



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 130250

General Information

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

Special Permit: X

Variance:

Appeal:

PETITIONER: Newport Road Condominium Trust C/O Norman Gopin Property Manager, % Thayer and Associates Managing Agent

PETITIONER'S ADDRESS: 1812 Massachusetts Avenue, Cambridge, MA 02140

LOCATION OF PROPERTY: 1775 Massachusetts Ave., Cambridge, MA

TYPE OF OCCUPANCY: Residential Condominium

ZONING DISTRICT: Residential B Zone

REASON FOR PETITION:

/Alteration of two basement level bedroom windows and installation of one rescue/egress window well to create compliant egress/rescue windows in two bedrooms/

DESCRIPTION OF PETITIONER'S PROPOSAL:

none

Alterations to two existing bedroom window openings (one front yard and one side yard) to create compliant Egress/Rescue size openings and height from bedroom floor level. Installation of an egress/rescue well from the front bedroom window, encroaching on the front yard setback

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
Article: 8.000 Section: 8.22.2.C (Non-Conforming Structure).
Article: 10.000 Section: 10.40 (Special Permit).

Original
Signature(s):


(Petitioner(s) / Owner)

MARK A. MAXWELL, AIA

(Print Name)

MAXWELL ARCHITECTS, LLC
FOR NEWPORT ROAD
CONDOMINIUM TRUST.

Address:

Tel. No.

617.354.6480

E-Mail Address:

ngopin@thayerassociates.com

Date:

7/27/2021

2021 JUL 27 PM 2:43
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Newport Road Condominium Trust

Present Use/Occupancy: Residential Condominium

Location: 1812 Massachusetts Avenue

Zone: Residential B Zone

Phone: 617.354.6480

Requested Use/Occupancy: Residential Condominium

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	56,082 SF	56,082 SF	11,131 *	(max.)
<u>LOT AREA:</u>	22,264 SF	22,264 SF	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	2.52	2.52	0.5 *	
<u>LOT AREA OF EACH DWELLING UNIT</u>	530 SF	530 SF	2,500 *	
<u>SIZE OF LOT:</u>				
WIDTH	84.5'	84.5'	NO CHANGE	50' MIN.
DEPTH	264'	264'	NO CHANGE	
<u>SETBACKS IN FEET:</u>				
FRONT	7'-7"	7'-7"	15' *	
REAR	0'	0'	25'-0" *	
LEFT SIDE	5'-4"	5'-4"	7'-6" MIN.	SUM OF 20' *
RIGHT SIDE	6'-6"	6'-6" no change	7'-6" sum of 20'=0" *	
<u>SIZE OF BUILDING:</u>				
HEIGHT	55'-3"	55'-3"	35' *	
WIDTH	72'-9"	72'-9"	64'-6" *	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	9,681 SF	9,681 SF	8,904 SF	
<u>NO. OF DWELLING UNITS:</u>	42	42	9/LOT SIZE *	
<u>NO. OF PARKING SPACES:</u>	Ø	Ø	Ø	
<u>NO. OF LOADING AREAS:</u>	Ø	Ø	Ø	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	5 CONTIGUOUS BUILDINGS - NO CHANGE			

*** EXISTING NON-CONFORMING**

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.

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 - SEE ATTACHED

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:

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:

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER: *SEE ATTACHED.*

- 1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:
- 2) Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:

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

BZA Application Form

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 1775 Massachusetts Ave., Cambridge, MA (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:

Front and side yard setbacks of the building will not be altered, only increasing the height of the windows utilizing the existing top (head) height and extending two existing windows down to meet Egress/rescue window requirements.

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:

No new traffic impact as this is an existing, previously occupied unit.

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:

No new neighborhood impact as this is an existing, previously occupied unit.

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:

No new neighborhood impact as this is an existing, previously occupied unit.

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:

No new neighborhood impact as this is an existing, previously occupied unit.

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

MAXWELL ARCHITECTS, LLC
PLANNING/PROGRAMMING/DESIGN

July 13, 2021

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

RE: Newport Condominium
1775 Massachusetts Avenue
Unit 1775B
Special Permit Application #BZA130250

Each of the following requirements for a variance must be established and set forth in detail. This is for the egress windows to finalize submitting.

The proposed project comprises enlarging two existing windows in an existing lower level residential apartment and the installation of one egress window well on the existing window in the front yard. The purpose of this project is to create compliant Egress/Rescue Windows in the two existing bedrooms. This unit is owned by the Newport Road Condominium Trust and is a residential rental unit, that has been previously occupied.

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

The identified non-conformity of enlarging these two windows and the installation of a single egress/escape window well in the front yard is governed by 5.30 District Dimensional Regulations. The property is located in a Residential B district, as well as in a Basement Housing Overlay District. The Zoning Code calls for a 15' Front yard and both the existing front bedroom window and proposed window well fall within this setback area. The second existing bedroom window to be enlarged falls beyond the 7'-6" minimum required side yard. Literal application of the Front and side yard limitations renders these two bedrooms, and this the unit, unoccupiable as they would not meet Massachusetts Building Code requirements for Egress/Rescue Windows in each bedroom.

20 Windom Street
Somerville, Massachusetts 02144-3119
617.666.9222 t 617.666.4557 f
www.maxwellarchitects.com

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 proposed window enlargements are both to be accomplished by utilizing the existing window openings, enlarging the window size by increasing its height and lowering its sill on the interior to meet the maximum allowable height from the interior bedroom floor. The heads and lintels of both openings will not be altered from their existing conditions. The front yard window egress/rescue well will be located below grade and thus does not adversely impact the neighborhood. Article 5.2.4.2 allows for projecting elements and those elements less than 4 feet above grade to extend into the minimum yard setbacks. The proposed window well will only minimally extend above ground and thus complies with this regulation.

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

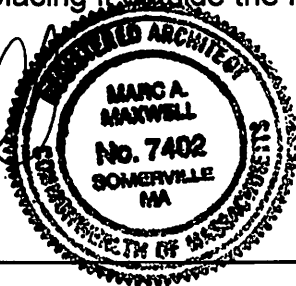
Providing the requested relief allows this previously occupied two bedroom unit to again be rented, maintaining this housing unit in this time and area of severely limited availability and affordability. The visible windows are existing and are only be lengthened. The bottom of the window well will be permeable gravel, allowing rain water and snow melt to return to the groundwater. The front yard landscaping will be repaired after the installation of the window well, masking the well from sight.

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

The proposed alterations make the existing two bedroom residential unit habitable by correcting an existing nonconformity with the Building/Life Safety Code for egress/rescue windows in bedrooms. The unit is located within the Basement Housing Overlay District intended to encourage creation and occupation of such basement residential units. The existing front bay of the building is located 7'-7" feet from the front yard property line and the proposed window well front edge will coincide with this distance. The side yard window is set back 7'-1/4" beyond the existing building sidewall, located 7'-3" from the side yard property line, placing it outside the required 7'-6" side yard restriction.

Sincerely,


Marc A. Maxwell, AIA
Maxwell Architects, LLC



20 Windom Street
Somerville, Massachusetts 02144-3119
617.666.9222 t 617.666.4557 f
www.maxwellarchitects.com

The map displays a residential neighborhood with numerous property lots, each labeled with a number. The streets shown include Roseland St, Forest St, Exeter Pk, and various residential streets like Arlington St, Stone Ct, and Lancaster St. A red line indicates a proposed road route, and a blue line indicates an existing road. The map also shows the locations of several schools, including Roseland Elementary School and Roseland Middle School.

1775 Mass Ave

Petitioner 1894

176-64
CAMBRIDGE MASS AVE LLC
739 CREEKS EDGE
CHARLESTON, SC 29412

176-85
WALLRAFF BARBARA
3 LANCASTER ST
CAMBRIDGE, MA 02140

MAXWELL ARCHITECTS, LLC
C/O MARC A. MAXWELL, AIA
20 WINDOM STREET
SOMERVILLE, MA 02144

176-64
OSTER, JEANNE E.
TRS JEANNE E. OSTER REV TRUST
95 NASHUA ST
WOBURN, MA 01801

176-64
LANCASTER FOREST, LLC.
1762 MASS AVE
CAMBRIDGE, MA 02140

153-59
ZHANG GUOHUA JEAN HUANG WEI
1783 MASSACHUSETTS AVE #17836
CAMBRIDGE, MA 02140

176-64
NICOLORO, PETER J.
164 THORNDIKE ST.
CAMBRIDGE, MA 02141

176-85
SCHLESINGER, DANIEL
1776 MASSACHUSETTS AVE. UNIT 9
CAMBRIDGE, MA 02140

176-85
EVANS, JENNIFER R. LIFE ESTATE
1776 MASSACHUSETTS AVE., #2B
CAMBRIDGE, MA 02140

176-15
GOLDBERG WEINER REALTY LLC.
1798A MASS AVE
CAMBRIDGE, MA 02140

176-64
ELPIS LAGOUDAKIS, TRUSTEE OF
1760 MASS AVE., UNIT A
CAMBRIDGE, MA 02139

176-85
DOLLAR, BARBARA JEANNE,
TR. OF THE BARBARA JEANNE DOLLAR TRUST
103 ABERDEEN AVE
CAMBRIDGE, MA 02138

176-85
DOLLAR, BARBARA
103 ABERDEEN AVENUE
CAMBRIDGE, MA 02138

176-85
WHITWORTH, MARK H. & NOREEN L. HESSON
1224 E. HILL RD.
NEWARK, VT 05871

176-85
ROBIDOUX, JILL
1 LANCASTER ST., #6
CAMBRIDGE, MA 02140

153-14
LAVERTY, CHARLES R. JR., &
PAUL R. LOHNES, TRS.
C/O LAVERTY / LOHNES PROP
75 CAMBRIDGE PKWY, STE 100
CAMBRIDGE, MA 02142-1229

153-7
MCDONALD, MARY D.
15 FROST ST.
CAMBRIDGE, MA 02140

153-57
NIJAHWAN, VINIT & DEEPTI NIJHAWAN
9 FOREST ST #1
CAMBRIDGE, MA 02140

153-66
SOLOMON, BONNIE T.
C/O JOHATHAN ROWE
P.O BOX 427
POINT REYES STATION, CA 94956

153-59
SPERO, RAND K.
11 HERITAGE DR
LEXINGTON, MA 02420

153-59
BLACKWELL, MATTHEW & MAYA SEN
2 NEWPORT RD UNIT #2/3
CAMBRIDGE, MA 02140

153-66
GBR, LLC
25 LANCASTER ST
CAMBRIDGE, MA 02140

153-66
COHEN, HELEN S MARK A. LIPMAN, TRS
3 NEWPORT RD UNIT #3/7
CAMBRIDGE, MA 02140

153-66
EATON, CHARLES
3 NEWPORT RD., #8
CAMBRIDGE, MA 02140

153-59
RECKMAN, JANET C.
4 NEWPORT RD. UNIT#1
CAMBRIDGE, MA 02140

153-66
FOX, ELLEN
TRUSTEE OF ELLEN FOX REVOCABLE TRUST
5 NEWPORT RD, UNIT 4
CAMBRIDGE, MA 02140

153-66
SIMPSON, E. PHILIP A. ,JR.
TR. THE E. PHILIP A. SIMPSON JR. REV. TRUST
P.O. BOX #203
PLYMOUTH, NH 03264-0203

153-59
NEWMAN, ANNA P.
4375 FACULTY LANE
HOUSTON, TX 77004

153-66
BLOUT, LISA
86 AVON HILL STREET
CAMBRIDGE, MA 02140

153-59
DEVOS, MERILYN L.
2 NEWPORT RD UNIT#1
CAMBRIDGE, MA 02140

153-59
SMITH, LONNIE
14363 CHESTER AVE.
SARATOGA, CA 95070

153-66
RIEKER, PATRICIA P.
3 NEWPORT RD #2
CAMBRIDGE, MA 02140-1522

153-66
PELTON, JOHN W. JR.
3 NEWPORT RD., UNIT #5
CAMBRIDGE, MA 02140

153-59
FRIEDLER, GLADYS
4 NEWPORT RD.,
CAMBRIDGE, MA 02140-1526

153-59
DEAN, COLIN J. & SUMA V. NAIR
4 NEWPORT RD. UNIT#8
CAMBRIDGE, MA 02140

153-66
FISHER, AMY L. & ANDREW HAMMOND
5 NEWPORT RD., #5/2
CAMBRIDGE, MA 02140

153-66
IACOBBO, MARIA L.
29 OAK KNOLL DR
NORTH ATTLEBORO, MA 02760

153-66
CHRISTIE, MARY,
TR. OF 5-6 NEWPORT ROAD TRUST
5 NEWPORT RD. #5-6
CAMBRIDGE, MA 02140

153-66
HORVATH, MICHAEL & ANNE HORVATH
7 NEWPORT RD. UNIT#2
CAMBRIDGE, MA 02140

153-66
HACKETT, OSCAR S. & MEG D. HACKETT
5673 LA JOLLA HERMOSA
LAJOLLA, CA 92037

153-59
KELLY, EMER C.
8 NEWPORT RD., UNIT #8/2
CAMBRIDGE, MA 02140

153-59
FARRINGTON REALTY LL.
28 ROSELAND ST., #1
CAMBRIDGE, MA 02140-1501

153-66
SCHEUBLIN, KENNETH R. &
MARGARET M. SCHEUBLIN
1775 MASS AVE
CAMBRIDGE, MA 02140-1520

153-66
HOU, FENG QIN
86 WINTER STREET #2
CAMBRIDGE, MA 02141

153-66
CURTIS, MARGARET E., JR.
1775 MASS AVE
CAMBRIDGE, MA 02140-1520

153-59
RODERICKS, LISA A.
1783 MASS AVE #4
CAMBRIDGE, MA 02140

153-59
WALLACE, WES,
TRUSTEE THE LITTLE BY LITTLE NOM TRUST
1783 MASSACHUSETTS AVE., #17837
CAMBRIDGE, MA 02140

176-64
CAMBRIDGE MASS AVE LLC
739 CREEKS EDGE
CHARLESTON, SC 29412

176-85
LIU, XI
1776 MASSACHUSETTS AVE., #7
CAMBRIDGE, MA 02140

176-85
AHL, LLC & CITY OF CAMBRIDGE TAX TITLE
1776 MASSACHUSETTS AVE. UNIT 2A
CAMBRIDGE, MA 02140

153-7
KADOMIYA, RONALD & ANDREA KADOMIYA
9 FROST ST.
CAMBRIDGE, MA 02140

153-66
BURNHAM, AMERY A.
20 RICE ST
CAMBRIDGE, MA 02140

153-66
MA, CHING
1 NEWPORT RD., UNIT #1/7
CAMBRIDGE, MA 02140

153-66
LIPSKY, STUART J.
1 NEWPORT RD., #1-8
CAMBRIDGE, MA 02140-1521

153-59
GU, JIN & LINFENG WEI
2 NEWPORT RD., #2/5
CAMBRIDGE, MA 02140

153-59
LEE, CHIH-JOU & SETH E. LIPPERT
2 NEWPORT RD., #6
CAMBRIDGE, MA 02140

153-66
GIBBS, LAUREN, K.
3 NEWPORT RD. #1
CAMBRIDGE, MA 02140

153-66
LOZANO, EDUARDO E.
3 NEWPORT RD. UNIT#3
CAMBRIDGE, MA 02139

153-66
LIU, YUN & CHING YU LAM
3 NEWPORT RD., #3/6
CAMBRIDGE, MA 02140

153-59
RECKMAN, JANET C.
4 NEWPORT RD #1
CAMBRIDGE, MA 02140-1526

1775 Mass Ave

344

153-59
AHOUSE, HARRIET H.
4 NEWPORT RD., #2
CAMBRIDGE, MA 02140

153-59
GEORGE, MICHAEL & NAZGOL SHIFTEH
4 NEWPORT RD UNIT #7
CAMBRIDGE, MA 02140

153-59
HANTMAN, STEPHEN A.
6 NEWPORT RD #6-1
CAMBRIDGE, MA 02140

153-66
CHAN, CYNTHIA
7 NEWPORT RD #4
CAMBRIDGE, MA 02140

153-66
BIERNACKI, ANNE MARIE & KENNETH H. SMITH
7 NEWPORT RD. - UNIT 7-8
CAMBRIDGE, MA 02140

153-59
MEYER, BABETTE
8 NEWPORT RD., UNIT #7
CAMBRIDGE, MA 02140

153-66
SHAKESPEAR, PAUL & EILEEN S. SHAKESPEAR
1775 MASS AVE
CAMBRIDGE, MA 02140-1520

153-59
CRONE, GREGORY J.
1783 MASS AVE., #1783B
CAMBRIDGE, MA 02140

153-65
FROST STREET LIMITED
C/O DAVID H.MASON, ET AL
21 FROST STREET
CAMBRIDGE, MA 02140

153-59
FENNELL, TIMOTHY J.
6 NEWPORT RD., UNIT #6/3
CAMBRIDGE, MA 02138

153-59
GIMBEL, JANE N.
6 NEWPORT RD., #5
CAMBRIDGE, MA 02140

153-66
KINDLEBERGER, JEAN
7 NEWPORT RD., #7/3
CAMBRIDGE, MA 02140

153-66
MACHARLA, VEERBHADRA & JYOTHI MACHARLA
117 PROSPECT STREET
ACTON, MA 01720

153-59
FARRINGTON REALTY LLC.
28 ROSELAND STREET., #1
CAMBRIDGE, MA 02140-1501

153-59
JI, XIAOAN
8 NEWPORT RD, UNIT #5
CAMBRIDGE, MA 02140

153-59
KALWEIT, ROBERT,
SUSAN KALWEIT NICHOLAS KALWEIT
8 NEWPORT RD., #8/6
CAMBRIDGE, MA 02140

153-66
WANG, YINI,
TRUSTEE THE YINI WANG LIVING TRUST
C/O HANCOCK REALTY GROUP
275 GROVE ST. SUITE 2-400
NEWTON, MA 02466

153-59
RACHMUTH, GUY
1783 MASSACHUSETTS AVE. - UNIT# 2
CAMBRIDGE, MA 02140

153-59
WATERS, ANN M.
1783 MASSACHUSETTS AVE., #3
CAMBRIDGE, MA 02140

153-77
BENOS, ELENI,
TRUSTEE THE ELENI BENOS TRUST
3 FOREST ST
CAMBRIDGE, MA 02140

153-7
WANG, JEFFREY S. & JINGYI HE
7 FROST ST
CAMBRIDGE, MA 02139

153-7
COHEN, SHARON A.
17 FROST ST
CAMBRIDGE, MA 02140

153-12
AKULA, JOHN L & LESLIE M AKULA
5 FOREST ST
CAMBRIDGE, MA 02140-1507

153-54
LAZONICK, WILLIAM H.
12 NEWPORT RD
CAMBRIDGE, MA 02140-1510

153-57
MASTER, ROBERT, TR OF FELTIN-CAMBRIDGE
C/O HEMENWAY & BARNES
ATTN: NANCY GARDINER
75 STATE ST. 16TH FL
BOSTON, MA 02109

153-66
RALSTON, BIRGITTA & JOHANNA RALSTON AS
TRUST OF THE 1 NEWPORT RD NOMINEE TRST
1 NEWPORT RD 1/4
CAMBRIDGE, MA 02140

153-59
KELLOGG, SARAH C
3693 TIMBER LANE
HERMITAGE, PA 16148

153-59
MILIA, ANDREW & AYYASH, SALMA ABU
2 NEWPORT RD., UNIT #6
CAMBRIDGE, MA 02140-2025

153-59
RODNEY, ANN D.
4 NEWPORT ROAD, UNIT #5
CAMBRIDGE, MA 02140-1588

153-66
ROGAN, BRIAN
5 NEWPORT RD. UNIT #1
CAMBRIDGE, MA 02140

1775 Mass Ave

914

153-66
FOLGER,JOHN
5 NEWPORT ROAD UNIT 5/5
CAMBRIDGE, MA 02138

153-66
HE, BAOZHANG & XIAODONG MA
5 NEWPORT RD. UNIT#7
CAMBRIDGE, MA 02139

153-59
BYUN, BYUNG HEE
4 CANAL PARK UNIT #507
CAMBRIDGE, MA 02141

153-66
BAHKTAR, BIJAN & FARIFTEH BAKHTAR,
TR BAKHTAR FAMILY TRUST
7 NEWPORT RD., #7/1
CAMBRIDGE, MA 02140

153-66
LAMONT, BARBARA SILBER
7 NEWPORT RD., #7
CAMBRIDGE, MA 02140

153-59
OLEARY, DONAL & ROBY M. FADER
8 NEWPORT RD #8B
CAMBRIDGE, MA 02140

153-66
MATISON, KATHERINE TANIA &
PETER JOSEPH QUIRK
8 DAVIS RD
SOUTHBOROUGH, MA 01772

153-59
HANANY, AMIHAY
77 MASSACHUSETTS AVE.
MIT, ROOM 6-318
CAMBRIDGE, MA 02139

153-59
ANDRUS, WILLIAM ALEXANDER &
JENNY I. ANDRUS
1783 MASS AVE. UNIT #5
CAMBRIDGE, MA 02139

153-59
KELLY, MAUREEN, A LIFE ESTATE
1783 MASSACHUSETTS AVE. #8
CAMBRIDGE, MA 02140

153-59
VIGDEN, MICHIO N., DANIEL G VIGDEN
TRUSTEE OF MICHIO N. VIGDEN REV TRS
8 NEWPORT RD UNIT #1
CAMBRIDGE, MA 02140

153-66
EVERETT, ROBERT KRATZER LUIS E. DOMENECH
1775-5 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140

153-66
BROWN, TODD C. EBONY N. CLINTON
1154 WASHINGTON ST UNIT 7
BOSTON, MA 02118

153-66
HIBBS, CHRISTINA C.
4-74 48TH AVENUE APT 3N
LONG ISLAND CITY, NY 11109

153-59
LEE DONG MOOK & YOUNG GIL LEE
12 LAWRENCE CT
SYOSETT, NY 11791

153-66
PLANTE VALERIE L
1 NEWPORT RD - UNIT 1-5
CAMBRIDGE, MA 02140

153-7
LIN MICHAEL SUN TE
11 FROST ST - UNIT 11
CAMBRIDGE, MA 02140

153-11
CECERE DAVID B KANYOK AMANDA S
51 BAKERS HILL RD
WESTON, MA 02493

176-85
SUNRISE REAL ESTATE LLC
52 VICTORIA AVE
BRAINTREE, MA 02184

153-59
STOTT ELIZABETH MARK STOTT
25 LANCASTER ST
CAMBRIDGE, MA 02140

August 10, 2021

To: Cambridge Board of Zoning Appeal

RE: Special Permit to Alter Windows at 1775 Massachusetts Avenue

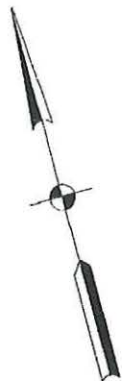
This letter is to express my support for a Special Permit to enlarge two existing windows for the ground level apartment at 1775 Massachusetts Avenue. The two windows to be enlarged are on the front of the building and the side of the building.

I am a long time resident at 1775 Massachusetts Avenue.

Sincerely,



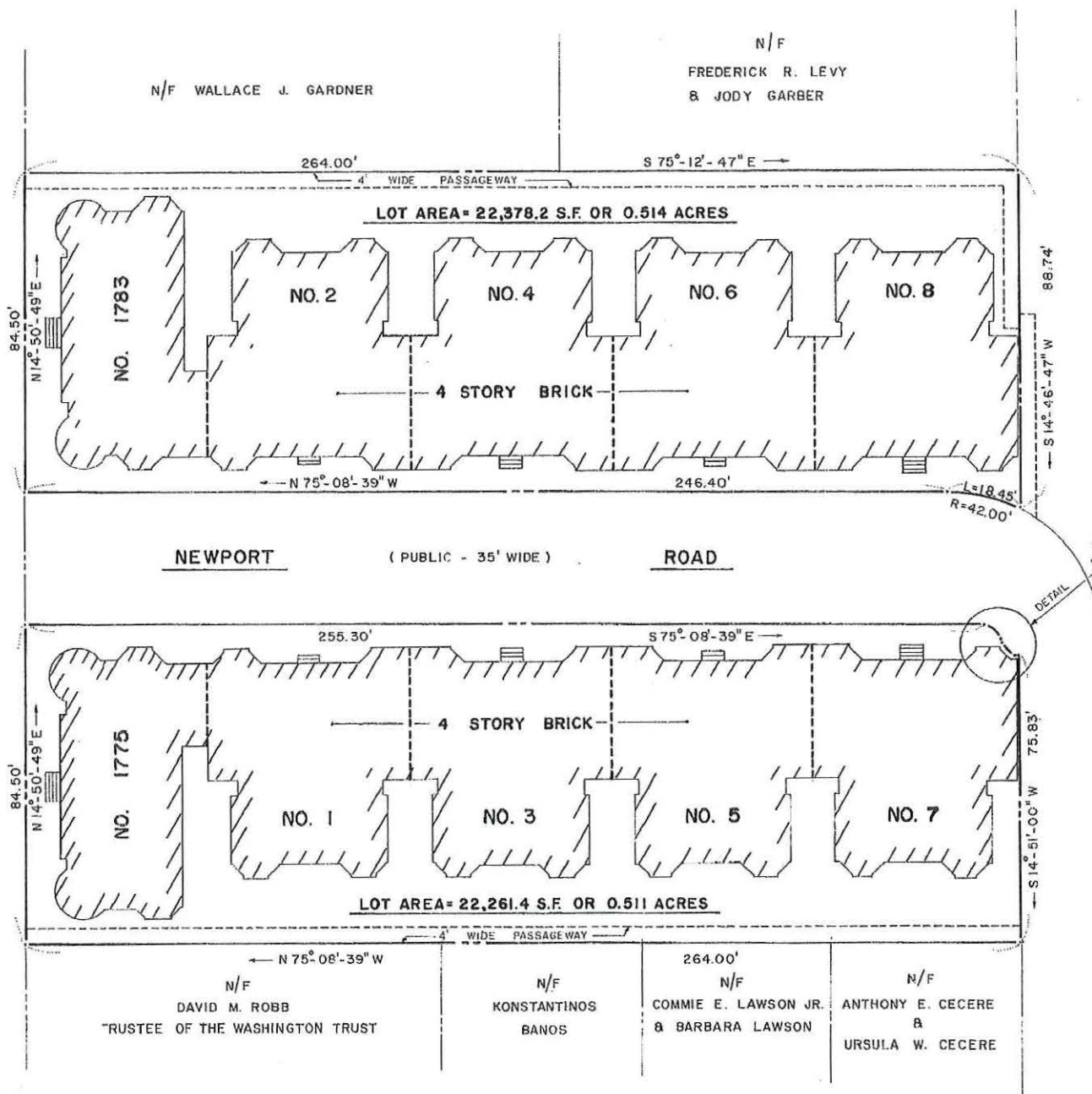
Louis Domenech
1775 Massachusetts Avenue #5
Cambridge, MA 02140
617-872-6677
ledomenech@gmail.com



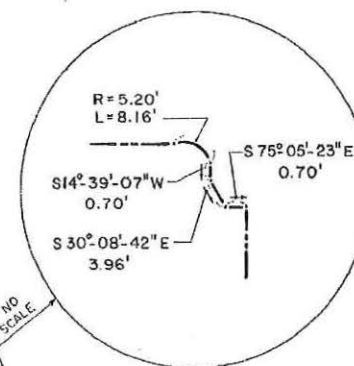
AVENUE

(PUBLIC - 98' WIDE)

MASSACHUSETTS



N/F
NEWPORT APARTMENT TRUST



PLAN OF LAND

IN
CAMBRIDGE, MASS.
SCALE: 1"= 20' JUNE 9, 1981

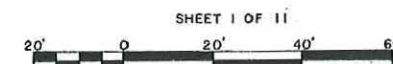
PREPARED FOR
NEWPORT APARTMENT TRUST

PREPARED BY
ALLEN & DEMURJIAN, INC.
ENGINEERS & LAND SURVEYORS
BOSTON, MASS.

I HEREBY CERTIFY TO THE FOLLOWING:

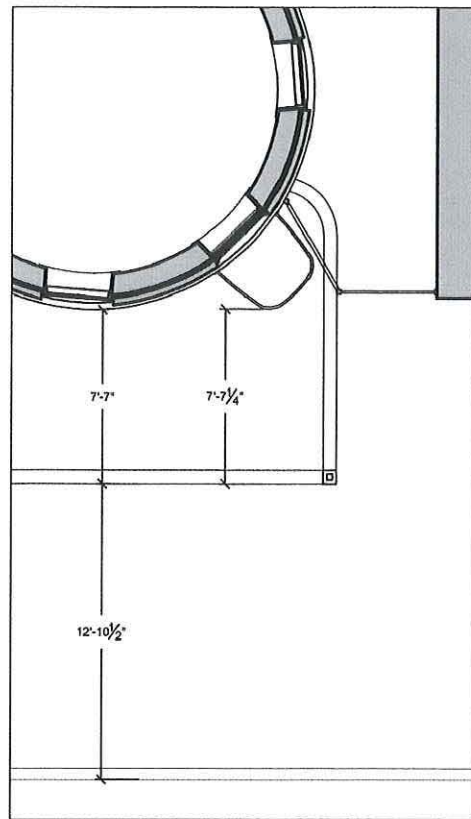
1. THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING THE EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.
2. THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MIDDLESEX COUNTY REGISTRY OF DEEDS.

DATE: June 26, 1981
Lawrence C. Allen
LAWRENCE C. ALLEN R.L.S. NO. 12424

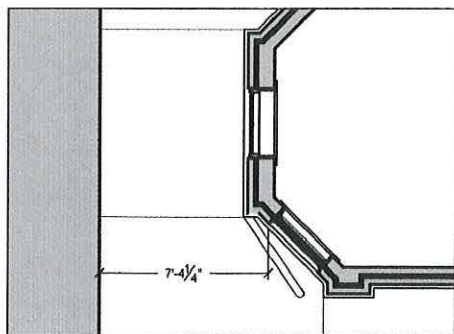


Recorded, Book 4368 Page 250.
Plan Number 8397A0511 of 1981
Rec'd JULY 31, 1981 at 8:55 AM
WILLIAM CONDRON, JR. No. 16
STEPHEN J. ROBB, ET AL. STARS.
Attest: *John T. Reynolds*
Register





2 FRONT WINDOW PLAN
A-100 SEE A-100



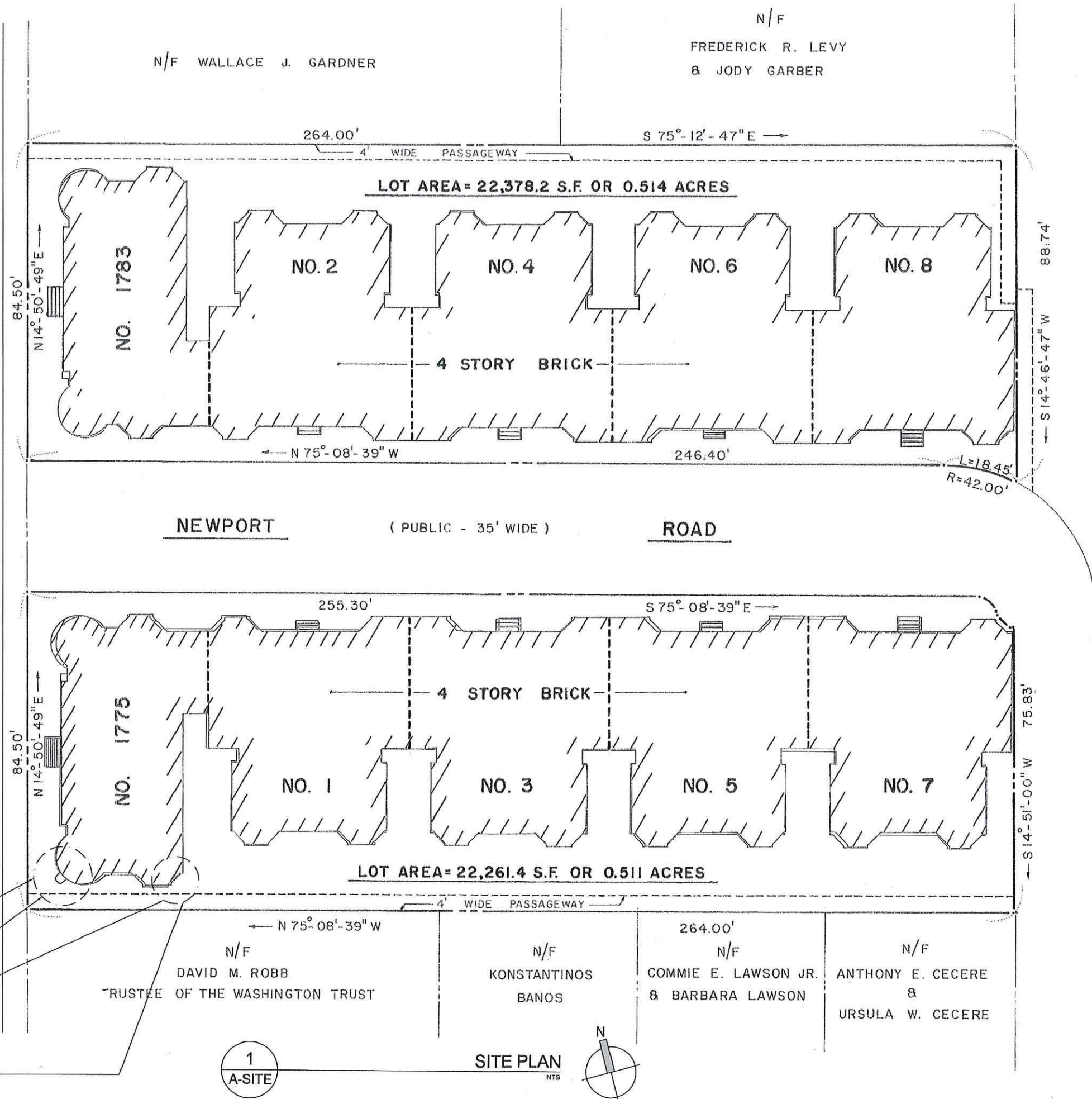
3 REAR WINDOW PLAN
A-101 SEE A-101

PROPOSED ENLARGED
RESCUE WINDOWS AND
WINDOW WELL

2
A-100

MASSACHUSETTS AVENUE (PUBLIC - 98' WIDE)

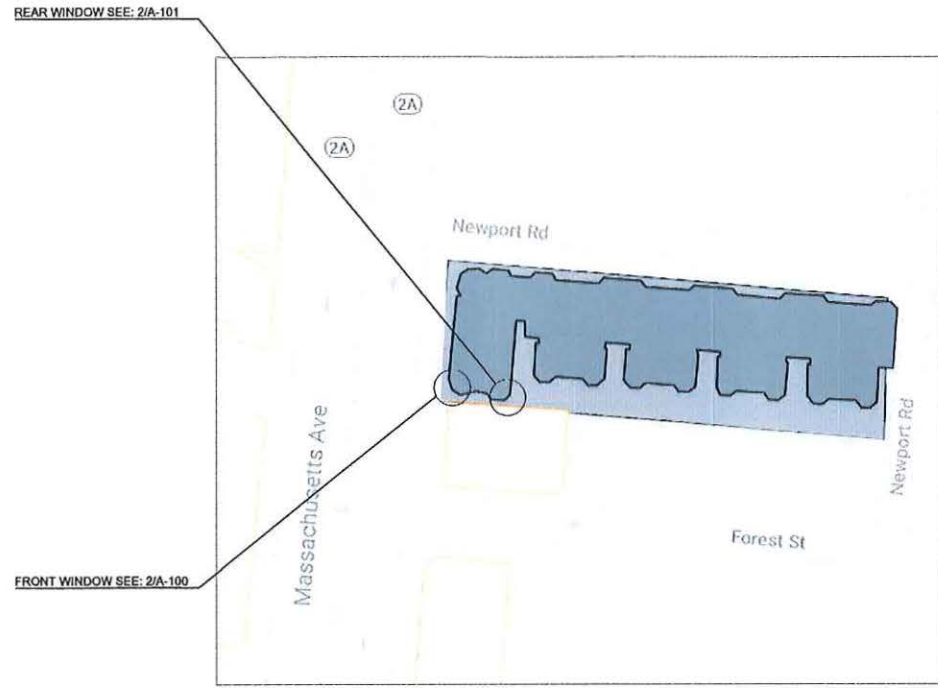
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A-101



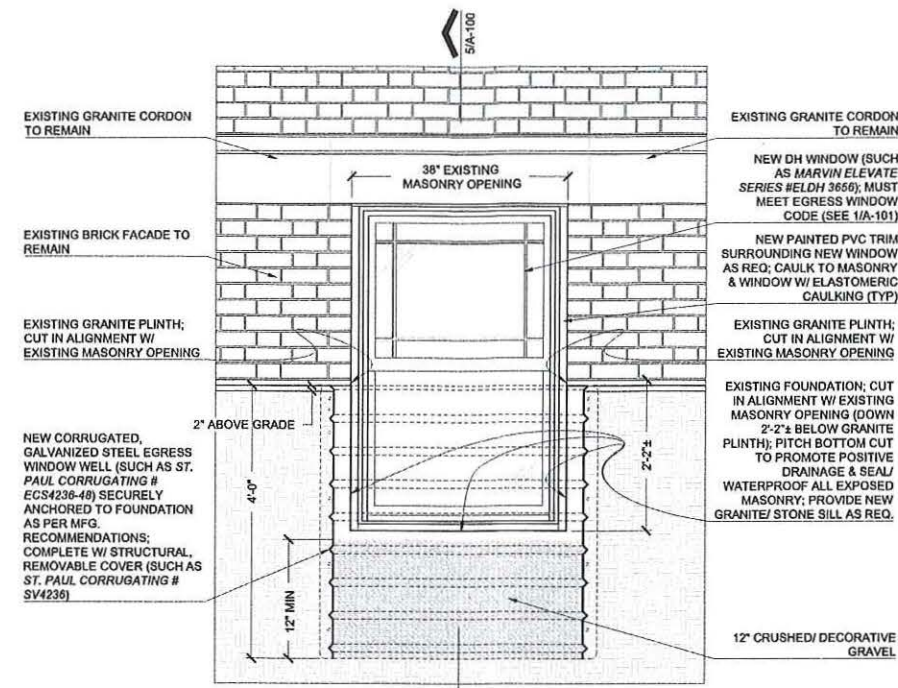
PROPOSED RESCUE / EGRESS WINDOWS AND WELLS
NEWPORT CONDOMINIUMS
1775 MASSACHUSETTS AVENUE
CAMBRIDGE, MA 02140

PROJECT NUMBER: 2103
DRAWING NUMBER:
A-SITE
SCALE: AS NOTED
DATE: 06.21.2021

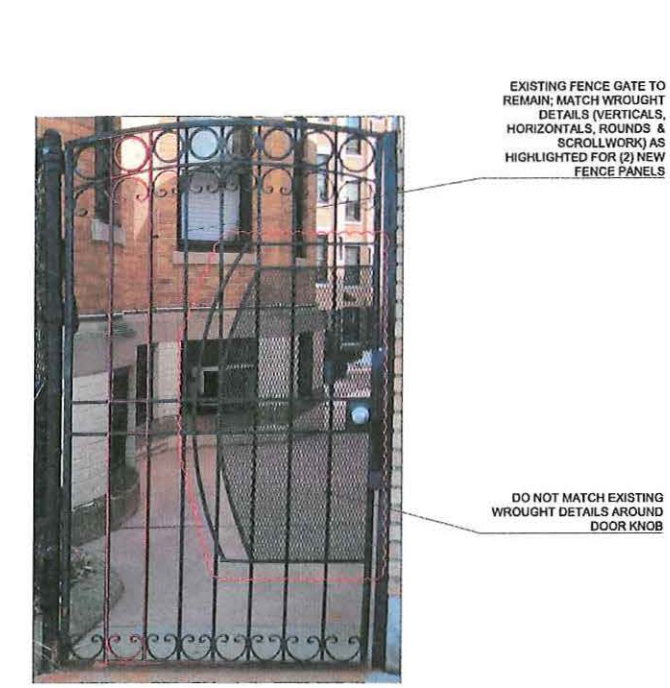
MAXWELL ARCHITECTS, LLC
PLANNING / PROGRAMMING / DESIGN
Architecture
Space Planning
Interior Design
Landscape Architecture
Family Programming
20 Madison Street
Somerville, Massachusetts 02144
(617) 666-8222
(617) 666-1277 FAX



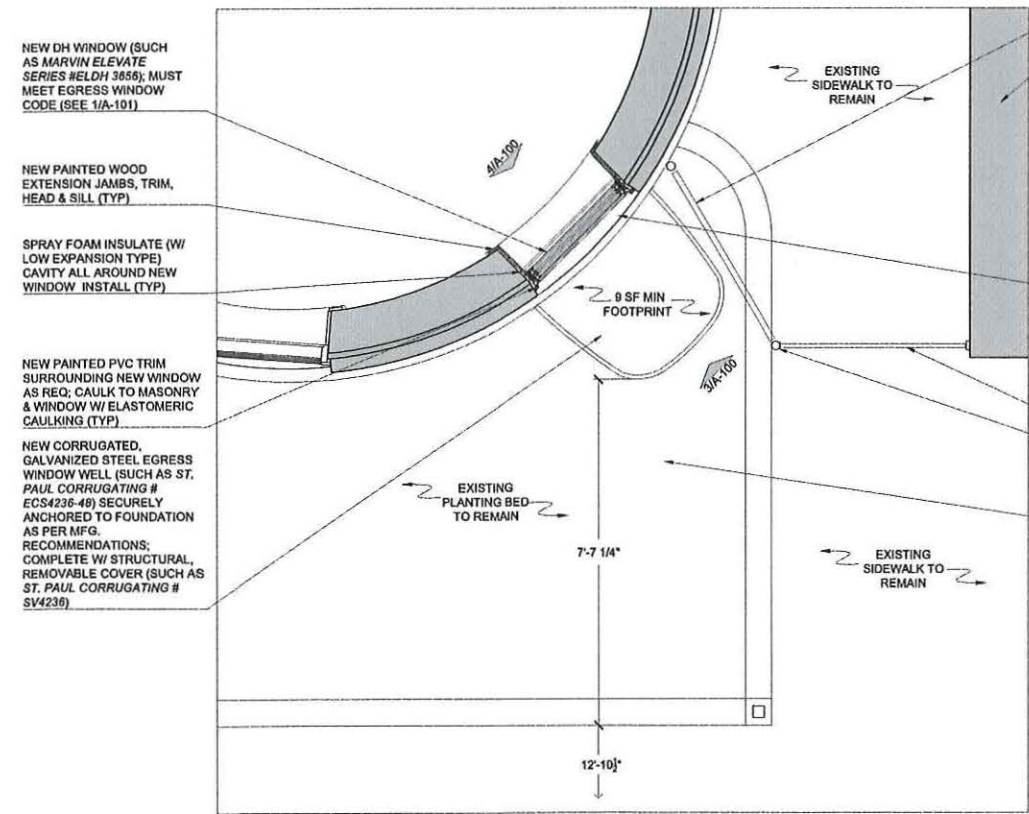
1
A-100
SITE KEY
NTS



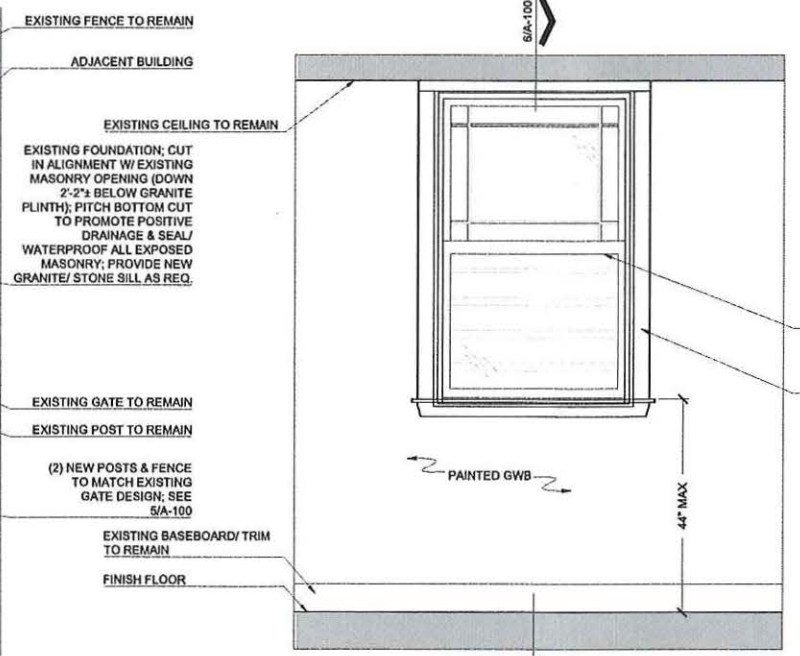
3
A-100
EXTERIOR ELEVATION
3/4" = 1'-0"



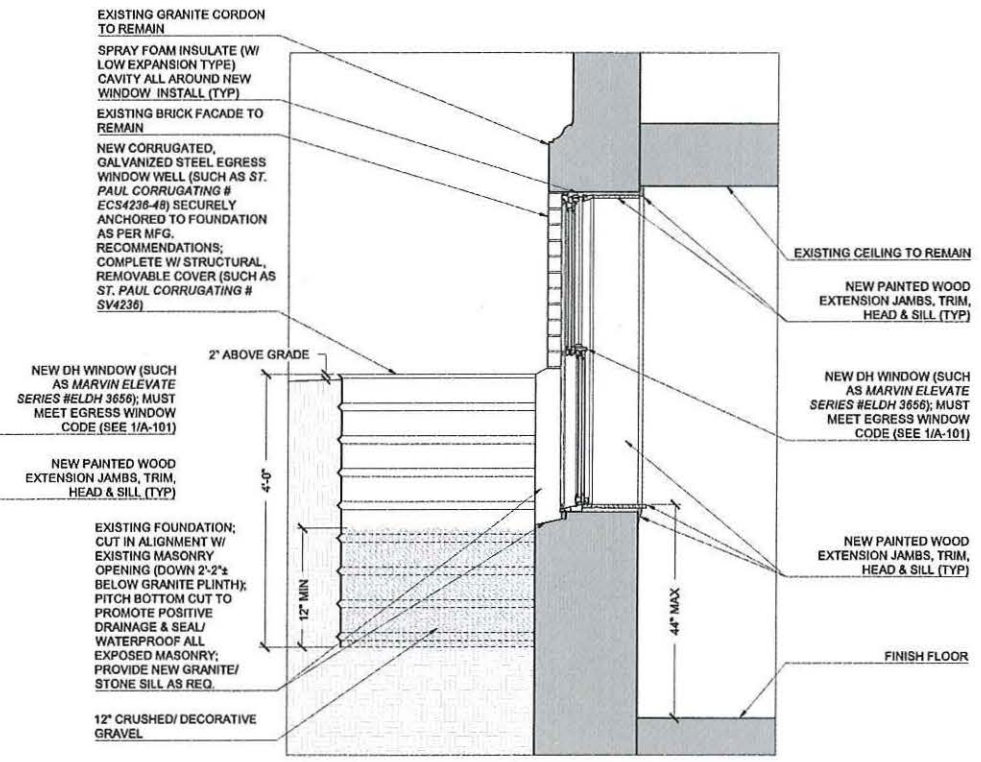
5
A-100
FENCE DETAIL
NTS



2
A-100
FRONT WINDOW PLAN
1/2" = 1'-0"



4
A-100
INTERIOR ELEVATION
3/4" = 1'-0"



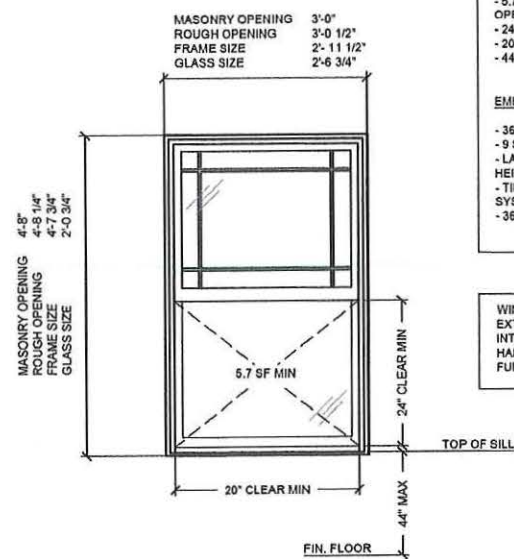
6
A-100
SECTION DETAIL
3/4" = 1'-0"

NOTE:
-WATERPROOF ALL NEWLY EXPOSED FOUNDATION & MASONRY
-PROVIDE WATERPROOF GASKET BTW NEW WINDOW WELL & EXISTING MASONRY/ FOUNDATION
-PROVIDE WATERPROOF MEMBRANE OVER WINDOW WELL-TO-FOUNDATION CONNECTION PRIOR TO BACKFILL
-BACKFILL AROUND NEW WINDOW WELL AS PER MFG RECOMMENDATIONS

UNIT 'B' EGRESS WINDOW INSTALLATION
NEWPORT CONDOMINIUMS
1775 MASSACHUSETTS AVENUE
CAMBRIDGE, MA
02140

MAXWELL ARCHITECTS, LLC
PLANNING / PROGRAMMING / DESIGN
Architect
Site Planning
Project Management
Facility Programming
20 Wilson Street
Somerville, Massachusetts 02144
(617) 626-5222
(617) 626-5227 FAX

PROJECT NUMBER: 2103
DRAWING NUMBER:
A-100
SCALE: AS NOTED
DATE: 04.01.2021



REQUIREMENTS FOR EGRESS WINDOW & WINDOW WELL FROM IRC 2015 SECTION R310

EMERGENCY EGRESS OPENINGS

- 5.7 SF (5.0 SF IF BELOW GRADE) MIN OPENING AREA
- 24" MIN OPENING HEIGHT
- 20" MIN OPENING WIDTH
- 44" MAX SILL HEIGHT

EMERGENCY EGRESS WINDOW WELLS

- 36" MIN WIDTH
- 9 SF MIN FOOTPRINT
- LADDER/STEPS NOT REQUIRED IF WELL HEIGHT IS LESS THAN 44"
- TIE INTO FOUNDATION DRAINAGE SYSTEM OR APPROVED ALTERNATE
- 36" MIN HEAD HEIGHT ABOVE WELL

WINDOW FINISHES:

- EXTERIOR: EBONY TO MATCH EXISTING
- INTERIOR: PRE-FINISHED WHITE
- HARDWARE: MATTE BLACK
- FULL SCREEN: BLACK ALUMINUM

1

A-101

TYPICAL WINDOW DETAILS

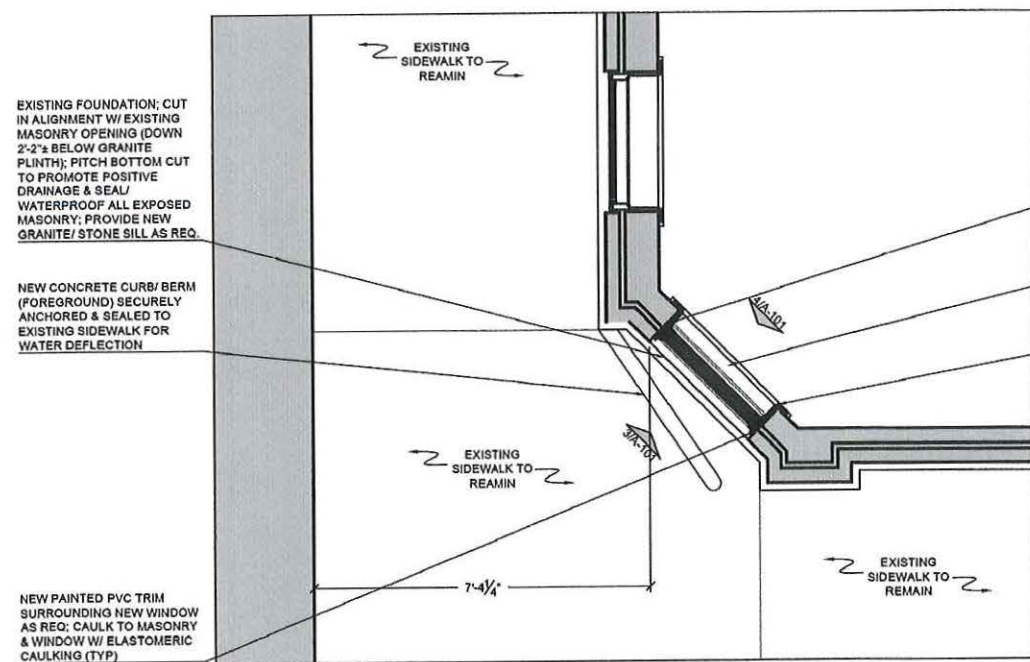
BASED ON MARVIN ELEVATE SERIES #ELDH 3656 3/4" = 1'-0"

3

A-101

EXTERIOR ELEVATION

3/4" = 1'-0"

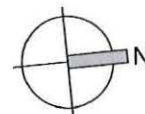


2

A-101

REAR WINDOW PLAN

1/2" = 1'-0"

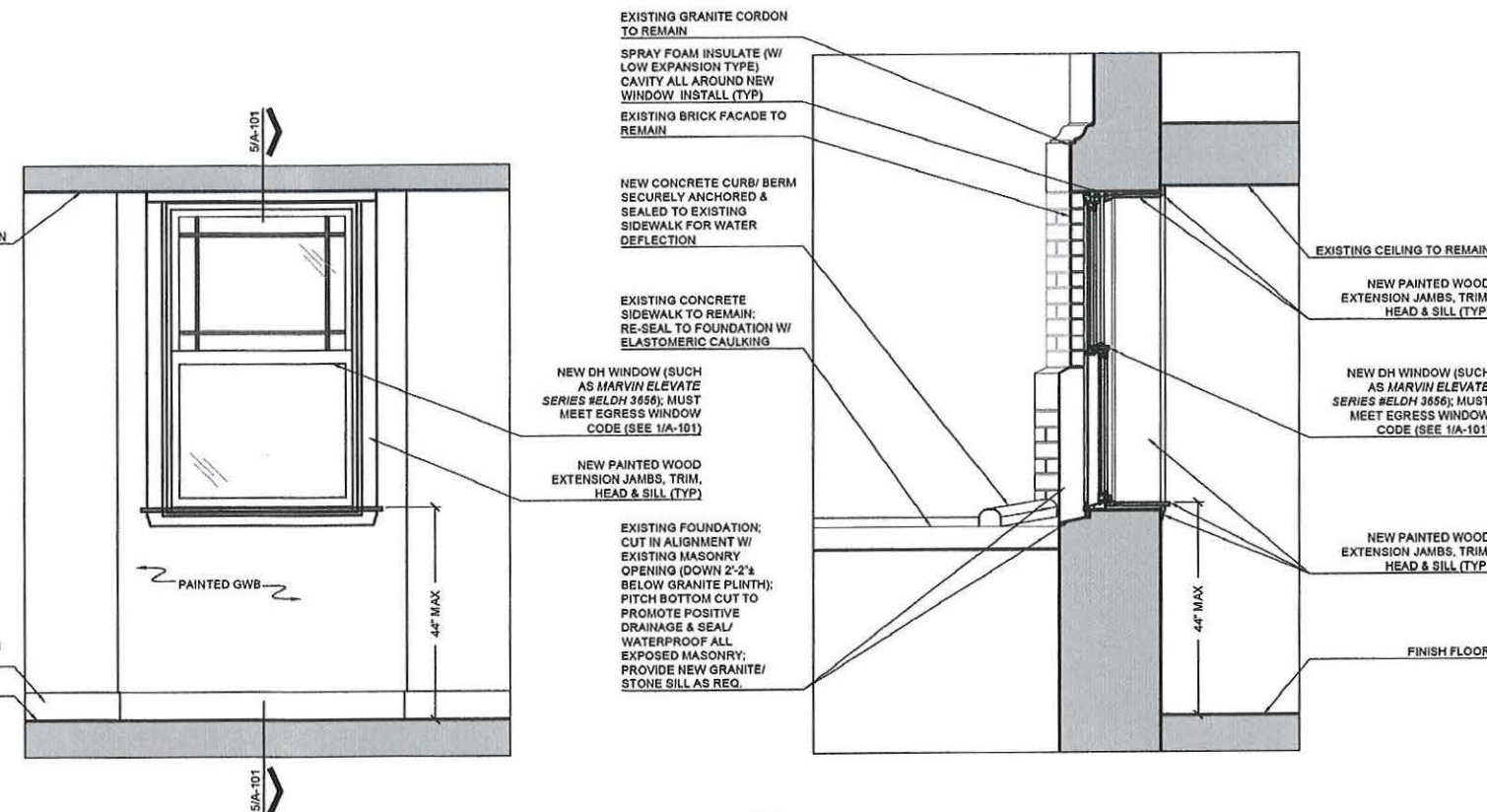


4

A-101

INTERIOR ELEVATION

3/4" = 1'-0"



5

A-101

SECTION DETAIL

3/4" = 1'-0"

UNIT 'B' EGRESS WINDOW INSTALLATION
NEWPORT CONDOMINIUMS
1775 MASSACHUSETTS AVENUE
CAMBRIDGE, MA
02140

PROJECT NUMBER: 2103

DRAWING NUMBER:

A-101

SCALE: AS NOTED

DATE: 04.01.2021

MAXWELL ARCHITECTS, LLC
PLANNING / PROGRAMMING / DESIGN

Architecture
Space Planning
Project Management
Facility Programming

20 Western Street
Cambridge, Massachusetts 02144
(617) 552-4222
(617) 552-4222 FAX

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NEWPORT

ROAD

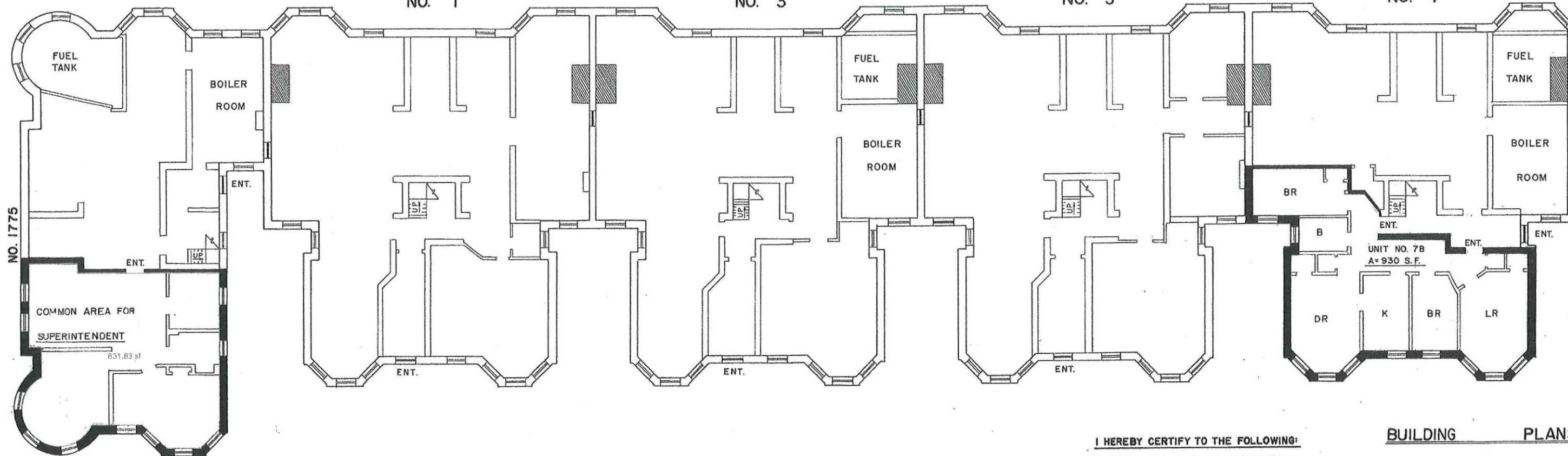
NO. 1

NO. 3

NO. 5

NO. 7

MASSACHUSETTS AVENUE



LEGEND

B	—	BATH
BR	—	BEDROOM
K	—	KITCHEN
D	—	DINING ROOM
LR	—	LIVING ROOM
ENT.	—	ENTRANCE
—	—	DOOR
—	—	WINDOW
—	—	CHIMNEY

BASEMENT

PLAN

NO. 1775		NO. 1775		NO. 1		NO. 3		NO. 5		NO. 7	
2	1	2	1	1	2	1	2	1	2	1	2
1775 B										7 B	
1ST FLOOR		1ST FLOOR		1ST FLOOR		1ST FLOOR		1ST FLOOR		1ST FLOOR	
BASEMENT FLOOR		BASEMENT FLOOR		BASEMENT FLOOR		BASEMENT FLOOR		BASEMENT FLOOR		BASEMENT FLOOR	

I HEREBY CERTIFY TO THE FOLLOWING:

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2. THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE MIDDLESEX COUNTY REGISTRY OF DEEDS.

DATE: June 26, 1981

Lawrence C. Allen
LAWRENCE C. ALLEN R.L.S. NO. 12424

BUILDING PLANS

CAMBRIDGE, MASS.
SCALE: 1/8" = 1'-0" JUNE 9, 1981

PREPARED FOR

NEWPORT APARTMENT TRUST

PREPARED BY

ALLEN & DEMURJIAN, INC.
ENGINEERS & LAND SURVEYORS
BOSTON, MASS.

NOTES:

1. SOLID BLACK WALLS INDICATE UNIT PERIMETER WALLS.
2. ALL DIMENSIONS ARE TO INSIDE FINISHED SURFACE.
3. UNIT AREAS INCLUDE ALL AREA DEFINED BY INSIDE FINISHED SURFACE OF UNIT PERIMETER WALLS.

SHEET 2 OF 11



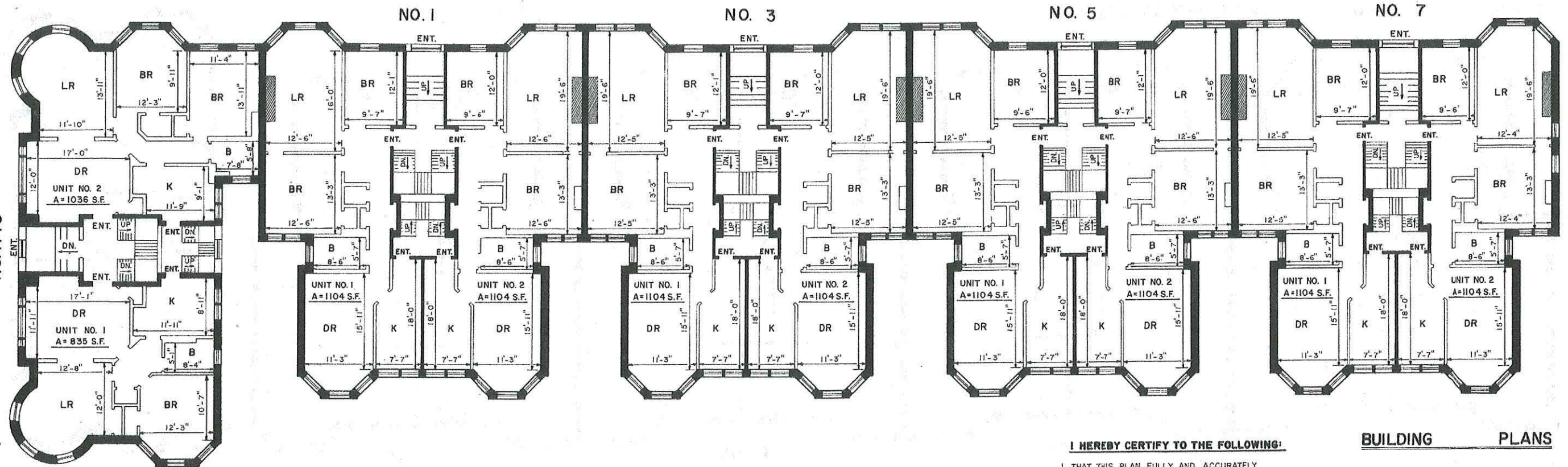


NEWPORT ROAD

AVENUE

MASSACHUSETTS

NO. 1775



LEGEND

- B — BATH
- BR — BEDROOM
- K — KITCHEN
- DR — DINING ROOM
- LR — LIVING ROOM
- ENT. — ENTRANCE
- DOOR
- WINDOW
- FIREPLACE

FIRST FLOOR PLAN

NO. 1775			NO. 1775			NO. 1			NO. 3			NO. 5			NO. 7		
4	3	2ND FLOOR	3	4	3	4	3	4	3	4	3	4	3	4	3	4	2ND FLOOR
2	1	1ST FLOOR	1	2	1	2	1	2	1	2	1	2	1	2	1	2	1ST FLOOR
	1775B	BASEMENT FLOOR															BASEMENT FLOOR

SCHEMATIC UNIT ELEVATIONS

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LAWRENCE C. ALLEN R.L.S. NO. 12424

BUILDING PLANS

CAMBRIDGE, MASS.

SCALE: 1/8" = 1'-0" JUNE 9, 1981

PREPARED FOR

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PREPARED BY

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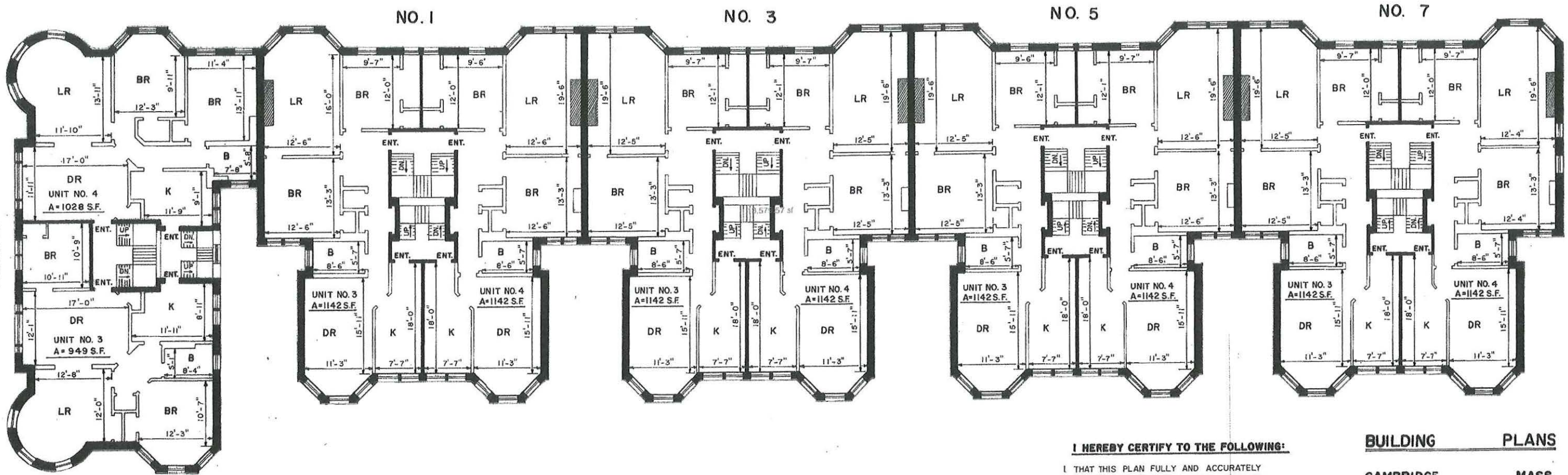
SHEET 3 OF 11
0' 6' 12' 18' 24'



NEWPORT ROAD

MASSACHUSETTS AVENUE

NO. 1775



LEGEND

- B — BATH
- BR — BEDROOM
- K — KITCHEN
- DR — DINING ROOM
- LR — LIVING ROOM
- ENT. — ENTRANCE
- DOOR
- WINDOW
- FIREPLACE

SECOND FLOOR PLAN

NO. 1775		3RD FLOOR
6	5	
4	3	
		2ND FLOOR
4	3	
		1ST FLOOR
2	1	

NO. 1775	NO. 1	NO. 3	NO. 5	NO. 7	3RD FLOOR
5	6	5	6	5	6
3	4	3	4	3	4
1	2	1	2	1	2

SCHEMATIC UNIT ELEVATIONS

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DATE: June 26, 1981

LAWRENCE C. ALLEN

R.L.S. NO. 12424

BUILDING PLANS

CAMBRIDGE, MASS.
SCALE: 1/8" = 1'-0" JUNE 9, 1981

PREPARED FOR
NEWPORT APARTMENT TRUST

PREPARED BY
ALLEN & DEMURJIAN, INC.
ENGINEERS & LAND SURVEYORS
BOSTON, MASS.

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SHEET 4 OF 11





MASSACHUSETTS AVENUE

NO. 1775

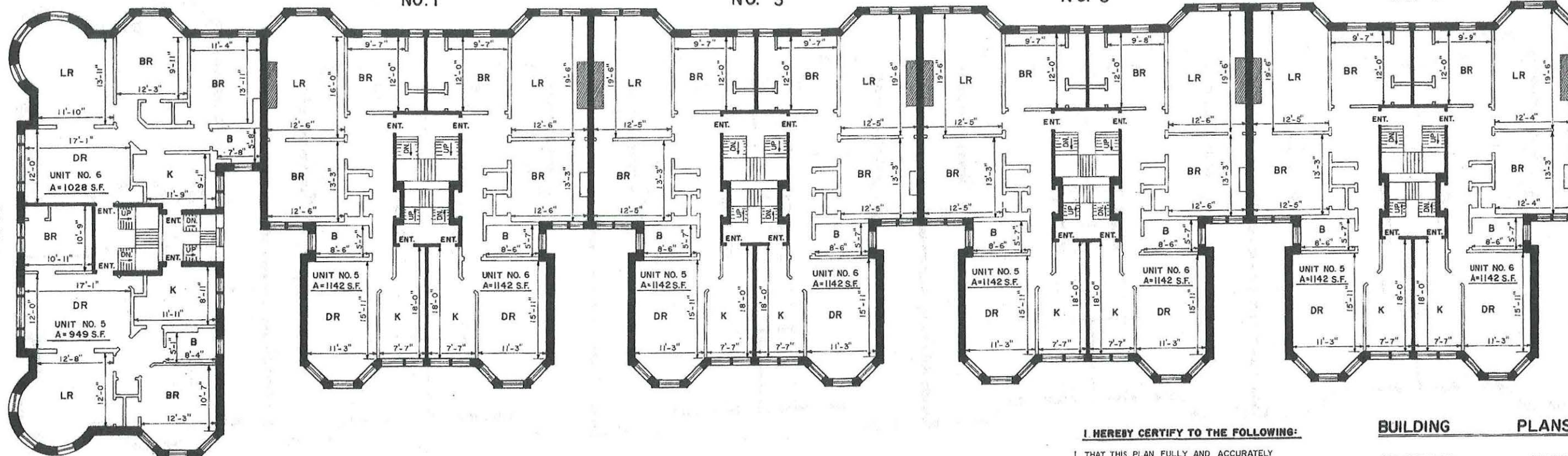
NEWPORT ROAD

NO. 1

NO. 3

NO. 5

NO. 7



LEGEND

- B — BATH
- BR — BEDROOM
- K — KITCHEN
- DR — DINING ROOM
- LR — LIVING ROOM
- ENT. — ENTRANCE
- DOOR
- WINDOW
- FIREPLACE

THIRD FLOOR PLAN

NO. 1775		
8	7	4TH FLOOR
6	5	3RD FLOOR
4	3	2ND FLOOR

NO. 1775	NO. 1	NO. 3	NO. 5	NO. 7	4TH FLOOR
7	8	7	8	7	8
5	6	5	6	5	6
3	4	3	4	3	4

SCHEMATIC UNIT ELEVATIONS

I HEREBY CERTIFY TO THE FOLLOWING:

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DATE: JUNE 26, 1981

Lawrence C. Allen
LAWRENCE C. ALLEN R.L.S. NO. 12424

BUILDING PLANS

CAMBRIDGE, MASS.
SCALE: 1/8" = 1'-0" JUNE 9, 1981

PREPARED FOR
NEWPORT APARTMENT TRUST

PREPARED BY
ALLEN & DEMURJIAN, INC.
ENGINEERS & LAND SURVEYORS
BOSTON, MASS.

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SHEET 5 OF 11
0' 8' 16' 24'

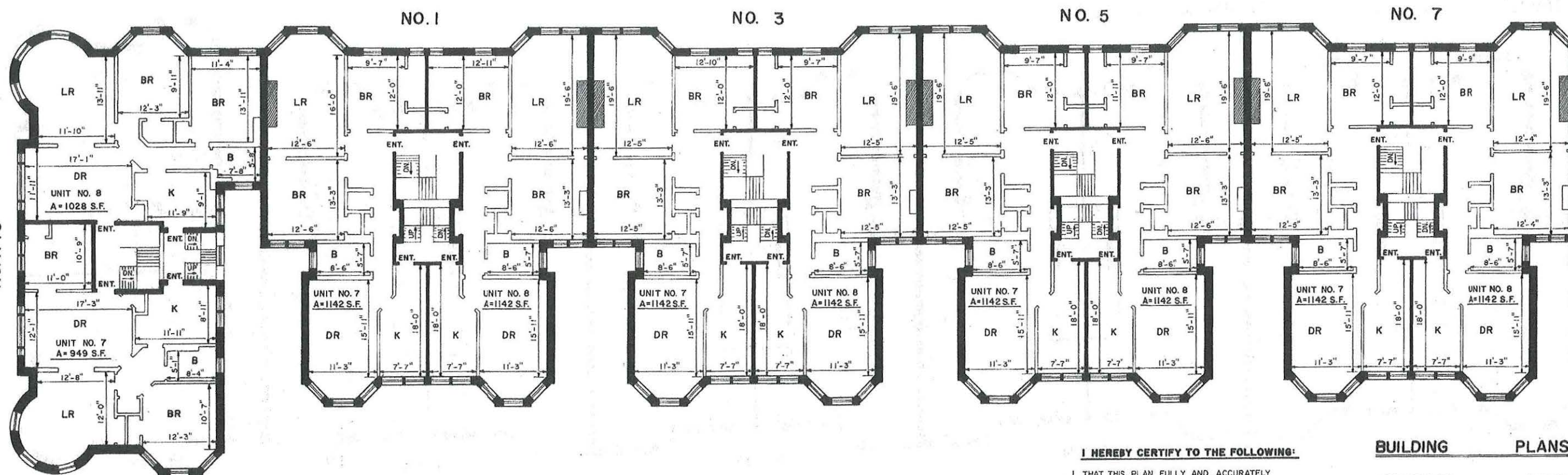
PLAN NUMBER 839(6.5.11) OF 1981
RECORDED, BOOK 4368 PAGE 250



NEWPORT ROAD

MASSACHUSETTS AVENUE

NO. 1775



LEGEND

- B — BATH
- BR — BEDROOM
- K — KITCHEN
- DR — DINING ROOM
- LR — LIVING ROOM
- ENT. — ENTRANCE
- DOOR
- WINDOW
- FIREPLACE

FOURTH FLOOR PLAN

NO. 1775		NO. 1		NO. 3		NO. 5		NO. 7	
8	7	7	8	7	8	7	8	7	8
6	5	5	6	5	6	5	6	5	6

SCHEMATIC UNIT ELEVATIONS

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DATE: June 26, 1981

Lawrence C. Allen
LAWRENCE C. ALLEN R.L.S. NO. 12424



BUILDING PLANS

CAMBRIDGE, MASS.
SCALE: 1/8" = 1'-0" JUNE 9, 1981

PREPARED FOR
NEWPORT APARTMENT TRUST

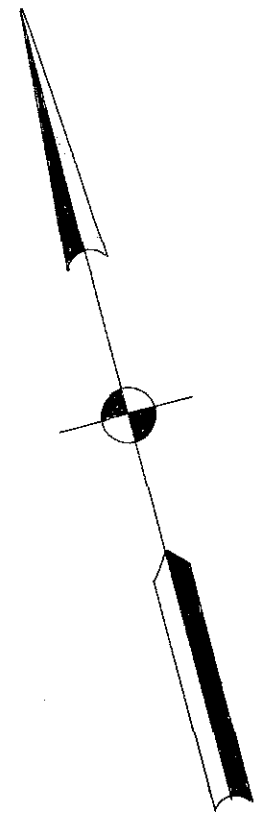
PREPARED BY
ALLEN & DEMURJIAN, INC.
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BOSTON, MASS.

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SHEET 6 OF 11
0 8' 16' 24'

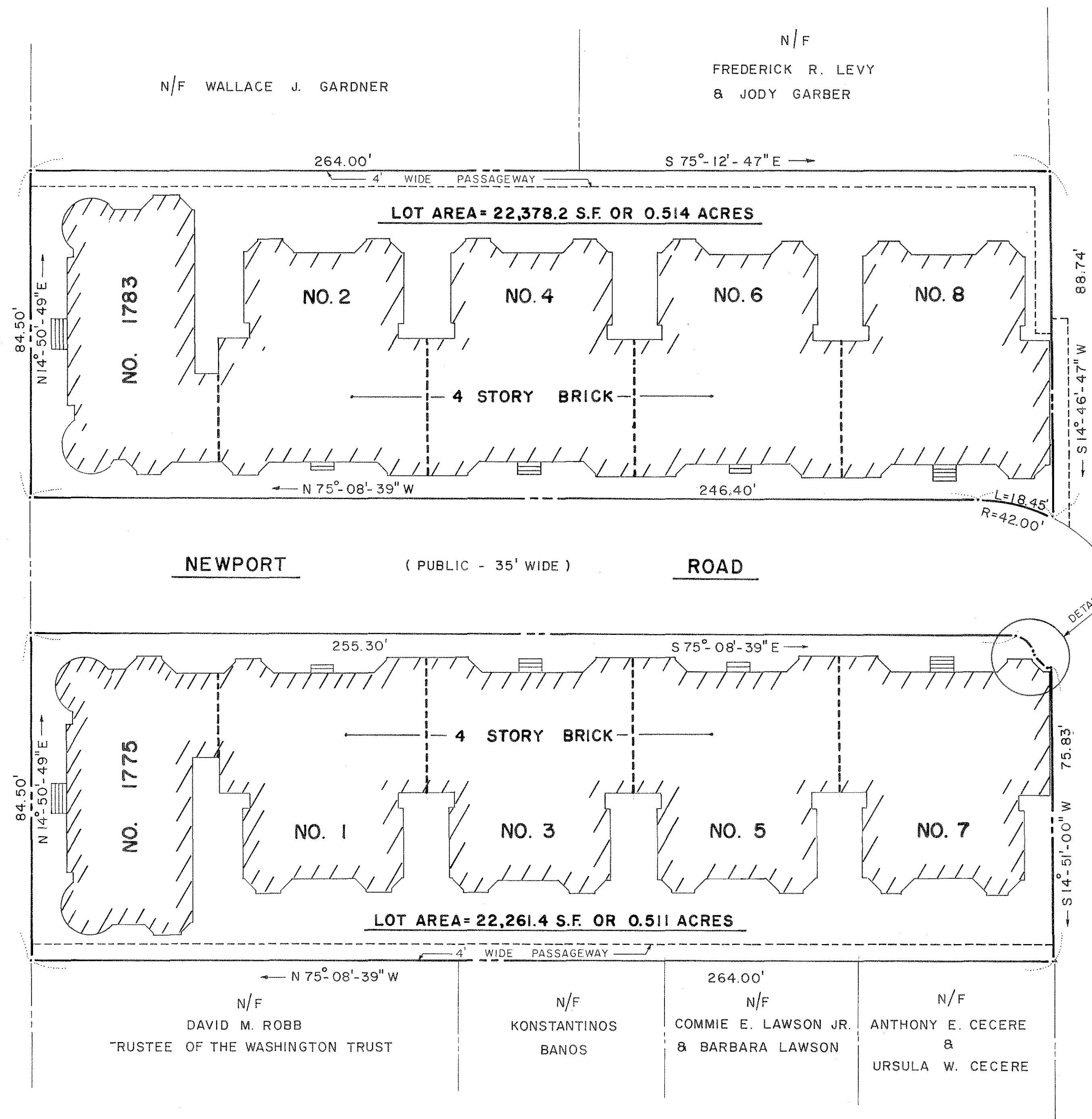
PLAN NUMBER 839 (E of 11) of 1981
RECORDED, BOOK 14368, PAGE 250



AVENUE

(PUBLIC - 98' WIDE)

MASSACHUSETTS



PLAN OF LAND

IN
CAMBRIDGE, MASS.
SCALE: 1" = 20'
JUNE 9, 1981

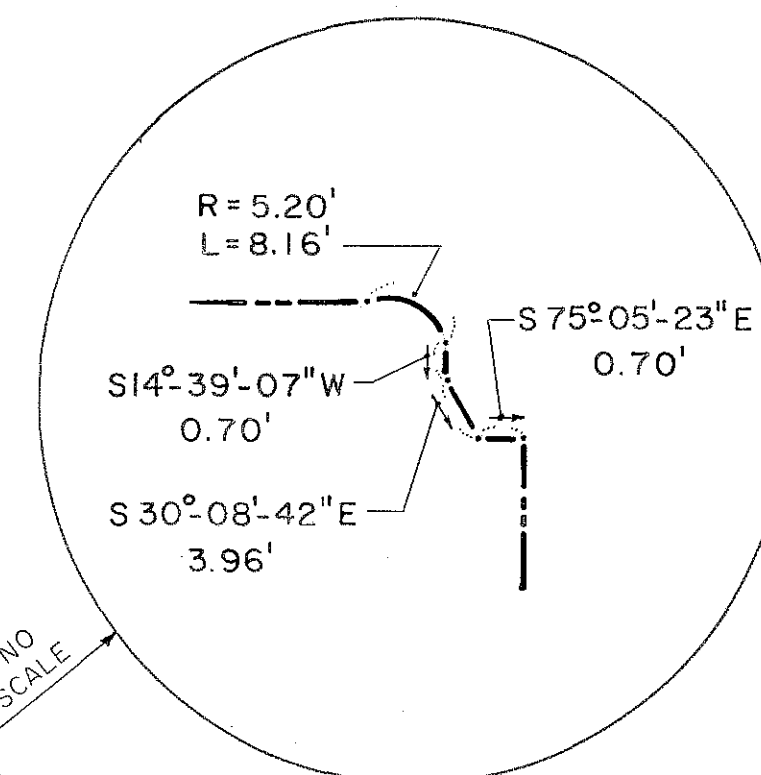
PREPARED FOR

NEWPORT APARTMENT TRUST

PREPARED BY

ALLEN & DEMURJIAN, INC.
ENGINEERS & LAND SURVEYORS
BOSTON, MASS.

N/F
NEWPORT APARTMENT TRUST



I HEREBY CERTIFY TO THE FOLLOWING:

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DATE: June 26, 1981

Lawrence C. Allen
LAWRENCE C. ALLEN R.L.S. NO. 12424

SHEET 1 OF 11



Attest:
John T. Capodillo
Register


Recorded, Book 4368, Page 250.

Plan Number 839140511 of 1981
Rec. JULY 31, 1981 at 8:55 AM
Middlesex County, Doc. No. 16
STEPHEN J. ROBB & STRASERS.

Middlesex Registry of Deeds, So. Dist.
Cambridge, Mass.
FEE \$15.00
BY SM

NEWPORT CONDOMINIUM

Legend

 1775 Massachusetts Ave

1775 Massachusetts Ave

Google Earth

Data LDEO, Columbia, NSF, NOAA

Data SIQ, NOAA, U.S. Navy, NGA, GEBCO

Image Landsat / Copernicus



70 ft

NEWPORT CONDOMINIUM

Legend

 1775 Massachusetts Ave

1775 Massachusetts Ave

EXPRESS WINDO &
WELL

Google Earth

Data: LDEO-Columbia, NSF, NOAA
Data SIO, NOAA, U.S. Navy, NGA, GEBCO
Image: Landsat / Copernicus

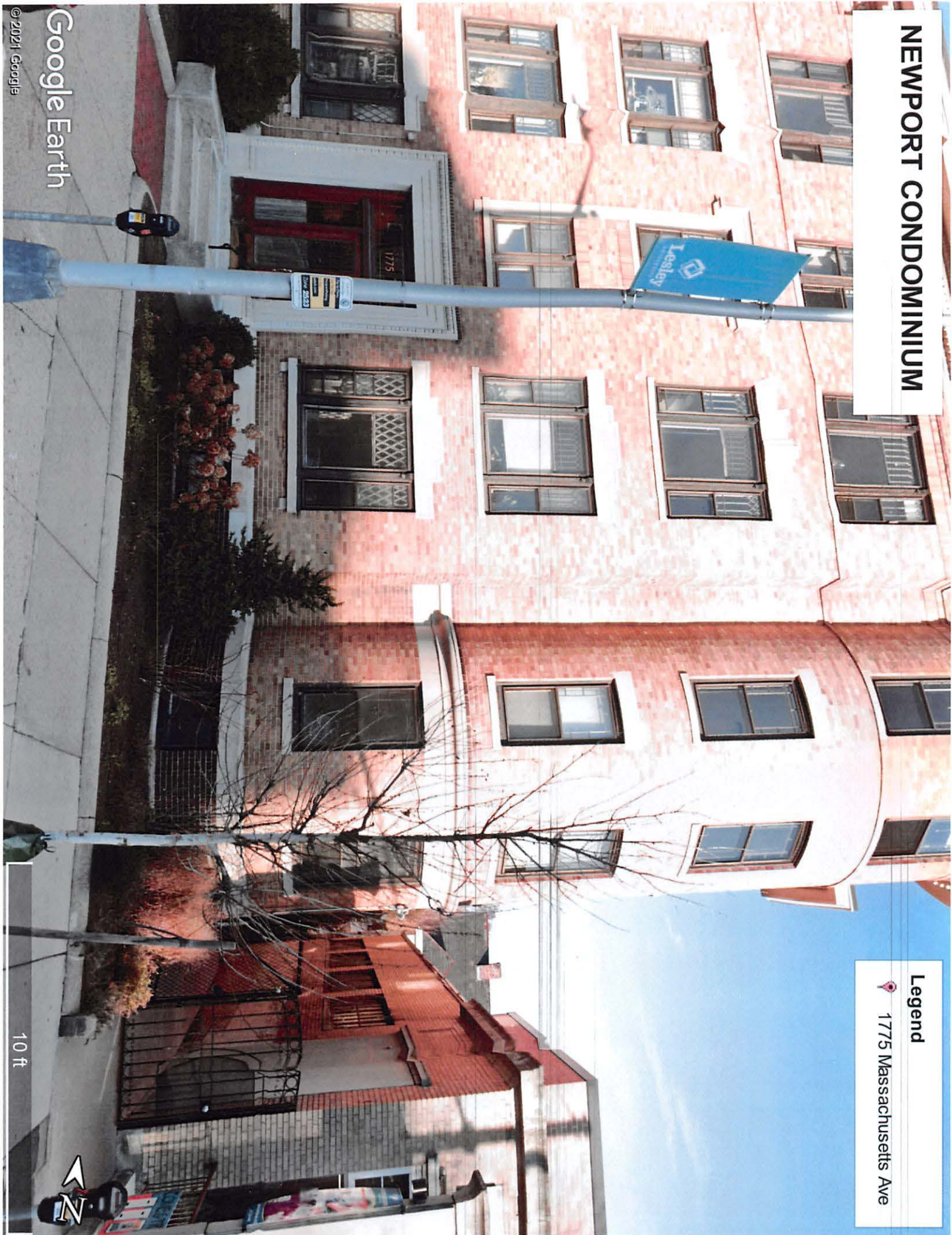
70 ft



NEWPORT CONDOMINIUM

Legend

 1775 Massachusetts Ave



FRONT WINDOW
FOR EXPRESS
WELL





EXISTING
SIDE YARD



SIDE WINDOW FOR
ENLARGED WINDOW
ABOVE GRAVE



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 NEWPORT ROAD CONDOMINIUM TRUST 40 THAYER + ASSOCIATES, INC. AS agent
AND NORMAN GOPIN AS PROPERTY MANAGER (OWNER)
Address: 1-7 + 2-8 NEWPORT ROAD CAMBRIDGE, MA.

State that I/We own the property located at 1-7 & 2-8 NEWPORT RD.,
which is the subject of this zoning application. CAMBRIDGE, MASS.

The record title of this property is in the name of NEWPORT ROAD
CONDOMINIUM TRUST

*Pursuant to a deed of duly recorded in the date JULY 12, 1915, Middlesex South
County Registry of Deeds at Book 14368, Page 250; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Norman H. Gopin, agent
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 Norman H. Gopin personally appeared before me,
this 23 of June, 2021, and made oath that the above statement is true.

[Signature] Notary

My commission expires 1-29-2027 (Notary Seal).



MARGARET LUZZO-KING
Notary Public
Commonwealth of Massachusetts
My Commission Expires
January 29, 2027

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

Salma Abu Ayyash
2 Newport Road Apt. 8
Cambridge, MA 02140
Tel: +1 617 642 9640
Email: salma.abuayyash@gmail.com

July 15, 2021

To whom it may concern,

I am a Newport Condominium Trust resident, and I am in support of the plans that our architect Marc Maxwell shared with our board and community regarding the modification of windows and the front window well of Unit 1775B Massachusetts avenue.

Regards,

A handwritten signature in purple ink, appearing to read 'Salma Abu Ayyash'.

Salma Abu Ayyash

Subject: Letter from neighbor to Board of Appeal (BZA) Special Permit/Variance #130250
From: Janet Reckman <jreckman@comcast.net>
Date: 7/16/2021, 9:03 AM
To: marc@maxwellarchitects.com
CC: Norman Gopin <ngopin@thayerassociates.com>, Salma Abu Ayyash <salma.abuayyash@gmail.com>

July 16, 2021

To Members of the Board of Zoning Appeals:

I have been an owner and resident of Newport Rd. for over 25 years. This letter is to confirm my full support for the design provided by our architect, Marc Maxwell, for the modification of the egress windows and front window well. I ask for your approval of the special permit.

Thank you,
Janet Reckman
4-1 Newport Road

MAXWELL ARCHITECTS, LLC
PLANNING/PROGRAMMING/DESIGN

July 13, 2021

Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

RE: Newport Condominium
1775 Massachusetts Avenue
Unit 1775B
Special Permit Application #BZA130250

Each of the following requirements for a variance must be established and set forth in detail. This is for the egress windows to finalize submitting.

The proposed project comprises enlarging two existing windows in an existing lower level residential apartment and the installation of one egress window well on the existing window in the front yard. The purpose of this project is to create compliant Egress/Rescue Windows in the two existing bedrooms. This unit is owned by the Newport Road Condominium Trust and is a residential rental unit, that has been previously occupied.

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

The identified non-conformity of enlarging these two windows and the installation of a single egress/escape window well in the front yard is governed by 5.30 District Dimensional Regulations. The property is located in a Residential B district, as well as in a Basement Housing Overlay District. The Zoning Code calls for a 15' Front yard and both the existing front bedroom window and proposed window well fall within this setback area. The second existing bedroom window to be enlarged falls beyond the 7'-6" minimum required side yard. Literal application of the Front and side yard limitations renders these two bedrooms, and this the unit, unoccupiable as they would not meet Massachusetts Building Code requirements for Egress/Rescue Windows in each bedroom.

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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 proposed window enlargements are both to be accomplished by utilizing the existing window openings, enlarging the window size by increasing its height and lowering its sill on the interior to meet the maximum allowable height from the interior bedroom floor. The heads and lintels of both openings will not be altered from their existing conditions. The front yard window egress/rescue well will be located below grade and thus does not adversely impact the neighborhood. Article 5.2.4.2 allows for projecting elements and those elements less than 4 feet above grade to extend into the minimum yard setbacks. The proposed window well will only minimally extend above ground and thus complies with this regulation.

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

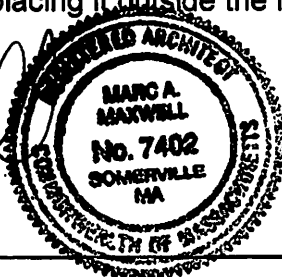
Providing the requested relief allows this previously occupied two bedroom unit to again be rented, maintaining this housing unit in this time and area of severely limited availability and affordability. The visible windows are existing and are only be lengthened. The bottom of the window well will be permeable gravel, allowing rain water and snow melt to return to the groundwater. The front yard landscaping will be repaired after the installation of the window well, masking the well from sight.

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

The proposed alterations make the existing two bedroom residential unit habitable by correcting an existing nonconformity with the Building/Life Safety Code for egress/rescue windows in bedrooms. The unit is located within the Basement Housing Overlay District intended to encourage creation and occupation of such basement residential units. The existing front bay of the building is located 7'-7" feet from the front yard property line and the proposed window well front edge will coincide with this distance. The side yard window is set back 7'-1/4" beyond the existing building sidewall, located 7'-3" from the side yard property line, placing it outside the required 7'-6" side yard restriction.

Sincerely,


Marc A. Maxwell, AIA
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