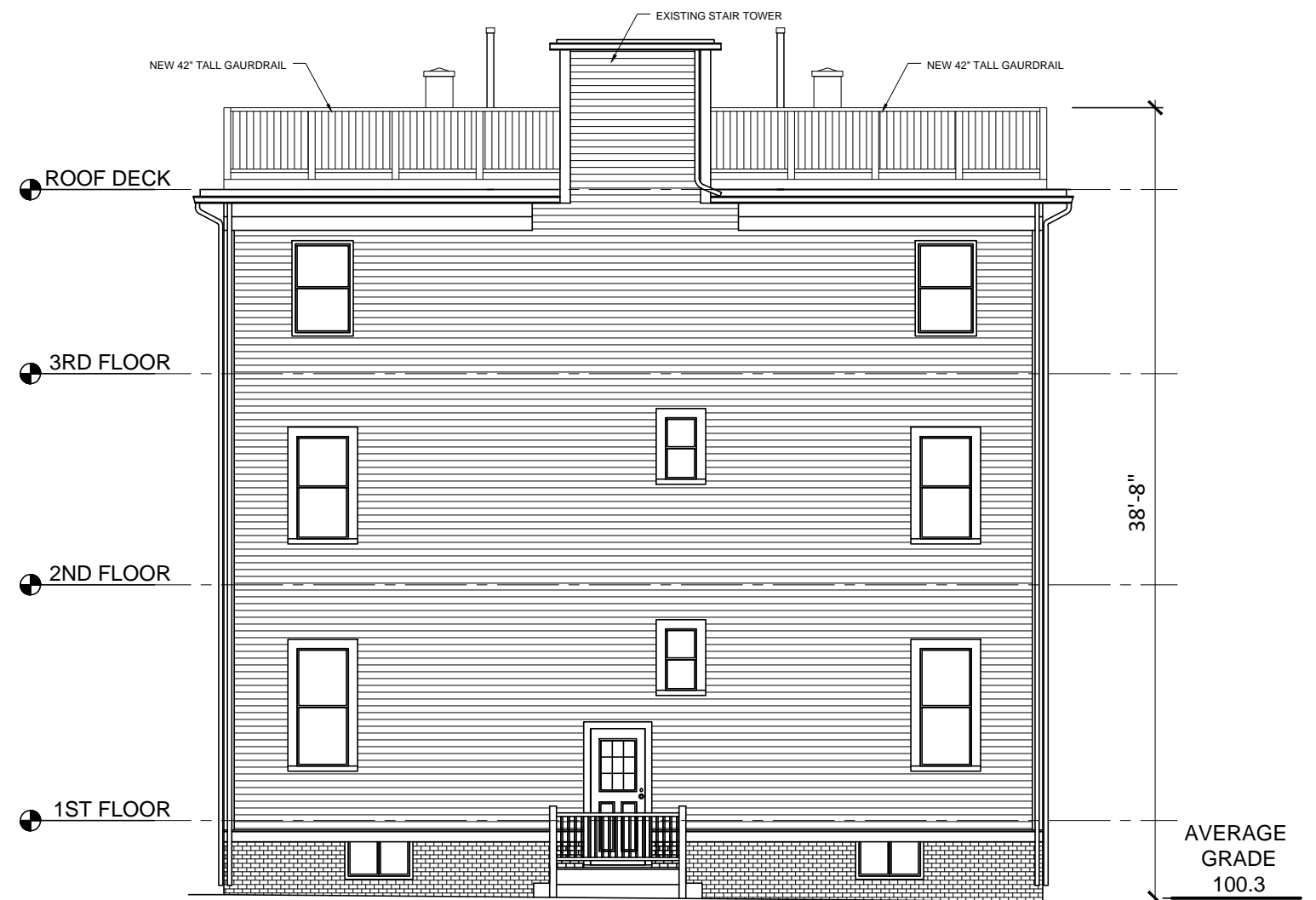
TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.1



REAR ELEVATION
EXISTING



REAR ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

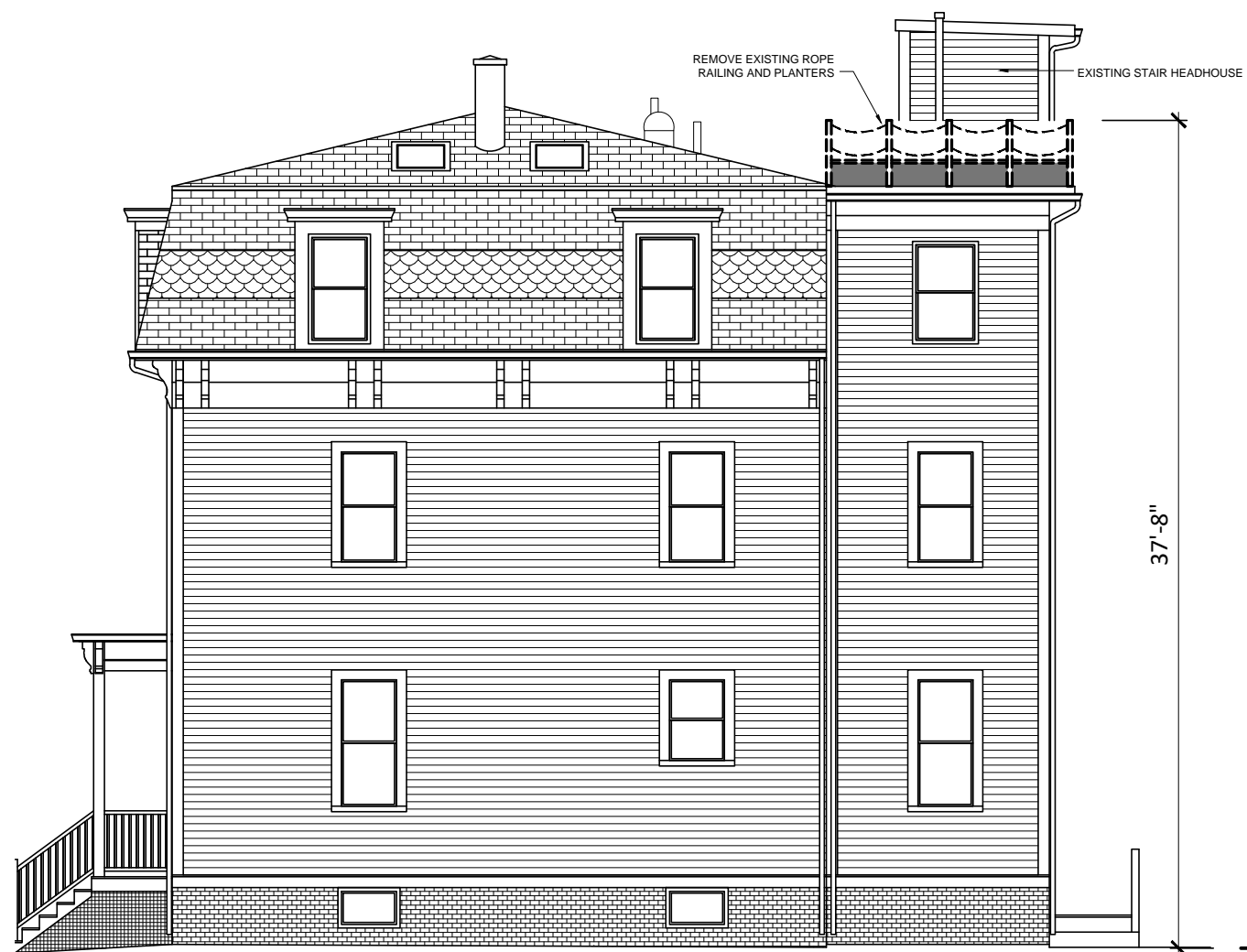
152 PEARL STREET
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ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.2



RIGHT ELEVATION
EXISTING



RIGHT ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

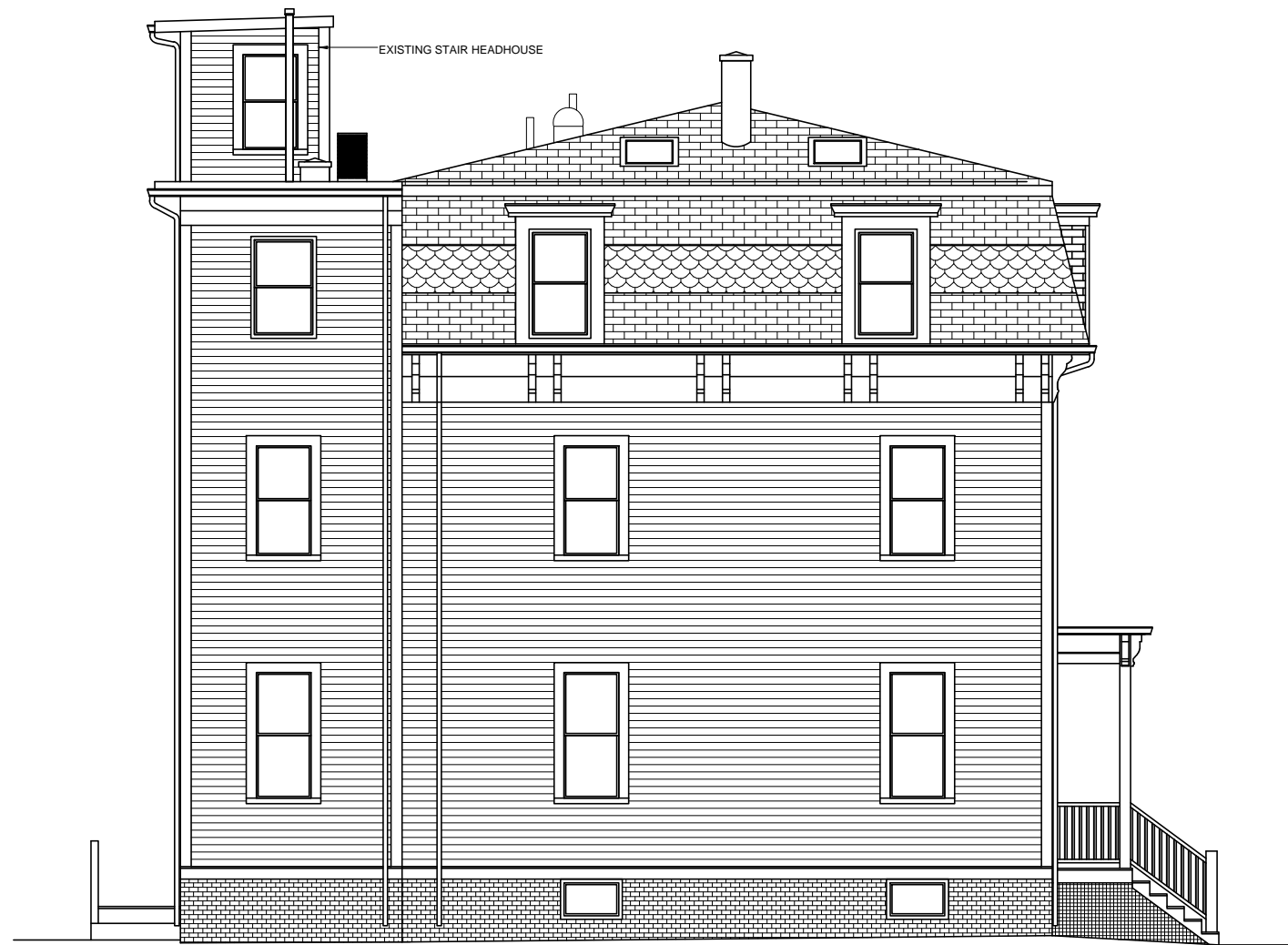
152 PEARL STREET
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2 Worthington St
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Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

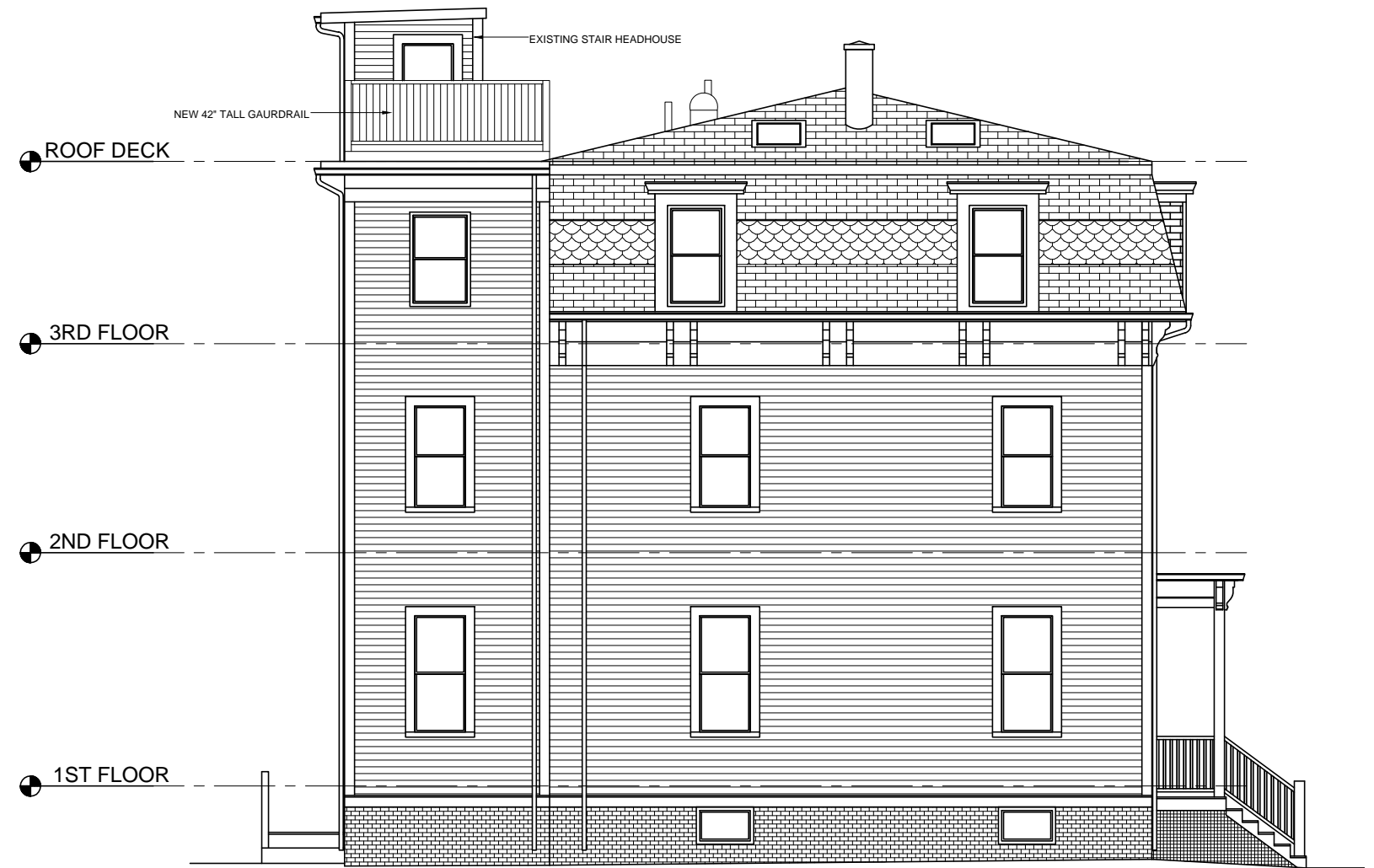
TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.3



LEFT ELEVATION
EXISTING



LEFT ELEVATION
PROPOSED

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**PROPOSED
DECK ELEVATIONS**

DATE:
9/08/2021

DRAWING:
A2.4

EXISTING LEGEND

	SEWER LINE
⊙	SEWER MANHOLE
—W—	WATER LINE
—G—	GAS LINE
—U—	UTILITY POLE
⊗	GAS VALVE
—E—	OVERHEAD ELECTRIC SERVICE
⊗	WATER VALVE
□	CATCH BASIN
—O—	FENCE
—205—	CONTOUR LINE (MJR)
—195—	CONTOUR LINE (MNR)
X	SPOT GRADE
⊙	DRAIN MANHOLE
⊗	HYDRANT
—T—	TREE

ZONING LEGEND

ZONING DISTRICT: RESIDENCE C-1 **			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	5,000 S.F.	2,655± S.F.	2,655± S.F.
MIN. LOT AREA PER DWELLING UNIT	1,00 S.F.	—	—
MIN. YARD FRONT (A)	19.0'	28.0'	28.0'
SIDE (RIGHT) (B)	16.5'	5.6'	5.6'
SIDE (LEFT) (B)	16.5'	4.5'	4.5'
REAR (C)	20.6'	5.1'	5.1'
MAX. BLDG. HEIGHT	35'	42.3'±	42.3'±
MIN. OPEN SPACE	15% USABLE	0% USBL	13% USABLE
MIN. LOT WIDTH	50'	50.0'	50.0'
MAX. F.A.R.	0.75	—	—

ZONING BYLAW FOOTNOTES:

** = THE DIMENSIONAL REQUIREMENTS OF THE RESIDENCE C-1 DISTRICT AS DETAILED IN THIS SECTION 5.31 SHALL APPLY IN THE RESIDENCE C DISTRICT FOR STRUCTURES IN EXISTENCE AS OF DECEMBER 1, 1986 UNDER THE FOLLOWING LIMITATIONS AND CONDITIONS:

(1) ANY INCREASE IN FLOOR AREA OR NUMBERS OF UNITS, PROVIDED ALL CONSTRUCTION OCCURS WITHIN THE LIMITS OF THE EXISTING STRUCTURE: OR

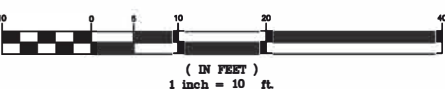
(2) FOR ANY CONSTRUCTION WITHOUT LIMIT AS TO COST (NOTWITHSTANDING ANY CONTRARY PROVISIONS OF SECTION 8.23) OF A NONCONFORMING STRUCTURE DESTROYED OR DAMAGED BY FIRE OR OTHER CATASTROPHE PROVIDED THE STRUCTURE AS RESTORED SHALL NOT BE GREATER IN LOT COVERAGE OR VOLUME, OR SHALL NOT EXTEND FURTHER INTO REQUIRED YARDS, THAN THE ORIGINAL STRUCTURE; ALL OTHER PROVISIONS OF SECTION 8.23, HOWEVER, SHALL CONTINUE TO APPLY.

(A) - $H+L/4$ = MEASURED FROM THE CENTERLINE OF THE STREET, BUT IN NO CASE MAY A BUILDING BE NEARER THE STREET THAN TEN (10) FEET.

(B) - $H+L/5$

(C) - $H+L/4$ = IN RESIDENCE C AND C-1 DISTRICTS, NO BUILDING MAY BE NEARER THE REAR LOT LINE THAN TWENTY (20) FEET PLUS ONE ADDITIONAL FOOT OF REAR YARD FOR EACH FOUR FEET THAT THE DEPTH OF THE LOT EXCEEDS 100 FEET, UP TO A MAXIMUM OF THIRTY (30) FEET.

GRAPHIC SCALE

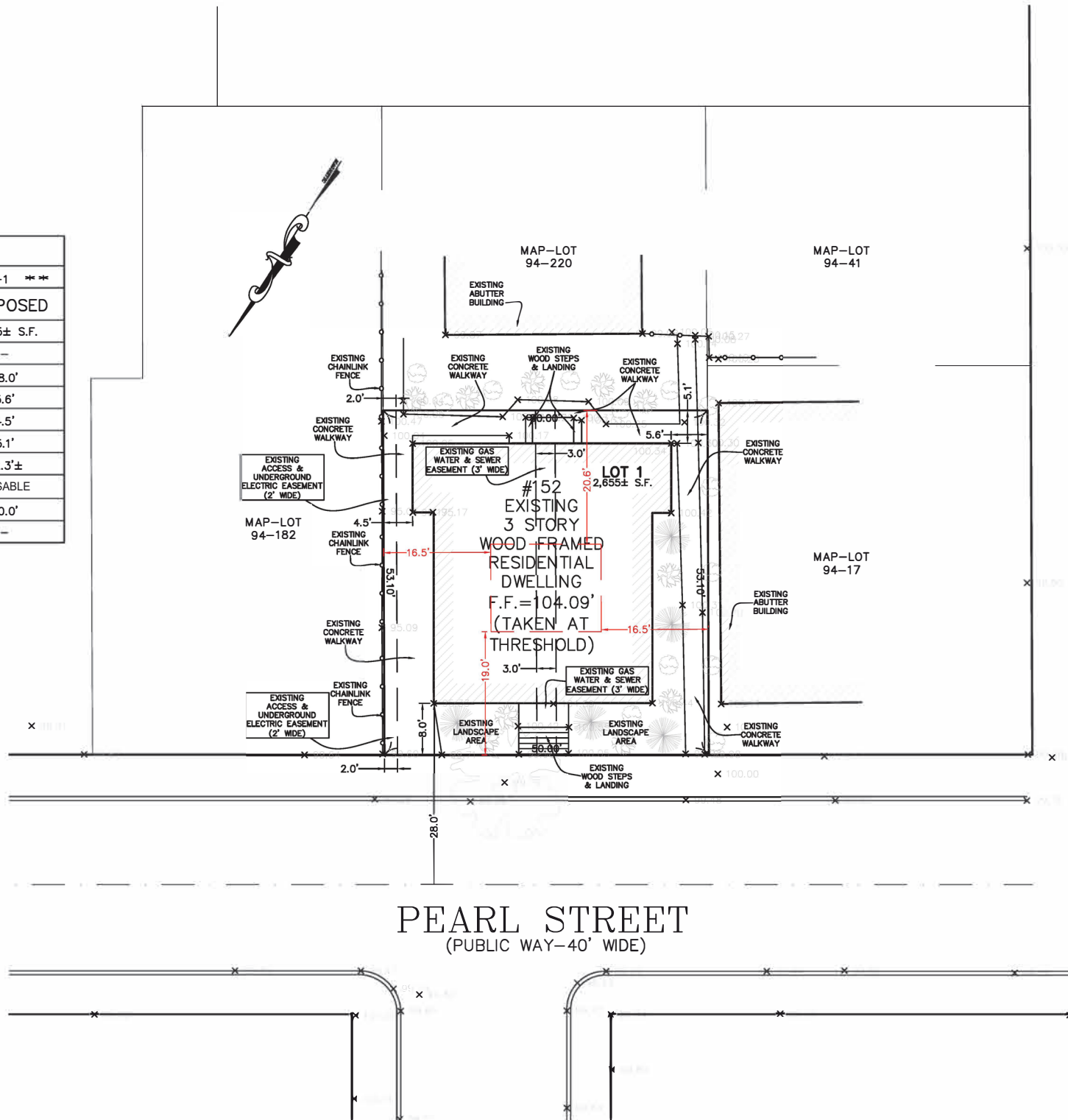


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THE EXTENT OF PETER NOLAN & ASSOCIATES LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST.

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NOTES:

1. INFORMATION SHOWN ON THIS PLAN IS THE RESULT OF A FIELD SURVEY PERFORMED BY PETER NOLAN & ASSOCIATES LLC AS OF 09/13/2021.

2. DEED REFERENCE: DOCUMENT #1352863 (LAND COURT)
PLAN REFERENCE: PLAN #8756-A & #8756-B
MIDDLESEX SOUTH DISTRICT REGISTRY OF DEEDS.

3. THIS PLAN IS NOT INTENDED TO BE RECORDED.

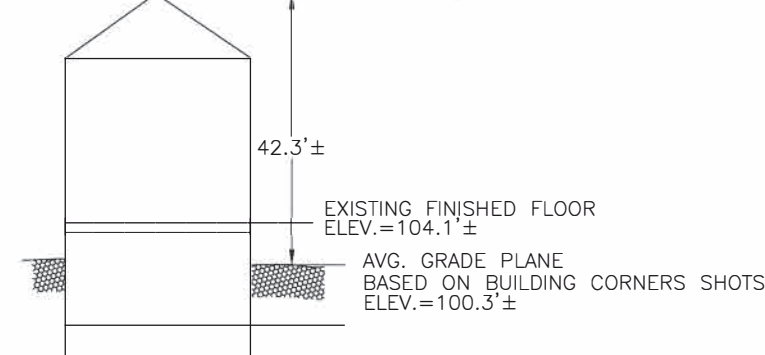
4. I CERTIFY THAT THE DWELLING SHOWN IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE. IT IS LOCATED IN ZONE X, ON FLOOD HAZARD BOUNDARY MAP NUMBER 25017C0576E, PANEL NUMBER 0576E, COMMUNITY NUMBER: 250186, DATED JUNE 4, 2010.

5. THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT USES OF THE LAND; HOWEVER THIS NOT CONSTITUTE A GUARANTEE THAN NO SUCH EASEMENTS EXIST.

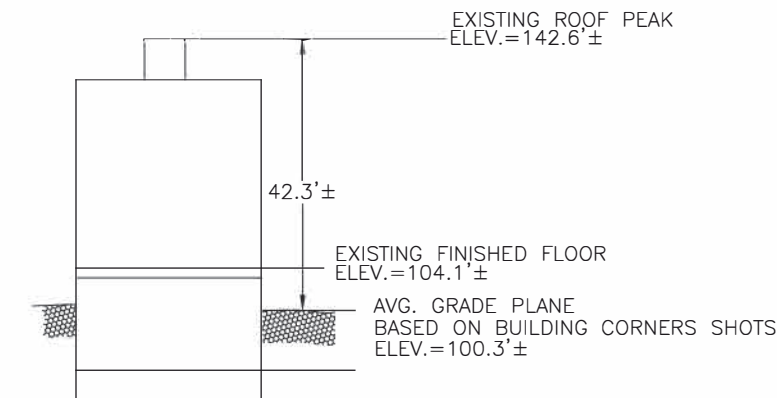
6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.

7. NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS PETER NOLAN & ASSOCIATES LLC ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.

8. ZONING DISTRICT = RESIDENCE-C
EXISTING ROOF PEAK ELEV.=142.6'±



EXISTING PROFILE NOT TO SCALE



EXISTING PROFILE REAR OF BUILDING NOT TO SCALE

SCALE 1"=10'				
DATE 09/27/2021	REV	DATE	REVISION	BY
SHEET 1				
PLAN NO. 1 OF 1				
CLIENT:				
DRAWN BY				
CHKD BY P.J.N				
APPD BY P.J.N				
152 PEARL STREET CAMBRIDGE MASSACHUSETTS PLOT PLAN OF LAND				SHEET NO. 1
PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com				

EXISTING LEGEND	
—SS—	SEWER LINE
⊙	SEWER MANHOLE
—V—	WATER LINE
—G—	GAS LINE
⊙	UTILITY POLE
⊗	GAS VALVE
—E—	OVERHEAD ELECTRIC SERVICE
⊗	WATER VALVE
□	CATCH BASIN
○	FENCE
—205—	CONTOUR LINE (MJR)
—195—	CONTOUR LINE (MNR)
X	SPOT GRADE
⊙	DRAIN MANHOLE
⊗	HYDRANT
⊗	TREE

ZONING LEGEND			
ZONING DISTRICT: RESIDENCE C-1**			
	REQUIRED	EXISTING	PROPOSED
MIN. LOT SIZE	5,000 S.F.	2,655± S.F.	2,655± S.F.
MIN. LOT AREA PER DWELLING UNIT	1,500 S.F.	—	—
MIN. YARD FRONT (A)	19.0'	28.0'	28.0'
SIDE (RIGHT) (B)	16.5'	5.6'	5.6'
SIDE (LEFT) (B)	16.5'	4.5'	4.5'
REAR (C)	20.6'	5.1'	5.1'
MAX. BLDG. HEIGHT	35'	42.3'±	42.3'±
MIN. OPEN SPACE	30%	0 ±	13% ±
MIN. LOT WIDTH	50'	50.0'	50.0'
MAX. F.A.R.	0.75	—	—

ZONING BYLAW FOOTNOTES:

** = THE DIMENSIONAL REQUIREMENTS OF THE RESIDENCE C-1 DISTRICT AS DETAILED IN THIS SECTION 5.31 SHALL APPLY IN THE RESIDENCE C DISTRICT FOR STRUCTURES IN EXISTENCE AS OF DECEMBER 1, 1986 UNDER THE FOLLOWING LIMITATIONS AND CONDITIONS:

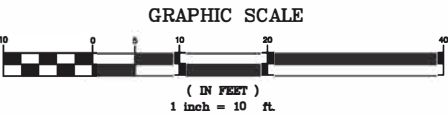
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(A) — H+L/4 = MEASURED FROM THE CENTERLINE OF THE STREET, BUT IN NO CASE MAY A BUILDING BE NEARER THE STREET THAN TEN (10) FEET.

(B) — H+L/5

(C) — H+L/4 = IN RESIDENCE C AND C-1 DISTRICTS, NO BUILDING MAY BE NEARER THE REAR LOT LINE THAN TWENTY (20) FEET PLUS ONE ADDITIONAL FOOT OF REAR YARD FOR EACH FOUR FEET THAT THE DEPTH OF THE LOT EXCEEDS 100 FEET, UP TO A MAXIMUM OF THIRTY (30) FEET.



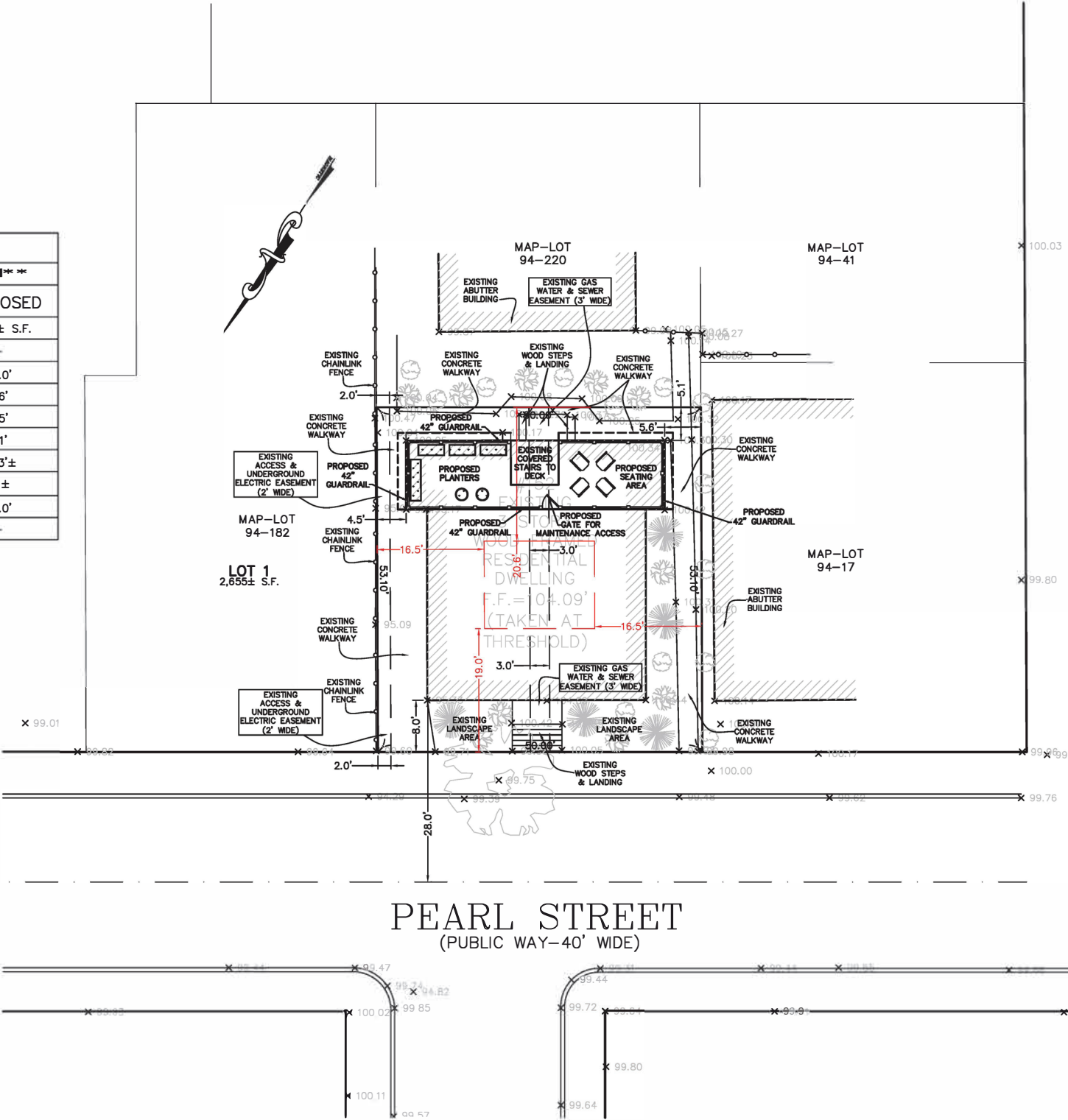
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THE EXTENT OF PETER NOLAN & ASSOCIATES LIABILITY FOR THIS PLAN IS LIMITED TO THE EXTENT OF ITS FEE LESS THIRD PARTY COST.

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NOTES:

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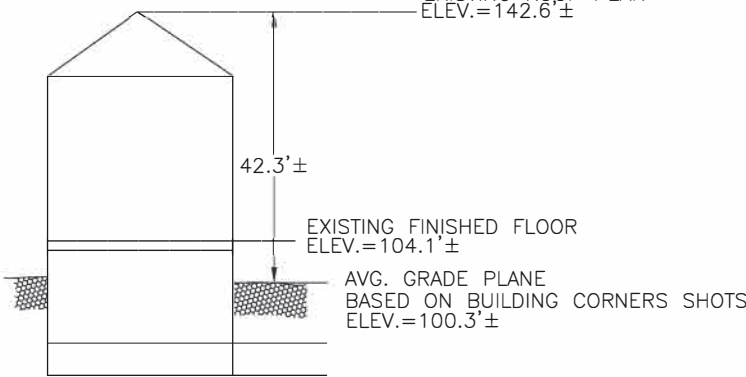
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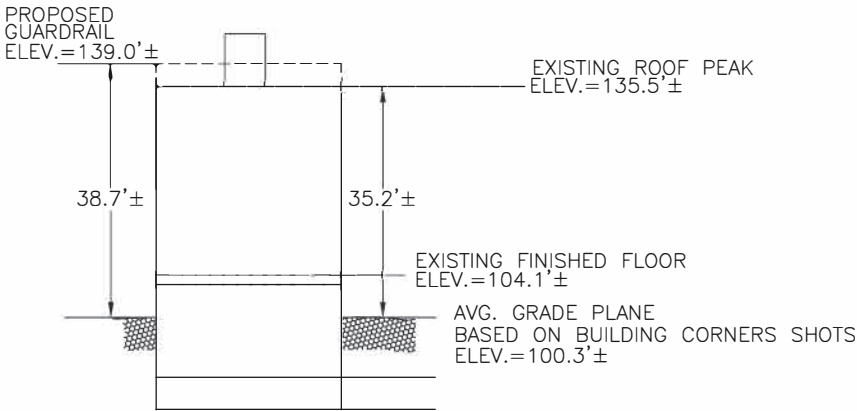
6. FIRST FLOOR ELEVATIONS ARE TAKEN AT THRESHOLD.

7. NO RESPONSIBILITY IS TAKEN FOR ZONING TABLE AS PETER NOLAN & ASSOCIATES LLC ARE NOT ZONING EXPERTS. TABLE IS TAKEN FROM TABLE PROVIDED BY LOCAL ZONING ORDINANCE. CLIENT AND/OR ARCHITECT TO VERIFY THE ACCURACY OF ZONING ANALYSIS.

8. ZONING DISTRICT = RESIDENCE-C

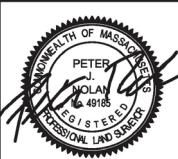


EXISTING PROFILE
NOT TO SCALE



EXISTING PROFILE
REAR OF BUILDING
NOT TO SCALE

SCALE	1"=10'
DATE	10/08/2021
REV	DATE
REVISION	BY
SHEET	1
PLAN NO.	1 OF 1
CLIENT:	152 PEARL STREET CAMBRIDGE MASSACHUSETTS
DRAWN BY	PROPOSED PLOT PLAN OF LAND
CHKD BY	PUN
APPD BY	PUN
PETER NOLAN & ASSOCIATES LLC LAND SURVEYORS/CIVIL ENGINEERING CONSULTANTS 697 CAMBRIDGE STREET, SUITE 103 BRIGHTON MA 02135 PHONE: 857 891 7478/617 782 1533 FAX: 617 202 5691 EMAIL: pnolan@pnasurveyors.com	



SHEET NO.

1



EXISTING ROOF DECK AREA

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

2 Worthington St
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Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
9/08/2021

DRAWING:
0.1



EXISTING PROPERTY VIEWS FROM PEARL STREET

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS

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Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
9/08/2021

DRAWING:
0.1



EXISTING ROOF VIEWS
TOWARD VALENTINE
AND PEARL STREET



EXISTING PROPERTY VIEWS
FROM VALENTINE STREET



EXISTING ROOF VIEW
TOWARD REAR

PROJECT:
PROPOSED ROOF
DECK ADDITION

152 PEARL STREET
CAMBRIDGE, MA

PREPARED BY:
GCD ARCHITECTS
2 Worthington St
Cambridge, MA 02138
Tel. 617-412-8450
ajglassman@hotmail.com
www.glassmanchungdesign.com

TITLE:
**EXISTING PROPERTY
PHOTOS**

DATE:
9/08/2021

DRAWING:
0.1

November 14, 2021

To the Cambridge BZA,

We are owners of 152 Pearl Street Unit 2. We are one of three unit owners (including Paul and Justin) who are currently residing in the building and serve as a trustee-property manager for the building. It is our pleasure to write a letter in support for the proposal of development of the roof deck being submitted to the Cambridge BZA.

152 Pearl Street owners of Unit #5, Paul Boyd and Justin Chen, have reviewed with us their plans for the proposed rear 4th-story roof deck which would be an exclusive-use amenity for them, with access from their unit only.

We approve these plans and urge the BZA to grant Justin and Paul the zoning relief they need to correct the existing structural and life safety deficiencies which are required to make their current roof top space a safe amenity. As it stands, in the space to which they have roof rights, guardrails are non-existent, the legacy planters were falling apart, and their current usable space lacks the proper decking required to protect the roof membrane which is a concern to all in the building. As one of the acting trustee-managers, we noticed that the lack of safety measure in the roof area made it difficult for us to find an insurance company that was willing to insure the building. We believe that it is all five unit owners' common interest to improve our current situation. Additionally, the proposed work will have no negative impact on us or to others in our neighborhood.

The character of the building and the neighborhood will remain unchanged, there will be no new shadows cast on abutting properties, no loss or privacy for abutters, and no new noise, as the proposed deck would be where they already enjoy roof rights, and access via an existing stair head house.

The proposed work is tasteful, modest, and a reasonable solution to the existing roof life safety and structural issues facing the building. The owners have assured us that the work will be built in accordance with the state building code, and a state licensed structural engineer will be certifying the plans meet all applicable codes for new and existing construction.

We ask the BZA to grant this relief.

Sincerely,

Andrew Robertson

Andrew Robertson
Trustee-Manager
152 Pearl Street. Unit #2
(617) 312-0251

152 Pearl St.

Petitioner

94-220
SYTCHOV, MIKHAIL
173 ELM ST.
CAMBRIDGE, MA 02139

94-221
SPAFFORD, NANCY
152 PEARL ST., UNIT #1
CAMBRIDGE, MA 02139

ADAM J. GLASSMAN, R.A
2 WORTHINGTON STREET
CAMBRIDGE, MA 02138

94-221
JENNINGS, TARA
152 PEARL ST. UNIT#3
CAMBRIDGE, MA 02139

94-221
ROBERTSON, ANDREW & MYOUNGIOO KIM
152 PEARL ST #2
CAMBRIDGE, MA 02139

94-40
BULMAN, CHRISTINE M.
TRUSTEE THE VALENTINE STREET NOM TR
23A VALENTINE ST
CAMBRIDGE, MA 02139

94-181
O'NEILL, PATRICIA
144 PEARL ST UNIT #3
CAMBRIDGE, MA 02139

94-221
BOYD, PAUL JUSTIN CHEN
152 PEARL ST #5
CAMBRIDGE, MA 02139

94-181
BOLICH, BARBARA
140 PEARL ST. UNIT#3
CAMBRIDGE, MA 02139

94-181
MURRE, CORNELIUS & SARA MURRE
13350 BENCHLEY RD
SAN DIEGO, CA 92130

94-181
COUCH, PHOEBE & STEPHEN C. MILLER
140-144 PEARL ST - UNIT 423
CAMBRIDGE, MA 02139

94-181
ARCAND, PATRICIA M.
144 PEARL ST., #1
CAMBRIDGE, MA 02139

94-182
146-148 PEARL ST LLC
267 NORFOLK ST
CAMBRIDGE, MA 02139

94-181
ZELLER, JANET
P.O BX 4011
VINEYARD HAVEN, MA 02568

94-181
CUTTING, NOAH H. & CHRISTINA M. CUTTING
2 C STREET
READING, MA 01867

94-181
KENSLEY, RICHARD S.
142 PEARL ST #1
CAMBRIDGE, MA 02139

94-181
KUSTAS, PAMELA L.
41 BARNARD AVE
POUGHKEEPSIE, NY 12601

103-85
FARRAR, ANDREW E. & MARGARET R. FARRAR
4 LAWRENCE STREET
CAMBRIDGE, MA 02139

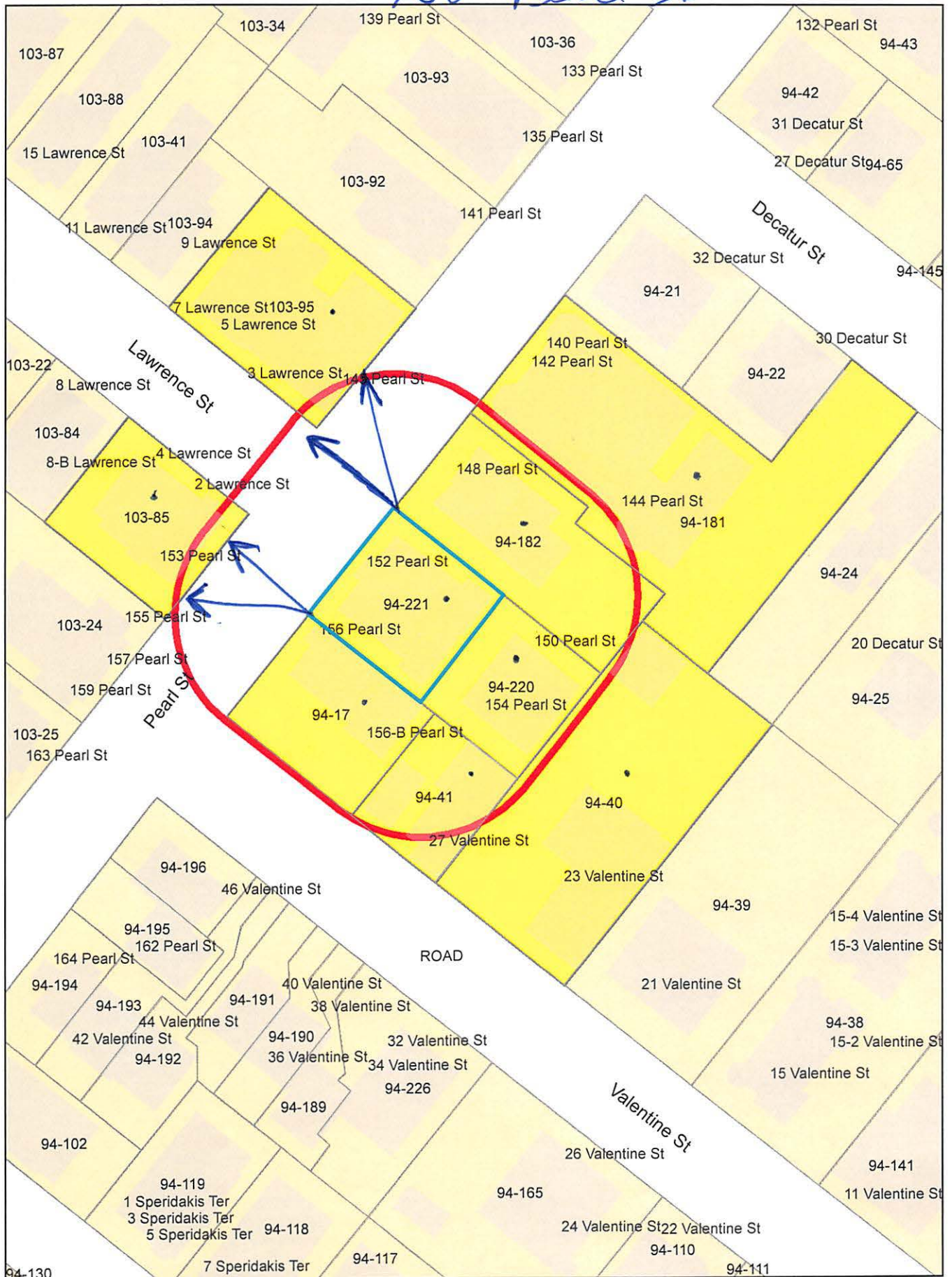
103-95
QUALMAN ASSOCIATES GENERAL PARTNERSHIP
C/O DICKERSON & RONGEY
22515 6 AVENUE S UNIT 204
DES MOINES, WA 98198

94-41
WERNTZ, JULIA C. & PANDELIS KARAYORGIS
27 VALENTINE STREET
CAMBRIDGE, MA 02139-4019

94-17
VORES, ANDREW & FREDERICK W. CHOI
156 PEARL ST
CAMBRIDGE, MA 02139

94-221
HAAS, DIANNE L.
TRUSTEE OF DIANNE L. HAAS TRUST
4 JEROME ST
SOMERVILLE, MA 02143

152 Pearl St.



Paul Boyd & Justin Chen
152 Pearl Street #5
Cambridge, MA 02139

October 1, 2021

Dear Paul and Justin,

As agreed upon at the September 30th, 2021 Trustee's meeting. The HOA has conditionally approved your rough plans for a roof deck with proper railings to be built over the flat part of the roof. This approval is conditional upon the following conditions:

- 1) Submission of a licensed architect's plans and elevations for the HOA for review and approval.
- 2) A Structural Engineer's report that demonstrates the flat portion of the roof can handle the load of the proposed deck. A second opinion may be necessary.
- 3) Written report by a licensed contractor/roofer regarding the condition of the current roof membrane and the feasibility of covering it with a roof deck in its current condition.
- 4) Submission of the Structural Engineer's affidavit after construction is complete.

Thank you for your cooperation.

Sincerely,

Andrew Robertson

Andrew Robertson
Association Manager
152 Pearl St. HOA

November 29, 2021

To the Cambridge BZA,

I am the owner of 152 Pearl Street Unit #3, one of the three owner-occupied units in our building.

Paul Boyd and Justin Chen have reviewed with me their plans for the proposed rear 4th-story roof deck, and I have also had the opportunity to read the letter of support provided by Andrew Robertson from Unit #2 in our building.

I wish to add my full support to the plans and my voice in urging the BZA to grant Paul and Justin zoning relief to make the roof space to which they have exclusive easement a safe and livable amenity. This work is needed to put in place critical safety measures, in particular guardrails and properly graded decking to prevent falls and to protect the vulnerable roof membrane. As Andrew has also mentioned, the fact that this space has never been brought up to safe standards has a real and substantive impact on unit owners due to difficulties obtaining insurance.

I ask the BZA to grant this relief.

Sincerely,

Carol Aplin

Carol Aplin
152 Pearl Street Unit #3
608-354-9990