

**BZA Application Form**

**BZA Number: 144871**

2021 NOV -9 PM 2:30

**General Information**

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

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

Special Permit: \_\_\_\_\_

Variance:   X  

Appeal: \_\_\_\_\_

**PETITIONER:** Elizabeth Kowalski C/O Paul at B&D Building and Remodeling

**PETITIONER'S ADDRESS:** 1161 Broadway, Somerville, MA 02144

**LOCATION OF PROPERTY:** 17 Dudley St., Unit 17/2., Cambridge, MA

**TYPE OF OCCUPANCY:** Residential - 3 Family

**ZONING DISTRICT:** Residential B Zone

**REASON FOR PETITION:**

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

Roof over top floor front porch was requested & added to match adjacent house to provide Homeowner covered outdoor space.

**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):

Paul Domenici

(Petitioner (s) / Owner)

PAUL DOMENICI

(Print Name)

Address:

Tel. No.                      617-628-6890

E-Mail Address:      lisa@bdbuild.com

Date: 11/4/21

**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 Elizabeth Kowalski  
(OWNER)

Address: 17 Dudley Street, No 2 Cambridge MA 02139

State that I/We own the property located at 17 Dudley St, no 2 Cambridge MA,  
which is the subject of this zoning application.

The record title of this property is in the name of Edward Loveall and  
Elizabeth Kowalski

\*Pursuant to a deed of duly recorded in the date 10/24/2018, Middlesex South  
County Registry of Deeds at Book 152, Page 97; 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.**

-----

State of Florida, County of Broward

The above-name Elizabeth Joan Kowalski personally appeared before me,  
this 25th of January, 2021, and made oath that the above statement is true.  
Who produced a drivers license as identification \_\_\_\_\_

 Mikhail Clarke Notary

My commission expires 06/08/2024 HH7610 (Notary Seal).



Notarized online using audio-video communication

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



218 01800190  
Bk: 152 Pg: 97 Cert#: U28791  
Doc: DEED 10/24/2018 03:42 PM

*Deed - U*

### CONDOMINIUM UNIT DEED

GRANTOR: Megan Brady an unmarried woman of Canandaigua, NY,  
GRANTEE: Edward Loveall and Elizabeth Kowalski, husband and wife, tenants by  
the entirety, both of 15-17 Dudley St, Unit 2, Cambridge, Middlesex  
County, Massachusetts  
UNIT NUMBER: 17-2 PERCENTAGE INTEREST: 33 1/3

CONSIDERATION: Six Hundred Twenty Five Thousand and 00/100 Dollars (\$625,000.00)

POST OFFICE ADDRESS: 17 Dudley Street, No 2, Cambridge, MA 02139

GRANTOR, owner of the UNIT NUMBER 17-2 as described in the 15-17 Dudley Street Condominium, created by Master Deed dated September 10, 1992 and filed on January 27, 1993, with the Land Court Department located at the Middlesex South District Registry of Deeds as Document Number 894225 and noted on Certificate of Title No. C273, Book C22, Page 3 in accordance with the provisions of M.G.L. c. 183A, grants the said UNIT to GRANTEE individually, with QUITCLAIM COVENANTS for the CONSIDERATION stated above.

The UNIT is laid out as shown on a plan filed with said Master Deed and to which is affixed a verified statement in the form provided for in Massachusetts General Laws, Chapter 183A, Section 9.

It is subject to and with the benefit of the obligations, restrictions, rights and liabilities contained in M.G. L. C183A, the Master Deed and the By-Laws filed therewith.

The Condominium and each of the units is intended for residential purposes and other uses permitted by the applicable Zoning Ordinances as set forth in the Master Deed.

The Grantor hereby release any and all homestead rights in the property and hereby declare that no other person is entitled to protection under Massachusetts General Laws Chapter 188.

For Grantor's title see deed recorded with the Land Court Department at the Middlesex South Registry of Deeds at Document No. 01569125 on Certificate of Title No. U21578.

MASSACHUSETTS EXCISE TAX  
Southern Middlesex District ROD # 001  
Date: 10/24/2018 03:42 PM  
Ctrl# 291166 02109 Doc# 01800190  
Fee: \$2,850.00 Cons: \$625,000.00

*OK*

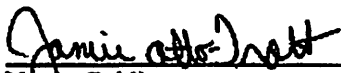
EXECUTED as an instrument under seal this 16<sup>th</sup> day of October, 2018.

  
Megan Brady

## STATE OF NEW YORK

County of Ontario; ss

On this 16<sup>th</sup> day of October, 2018, before me, the undersigned notary public, personally appeared Megan Brady, proved to me through satisfactory evidence of identification, which was Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose, as her free act and deed.

  
Notary Public:  
My Commission Expires: 09/02/2022

JAMIE OTTO TROTT  
Notary Public, State of New York  
Ontario County Reg. #01078310618  
Commission Expires 09/02/2022

## **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:

Roof provides protection for Owner from weather conditions for the room adjacent to the porch

- 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:

this is a pre-existing & non-conforming condition

- 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:

covered outdoor space at 3rd floor

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

the roof complies with the rest of the neighborhood and was done with the understanding that it will not add square footage to the unit at anytime in the future.

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



**BZA Application Form**

**DIMENSIONAL INFORMATION**

**Applicant:** Elizabeth Kowalski

**Present Use/Occupancy:** Residential - 3 Family

**Location:** 1161 Broadway

**Zone:** Residential B Zone

**Phone:** 617-628-6890

**Requested Use/Occupancy:** Residential-3 Family

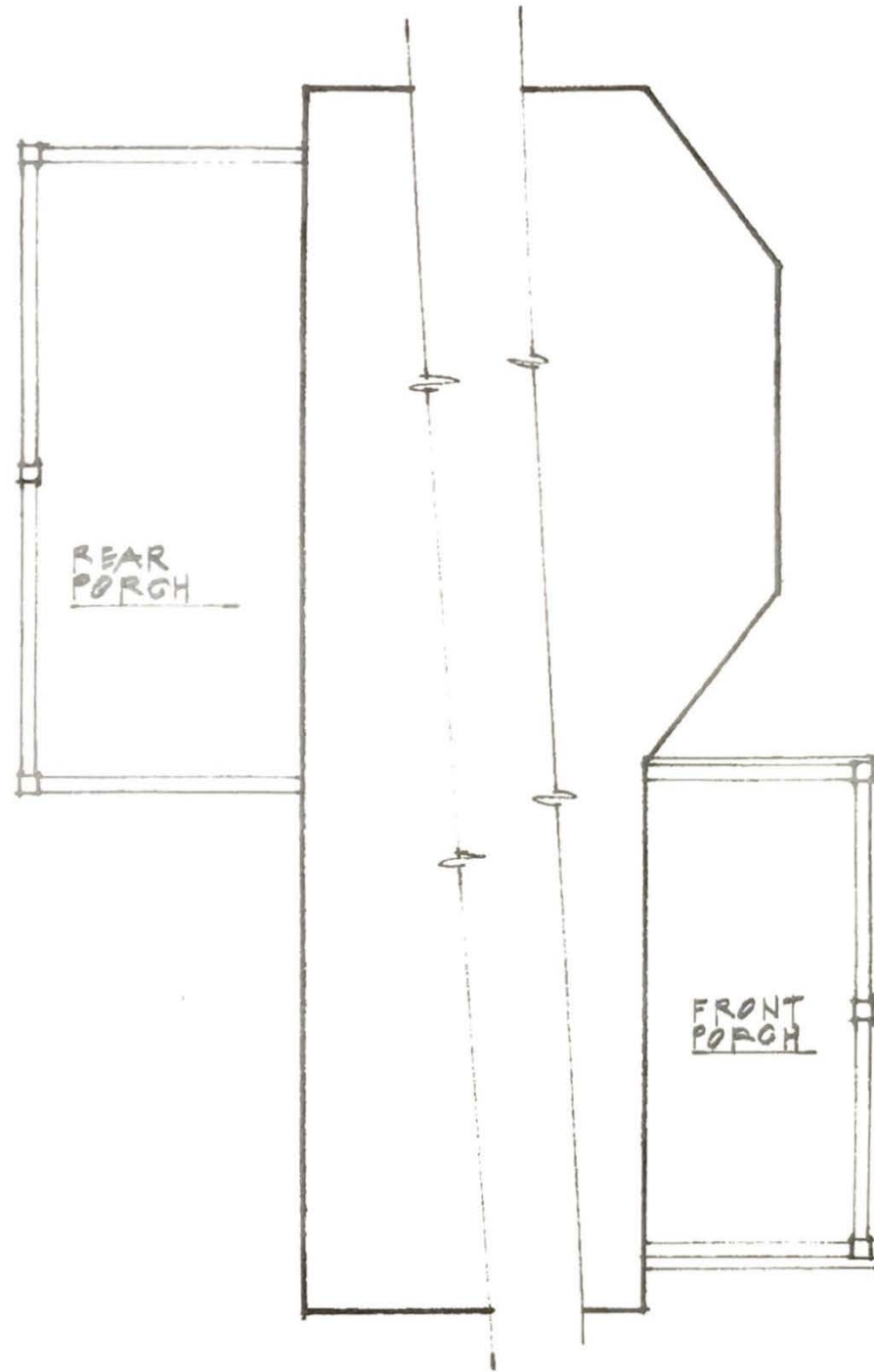
	<b><u>Existing Conditions</u></b>	<b><u>Requested Conditions</u></b>	<b><u>Ordinance Requirements</u></b>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>	3488	3543	1621	(max.)
<b><u>LOT AREA:</u></b>	3243	N/A	5000	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u></b>	1.09	1.092	.5	
<b><u>LOT AREA OF EACH DWELLING UNIT</u></b>	1081	1081	2500	
<b><u>SIZE OF LOT:</u></b>				
WIDTH	37	37	50	
DEPTH	N/A	N/A	N/A	
<b><u>SETBACKS IN FEET:</u></b>				
FRONT	18	18	15	
REAR	15	15	25	
LEFT SIDE	4.75	4.75	7.5	
RIGHT SIDE	8.72	8.72	7.5	
<b><u>SIZE OF BUILDING:</u></b>				
HEIGHT	35	35	35	
WIDTH	N/A	N/A	N/A	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>	0.64	0.64	0.40	
<b><u>NO. OF DWELLING UNITS:</u></b>	3	3	N/A	
<b><u>NO. OF PARKING SPACES:</u></b>	1	1	3	
<b><u>NO. OF LOADING AREAS:</u></b>	N/A	N/A	N/A	
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u></b>	N/A	N/A	N/A	

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

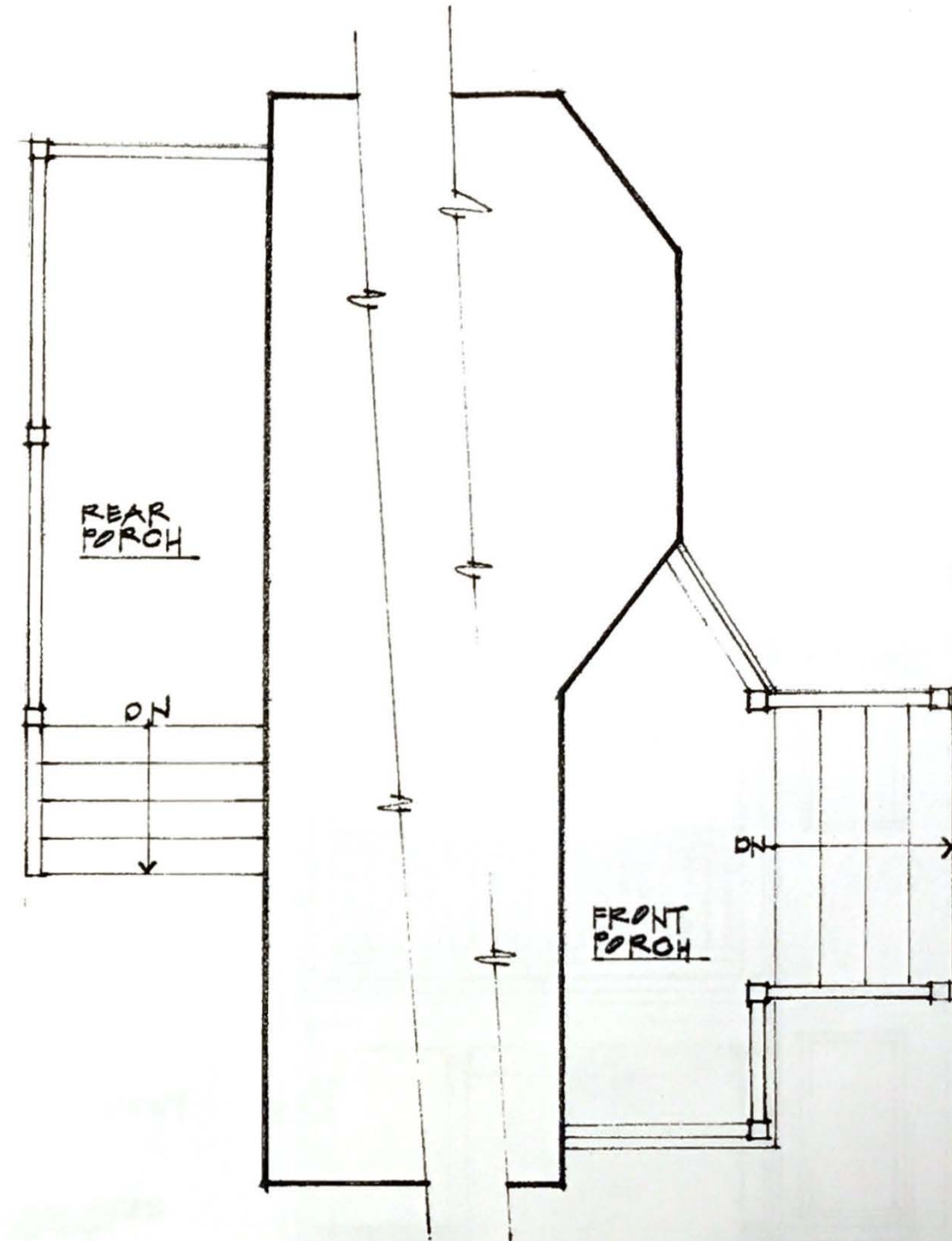
N/A

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'.

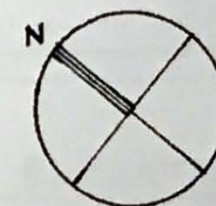
**BZA Application Form**



SECOND FLOOR PLAN  
THIRD FLOOR SIMILAR



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



1 x 4 DECKING

DECK SLEEPERS, P.T.,  
RIPPED

NEW B.P.O.M. ROOFING  
ON 1/2" PLYWOOD

POST & RAILING

2 x 12 BRACING

1 x 4 TRIM

GUTTER/DOWNSPOUT

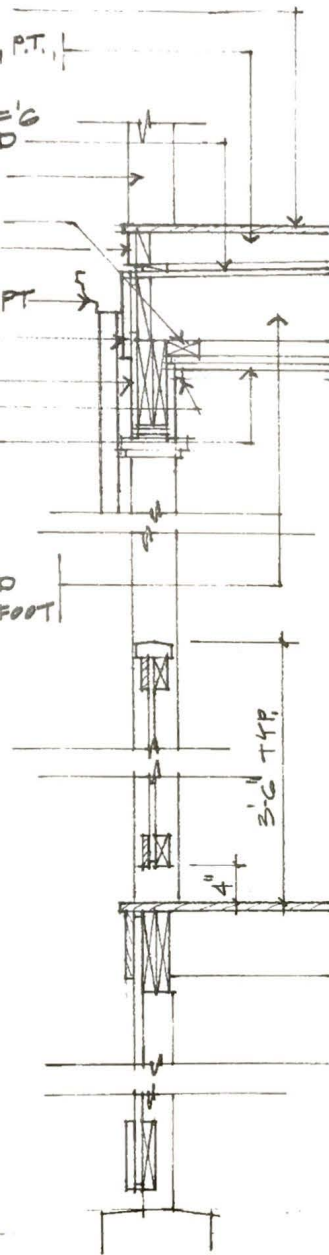
1 x 8 TRIM

1 x 10 TRIM

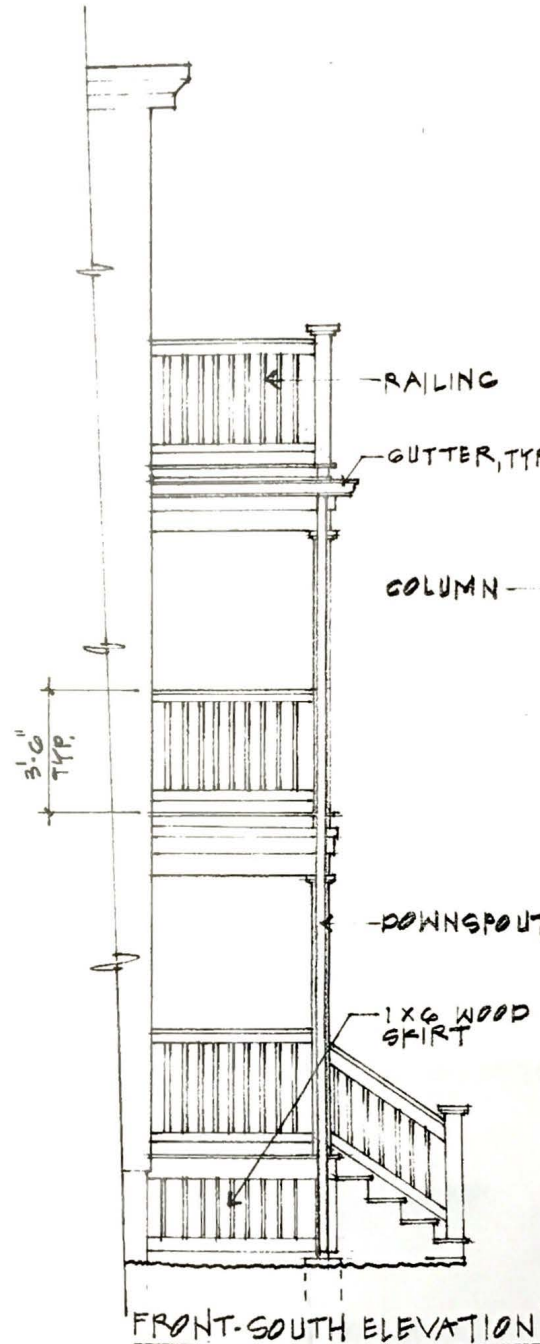
1 x 1

T&G CEILING

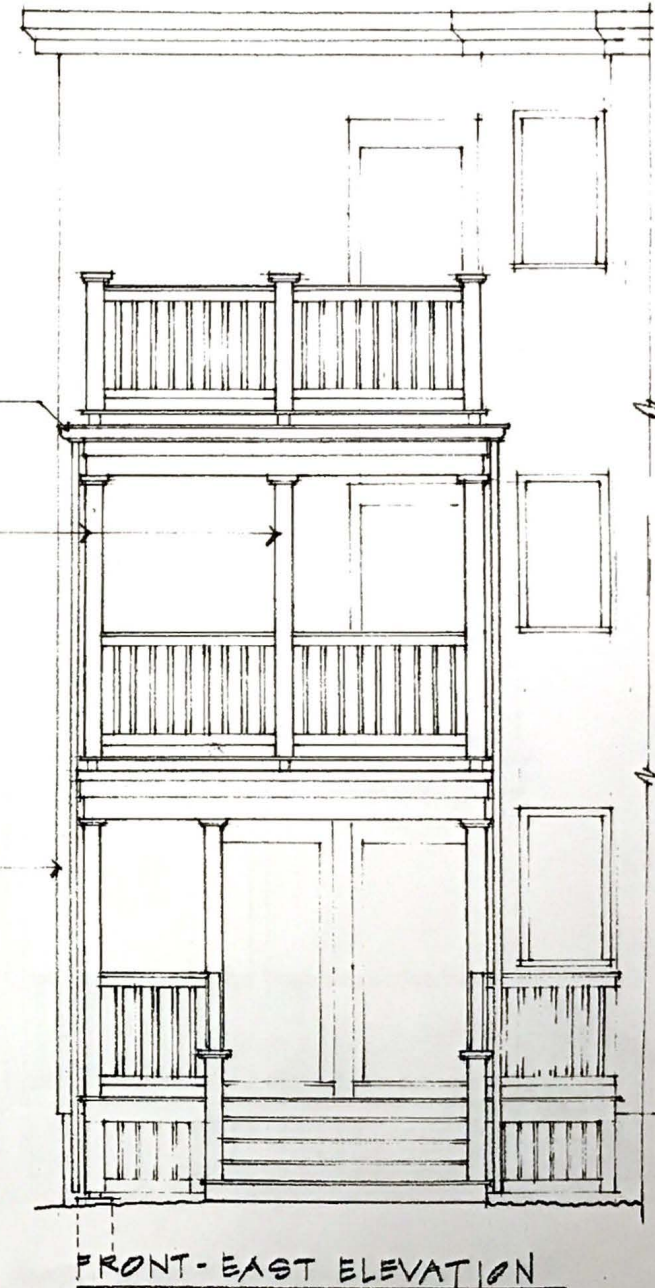
2 x 12 DECK  
FRAMING, RIPPED  
TO SLOPE 1/4" / FOOT



1 SECTION C FRONT PORCH  
REAR PORCH SIM. 3/4" = 1'-0"



FRONT-SOUTH ELEVATION



FRONT-EAST ELEVATION

S + H  
Construction

26 New Street,  
Cambridge, MA  
(617) 876-8286

15 - 17 Dudley Street  
Condominium  
15 - 17 Dudley Street, Cambridge, MA

Date  
25 APRIL 10

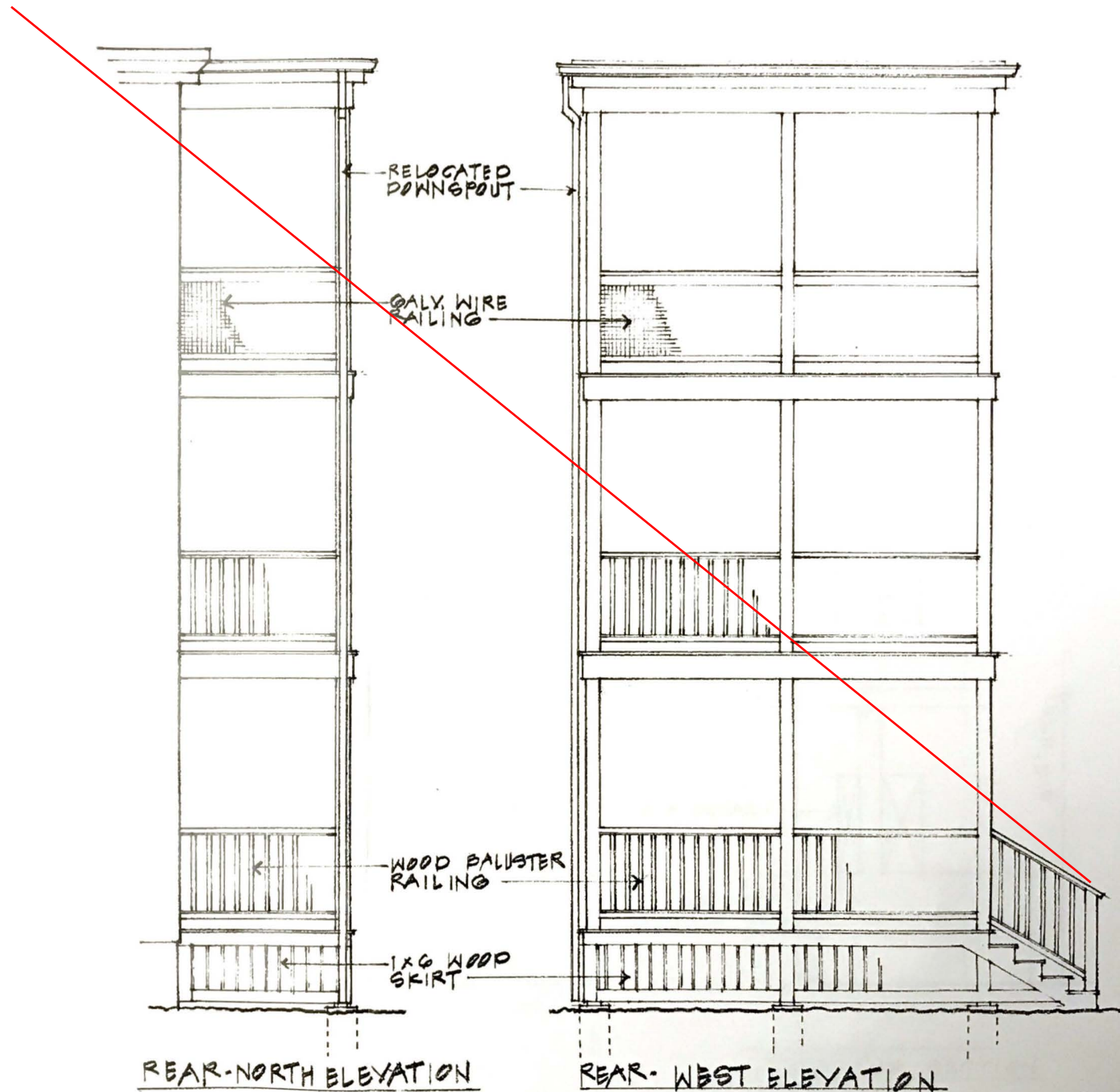
FRONT  
PORCH  
EXTERIOR  
ELEVATIONS

Scale: 1/4" = 1'-0"

A-2



REAR NOT IN SCOPE of WORK



S + H  
Construction

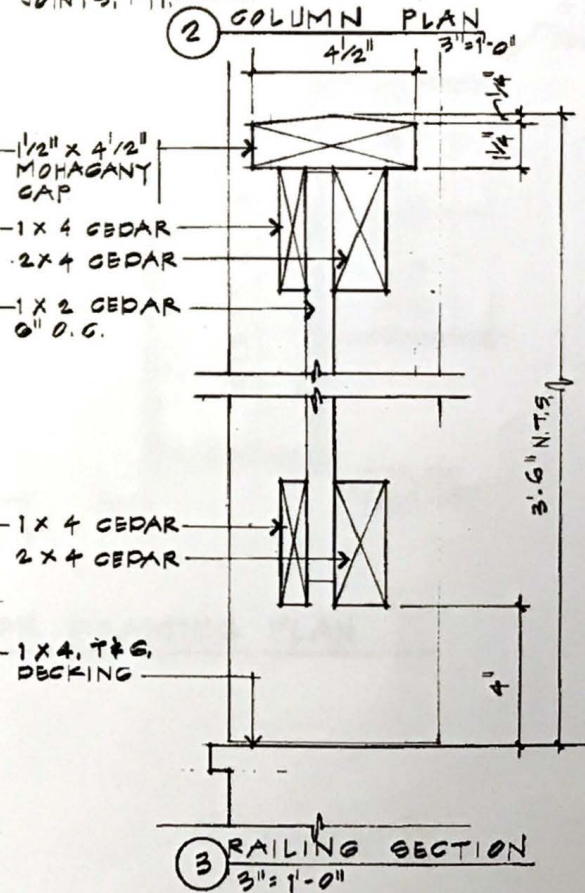
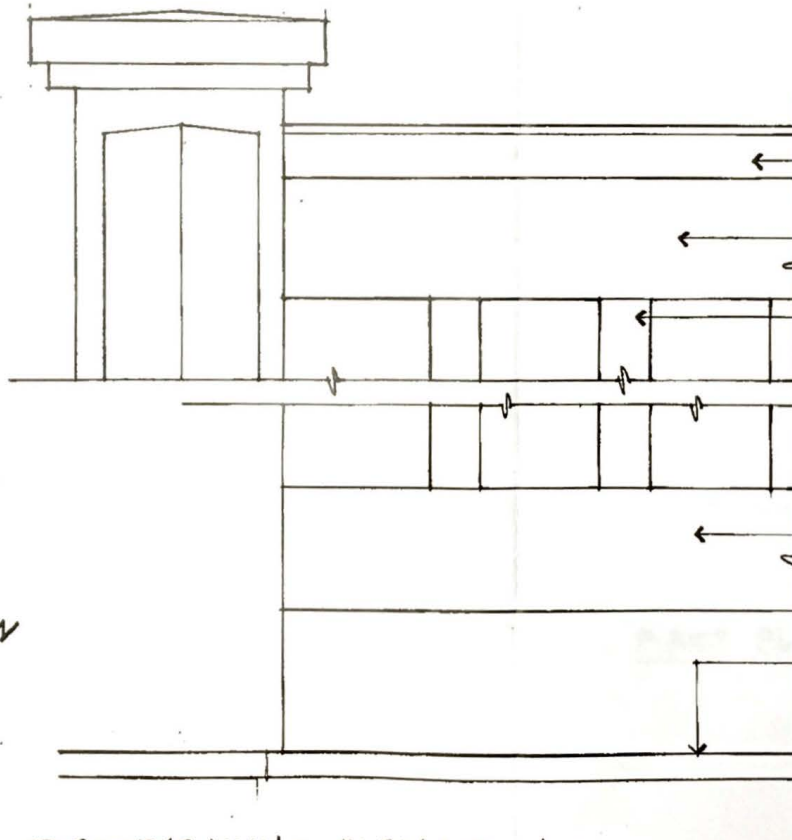
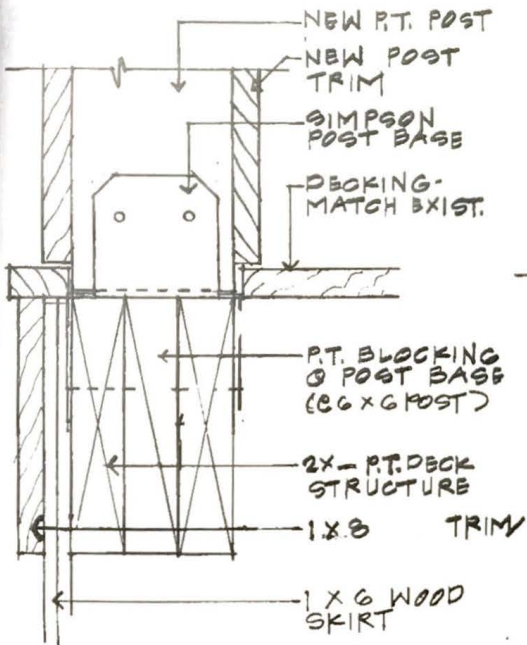
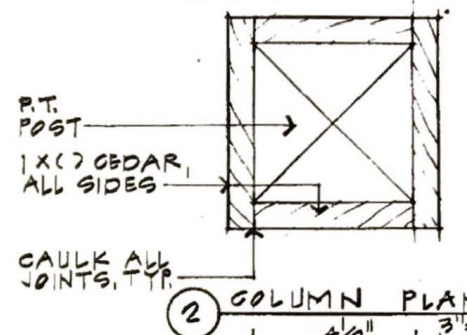
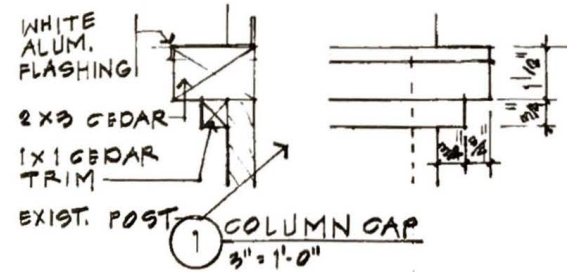
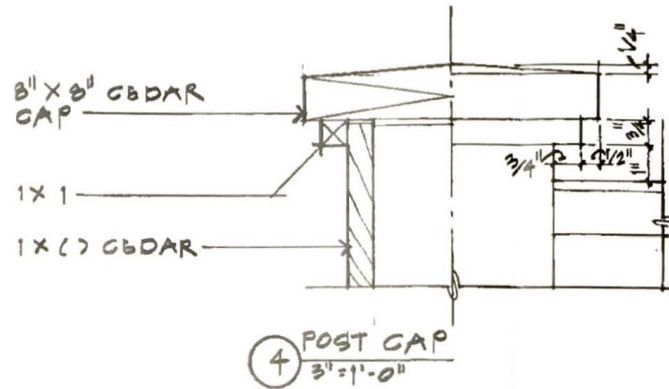
26 New Street,  
Cambridge, MA  
(617) 876-8286

15 - 17 Dudley Street  
Condominium  
15 - 17 Dudley Street, Cambridge, MA

Date  
25 APRIL 16

REAR  
PORCH  
EXTERIOR  
ELEVATIONS  
Scale: 1/4" = 1'-0"

A-3

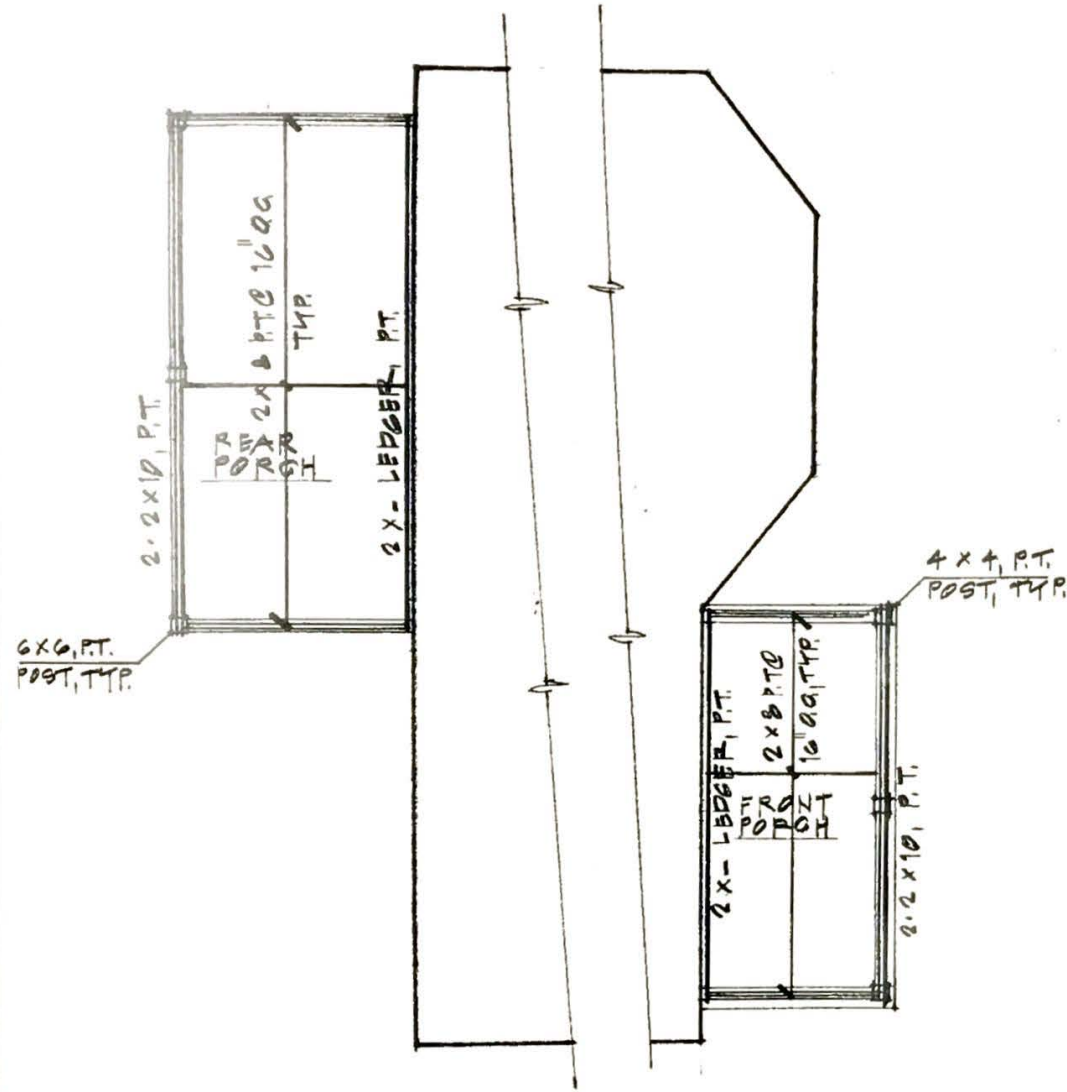


1 POST BASE  
1 1/2" = 1'-0"

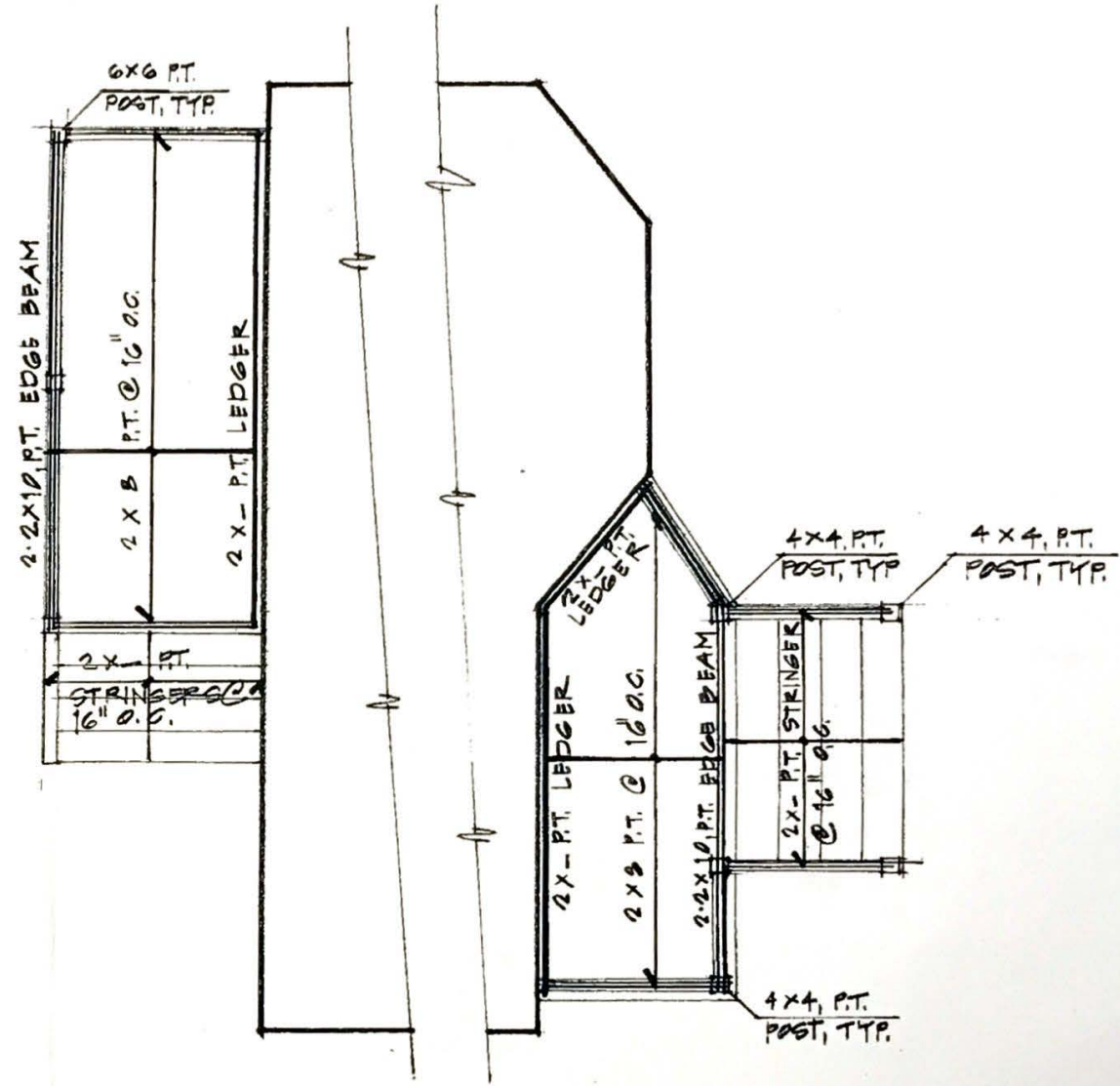
5 POST/RAILING ELEVATION  
3" = 1'-0"

3 RAILING SECTION  
3" = 1'-0"

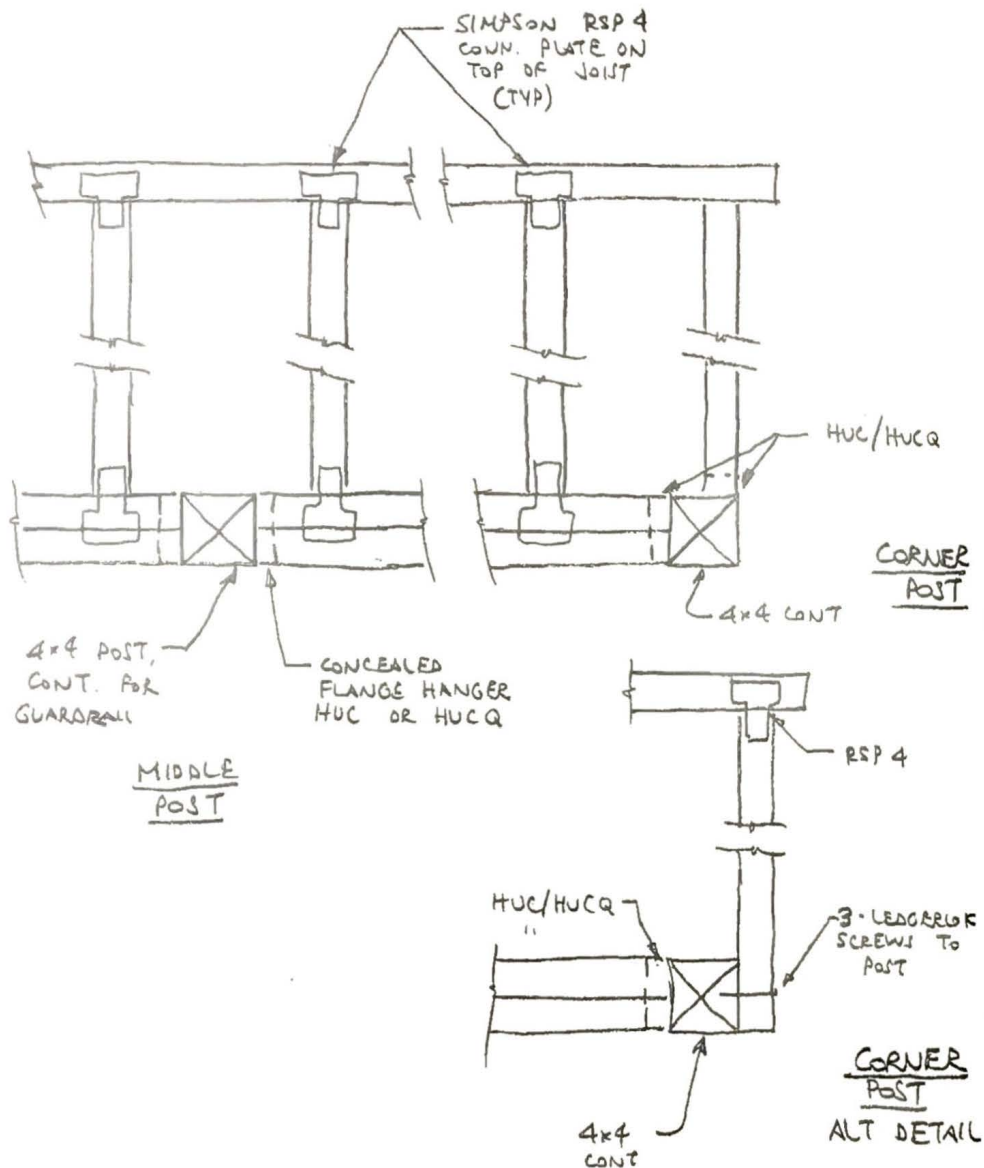




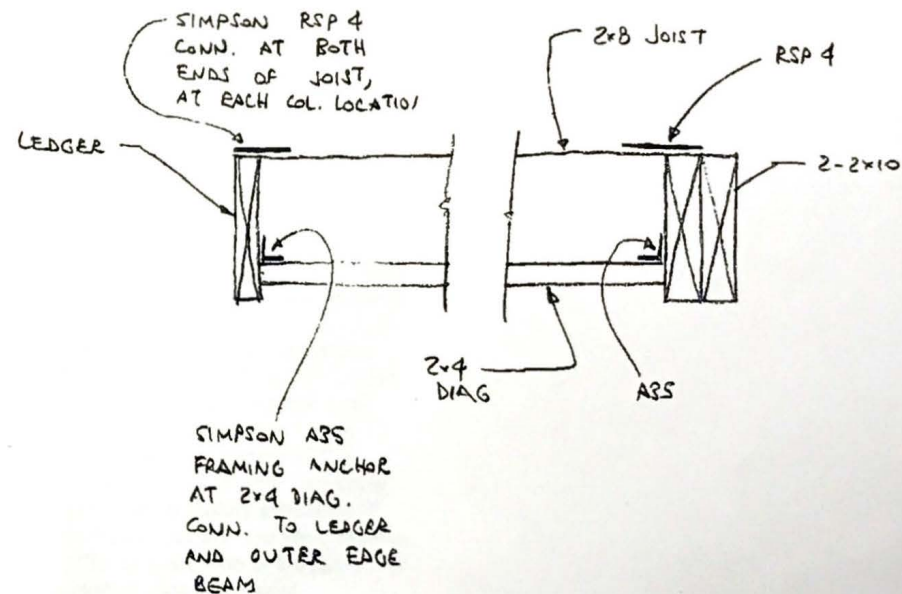
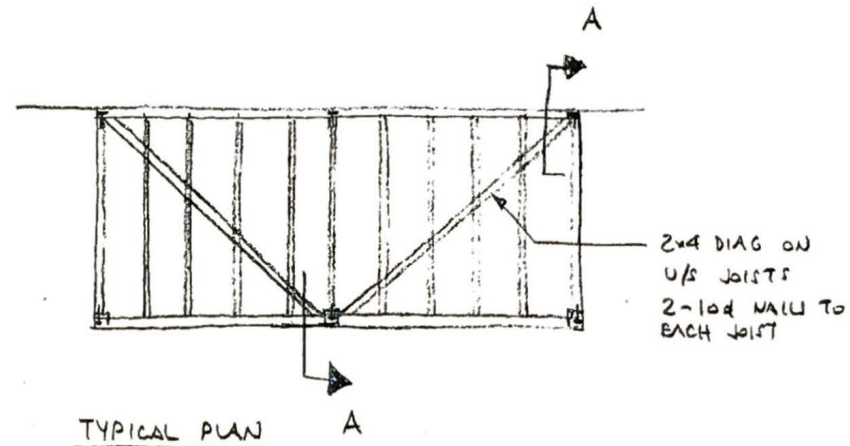
SECOND FLOOR FRAMING PLAN  
(THIRD FLOOR SIMILAR)



FIRST FLOOR FRAMING PLAN



PLAN DETAILS - TOP FLOOR, FRONT



SECTION A-A



### Structural Notes

1. Footings shall be 12" Sonotube piers on enlarged footing, 18" dia. or 16" sq. (minimum), on natural soil, 4' minimum below grade.
2. Provide Simpson post base and post cap hardware for all posts, including connection to existing roof framing at rear porch.
3. Fasten ledger to existing wall studs or rim joist using 2 Timberlok screws at 16" o.c.
4. To brace the decks laterally, install a pair of 2x4 diagonal braces on the bottom of the joists, at each level. Connect to each joist with 2 - 10d nails, and then to the ledger and the outer edge beam with Simpson A35 framing anchors. See Typical Plan and Section A-A on Sheet S-2.
5. Tie the decks to the building with Simpson RSP4 anchors on the top of the joists, connecting them to the outer edge beam and to the ledger at (or near) each column location. This will also apply at each level; the top level of the front needs to be a little different as noted below.
6. At the top level in the front, the posts shall be continuous through the deck to allow them to cantilever up for the guardrail. Refer to the corner post details on sheet S-2. Use concealed flange hangers to frame the outer edge beam into the sides of the posts. Alternates shown for the corner post. The middle post could also be done slightly differently, if the joist aligns with the post, using a DTT2 tie to the side of the joists with a through bolt at the post.
7. Where 6x6 posts are installed, add solid blocking alongside the 2-2x10 to provide a wider bearing surface. This could be in the form of a couple of 6" long pieces of 2x10 on the side of the edge beam, depending on how the beam and post are aligned with each other (and whether there is a joist in the way).
8. 2x4 horizontal guardrails shall be connected to the posts using Simpson A34 anchors on the underside.
9. All exterior framing members shall be ground contact pressure treated lumber.
10. The above notes are based on using 2-2x10 for the outer edge beams and 6x6 posts at the rear, 4x4 at the front, with edge beams running over the top of the column at each level (with one notable exception as noted in item 6.)

**S + H  
Construction**

26 New Street,  
Cambridge, MA  
(617) 876-8286

**15 - 17 Dudley Street  
Condominium**  
15 - 17 Dudley Street, Cambridge, MA

Date \_\_\_\_\_

**PORCH  
STRUCTURAL  
NOTES**

Scale: 1/4" = 1'-0"

**S-3**

**RESERVED FOR REGISTRY USE**

DUDLEY ST.  
CEDAR ST.

N/F FOTIOS R. & MAZIE E. VRAHANIS  
N/F WILLIAM C. & EUGENIA SWINTON

Chain Link Fence

LOT 3  
N/F ROBERT DEGOU

LOT 2  
3 Story Wd. Fr. Building  
NO. 15-17  
Porch - 3 stories  
86.50'  
37.50'

LOT 1  
N/F JEAN R. H. DELL

MASSACHUSETTS AVE.

DUDLEY STREET  
(Public - 40' Wide)

Moulding at corner of bldg.  
(See Cambridge Eng. Dept. Field Bk. 80, Pg. 90)

I certify that this survey was made on the ground on July 30, 1988, in accordance with the Land Court instructions of 1971.

I certify that this plan fully and accurately depicts the location and dimensions of the building and fully lists the units contained therein.

I certify that the parcel shown hereon lies in Zone C, an area of minimal flooding, as indicated on the Flood Insurance Rate Maps for the City of Cambridge, Massachusetts, dated July 5, 1982.

I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for the division of existing ownership or for new ways are shown.

I further certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deed of the Commonwealth of Massachusetts.

**NOTES:**

- Area of Lot 2 = 3244 sq. ft.
- All offsets measured from top of stone foundation.
- The Condominium contains three units:  
Unit 15, Unit 17-1 and Unit 17-2.

0 10 20 30 40 50 60 70 80

I certify that the conditions on the ground are the same now as at the time of the original survey on July 30, 1988.

AUG. 17, 1992

Wendell H. Mason

Wendell H. Mason  
No. 20827  
REGISTERED PROFESSIONAL LAND SURVEYOR

15-17 DUDLEY STREET CONDOMINIUM  
LOT 2 L.C.C. 2248B

PLAN OF LAND  
CAMBRIDGE, MASS.

SCALE: 1" = 16'

AUG. 26, 1988

WENDELL H. MASON  
122 ESSEX ST.  
CAMBRIDGE, MA 02111-2248

PROF. LAND SURVEYOR  
BEVERLY, MA 01915

1. Area of Lot 2 = 3244 sq.ft.
2. All offsets measured from top of stone foundation.
3. The Condominium contains three units:  
Unit 15, Unit 17-1 and Unit 17-2.

I certify that this plan fully and accurately depicts the location and dimensions of the building and fully lists the units contained therein.

*I certify that the parcel shown hereon lies in Zone C, an area of minimal flooding, as indicated on the Flood Insurance Rate Maps for the City of Cambridge, Massachusetts, dated July 5, 1982.*

*I certify that the property lines shown are the lines dividing existing ownerships, and the lines of streets and ways shown are those of public or private streets or ways already established and that no new lines for the division of existing ownership or for new ways are shown.*

I further certify that this plan has been prepared in accordance with the rules and regulations of the Registers of Deed of the Commonwealth of Massachusetts.

I certify that the conditions on the ground are the same now as at the time of the original survey on July 30, 1988.

Aug. 17, 1992

Wendell H. Mason

15-17 DUDLEY STREET CONDOMINIUM  
LOT 2 L.C.C. 2248B

PLAN OF LAND  
CAMBRIDGE, MASS.

SCALE: 1" = 16'

AUG. 26, 1988

WENDELL H. MASON  
122 ESSEX ST.

PROF. LAND SURVEYOR  
BEVERLY, MA 01915

(508) 922-5686

C-273-1

C-273, BM. C22, P93





ROOF PLAN

ROOF AREA 1054 S.F.



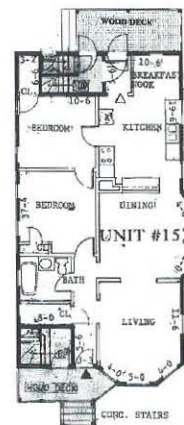
THIRD FLOOR

AREA UNIT #17 - 2 944 sf



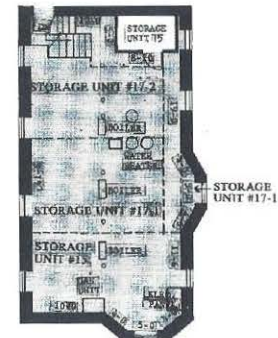
SECOND FLOOR

AREA UNIT #17 - 1 918 sf



FIRST FLOOR

AREA UNIT #15 950 sf

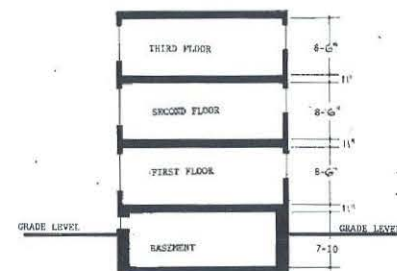


BASEMENT

**LEGEND**

PRIMARY ENTRANCE ► WALLS WITHIN UNIT —  
 SECONDARY EGRESS ▷ DEMISING WALLS —  
 COMMON AREAS ■■■

DIMENSIONS SHOWN ARE FEET AND INCHES AND  
 TAKEN FROM CORNER TO CORNER OF DEMISING WALLS



**C-273-2**



**DOUGLAS OKUN & ASSOCIATES, INC.**

156 Mt. Auburn Street  
 Cambridge, Massachusetts 02138

TELEPHONE  
 491-4600

15 - 17 DUDLEY STREET CONDOMINIUM, CAMBRIDGE, MA.

title  
 FLOOR PLANS & SECTION

scale  
 1/8" = 1'-0"

date  
 7/18/88

drawn  
 C.B.

checked  
 C.B.

job no.  
 88.15

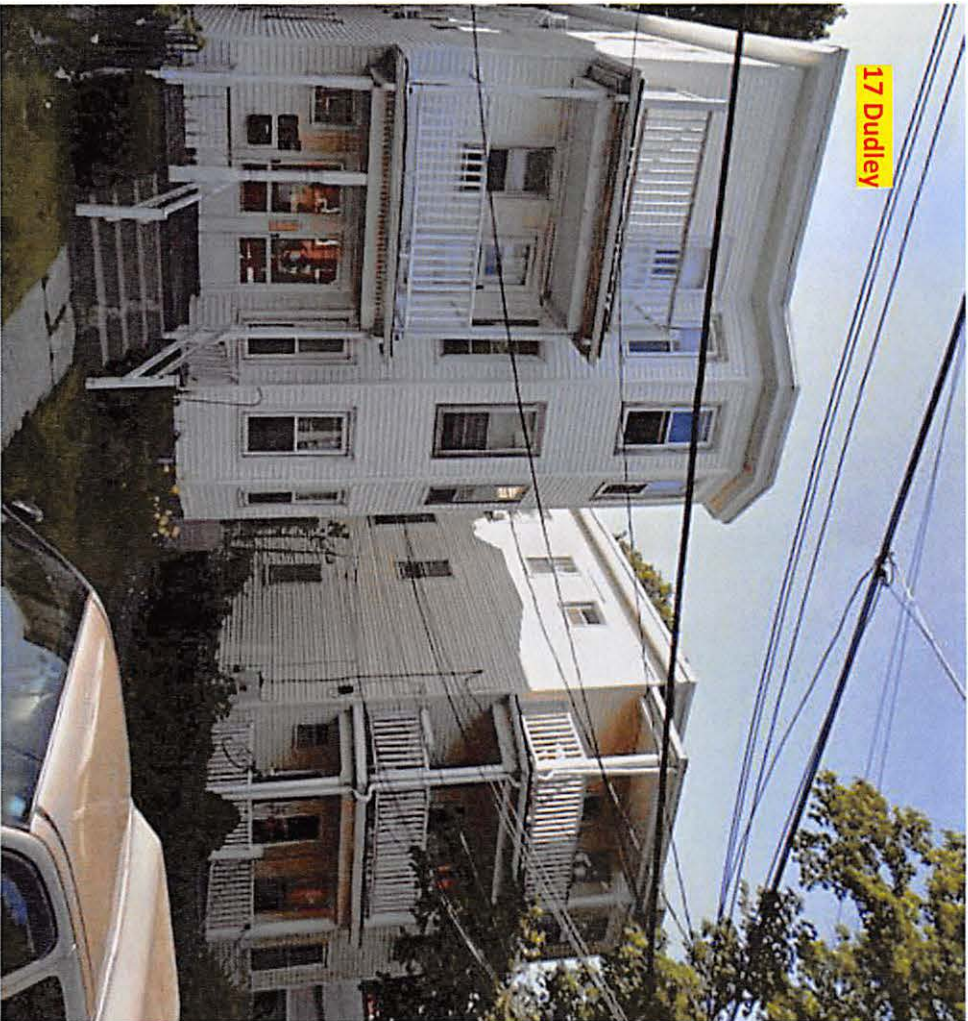
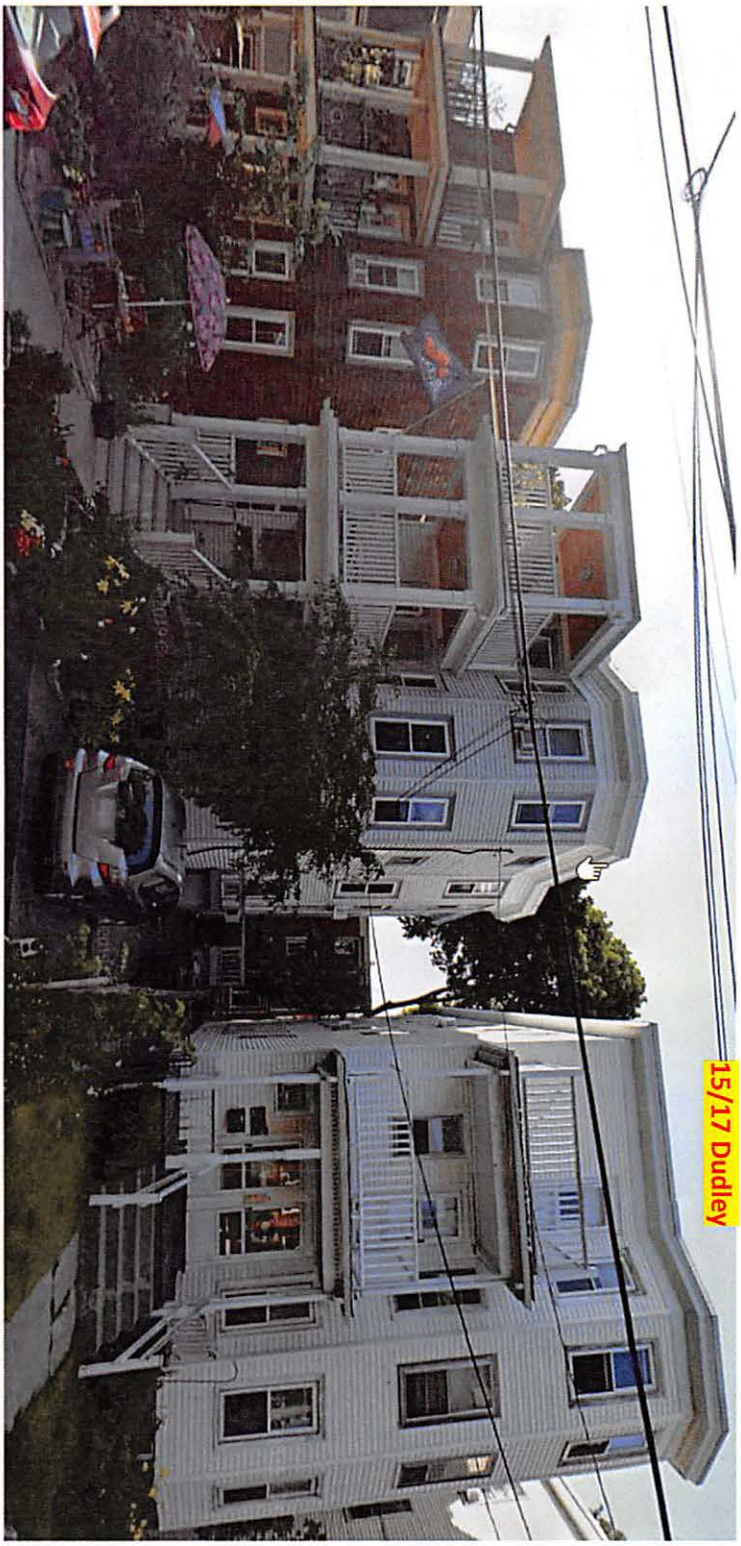
revisions  
 9-23-88  
 8-4-92  
 8-21-92

sheet no.  
 1 of 1

**C-273 BMC22 P43**



STREET VIEW: 15/17 Dudley St, Cambridge







Jacob Lazzara  
Inspectional Services  
(617)349-6109

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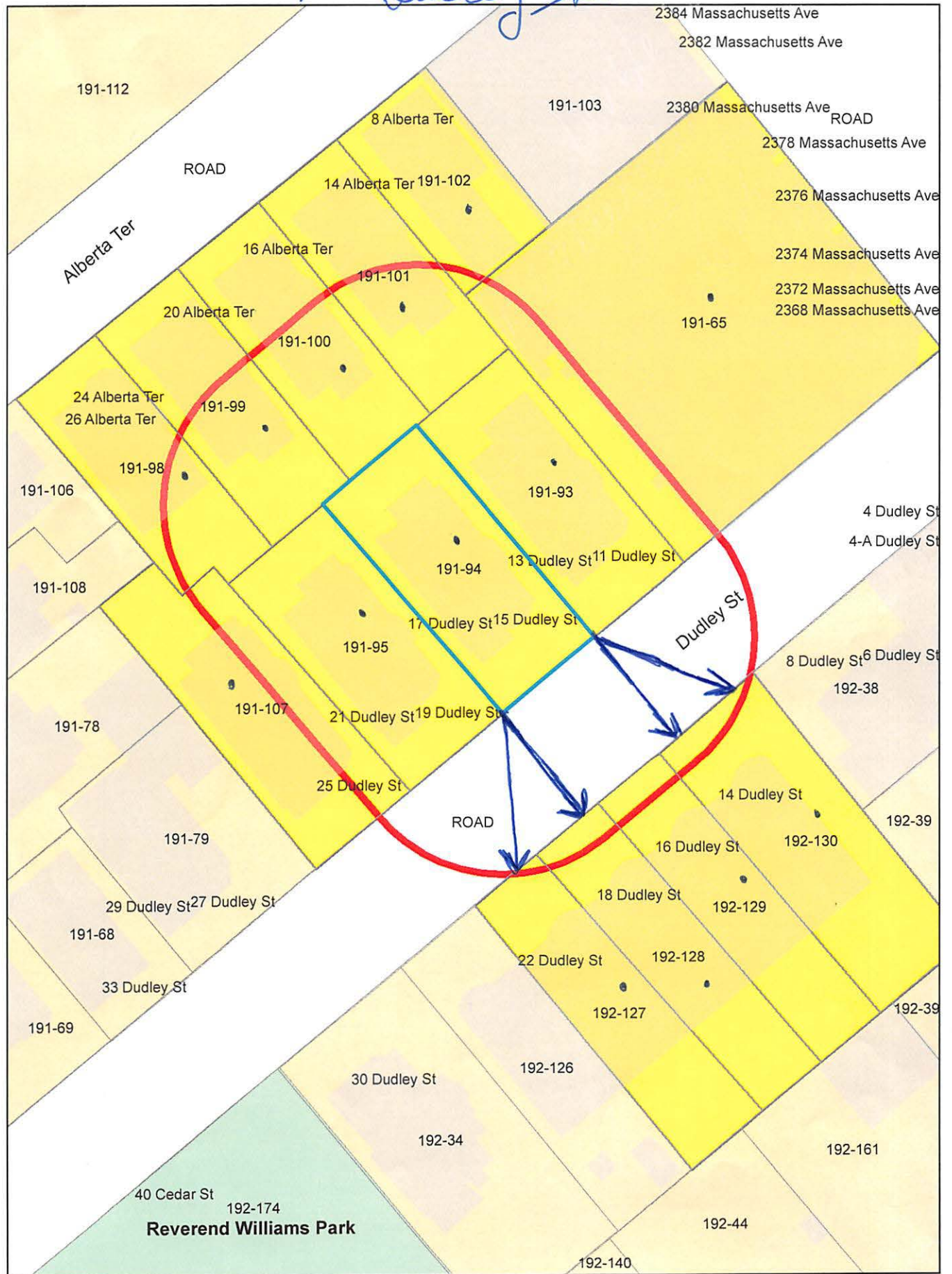
**From:** Daglian, Sisia <[sdaglian@cambridgema.gov](mailto:sdaglian@cambridgema.gov)>  
**Sent:** Tuesday, January 12, 2021 9:38:22 PM  
**To:** Lazzara, Jacob <[jlazzara@cambridgema.gov](mailto:jlazzara@cambridgema.gov)>  
**Subject:** 15 Dudley

They applied to add a roof over the 3rd floor porch. I rejected for zoning reasons, please look when you're in the area to make sure they didn't put it on.

Sisia



17 Dudley St.



17 Dudley St.

Petitioner

191-94  
DWYER, CAROL L.  
17 DUDLEY ST #1  
CAMBRIDGE, MA 02140

191-95  
KUCHARSKI, MARY  
19 DUDLEY ST., #1  
CAMBRIDGE, MA 02140

B&D BUILDING & REMODELING INC.  
C/O PAUL DOMENICI  
1161 BROADWAY  
SOMERVILLE, MA 02144

191-95  
SIMONDS, LAURA M.  
19-21 DUDLEY ST., #3  
CAMBRIDGE, MA 02140

191-98  
YEUNG, EVELYN  
22-24 ALBERTA TER., #22  
CAMBRIDGE, MA 02140

191-98  
WALL, KATHARINE F.  
24 ALBERTA TER #2  
CAMBRIDGE, MA 02140-1846

191-100  
BRYANT, DAVID C.  
16 ALBERTA TERR #3  
CAMBRIDGE, MA 02140

191-102  
BATMASIAN, JAMES H. & MARTA T. BATMASIAN  
215 NORTH FEDERAL HIGHWAY - SUITE #1  
BOCA RATON, FL 33432

191-107  
WAGNER, MARK DAVID  
21 HASTINGS RD  
BELMONT, MA 02478

192-129  
YONGQING, JIANG  
244 VINTON ST  
MELROSE, MA 02176

192-130  
FU, ROGER RENNAN  
14 DUDLEY ST UNIT #1  
CAMBRIDGE, MA 02140

192-127  
YANGDON, RIGZIN  
TRUSTEE OF TP NOMINEE TRUST  
2353 MASS AVE #66  
CAMBRIDGE, MA 02140

192-130  
GONZALEZ-ARIAS, FRANCISCA  
14 DUDLEY ST  
CAMBRIDGE, MA 02140

191-65  
BATMASIAN, JAMES H.  
C/O INVESTMENTS, LIMITED  
215 NORTH FEDERAL HIGHWAY  
BOCA RATON, FL 33432

191-93  
MARINO, RICHARD M.  
C/O MIT LINCOLN LABORATORY  
244 WOOD ST  
LEXINGTON, MA 02173

191-94  
PALANGE, STEPHEN R. & SUSAN M. PALANGE  
15-17 DUDLEY ST. UNIT #15  
CAMBRIDGE, MA 02140

191-99  
KALIVAS, THEODORA AND  
RHEA JEANNE KARABELAS  
20 ALBERTA TERRACE  
CAMBRIDGE, MA 02140

192-128  
KALMAR, AMITAY & NATALY CABILI  
18 GREEN ST  
SOMERVILLE, MA 02143

192-128  
KALMAR, AMITAY & NATALY CABILI  
18 GREEN ST  
SOMERVILLE, MA 02143

192-130  
BASH, JENNIFER A.  
14 DUDLEY ST., UNIT #2  
CAMBRIDGE, MA 02140

192-128  
KALMAR, AMITAY & NATALY CABILI  
18 GREEN ST  
SOMERVILLE, MA 02143

191-94  
LOVEALL, EDWARD & ELIZABETH KOWALSKI  
15-17 DUDLEY ST #17/2  
CAMBRIDGE, MA 02140

191-100  
ROBERTSON, CRAIG & ERIN SHACKELFORD  
16 ALBERTA TER #2  
CAMBRIDGE, MA 02140

191-95  
DILLION, DANIEL L. & MEGHAN DILLION  
855 BEECHWOOD DR  
LOWER MERION, PA 19083

192-128  
KALMAR, AMITAY & NATALY CABILI  
18 GREEN ST  
SOMERVILLE, MA 02143

191-98  
JOHNSON ERIC S CAITLIN L JOHNSON  
22-24 ALBERTA TERR - UNIT 24-1  
CAMBRIDGE, MA 02140

191-100  
LIN JEFFREY  
16 ALBERTA TER - UNIT 1  
CAMBRIDGE, MA 02139

191-101  
VELICKOVIC, ALEKSANDER &  
MUNAVVAR VELICKOVIC  
14 ALBERTA TER  
CAMBRIDGE, MA 02139