



# CITY OF CAMBRIDGE

## BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

[617-349-6100](tel:617-349-6100)

2021 NOV 30 AM 3:48  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

### BZA Application Form

BZA Number: 154221

#### General Information

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

Special Permit: \_\_\_\_\_ Variance: X Appeal: \_\_\_\_\_

PETITIONER: 213 Harvard St Condominium Trust C/O Evan Smith/PT RED

PETITIONER'S ADDRESS: 103 Terrace St, Roxbury Crossing, MA 02120

LOCATION OF PROPERTY: 213 Harvard St., Cambridge, MA

TYPE OF OCCUPANCY: 8 Unit Residential

ZONING DISTRICT: Residence C-1 Zone

#### REASON FOR PETITION:

/New Structure/

#### DESCRIPTION OF PETITIONER'S PROPOSAL:

New 8 unit building to replace 8 unit building lost to fire in 2020. We are changing the setbacks and gross area to account for new code requirements

#### SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000      Section: 5.31 (Table of Dimensional Requirements).  
Article: 6.000      Section: 6.36.1.G (Multi-Family Parking Requirements).

Original  
Signature(s):

(Petitioner (s) / Owner)

Amanda Marcus

(Print Name)

Address: \_\_\_\_\_

Tel. No. \_\_\_\_\_

[617-894-7419](tel:617-894-7419)

E-Mail Address: [Smith@placetaylor.com](mailto:Smith@placetaylor.com)

Date: \_\_\_\_\_

**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 213 Harvard St Condominium Trust  
(OWNER)

Address: c/o Perkins & Anctil, P.C. 6 Lyberty Way, Suite 201  
Westford, MA 01881

State that I/We own the property located at 213 Harvard St, Cambridge, MA  
which is the subject of this zoning application.

The record title of this property is in the name of The Trust of 213  
Harvard St. Cambridge, MA.

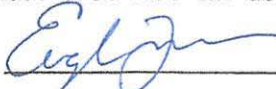
\*Pursuant to a deed of duly recorded in the date \_\_\_\_\_, Middlesex South  
County Registry of Deeds at Book \_\_\_\_\_, Page \_\_\_\_\_; or  
Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

  
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 Amenda M. Marcus personally appeared before me,  
this 18 of November, 2021, and made oath that the above statement is true.

 Notary

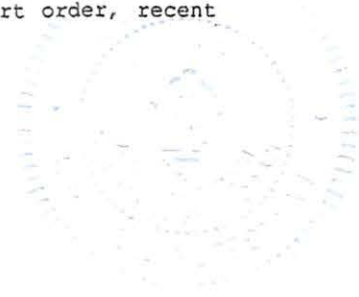
My commission expires 12/09/2021 (Notary Seal).

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



EVANGELOS TZOVARAS  
NOTARY PUBLIC  
COMMONWEALTH OF MASSACHUSETTS  
MY COMMISSION EXPIRES 12/09/2027

(ATTACHMENT B - PAGE 3)



## **BZA Application Form**

### **SUPPORTING STATEMENT FOR A VARIANCE**

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

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

The existing 8 unit building which was destroyed by fire in 2020 was non-conforming to this code for most of the same variances we are requesting. We are asking for variances in order to better site the existing non-conforming use on the site with better street front sight lines. Furthermore improve the functionality of the units for the unit owners, create required ADA accessibility, and bring stair and egress layouts into conformity with current building and life safety codes.

- 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 existing non-conforming 8 unit building which was destroyed by fire was poorly sited on the lot, and rather than grandfathering the existing plan we are trying to improve upon it by relocating it on the site, which would trigger the need for variances.

- 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:

Per Cambridge Statutes, the unit owners could request a building permit for the building previously destroyed 8 unit building without needing to request variances, but instead are taking this opportunity to improve the building from both a siting, safety, aesthetic, and functionality perspective. If anything this design should have less impact on the public good than the old building for which the unit owners could request a grandfathered permit.

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

The existing building lost to fire already required the same variances, consequently granting the same variances for the new building does not diminish from the intent of said Ordinances.

**\*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:** 213 Harvard St Condominium Trust  
**Location:** 213 Harvard St., Cambridge, MA  
**Phone:** 617-894-7419

**Present Use/Occupancy:** 8 Unit Residential  
**Zone:** Residence C-1 Zone  
**Requested Use/Occupancy:** 8 Unit Residential

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		10000	13107	4434	(max.)
<u>LOT AREA:</u>		5912	5912	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u>		1.69	2.21	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		739	739	1500	
<u>SIZE OF LOT:</u>	WIDTH	66.14	66.14	50	
	DEPTH	88.84	88.84	NA	
<u>SETBACKS IN FEET:</u>	FRONT	2	5.3	4	
	REAR	30	26	20	
	LEFT SIDE	5	7.75	5	
	RIGHT SIDE	0	.5	5	
<u>SIZE OF BUILDING:</u>	HEIGHT	33	34.25	35	
	WIDTH	NA	54	NA	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		13%	9.7%	30%	
<u>NO. OF DWELLING UNITS:</u>		8	8	3	
<u>NO. OF PARKING SPACES:</u>		6	6	8	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<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.:

NA

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'.

ALL INFORMATION CONTAINED

1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-
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ITEM NO.	DESCRIPTION	QTY	UNIT	PRICE	TOTAL
1	1000	1	EA	1000	1000
2	2000	1	EA	2000	2000
3	3000	1	EA	3000	3000
4	4000	1	EA	4000	4000
5	5000	1	EA	5000	5000
6	6000	1	EA	6000	6000
7	7000	1	EA	7000	7000
8	8000	1	EA	8000	8000
9	9000	1	EA	9000	9000
10	10000	1	EA	10000	10000

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

vii

- [illegible]

**Pacheco, Maria**

---

**From:** Victor Ancelson <victor\_ancelson@yahoo.com>  
**Sent:** Thursday, December 30, 2021 7:37 AM  
**To:** Pacheco, Maria  
**Subject:** CASE BZA-154221 213 Harvard Street

Subject: Abutter comments on CASE NO. BZA-154221 213 HARVARD STREET

Dear Board of Zoning Appeals

We, Victor Ancelson, Sharon Greenberg and Paula Ancelson, are the owners of 217 Harvard St unit 2R, an abutter to 213 Harvard St. (case no. BZA-154221).

We oppose granting the zoning variances for the revised design of 12/22/2022 submitted as an addendum to the initial 11/23/2021 design package. The expansion of the new building at 213 Harvard will impact our quality of life. The new building should follow the original footprint.

Thank you,

**Victor Ancelson**

*mobile phone (631) 987-2666*



# 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: EVAN SMITH Date: 12/20/21  
(Print)

Address: 213 Harvard St.

Case No. BZA-154221

Hearing Date: 1/6/22

Thank you,  
Bza Members

# 213 HARVARD STREET RESIDENCES



PROJECT:		213 HARVARD ST
PROJECT ADDRESS:	213 Harvard St.	
	Cambridge, MA	
	02139	
TAX ASSESSOR PARCEL #:	---	
ARCHITECT:	PLACETAILOR, INC.	
	103 TERRACE STREET	
	ROXBURY, MA 02120	
CONSULTANT		
CLIENT	213 Harvard Street	
	Condominium Trust	



# PLACETAILOR

DRAWING LIST_ZONING		
SHEET NUMBER	SHEET NAME	11.12.21 ZONING SET
G0-00	COVER	•
	PLOT PLAN	
A0-20	ZONING COMPLIANCE	•
A1-00	GARDEN LEVEL FLOOR PLAN	•
A1-01	LEVEL 1 FLOOR PLAN	•
A1-02	LEVEL 2 FLOOR PLAN	•
A1-03	LEVEL 3 FLOOR PLAN	•
A1-04	ROOF PLAN	•
A1-05	SOLAR ARRAY PLAN	•
A2-10	EXTERIOR ELEVATIONS	•
A3-00	BUILDING SECTIONS	•

ARCHITECT  
PLACETAILOR, INC.  
103 TERRACE STREET  
ROXBURY, MA 02120  
617.639.0633

CLIENT  
213 HARVARD STREET  
CONDOMINIUM TRUST

SURVEY  
BOSTON SURVEY INC.  
4 SHIPWAY PLACE  
CHARLESTOWN, MA 02129  
617.242.1313

CIVIL ENGINEER

STRUCTURAL ENGINEER

## ZONING SET

SUBMISSION DATE: 11/12/2021

COPYRIGHT: PLACETAILOR INC.  
11/12/2021 4:06:18 PM

PREPARED FOR:  
DWM PROPERTY MANAGEMENT  
60 MASSACHUSETTS AVENUE  
ARLINGTON, MA 02474

REFERENCES:  
OWNER OF RECORD:  
213 HARVARD STREET CONDOMINIUM  
213 HARVARD STREET  
CAMBRIDGE, MA 02139

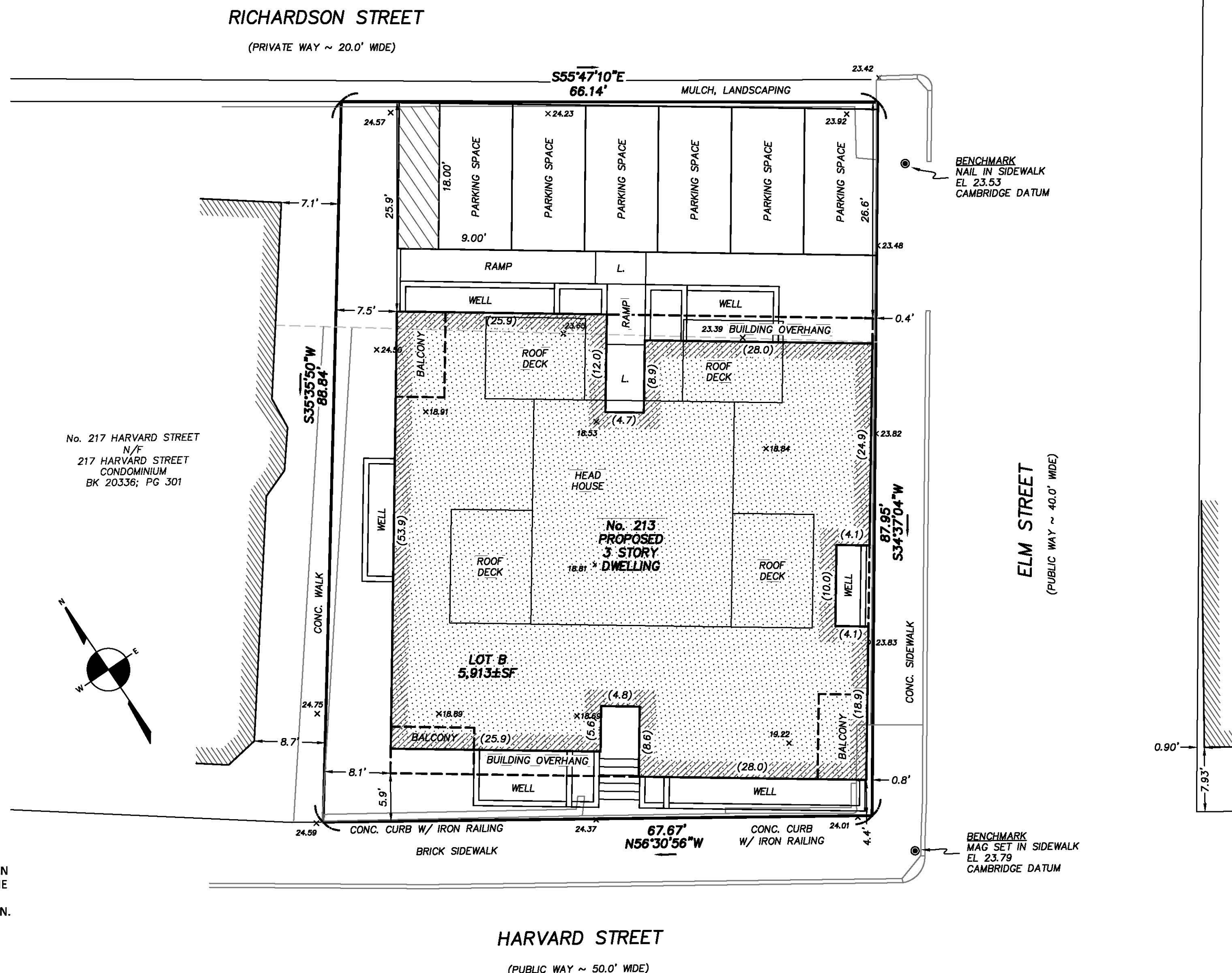
DEED: BK 20336; PG 257  
PLAN: PL 1983 #673  
PL 1995 #1073  
PL 1996 #370  
LCC: 3611-B

NOTES  
MAP/LOT: 88-63  
VERTICAL DATUM: CAMBRIDGE CITY BASE  
ZONING: C-1

# CERTIFIED PLOT PLAN

LOCATED AT  
213 HARVARD STREET  
CAMBRIDGE, MA

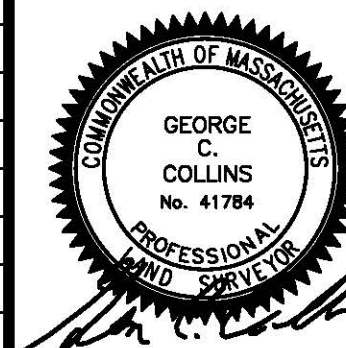
SCALE: 1.0 INCH = 10.0 FEET



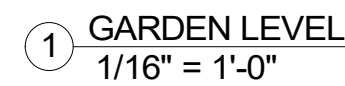
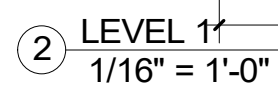
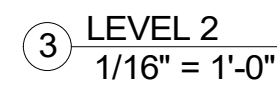
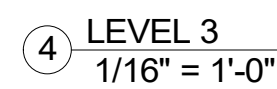
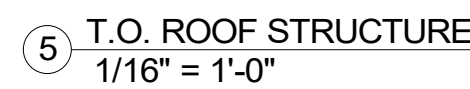
I CERTIFY THAT THIS PLAN WAS MADE FROM AN INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF NOVEMBER 11, 2020 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

FEMA  
ACCORDING TO THE FEDERAL EMERGENCY  
MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE  
MAJOR IMPROVEMENTS ON THIS PROPERTY FALL  
IN AN AREA DESIGNATED AS  
ZONE: X  
COMMUNITY PANEL: 25017C0576E  
EFFECTIVE DATE: 06/04/2010

FIELD:	MO
DRAFT:	SAP, RAP
CHECK:	GCC
DATE:	11/11/21
JOB #	20-00579



GARDEN LEVEL	3031 SF
LEVEL 1	3007 SF
LEVEL 2	3184 SF
LEVEL 3	3208 SF
T.O. ROOF STRUCTURE	685 SF
GROSS AREA	13114 SF



PARCEL ID:	88-63
TOTAL LOT AREA:	5,912 SF
GROSS PROPOSED SF:	13107 SF
ZONING DISTRICT:	C-1 RESIDENCE
8 UNITS TOTAL:	
2 - GROUP 1 UNITS (3 BEDROOM)	
2 - 3 BEDROOM	
4 - DUPLEX (3 BEDROOM)	

**NOTE:** NEW BUILDING TO REPLACE RECENTLY BURNED DOWN STRUCTURE. NEW BUILDING TO HAVE SAME NUMBER OF UNITS, SAME NUMBER OF STORIES, AND SIMILAR SIZE & MASSING AS PREVIOUS STRUCTURE.

THE BUILDING SHALL COMPLY WITH NFPR 13 AND BE FULLY SPRINKLERED.

APPLICABLE CODES:  
- 780 CMR: MASSACHUSETTS STATE BUILDING CODE, 8TH EDITION (IBC 2015 WITH MA AMENDMENTS)

- 527 CMR 1: MASSACHUSETTS BOARD OF FIRE PREVENTION REGULATIONS,  
MASSACHUSETTS  
COMPREHENSIVE FIRE SAFETY CODE (NFPA 1-2012 WITH MA AMENDMENTS)

CONSTRUCTION TYPE: 5B  
OCCUPANCY: R-2  
NUMBER OF EXITS 1 (PER TABLE 1006.3.2(1))



PROJECT ADDRESS: 213 Harvard St.  
Cambridge, MA  
02139

ARCHITECT: **PLACETAILEOR, INC.**  
103 TERRACE STREET  
ROXBURY, MA 02120

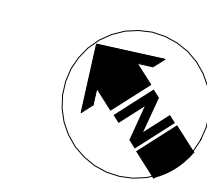
CLIENT	213 Harvard Street Condominium Trust
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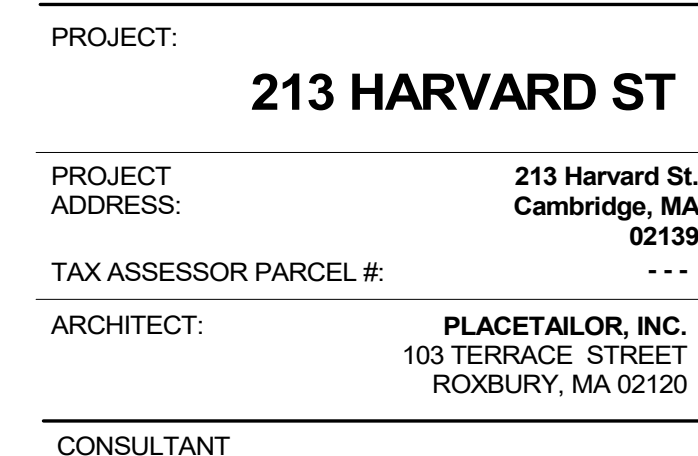
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## ZONING SET

## ZONING COMPLIANCE

A0-20



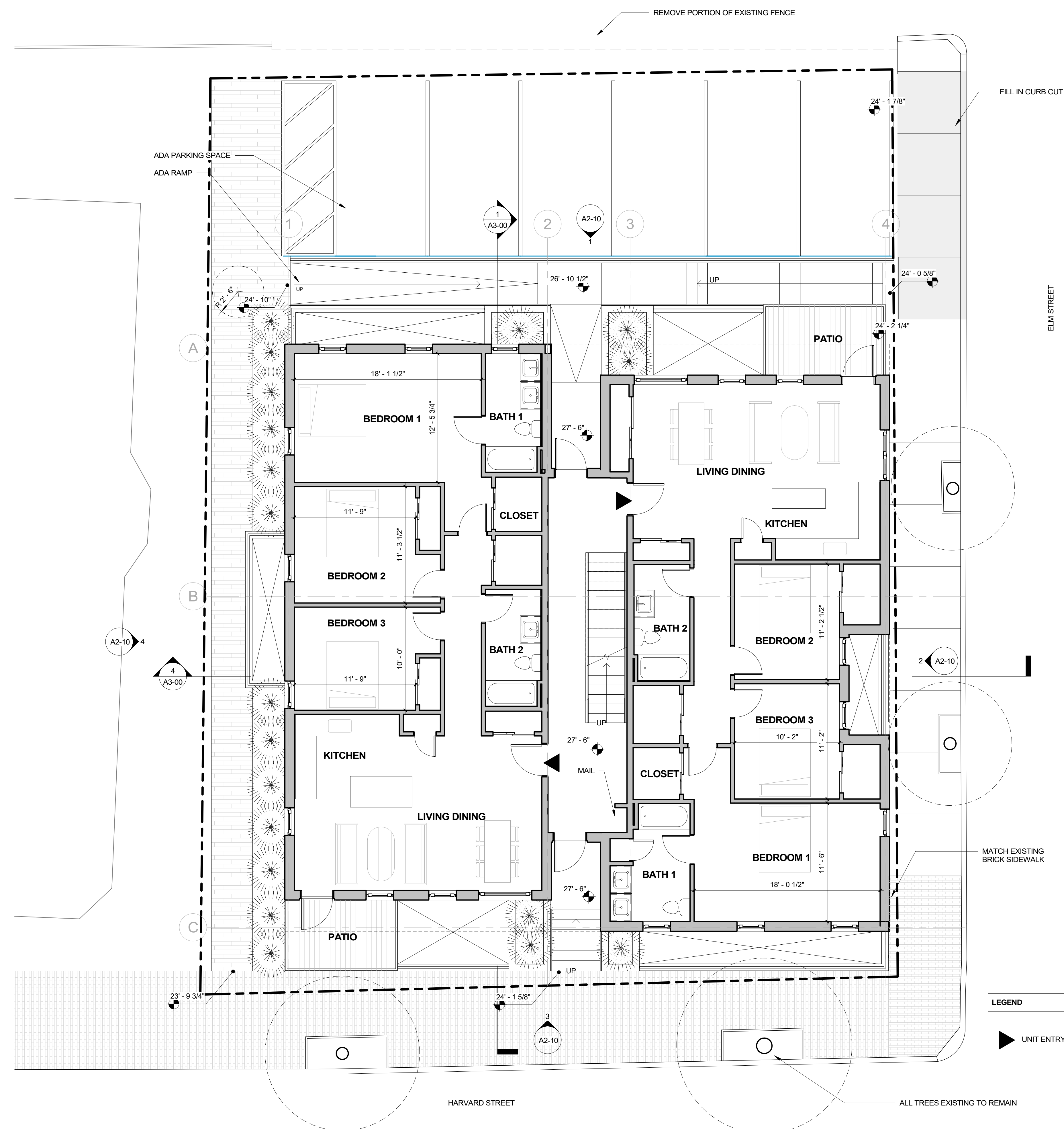


SUBMISSION DATE: 11/12/2021

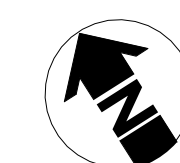
**ZONING SET**

## LEVEL 1 FLOOR PLAN

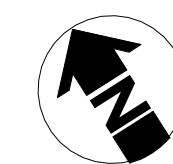
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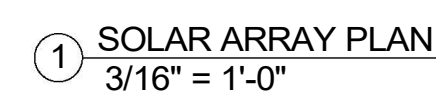
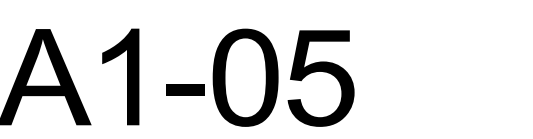


① LEVEL 1 FLOOR PLAN  
3/16" = 1'-0"

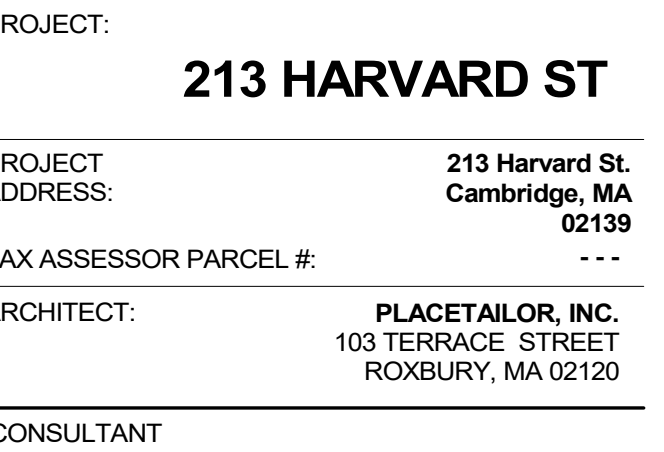








① Elevation PLAN NORTH  
1/8" = 1'-0"

[illegible]

## ZONING SET

## BUILDING SECTIONS

# A3-00

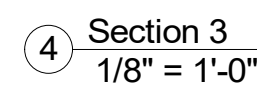
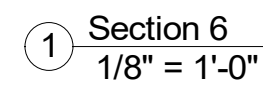




Image capture: Jul 2019 © 2021 Google

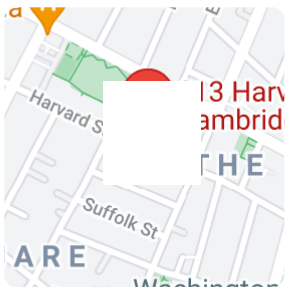
Cambridge, Massachusetts

Google

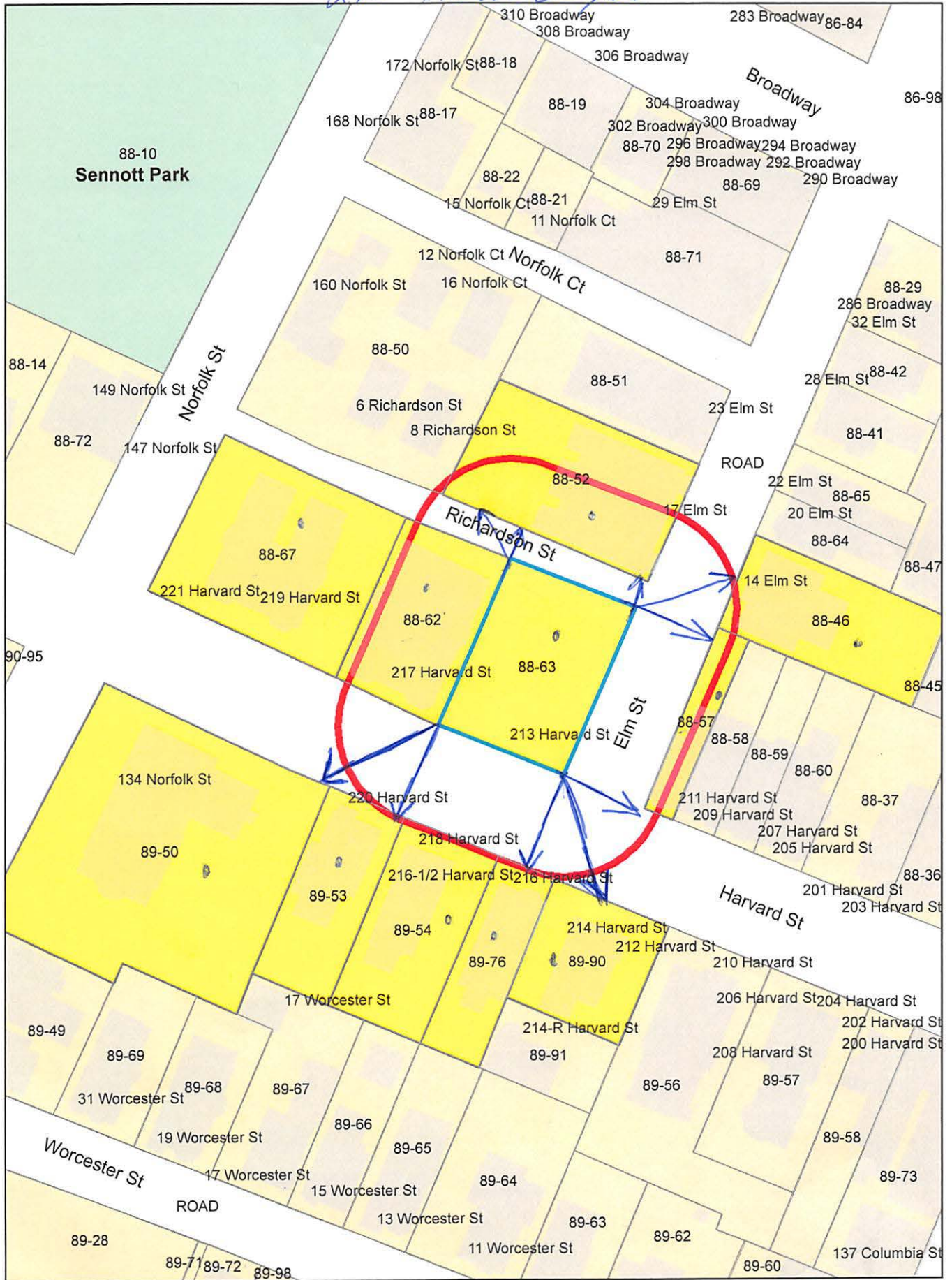
Street View - Jul 2019



Currently shown: Jul 2019



213 Harvard St.



213 Harvard St.

Reditioner

88-63  
METHRATTA, RENS & SWETHA SUBRAMANIAN  
213 HARVARD ST., #1/R  
CAMBRIDGE, MA 02139

88-63  
FREDA, PASQUALE,  
TR. OF 213 HARVARD #3L TRUST  
213 HARVARD ST  
CAMBRIDGE, MA 02139

213 HARVARD ST. CONDOMINIUM TRUST  
C/O EVAN SMITH/PT RED  
103 TERRACE STREET  
ROXBURY CROSSING, MA 02120

88-63  
FREDA, PASQUALE,  
TR. OF 213 HARVARD #BR TRUST  
213 HARVARD ST  
CAMBRIDGE, MA 02139

88-67  
HOLT, CHRISTINA T.  
221 HARVARD ST., UNIT #3  
CAMBRIDGE, MA 02139

88-63  
MARCUS, AMANDA M. &  
ALASDAIR C. POST-QUINN  
213 HARVARD ST. # B/L  
CAMBRIDGE, MA 02139

88-46  
PUREKA, MICHAEL T. & YUAN-MIN CHONG  
14-2 ELM ST  
CAMBRIDGE, MA 02139

88-62  
SHERMAN, PAUL & LYNN HSU  
21 GIBSON RD.  
NEWTON, MA 02460

88-62  
GOLDHABER-FIEBERT, JEREMY & SARA  
TRS. THE GOLDHABER-FIEBERT FAMILY TRUST  
217 HARVARD ST., UNIT #2/L  
CAMBRIDGE, MA 02139

88-63  
CHIANG, JENNIFER & JACOB AUGUSTUS HOWE  
213 HARVARD ST., #2/R  
CAMBRIDGE, MA 02139

88-52  
MARIA C. SALVIA,  
TRS. OF 17-23 ELM STREET REALTY TRUST  
45 MT. VERNON ST. APT. #4B  
BOSTON, MA 02108

88-62  
ANCELSON, VICTOR, SHARON GREENBERG &  
PAULA BETH ANCELSON  
217 HARVARD ST., #2/R  
CAMBRIDGE, MA 02139

88-62  
RAPINAC, TODD JAMES &  
JOCELYNE FARIZY-RAPINAC  
FLAT 21 TIFFANY HEIGHTS  
59 STANDEN RD.  
LONDON, -- SW18 5TF

88-62  
MEHTA, PANKAJ & NICOLE ASCHOFF  
217 HARVARD ST., #3/R  
CAMBRIDGE, MA 02139

88-62  
MURPHY, JENNIFER  
217 HARVARD ST. UNIT B/L  
CAMBRIDGE, MA 02139

88-62  
PAYACK, PETER PAUL  
217 HARVARD ST. #B/R  
CAMBRIDGE, MA 02139

88-63  
LOEWUS-DEITCH, DANIEL  
213 HARVARD STREET #2/L  
CAMBRIDGE, MA 02139

88-63  
FREDA, PASQUALE,  
TR. OF 213 HARVARD #3R TRUST  
213 HARVARD ST  
CAMBRIDGE, MA 02139

88-67  
SUNG, YUNG-CHI  
219-221 HARVARD ST., #221/1  
CAMBRIDGE, MA 02139

88-46  
LAGOS, ROBERT S.  
14 ELM ST. 14/1  
CAMBRIDGE, MA 02139

88-67  
MACHLOCHLAINN, IAN  
219 HARVARD ST  
CAMBRIDGE, MA 02139

89-76  
BAILEY, STEPHEN J. & BEATRICE BERNIER  
216 1/2 HARVARD ST  
CAMBRIDGE, MA 02139-2717

89-90  
SANTA CONSTANZA, SOCIETA IMMOBILIARE  
212 HARVARD ST  
CAMBRIDGE, MA 02139-2717

89-50  
ROMAN CATHOLIC ARCHBISHOP OF BOSTON  
CORPORATION SOLE  
134 NORFOLK STREET  
CAMBRIDGE, MA 02139

88-57  
THILLY, GRETHE  
229 HIGH ST.  
BROOKLINE, MA 02445

89-53  
CRANE, JUSTIN & SARAH K. ROSZLER  
3 ST GERARD TERRACE  
CAMBRIDGE, MA 02140

89-53  
MILLER, CRISTANNE C. & JEROLD C. FRAKES  
465 NORWOOD AVE  
BUFFALO, NY 14222

88-57  
WANG, YAN & SHUJI LI  
211 HARVARD ST., #1  
CAMBRIDGE, MA 02139

89-54  
FARLEY, ALEXANDER HAMILTON &  
RICHARD JOHN FARLEY  
218 HARVARD ST., #1  
CAMBRIDGE, MA 02139

89-54  
TICOTSKY, REBECCA  
301 HARDY POND RD  
WALTHAM, MA 02451

*213 Harvard St.*

89-54  
HUANG, LUWEN  
218 HARVARD ST., #2  
CAMBRIDGE, MA 02139

88-67  
EASTON, MATTHEW & LYNN CLARK  
219 HARVARD ST. UNIT 2  
CAMBRIDGE, MA 02139

88-62  
ZHANG, TINGTING BENJAMIN  
ALISTER ROSS MASUCH  
217 HARVARD ST UNIT 1-R  
CAMBRIDGE, MA 02139

88-63  
LI. XIAO & ELTON SHUM  
213 HARVARD ST UNIT #1-L  
CAMBRIDGE, MA 02139

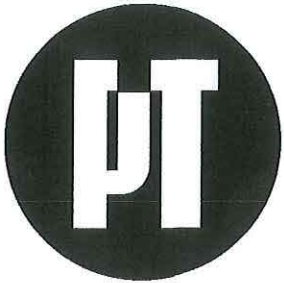
88-57  
LE YING LU YI  
211 HARVARD ST UNIT 2  
CAMBRIDGE, MA 02139

88-67  
PHILLIPS, MATHEW JOSEPH  
JENNA CATHERINE TROUP PHILLIPS  
221 HARVARD ST UNIT #2  
CAMBRIDGE, MA 02139

88-67  
HENRIE CONOR & EMMA NOTO  
219 HARVARD ST - UNIT 1  
CAMBRIDGE, MA 02139

88-46  
DELANCEY, JOHN CHARLES AND  
HELENA MING-CHU CHANG  
16 ELM ST  
CAMBRIDGE, MA 02139

# 213 HARVARD STREET RESIDENCES



PROJECT:	213 HARVARD ST
PROJECT ADDRESS:	213 Harvard St. Cambridge, MA 02139
TAX ASSESSOR PARCEL #:	...
ARCHITECT:	PLACETAILOR, INC. 103 TERRACE STREET ROXBURY, MA 02120
CONSULTANT	
CLIENT	213 Harvard Street Condominium Trust



Revised  
1/3/22  
MLP

PLACETAILOR

DRAWING LIST_ZONING		
SHEET NUMBER	SHEET NAME	11.12.21 ZONING SET
G0-00	COVER	*
	PLOT PLAN	
A0-20	ZONING COMPLIANCE	*
A1-00	GARDEN LEVEL FLOOR PLAN	*
A1-01	LEVEL 1 FLOOR PLAN	*
A1-02	LEVEL 2 FLOOR PLAN	*
A1-03	LEVEL 3 FLOOR PLAN	*
A1-04	ROOF PLAN	*
A2-10	EXTERIOR ELEVATIONS	*
A3-00	BUILDING SECTIONS	*
A3-10	SHADING STUDIES	*

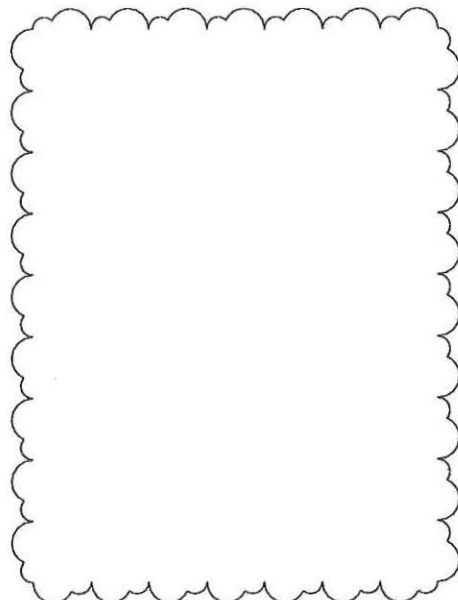


ARCHITECT PLACETAILOR, INC. 103 TERRACE STREET ROXBURY, MA 02120 617.639.0633	CLIENT 213 HARVARD STREET CONDOMINIUM TRUST	SURVEY BOSTON SURVEY INC. 4 SHIPWAY PLACE CHARLESTOWN, MA 02129 617.242.1313	CIVIL ENGINEER	STRUCTURAL ENGINEER
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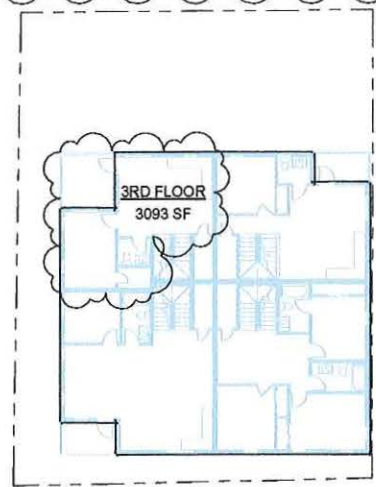
ZONING SET  
R1

SUBMISSION DATE: 01/03/2022  
COPYRIGHT: PLACETAILOR INC.  
1/4/2022 9:15:10 AM

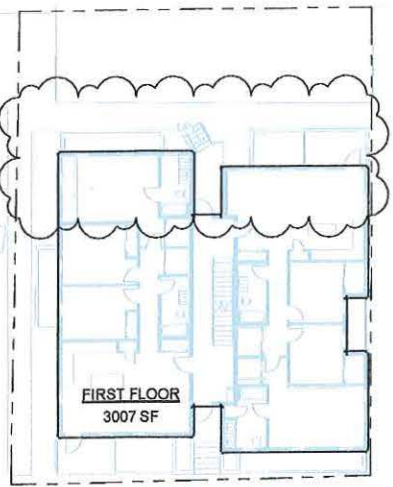
A1-00



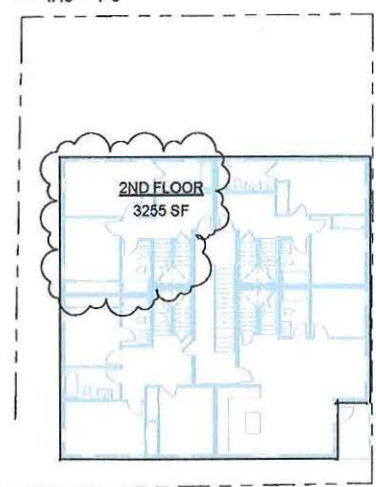
Area Schedule (Gross Building)	
Not Placed	Not Placed
GARDEN LEVEL	3031 SF
LEVEL 1	3007 SF
LEVEL 2	3255 SF
LEVEL 3	3093 SF
GROSS AREA	12386 SF



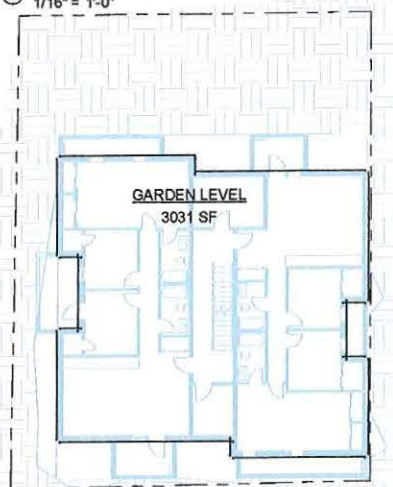
④ LEVEL 3  
1/16" = 1'-0"



② LEVEL 1  
1/16" = 1'-0"



③ LEVEL 2  
1/16" = 1'-0"



① GARDEN LEVEL  
1/16" = 1'-0"

# ZONING CODE GENERAL NOTES

PARCEL ID:	89-63
TOTAL LOT AREA:	5,912 SF
GROSS PROPOSED SF:	12386 SF
ZONING DISTRICT:	C-1 RESIDENCE
8 UNITS TOTAL:	
2 - GROUP 1 UNITS (3 BEDROOM)	
2 - 3 BEDROOM	
4 - DUPLEX (3 BEDROOM)	

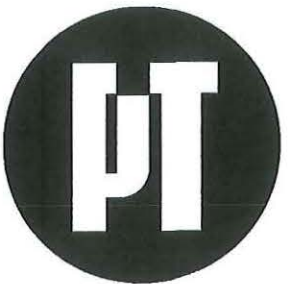
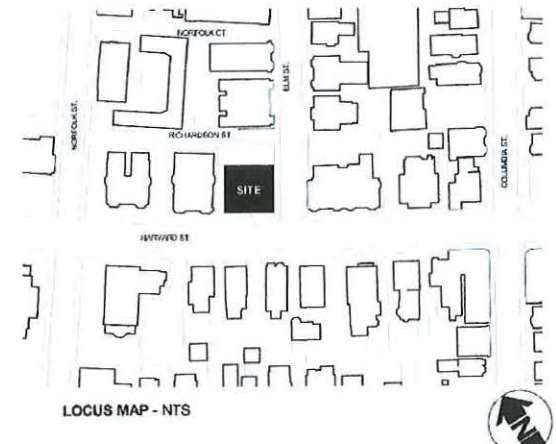
ZONING	REQUIRED	EXISTING*	PROPOSED
FAR (MAX.)	76	2.18	6.10
HEIGHT (STORIES MAX.)	3	3	3
HEIGHT (FEET MAX.)	35'-0"	34'-8"	34'-8"
MIN. LOT SIZE	5,000 SF	5,912 SF	5,912 SF
MIN. USABLE OS PER LOT AREA	30 %	12.2 %	20.5 %
MIN. LOT AREA PER UNIT	1500 SF	139 SF	739 SF
MIN. FRONT SETBACK 1	2'-3" MIN.	0" MIN.	4'-4" MIN.
MIN. FRONT SETBACK 2	3'-7" MIN.	-1'-9" MIN.	4" MIN.
MIN. SIDE SETBACK	18'-4" MIN.	6'-11" MIN.	7'-6" MIN.
MIN. REAR SETBACK	20'-0" MIN.	29'-4.5" MIN.	28'-11" MIN.
MIN. OFF STREET PARKING	8 SPACES	6 SPACES	6 SPACES

\* NEW BUILDING TO REPLACE RECENTLY BURNED DOWN STRUCTURE. NEW BUILDING TO HAVE SAME NUMBER OF UNITS, SAME NUMBER OF STORIES, AND SIMILAR SIZE & MASSING AS PREVIOUS STRUCTURE. PREVIOUS STRUCTURE SIZE & MASSING APPROXIMATED BASED ON PHOTOS & GIS MAPS PROVIDED BY CITY OF CAMBRIDGE.

**FIRE PROTECTION**  
THE BUILDING SHALL COMPLY WITH NFPR 13 AND BE FULLY SPRINKLERED.

**CODE SUMMARY**  
APPLICABLE CODES:  
- 780 CMR: MASSACHUSETTS STATE BUILDING CODE, 9TH EDITION (IBC 2016 WITH MA AMENDMENTS)  
- 521 CMR: MASSACHUSETTS ARCHITECTURAL ACCESS BOARD  
- 527 CMR 1: MASSACHUSETTS BOARD OF FIRE PREVENTION REGULATIONS, MASSACHUSETTS COMPREHENSIVE FIRE SAFETY CODE (NFPA 1-2012 WITH MA AMENDMENTS)

CONSTRUCTION TYPE: 5B  
OCCUPANCY: R-2  
NUMBER OF EXITS: 1 (PER TABLE 1006.3.2(1))



PROJECT: 213 HARVARD ST

PROJECT ADDRESS: 213 Harvard St, Cambridge, MA 02139

TAX ASSESSOR PARCEL #: \*\*\*

ARCHITECT: PLACETAILOR, INC., 103 TERRACE STREET, ROXBURY, MA 02120

CONSULTANT

CLIENT: 213 Harvard Street Condominium Trust

MARK	DATE	DESCRIPTION
1	1/3/22	Zoning Revision 1

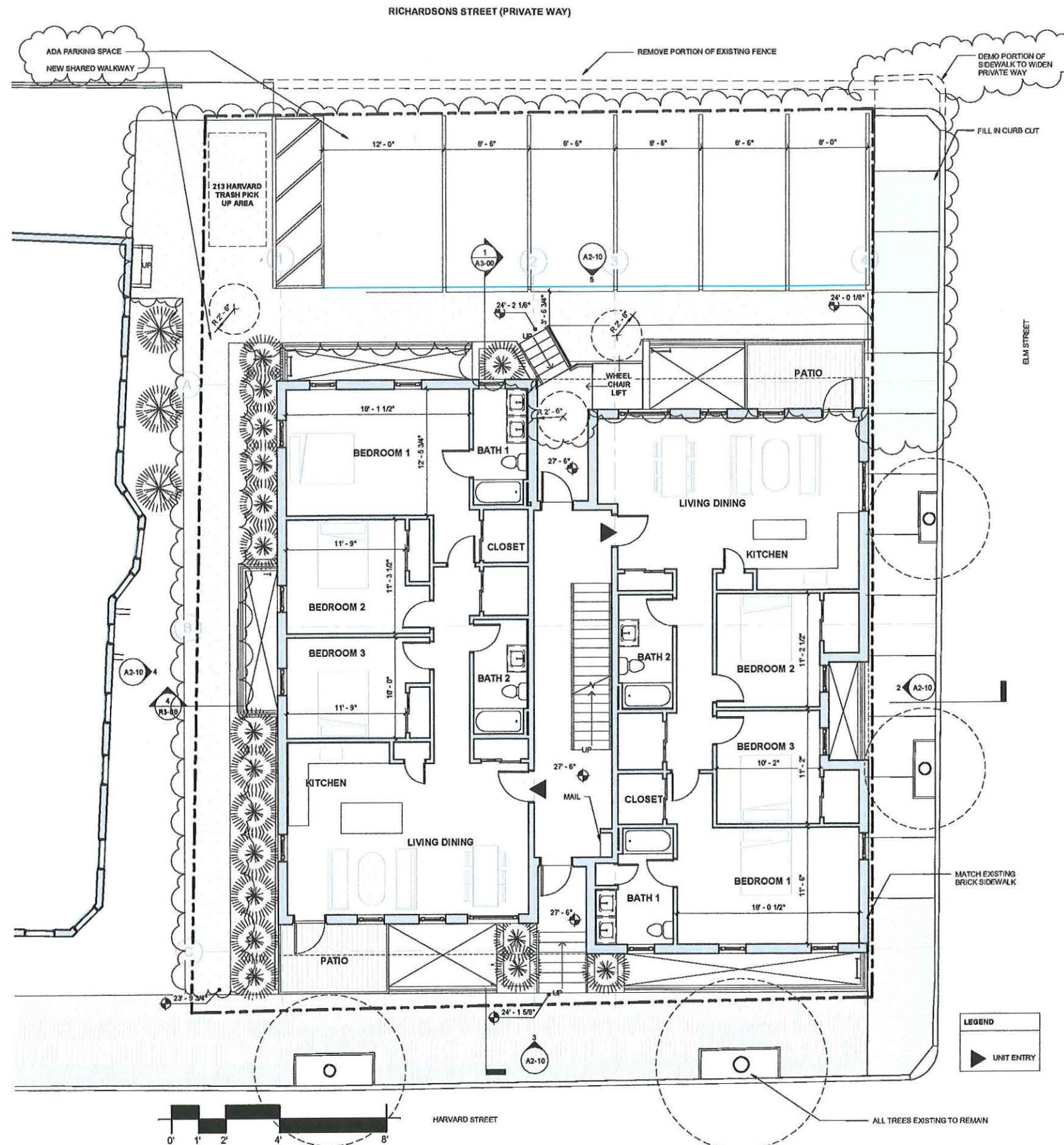
SUBMISSION DATE: 01/03/2022

ZONING SET R1

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ZONING COMPLIANCE

A0-20



PROJECT: **213 HARVARD ST**

PROJECT ADDRESS: 213 Harvard St.  
Cambridge, MA 02139

TAX ASSESSOR PARCEL #: \*\*\*

ARCHITECT: PLACETAILOR, INC.  
103 TERRACE STREET  
ROXBURY, MA 02120

CONSULTANT:

CLIENT: 213 Harvard Street  
Condominium Trust

MARK	DATE	DESCRIPTION
1	1/3/22	Zoning Revision 1

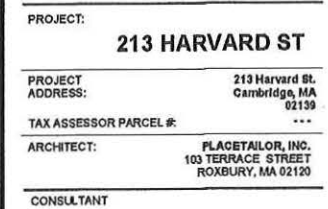
SUBMISSION DATE: **01/03/2022**

**ZONING SET R1**

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1/3/2022 8:14:57 AM

**LEVEL 1 FLOOR PLAN**

**A1-01**

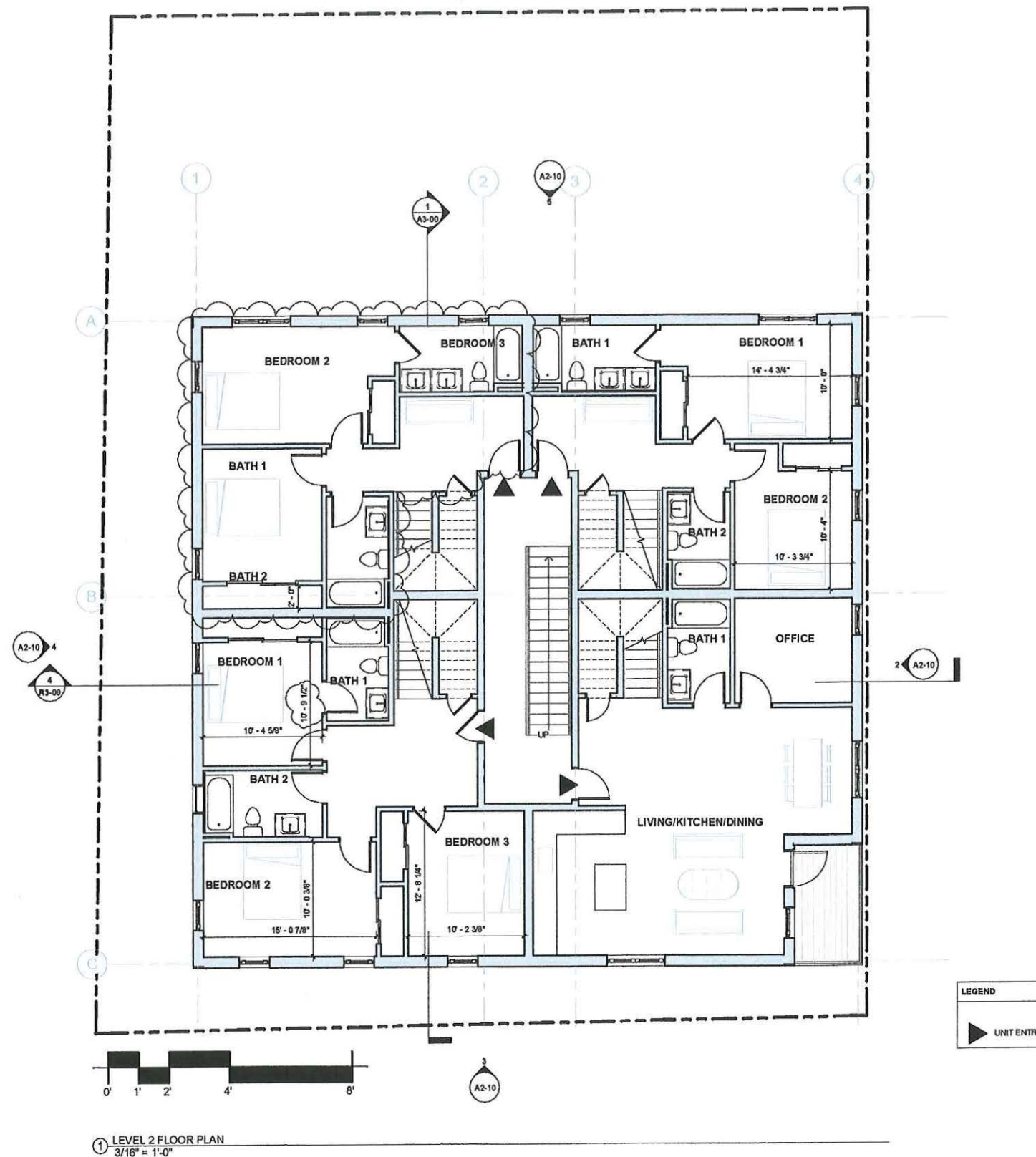
[illegible]

**ZONING SET R1**

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1/4/2022 8:14:57 AM

LEVEL 2 FLOOR  
PLAN

A1-02





CLIENT	213 Harvard Street Condominium Trust
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[illegible]

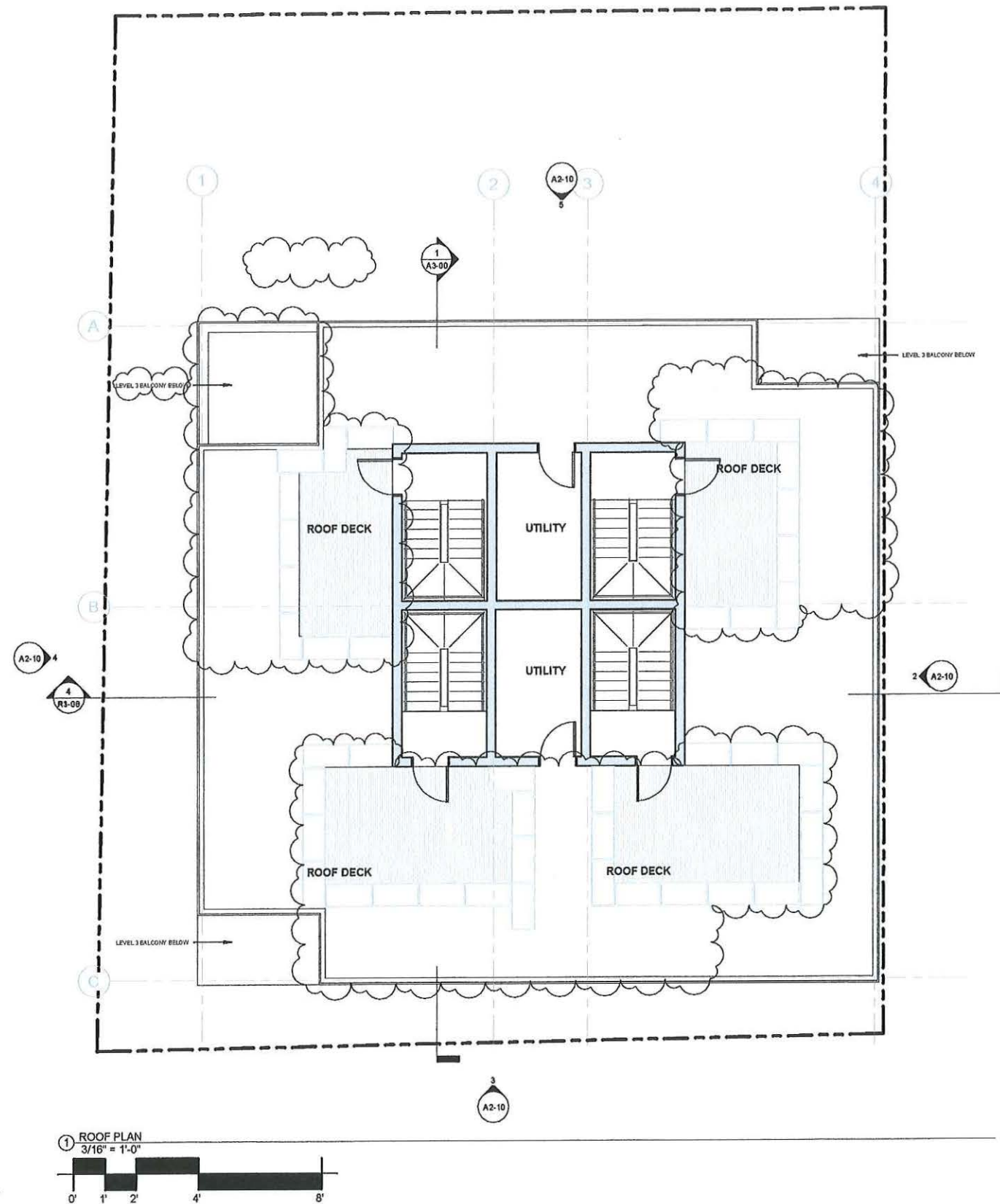
SUBMISSION DATE: 01/03/2022

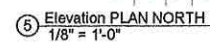
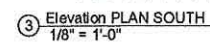
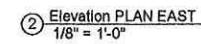
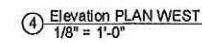
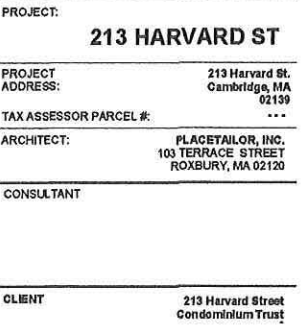
**ZONING SET R1**

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ROOF PLAN

A1-04



[illegible]

SUBMISSION DATE: 01/03/2022

**ZONING SET R1**

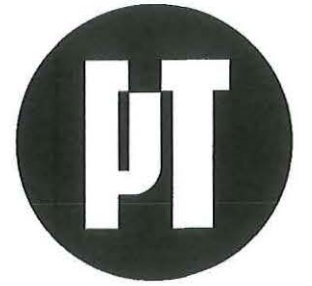
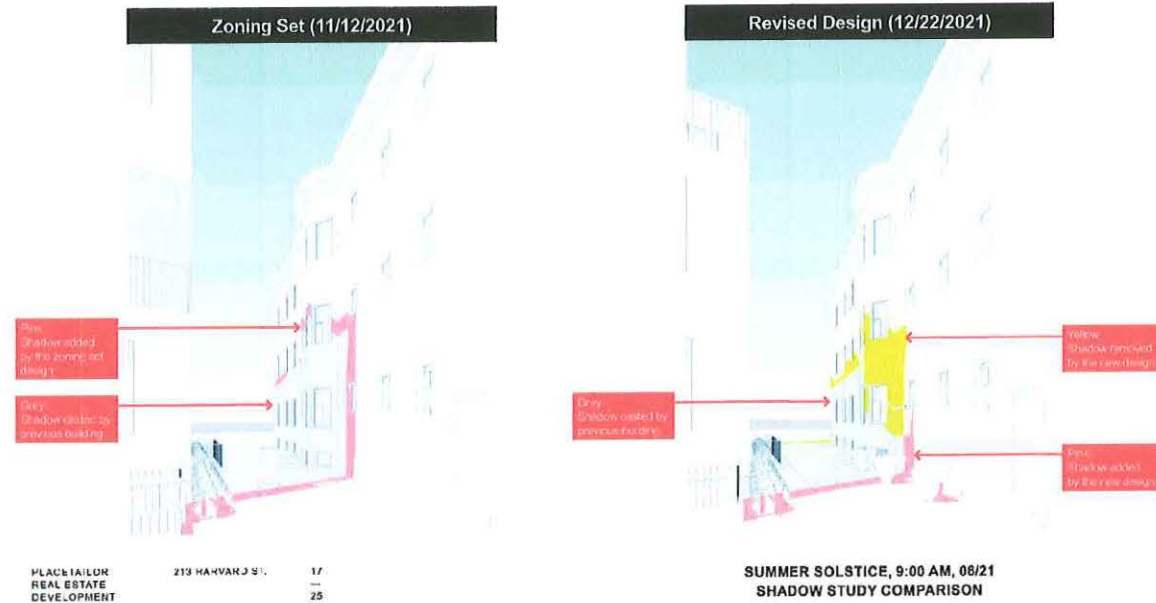
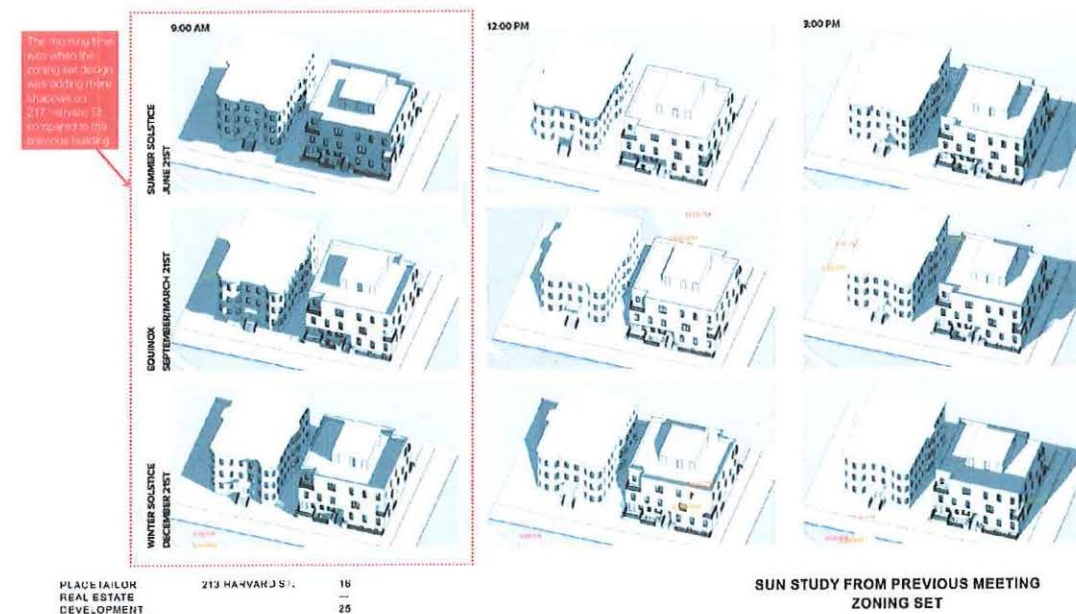
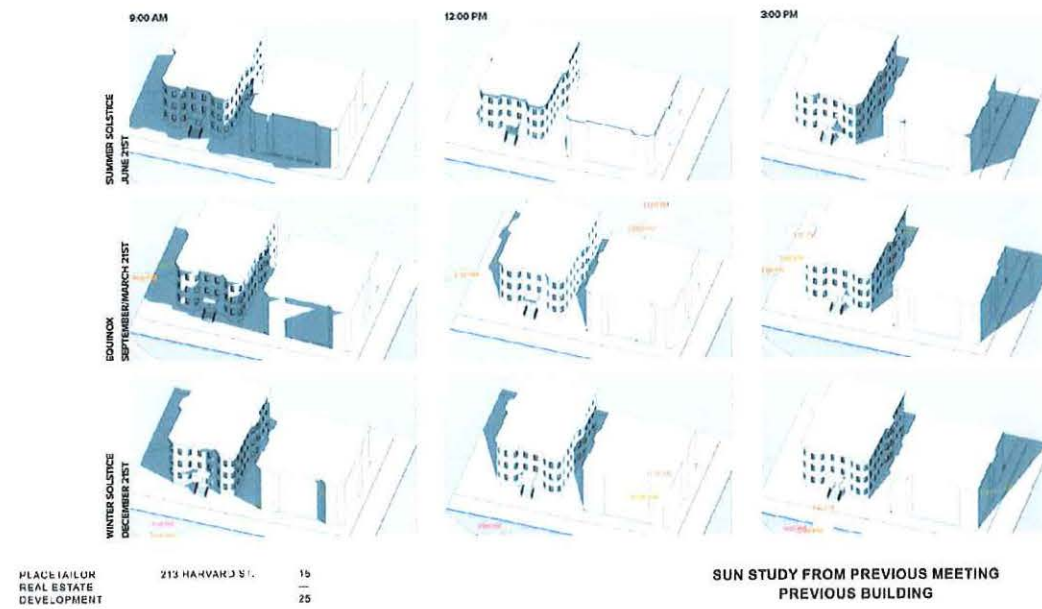
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1/4/2022 8:15:05 AM

## EXTERIOR ELEVATIONS

A2-10

A3-00

④ Section 3  
 $1/8'' = 1'-0''$



<b>PROJECT:</b>	
<b>213 HARVARD ST</b>	
<b>PROJECT ADDRESS:</b>	213 Harvard St. Cambridge, MA 02139
<b>TAX ASSESSOR PARCEL #:</b>	***
<b>ARCHITECT:</b>	PLACETAILOR, INC. 103 TERRACE STREET ROXBURY, MA 02120
<b>CONSULTANT</b>	

CLIENT	213 Harvard Street Condominium Trust
--------	---

[illegible]

SUBMISSION DATE: 01/03/2022

**ZONING SET R1**

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SHADING STUDIES

A3-10

## Pacheco, Maria

---

**From:** Pankaj Mehta <pankajmehta@protonmail.com>  
**Sent:** Tuesday, December 21, 2021 11:10 PM  
**To:** Pacheco, Maria  
**Subject:** Comments on CASE NO. BZA-154221  
**Attachments:** HousingReport-v1-main.pdf

Dera BZA,

Please find attached detailed comments on the request for variances by 213 Harvard St from residents and owners of the immediately adjacent property 217 Harvard St. In addition, to these more technical comments, we also plan to submit more detailed personal testimony and speak at the public hearing. Thank you for your time and consideration.

Due to some pictures, I have divided the file into a main and appendix attached to separate emails. I am also including link to the full file in Dropbox folder here in email.

<https://www.dropbox.com/s/iwklix671b8urmx/HousingReport-v1.pdf?dl=0>

best,  
Pankaj Mehta  
on behalf of 217 Harvard St 1R,2R, and 3R.

-----  
Pankaj Mehta  
<https://physics.bu.edu/~pankajm/>

Dear Board of Zoning Appeal

This letter corresponds to CASE NO. BZA-154221 regarding the variances requested by 213 Harvard St. **We, the residents and owners of 217 Harvard Street Units 1R, 2R, and 3R, hereby submit this document to register our opposition to the rebuilding plans submitted by the residents of 213 Harvard Street, the building directly adjacent to ours that shares core common spaces and services with our building including parking, trash and recycling, a sidewalk spanning our two property lines, and other open spaces.** Before the fire the two buildings had nearly identical footprints in terms of size with 8 units in each building having combined interior living spaces of 9220 sq ft in 217 and 9277 sq ft in 213 and total building footprints of 10,000 sq ft.

On May 31, 2020, 213 Harvard Street was severely damaged by a fire and had to be torn down shortly thereafter. 217 Harvard Street, which was approximately 10 feet away from 213, also suffered extensive damage and we have spent the past year and a half performing major repairs on our building. We are happy to see that the 213 will begin rebuilding, but we have serious concerns about the proposed rebuilding plans that we feel will diminish both our quality of life, the value of our homes, and fundamentally alter the character of our neighborhood.

We have four major concerns about the current plans that we list in detail below:

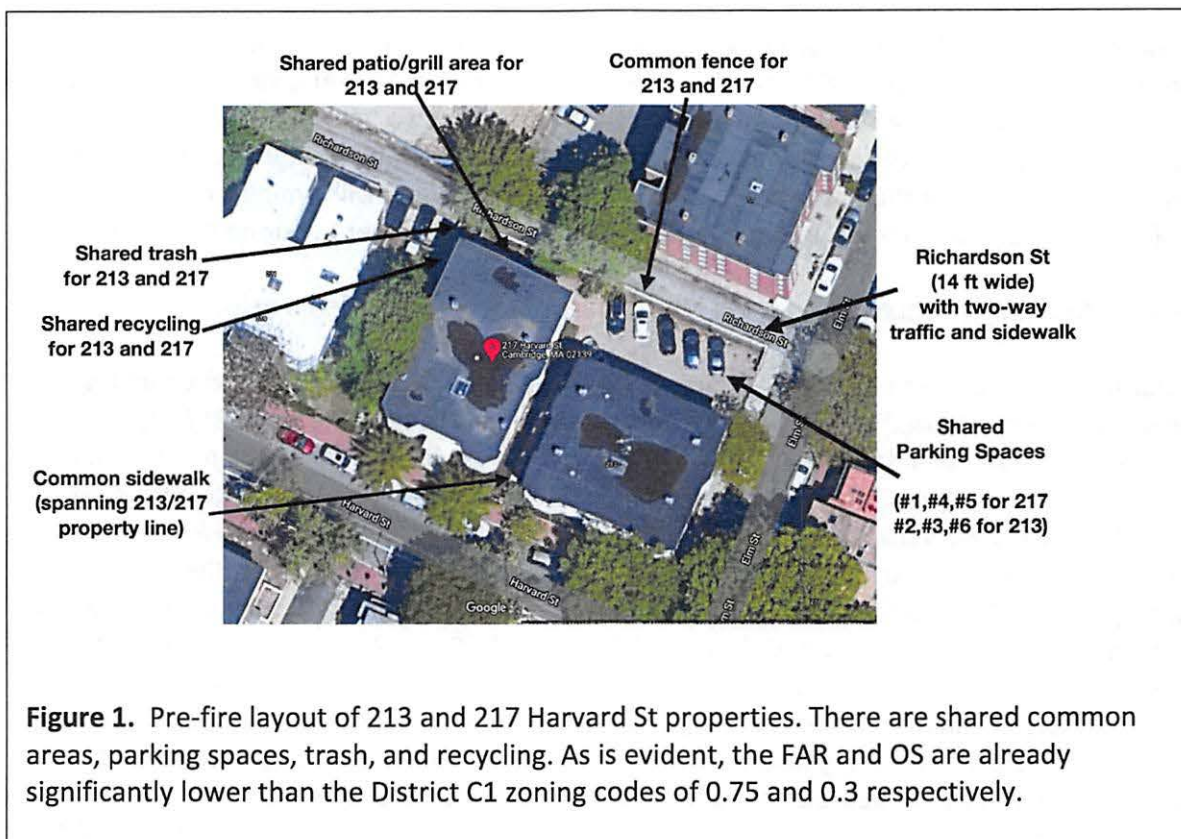
**1. Our first major concern is that 213's proposed rebuild significantly expands the building's original footprint, dramatically reducing light to the right-side apartments of 217, significantly increasing the FAR, and decreasing open space.** Both 217 and 213 were built circa the 1890s and have a high FAR (see Figure 1) that leaves very little free space around the two buildings. Both 213 and 217 Harvard St are in zoning district C1 which allows a maximum FAR of 0.75 and a minimum open space to lot ratio of 0.3. Even under the original footprints of the two buildings, the FARs for our two buildings were in violation of Cambridge zoning codes. The new plans call for a further *expansion of the FAR of 213 from 1.69 to 2.21* and a *reduction of the open space ratio from 0.13 to 0.097*, and an increase in the height of the building. The chief effect of this expansion is to *increase the gross floor area from 10,000 sq. ft to 13000 sq ft allowing for the construction of luxury apartments*. Whereas the old building consisted of units much like those in 217 (2 bedrooms/1 bath in all units except the basement), the new plan calls for duplex 3-bedroom, 2.5- bath apartments with roof decks. This further expansion of 213's footprint will decrease the already minimal open space in this block, negatively impacting not only 217 but also the neighborhood character.

Moreover, the original orientation of the two buildings enabled crucial morning light to reach 217's kitchen windows (see Figure 2), lighting both the kitchen and living areas of apartments 3R, 2R, and 1R. 213's rebuilding plan extends the footprint of the building back, radically diminishing the natural light to the right-side apartment windows facing Elm Street. 213 also plans to add a roof deck with a large headhouse that will further block light. One version of 213's plans also include a solar array that is effectively a fourth-floor addition onto the building.

This will not only block even more light from shining onto 217 but will also be the only building on the block with a fourth-floor structure.

This loss of natural light will not only reduce our quality of life but also negatively impact our homes' property value — homes with more natural light have a higher relative resale value than homes that lack natural light.

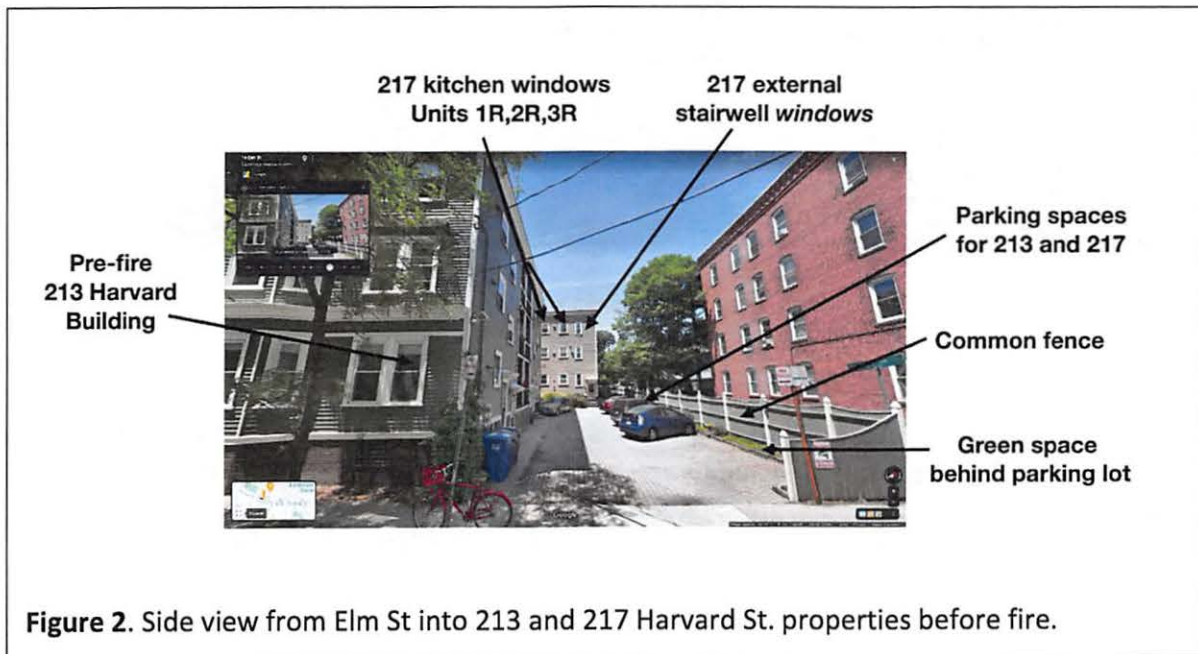
**We purchased our homes with the expectation of a certain amount of natural light, outside space, and neighborhood style. It is not tenable that 213 proposes to eliminate this light in order to increase the size and property values of their units.**



**2. Our second major concern is that 213's proposed rebuild dramatically reconfigures our common spaces and destroys our private, off-street parking lot to which three units in 217 have a legally deeded right to use** (see Appendix 1 for copies of easements and additional pictures of Richardson St). It furthermore moves the **entrance to the shared parking lot from a public road to a private way** (i.e. from Elm St to Richardson St), creating undue burdens on the residents of 217 with deeded parking spots.

To specify further: Three units from 217 have deeded parking spots (in the form of easements on the current parking spots 1,4,5) and three units from 213 have deeded parking spots. The parking lot is a private, fenced lot with access from Elm Street (see Figures 1 and 2). The fence, which extends along the entire rear property line of 217 and 213, shields the trash, patio area, and parking lot from Richardson Street (a dark alley/private way) and also serves to prevent foot traffic from using our property as a path from Sennott Park to Columbia Street (a common walking route). **The changing of the parking entrance from Elm St to Richardson St. has multiple detrimental consequences.** Compared to Elm St., Richardson St. is (1) poorly maintained, (2) is not cleaned by the city often resulting in glass and trash in the alleyway, and (3) is also not plowed by the city during the winter.

Furthermore, the current **fenced, private off-street parking area provides numerous additional benefits**, including: (1) crucial privacy from the surrounding buildings, (2) protection from people who use Richardson's darkness to urinate and engage in other illicit activities, (3) prevention of trash from blowing onto our property from Richardson and Elm Street, (4) extension of the protected play and patio area, (5) provision of a traffic free space to safely move from our vehicles to our homes, (6) provision of desperately needed green space (before the fire there was greenery running along the ground between the cars and the fence), (7) protection from being snowed in by street plows during snowstorms.



**213's rebuild proposes to completely eliminate the fence on the 213 property line** and reconfigure the parking lot so that cars will have to enter from Richardson. This is problematic not only because it **negates the benefits mentioned above**, but also because it changes the parking orientation of the cars in a manner that is not even feasible. We have historically parked our cars on a diagonal, which is necessary to create enough space to pull in and out of the parking lot safely. The proposed plan has each car parking straight in with no consideration

of the fact that Richardson is extremely narrow and has two-way traffic making it much less safe to park, and to exit the car and reach our building. Finally, we note that in contrast with what is indicated on the Certified Plot Plan, when measuring Richardson St. ourselves we found that it was actually closer to 14 feet wide excluding sidewalk, not 20 feet wide as indicated in the submitted documents (see Appendix 1 on parking).

**We purchased our homes with a deeded right to the parking lot as it is currently configured and we insist that it be maintained in its current form, modulo minor changes needed to comply with code upgrades.**



**3. 217 and 213 have historically shared significant common space in the rear of our two buildings (see Figures 1 and 2) including trash and recycling.** The breakdown of this common space is that all trash, recycling, grills, patio space, and a shared gate exit to Richardson Street are housed on 217's rear property while six parking spots are housed on 213's rear property. We also have a shared sidewalk (which sits on both of our properties) and gate that separates the two buildings and connects to Harvard Street. While the parking spaces have legal easements guaranteeing use by 217 (see Appendix 1), there is no corresponding legal easement guaranteeing 213 the right to use our trash, recycling, or common spaces. While we are happy to continue this arrangement with 213, it is predicated on the understanding that the common spaces of both 213 and 217 are arranged for the collective benefit of both buildings. The current plans do not reflect this historical arrangement. *It is unclear from the current blueprint how trash and recycling will be handled in the new building plan.* In particular, **the inclusion of**

***such a trash/recycling area on 213's property is likely to further reduce the open space ratio even below the proposed 0.097 (compared to the zoning requirement of 0.3).***

**4. Finally, the design and size of the house will significantly change the character of the neighborhood.** As can be seen in Figure 3, an extremely large building with a modern and stark design will dominate the character of our historic neighborhood. Harvard St. houses are built at the turn of the century. The styles are mostly colonial, Victorian and romantic revival with mansard roofs, and front-gabled roofs. Even the one modern house blends cohesively with the neighborhood. The size and design of the proposed building significantly alters the aesthetic and feel of the neighborhood.

**For all of these reasons, we ask that you reject 213's rebuilding proposal as it currently stands.**

Sincerely,

Residents, owners, occupants of 217 Harvard St:

Pankaj Mehta (3R -owner/occupant),  
Nicole Aschoff (3R- owner/occupant, Board of Trustees 217 Harvard St),  
Ben Masuch (1R- owner/occupant, Board of Trustees 217 Harvard St),  
Ting-Ting Zhang( 1R -owner/occupant),  
Victor Ancelson (2R – owner)

## Pacheco, Maria

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**From:** Pankaj Mehta <pankajmehta@protonmail.com>  
**Sent:** Tuesday, December 21, 2021 11:12 PM  
**To:** Pacheco, Maria  
**Subject:** Re: Comments on CASE NO. BZA-154221  
**Attachments:** HousingReport-v1-Appendix.pdf

Please find here Appendix to our comment.

best,  
Pankaj

-----  
Pankaj Mehta  
<https://physics.bu.edu/~pankajm/>

----- Original Message -----

On Tuesday, December 21st, 2021 at 11:10 PM, Pankaj Mehta <pankajmehta@protonmail.com> wrote:

Dera BZA,  
Please find attached detailed comments on the request for variances by 213 Harvard St from residents and owners of the immediately adjacent property 217 Harvard St. In addition, to these more technical comments, we also plan to submit more detailed personal testimony and speak at the public hearing. Thank you for your time and consideration.

Due to some pictures, I have divided the file into a main and appendix attached to separate emails. I am also including link to the full file in Dropbox folder here in email.

<https://www.dropbox.com/s/iwklix671b8urmx/HousingReport-v1.pdf?dl=0>

best,  
Pankaj Mehta  
on behalf of 217 Harvard St 1R,2R, and 3R.

-----  
Pankaj Mehta  
<https://physics.bu.edu/~pankajm/>

**Appendix 1: Additional Figure and easements related to parking.**

Below are figures showing Richardson St. a private way on which new parking spots are to be built. The alley is quite narrow (14ft not 20ft as indicated in schematics) and barely a car length wide compromising safety. Additionally, it is not maintained by the city (street cleaning/snow removal), and at night is quite dark,



**Figure 4.** Pictures of private way Richardson St.



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 Page: 1 of 2 01/15/2016 01:05 PM

### GRANT OF PARKING EASEMENT

BETH T LOGAN, of Cambridge, Middlesex County (hereinafter called the "Grantor") in consideration of and in full consideration of the sum of ONE and 00/100 (\$1.00) DOLLAR paid, grant to

PANKAJ MEHTA and NICOLE ASCHOFF of 217 Harvard Street, Unit 3-R, Cambridge, Middlesex County (hereinafter called the "Grantee") and easement in gross for the exclusive easement and right to use **Parking Space 4** (hereinafter called the "Parking Space"), in the Condominium known as 213 Harvard Street Condominium, a Condominium (hereinafter called the "Condominium"), established by Master Deed Dated January 22, 1990, recorded with Middlesex South Registry of Deeds in Book 20336, Page 257, as the same may be amended from time to time by instruments of record with said registry of Deeds (hereinafter called "Master Deed").

This easement and right of use shall be conveyed only with the Unit to which such rights are granted and shall not be severable from such Unit, provided, however, that notwithstanding the foregoing, a Unit Owner may convey such Owner's exclusive easement and right of use to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium (Master Deed recorded with said Deeds, Book 20336, Page 301, as may be amended from time to time by instruments recorded with said Registry of Deeds, the effect of which shall be that at all times the exclusive easement and right to use said parking space or parking areas shall be held by Unit Owners of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium; further, no Unit Owner may lease such Owner's exclusive easement and right to use such parking space(s) or parking area(s) unless such lease is to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium, or to a tenant occupying any Unit in either the 213 Harvard Street Condominium or the 217 Harvard Street Condominium. The cost of maintenance, repair, and replacement of any parking spaces for which an Owner of any Unit of the 217 Harvard Street Condominium shall have an exclusive easement and right of use shall be assessed to such Unit Owner by the Trustees of the 213 Harvard Street Condominium and shall be collected by the Trustees of the 213 Harvard Street Condominium in the same manner that such expenses would be collected under the provisions of the Master Deed of the 213 Harvard Street Condominium and the 213 Harvard Street Condominium Trust.

217 Harvard Street, Unit 3R, Cambridge, MA

By acceptance of this Parking Easement, the Grantee agrees to comply with and be bound by all of the provisions of the Master Deed and Declaration of Trust for the 213 Harvard Street Condominium Trust (the "Trust"), which Declaration of Trust is dated January 22, 1990, recorded with said Deeds, Book 20336, Page 272, as the same may be amended from time to time by instruments recorded with said Registry of Deed, and the provisions and restrictions set for in this Grant of Easement.

Executed as a sealed instrument this 13 day of January, 2016.

  
Beth T Logan, Grantor

\_\_\_\_\_  
Pankaj Mehta, Grantee

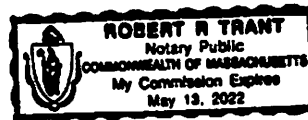
\_\_\_\_\_  
Nicole Aschoff, Grantee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 13 day of January, 2016 before me, the undersigned notary public, personally appeared Beth T Logan, proved to me through satisfactory evidence of identification, which was MA DL, 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.

  
\_\_\_\_\_  
Notary Public  
My commission expires:





2012 00101791

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Page: 1 of 2 05/21/2012 03:02 PM

**217 HARVARD STREET CONDOMINIUM**  
**GRANT OF PARKING EASEMENT**

Just A Start Corporation, a Massachusetts nonprofit corporation with offices at 1035 Cambridge Street #12, Cambridge MA 02141 (the Grantor), in consideration of One Dollar (\$1.00) paid, grants to Peter Paul Payack, of 217 Harvard Street #BR, Cambridge, MA 02139 (the Grantee) an easement in gross for the exclusive easement and right to use Parking Space 5 (the Parking Space) in 213 Harvard Street Condominium established by Master Deed dated January 22, 1990 and recorded with South Middlesex Registry of Deeds at Book 20336, Page 257 for use with Unit B-R of 217 Harvard Street Condominium (the Unit) also being conveyed by the Grantor to the Grantee by unit deed being recorded herewith.

This easement and right of use shall be conveyed only with the Unit and shall not be severable from the Unit, provided however, that notwithstanding the foregoing, a Unit Owner may convey such Owner's exclusive easement and right of use to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium (Master Deed recorded with said Deeds, Book 20336, Page 301), as the same may be amended, the effect of which shall be that at all times the exclusive easement and right to use said parking spaces or parking areas shall be held by Unit Owners of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium; further, no Unit Owner may lease such Unit Owner's exclusive easement and right to use such parking space(s) or parking area(s) unless such lease is to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium, or to a tenant occupying any Unit in either the 213 Harvard Street Condominium or the 217 Harvard Street Condominium. The cost of maintenance, repair and replacement of any parking spaces for which an Owner of any Unit of the 217 Harvard Street Condominium shall have an exclusive easement and right of use shall be assessed to such Unit Owner by the Trustees of the 213 Harvard Street Condominium and shall be collected by the Trustees of the 213 Harvard Street Condominium in the same manner that such expenses would be collected under the provisions of the Master Deed of the 213 Harvard Street Condominium and the 213 Harvard Street Condominium Trust.

By acceptance of this Parking Easement, the Grantee agrees to comply with and be bound by all of the provisions of the Master Deed and Declaration of Trust for 213 Harvard Street Condominium Trust dated January 22, 1990 recorded with said Deeds, Book 20336, Page 272, as amended from time to time, and the provisions and restrictions set forth in this Grant of Parking Easement.

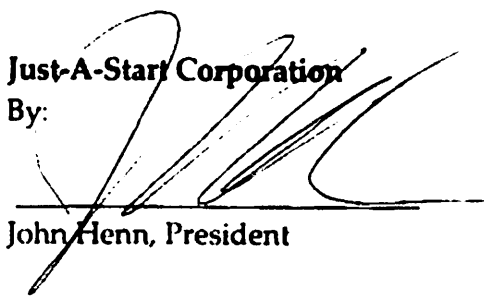
For Grantor's title, see Grant of Parking Easement recorded with South Middlesex Registry of Deeds in Book 54914, Page 197.

This conveyance does not constitute the sale of all or substantially all of Grantor's assets.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its President, hereunto duly authorized, this May 7, 2012, at Cambridge, Massachusetts.

Just-A-Start Corporation

By:

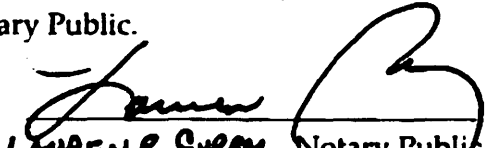
  
John Henn, President

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

MAY 7, 2012

Then personally appeared John Henn, proved to me through satisfactory identification, which was PERSONAL KNOWLEDGE, to be the person whose name is signed on the within document, who acknowledged that he is the President of Just-A-Start Corporation, duly authorized, and that he executed the foregoing instrument in such capacity as his free act and deed, and the free act and deed of Just-A-Start Corporation, before me, the undersigned Notary Public.

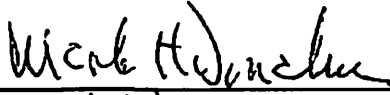
  
LAUREN P. CURRY Notary Public  
My commission expires: 4.27.18

**LAUREN P. CURRY**  
Notary Public  
My Commission Expires April 27, 2018

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On June 29, 2010, before me, the undersigned notary public, personally appeared Lisa Ann Binsfeld, proved to me through satisfactory evidence of identification, which was MA I.D., 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.

  
\_\_\_\_\_  
MARK H. DUNNE, Notary Public  
My Commission Expires: 2/16/12



Bk: 40854 Pg: 584

Recorded: 09/12/2003

Document: 00001315 Page: 1 of 2

**GRANT OF PARKING EASEMENT**

PASQUALE FREDA, Trustee of the 213 Harvard #3R Trust, u/d/t dated 1/23/90, recorded with the Middlesex South District Registry of Deeds, Book 20340, Page 420, (hereinafter called the "Grantor") in consideration and in full consideration of the sum of ONE and 00/100 (\$1.00) DOLLAR paid, grants to

Todd James Rapinac and Jocelyne Farizy-Rapinac,  
husband and wife, tenants by the entirety

Cambridge, Massachusetts 02139 (hereinafter called the "Grantee") an easement in gross for the exclusive easement and right to use the Parking Space 1 (hereinafter called the "Parking Space"), in the Condominium known as 213 Harvard Street Condominium, a Condominium (hereinafter called the "Condominium"), established by Master Deed dated January 22nd, 1990, recorded with Middlesex South Registry of Deeds Book 20336, Page 257, as the same may be amended from time to time by instruments recorded with said Registry of Deeds (hereinafter called "Master Deed").

This easement and right of use shall be conveyed only with the Unit to which such rights are granted and shall not be severable from such Unit, provided, however, that notwithstanding the foregoing, a Unit Owner may convey such Owner's exclusive easement and right of use to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium (Master Deed recorded with said Deeds, Book 20336, Page 301, as may be amended from time to time by instruments recorded with said Registry of Deeds), the effect of which shall be that at all times the exclusive easement and right to use said parking spaces or parking areas shall be held by Unit Owners of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium; further, no Unit Owner may lease such Owner's exclusive easement and right to use such parking space(s) or parking area(s) unless such lease is to another Unit Owner of the 213 Harvard Street Condominium or the 217 Harvard Street Condominium, or to a tenant occupying any Unit in either the 213 Harvard Street Condominium or the 217 Harvard Street Condominium. The cost of maintenance, repair, and replacement of any parking spaces for which an Owner of any Unit of the 217 Harvard Street Condominium shall have an exclusive easement and right of use shall be assessed to such Unit Owner by the Trustees of the 213 Harvard Street Condominium and shall be

75.00

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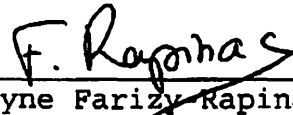
collected by the Trustees of the 213 Harvard Street Condominium in the same manner that such expenses would be collected under the provisions of the Master Deed of the 213 Harvard Street Condominium and the 213 Harvard Street Condominium Trust.

By acceptance of this Parking Easement, the Grantee agrees to comply with and be bound by all of the provisions of the Master Deed and the Declaration of Trust for the 213 Harvard Street Condominium Trust (the "Trust"), which Declaration of Trust is dated January 22nd, 1990, recorded with said Deeds, Book 20336, Page 272, as the same may be amended from time to time by instruments recorded with said Registry of Deeds, and the provisions and restrictions set forth in this Grant of Easement.

IN WITNESS WHEREOF, PASQUALE FREDA, Trustee of the 213 Harvard #3R Trust has caused this Grant of Parking Easement to be duly executed this 5<sup>th</sup> day of SEPTEMBER, 2003.

  
PASQUALE FREDA, Trustee

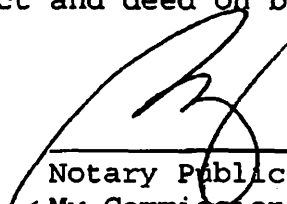
  
Todd James Rapinac, Grantee

  
Jocelyne Farizy Rapinac, Grantee

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. 9/5, 2003

Then personally appeared the above named PASQUALE FREDA, Trustee of the 213 Harvard #3R Trust, and acknowledged the foregoing instrument to be his free act and deed on behalf of said Trust, before me.

  
Notary Public: Bruce J. Emery  
My Commission Expires:  
May 17, 2007

**Pacheco, Maria**

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**From:** Peter Paul Payack <pppayack@gmail.com>  
**Sent:** Saturday, January 1, 2022 10:17 PM  
**To:** Pacheco, Maria  
**Subject:** Abutter comments, Case # BZA-154221

Dear Maria and the Cambridge Board of Zoning Appeals,

My name is Peter and I own 217 Harvard Street Unit BR, an abutter to 213 Harvard Street. I support granting the zoning variances for the revised building design that Placetaylor provided us on 12/22/21.

My only concern has to do with their proposed redesign of our parking area. We were told 1 of our 6 parking spaces needs to be made ADA-compliant. I completely understand the idea and the need, but we don't have a normal parking lot—we have 6 individually numbered parking spaces that are deeded to 6 specific units within the 2 buildings (spot #5 is deeded to my unit, for example). Spot #6, which they're proposing to make ADA-compliant, is deeded to Unit BR in 213 I believe, so only the owner of that 1 specific unit will have access to it. Even if another owner or tenant actually needed the ADA space, they wouldn't be able to use it.

Feel free to contact me by phone or email if you have any questions or concerns.

Sincerely,  
Peter Paul Payack  
(617-921-0574)

**Pacheco, Maria**

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**From:** Jennifer Murphy <jfmurphy@gmail.com>  
**Sent:** Wednesday, December 29, 2021 3:50 PM  
**To:** Pacheco, Maria  
**Subject:** Abutter comments on CASE NO. BZA-154221 213 HARVARD STREET

Dear Board of Zoning Appeals:

I am Jennifer Murphy, owner of 217 Harvard St unit BL, an abutter to 213 Harvard St. (case no. BZA-154221)  
I support granting the zoning variances for the revised design of 12/22/2022 submitted as an addendum to the initial 11/23/2021 design package.

Sincerely,  
Jennifer Murphy  
617 501-2652  
[jfmurphy@gmail.com](mailto:jfmurphy@gmail.com)