



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 MAR 15 PM 3:31
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 11104

General Information

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

Special Permit: X

Variance: X

Appeal:

PETITIONER: Katherine Olivier C/O Don Foote Contracting

PETITIONER'S ADDRESS: 38 Montvale Ave, Stoneham, MA 02180

LOCATION OF PROPERTY: 23 Bigelow St., Cambridge, MA

TYPE OF OCCUPANCY: residential

ZONING DISTRICT: Residence C-1 Zone

REASON FOR PETITION:

/Additions/ /New exterior stair/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Project proposes constructing 48"x108" addition at basement level, containing 36sf, enlargement of 2 side windows at basement level and relocation of stair to the rear deck.

same as above

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).

Article: 8.000 Section: 8.22.2.C (Non-Conforming Structure).

Article: 10.000 Section: 10.30 (Variance). 10.40 (Special Permit).

Original
Signature(s):

K. L. Olivier
(Petitioner (s) / Owner)

KATHERINE L. OLIVIER
(Print Name)

Address:

Tel. No. 781-438-2994

E-Mail Address: jillmac2@gmail.com

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 KATHERINE OLIVIER
(OWNER)

Address: 23 BIGELOW ST, CAMBRIDGE, MA 02139

State that I/We own the property located at 23 BIGELOW ST.,
which is the subject of this zoning application.

The record title of this property is in the name of KATHERINE
OLIVIER

*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. 0166666

Book 963 Page 116.


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 Katherine Oliver personally appeared before me,
this 11 of February, 2021, and made oath that the above statement is true.

My commission expires



Yenny Pimentel
Notary Public
Commonwealth of Massachusetts
My Commission Expires July 26, 2024

(Notary Seal).

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

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 petitioner, a resident of Cambridge since 1983, is an elderly woman, in the process of renovating Basement apartment for personal occupancy. The existing apartment lacks daylight due to the small size of existing windows. The proposed addition is designed to provide light for the sitting area in the Living/Dining Room. This proposed addition would require the relocation of existing stair to the rear of the Deck.

- 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 structure is located very close to the side property line, making the rear wall the only viable area to allow for measurable increase in daylight.

- 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:

The proposed addition is less than 6' in height from the grade and only 4' from the rear wall. The size and shape will not affect neighboring properties and is not visible from the street.

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

The petitioner is asking for minimal relief. The proposed addition will increase the non-conforming FAR ratio by 0.018

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

BZA Application Form**SUPPORTING STATEMENT FOR A SPECIAL PERMIT**

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

Granting the Special Permit requested for 23 Bigelow St., Cambridge, MA (location) would not be a detriment to the public interest because:

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

The proposed enlargement of the windows would not increase existing, nor create additional non-conformity.

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

The enlargement of the windows would not create any public hazard or affect on the neighborhood.

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

The proposal is a continuation of existing use without the increase of density.

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

The enlargement of windows would not create any nuisance or hazard and would provide benefit to the health and safety of the occupant.

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

The windows are located at the Basement Level of the structure and are barely visible from the street. The enlargement will not affect the integrity of the district or the intent of the Zoning Ordinance

***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:** Katherine Olivier**Present Use/Occupancy:** residential**Location:** 38 Montvale Ave**Zone:** Residence C-1 Zone**Phone:** 781-438-2994**Requested Use/Occupancy:** residential

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	3240	3276	1500	(max.)
<u>LOT AREA:</u>	2000	N/A	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	1.62	1.638	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>	666sf	N/A	1800sf	
<u>SIZE OF LOT:</u>				
WIDTH	25'	N/A	50'	
DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>				
FRONT	7.4'	no change	H+L/4	
REAR	16'	12.7'	H+L/4, 20' min	
LEFT SIDE	0	no change	H+L/5, 7.5' min	
RIGHT SIDE	16'	no change	H+L/5, 7.5' min	
<u>SIZE OF BUILDING:</u>				
HEIGHT	34'	no change	35'	
WIDTH	n/a	n/a	n/a	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	45.15%	41.2%	30%	
<u>NO. OF DWELLING UNITS:</u>	3	no change	1	
<u>NO. OF PARKING SPACES:</u>	0	no change	3	
<u>NO. OF LOADING AREAS:</u>	n/a	n/a	n/a	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	n/a	n/a	n/a	

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

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).
2. TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5') DIVIDED BY LOT AREA.
3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.

BZA Application Form

Pacheco, Maria

From: David Spillane <davidtspillane@gmail.com>
Sent: Tuesday, April 13, 2021 6:14 PM
To: Pacheco, Maria
Cc: Linda Murphy
Subject: CASE NO. BZA-111104 - 23 BIGELOW STREET

To the Board of Zoning Appeal:

We live at 21 Bigelow Street and our property abuts 23 Bigelow Street. We wish to support the application of our neighbor Katherine Olivier to the Board of Zoning Appeal for a variance/special permit associated with a small basement addition and the relocation of the stair to the rear deck at 23 Bigelow Street. The relocated stair is located directly at our shared property line.

We have been consulted about the proposed changes from the earliest planning stage, which we greatly appreciate, and are pleased to support them wholeheartedly.

David Spillane and Linda Murphy
21 Bigelow Street



Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov
www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgenced

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair*
Monika Pauli, Charles Redmon, *Members*
Margaret McMahon, *Alternate*

CERTIFICATE OF NON-APPLICABILITY

Property: 23 Bigelow Street

Applicant: Don Foote

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Basement addition, set back from the side of the house a minimum of 20 inches, as shown on the plans submitted with the permit application.

ISD Record #111104

All improvements shall be carried out as shown on the plans and specifications submitted by the applicant, except as modified above. Approved plans and specifications are incorporated by reference into this certificate.

This certificate is granted upon the condition that the work authorized herein is commenced within six months after the date of issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding six months each may be allowed in writing by the Chair.

Case Number: MC 6155

Date of Certificate: March 12, 2021

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on March 12, 2021.

By Tony Hsiao/aac, Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed ____ .
Appeal has been filed ____ . Date_____ City Clerk:



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: _____

(Print)

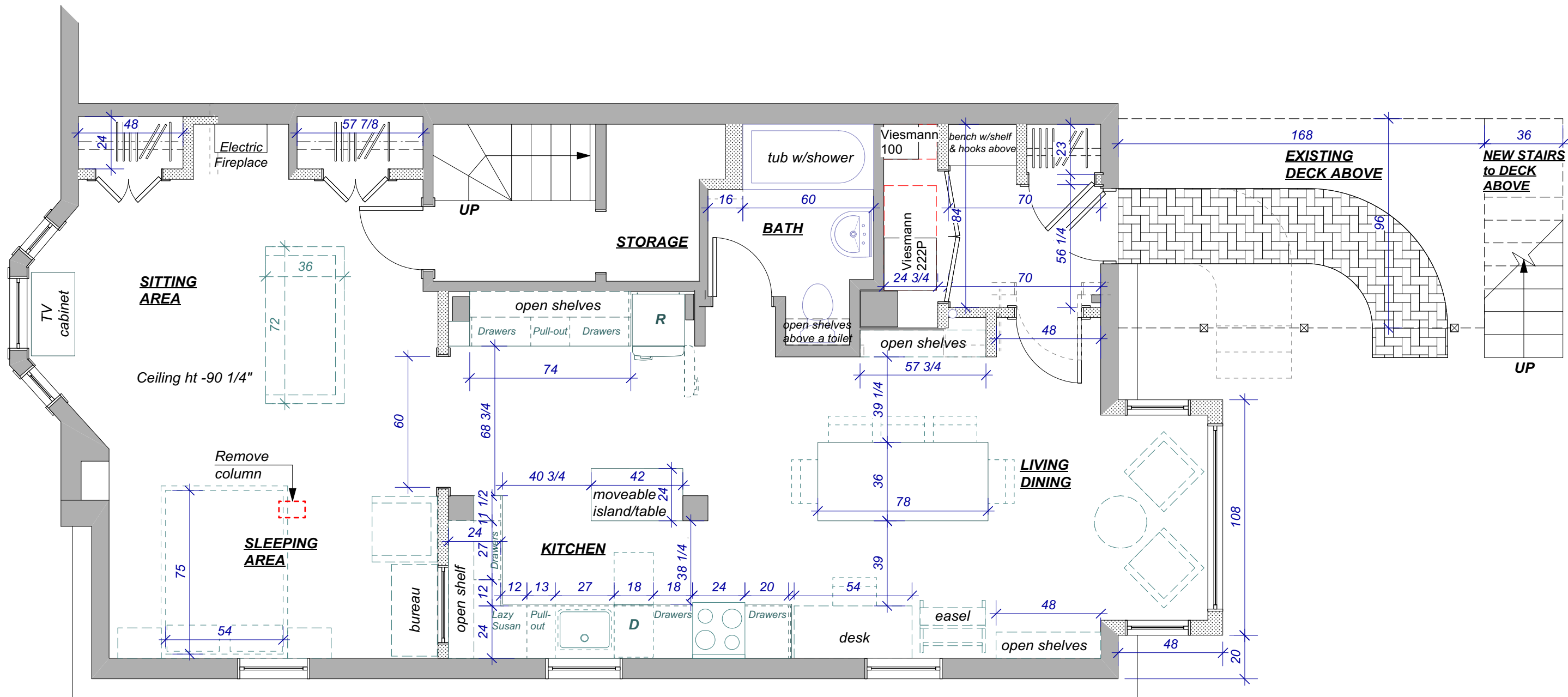
Date: _____

Address: _____

Case No. _____

Hearing Date: _____

Thank you,
Bza Members



Basement Apartment; Proposed Plan
Scale: 1/4" = 1'-0"

Designer:
Marta Kruszelnicka

Builder:
Don Foote Contracting
781-438-2995
www.donfoote.com

Project:
Olivier Residence
23 Bigelow St
Cambridge, MA

Drawing Title:
Proposed Basement Plan

Dates:
11/06/2020 Mtg/Measuring
11/11/2020 Exist. Cond.
01/25/2021 Schem.Design
03/10/2021 Permit applic.

Last worked on:
3/09/2021

Scale:
1/4" = 1'-0"
or as noted

Drawing #:
A1

NOTES:

ALL OFFSETS & DIMENSIONS ARE TO THE SIDING UNLESS OTHERWISE NOTED.

LOT AREA = 2,000 SQ. FT.

GM=GAS METER
EM=ELECTRIC METER
OHW=OVERHEAD WIRES
WB=WALKOUT BASEMENT

LEGEND:

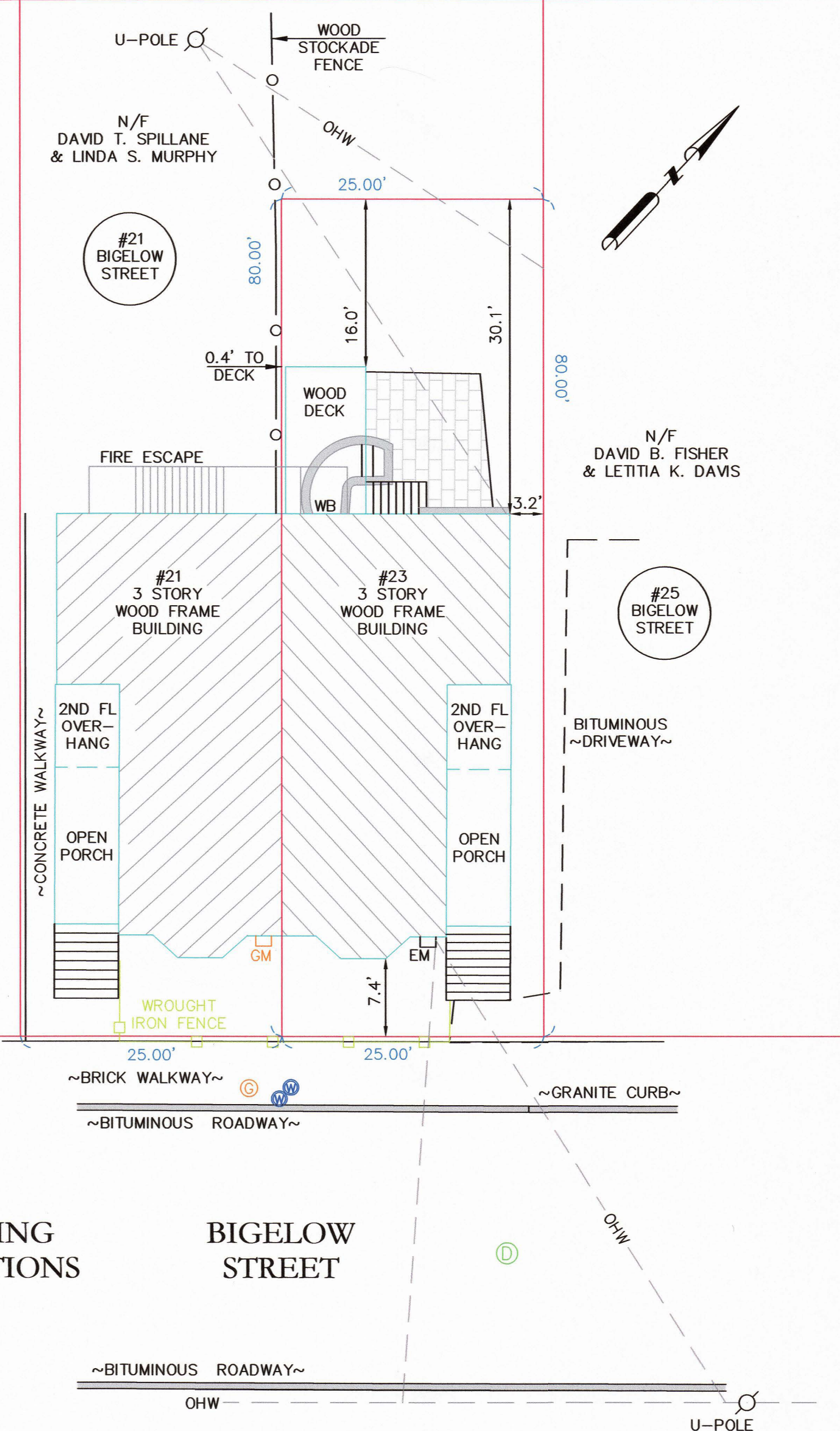
- Ⓚ = DRAIN MANHOLE
ⓐ = GAS SHUTOFF
Ⓦ = WATER SHUTOFF

OWNER:
KATHERINE L. OLIVER
23 BIGELOW STREET
CAMBRIDGE, MA. 02139

DEED REFERENCE:
DEED BOOK 963 PAGE
115 - 116
LAND COURT

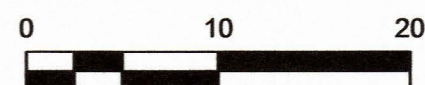
PLAN REFERENCE:
PLAN 40 PAGE 593
LAND COURT #5912A
DATED: APRIL, 1916

MIDDLESEX COUNTY
REGISTRY OF DEEDS



EXISTING
CONDITIONS

BIGELOW
STREET



NOTES:

ALL OFFSETS & DIMENSIONS ARE TO THE SIDING UNLESS OTHERWISE NOTED.

LOT AREA = 2,000 SQ. FT.

GM=GAS METER
EM=ELECTRIC METER
OHW=OVERHEAD WIRES
WB=WALKOUT BASEMENT

LEGEND:

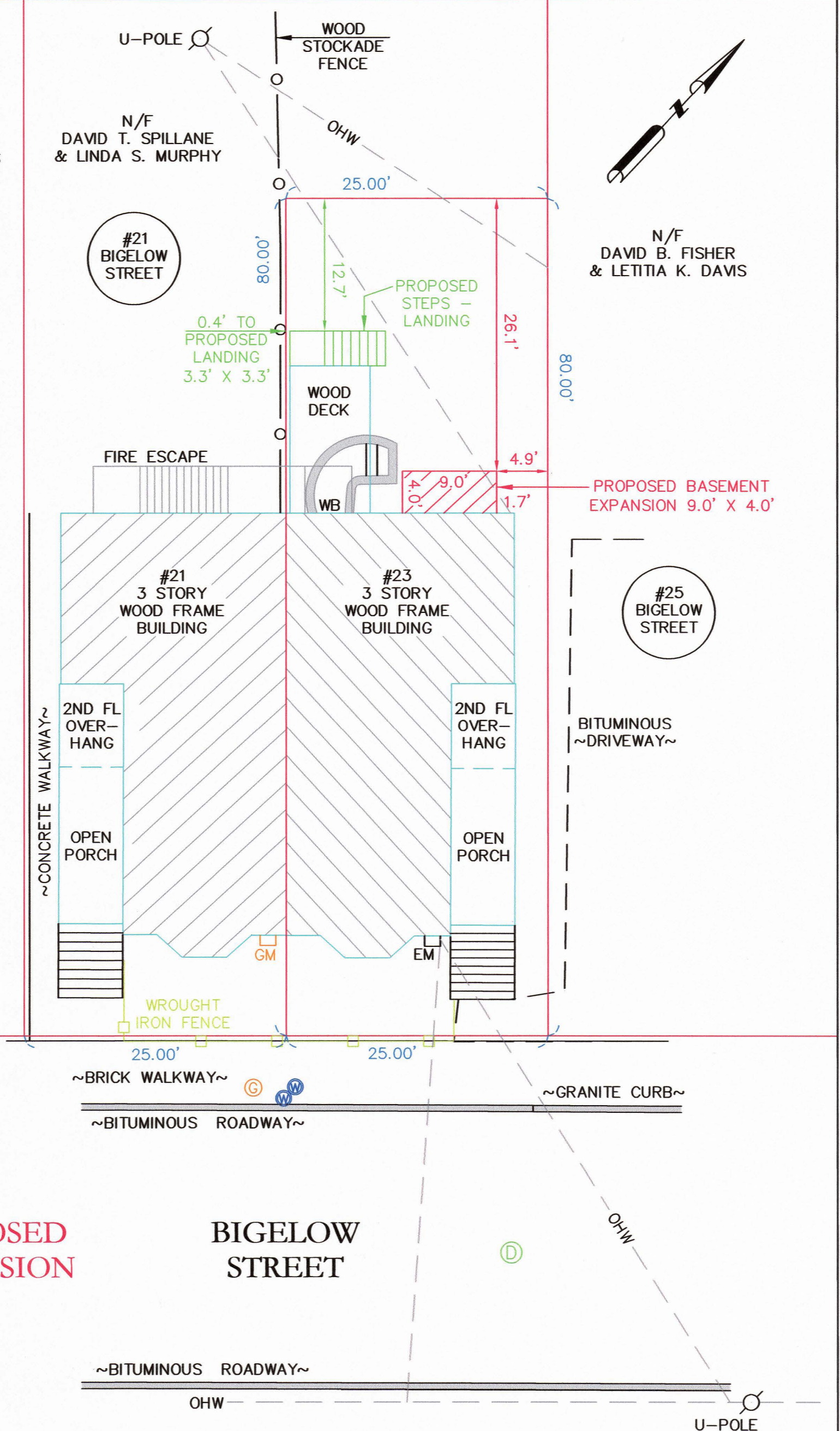
- Ⓚ = DRAIN MANHOLE
ⓐ = GAS SHUTOFF
Ⓦ = WATER SHUTOFF

OWNER:
KATHERINE L. OLIVER
23 BIGELOW STREET
CAMBRIDGE, MA. 02139

DEED REFERENCE:
DEED BOOK 963 PAGE
115 - 116
LAND COURT

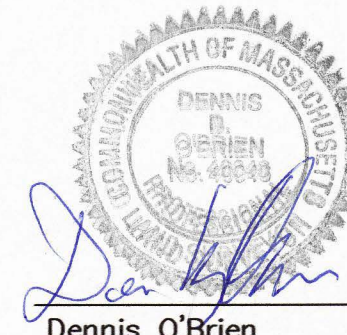
PLAN REFERENCE:
PLAN 40 PAGE 593
LAND COURT #5912A
DATED: APRIL, 1916

MIDDLESEX COUNTY
REGISTRY OF DEEDS



PROPOSED
EXPANSION

BIGELOW
STREET



Dennis O'Brien P.L.S.



PLAN SHOWING PROPOSED EXPANSION
23 BIGELOW STREET
CAMBRIDGE, MA MIDDLESEX COUNTY

SCALE:	DATE:	REVISED:	DRAWN BY:	CHECKED BY:
1:10	1/28/2021	---	W.M.N.	D.O.



○ **23 Bigelow St; Exterior, Partial Elevation - Side**
Scale: 1/4" = 1'-0"

○ **23 Bigelow St; Exterior, Partial Elevation - Rear**
Scale: 1/4" = 1'-0"

Designer:
Marta Kruszelnicka

Builder:
Don Foote Contracting
 781-438-2995
 www.donfoote.com

Project:
Olivier Residence
 23 Bigelow St
 Cambridge, MA

Drawing Title:
Partial Exterior Elevations

Dates:
 11/06/2020 Mtg/Measuring
 11/11/2020 Exist. Cond.
 01/25/2021 Schem.Design
 03/10/2021 Permit applic.

Last worked on:
 3/09/2021

Scale:
 1/4" = 1'-0"
 or as noted

Drawing #:
A2



Designer:
Marta Kruszelnicka

Builder:
Don Foote Contracting
781-438-2995
www.donfoote.com

Project:
Olivier Residence
23 Bigelow St
Cambridge, MA

Drawing Title:
Existing Pictures

Dates:
11/06/2020 Mtg/Measuring
11/11/2020 Exist. Cond.
01/25/2021 Schem.Design
03/10/2021 Permit applic.

Last worked on:
3/09/2021

Scale:

Drawing #:

Letitia K. Davis
Daniel B. Fisher
25 Bigelow St.
Cambridge, MA 02139

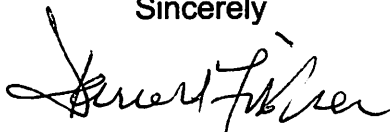
To: Alex Svirsky. Architect

Dec. 14, 2020

Re. Renovation of Basement at 23 Bigelow Street

We, the undersigned neighbors of Katherine Olivier, have no objection to her plan to build a small glass extension to her basement apartment (approx 3 x 8 x 6 ft) and to her moving the stairs to the deck so that they run parallel to the street. We have in fact been involved in the planning process and so are fully supportive of the project.

Sincerely

A handwritten signature in black ink, appearing to read "Daniel Fisher", written in a cursive style.

Daniel Fisher

A handwritten signature in black ink, appearing to read "Letitia Davis", written in a cursive style.

Letitia Davis

Latitia K. Davis
Daniel B. Fisher
25 Siglow St.
Cambridge, MA 02139

Dec. 14, 2020

Tom Allen Switzky, Architect

Re: Renovation of 25 Siglow St.

We, the undersigned neighbors of Katherine Oliver, have no objection to her plan to build a small glass extension to her basement apartment (approx 3 x 8 ft) and to her moving the stairs to the deck so that they run parallel to the street. We have in fact been involved in the planning process and so are fully supportive of the project.

Sincerely,

Latitia Davis

Daniel Fisher



Designer:
Marta Kruszelnicka

Builder:
Don Foote Contracting
781-438-2995
www.donfoote.com

Project:
Olivier Residence
23 Bigelow St
Cambridge, MA

Drawing Title:
Proposed Images

Dates:
11/06/2020 Mtg/Measuring
11/11/2020 Exist. Cond.
01/25/2021 Schem.Design
03/10/2021 Permit applic.

Last worked on:
3/09/2021

Scale:

Drawing #:



City of Cambridge
Massachusetts

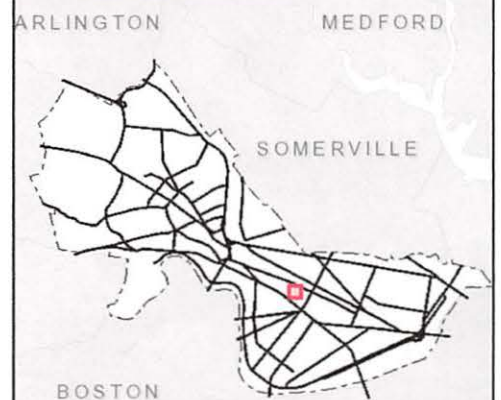
1" = 35 ft

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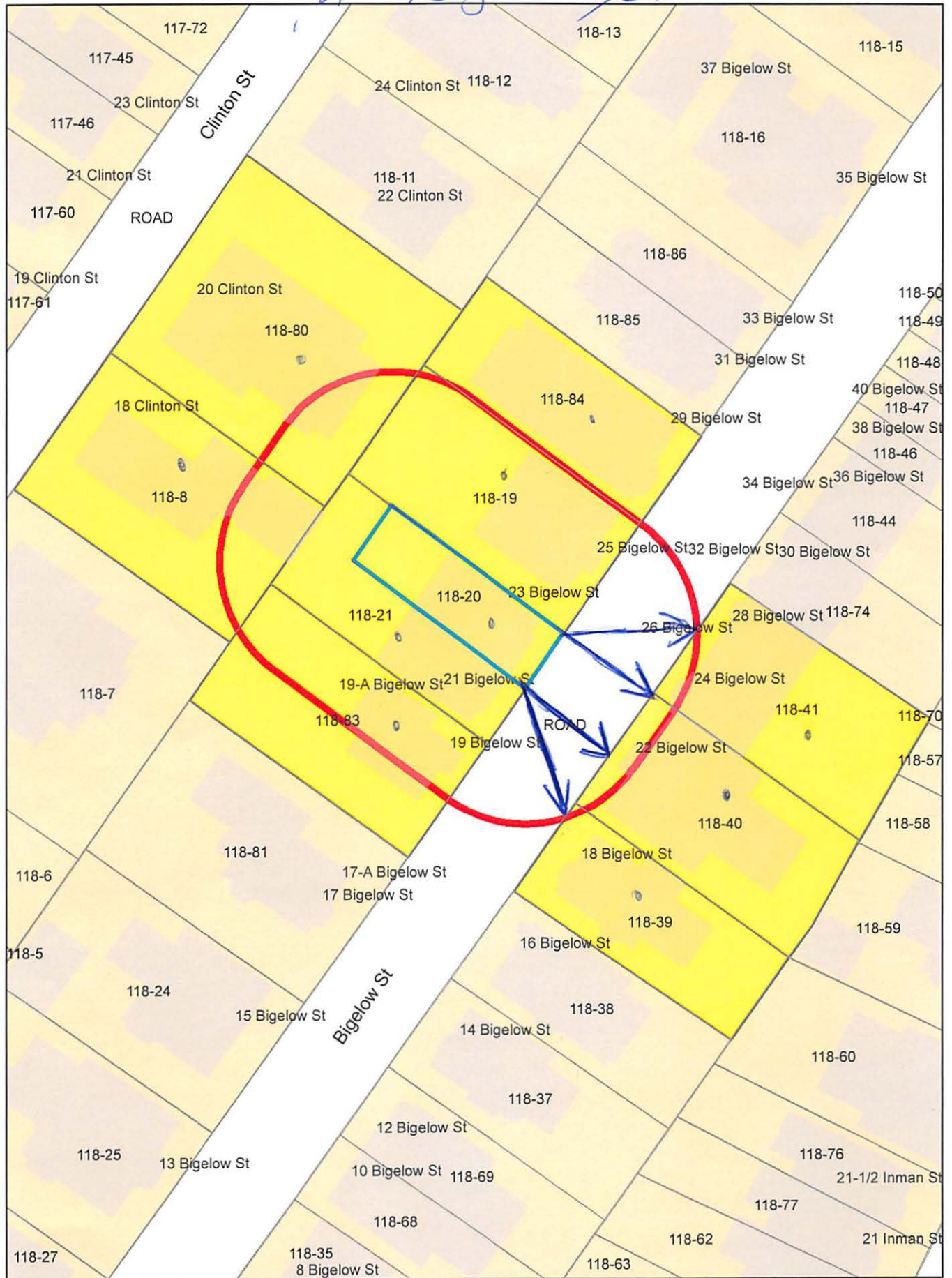
www.cambridgema.gov/gis



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



23 Bigelow St.



23 Bigelow St. Petitioner

118-40
TORRES, BARBARA M. &
ALAIN-CLAUDE MEGNOLO-MABIA
22 BIGELOW ST., UNIT #1A
CAMBRIDGE, MA 02139

118-40
BELLITTI, TYRONE T. & ELISE BELLITTI
22 BIGELOW ST 2A
CAMBRIDGE, MA 02139

118-20
OLIVER, KATHERINE L.
23 BIGELOW ST
CAMBRIDGE, MA

118-80
DENIZ, YAMO & SUSAN SHAW-DENIZ
20 CLINTON ST., #3
CAMBRIDGE, MA 02139

118-80
BROWN, TREVOR & ESTER G. SCHIANO-BROWN
20 CLINTON ST., #6
CAMBRIDGE, MA 02139

DON FOOTE CONTRACTING
38 MONTVALE AVENUE
STONEHAM, MA 02180

118-21
SPILLANE, DAVID T. & LINDA S. MURPHY
21 BIGELOW ST
CAMBRIDGE, MA 02139

118-39
WOO, KYU SUNG & JUNG JA WOO
TRUSTEE OF THE BIGELOW ST REALTY TRUST
18 BIGELOW ST
CAMBRIDGE, MA 02139

118-40
RAJAN REAL ESTATE HOLDINGS LLC
266 BEACON ST. UNIT 4
SOMERVILLE, MA 02143

118-40
PAULKE, GABOR
396 HILLTOP RD
LITTLETON, NH 03561

118-41
MENDELL, NATHANIEL
4 TODD POND RD
LINCOLN, MA 01773-3802

118-40
ZHU, YINGXUAN
22 BIGELOW ST., #3A
CAMBRIDGE, MA 02139

118-41
BALAFAS, GEORGIA
28A BIGELOW ST
CAMBRIDGE, MA 02139

118-80
BLITZ, AMY
20 CLINTON ST., UNIT #1
CAMBRIDGE, MA 02139

118-80
KARNIK, ROHIT NANDKUMAR & YUKIKO OKA
20 CLINTON ST., #5
CAMBRIDGE, MA 02139

118-83
PRELEC, DRAZEN & DANICA MIJOVIC PRELEC
19 BIGELOW STREET
CAMBRIDGE, MA 02138

118-80
DAVIS, JANENE L.
20 CLINTON ST., #2
CAMBRIDGE, MA 02139

118-80
STRECKER, MARK & MARINA KASDAGLIS
20 CLINTON ST., #4
CAMBRIDGE, MA 02139

118-80
ROBINSON JR, ROBERT JAMES &
STEPHANIE W. ROBINSON
20 CLINTON ST UNIT #7
CAMBRIDGE, MA 02139

118-84
HOLLENBECK, PATRICK G.
29 BIGELOW ST
CAMBRIDGE, MA 02139

118-40
ARGYRIADIS, JAMIE
22 BIGELOW ST. UNIT 2B
CAMBRIDGE, MA 02139

118-41
28 BIGELOW, LLC
P.O. BOX 381092
CAMBRIDGE, MA 02238

118-41
GONZALEZ, PABLO ARGUESO &
ELENA FAGOTTO
26B BIGELOW ST
CAMBRIDGE, MA 02139

118-41
LI, DANIELLE
24B BIGELOW ST
CAMBRIDGE, MA 02139

118-41
FRIEDMAN, NICHOLAS
38 MONTVALE AVE UNIT 210
STONEHAM, MA 02180

118-19
FISHER DANIEL B DAVIS K LETITIA
25 BIGELOW ST
CAMBRIDGE, MA 02139

118-40
ZALDUENDO INES M
22 BIGELOW STREET -UNIT 1B
CAMBRIDGE, MA 02139

118-8
DANIERE, NIRMAL
18 CLINTON ST
CAMBRIDGE, MA 02139-2304