



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

BZA APPLICATION FORM

Plan No: BZA-017088-2019

GENERAL INFORMATION

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

Special Permit : _____ Variance : ✓ Appeal : _____

PETITIONER : Rebecca Price, Trustee C/O Sarah Like Rhatigan, Esq. Trilogy Law LLC

PETITIONER'S ADDRESS : 12 Marshall Street Boston, MA 02108

LOCATION OF PROPERTY : 22 Athens St Cambridge, MA 02138

TYPE OF OCCUPANCY : Two-Family Residential ZONING DISTRICT : Residence C-1 Zone

REASON FOR PETITION :

Other: Alterations to a non-conforming structure

DESCRIPTION OF PETITIONER'S PROPOSAL :

Renovation of a pre-existing non-conforming two-family structure, modifying front entry and rear egress from garden level apartment resulting in window well and retaining wall within front yard setback and minor increase in FAR; constructing headhouse to access roof mechanicals and roof deck; and relocating parking area within the front yard setback, requiring variance relief due to resulting increases in dimensional non-conformity.

SECTIONS OF ZONING ORDINANCE CITED :

Article 5.000	Section 5.31 (Table Dimensional Requirements).
Article 8.000	Section 8.22.3 (Non-Conforming Structure).
Article 6.000	Section 6.44.1.C (Front Yard Parking).
Article 10.000	Section 10.30 (Variance).

Original Signature(s) :



(Petitioner(s) / Owner)

Sarah Like Rhatigan, Esq. on behalf of
(Print Name) Petitioners

Address :

Trilogy Law LLC
12 Marshall St. Boston MA 02108

Tel. No. :

617-543-7069

E-Mail Address :

sarah@trilogylaw.com

Date :

3/14/19

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Produced no. per [illegible] [illegible]

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P/1111

BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by **OWNER**, signed before a notary, and returned to Secretary of Board of Appeal).

I/We **Rebecca Price, Trustee of the 22 Athens Street Realty Trust,**
u/d/t dated July 23, 2018


(OWNER)

Address: **22-22 1/2 Athens Street, Cambridge, MA**

State that I/We own the property located at **22-22 1/2 Athens Street, Cambridge, MA** which is the subject of this zoning application.

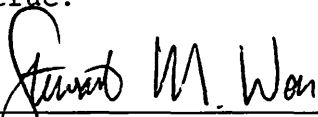
The record title of this property is in the name of
Rebecca Price, Trustee of the 22 Athens Street Realty Trust,
u/d/t dated July 23, 2018

*Pursuant to a deed dated **July 20, 2018** and duly recorded on **July 23, 2018**, in the Middlesex South County Registry of Deeds at Book **71357**, Page **257**.

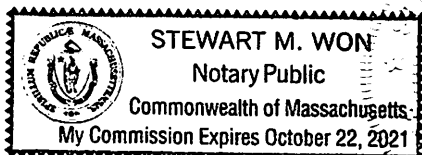

SIGNATURE BY LAND OWNER BY: Rebecca Price,
Trustee of the 22 Athens Street Realty Trust,
u/d/t dated July 23, 2018

Commonwealth of Massachusetts, County of Middlesex

The above-name **Rebecca Price, Trustee of the 22 Athens Street Realty Trust, u/d/t dated July 23, 2018** personally appeared before me, this 25th day of **February, 2019**, and made oath that the above statement is true.



My commission expires (Notary Seal).



UNITED STATES DEPARTMENT OF AGRICULTURE

Report of the Survey of the
Forest Resources of the State of
California, 1906-1907

By
J. B. COOPER, Chief of the
Forest Survey, California
Department of Agriculture

Published by the
United States Government Printing Office
Washington, D. C., 1908



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:

INTRODUCTION:

The Petitioner seeks to rehabilitate this two-family, pre-existing, non-conforming house which is currently in serious disrepair, reconfiguring the units in order to create a larger apartment on the 1st and 2nd floors (for the petitioner's to reside in) and a 2nd, smaller apartment at the garden level (to be rented). The plans involve the following, each requiring a variance from Article 5.000 dimensional standards:

(A) moving the 2nd apartment's front entry door to the garden level to be accessed via stairs down to a sunken patio and entryway, and constructing a window well for the garden level apartment bedroom (for light and emergency egress) within the front yard setback;

(B) creating a rear egress hallway for the garden level apartment and other minor alterations to porch overhangs result in an increase of 38 square feet of Gross Floor Area; and

(C) relocating the parking area, which is currently undersized and located in the front yard setback, to a conforming-sized parking area in an improved location but still located within the front yard setback.

The pre-existing, non-conforming parking space (shown as "patio/parking" on the survey plan) has been used by the prior owners for the past 85 years. (See Affidavit of Patricia A. DeCaprio, the previous owner, whose family had owned the Property for approximately 85 years and openly parked in this area throughout this time). The parking space is undersized, even for a small compact vehicle, resulting in parked cars partially intruding onto the private way. The Petitioner seeks to relocate the parking space, creating a compliant-sized parking space with permeable materials, resulting in a parking area that is more compliant although still located within front yard setback. In order to minimize impacts to abutters and create more privacy in their backyard, the Petitioners will install a fence with sliding gate for access to the relocated parking space. To locate the parking further back (as the ordinance would require) would result in even less usable yard area, with little benefit to the neighbors along Athens Terrace.

An additional aspect of the work -- constructing stairs and a head house to access new mechanical systems on the roof and a 10 x 20 ft roof deck (not counted towards Gross Floor Area) - should not require a variance because: 1) the stair head house is exempt from calculations of height under Section 5.23 as a "necessary feature appurtenant to buildings which are usually carried above roofs and are not used for human occupancy", or 2) even if not exempt under Section 5.23, the height of the building with head house will be 35 ft, complying with height requirement for the district. Note: area within the head house is not included in Gross Floor Area (see definition of "Gross Floor Area shall not include" subsection 7).

HARDSHIP:

A literal enforcement of the ordinance impose substantial hardship, both financial and otherwise, prohibiting the Petitioner from renovating this two-family home which is in substantial need of repair, and create a comfortable home for their family while maintaining a 2nd rental apartment on the garden level. The Petitioner has explored numerous alternatives each of which result in various dimensional non-conformities of varying degrees. The plans presented to the BZA with this application represent the Petitioner's best effort to make changes necessary to achieve their desired continued use of this two-family home with minimal zoning relief requested. The relocation of the front entry and rear egress to the 2nd apartment each result in changes that require zoning relief. The front entry changes necessitate retaining walls and window wells that Inspectional Services has indicated are deemed to be structures which will be located within the front yard setback, thus requiring a variance. The new rear egress from the 2nd apartment requires the relocation of the parking to a

location further from the house. The stair head house on the roof will make access to roof mechanical systems safer and easier, and will allow access to an otherwise zoning compliant roof deck (which will make up for the loss of usable open space in the yard).

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

The hardships described herein are owing to the unique circumstances relating to the structure's interior configuration of the apartments, aged condition and need for significant rehabilitation, the siting of the structure on this undersized, narrow lot which is located on a corner of a private way with difficult access in for parking. These unique circumstances collectively result in the Petitioner requiring zoning relief in order to make even modest improvements to the Property.

C) *DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:*

- 1)** Substantial detriment to the public good for the following reasons:

Variance relief from Section 5.31 may be granted without any detriment to the public good. The renovations to the building will be a vast improvement to the current dilapidated condition, modifications to the exterior will not result in any additions or expansion of the exterior footprint of the building. Window wells and sunken entrance to the garden level apartment on Athens St. will be below grade and obscured from the road by landscaping, an improvement over the current conditions. The increased GFA will not be seen or have any impact on density or uses within the building. Finally, the relocated parking area will also be an improvement for the Petitioner and future residents as well as abutters along Athens Terrace, a private way. The current small parking space situation results in owners with a larger vehicle unable to use the parking space, and thus parking along Athens Terrace (a one way, private way, that the City Fire Dept. prohibits parking on the opposite side). By relocating and increasing the size of the parking space on the Property, and with the new entry location, abutters on Athens Terrace may have an additional space to park along the private way.

There will be no adverse impacts to the District in terms of street congestion or adequate parking on account of the relief requested herein. In fact, the changes to parking will improve these conditions, guaranteeing that the Petitioner is able to park on their Property (and not on the private way). In allowing this zoning relief, the Board will allow for the Petitioner to proceed with plans to rehabilitate this Property and allow for them to make this their home, while preserving a much-needed rental apartment for the neighborhood.

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

Consistent with the stated intent and purpose of the ordinance, as detailed in Section 1.30 of Article 1.000 Preamble of the Zoning ordinance as well as M.G.L Ch. 40A Zoning Section 10 Variances, the proposed project will:

- Create quality housing for the benefit of the Petitioners, abutters, and successor owners.
- Not result in use or activity not otherwise permitted in the ordinance.
- Not result in negative impacts listed in the Section 1.3 regarding traffic, population density, blight and pollution.
- Preserve much-needed rental housing in an area of Cambridge in great need of such housing.

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

BZA APPLICATION FORM**DIMENSIONAL INFORMATION**

APPLICANT: Trilogy Law LLC **PRESENT USE/OCCUPANCY:** Two-Family Residential
LOCATION: 22 Athens St Cambridge, MA 02138 **ZONE:** Residence C-1 Zone
PHONE: _____ **REQUESTED USE/OCCUPANCY:** Two-Family Residential

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS</u> ¹	
<u>TOTAL GROSS FLOOR AREA:</u>		2,293 sf	2,331 sf	1,950 sf	(max.)
<u>LOT AREA:</u>		2,600 sf	2,600 sf	5,000 sf	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		0.88	0.90	0.75	(max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		1,300 sf	1,300 sf	1,500 sf	(min.)
<u>SIZE OF LOT:</u>	WIDTH	32.5 ft	32.5 ft	50 ft	(min.)
	DEPTH	80.0 ft	80.0 ft	--	
<u>SETBACKS IN FEET:</u>	FRONT	11.7/0.2	5.0/0.2	10.0 ft	(min.)
	REAR	n/a	n/a	n/a	(min.)
	LEFT SIDE	2.0 ft	2.0 ft	7.5 ft	(min.)
	RIGHT SIDE	31.8 ft	31.8 ft	7.5 ft	(min.)
<u>SIZE OF BLDG.:</u>	HEIGHT	26.2 ft	26.2/35	35 ft	(max.)
	LENGTH	36.5 ft	36.5 ft	--	
	WIDTH	30.3 ft	30.3 ft	--	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		0.37/0.30c	0.27/0c	0.30/0.15c	(min.)
<u>NO. OF DWELLING UNITS:</u>		2	2	1	(max.)
<u>NO. OF PARKING SPACES:</u>		1	1	2	(min./max)
<u>NO. OF LOADING AREAS:</u>		0	0	0	(min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		n/a	n/a	n/a	(min.)

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

No other occupancies on the lot.

Note: Property located on corner lot, with 2 front yards and 2 side yards.

Note: re open space calculations, "c" = ratio of private open space complying with dimensional requirement of 15x15.

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'.



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617 349-6100

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GENERAL INFORMATION

Plan No: BZA-017088-2019

2019 MAR 18 PM 3:02
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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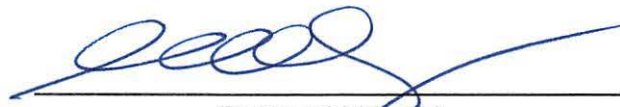
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Article 10.000	Section 10.30 (Variance).

Original Signature(s) :


(Petitioner(s) / Owner)
Sarah Rhatigan, Esq. on behalf of
(Print Name) Petitioner

Address : c/o Trilogy Law LLC
12 Marshall St. Boston MA 02108
Tel. No. : 617-543-7009
E-Mail Address : sarah@trilogylaw.com

Date : 3/14/19

CONFIDENTIAL

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22 Athens St.
BZA-017088-2019









Middlesex South Registry of Deeds
Electronically Recorded Document

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Recording Information

Document Number : 110056
Document Type : DEED
Recorded Date : July 23, 2018
Recorded Time : 12:16:02 PM

Recorded Book and Page : 71357 / 257
Number of Pages(including cover sheet) : 3
Receipt Number : 2231200
Recording Fee (including excise) : \$125.00

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 07/23/2018 12:16 PM
Ctrl# Doc# 00110056
Fee: \$.00 Cons: \$1.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com

22-22 1/2 Athens Street, Cambridge

QUITCLAIM DEED

Jo-Ann Nevas Price, of Chester, CT, for consideration paid, and in full consideration of \$1.00 paid, grants to Rebecca Price, Trustee of the 22 Athens Street Realty Trust u/d/t dated July 23, 2018 and recorded herewith, with Quitclaim Covenants, the land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, numbered 22-22 1/2 Athens Street, shown as lot marked "Wright" on "Plan of Building Lots belonging to the City of Cambridge, June 1884, "recorded in Middlesex South District Registry of Deeds, Plan Book 42, Plan 4, and bounded as described as follows:

NORTHWESTERLY by Athens Place, now Athens Street, thirty-two and 50/100 (32.50) feet;

NORTHEASTERLY by land now or formerly of Brigadier eighty (80) feet;

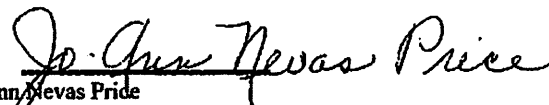
SOUTHEASTERLY by lot #1 on said plan thirty-two and 50/100 (32.50) feet;

SOUTHWESTERLY by a passageway on said plan, now Athens Terrace, eighty(80) feet.

I state that the premises herein conveyed are not homestead property.

For my title, see deed of Patricia DeCaprio, Trustee, recorded herewith.

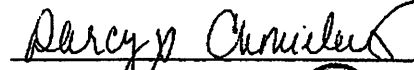
Witness my hand and seal this 20th day of July, 2018.


Jo-Ann Nevas Price

STATE OF CONNECTICUT

Middlesex County ss:

On this 20th day of July, 2018, before me, the undersigned notary public, personally appeared, Jo-Ann Nevas Price, proved to me through satisfactory evidence of identification, which was her driver's license to be the person whose name is signed on the preceding or attached document, and acknowledge to me that she signed it voluntarily for its stated purpose as her free act and deed.



Notary Public

My commission expires:



DARCY G CHMIELEWSKI
NOTARY PUBLIC
STATE OF CONNECTICUT
MY COMM. EXP. 10-31-22

Middlesex South Registry of Deeds
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Recording Information

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Recorded Time	: 12:16:02 PM
Recorded Book and Page	: 71357 / 252
Number of Pages(including cover sheet)	: 5
Receipt Number	: 2231200
Recording Fee	: \$225.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com

DECLARATION OF TRUST

ESTABLISHING THE

22 ATHENS STREET REALTY TRUST

The undersigned, Rebecca Price, hereby declares that any and all property and interest in property that may be acquired hereunder (the "Trust Estate") shall be held by her as Trustee hereunder, ~~IN TRUST, NEVERTHELESS~~, for the sole benefit of the beneficiaries for the time being hereunder, upon the terms herein set forth. The term "Trustee" whenever used herein shall mean the Trustee or Trustees named herein and such person or persons who hereafter are serving as Trustee or Trustees hereunder, and the rights, powers, authority and privileges granted hereunder to the Trustee shall be exercised by such person or persons subject to the provisions hereof.

1. The Trust hereby established may be referred to as the 22 Athens Street Realty Trust. The term "beneficiaries" wherever used herein shall mean the beneficiary or beneficiaries listed in the Schedule of Beneficial Interest this day executed and filed with the Trustee, or in the revised Schedule of Beneficial Interests, if any, from time to time executed and filed with the Trustee. The Trustee shall not be affected by any assignment or transfer of any beneficial interest until receipt by the Trustee of notice that such assignment or transfer has in fact been made and a revised Schedule of Beneficial Interests shall have been duly executed and filed with the Trustee. Any Trustee may without impropriety become a beneficiary hereunder and exercise all rights of a beneficiary with the same effect as though he were not a trustee.

2. The Trustee shall hold the principal of this Trust and receive the income therefrom for the benefit of the beneficiaries and shall pay over the income when received to the beneficiaries in proportion to their respective interests.

3. The Trustee shall have no power to deal in or with the Trust Estate except as directed by beneficiaries representing a majority of the beneficial interests. When, as, if and to the extent specifically directed by said majority of the beneficiaries, the Trustee shall buy, sell, convey, assign, mortgage or otherwise dispose of all or any part of the Trust Estate and as lessor or as lessee execute and deliver leases and subleases and borrow money and execute and deliver notes or other evidence of such borrowing, and grant or acquire rights or easements and enter into agreements or arrangements with respect to the Trust Estate and direct any person or persons, acting singly or together with others and whether or not serving as a Trustee hereunder to sign checks, drafts, notes, bills of exchange, acceptances, undertakings and other instruments or orders for the payment, transfer or withdrawal of money for whatever purpose and to whomsoever payable, including those drawn to the

individual order of a signer and all waivers of demand, protest, notice or protest or dishonor of any check, note, bill, draft or other instrument made, drawn or endorsed in the name of the Trust. Any and all instruments executed pursuant to such directions may create obligations extending over any periods of time including periods extending beyond the date of any possible termination of the Trust. Notwithstanding any provisions contained herein, no Trustee shall be required to take any action which will, in the opinion of such Trustee, involve her in any personal liability unless first indemnified to her satisfaction. Any person dealing with the Trustee shall be fully protected in accordance with the provisions of Paragraph 6 hereof.

4. The Trust may be terminated at any time by the beneficiaries by notice in writing to the Trustee and the other beneficiaries, if any, signed by beneficiaries representing a majority of the beneficial interest, but such termination shall only be effective when a certificate thereof signed and acknowledged by a Trustee hereunder shall be recorded with the South Middlesex Registry of Deeds (hereinafter "Registry"). In case of any such termination, the Trustee shall transfer and convey the specific assets constituting the Trust Estate, subject to any leases, mortgages, contracts or other encumbrances on the Trust Estate, to the beneficiaries as tenants in common in proportion to their respective interests hereunder. If not sooner terminated, this trust shall terminate forty (40) years after the death of Rebecca Price.

5. Any Trustee hereunder may resign, by written instrument signed and acknowledged by such Trustee and recorded with said Registry. Succeeding or additional Trustees may be appointed or any Trustee removed by an instrument or instruments in writing signed by beneficiaries representing a majority of the beneficial interest, provided in each case that a Certificate as to such direction of beneficiaries signed by any Trustee, or any new Trustee, naming the Trustee or Trustees appointed or removed, and in the case of any appointment, the acceptance in writing by the Trustee or Trustees appointed, shall be recorded with said Registry of Deeds. Upon the appointment of any succeeding Trustee, the title to the Trust Estate shall thereupon and without the necessity of any conveyance, be vested in said succeeding Trustee jointly with the remaining Trustee or Trustees, if any. Each succeeding Trustee shall have all the rights, powers, authority and privileges as if named as an original Trustee hereunder. No Trustee shall be required to furnish bond. This Declaration of Trust may be amended from time to time by an instrument in writing signed by beneficiaries representing a majority of the beneficial interest directed to and acknowledged by one or more of such Trustees or beneficiaries, provided in each case that the instrument of amendment or a certificate by any Trustee setting forth the terms of such amendment shall be acknowledged by the Trustee and recorded with the Registry. Notwithstanding the above, in the event of the death, resignation or disability of the initial Trustee, then Cara McKenna, of Cambridge, MA, shall serve as successor Trustee and her acceptance of appointment shall not be required.

6. No Trustee hereunder shall be liable for any error of judgment nor for any loss

arising out of any act or omission in good faith, but shall be responsible only for her own willful breach of trust. No license of court shall be requisite to the validity of any transaction entered into by the Trustees. No purchaser, transferee, pledgee, mortgagee or other lender shall be under any liability to see to the application of the purchase money or of any money or property loaned or delivered to any Trustee or to see that the terms and conditions of this Trust have been complied with. Every agreement, lease, deed, mortgage, note or other instrument or document executed or action taken by any Trustee of record hereunder shall be conclusive evidence in favor of every person relying thereon or claiming thereunder that at the time of the delivery thereof or of the taking of such action this Trust was in full force and effect, that the execution and delivery thereof or taking of such action was duly authorized, empowered and directed by the beneficiaries, and that such instrument or document or action taken is valid, binding, effective and legally enforceable. Any person dealing with the Trust Estate or the Trustee may always rely, without further inquiry, on a certificate signed by the Trustee as to who is the trustee hereunder or as to the authority of any Trustee to act, including her own authority, or as to the existence or non-existence of any fact or facts which constitute conditions precedent to acts by the Trustee or which are in any other manner germane to the affairs of the Trust.

7. All persons extending credit to or contracting with or having any claim against the Trustee shall look solely to the trust property for any such contract or claim, and neither the Trustee nor any beneficiary shall be personally liable therefor. Further, no beneficiary shall have the power to anticipate, alienate, dispose of or encumber his beneficial interest, or to subject the same to his debts or liabilities, and no such income or principal of the trust shall be liable for the personal debts or liabilities of any beneficiary.

8. As set forth in Paragraph 4 hereof, the term "Registry" as used herein shall mean the Registry of Deeds in and for South Middlesex County, Massachusetts, or any other county or state in which the Trust holds property and in which this instrument, or a Trustee Certificate referencing same, is recorded; provided that if this Declaration of Trust is recorded or filed for registration in any other public office within or without the Commonwealth of Massachusetts, any person dealing with portions or all of the Trust Estate as to which documents or instruments are recorded or filed for registration in such other public office in order to constitute notice to persons not parties thereto may rely on the state of the record with respect to this Trust in such other public office and with respect to such portions or all of the Trust Estate, the term "Registry" as used herein shall mean such other public office.

9. The Trustee may deal with and recognize the authority of the legal guardian of any minor or incompetent to act on behalf of said minor or incompetent, and in the case of a minor the Trustee may assume that the parents (or parent having legal custody of said minor) have full authority to act on behalf of the minor.

WITNESS the execution hereof under seal by the undersigned, this 23rd day of July, 2018.



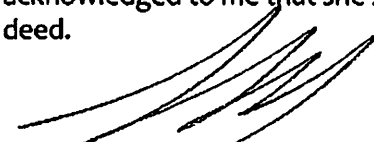
Rebecca Price

Commonwealth of Massachusetts

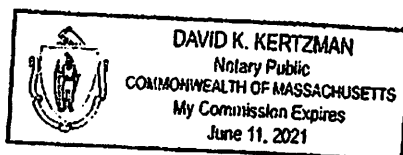
Norfolk, ss.

July 23, 2018

On this 23rd day of July, 2018, before me, the undersigned notary public, personally appeared Rebecca Price, proved to me through satisfactory evidence of identification, which was driver's license, to be the person whose name is signed on the preceding 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:



~~22 Athens Street~~ Realty Trust

~~RECEIVED~~

Middlesex South Registry of Deeds
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Recording Information

Document Number : 110056
Document Type : DEED
Recorded Date : July 23, 2018
Recorded Time : 12:16:02 PM

Recorded Book and Page : 71357 / 257
Number of Pages(including cover sheet) : 3
Receipt Number : 2231200
Recording Fee (including excise) : \$125.00

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 07/23/2018 12:16 PM
Ctrl# Doc# 00110056
Fee: \$.00 Cons: \$1.00

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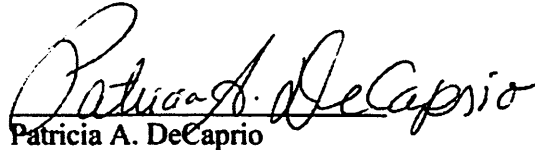
AFFIDAVIT OF PRIOR OWNER

Re: 22 – 22 ½ Athens Street, Cambridge, MA

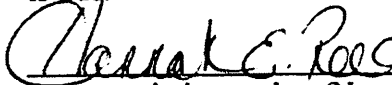
I, Patricia A. DeCaprio, hereby state the following under oath:

1. I and/or my family owned the property located at 22 – 22 ½ Athens Street, Cambridge, Massachusetts for approximately 85 years, up until we sold the property to Ms. Rebecca Price, Trustee of the 22 Athens Street Realty Trust on July 23, 2018.
2. To the best of my knowledge, my family has at all times openly and visibly parked motor vehicles on Athens Terrace alongside our house, with vehicles parked partially on our property and partially on Athens Terrace.
3. To the best of my knowledge, my family has at all times openly and visibly parked a motor vehicle on our property in the area located off of Athens Terrace immediately behind the house, which is shown on the attached survey as "Patio/Parking".

Signed under the pains and penalties of perjury on this 4 day of March, 2019.


Patricia A. DeCaprio

The above-name Patricia A. DeCaprio, former owner of 22-22 1/2 Athens Street, personally appeared before me, this 4 day of March, 2019, and made oath that the above statement is true.

 Notary
My commission expires (Notary Seal).
October 1, 2021



HANNAH E. REED
Notary Public
Commonwealth of Massachusetts
My Commission Expires
October 1, 2021

ZBA APPLICATION

ALTERATION OF EXISTING 2-FAMILY BUILDING

22 ATHENS ST, CAMBRIDGE, MA 02138

PETER
QUINN
ARCHI
TECTS

ARCHITECTURE
PLANNING
COMMUNITY DESIGN

PETER QUINN ARCHITECTS LLC
259 ELM STREET, SUITE 301
SOMERVILLE, MA 02144
PH 617-354-3989

SEAL

CONSULTANT

PROJECT
2-UNIT RENOVATION

22 ATHENS ST
CAMBRIDGE, MA

PREPARED FOR
REBECCA PRICE AND
CARA MCKENNA

53A FAIRMONT ST
CAMBRIDGE, MA 02139

DRAWING TITLE
TITLE SHEET

SCALE AS NOTED

REVISION	DATE
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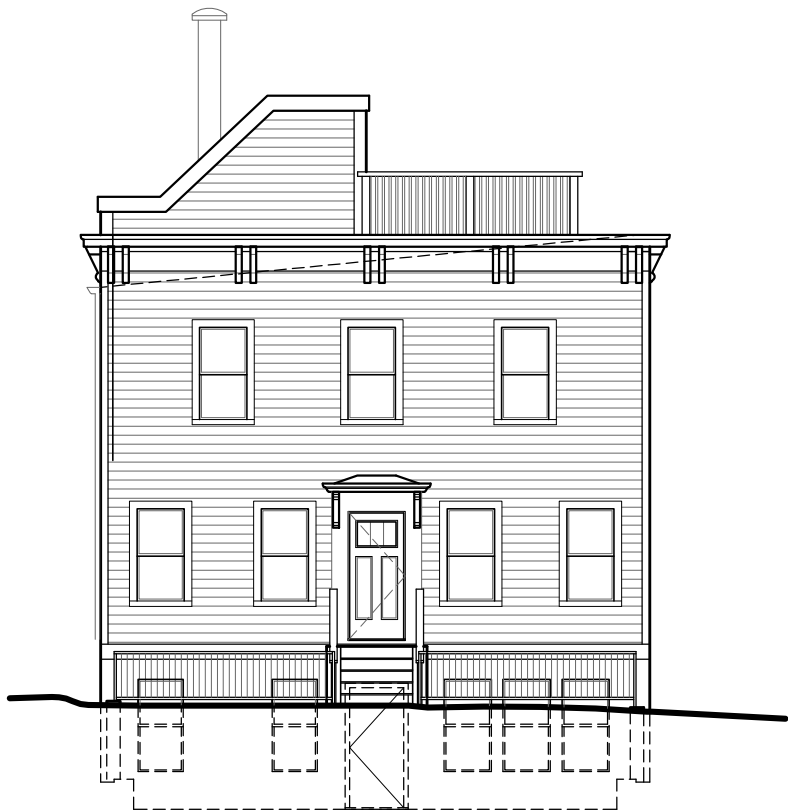
ZBA REV	14 FEB 2019
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ZBA	27 NOV 2018
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DRAWN BY CM	REVIEWED BY PQ
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SHEET

T1



ATHENS STREET ELEVATION

PREPARED BY:

ARCHITECT

PETER QUINN
ARCHITECTS LLC

259 ELM ST, STE 301
SOMERVILLE, MA 02144
PH (617) 354 3989

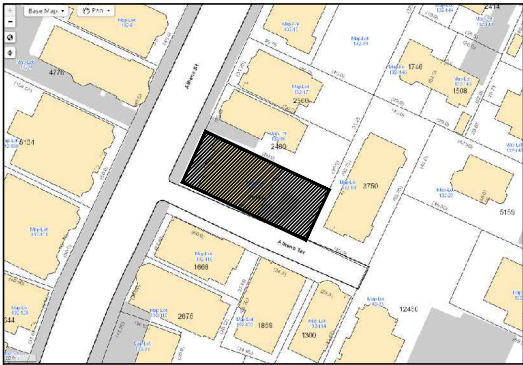
SURVEYOR

SUMMIT SURVEYING INC.

4 SOUTH POND ST
NEWBURYPORT, MA 01950
PH (978) 692-7109

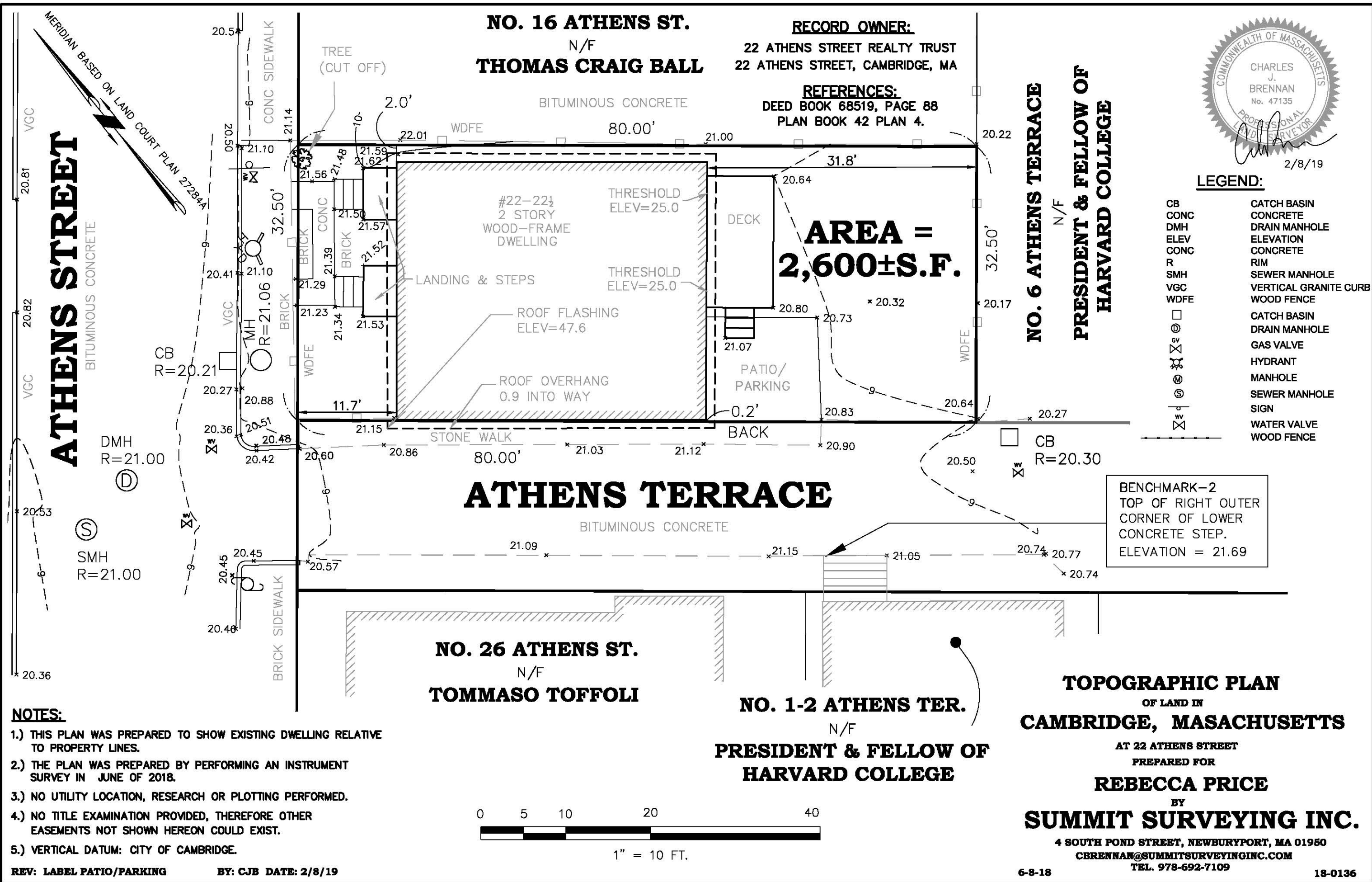
LIST OF DRAWINGS		ZBA APPL 20 NOV 2018	ZBA APPL REV 14 FEB 2019
GENERAL			
T1	TITLE SHEET	X	X
	TOPOGRAPHIC PLAN OF LAND	X	X
Z1	ZONING ANALYSIS	X	X
Z2	ZONING ANALYSIS	X	X
Z3	ZONING ANALYSIS	X	X

ARCHITECTURAL			
A1	BASEMENT AND FIRST FLOOR PLANS	X	X
A2	SECOND AND ROOF PLANS	X	X
A3	EXISTING AND PROPOSED WEST ELEVATION	X	X
A4	EXISTING AND PROPOSED NORTH ELEVATION	X	X
A5	EXISTING AND PROPOSED EAST ELEVATION	X	X
A6	EXISTING AND PROPOSED SOUTH ELEVATION	X	X
EC1	EXISTING FLOOR PLANS	X	X
EC2	EXISTING CONDITION PHOTOS	X	X



LOCUS PLAN





Z:\CADD\WG\Shawens\2102 Schematic Design\Athens Zoning.dwg, 21/11/2019 11:14:59 AM

	EXISTING		PROPOSED	REQUIRED / ALLOWED	
Gross Floor Area	2,293-GSF		2,331-GSF	1,950-GSF	Requires relief
Lot Area	2,600-SF		No Change	5,000-SF (min.)	Exist nonconformity No change
Gross Floor Area Ratio (FAR)	0.88		0.90	0.75	Requires relief
Lot Area per Dwelling Unit	1,300-SF		No Change	1,500-SF	Exist nonconformity No change
Lot Size	Width	32.50'	No Change	50' min.	Exist nonconformity No change
	Depth	80.00'	No Change	N/A	Complies
Setbacks in Feet (See sheet Z-2)	Front (Athens St)	11.7'	11.7'	(H+L)/(6) to street center, but no case less than 10' to property line	Wall Complies
	Front (Athens Ter)	0.2'	0.2'	(H+L)/6 to center of street, no case less than 10' to property line	Exist nonconformity No change
	Side (off Athens St)	2.0'	2.0'	(H+L)/7, no case less than 7.5'	Exist nonconformity No change
	Side (off Athens Ter)	31.8'	31.8'	(H+L)/7, no case less than 7.5'	Complies
Building Size	Height	26.2'	35'	35' (max.)	Complies
Private Open Space % of Lot Area	27% total		0-SF private open space + 830-SF permeable open space=830-SF total (32%)	30% lot =780-SF min Private Open Space	Requires relief
Area and % of req'd POS'			0-SF = (0%)	15% lot (half of 30%) POS =390-SF min 7.5% lot (half of 15%) at grade = 195-SF min	Requires relief
Area and % of req'd with width < 15.0' (Permeable)			994-SF permeable open space (38%) provided	15% lot (half of 30%) <15'x15'= 390-SF max Permeable toward calculation.	Requires relief
No. of Dwelling Units	2		No Change	2,600 / 1,500 = 1 unit (max.)	Exist nonconformity No change
Car Parking Spaces	1 (at existing patio)		1 (relocated)	1/dwelling unit = 2 spaces	Exist nonconformity No change
Bicycle Parking Spaces	0		0	0	Complies

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CARA MCKENNA

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CAMBRIDGE, MA 02139

DRAWING TITLE

ZONING
ANALYSIS

SCALE AS NOTED

REVISION	DATE
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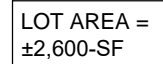
ZBA REV	14 FEB 2019
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ZBA	27 NOV 2018
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DRAWN BY MY	REVIEWED BY PQ
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SHEET

Z1



1 DIMENSIONAL SITE PLAN

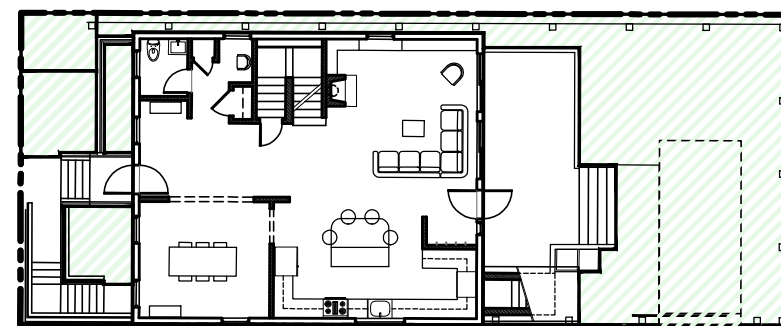
SCALE: 1" = 10'-0"



$$\frac{\text{PRIVATE OPEN SPACE } 0 \text{ SF}}{2,600 \text{ LOT SF}} = 0\%$$

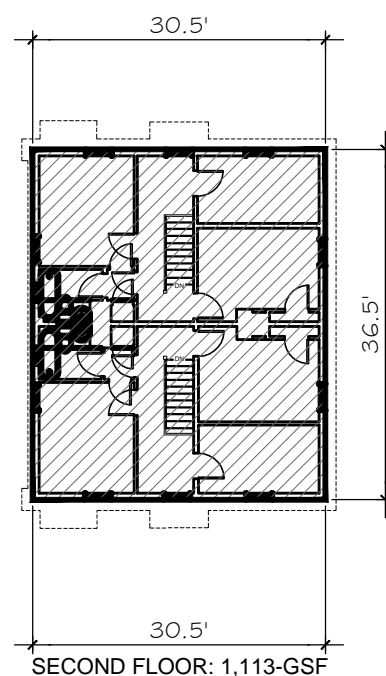
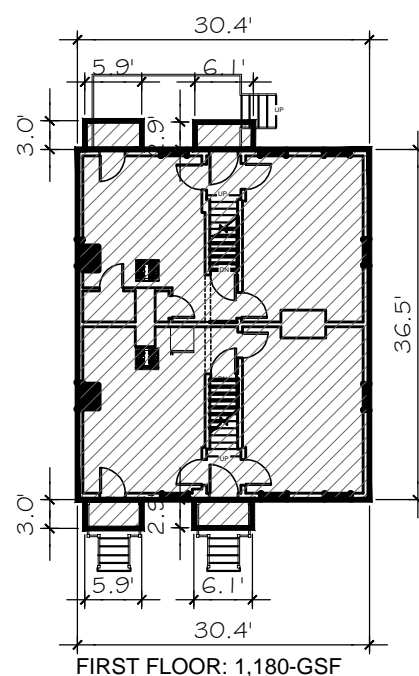
2 SITE AREAS

SCALE: 1"=40'-0"

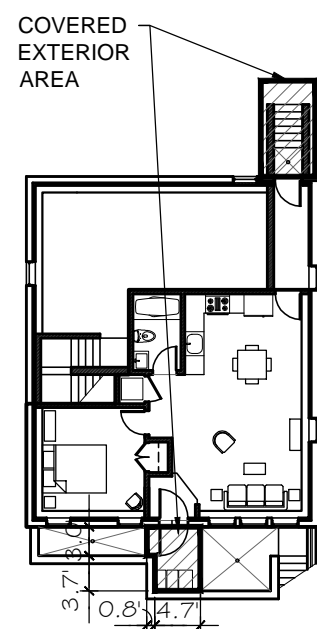


$$\frac{\text{PERVIOUS AREA } 994 \text{ SF}}{2,600 \text{ LOT SF}} = 38\%$$



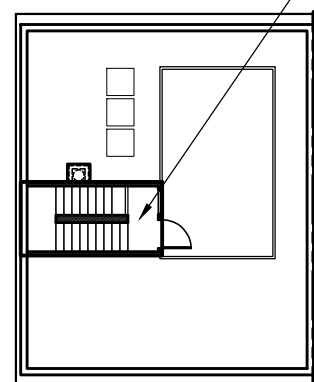
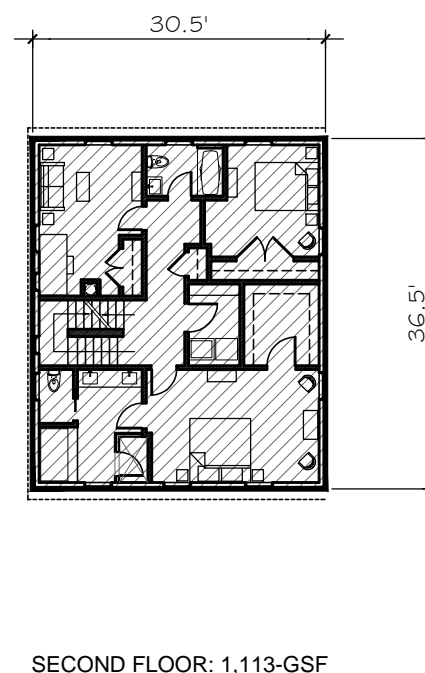
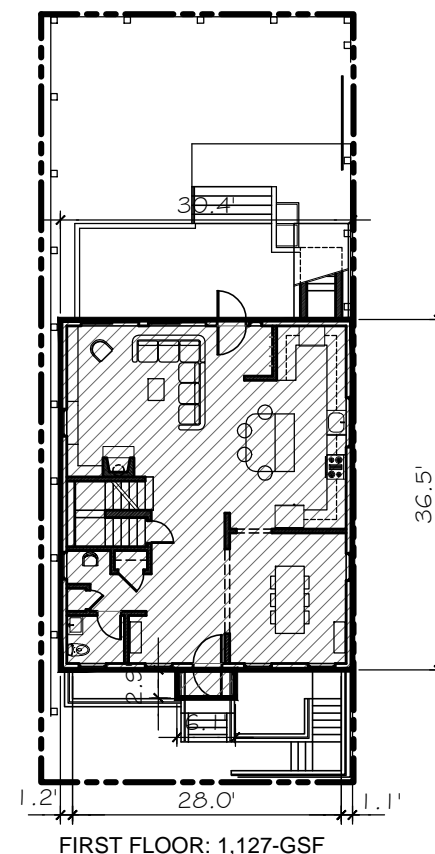


EXISTING



PROPOSED
BASEMENT FLOOR: 91-GSF

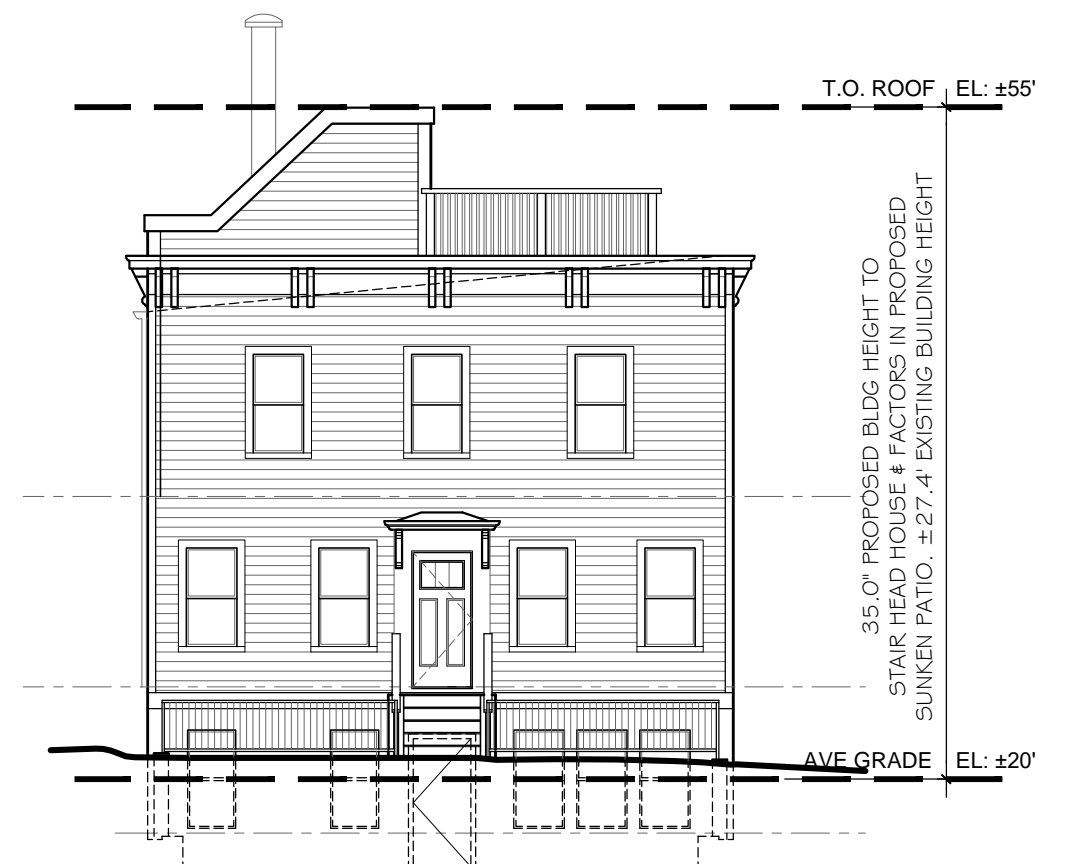
BASEMENT GFA EXEMPTED
FOR 1 AND 2 FAMILY
DWELLINGS.



STAIR HEAD HOUSE, NOT GFA
PER DEFINITION OF 'GROSS
FLOOR AREA SHALL NOT
INCLUDE' EXAMPLE NO. 7 ➞

ROOF LEVEL: 0-GSF

FLOOR	EXISTING GSF	PROPOSED GSF
3RD FL	0	0
2ND FL	1,113	1,113
1ST FL	1,180	1,127
BSMNT	0	91
TOTAL	2,293-GSF	2,331-GSF



PROPOSED

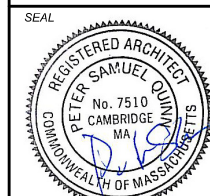
$$\frac{(106.6' \text{ perimeter @ } 21.21' \text{ EL}) + (28' \text{ perimeter @ } 15.3' \text{ EL})}{106.6' + 28'}$$
$$= \pm 20' \text{ EL AVG GRADE}$$

BUILDING HEIGHT

SCALE: 1" = 10'-0"



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53A FAIRMONT ST
CAMBRIDGE, MA 02139

DRAWING TITLE

ZONING
ANALYSIS

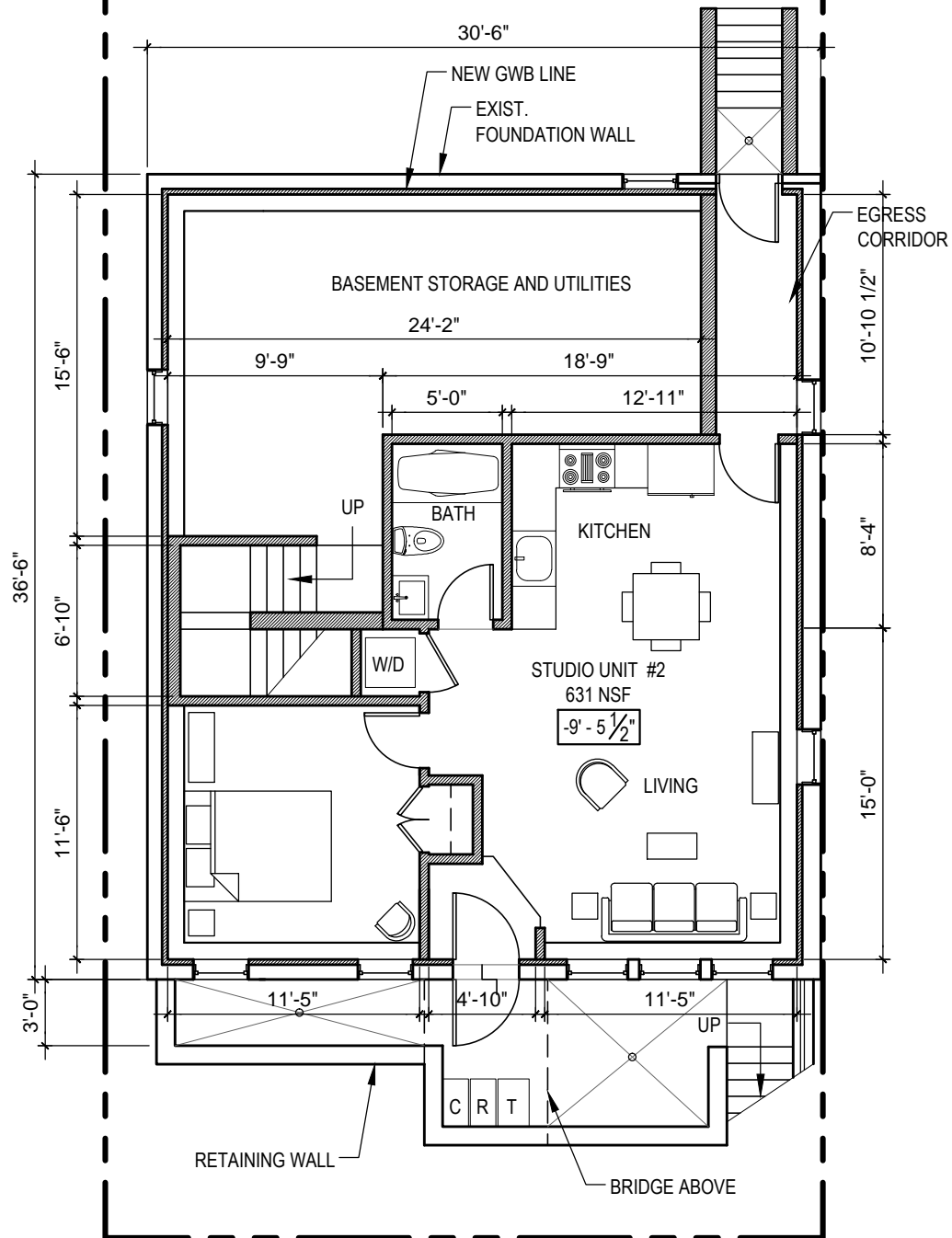
SCALE AS NOTED

REVISION	DATE
ZBA REV	14 FEB 2019
ZBA	27 NOV 2018
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SHEET	

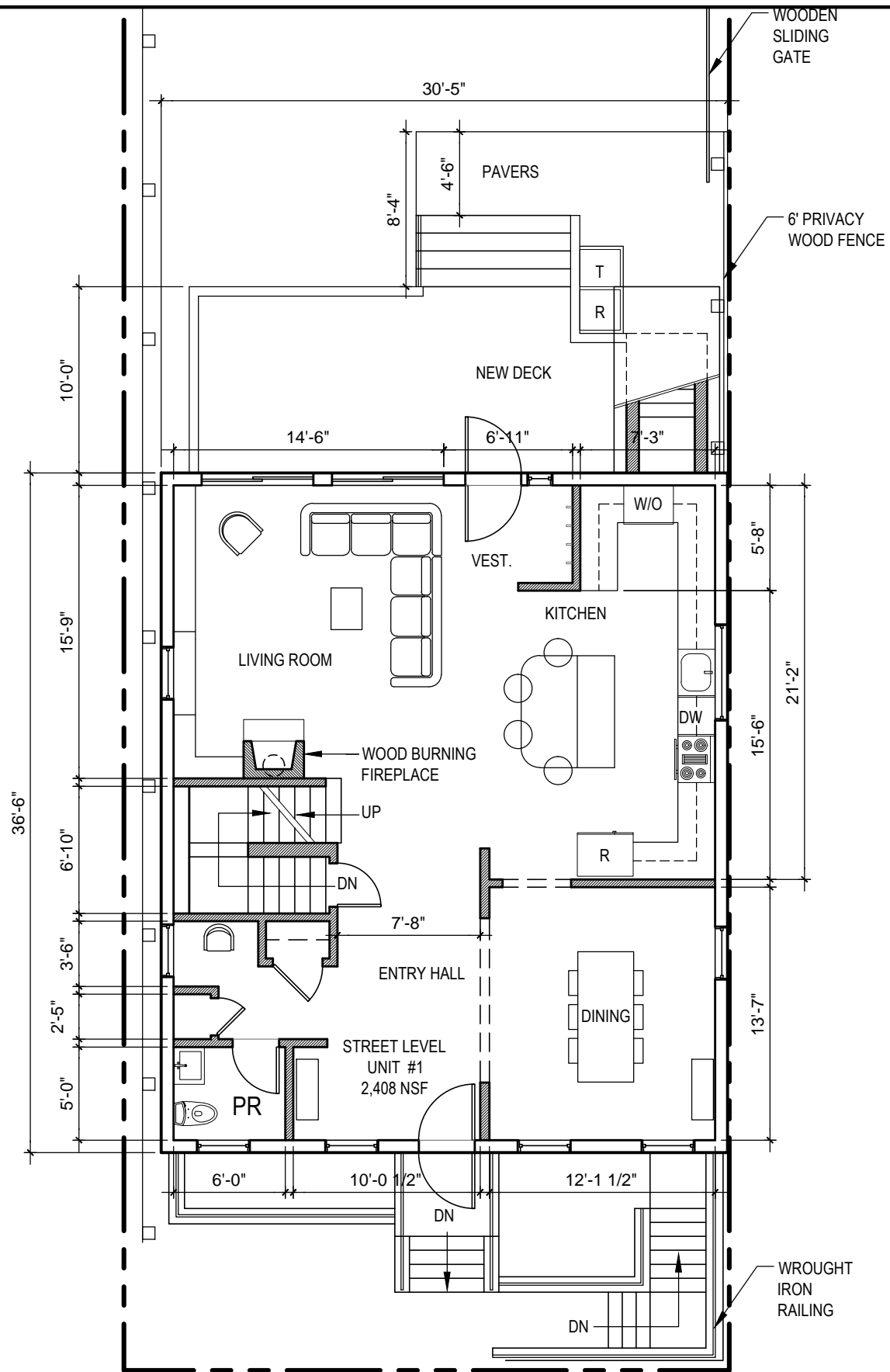
SHEET

Z3

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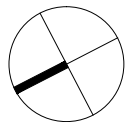


1 PROPOSED
BASEMENT FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED
1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"

ALL PARTITIONS
TO BE ADDED



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DRAWING TITLE

BASEMENT
AND FIRST
FLOOR PLANS

SCALE AS NOTED

REVISION	DATE
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ZBA REV	14 FEB 2019
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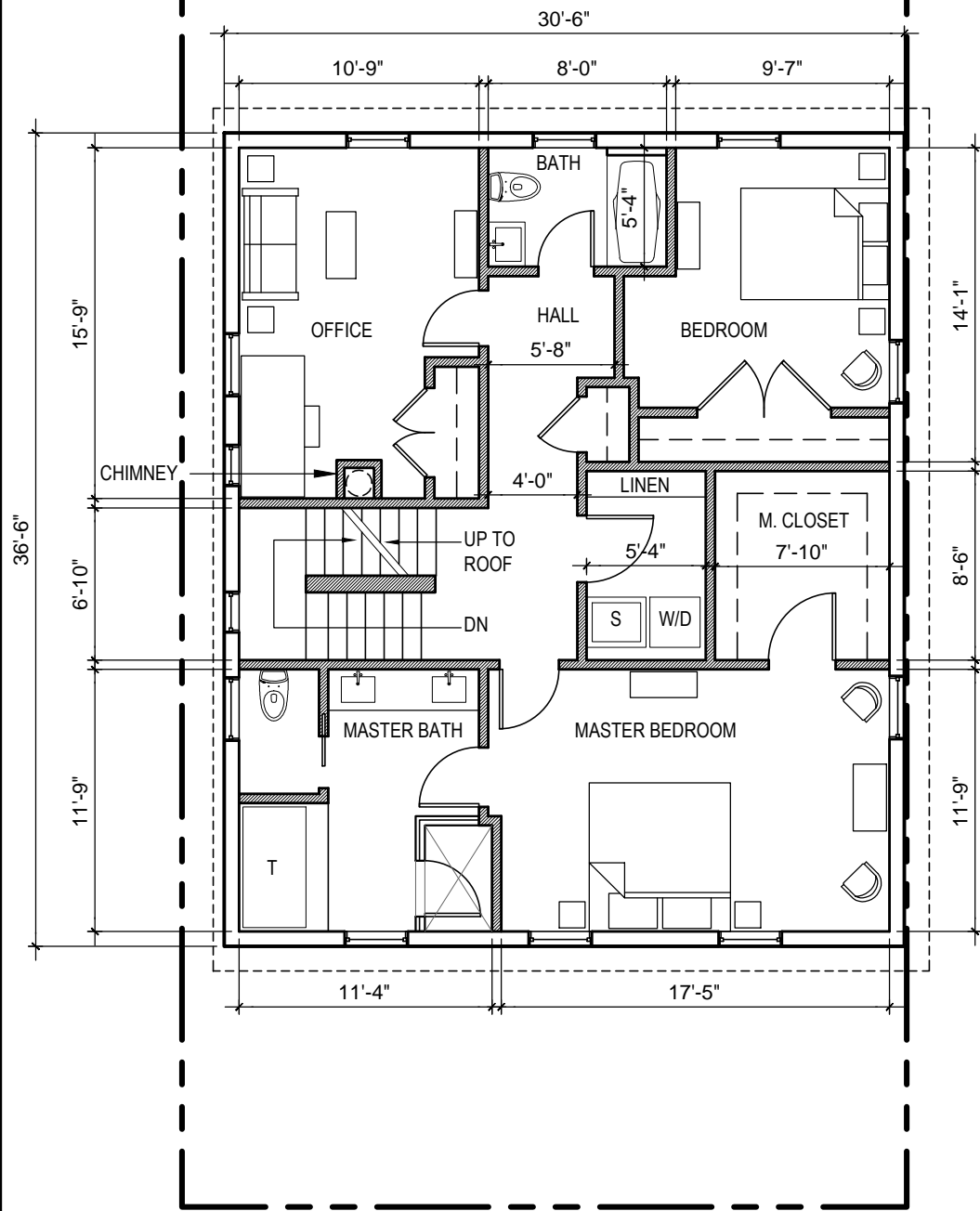
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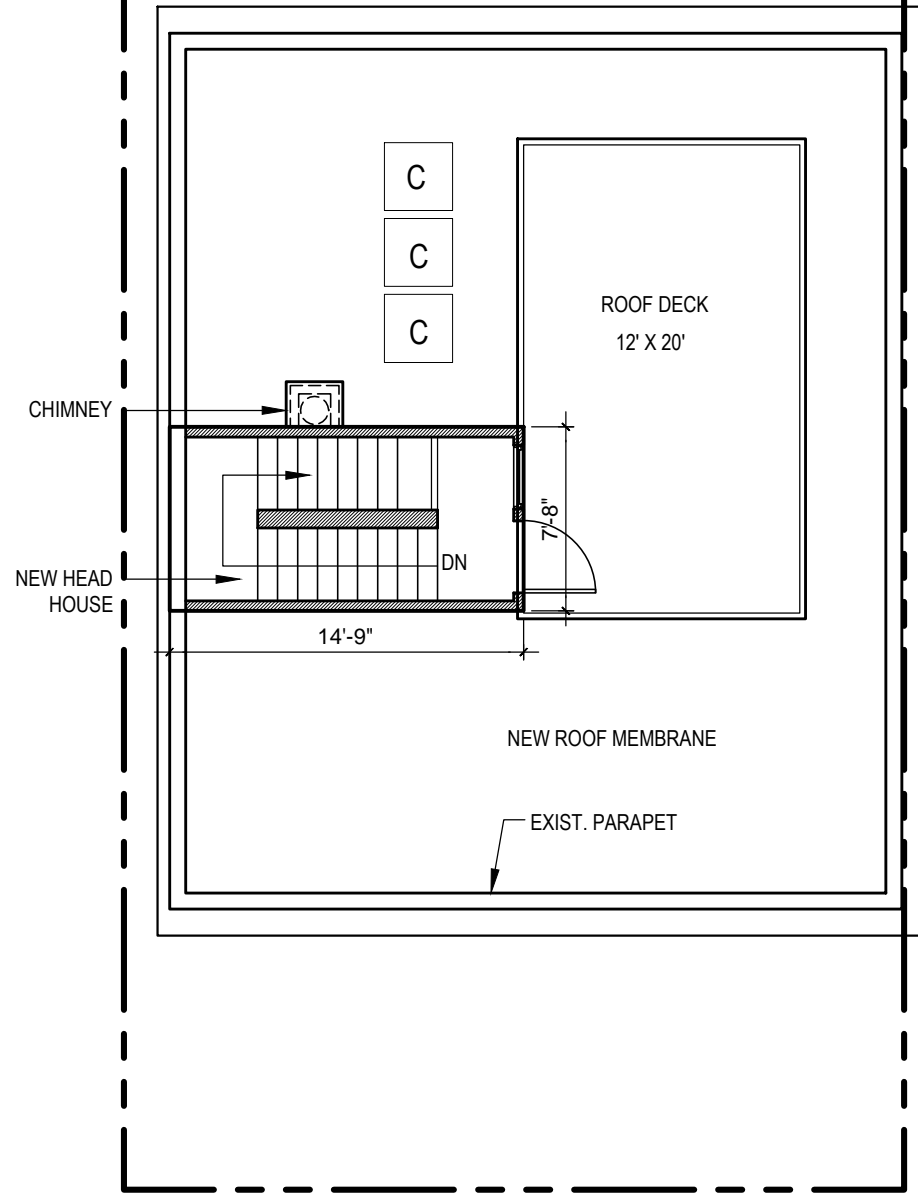
SHEET

A1

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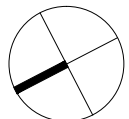


1 PROPOSED
2ND FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 PROPOSED
ROOF PLAN
SCALE: 1/8" = 1'-0"

ALL PARTITIONS
TO BE ADDED



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DRAWING TITLE

SECOND AND
ROOF FLOOR
PLANS

SCALE AS NOTED

REVISION DATE

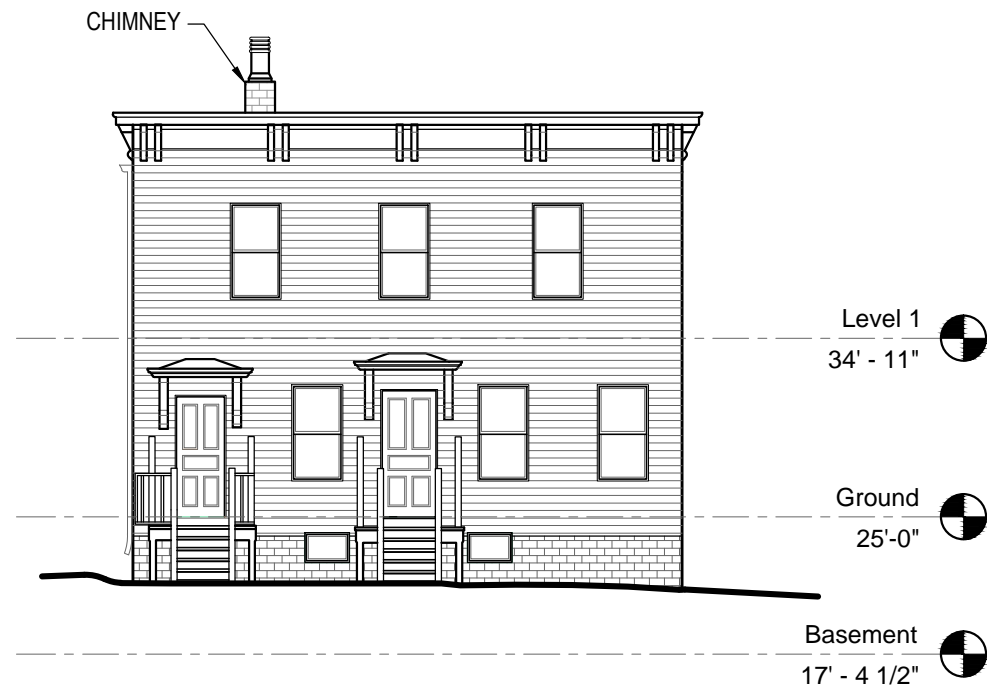
ZBA REV 14 FEB 2019

ZBA 27 NOV 2018

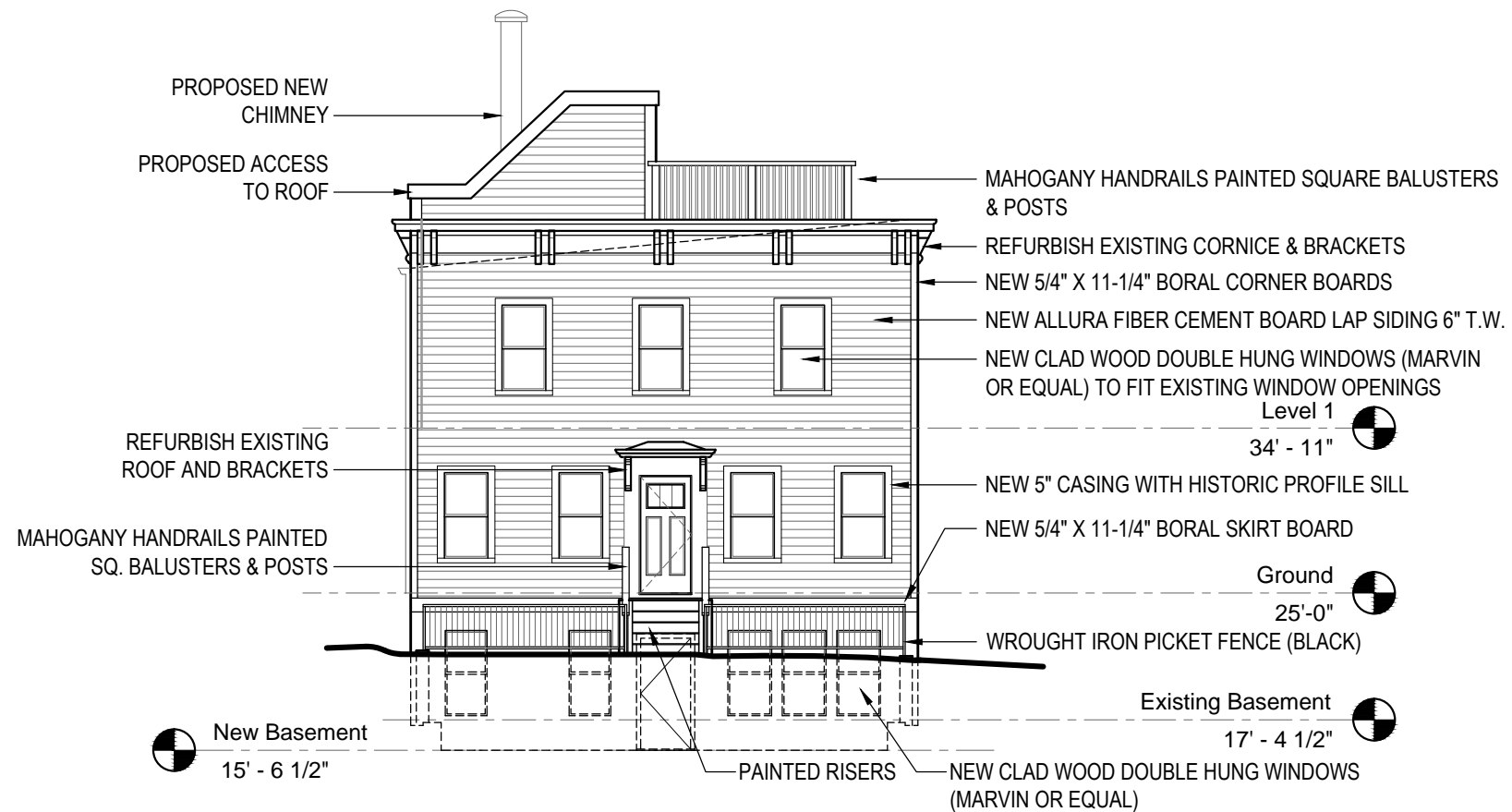
DRAWN BY CM REVIEWED BY PQ

SHEET

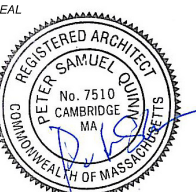
A2



1 EXISTING WEST ELEVATION
SCALE: 3/32" = 1'-0"



2 PROPOSED WEST ELEVATION
SCALE: 3/32" = 1'-0"



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2-UNIT RENOVATION

22 ATHENS ST
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CAMBRIDGE, MA 02139

DRAWING TITLE
EXISTING &
PROPOSED
WEST
ELEVATION

SCALE AS NOTED

REVISION	DATE
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ZBA REV	14 FEB 2019
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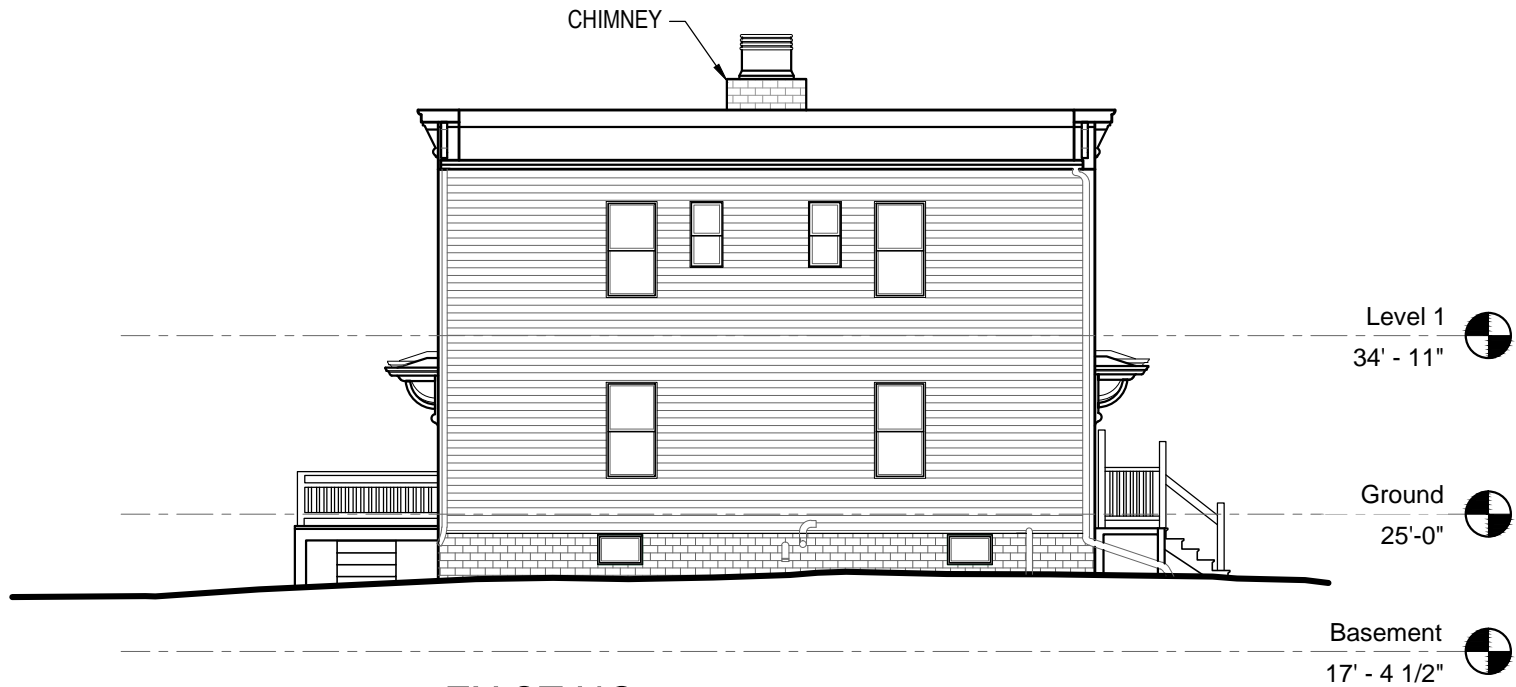
ZBA	27 NOV 2018
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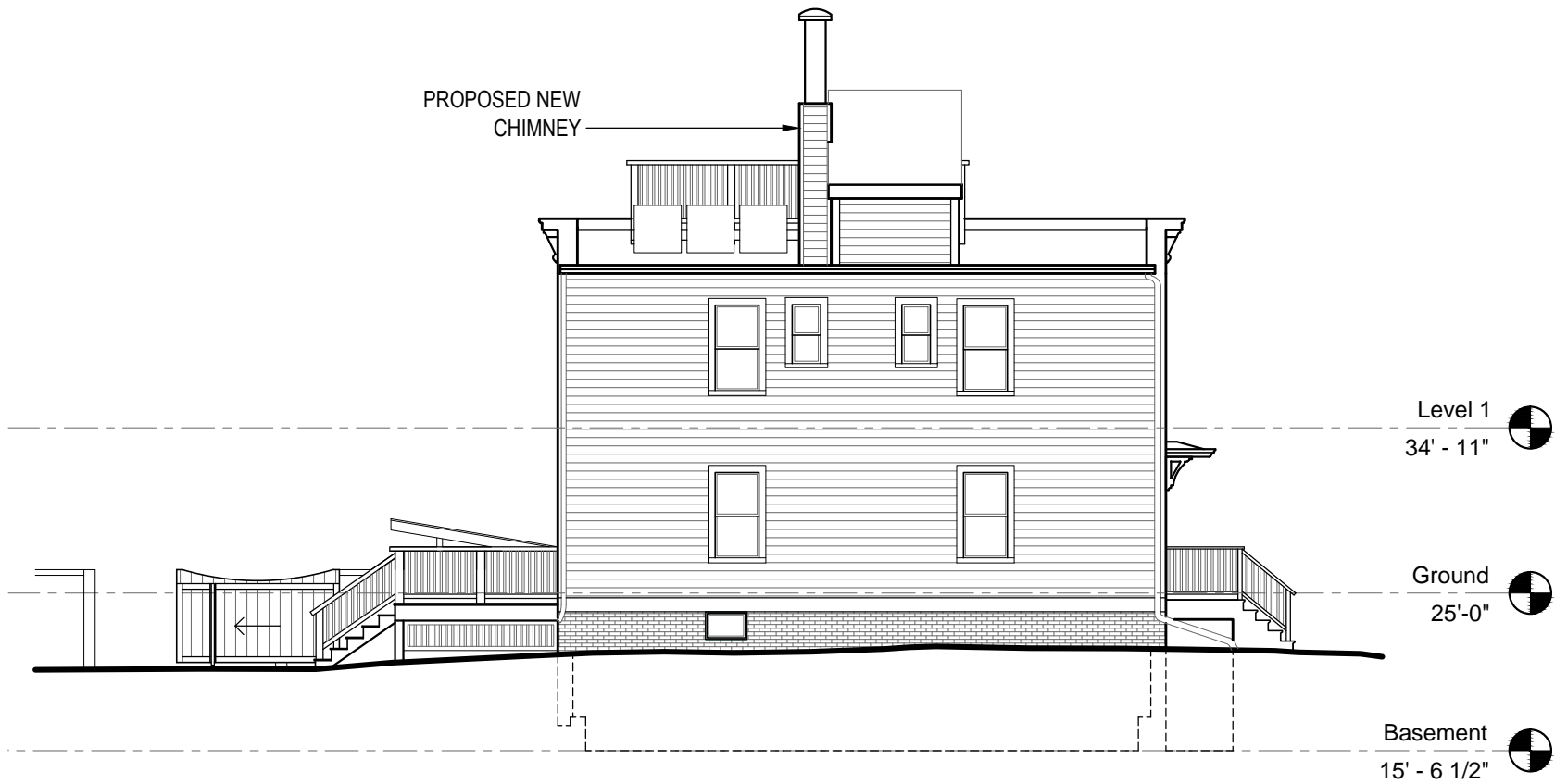
SHEET

A3

Z:\CADD\WG\B\Arens-2018 Schematic Design\190114 - Arens 22 Elevations.dwg, A4, 2/14/2018 11:55:00 AM



EXISTING
① NORTH ELEVATION
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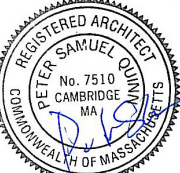


PROPOSED
② NORTH ELEVATION
SCALE: 3/32" = 1'-0"

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SEAL



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CARA MCKENNA

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CAMBRIDGE, MA 02139

DRAWING TITLE

EXISTING &
PROPOSED
NORTH
ELEVATION

SCALE AS NOTED

REVISION	DATE
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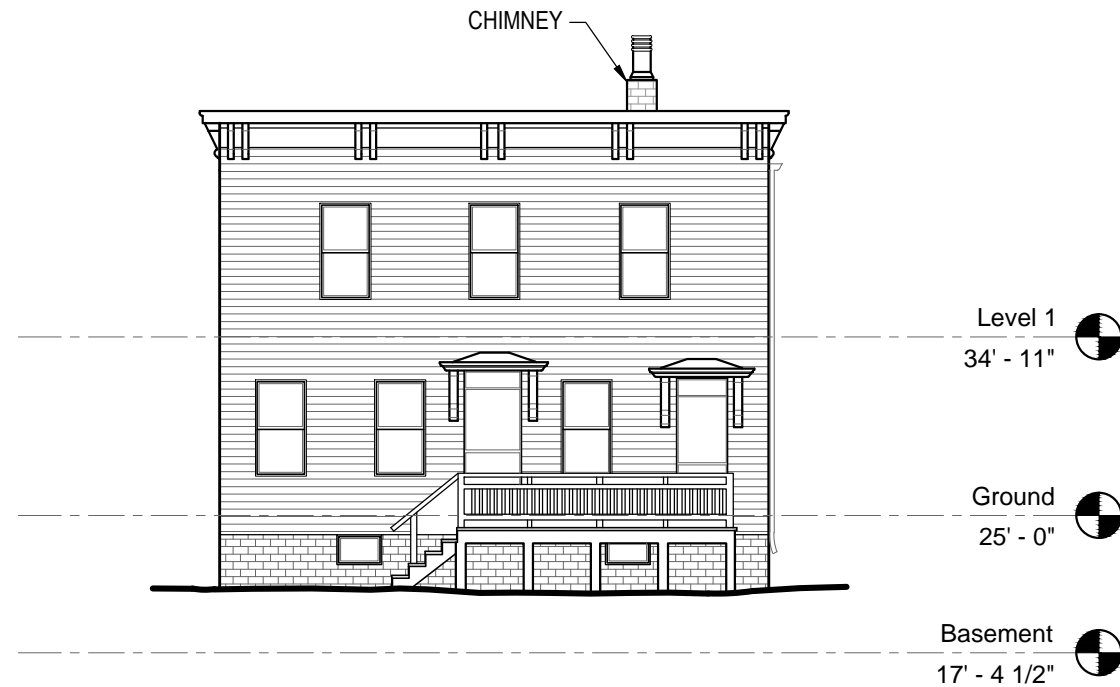
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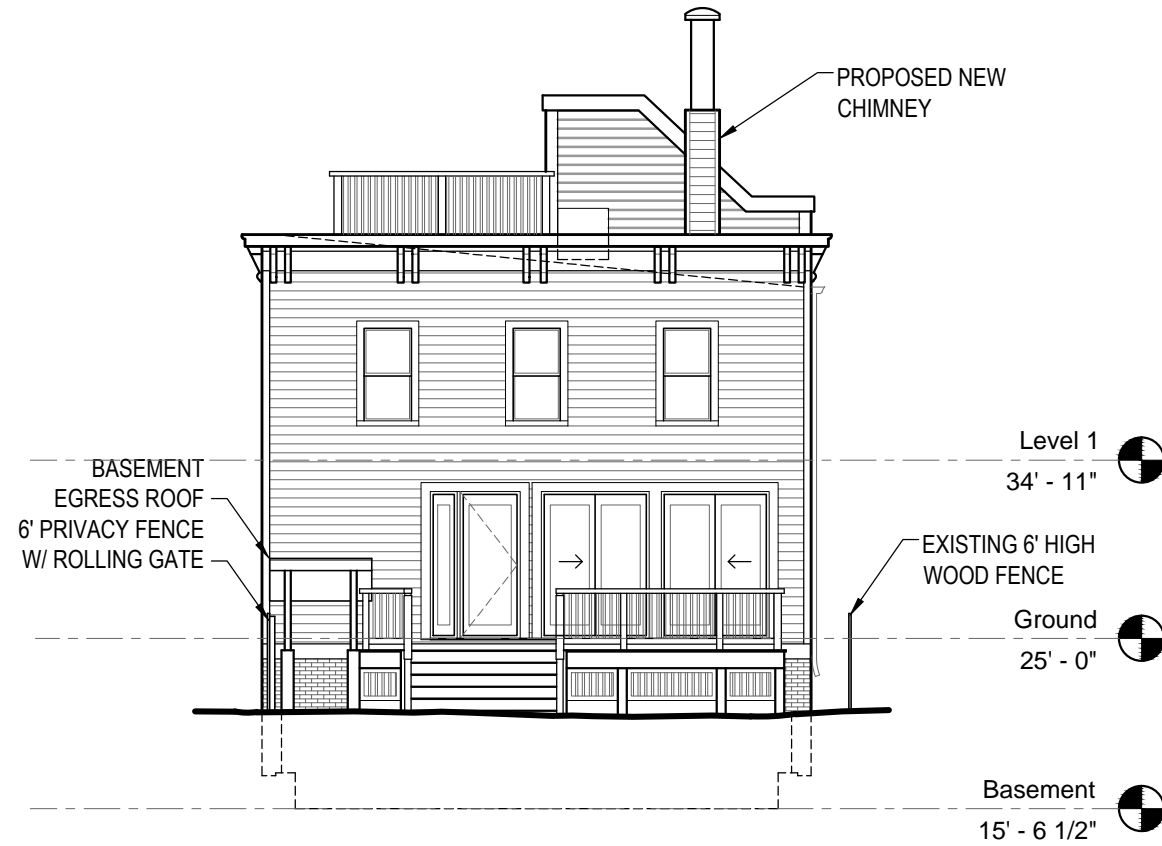
DRAWN BY CM	REVIEWED BY PQ
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SHEET

A4



1 EXISTING
EAST ELEVATION
SCALE: 3/32" = 1'-0"



2 PROPOSED
EAST ELEVATION
SCALE: 3/32" = 1'-0"



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2-UNIT RENOVATION

22 ATHENS ST
CAMBRIDGE, MA

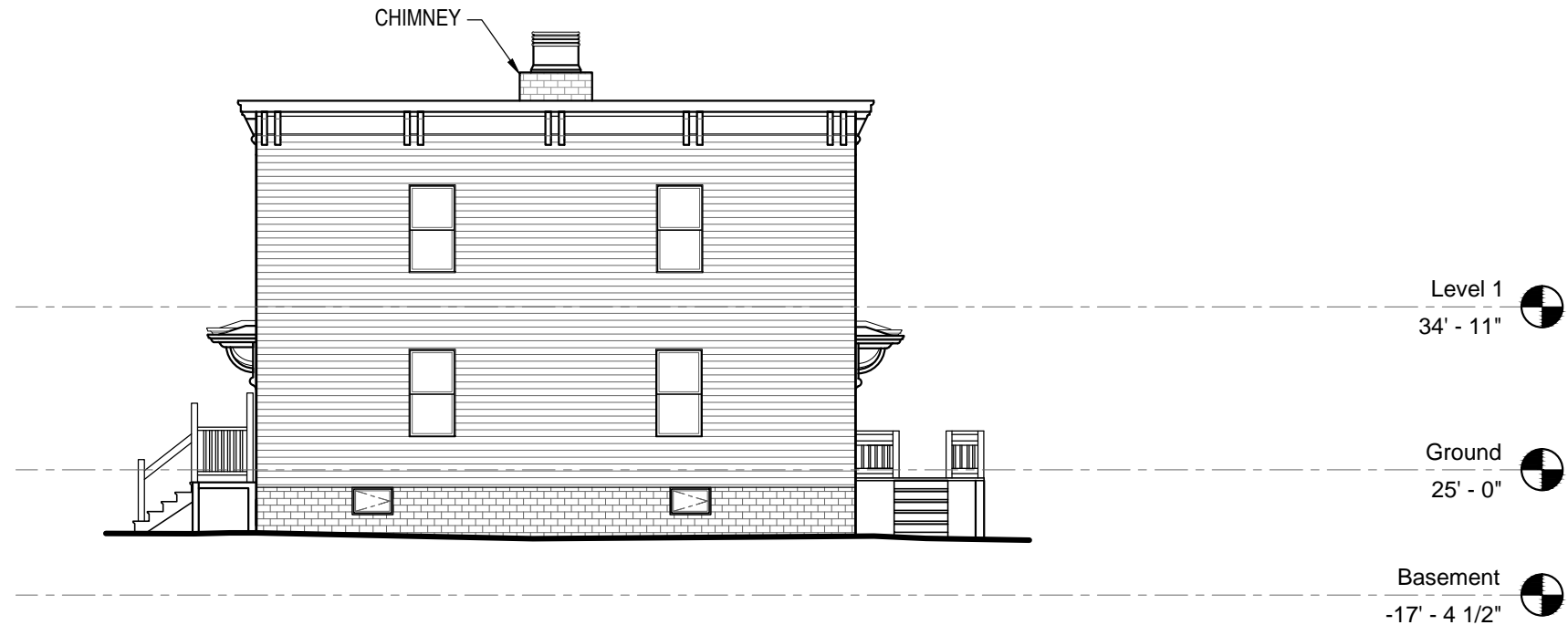
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CARA MCKENNA

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CAMBRIDGE, MA 02139

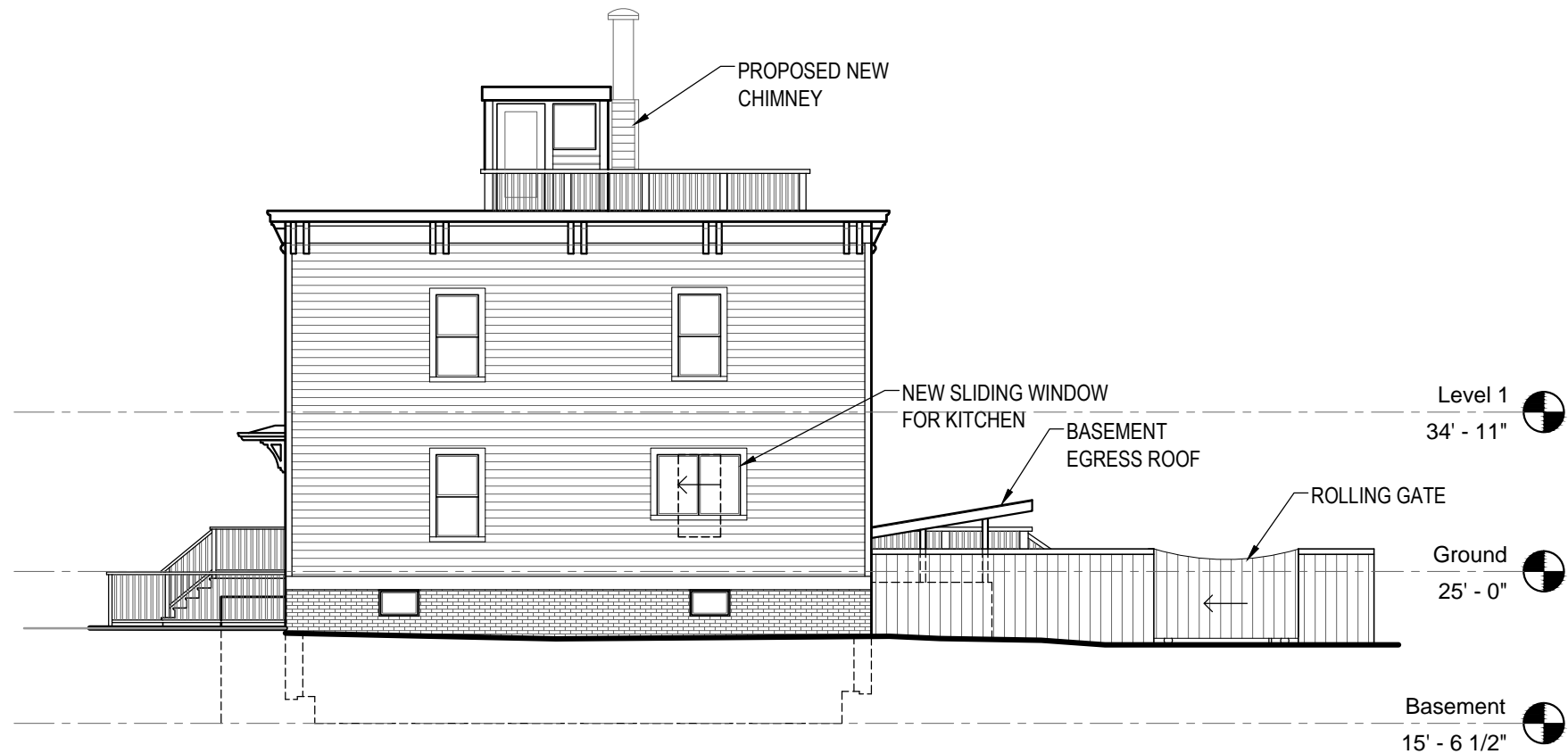
DRAWING TITLE
EXISTING &
PROPOSED
EAST
ELEVATION

SCALE AS NOTED	
REVISION	DATE
ZBA REV	14 FEB 2019
ZBA	27 NOV 2018
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SHEET
A5



EXISTING
1 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



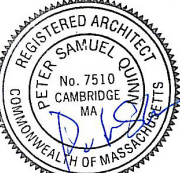
PROPOSED
2 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"

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CAMBRIDGE, MA 02139

DRAWING TITLE

EXISTING AND
PROPOSED
SOUTH
ELEVATION

SCALE AS NOTED

REVISION	DATE
ZBA REV	14 FEB 2019
ZBA	27 NOV 2018
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ZBA REV

14 FEB 2019

ZBA

27 NOV 2018

DRAWN BY
CM

REVIEWED BY
PQ

SHEET

A6

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DRAWING TITLE
EXISTING
FLOOR PLANS

SCALE AS NOTED

REVISION	DATE
ZBA REV	14 FEB 2019
ZBA	27 NOV 2018
DRAWN BY CM	REVIEWED BY PQ

ZBA REV 14 FEB 2019

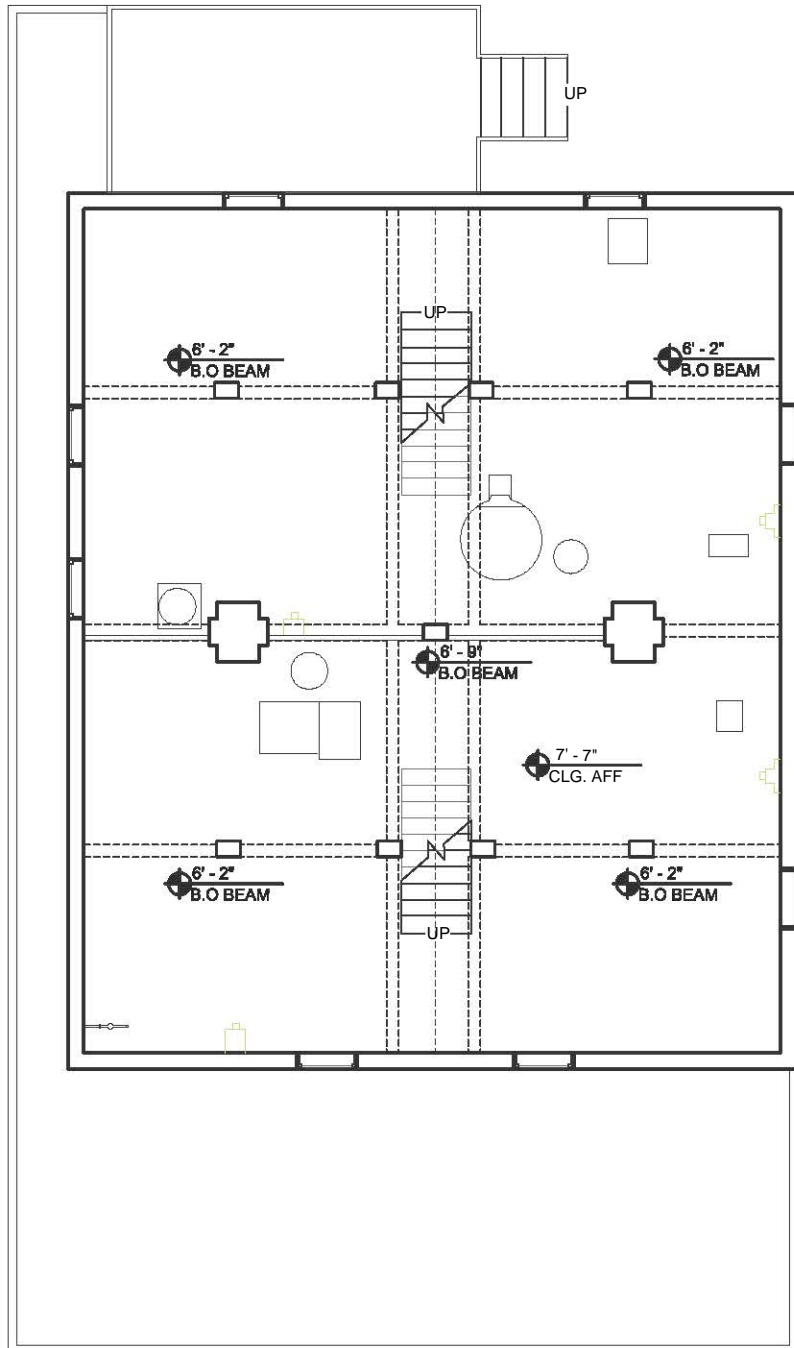
ZBA 27 NOV 2018

DRAWN BY
CM

REVIEWED BY
PQ

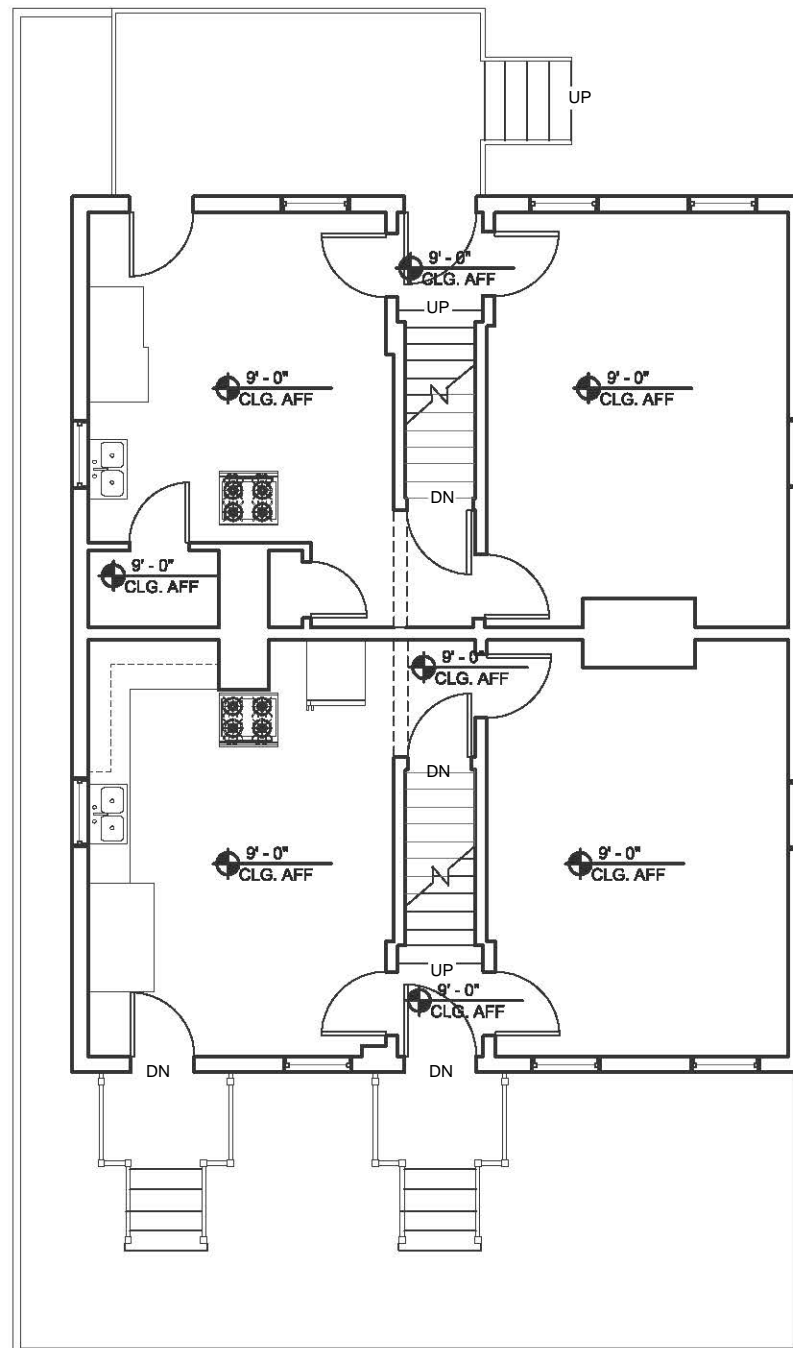
SHEET

EC1



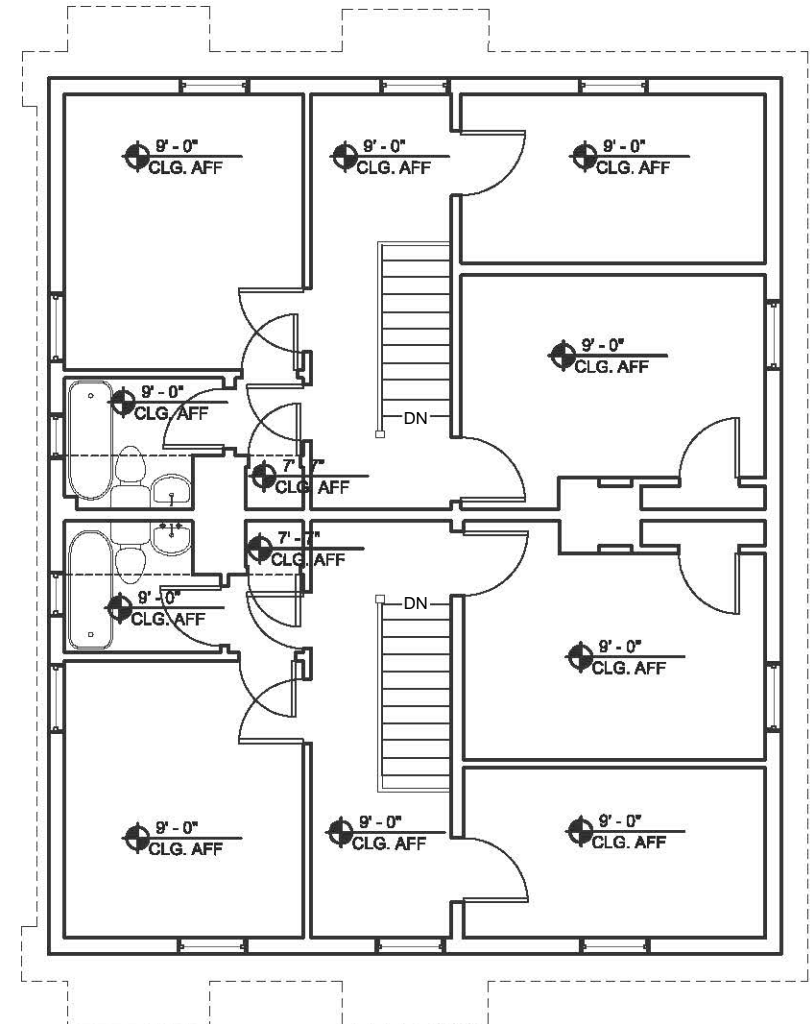
EXISTING
BASEMENT PLAN

SCALE: 1/8" = 1'-0"



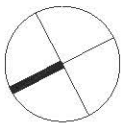
EXISTING
FIRST FLOOR PLAN

SCALE: 1/8" = 1'-0"



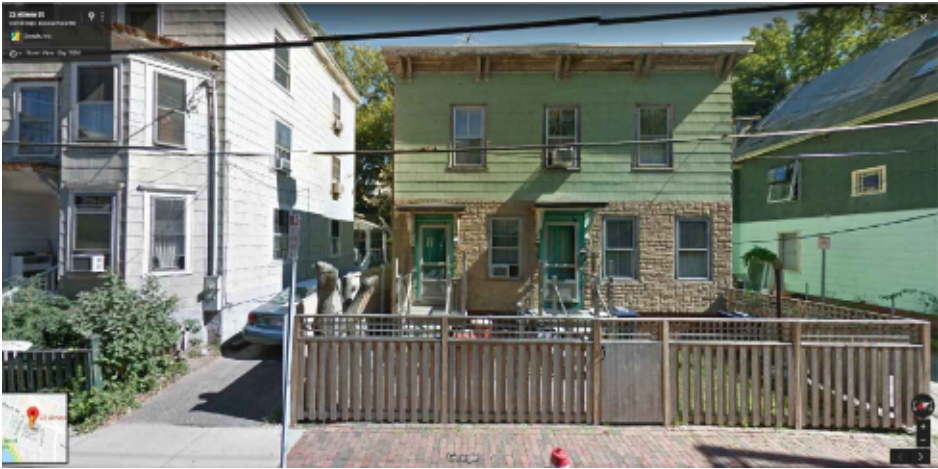
EXISTING
SECOND FLOOR PLAN

SCALE: 1/8" = 1'-0"





1. ATHENS ST, VIEW OF LEFT CORNER



2. ATHENS ST, FRONT ELEVATION



3.ATHENS ST, VIEW OF RIGHT CORNER



4. AERIAL VIEW, LOOKING NORTH



5. AERIAL VIEW, LOOKING EAST



6. AERIAL VIEW, LOOKING SOUTH

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DRAWING TITLE

EXISTING
CONDITIONS
PHOTOS

SCALE AS NOTED

REVISION	DATE
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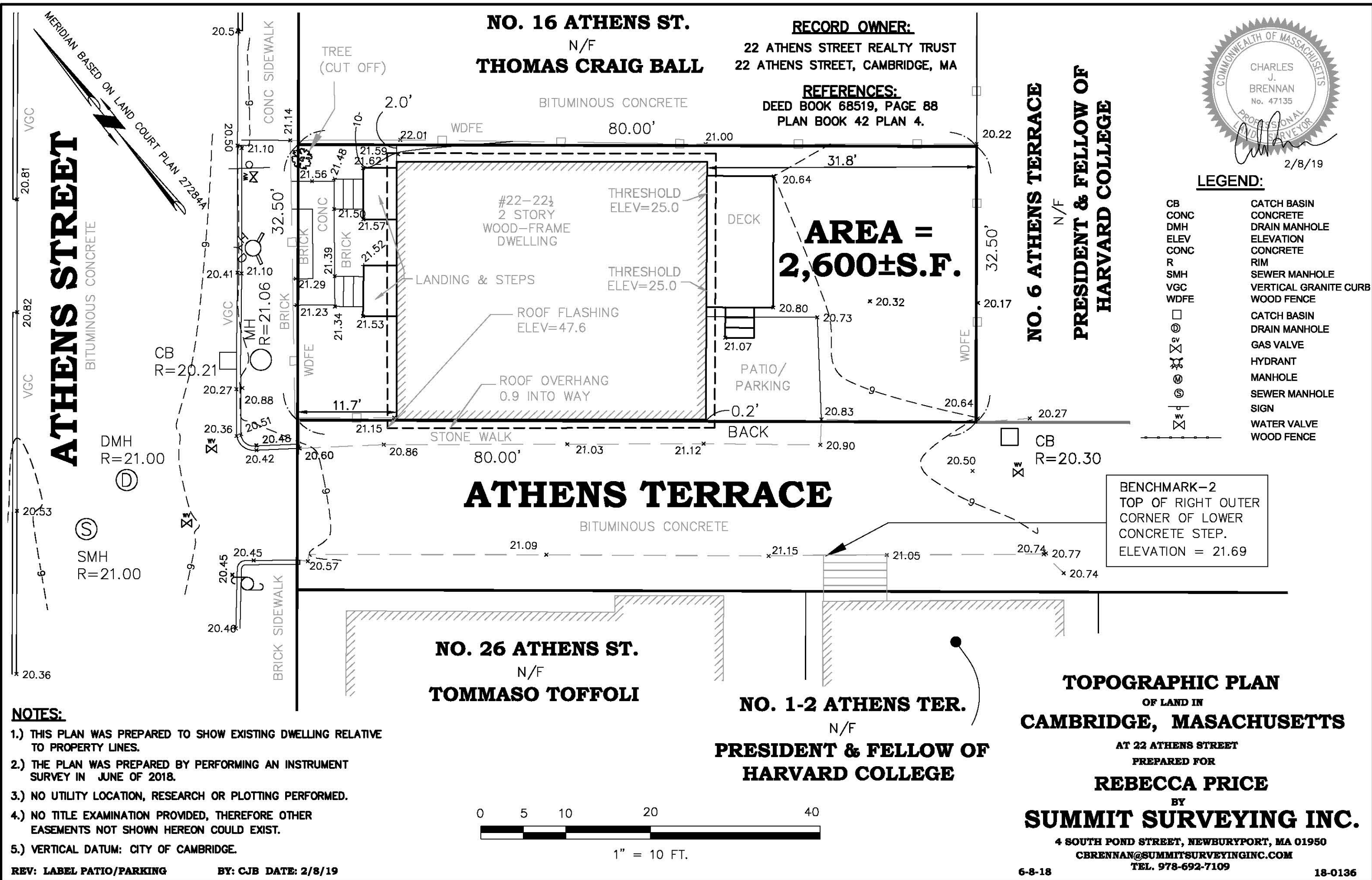
ZBA REV	5 FEB 2019
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ZBA	27 NOV 2018
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DRAWN BY CM	REVIEWED BY PQ
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SHEET

EC2





City of Cambridge
Massachusetts

1" = 35 ft

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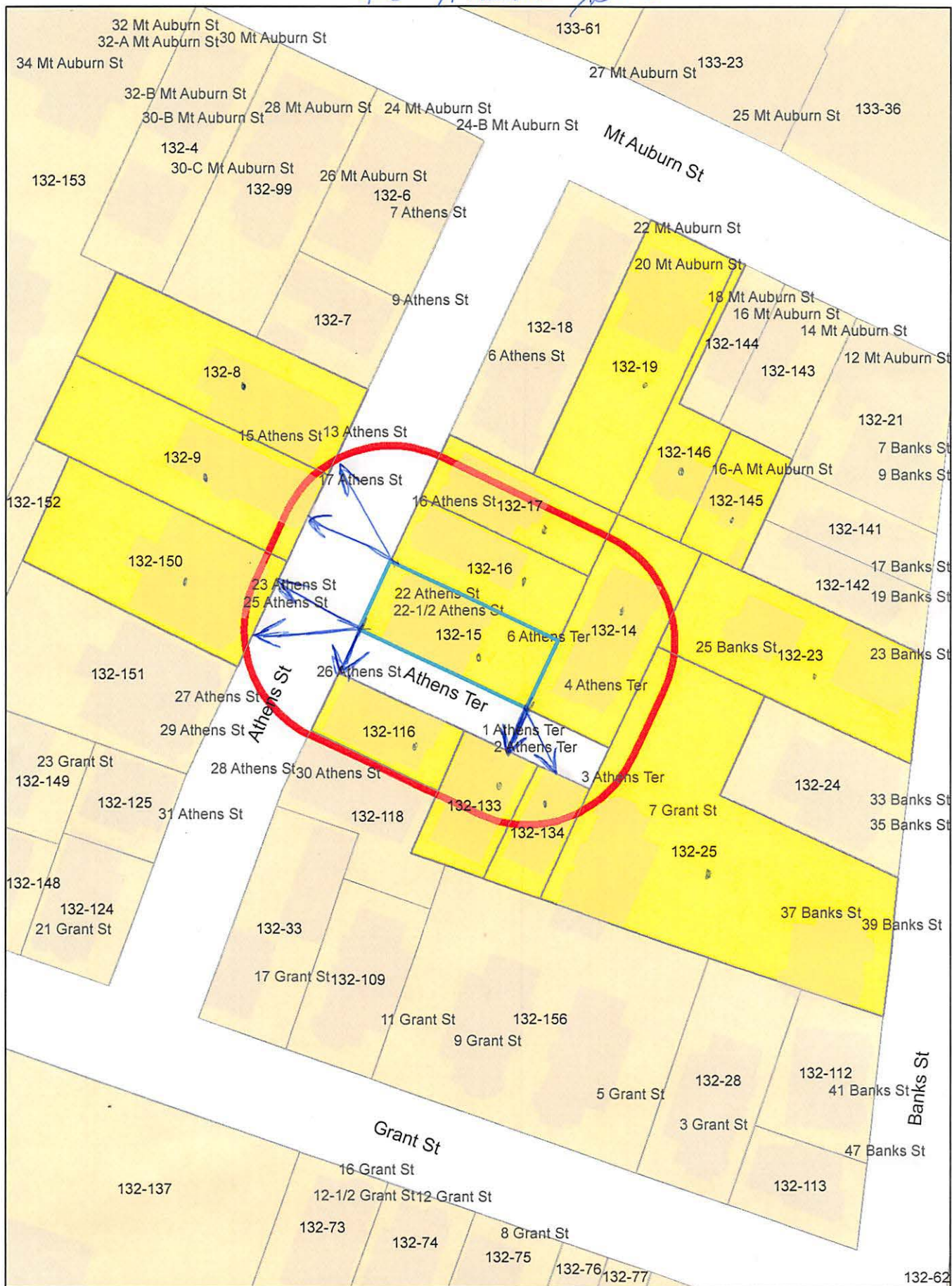
www.cambridgema.gov/gis



- Address
- Rail
- Building Footprints
- Parcels
- Paved Surfaces
 - Paved Roads
 - Bridges
 - Unpaved Roads
 - Unpaved Parking
 - Sidewalks
 - Driveways
 - Alleys
 - Other Paved Surface
 - Public Footpath



22 Athens St.



22 Athens St.

Petitioner

132-8
ATHENS GROUP, LLC,
3 BOW ST
CAMBRIDGE, MA 02138

132-9
17 ATHENS STREET LLC.
C/O CONSIDINE CO
4582 S. ULSTER ST PKWY STE 310
DENVER, CO 80237

TRILOGY LAW LLC
C/O SARAH L. RHATIGAN, ESQ.
12 MARSHALL STREET
BOSTON, MA 02108

132-15
DINSMORE, BRIDGET, TRUSTEE
C/O PRICE, JO-ANN NEVAS
1 KINGS HIGHWAY
CHESTER, CT 06412

132-16
BALL, THOMAS CRAIG
16 ATHENS STREET
CAMBRIDGE, MA 02138

132-17
BREGMAN, CARLA MARINA
14 ATHENS ST.
CAMBRIDGE, MA 02138

132-19
CHEN, YILING & XIAOGANG JIN
18 MT AUBURN ST
CAMBRIDGE, MA 02138

132-19
REDDIEN, PETER W. & CARICE P. REDDIEN
46 BELMONT ST
CAMBRIDGE, MA 02138

132-14-25-133-134
PRESIDENT & FELLOWS OF HARVARD COLLEGE
C/O HARVARD REAL ESTATE INC.
HOLYOKE CENTER - ROOM #1000
1350 MASS AVE
CAMBRIDGE, MA 02138

132-116
TOFFOLI, TOMMASO
26 ATHENS ST.
CAMBRIDGE, MA 02138

132-150
CAMBRIDGE COMMUNITY HOUSING
DEVELOPMENT, INC.- C/O WINN COMPANIES
6 FANEUIL HALL MARKETPLACE
BOSTON, MA 02109

132-23
OEMAR, BARRY S. & DEBORAH S. HARTMAN
25 BANKS ST
CAMBRIDGE, MA 02138

132-23
MCDADE, KRISTINA & MARK MCDADE TRUSTEE
OF MCDADE FAMILY TRUST
23 BANKS ST
CAMBRIDGE, MA 02138

132-145
MILLER, BRIAN J. & TESS HEDDER
14 R MOUNT AUBURN STREET
CAMBRIDGE, MA 02138

132-146
FARMER, BRENT H.
16A MOUNT AUBURN ST
CAMBRIDGE, MA 02138