



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2022 JUL -6 AM 11:07
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 181674

General Information

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

Special Permit: X Variance: X Appeal:

PETITIONER: Siyu Xiao A/K/A Siyu KallaC/O Christopher J. Alphen, Esq.

PETITIONER'S ADDRESS: 9 Damonmill Square, Concord, MA 01742

LOCATION OF PROPERTY: 25 Suffolk St , Cambridge, MA

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

REASON FOR PETITION:

/Additions/ /Change in Use/Occupancy/ /Conversion to Additional Dwelling Units/ /Conversion of a garage into an accessory apartment. /

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioners seek to convert and renovate an existing nonconforming accessory building. Such renovations do not comply with 4.22.3(3) because the alterations do not comply with applicable setback requirements for the lot. Section 4.22.3(3) provides "any movement or alteration to the principal exterior walls or roof of a building shall comply with applicable yard setback and height limitations for the lot."

Applicants seek to convert an existing accessory building on their lot into an accessory apartment.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 4.000	Section: 4.22 (Accessory Apartments)
Article: 4.000	Section: 4.22.3 (Zoning Requirements for Accessory Apartment)
Article: 8.000	Section: 8.22.3 (Extension of Nonconforming Structure)
Article: 5.000	Section: 5.31 (Table of Dimensional Requirements).
Article: 10.000	Section: 10.30 (Variance) & Sec. 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

Christopher J. Alphen Attorney for Applicant

(Print Name)

Blatman, ^{about:blank} Bobrowski, Maaverty & Silverstein, LLC
 9 Damonmill Square, Ste. 4A4
 Concord, MA 01742
 Tel. No. (978) 761-9576
 E-Mail Address: chris@bbhslaw.net

Date: 6/29/2022

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Siyu Xiao A/K/A Siyu Kalla
Location: 25 Suffolk St , Cambridge, MA
Phone: (978) 761-9576

Present Use/Occupancy: Two-Family Residential
Zone: Residence C-1 Zone
Requested Use/Occupancy: Two-Family Residential with Accessory Apartment

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		1935	2303	2313	(max.)
<u>LOT AREA:</u>		3085	3085	1500	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.62	.74	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		2313	2313	1500	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	43' 5"	43' 5"	33'5"	
	<u>DEPTH</u>	70'3"	70'3"	70'6"	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	50' 8.25"	40' 7.25"	10' 11"	
	<u>REAR</u>	4.75"	4.75"	20'	
	<u>LEFT SIDE</u>	2' 2"	2' 2"	14' 6"	
	<u>RIGHT SIDE</u>	19' 1.75"	19' 7.75"	14' 6"	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	10'2"	15'	15'	
	<u>WIDTH</u>	19' 3.25"	29' 3.25"	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		45	41	30	
<u>NO. OF DWELLING UNITS:</u>		2	3	2	
<u>NO. OF PARKING SPACES:</u>		2	2	2	
<u>NO. OF LOADING AREAS:</u>		N/A	N/A	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		2'	2' 6"	10'	

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.:

Existing accessory structure to be renovated and converted into an accessory apartment. Lot is currently improved with a two-family dwelling. The proposed structure is offset by three feet from the main dwelling. Structure to be wood framing and exterior clapboard to match existing dwelling.

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:

Without the requested relief the petitioners would be unable to expand the existing accessory building to allow a structure large enough to be used as an accessory apartment.

- 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 petitioners' hardship is related to the shape of the lot and the location and current condition of the existing accessory building.

- 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:

Expanding the existing dwelling will not be substantial detriment to the public good or derogate from the intent or purpose of the Ordinance. The Petitioners propose a well-designed accessory building that will provide additional living space for the Petitioners. The existing garage does not meet the rear and side setbacks. In addition, pursuant to Section 4.21(h) the existing garage is within the prohibited setback of the principal building. The Project proposes to extend some of these existing nonconformities.

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

Section 4.22 of the Cambridge Zoning Ordinance provides the purpose of permitting accessory apartments. It states in relevant:

"purpose of this Subsection 4.22 is to allow for the creation of accessory apartments in all districts. Many large existing single and two-family dwellings or other accessory buildings on their lots are underutilized. Alteration of these buildings to provide one additional dwelling unit on the lot would be prohibited in most cases due to the existing floor area ratio and/or lot area per dwelling unit requirements of Subsection 5.31, among other zoning limitations."

The Petitioners are proposing to renovate their garage which is an underutilized accessory building. Section 4.22.1 of the Ordinance provides that an accessory building may be altered to provide one accessory apartment if certain conditions are met.

The Petitioners proposed renovations do not comply with 4.22.3(3) because the alterations do not comply with applicable setback requirements for the lot. Section 4.22.3(3) provides "any movement or alteration to the principal exterior walls or roof of a building shall comply with applicable yard setback and height limitations for the lot." Otherwise the proposed renovations meet the criteria of Section 4.22.1 and 4.22.3.

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 25 Suffolk 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 Renovations do not create any additional nonconformities. The Proposed Renovations will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

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 proposed alterations will not cause any additional traffic.

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 proposed alteration of the garage will meet the characteristics of the neighborhood. The accessory apartment will have a minimal visual impact on the surrounding neighborhood.

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 proposed accessory apartment will not cause a nuisance or hazards.

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 proposed accessory apartment has been aesthetically designed to blend in with the existing neighborhood. The renovations will improve the neighborhood without substantially derogating from the requirement of the 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 - OWNERSHIP INFORMATION

*To be completed by OWNER, signed before a notary and returned to
The Secretary of the Board of Zoning Appeals.*


I/We Christopher J. Alphen, Esq. for Siyu Xiao A/K/A Siyu Kalla 9
(OWNER)

Address: Damonmill Square, Suite 4A4, Concord, MA 01742

State that I/We own the property located at 25 Suffolk Street, Cambridge, MA,
which is the subject of this zoning application.

The record title of this property is in the name of Siyu Xiao

*Pursuant to a deed of duly recorded in the date 5/30/17, Middlesex South
County Registry of Deeds at Book 69392, Page 375; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.


SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

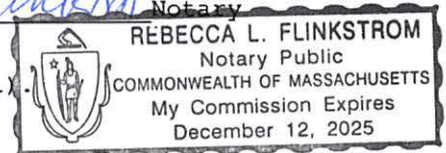
Christopher J. Alphen, Esq.

**Written evidence of Agent's standing to represent petitioner may be requested.*

Commonwealth of Massachusetts, County of Middlesex

The above-name Christopher J. Alphen personally appeared before me,
this 29th of July, 2022, and made oath that the above statement is true.

My commission expires 12-12-25 (Notary Seal)



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



Bk: 69362 Pg: 375 Doc: DEED
Page: 1 of 2 05/31/2017 02:57 PM

~~MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 05/31/2017 02:57 PM
Ctrl# 262821 14109 Doc# 00081103
Fee: \$5,016.00 Cons: \$1,100,000.00~~

Quitclaim Deed

We, Janne Hellgren and John M. Boesen, not married, of 206 Converse Road, Marion, Plymouth County, MA 02738, for consideration paid and in full consideration of One Million One Hundred Thousand and 00/100 (\$1,100,000.00) Dollars **GRANT TO**

Siyu Xiao, being not married, of 25 Suffolk Street, Cambridge, MA 02139

With **QUITCLAIM COVENANTS**

A certain parcel of land with the buildings thereon being at present number 25 Suffolk Street, Cambridge, Middlesex County, Massachusetts, bounded:

SOUTHWESTERLY	by Suffolk Street, forty-three and 35/100 (43.35) feet:
SOUTHEASTERLY	by land now or late of Ordway, seventy and 25/100 (70.25) feet;
NORTHEASTERLY	by land now or formerly of the Roman Catholic Archbishop of Boston, forty-two and 92/100 (42.92) feet;
NORTHWESTERLY	by land now or formerly of Fiske, seventy and 33/100 (70.33) feet.

Being all said measurements more or less or however otherwise bonded and described.

Meaning and intending to convey and hereby conveying the premises conveyed to Grantors herein by deed dated 09/24/1999 and recorded in the Middlesex South County Registry of Deeds at Book 30689, Page 571.

Under the pains and penalties of perjury, each Grantor hereby waives any and all homestead rights they have in the property described above and conveyed herein and certify that no others are entitled to homestead rights in said property.

Signature page attached.
Page 1 of 2.

Property Address: 25 Suffolk Street, Cambridge, MA 02139

Executed as a sealed instrument this 30th day of May 2017.

Janne Hellgren
Janne Hellgren

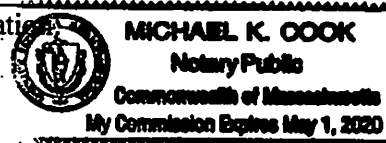
John M. Boesen
John M. Boesen

County: Norfolk Commonwealth of Massachusetts

On 30th day of May, 2017, before me, the undersigned notary public, personally appeared Janne Hellgren, the above-named and proved to me through satisfactory evidence of identification being MA D.L., to be the person whose name is signed on this document, and acknowledged to me that he/she signed it voluntarily for its stated purpose and that the foregoing instrument is his/her free act and deed and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of (his) (her) knowledge and belief.

Michael K. Cook
Notary Public:

Commission expiration:

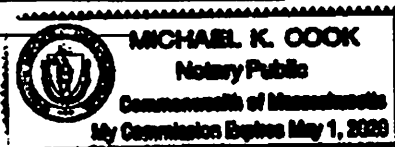


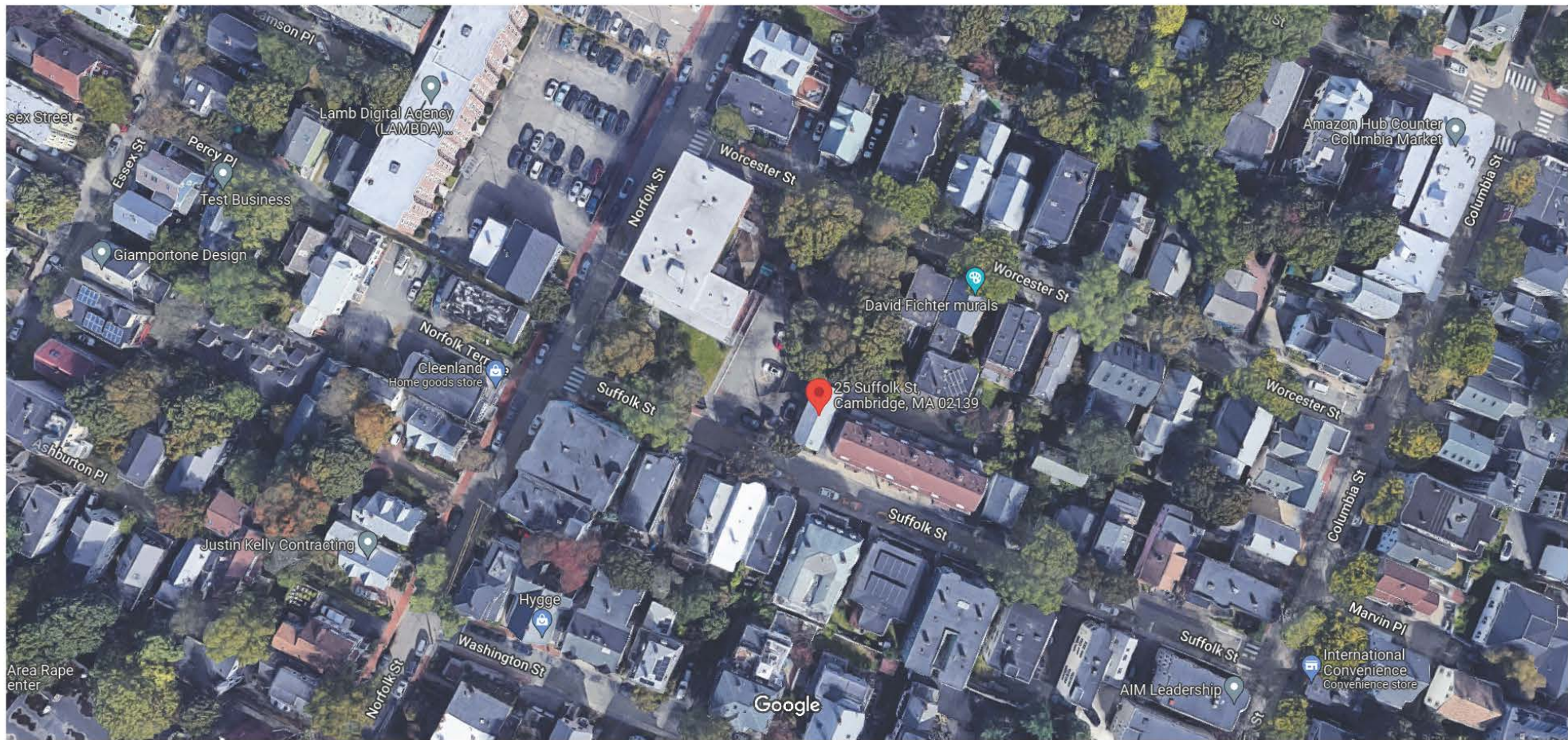
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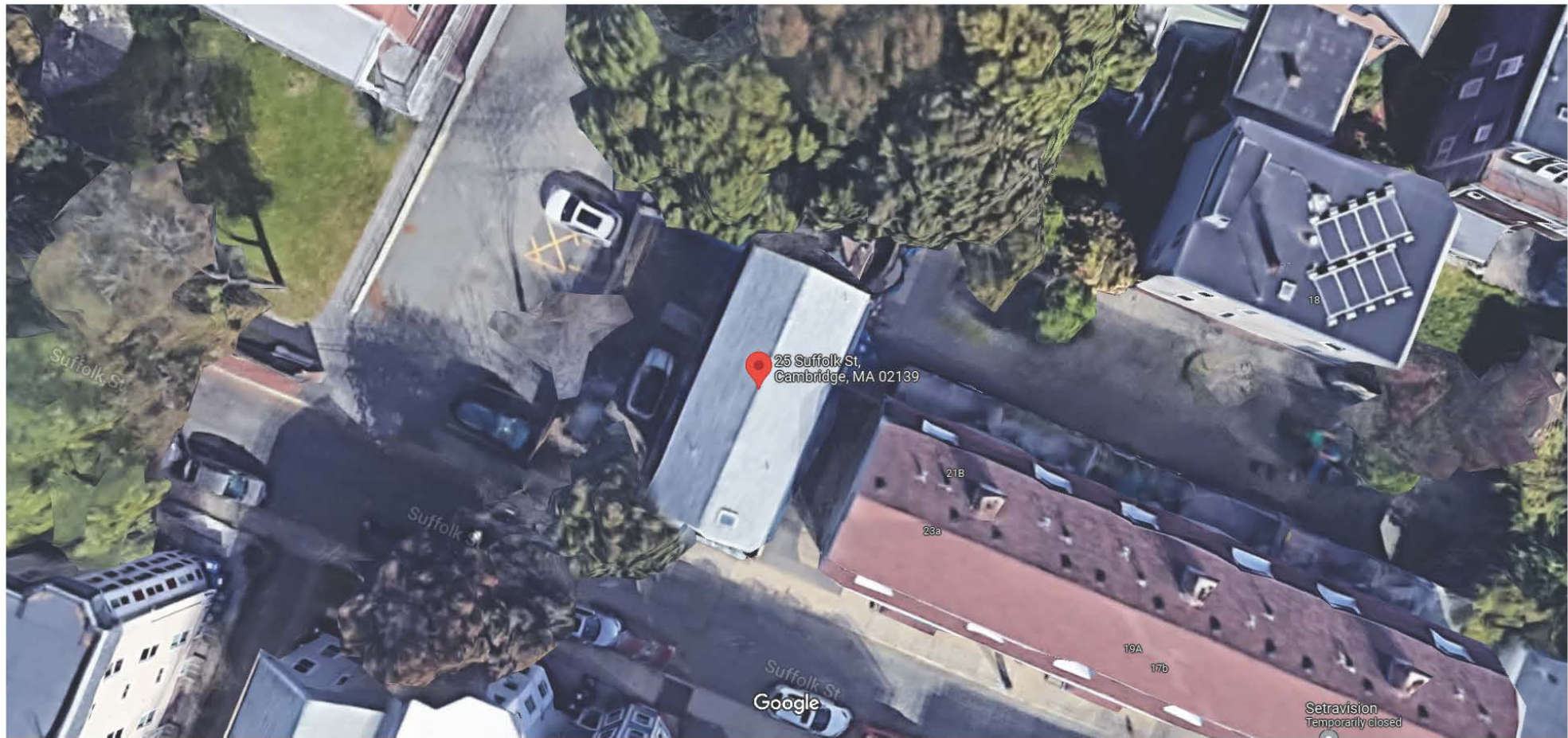
Michael K. Cook
Notary Public:

Commission expiration:





Imagery ©2022 Google, Imagery ©2022 CNES / Airbus, MassGIS, Commonwealth of Massachusetts EOE, Maxar Technologies, Sanborn, Map data ©2022 50 ft



Imagery ©2022 Google, Imagery ©2022 MassGIS, Commonwealth of Massachusetts EOE, Sanborn, Map data ©2022 Google 20 ft



Bk: 69362 Pg: 375 Doc: DEED
Page: 1 of 2 05/31/2017 02:57 PM

~~MASSACHUSETTS EXCISE TAX~~
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Notary Public:

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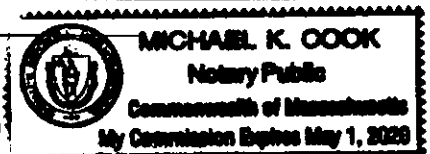


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Michael K. Cook
Notary Public:

Commission expiration:



This is a detailed street map of a residential neighborhood in Worcester, Massachusetts. The map shows a grid of streets including Norfolk St, Worcester St, Suffolk St, and Washington St. A large yellow-shaded area is outlined in red, and a smaller blue-shaded area is outlined in blue. Various lot numbers and addresses are labeled throughout the map.

Streets and Addresses:

- Norfolk St:** 90-95, 90-96, 90-97, 90-98, 90 Norfolk St, 89-3, 86 Norfolk St, 89-2, 89-1, 89-26, 89-25, 407 Washington St, 89-24, 401 Washington St, 395 Washington St, 89-23, 89-22, 385 Washington St, 375 Washington St, 383 Washington St, 373 Washington St, 89-81, 363 Washington St, 89-82, 89-19, 89-95, 372 Washington St, 374 Washington St.
- Worcester St:** 134 Norfolk St, 89-50, 89-53, 89-54, 216 Harvard St, 216-1/2 Harvard St, 214 Harvard St, 89-76, 89-90, 214-R Harvard St, 89-91, 17 Worcester St, 31 Worcester St, 19 Worcester St, 17 Worcester St, 15 Worcester St, 13 Worcester St, 11 Worcester St, 9 Worcester St, 10 Worcester St, 8 Worcester St, 89-37, 89-36, 89-35, 14 Worcester St, 20 Worcester St, 22 Worcester St, 16 Worcester St, 89-98, 89-72, 89-71, 89-28, 89-97, 89-34, 89-80, 9 Suffolk St, 89-78, 89-79, 89-44, 89-43, 10 Suffolk St, 8 Suffolk St, 6 Suffolk St, 89-15, 89-14, 89-86, 89-85, 89-10, 89-9, 89-8, 16-1/2 Suffolk St, 18-1/2 Suffolk St, 20 Suffolk St, 24 Suffolk St, 21-B Suffolk St, 23 Suffolk St, 21 Suffolk St, 19 Suffolk St, 15 Suffolk St, 13-B Suffolk St, 11 Suffolk St, 7 Suffolk St, 5 Suffolk St, 3 Suffolk St.
- Suffolk St:** 89-87, 25 Suffolk St, 32 Suffolk St, 28 Suffolk St, 89-4, 89-5, 89-6, 89-7, 89-8, 89-9, 89-10, 89-15, 89-14, 89-19, 89-21, 89-22, 89-23, 89-24, 89-25, 89-26, 89-27, 89-28, 89-29, 89-30, 89-31, 89-32, 89-33, 89-34, 89-35, 89-36, 89-37, 89-38, 89-39, 89-40, 89-41, 89-42, 89-43, 89-44, 89-45, 89-46, 89-47, 89-48, 89-49, 89-50, 89-51, 89-52, 89-53, 89-54, 89-55, 89-56, 89-57, 89-58, 89-59, 89-60, 89-61, 89-62, 89-63, 89-64, 89-65, 89-66, 89-67, 89-68, 89-69, 89-70, 89-71, 89-72, 89-73, 89-74, 89-75, 89-76, 89-77, 89-78, 89-79, 89-80, 89-81, 89-82, 89-83, 89-84, 89-85, 89-86, 89-87, 89-88, 89-89, 89-90, 89-91, 89-92, 89-93, 89-94, 89-95, 89-96, 89-97, 89-98, 89-99, 89-100.
- Washington St:** 91-88, 400 Washington St, 91-112, 390 Washington St, 91-117, 384 Washington St, 91-4, 372 Washington St, 374 Washington St.

25 Suffolk St. Petitioner
CHRISTOPHER J. ALPHEN, ESQ.
9 DAMONMILL SQUARE
CONOCRD, MA 01742

89-5
FORDE, MARIA
28 SUFFOLK STREET
CAMBRIDGE, MA 02139

89-46
ROTHMAN, GEORGE & ROTHMAN, ETHEL
TRS OF STU-LIN REALTY T
907 MASS AVE
CAMBRIDGE, MA 02139

89-4
WANG, YOUNG-CHENG & SICHONG YU
32 SUFFOLK ST
CAMBRIDGE, MA 02138

89-8
PESELMAN, ALEXANDER & BENJAMIN TUCK
TRUSTEE OF 20-22 SUFFOLK ST REALTY TR.
110 WOODLAND STREET
NATICK, MA 01760

89-35
STEIGER, FRANCOIS I. &
ILIA GONZALEZ-ALONSO TRS
14 WORCESTER ST
CAMBRIDGE, MA 02139

89-78
OSTRIKER, REBECCA G. & IAN MacKINNON
11 SUFFOLK ST.
CAMBRIDGE, MA 02139

89-97
BERRY, PETER AND ANDREA NASH
18 WORCESTER ST
CAMBRIDGE, MA 02139

89-80
9.5 SUFFOLK STREET LLC,
TR. THE 9.5 SUFFOLK ST. NOMINEE REALTY TR.
9 1/2 SUFFOLK STREET
CAMBRIDGE, MA 02139-2712

89-28
CAMBRIDGE HOUSING AUTHORITY
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

89-71
CITY OF CAMBRIDGE
C/O CITY MANAGER

89-71
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

89-98
FICHTER, DAVID & DEBORAH WISE
20 WORCESTER ST
CAMBRIDGE, MA 02139

89-6
CONWAY, JOSHUA F. & CATHERINE J. CONWAY
26 SUFFOLK ST., UNIT #1
CAMBRIDGE, MA 02139

89-6
LI, ANNA
280 PINE HILL RD
WESTFORD, MA 01886

89-6
FITZCHEUNG, ATHENS
26 SUFFOLK ST., #3
CAMBRIDGE, MA 02139

89-72
LAPIERRE, JAMES A.
22 WORCESTER ST., #1
CAMBRIDGE, MA 02139

89-72
FLEMING, COLIN
22 WORCESTER ST, UNIT #2
CAMBRIDGE, MA 02139

89-7
HOU PHILIP
207 HARVARD ST
CAMBRIDGE, MA 02139

89-34
SAUNDERS, JASMINE, ALLANA SAUNDERS &
ARIANNA SAUNDERS
16 WORCESTER ST
CAMBRIDGE, MA 02139

89-87
XIAO, SIYU
25 SUFFOLK ST
CAMBRIDGE, MA 02139



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: Siya Kalla Date: 08/01/2022
(Print)

Address: 25 Suffolk St.

Case No. BZA-181674

Hearing Date: 8/18/22

Thank you,
Bza Members

BLATMAN, BOBROWSKI, HAVERTY & SILVERSTEIN, LLC

ATTORNEYS AT LAW

9 DAMONMILL SQUARE, SUITE 4A4
CONCORD, MA 01742
PHONE 978.371.2226
FAX 978.371.2296

CHRISTOPHER J. ALPHEN, ESQ.
Chris@bbhslaw.net

August 11, 2022

City of Cambridge
Board of Zoning Appeals
831 Massachusetts Avenue
Cambridge MA 02139

RE: Special Permit/Variance No. 181674
25 Suffolk Street - Siyu Xiao A/K/A Siyu Kalla

Dear Board:

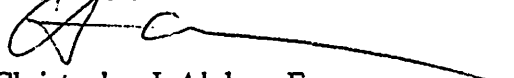
Please be informed that this office represents Siyu Kalla of 25 Suffolk Street, Cambridge, Massachusetts. Please accept this correspondence as a formal request to continue the Board's hearing set for August 18, 2022, until the next available public hearing. This request would delay the opening of the public hearing of the Applicant's application until that date.

For grounds therefor, the Applicants state their counsel is unavailable the evening of August 18, 2022, for a family matter.

If you have any questions regarding this matter, please feel free to contact me.

We look forward to working with the Board.

Very truly yours,



Christopher J. Alphen, Esq.



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

831 Mass Avenue, Cambridge, MA.
(617) 349-6100

2022 AUG 12 AM 10:24
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal
831 Mass Avenue
Cambridge, MA 02139

RE: Case # BZA-181474

Address: 25 Suffolk St.

☐ Owner, ☐ Petitioner, or ☐ Representative: Christopher Alphen
(Print Name)

hereby waives the required time limits for holding a public hearing as required by
Section 9 or Section 15 of the Zoning Act of the Commonwealth of Massachusetts,
Massachusetts General Laws, Chapter 40A. The ☐ Owner, ☐ Petitioner, or ☒
Representative further hereby waives the Petitioner's and/or Owner's right to a
Decision by the Board of Zoning Appeal on the above referenced case within the time
period as required by Section 9 or Section 15 of the Zoning Act of the Commonwealth of
Massachusetts, Massachusetts General Laws, Chapter 40A, and/or Section 6409 of the
federal Middle Class Tax Relief and Job Creation Act of 2012, codified as 47 U.S.C.
§1455(a), or any other relevant state or federal regulation or law.

Date: 8/11/2022

Christopher J. Alphen
Signature