

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

## **BZA APPLICATION FORM**

Plan No:

BZA-017176-2019

**GENERAL INFORMATION** 

The undersigned hereby petition	ns the Board of Zoning Appeal for	r the following:
Special Permit :	Variance : √	Appeal :
PETITIONER: Geraldine	Small	
PETITIONER'S ADDRESS:	177 Willow Ave Somervill	le, MA 02144
LOCATION OF PROPERTY:	159 Allston St Cambridge	e, MA 02134
TYPE OF OCCUPANCY:		ZONING DISTRICT: Residence C Zone
REASON FOR PETITION:		
Other:	Reconstruction	
DESCRIPTION OF PETITIONER'	S PROPOSAL :	
A fire in 2014 totally of	destroyed the Small's thre	ee family home, which had been a family
		east, was destroyed as well and then
rebuilt by Community Bui	lders. The house to the r	north was heavily damaged and then
renovated.		
The Small's building was	s, at the same time of the	e fire, vacant and preparing for major
renovations. After the f	fire, full time work delay	yed sorting out both how rebuild on
		ould be financially feasible. A
		lar building system caught the attention
of the Small's. Together		
		ore compact than the original building
		aspects of the various requirements of
the current zoning Ordin	nance.	
OF STICKE OF TONING OPPINA	NOT CITED :	
SECTIONS OF ZONING ORDINA	NCE CITED :	
Article 5.000	Section 5.31 (Table of Di	imensional Requirements).
Article 5.000	Section 5.21.1 (Lot Size)	).
Article 6.000	Section 6.43 (Maneuvering	g Space).
Article 6.000	Section 6.44.1 (b), (g)	(Parking Setbacks).
Article 6.000	Section 6.42 (Space Size)	).

	Original Signature(s) :	Geraldine T. Small  (Petitioner(s) / Owner)  Geraldine T. Small  (Print Name)
	Address :	Somerville MA 02144
· ·	Tel. No. : E-Mail Addre	ss: Smallgt@gmail.com
Date :	W W	V

# 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 Geraldine Small, Edward Small
(OWNER)
Address: 177 Willow Ave, Somerville
State that I/We own the property located at
which is the subject of this zoning application.
The record title of this property is in the name of
Geraldine Small, Edward I. Small, Jr.
thursday to a dock of dular recorded in the data 10/31/14
*Pursuant to a deed of duly recorded in the date
County Registry of Deeds at Book 64467 , Page 198 ; or
Middlesex Registry District of Land Court, Certificate No
Book Page
*Written evidence of Agent's standing to represent petitioner may be requested.
Commonwealth of Massachusetts, County of Widdlesey
The above-name Gira dine Small personally appeared before me, this 30th of August, 2019, and made oath that the above statement is true.
Manne Leanogons
My commission expires  ROXANNE C. LEARY  Notary Public  COMMONWEALTH OF MASSACHUSETTS  My Commission Expires  November 30, 2023
• If ownership is not shown in recorded deed, e.g. if by court order, recent deed, or inheritance, please include documentation.



ROXANNE C. LEARY
Notary Public
COMMONWEATH OF MASSACHUSETTS
My Commission Expires
November 30, 2023

896間400-16個47.1K/88端U287。 塔場[220]: 3496間40-16個47.1 287。 琉璃[220]: 3496間400-16個47.1K/88<sup>5U</sup>0287。 <sup>森</sup>湖[220]: 5

Official Receipt for Recording in:

Hiddlesex South Registry of Deeds 208 Cambridge St.

Cambridge, Massachusetts 02141

Issued To:

WILLIAM GOLDBERG 620 HASSACHUSETTS AVE

CAMBRIDGE NA 02139

Recording Fees

Document Description	Kumber	Book/Page	Recording Asount
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Cash			\$125.00
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C	hange Due	:	\$.00

Thank You MARIA C. CURTATONE - Register of Deeds

By: Odna H

Receipt# Date Time 1751406 11/05/2014 08:32a

2014 00169485

## QUITCLAIM DEED

Bit: 64467 Pg: 198 Doc: DEED Page: 1 of 3 11/05/2014 08:31 AM

I, Geraldine Small, of Somerville, Massachusetts Personal Representative of Iris S. Small Middlesex Probate Court Docket No. 11P2504

For consideration paid and in full consideration of One Hundred and no/100 (\$100.00) Dollars

Grant to

Geraldine Small of 177 Willow Avenue, Somerville, Massachusetts, and Edward I. Small, Jr. of 131 Harvard Avenue Medford, Massachusetts, as Joint Tenants not as Tenants in Common

With Quitclaim Covenants

The land in Cambridge, Middlesex County, Massachusetts being Lot A2 as shown on a plan entitled "Subdivision of Land in Cambridge, Massachusetts belonging to Manoel R. Amaro Scale- 1 = 20' 0" April 7, 1953 Donald J. Reardon, reg. Engineer, 23 Milton St. West Somerville" which plan is recorded with Middlesex South District Registry of Deeds, said Lot being bounded and described as follows:

Southwesterly by Allston Street 43 feet;

Northwesterly Northerly, again Northwesterly, and Northeasterly by

Lot A1 as shown on said plan 68.5 feet, 43.7 feet 7 feet

and 16.8 feet respectively; and

Southeasterly by land of owner unknown, 110 feet.

Containing about 4095 square feet

Conveyed subject to and with the benefit of a Right of Way on the Northerly boundary of the above described premises as shown on said plan, and being a portion of the premises conveyed to Manuel R. Amaro by the Harvard Trust Company et al Executors u/w Addie L. Rhoades Cushing, by deed dated January 16, 1943, and recorded with Middlesex South District Registry of Deeds in Book 6657, Page 215 and right of way is 15 feet more or less on the Northwesterly side of said Lot A2.

Containing about 4095 square feet.

See Deed at Book 8061 Page 136, and Affidavit at Book 64345 Page 259

> William Goldberg 620 Mass Avu Cambridge MA 02139

In Witness whereof, I hereunto set my hand and seal this day of October, 2014.

Geraldine Small

Personal Representative

### 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 Zoning provisions would involve a substantial hardship to the petitioners because the three family house that they lived in until the fire that destroyed was larger and substantially more non-conforming by all measures as it stood than the currently proposed structure, which requires much smaller variances. Most significantly, the proposed setback from the property line on the right side is (10-6"), whereas the previous structure was only 1' 2" inside the property line. The new, proposed space between the 2 neighboring buildings would be total of 14'.

Additionally, the placement of the former building on the lot only accommodated 3 inconveniently tandem parking spaces, whereas the proposed new drive will allow the required 3 spaces to be vacated individually, with much more convenience.

B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

The shape of the property is both narrow and angled at the rear in such way that providing a drive and one space per unitie: three (3) - code conforming parking spaces cannot be achieved with the required code setbacks. However, (3) entirely safe and workable compact spaces can fit, and allow each car to enter, park and exit without the other cars in the area needing to move. The neighboring houses are consistently non-conforming in this regard, and the proposed site plan, parking arrangement and structure will fit the neighborhood pattern.

- C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:
  - 1) Substantial detriment to the public good for the following reasons:

The structure will be a compatible size, off street parking will be provided, there will be additional trees planted, adding shade and amenity to the streetscape.

- 2) Relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:
- The addition of an attractive new 3 family home and its accompanying new trees will improve the street's general appearance by rebuilding an attractive, appropriately scaled three story structure on a currently vacant, fenced-in, blank site caused by the fire.
- This proposal includes significant energy saving building features that will result in 'passive house'/ 'Energy+' qualifications.
- Additionally, there is a housing shortage in Cambridge, and the owner intends to provide the ground floor/accessible (ADA conforming) home for a family member at an affordable cost.
  - \* If You have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

(ATTACHMENT B - PAGE 5)

### BZA APPLICATION FORM

### SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for <u>159 Allston St.</u> (location) would not be a detriment to the public interest because:

A) Requirements of the Ordinance can or will be met for the following reasons:

The requirement for parking 3 cars- 1 for each of the 3 apartments - will be met, though the 5' property line setback required by code will be reduced to 2 feet. A reduced parking setback is prevalent throughout the neighborhood, and with this plan, will allow maneuvering in and out of the on-site parking spaces without requiring another resident to move their car.

B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

Traffic generated by this 3 family building will be negligible because the 3 cars parked on the site will be off-street. Additionally, the property's location within walking distance of public transportation and major employment centers will be major attractor for prospective residents.

C) The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

This proposed new development would refill a lot vacant since the devastating fire; it would be an addition to the residential character of the neighborhood.

D) Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

Parking 3 cars off-street, but within 2' of the lot line (rather than code requested 5'), would not be of any detriment to the health, safety or welfare of the new building's residents or to the neighborhood. The cars would still be farther than 5' away from the structure, exceeding the prior building's spacing between the building and parked cars.

E) For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

The proposed parking plan helps keep cars off the street while balancing other Ordinance demands for open space, all provided within a plan that follows the Ordinance more than the original building.

(ATTACHMENT B - PAGE 6)

### **BZA APPLICATION FORM**

### **DIMENSIONAL INFORMATION**

APPLICANT: Greenstaxx PRESENT USE/OCCUPANCY: Vacant

LOCATION: 159 Allston St Cambridge, MA 02134 ZONE: Residence C Zone

PHONE: REQUESTED USE/OCCUPANCY: Residential

			_		
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS	
TOTAL GROSS FLOOR AR	EA:	4866	4225	2458	(max.)
LOT AREA:		4095	4095	5000	(min.)
RATIO OF GROSS FLOOR TO LOT AREA: 2	AREA	1.19	1.03	.6	(max.)
LOT AREA FOR EACH DW	ELLING UNIT:	825	906	1800	(min.)
SIZE OF LOT:	WIDTH	43	43	50	(min.)
	DEPTH	110'	110'	110'	
SETBACKS IN FEET:	FRONT	7'4"	9' 3"	10'	(min.)
	REAR	27' 3"	45' 9"	20	(min.)
	LEFT SIDE	12' 2"	6' 2"	7' 6"	(min.)
	RIGHT SIDE	1' 2"	10' 6"	7' 6"	(min.)
SIZE OF BLDG.:	HEIGHT	36'	35'	35'	(max.)
	LENGTH	70'	54' 5"	54' 5"	
	WIDTH	26'	26' 5"	28'	
RATIO OF USABLE OPEN	SPACE	20%	35%	36%	(min.)
NO. OF DWELLING UNIT	<u>s:</u>	3	3	2.2	(max.)
NO. OF PARKING SPACE	S:	2	3	3	(min./max)
NO. OF LOADING AREAS	<u>:</u>	0	0	0	(min.)
DISTANCE TO NEAREST ON SAME LOT:	BLDG.	0	0	0	(min.)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

No other buildings on the same lot.

<sup>1.</sup> SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

<sup>2.</sup> TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5')
DIVIDED BY LOT AREA.

<sup>3.</sup> OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



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**BZA APPLICATION FORM** 

GENERAL INFORMATION

PLAMERIDGE MASSACRUSETTS

The undersi	igned hereby petition	ons the Board of Z	Zoning Appe	eal for the fo	ollowing:
Special Per	mit :	Va	ariance :	<b>V</b>	Appeal :
PETITIONE	R: Geraldine	e Small			
PETITIONE	R'S ADDRESS :	_177 Willow	Ave Some	rville, N	MA 02144
LOCATION	OF PROPERTY :	159 Allston	St Cambr	idge, MA	02134
TYPE OF O	CCUPANCY: C			ZON	IING DISTRICT: Residence C Zone
REASON FO	OR PETITION :				
	Other	: Reconstruct	ion		
DESCRIPTION	ON OF PETITIONER	'S PROPOSAL :			
home for rebuilt k renovated The Small renovation their nor televised of the Small are and far m the current	many years. The py Community Bud.  I's building was ons. After the n-conforming side news spot on mall's. Together proposing a 3	e house next ilders. The h s, at the sam fire, full ti te and workin NPR about Gre r, Greenstaxx unit structu e of a site 1 nance.	door, to nouse to to the time of the work of the door, to the time of the time work of the time work of the time work of the time that it is to the time time time time time time time tim	the east the north f the fir delayed s at would modular b is more of	amily home, which had been a family  to, was destroyed as well and then  h was heavily damaged and then  see, vacant and preparing for major sorting out both how rebuild on be financially feasible. A  building system caught the attention  compact than the original building ects of the various requirements of
Article	5.000	Section 5.31	(Table o	of Dimens	sional Requirements).
Article	5.000	Section 5.21	.1 (Lot S	Size).	
Article	6.000	Section 6.43	(Maneuve	ering Spa	ace).
Article	6.000	Section 6.44	.1 (b),	(g) (Park	ring Setbacks).
Article	6.000	Section 6.42	(Space S	Size).	

	Original Signature(s) :	Geraldine T. Small
		(Print Name)
	Address :	177 Willow Ave
		Somewille, MH 02144
	Tel. No. :	617 628 1698
	E-Mail Addre	0 - 11 -1 -
Date :		

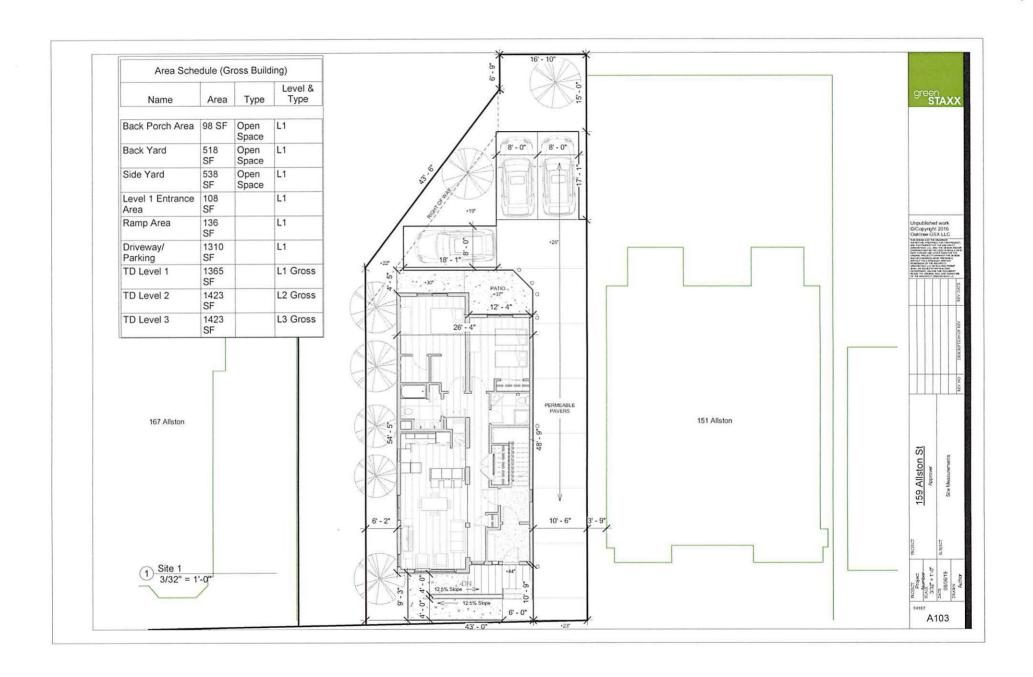
# 159 Allston Street Client- Geraldine Small and Edward Small

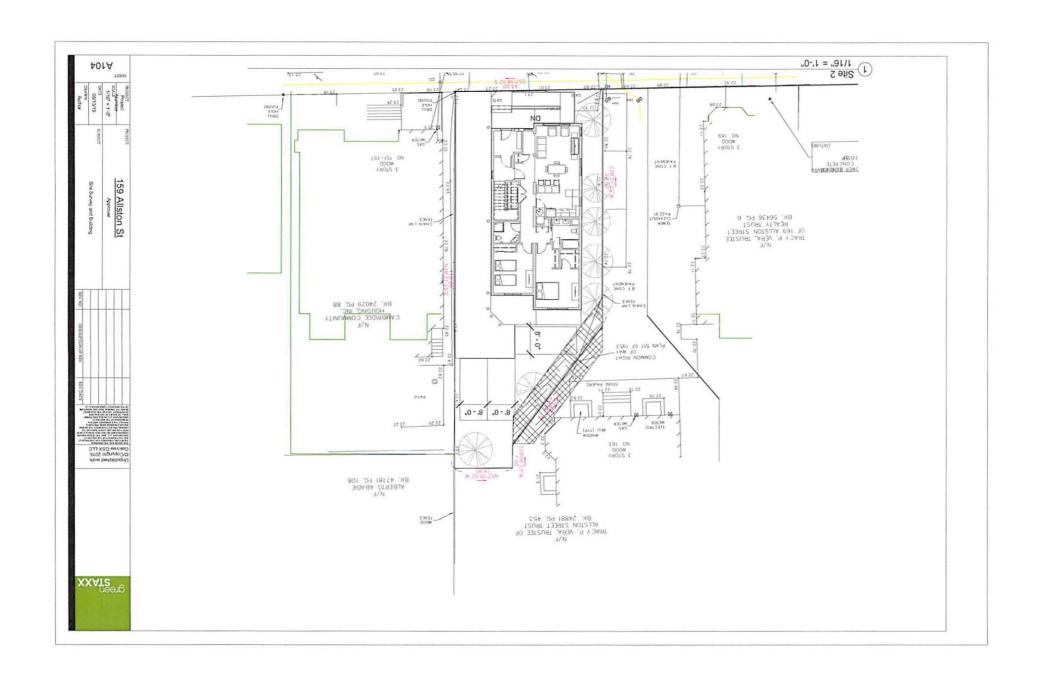


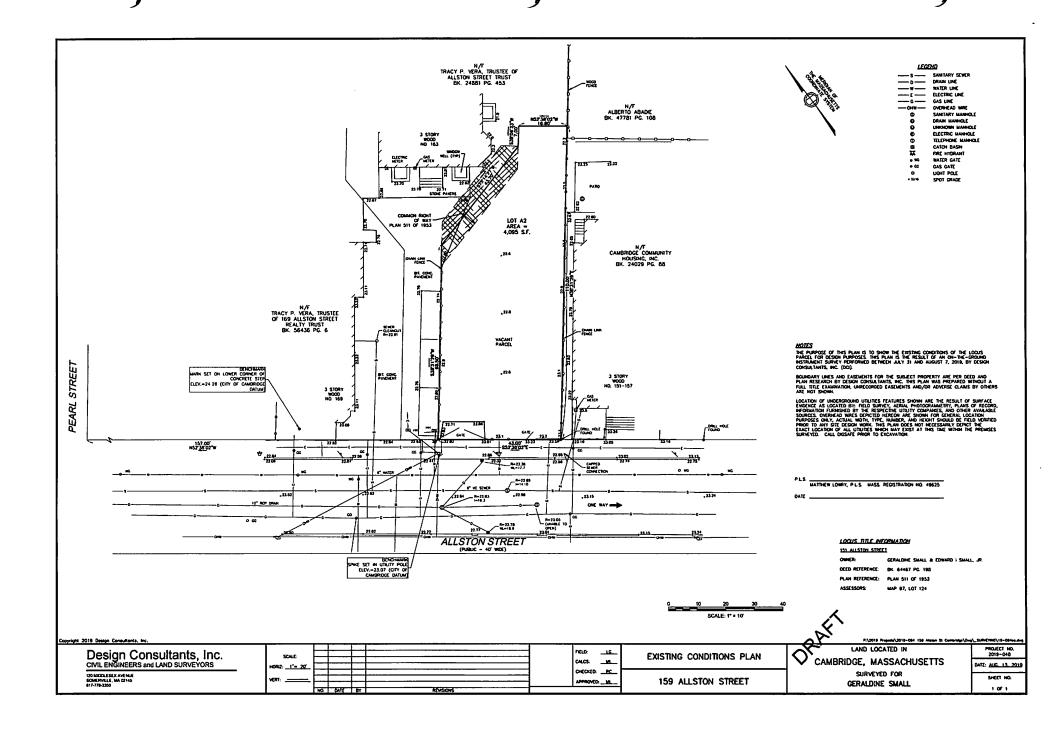
Name	Area	Туре	Level & Type
Back Porch Area	98 SF	Open Space	L1
Back Yard	518 SF	Open Space	L1
Side Yard	538 SF	Open Space	L1
Level 1 Entrance Area	108 SF		L1
Ramp Area	136 SF		L1
Driveway/ Parking	1310 SF		L1
TD Level 1	1365 SF		L1 Gross
TD Level 2	1423 SF		L2 Gross
TD Level 3	1423 SF		L3 Gross

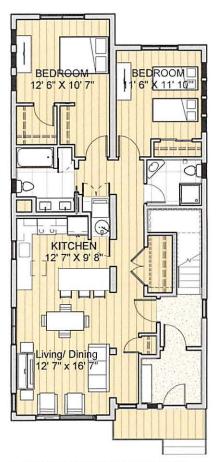
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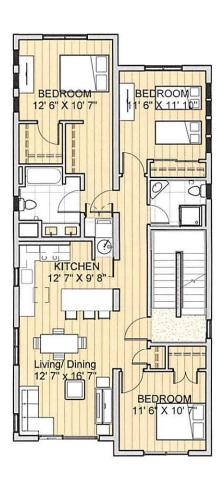




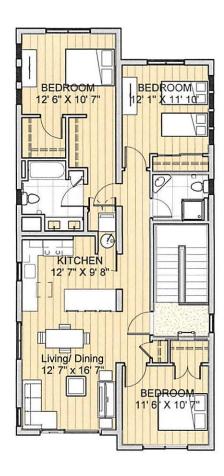




1/8" = 1'-0"



② SECOND FLOOR MARKETING PLAN
1/8" = 1'-0"

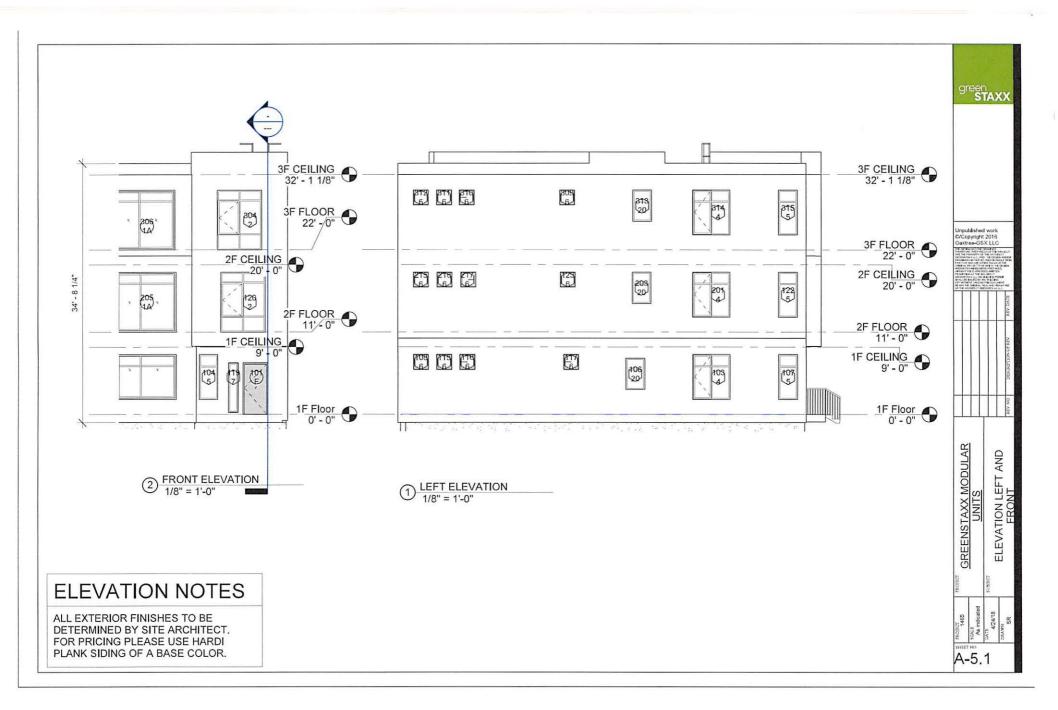


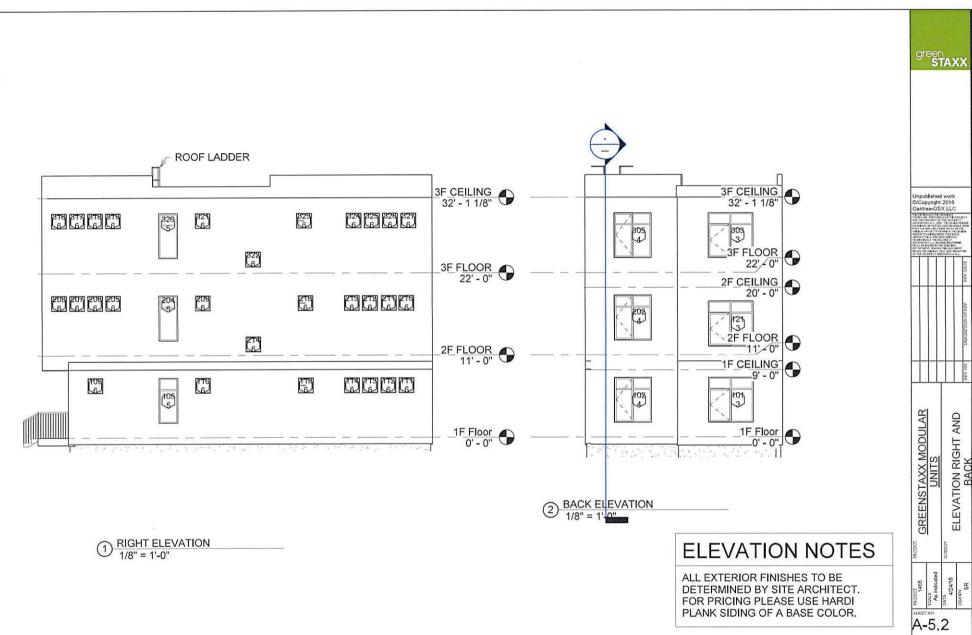
3 THIRD FLOOR MARKETING PLAN
1/8" = 1'-0"

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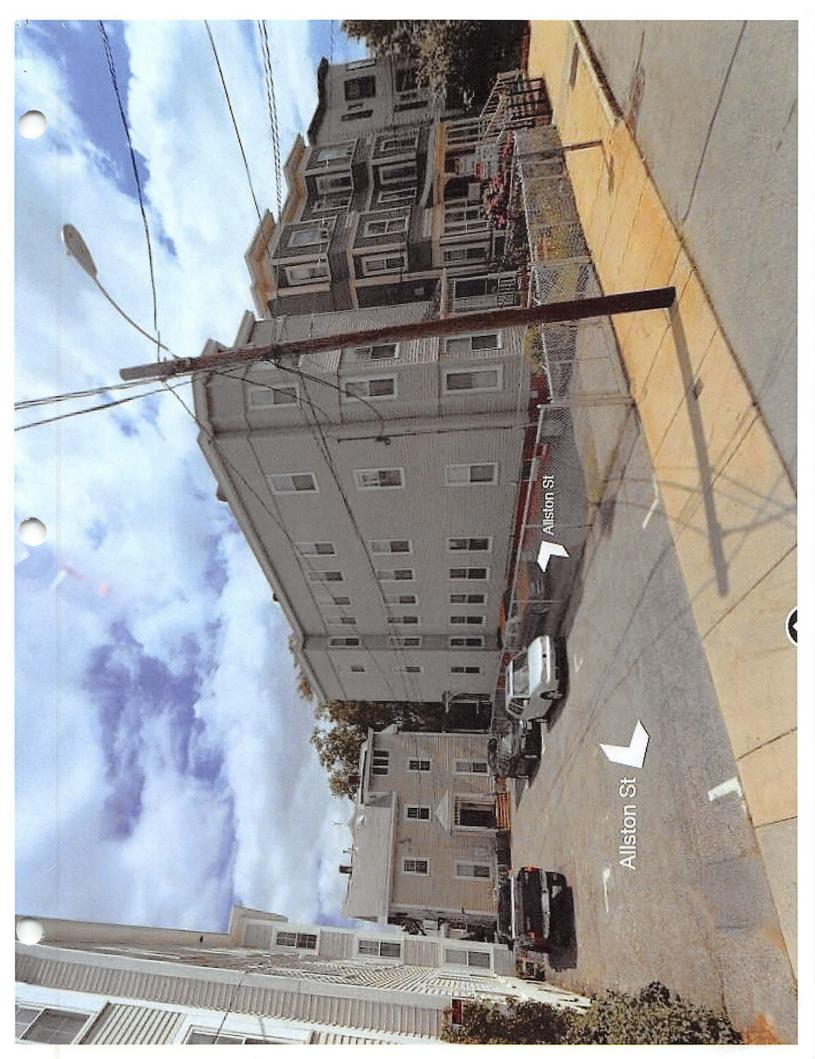
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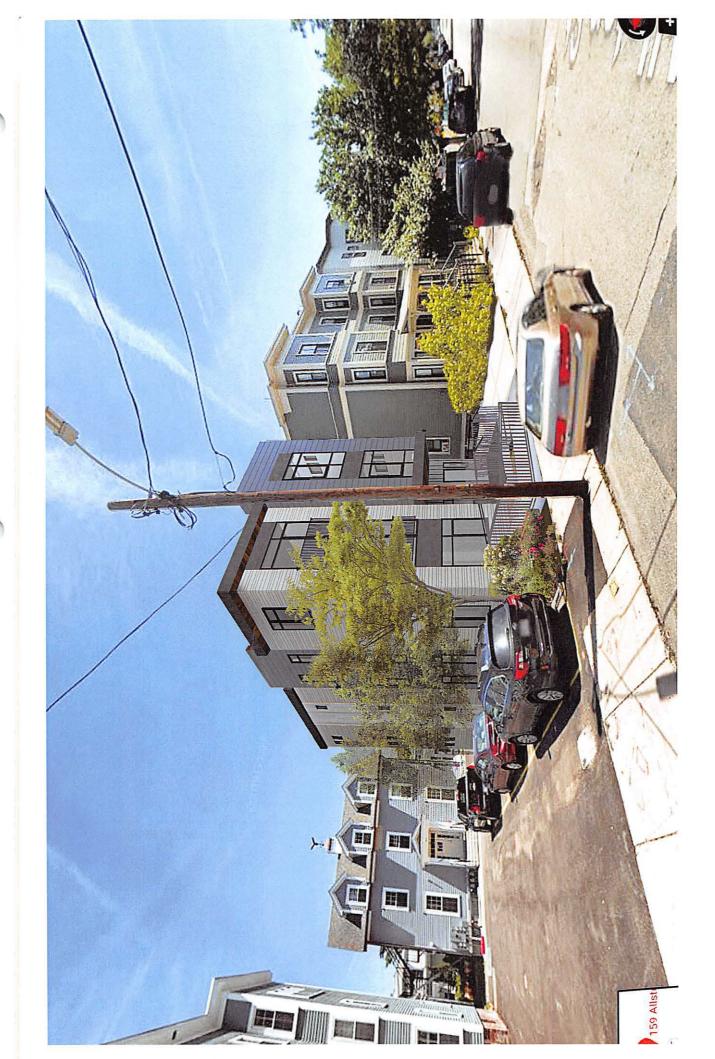


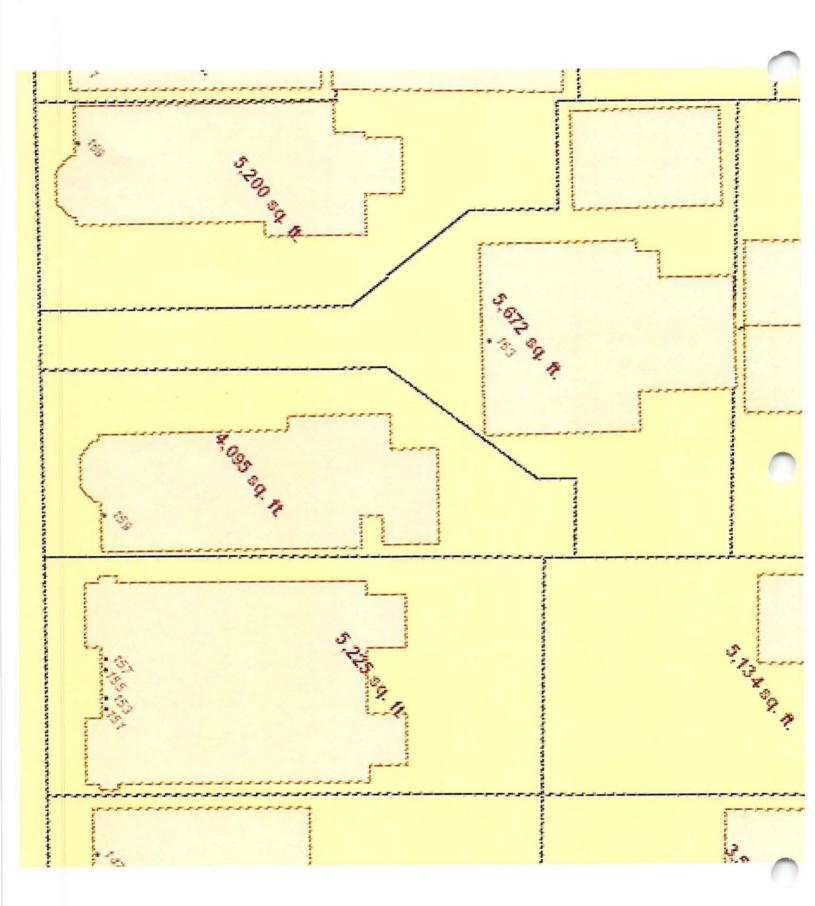


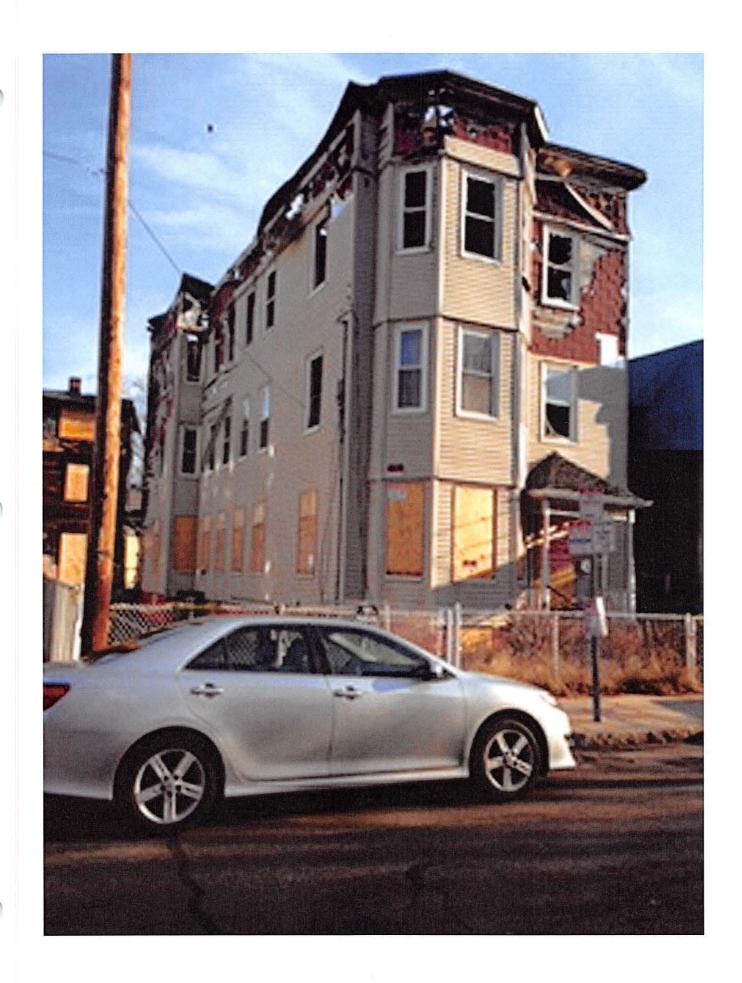
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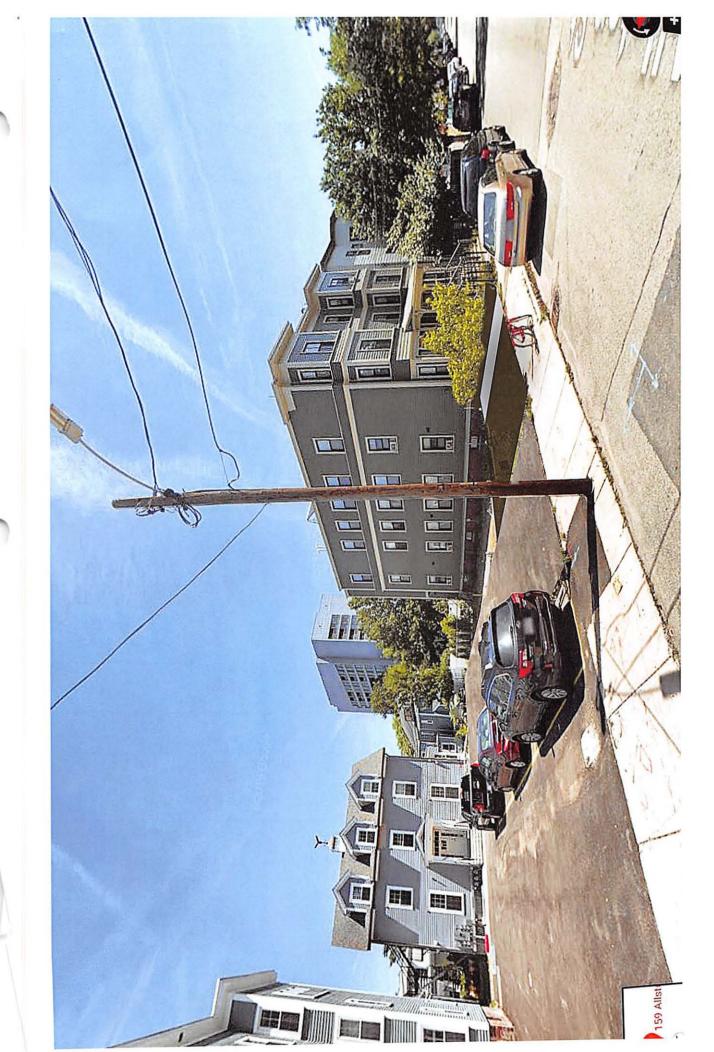


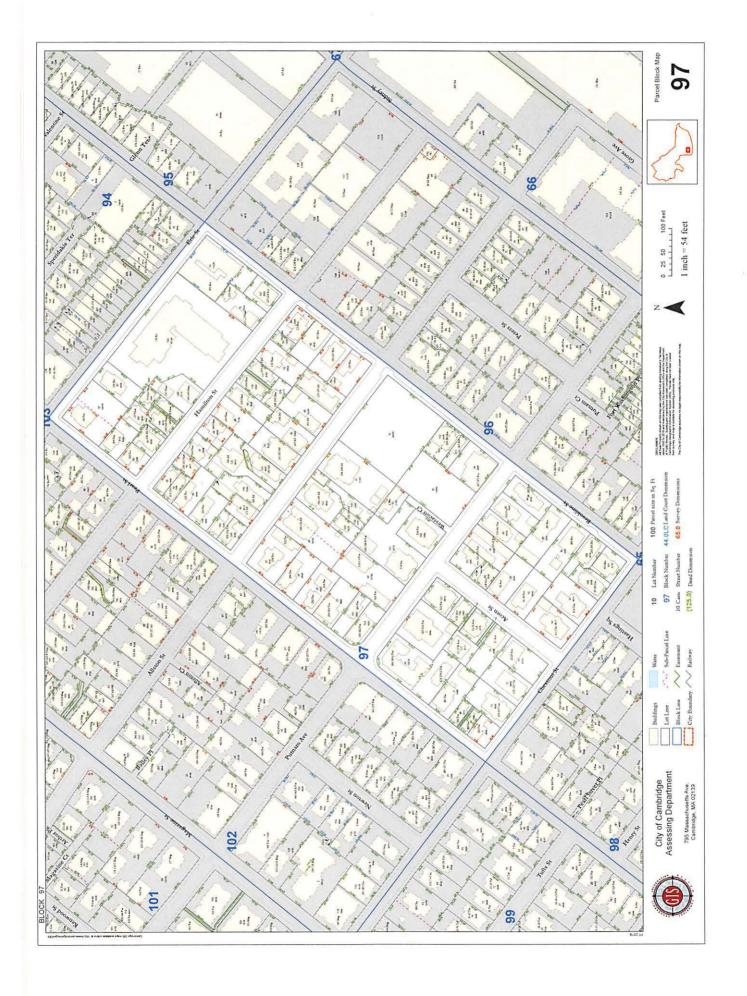




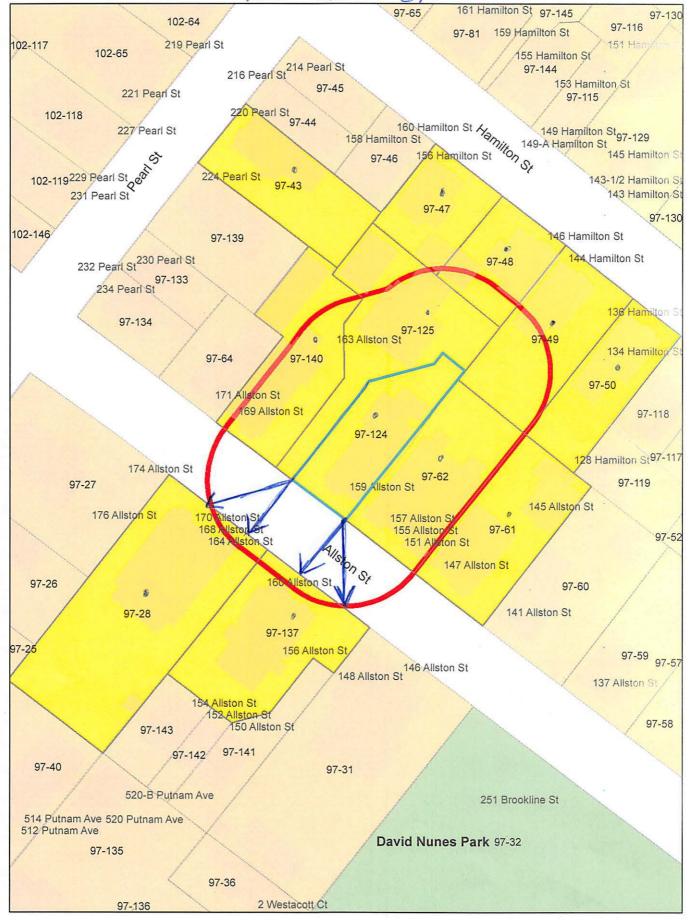








159 Allston St.



159 Allston St.

97-28 TSECHRENTZIS, VIOLA & VIRGINIA WILSON, A LIFE ESTATE
166 ALLSTON STREET

CAMBRIDGE, MA 02139

97-48
TEKEIAN, EDWARD K. & KATHERINE B. GINNIS
146 HAMILTON STREET
CAMBRIDGE, MA 02139

97-61 MANDARANO, JOSEPH M., III & ANN MARIE MANDARANO, TRUSTEES 145 ALLSTON ST CAMBRIDGE, MA 02139

97-125 VERA, TRACY P., TR. OF ALLSTON STREET TRUST 163 ALLSTON ST. CAMBRIDGE, MA 02139

97-140 VERA, TRACY P. 169 ALLSTON ST CAMBRIDGE, MA 02139 97-43 CHILD, LUTHER M., III & CAROL L. FAULKNER 220 PEARL ST CAMBRIDGE, MA 02139

97-49 ABADIE, ALBERTO 144 HAMILTON ST CAMBRIDGE, MA 02139

97-62 CAMBRIDGE COMMUNITY HOUSING, INC. C/O WINN MANAGEMENT 6 FANEUIL HALL MARKETPLACE BOSTON, MA 02109

97-137 SEBASTIAN, SEUNG H. 156-160 ALLSTON ST., UNIT# 156 CAMBRIDGE, MA 02139

97-47 D' ALMEIDA, JAIME C. & LISA K.MURRAY 156 HAMILTON ST CAMBRIDGE, MA 02139 97-124
SMALL, GERALDINE EDWARD I. SMALL, JR
177 WILLOW AVE
SOMERVILLE, MA 02144

GREENTAXX C/O SAMUEL ROBERTSON 84 SHERMAN STREET CAMBRIDGE, MA 02140

97-50 BIRD, CATHERINE & JONATHAN M. DELGADO 136 HAMILTON ST CAMBRIDGE, MA 02139

97-137 FAIRBAIM, ANDREW & HANH BUI 156-160 ALLSTON ST. UNIT#160 CAMBRIDGE, MA 02139