



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 165327

General Information

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

Special Permit: X Variance: X Appeal:

PETITIONER: Joseph Glenmullen, Manager of Fayerweather Street, LLC C/O James J. Rafferty.

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 27 Fayerweather St., Cambridge, MA

TYPE OF OCCUPANCY: 2 family.

ZONING DISTRICT: Residence A-1 Zone

REASON FOR PETITION:

/Additions/ /Conversion to Additional Dwelling Units/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Petitioner seeks to increase height of roof of both the accessory dwelling unit structure and the existing garage.

Petitioner seeks to construct portions of front and rear additions and basement entry with railing within the required sideyard setback to non-conforming pre-existing two family dwelling and install window wells. Petitioner also seeks to convert existing rear garage to an accessory dwelling unit and install window wells within the required setback.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 4.000 Section: 4.22 (Accessory Apartment).
- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 8.000 Section: 8.22.2(d) (Nonconforming Structure).
- Article: 10.000 Section: 10.30 (Variance) & Sec. 10.40 (Special Permit).

Original
Signature(s):



(Petitioner (s) / Owner)

James J. Rafferty, Attorney for Petitioner

(Print Name)

Address: 907 Massachusetts Avenue, Suite 300
Tel. No. 617.492.4100
E-Mail Address: jrafferty@adamsrafferty.com

2022 MAR 11 AM 11:20
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

OWNERSHIP INFORMATION FOR BOARD OF ZONING APPEAL RECORD

To be completed by OWNER, signed and returned to Secretary of Board of Appeal

Joseph Glenmullen
(Owner or Petitioner)

Address: c/o James J. Rafferty 907 Massachusetts Avenue, Cambridge MA 02139

Location of Premises: 27 Fayerweather Street

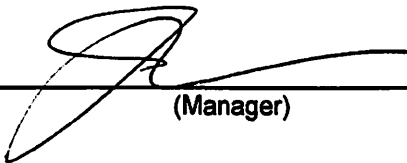
the record title standing in the name of Fayerweather St LLC

whose address is 31 St. James Ave., 6TH Floor Boston, MA 02116
(Street) (City or Town) (State & Zip Code)

by a deed duly recorded in the Middlesex South County Registry of Deeds in

Book 78708 Page 486 or _____ Registry

District of Land Court Certificate No. _____ Book _____ Page _____



(Manager)

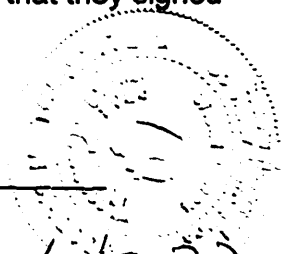
=====

On this 28th day of February, 2022, before me, the undersigned notary public, personally appeared JOSEPH GLENMULLEN proved to me through satisfactory evidence of identification, which were MAID, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



Notary Public

My commission expires: 9/14/2023



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:

A literal enforcement of the provisions of this Ordinance would prevent the applicant from increasing the height of the roof of the two accessory structures.

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 hardship is related to the historic context of the existing principal structure on the lot and the desire to construct roof profiles consistent with that design.

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:

There will be no detriment to the public good as a result of allowing an increase in the height of the roof of the accessory structures since several carriage houses in the district have similar or greater roof heights.

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

The change in the roof height and the slope of the roof of the accessory dwelling unit structure will not result in an increase in gross floor area beyond the 900 sf permitted for accessory apartments in the Ordinance. Similarly, the increase roof height of the front garage will not expand its footprint or floor area.

***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 27 Fayerweather 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:

Section 8.22.2(d) allows for the construction of the proposed additions to the principal structure upon the issuance of a Special Permit where, as in this case, the existing structure does not presently comply with the right side yard setback. Section 4.22 allows for the creation of accessory apartments in accessory buildings in all zoning districts where, as in this case, the accessory apartment is not greater than 900 sf.

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 additions and the conversion of the carriage house to an accessory apartment will not alter traffic patterns on Fayerweather Street.

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:

Adjacent uses will not be affected by the portions of the two additions that are located within the right side yard setback.

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 additions and the conversion of the carriage house to an accessory apartment will be constructed in accordance with all the requirements of the State Building Code.

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 additions will not change the historic use of the property and are consistent with the residential uses in the district. The proposed accessory apartment will not require any significant change to the footprint of the existing structure with the exception of a new entry to facilitate appropriate access to the apartment.

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

Date: March 9, 2022**BZA Application Form****DIMENSIONAL INFORMATION**Applicant: Joseph Glenmullen, Manager of Fayerweather Street, LLCPresent Use/Occupancy: 2 familyLocation: 27 Fayerweather St., Cambridge, MAZone: Residence A-1 Zone

Phone: 617.492.4100

Requested Use/Occupancy: 2 family w/ accessory dwelling unit

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		6,064	7,535	7,554	(max.)
<u>LOT AREA:</u>		15,109	no change	8,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> ²		.39	.498	.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>		7,554.5	no change	6,000	
<u>SIZE OF LOT:</u>	WIDTH	91.8	no change	80	
	DEPTH	159.1	no change	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	29.9	29.6	25	
	REAR	71.1	57.9	25	
	LEFT SIDE	46.9	no change	15 (sum of 35)	
	RIGHT SIDE	4.4	no change	15 (sum of 35)	
<u>SIZE OF BUILDING:</u>	HEIGHT	37.6	39.5	35	
	WIDTH	64.4	79.9	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		55.7	51.5	50	
<u>NO. OF DWELLING UNITS:</u>		2	2 w/ accessory	2	
<u>NO. OF PARKING SPACES:</u>		4	no change	2	
<u>NO. OF LOADING AREAS:</u>		0	no change	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.:

N/A

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



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:

[Signature]
(Print)

Date:

4/7/22

Address:

27 Fayerweather st.

Case No.

BZA-165327

Hearing Date:

4/28/22

Thank you,
Bza Members

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.

Frances Frei

Sign name

FRANCES FREI

Print name

22 FAYERWEATHER ST CAMBRIDGE, MA 02138

Address

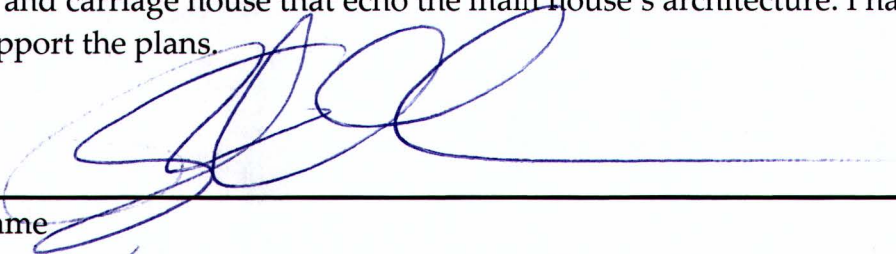
4/9/22

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.

Sign name



Print name

SHARMEN A. TSHULER

Address

15 FAYERWEATHER ST.

Date

April 10, 2022

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.



Sign name

Amanda J Gruber

Print name

37 Fayerweather St

Address

4/5/22

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.



Sign name

VARTAN KESHISHIAN

Print name

28 Fayerweather St.

Address

4/9/22

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.



Sign name

Anne Morris

Print name

22 Fayerweather Street Cambridge MA

Address

02138

4/9/22

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.



Sign name

Robert Crowley

Print name

67 Lakeview Ave

Address

4/9/22

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.

Weiliang Shi

Sign name

WEILIANG SHI

Print name

77 Lakewood Ave, Cambridge MA 02138

Address

4/12/2022

Date

To the City of Cambridge:

As a neighbor of 27 Fayerweather Street, I support the plans for renovating the property including the additions to the main house and the Queen Anne style designs for the garage and carriage house that echo the main house's architecture. I have no objections and support the plans.

Leah Foley
Sign name

Leah Foley
Print name

35 Lakeview Ave, Cambridge
Address

4/5/22
Date

ADAMS & RAFFERTY
ATTORNEYS AT LAW
A Professional Association *
907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2022 JUN -6 P 4: 35

James J. Rafferty, P.C.
jrafferty@adamsrafferty.com

Telephone (617) 492-4100
Fax (617) 492-3131

June 6, 2022

Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

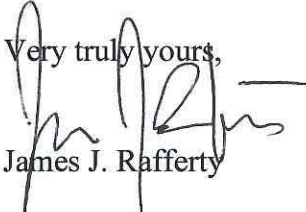
Re: Board of Zoning Appeal Case No. 165327
27 Fayerweather Street
Cambridge, MA

Dear Chairman Sullivan and Members of the Board:

Please find revised plans and dimensional information associated with the above-captioned Board of Zoning Appeal application. As noted in my correspondence of April 25 to the Board, the applicant has withdrawn his request for a variance to allow for an increase in the height of the two existing accessory structures. In light of concerns expressed by an abutter, the applicant wishes to further amend his application by withdrawing the request for a Special Permit to convert the rear garage into an accessory dwelling unit. As a result, the use of the garage will not be changed. The applicant does intend to replace the deteriorating existing garage roof, however the height of that roof will not exceed the 15 foot limit allowed for accessory structures.

Also, please note that the proposed addition at the rear of the principal structure has also been modified to comply with the sideyard setback requirements of the Residence A-2 Zoning District.

Thank you for your attention to this matter.

Very truly yours,

James J. Rafferty

cc: Joseph Glenmullen

JJR/pwc



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

AMENDED 6/6/22

BZA Number: 165327

General Information

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

Special Permit: X

Variance: X

Appeal:

PETITIONER: Joseph Glenmullen, Manager of Fayerweather Street, LLC C/O James J. Rafferty.

PETITIONER'S ADDRESS: 907 Massachusetts Avenue, Cambridge, MA 02139

LOCATION OF PROPERTY: 27 Fayerweather St., Cambridge, MA

TYPE OF OCCUPANCY: 2 family

ZONING DISTRICT: Residence A-1 Zone

REASON FOR PETITION:

/Additions/ /Conversion to Additional Dwelling Units/

DESCRIPTION OF PETITIONER'S PROPOSAL:

~~Petitioner seeks to increase height of roof of both the accessory dwelling unit structure and the existing garage.~~

Petitioner seeks to construct portions of front and rear additions and basement entry with railing within the required sideyard setback to non-conforming pre-existing two family dwelling and install window wells. Petitioner also seeks to convert existing rear garage to an accessory dwelling unit and install window wells within the required setback.

SECTIONS OF ZONING ORDINANCE CITED:

- Article: 4.000 Section: 4.22 (Accessory Apartment).
- Article: 5.000 Section: 5.31 (Table of Dimensional Requirements).
- Article: 8.000 Section: 8.22.2(d) (Nonconforming Structure).
- Article: 10.000 Section: 10.30 (Variance) & Sec. 10.40 (Special Permit).

Original
Signature(s):

(Petitioner (s) / Owner)

(Print Name)

Address:

Tel. No.

617.492.4100

E-Mail Address:

jrafferty@adamsrafferty.com

Date: _____

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Joseph Glenmullen, Manager of Fayerweather Street, LLC
Location: 27 Fayerweather St., Cambridge, MA
Phone: 617.492.4100

Present Use/Occupancy: 2 family
Zone: Residence A-1 Zone
Requested Use/Occupancy: 2 family w/ accessory dwelling unit

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		6,064	7,535 7,529	7,554	(max.)
<u>LOT AREA:</u>		15,109	no change	8,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		.4 .39	.498	.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>		7,554.5	no change	6,000	
<u>SIZE OF LOT:</u>	WIDTH	91.8	no change	80	
	DEPTH	159.1	no change	N/A	
<u>SETBACKS IN FEET:</u>	FRONT	29.9	29.6 29.5	25	
	REAR	71.1	57.9 39.5	25 35	
	LEFT SIDE	46.9	no change	15 (sum of 35)	
	RIGHT SIDE	4.4	15.5 4.3* no change	15 (sum of 35)	
<u>SIZE OF BUILDING:</u>	HEIGHT	37.6	39.5 38.5* 34.9**	35	
	WIDTH <u>LENGTH</u>	64.4	79.9 93.1	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		55.7 66	51.5 55	50	
<u>NO. OF DWELLING UNITS:</u>		2	2 w/ accessory	2	
<u>NO. OF PARKING SPACES:</u>		4	no change	2	
<u>NO. OF LOADING AREAS:</u>		0	no change	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.:

N/A **Main house **Rear conforming addition. Requested heights factor in window wells and stair wells.*

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

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name Consultant Address
-------------	---------------------------------------

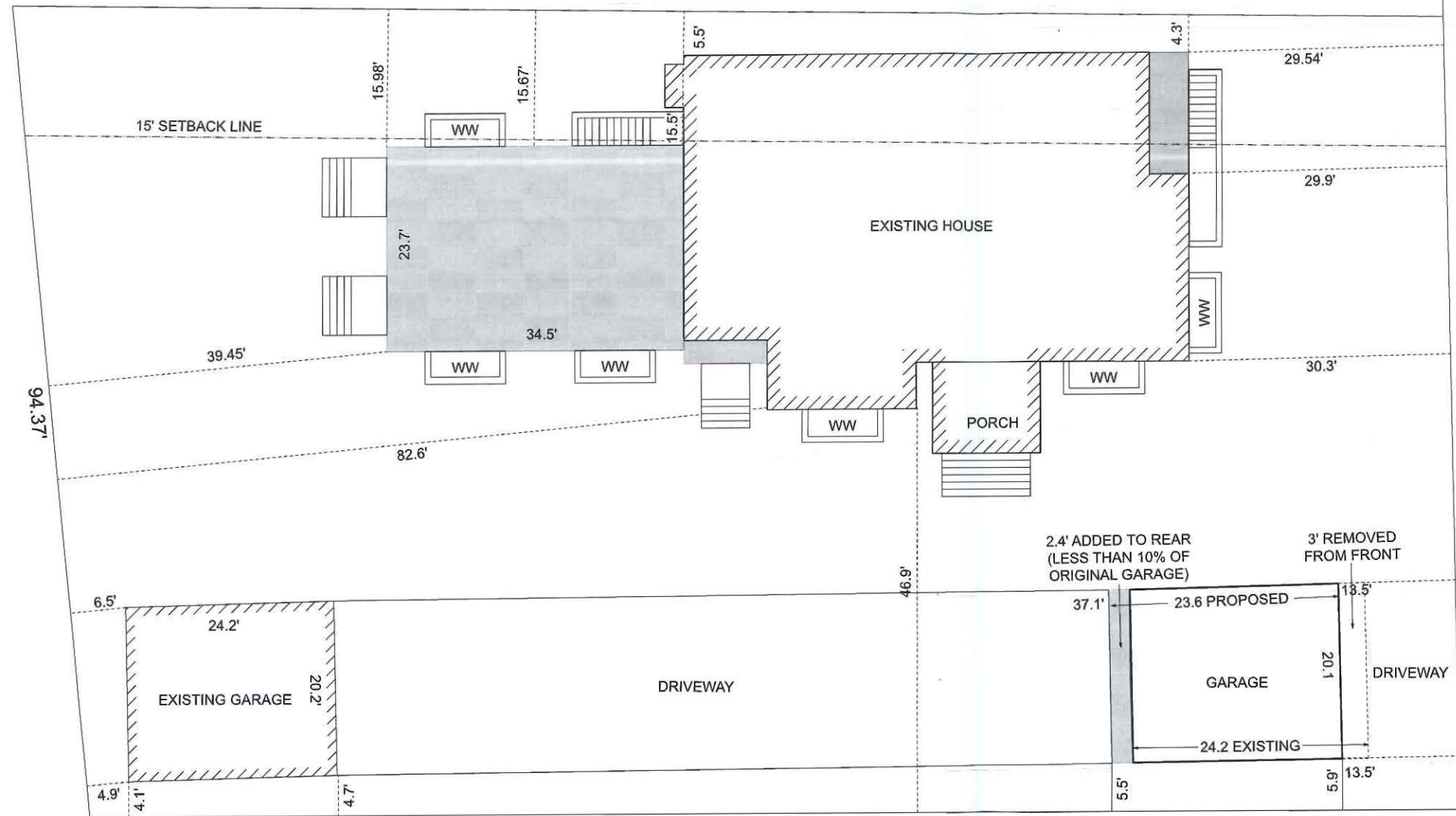
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
6/3/22	2106

NO.	DATE	ISSUE NOTE

SITE PLAN

S1

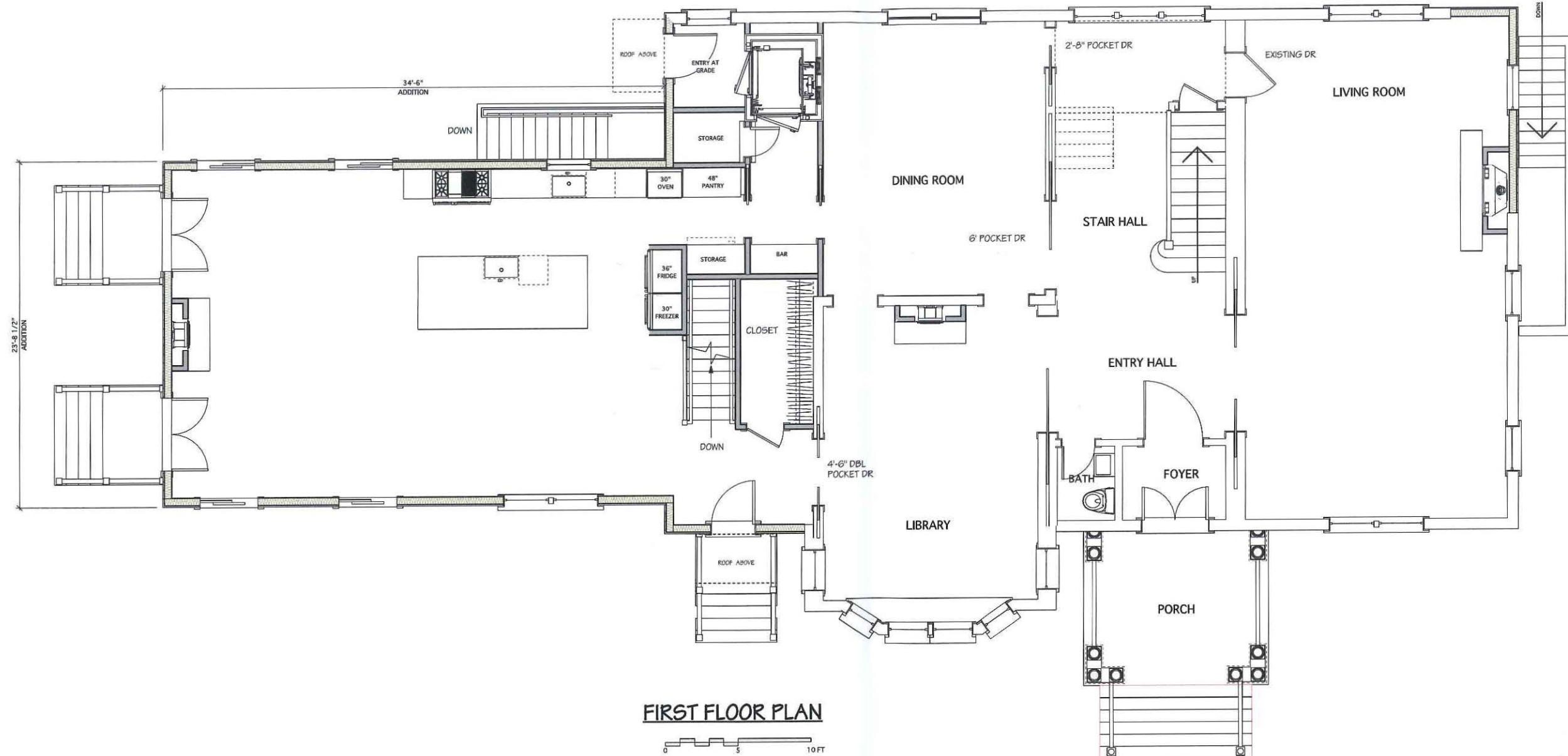
FAYERWEATHER STREET



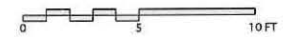
159.11'
AREA= 15109 SQ. FT.

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



FIRST FLOOR PLAN



REVISIONS	
NO.	REVISION NOTES

CONSULTANTS	
Consultant Name	
Consultant Address	
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
6/3/22	2106

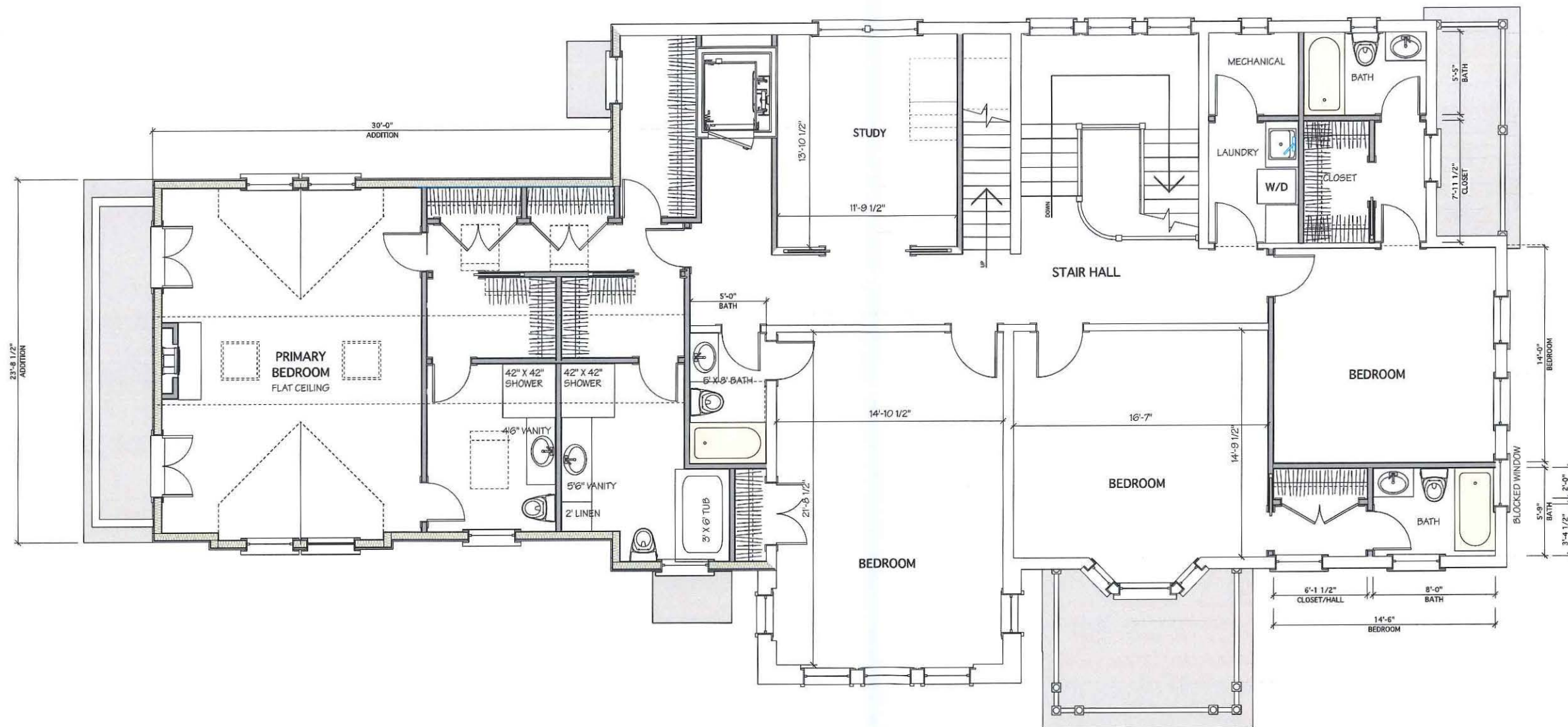
NO.	DATE	ISSUE NOTE

FIRST FLOOR PLAN

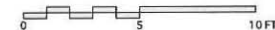
A1-1

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



SECOND FLOOR PLAN



REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
6/3/22	2106

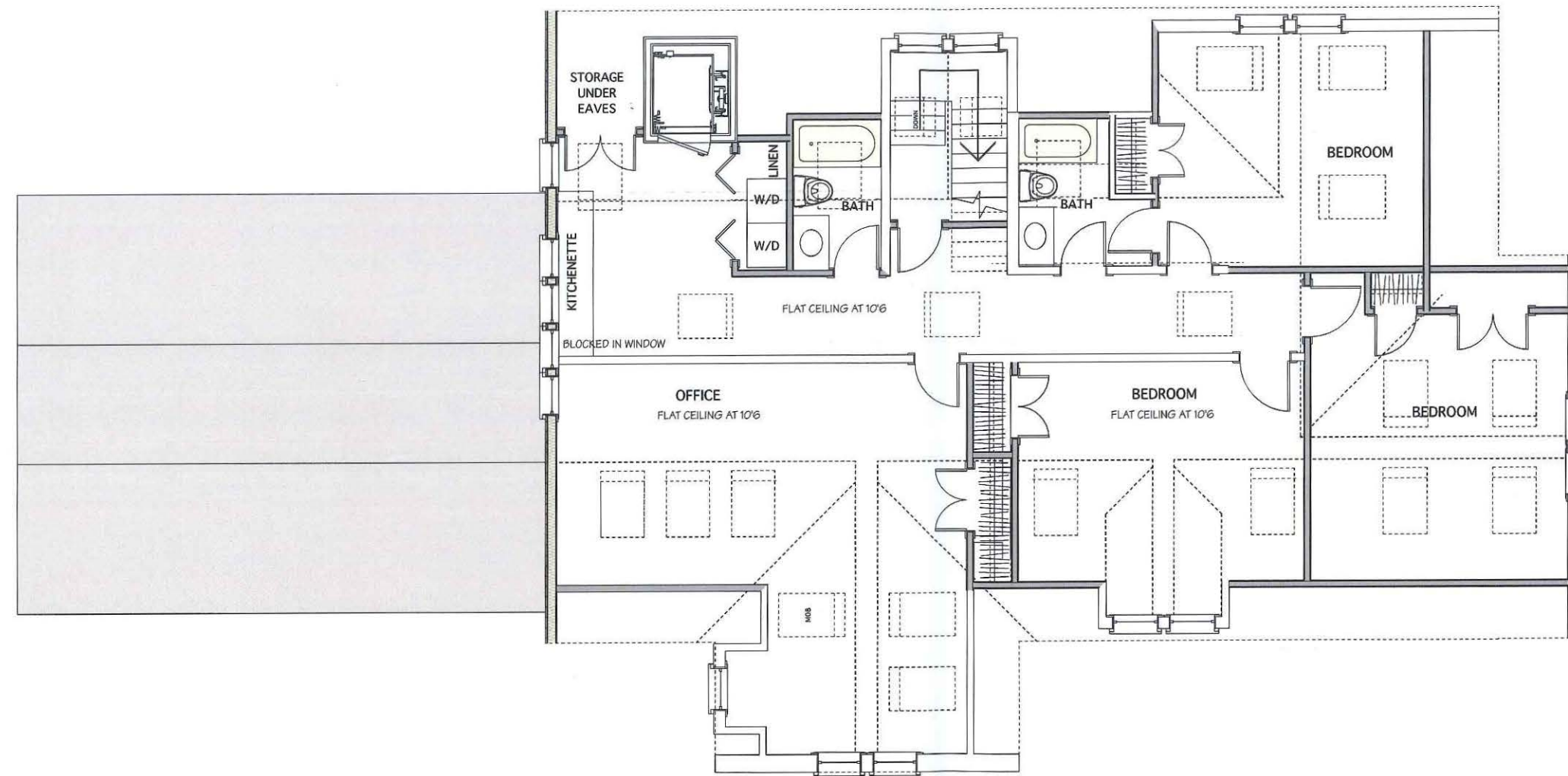
NO.	DATE	ISSUE NOTE

SECOND FLOOR PLAN

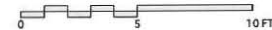
A1-2

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



TOP FLOOR PLAN



REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

--	--

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
6/3/22	2106

NO.	DATE	ISSUE NOTE

TOP FLOOR PLAN

A1-3

1950 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140
TEL 617-497-4150
FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS NO.	DATE	REVISION NOTES

CONSULTANTS	
	Consultant Name
	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
6/3/22	2106

NO.	DATE	ISSUE NOTE

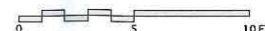
LEFT ELEVATION (SOUTH)

A2-1



NOTE:
AVERAGE
HEIGHT
FACTORS IN
WINDOW AND
STAIR WELLS.

LEFT SIDE ELEVATION (SOUTH)



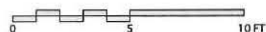
1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

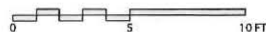
27 FAYERWEATHER STREET
 CAMBRIDGE, MA



REAR ELEVATION (WEST)



FRONT ELEVATION (EAST)



REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS
 Consultant Name
 Consultant Address

PROJECT ARCHITECT
 NANCY DINGMAN

DRAWN BY
 Drawn By

DATE
 8/3/22

PROJECT JOB NUMBER
 2106

NO.	DATE	ISSUE NOTE

FRONT(EAST) AND REAR (WEST)
 ELEVATIONS

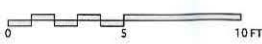
1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



RIGHT ELEVATION (NORTH)



REVISIONS	
NO.	REVISION NOTES

CONSULTANT'S
 Consultant Name
 Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
6/3/22	2108

NO.	DATE	ISSUE NOTE

RIGHT (NORTH) ELEVATION

A2-3

Pacheco, Maria

From: Ken Froot <kfroot@gmail.com>
Sent: Thursday, April 28, 2022 12:27 PM
To: Pacheco, Maria
Subject: Re: Hearing for 27 Faywerweather St Cambridge, April 28
Attachments: 27 fayerweather Froot letter to Glenmullen.pdf

Hi Maria,

Thank you so much for your kind help and advice in this matter.

Can you please confirm for me that my April 14th letter attached to my April 25th email (and again here below), has been submitted for the records and will be seen by the board at the meeting tonight? I won't be able to attend unfortunately because as anticipated I am in the middle east.

However, I would like to request that the board read aloud my letter, and that the following be publicly stated in addition:

As you can see, my April 14th letter suggests that Mr. Glenmullen's attorney might serve as his proxy for email communications. This seemed constructive, given his own apparent email disability and given the difficulty in communicating synchronously with me while I am half-way around the world. However, I can only conclude Mr. Glenmullen has a policy of making contact and information sharing difficult by refusing to share electronic information on his plans and by not responding to my letter's request that those plans be made more sensitive to his neighbors.

On Mon, Apr 25, 2022 at 12:26 AM Ken Froot <kfroot@gmail.com> wrote:

Dear Ms. Pacheco,

I am attaching an April 14th letter i wrote to Dr Glenmullen and his attorney concerning his plans to renovate the above property, to which i'm a North-boundary abutter at 33 Fayerweather.

I would like the letter to be submitted into the public record for this meeting. Dr. Glenmullen has not responded to my concerns and so i would like them aired and debated at the meeting. I do feel strongly about reducing considerably the massive size and height of the western extension of the main house along the north boundary at extremely close setbacks. This is already a large house and property and i've suggested ways to ensure it can be even bigger while ameliorating my concerns.

I will be in the middle east on the 28th, so the meeting is at 3:30am local time for me - i don't know for sure i will be able to attend altho i hope to. Is there anyway to know exactly when this property is discussed (so i don't have to be awake thru most of the hours i have to sleep)? I would greatly appreciate some pre-set time, or perhaps a phone call when the discussion of this property begins. Is that at all possible? I'm sorry but i've had this trip planned for a long time.

All the best,

Ken Froot

--

Kenneth A. Froot
Andre Jakurski Professor of Finance, Emeritus

Harvard Business School
Soldiers Field | Boston, MA 02163
Ph 617.495.6677 | Fx 617.496.7357 | kfroot@hbs.edu
<http://scholar.harvard.edu/kenfroot>

--

Kenneth A. Froot
Andre Jakurski Professor of Finance, Emeritus
Harvard Business School
Soldiers Field | Boston, MA 02163
Ph 617.495.6677 | Fx 617.496.7357 | kfroot@hbs.edu
<http://scholar.harvard.edu/kenfroot>

HARVARD UNIVERSITY

GRADUATE SCHOOL OF BUSINESS ADMINISTRATION

GEORGE F. BAKER FOUNDATION

KENNETH A. FROOT
Andre R. Jakurski Professor of Business Administration, Emeritus

SOLDIERS FIELD
BOSTON, MASSACHUSETTS 02163
TEL 617-495-6677
kfroot@hbs.edu

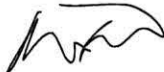
April 14, 2022
Dr. Joseph Glenmullen
1770 Massachusetts Ave.
Suite 263
Cambridge, MA 02140

Dear Dr. Glenmullen,

Appreciate your for sharing the plans for 27 Fayerweather. I can certainly be supportive of improvements to the property. My reservations with your plans are, for the main house, the large cubic footage being added to the West at several stories in height and at a distance of under 6' from the northern side setback. Given the extreme non-conformity of this setback (and indeed of all the setbacks on this lot, which are very aggressive), such a massive and tall structure would seem to be detrimental to the neighborhood (the test for Section 8.22 approvals) and to sunlight for your neighbors to the north at 31 and 33 Fayerweather. If this could be reduced to a single story, keeping the great room you have in the plans, it would bring in a lot of light and additional living space. Indeed, if you were to go this route, I, for one, would be open to a proposal that added more horizontal single-story space, providing an even greater great room. For the rear garage, an additional story, obtained by requesting a variance, seems unnecessary; I'd like to understand the hardships involved with not granting it (Section 10.31).

I would appreciate electronic communications as I will be travelling until the meeting and won't have access to US mail. I understand you won't be able to provide this yourself, but I imagine that your attorney, James Rafferty, could, and, he, therefore is cc'ed here

Sincerely,



Ken Froot

Cc: James Rafferty, jrafferty@adamsrafferty.com;
Eric Nelson, enelson@fas.harvard.edu

Roland & Lori Pease
57 Lakeview Ave.
Cambridge, MA 02138

Ranjit Singanayagam
Commissioner
Cambridge Inspectional Services
831 Massachusetts Ave.
Cambridge, MA 02139

May 5, 2022

Re: building permits/ 27 Fayerweather St., BZA Number: 165327

Dear Ranjit Singanayagam,

We reside at 57 Lakeview Avenue and are direct abutters in back of 27 Fayerweather St. This property recently changed ownership. Plans are being made to renovate the property — a possible addition as well as turning a garage into an accessory dwelling with a full basement. Attached below is the link to the BZA documents that explain the scope of the project.

We're writing to you to share our request that any building permit add conditions that will mitigate water issues and make clear tall trees are to be protected and under the care of an arborist before any work is started.

Underground water runs from higher up on Fayerweather St. through 27 Fayerweather St. and our property onto Lakeview Ave. This is an opportunity to improve this situation with a proper site plan that includes an engineering plan to handle the water issues during construction and thereafter. In addition to connecting all downspouts to existing systems and installing perimeter drains, it may very well be necessary to install some sort of drywell. We also hope that during construction, water issues are mitigated via bays of hay or whatever is needed so we do not end up with even more water during the construction process.

The water situation has worsened over our 25 years in residence. Home and garden renovations have tipped the flow in our direction and renovation work inevitably ends up with fewer tall trees after construction compacts tree roots and trees die. When homes are expanded, there is less green ground, another concern as there is less plant matter drinking up the water that naturally flows in this area.

Last Summer someone filed an anonymous complaint with the City because of water seen running down the curbstone parking area to the right side of our home. When we met with the city representatives, they determined that it was not our fault, that there was no sump pump dumping water into the street. Instead it's the water that is flowing from Fayerweather St.

<https://www.cambridgema.gov/-/media/Files/inspectionalservicesdepartment/bzadocuments/27fayerweatherstbza165327documents1.pdf>

Thank you for your attention to this matter. We are sending this letter along to the Board of Zoning Appeals so that everyone is aware of our concerns.

All best,
Lori & Roland Pease

WESTON | PATRICK

May 16, 2022

By email to mpacheco@cambridgema.gov

Brendan Sullivan, Chair
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

RE: 27 Fayerweather Street BZA #165327

Dear Mr. Sullivan and Members of the Board:

This letter supplements the earlier letter of April 25, 2022 and included attachments that I submitted to the Board on behalf of Margaret Flanagan and Timothy A. Barrows, owners of the property at 21 Fayerweather Street, which directly abuts 27 Fayerweather Street. My clients contend that both the historical use of the main building and the proposed layout and design, which appear to include an accessory apartment within the basement, preclude a special permit for the construction of an additional accessory apartment within the footprint of the existing accessory building that currently serves as the rear garage.

The petition refers to the existing property as a prior nonconforming two family residence. The records of both the Inspectional Services Department and the Cambridge Historical Commission refer to the property as a single family residence. The main building was constructed in 1896 as a single family. In 1940 a construction permit was obtained to "install dumb waiter, new bath 3rd floor; misc. repairs; rearrange non-bearing partitions". (See copy enclosed.) No plans were submitted, nor was any mention made in the permit card, of a proposed conversion to a two family building. The existing plans filed by the petitioner, show an open floor plan on the first floor with common entrances, and separated, adjacent rooms on the second and third floors. Evidently the property was converted to a single family with an auxiliary apartment of some sort, but not a two family dwelling. The definition of "Two-family dwelling" in the Zoning Ordinance of 1924, the applicable portions of which remained in effect until 1943, is "a dwelling occupied by two families only, *one living above the other*". (See copy enclosed.) The existing plans do not reflect such a layout. The status of that apartment is better reflected in the Assessors Database, which describes the property as "SINGLE FAM W/ AUXILIARY APT".

Nothing of record at Inspectional Services or in the Ordinance as it existed in 1940 supports the notion that the main building enjoys protected status as a prior nonconforming two family residence. Nor may the petitioner, using the new plans on file, now convert the building to a two

family dwelling. Per Article 4.31, footnote 15, of the current Zoning Ordinance, a single family dwelling in an A-1 district may be converted to a two family dwelling but only “provided that the exterior design of the structure is not changed”. The thrust of footnote 15 is to limit the change of use of a single family in an A-1 district to a two family to where it can be accomplished without external changes. The petitioner’s plans radically alter the exterior design. If the Board sees fit to allow the special permit for the addition to the main building and the change to its exterior design, then the use of the building must nevertheless remain classified as a single family with accessory apartment.

The new plans submitted by the petitioner are consistent with the prior characterization of the property as a single family with auxiliary apartment, but with a new twist that further intensifies the potential use of the building. The plans show a single family layout that occupies a major portion of the basement and all of the first, second and third floors. The plans for the top floor, which include three bedrooms, three bathrooms, a “kitchenette” and washer/dryer, and access to an elevator that can be entered directly from the rear of the building without entering the owner’s living space, yet do not contain adequate provision for safe egress that would be required if the top floor were to be used as a separate dwelling unit, appear to facilitate the operation of an owner-occupied short term rental facility for up to three persons under the short term rental ordinance, per the provisions of Article 4.62 d and Article 4.64. In the basement, where there had been no previous occupancy, the plans split the space between a downstairs extension of the single family dwelling on the west side and a small new basement apartment on the east side.

In sum, the plans for the building lay out a gross expansion of floor area in a single family dwelling, the facilitation of a short term rental for up to three persons on the top floor, and the insertion of an accessory apartment in a portion of the basement, to replace the pre-existing auxiliary apartment. Article 4.22.1, subsection 4 allows only one accessory apartment per lot. The construction of a second accessory apartment in an accessory building would therefore be plainly illegal, and ought not be authorized by the Board.

In the unlikely event that the Board were to find that the main building, as expanded and reconfigured, somehow qualifies the property as a two family dwelling, with the right to add an accessory apartment in an accessory building, then the revised plans for the new accessory apartment where the rear garage now stands must nevertheless be rejected by the Board, for the following reasons:

First, the proposed new building goes far beyond the scope of what either the enabling statute as to prior nonconforming uses, M.G.L. Chapter 40A § 6, or the Cambridge Zoning Ordinance would allow as an alteration of a prior nonconforming use. Article 4.22.1 of the Ordinance provides that the Board of Zoning Appeal may grant a special permit for “the *alteration* of [an] accessory building on the same lot...to provide one accessory apartment”, but not the demolition and total replacement of an existing garage sitting on a slab by an new building that expands the footprint of the existing structure, incorporates a habitable basement, and more than doubles the gross floor area. To interpret such an expansion as a mere alteration would be to ignore

the plain meaning of the term “alteration” and exceed the scope of discretion afforded to local boards of appeal by the enabling statute.¹

Secondly, even if the demolition and replacement of the existing rear garage by a building containing more than twice the floor area of the existing building could somehow be defended as a mere “alteration”, the petitioner’s plans would allow for more gross floor area than the Ordinance permits. Article 4.22.1, subsection 3 limits the allowable gross floor area of an accessory apartment within an accessory building to 900 square feet. The dimensions of the first floor and basement, which include an illegal bump out beyond the footprint of the existing building to add a vestibule and bathroom on the ground floor and a large walk-in closet at the basement level, appear to well exceed 1,000 square feet, even after deducting for mechanical space.

Thirdly, the alteration of the principal exterior walls of the accessory building by the installation of multiple windows and wells in the side yard setback would violate the applicable set back limitations imposed by Article 4.22.3 subsection 3. Alteration of the side yard setback is not necessary “to ensure the safe habitation of the accessory apartment”, as required by Article 4.22.3 subsection 3. There is ample space on the north, inward facing side of the building within which to install adequate fenestration and safe egress, thus ensuring safe habitation of the apartment.

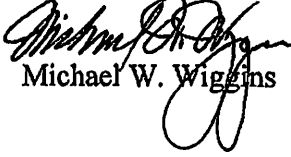
Finally, placement of windows and doors within the side yard setback on the side of the building facing the abutters’ property, would plainly not be compatible with the appearance and character of the neighborhood, as the Board must find per Article 4.22.4. Windows and doors in the side yard setback are not the norm in this district, in which the minimum required setbacks and lot area are geared to enhance privacy. Such an invasion is not “minimally necessary to enable creation of the accessory apartment”, as the Board is also required to find. More than adequate light, air and safe access to the accessory apartment could easily be afforded by placing all doors, windows, and window wells on the north side of the building, facing inward toward the rest of the property at 27 Fayerweather Street, rather than outward toward my clients’ property, right next to their back yard patio and garden.

Again, the plans for the main building would appear to flat out preclude a second accessory apartment in an accessory building. But even if such were to be considered, a wholesale redesign and reorientation of the accessory building would be necessary before it could begin to meet the standards set forth in Article 4.22.3 and Article 4.22.4 and Article 10.43 for issuance of a special permit. To require anything less would be to detract from the appearance and character of the neighborhood, allow undue interference with adjacent uses, and impair the integrity of the district.

¹ In *Shiffenhaus v. Kline*, 79 Mass. App. Ct. 600, 604-606 (2011) the Appeals Court pointed out that Chapter 40 § 6 “does not permit the town to ignore the legislative provision requiring conformity with current zoning requirements by the simple expedient of declaring every change, and every simultaneous aggregation of changes, to be no more than an ‘alteration’ of nonconforming property.” 79 Mass. App. Ct. at 605. The court noted the common definition of “alter” in Webster’s Third Dictionary 63 (2002) is “to cause to become different in some particular characteristic . . . without changing into something else.” *Id* at 604 fn. 6.

WESTON | PATRICK

Respectfully submitted,


Michael W. Wiggins

MWW:hs

cc: James Rafferty, Esq.

- Enclosures:
1. Excerpt of 1924 Zoning Ordinance -definition of Two-family dwelling
 2. Construction Permit filed May 24, 1940

27 Fayerweather Street # 40253

Owner: Julian N. Coolidge no plan

Mech: H H Hawkins + Sons Co 5/24/40

Arch: Coolidge Shepley

Bulfinch + Abbott

Install dumb waiter; new bath

3^d floor; rearrange bath

floor; misc. repairs; rearrange
non-bearing partitions

Appn. signed by Mech.

236 Washington St

Newton

\$2000.00

DIVISION 2.—DEFINITIONS.

(See also definitions in Division 26.)

Section 9. Certain words in this ordinance are defined for the purposes thereof as follows:

Alcove.—A portion of an apartment separated from an adjoining room by a partition, with an opening between the two of 60% to 80% of the area of the separating partition and with no door to close such opening. If the opening is less than 60%, or if it is closed by a door or doors, the portion thus enclosed shall be considered as a separate room, if more than 80%, the portion thus enclosed shall be considered as a part of the room.

Alteration.—Any change in the arrangement of a building, or any work affecting the structural parts of a building, or any change in walls, floors, partitions or means of exit affecting the fire resistance or the safety of persons in the building.

Apartment.—A room, or suite of two or more rooms, occupied as a residence for one family.

Approved.—Where not otherwise specifically stated, the word "approved" means approved by the Superintendent.

Ashlar.—A masonry wall facing backed by masonry.

Basement.—A story or portion of a story partly underground but having at least one half of its clear height above the highest level of the adjoining ground. (See also definition of first story.)

Bearing Wall or Bearing Partition.—One carrying a load other than its own weight.

Block Stone Walls.—Walls built of stone split into approximately rectangular blocks so as to form continuous beds substantially horizontal.

Cellar.—A story or portion of a story having more than one-half of its clear height below the highest level of the adjoining ground.

Court.—An open unoccupied space, other than a yard, on the same lot with a dwelling.

An "outer court" is one extending to a street or yard.

An "inner court" is one not extending to a street or yard.

Curb Level.—The level of the established curb in front of a building measured at the middle of such front. Where no curb has been established, the city engineer shall establish such curb level or its equivalent for the purposes of this ordinance.

Dwelling.—A house or building or portion thereof which is occupied by one or more families doing their cooking on the premises.

Private Dwelling.—A dwelling occupied by one family only.

Two-family dwelling.—A dwelling occupied by two families only, one living above the other.

Multiple-dwelling.—A dwelling occupied by more than two families.

Existing.—Existing at the date of the passage of this ordinance.

Family.—A group of persons living together, whether related to each other by birth or not, and may consist of one or more persons.

First, Second and Third-class Construction.—See classification in Division 7.

First Story.—In all buildings of class 1 (residence buildings) the first story shall be the lowest habitable story.

In all buildings of class 2 (public buildings) the first story shall be the story with its level not more than 10 ft. and in all buildings of class 3 (business buildings) not more than 6 ft. above the curb level, or the level of the adjoining ground when the street line is more than 20 feet distant.

Pacheco, Maria

From: N. Johnson <njohnson1578@gmail.com>
Sent: Thursday, June 2, 2022 8:32 AM
To: Pacheco, Maria
Subject: Objection to Proposed Plans at 27 Fayerweather

Dear Ms. Pacheco,

I am writing to strongly oppose the proposed plans at 27 Fayerweather Street, Cambridge, Ma 02138. In the supporting statement for a special permit the applicant states that “The proposed additions will not change the historic use of the property and are consistent with the residential uses in the district.” However, the plans submitted appear to suggest a property that is not at all consistent with the other residential houses in the neighborhood and would also drastically change the use of the property.

27 Fayerweather Street is a unique house in Cambridge that it has only transferred hands twice before it was sold to the current owner. It was designed in 1896 by Timothy F. Walsh, a notable architect well known for his work on the buildings of Boston College, Holy Cross and multiple Massachusetts churches. It features architectural details that have remained largely undisturbed for the last 126 years. It retains its original front door and its “seven original fireplaces, delicately arched doorways, paned and stained-glass windows and an impressive turned staircase” (Boston Herald, 2021) in addition to original arched pocket doors in the dining room.

In 1905 the property was sold to Julian Lowell Coolidge and his wife Teresa Gardner Coolidge and remained in their family until Teresa’s passing in 1972 despite Julian’s passing in 1954. The length of time 27 Fayerweather Street remained in the Coolidge family results in its near original condition. Mr. Coolidge was a notable Bostonian himself, and was born to a family of well-established Bostonians. His paternal grandmother was Thomas Jefferson’s granddaughter, and his aunt was Isabella Stewart Gardner. A letter from Mrs. Teresa Coolidge sent to Isabella Stewart Gardner remains today in the Isabella Stewart Gardner Museum archives with letterhead from “27 Fayerweather”. Mr. Coolidge served as the first house master of the Lowell House at Harvard College and the Harvard Crimson noted upon his death that “his concept of the (Harvard) Houses has been and will remain a governing factor in the(ir)development” of houses at Harvard. (Crismon, 1954). Mr. Coolidge greatly contributed to the field of mathematics and served as the president of the MAA in 1925 where he “initiated the Chauvenet Prize to recognize outstanding mathematical expository articles.” (Mathematical Association of America, n.d.) Additionally, following World War I, the government of France awarded him the Legion of Honor, the highest decoration in France.

In 1972 the property transferred to Professor François Vigier of the Harvard Graduate School of Design and Dr. Wael M Lotfi, later replaced on the deed in 1997 by Dr. Mona A. Serageldin, Vice President: Institute for International Urban Development. Mr. Vigner took care to only separate the house with the lightest of touches as to keep the house as intact as possible, closing only the dining room pocket doors and covering up three vertically aligned doorways on each of the three floors (not marked on the applicants plans) that are located across from the stair hall on the first and second floors and south of the stairs on the third floor. A small kitchen was added as well as a small staircase for the east side of the house that would not otherwise have access to the third floor. These additions were made to provide the residents privacy only using minor alterations to the house so as to preserve it. No other alterations appear to have been made and the house remains largely intact from its inception in 1896. Following the death of both Mr. Vigner and Ms. Serageldin, the dining room pocket doors were restored to their original functioning thus reconnecting the two halves of the house so that it functions as, and was sold as, a single-family home. The covered-up doorways can be restored within a very short amount of time thus fully restoring this property to its original condition.

As with the Carey house, a protected property in Cambridge known for its outstanding architecture that is located across the street at 28 Fayerweather, 27 Fayerweather “is potentially threatened by inappropriate alteration by a future homeowner seeking more contemporary living spaces and by the possibility of clearance and/or further development of its lot”. (Sullivan, 2012) and the plans submitted by the current owner are proof of this. 27

Fayerweather is zoned by the City of Cambridge as a single family with an auxiliary apartment, not a two family as the current owner states. The proposed renovation does not simply reflect a two-family house seeking renovation of its existing divided properties, but rather swings far to the other side of the pendulum and intends to alter a nearly intact single family and turn it into a multi-unit dwelling.

The current plans remove/move almost all original fireplaces, remove original door, alter the existing porches, eradicate many of the original details and layout of the home and significantly disrupt the landscape of the house by moving and expanding the original front garage and converting the rear garage to housing. Additional plans to expand the front (east) of the house, back (west) of the house and excavate to use of the basement to expand further to create a legal two-family plus accessory unit would further destroy this beautiful property and cause harm to its abutters.

27 Fayerweather is essentially still a single-family home and has been for 2/3 of its lifetime. All of its three owners appear to have desired to maintain its integrity and historic features by their maintenance and care of the property. The current plans submitted would destroy the character of the home and alter the character of this section of the neighborhood. There are no houses from the top of the hill on Fayerweather to Brattle Street that are multi-family by original design or conversion. A renovation such as this could set precedent to allow other houses in this area to be developed with equal disregard for the historic significance of this neighborhood.

Additionally, while the current owners claim that he intends to live in the property may be true, he is also listed with the Secretary of State as the sole owner/manager of multiple LLC's connected to properties at 54-56 and 62 Reed Street, 68 Sparks Street all acquired from 2013-2018 and all with address at a PO Box at the UPS store at 1770 Mass Ave. He is also listed in several real estate transactions in the Massachusetts Registry of Deeds as well as being listed as the proprietor of Leinster Development Corporation. This might further suggest that his intentions are not to reside in the property but to convert what should be a single-family home to a multi-family complex. He is, as he indicated to the realtor who sold the property to him, "a developer who wants to develop the property to sell"

In closing, the current owner of 27 Fayerweather Street should be denied this request for variances and special permits for the reasons stated above, which include its notable residents, architect and the high degree of historically intact features and condition of the house. The request should also be denied due to the fact that the proposed alterations to the property will increase and alter traffic in the area with increased units and decreased parking. There is the potential for multiple cars for these multiple units with insufficient off-street parking. The house is placed atop the hill at an intersection that already includes a near blind turn for cars turning off Reservoir Street and on to Fayerweather and for cars coming up the hill towards Reservoir, which is now only mitigated by the few numbers of cars parked on the street since most all houses have off street parking. Furthermore, the proposed plans will create significant obstructions for the direct abutters, who I imagine have voiced their considerable dissent as it will impact their view, property, and future property value. The proposed plans do not satisfy the claims in the supporting statement and will indeed drastically change the historic use of the property which has largely been used as a single-family home in a predominately single-family home area that borders a historic district and are inconsistent with the residential uses in the district.

Thank you for your consideration in this matter

Sincerely,

N. Johnson

References:

<https://www.bostonherald.com/2021/07/02/home-showcase-cambridge-victorian-a-chance-to-own-a-part-of-history/amp/>

https://www2.cambridgema.gov/CityOfCambridge_Content/documents/28%20Fayer%20Final%20Designation%20Study%20Report.pdf

<https://www.gardnermuseum.org/experience/collection/27622>

<https://historycambridge.org/wp-content/uploads/2017/08/Proceedings-Volume-43-1973-1975.pdf>

<https://mathshistory.st-andrews.ac.uk/Biographies/Coolidge/>

<https://www.thecrimson.com/article/1954/3/6/first-lowell-housemaster-julian-coolidge-dies/>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

* * * * *

(8:56 p.m.)

Sitting Members: Constantine Alexander, Brendan Sullivan,
Jim Monteverde, Wendy Leiserson,
Slater W. Anderson

BRENDAN SULLIVAN: The Board will now hear Case

Number No. 165327 -- 27 Fayerweather Street. Mr. Rafferty?

JAMES RAFFERTY: Yes, Mr. Chair. We've submitted

1 a request based on a request provided by an abutter to
2 continue the case to provide opportunities for further
3 discussion.

4 So in deference to that request, we have submitted
5 this request, and would ask the Board to provide us with a
6 date at his convenience -- obviously a case not heard.

7 BRENDAN SULLIVAN: It is a case not heard so I'm
8 sorry, say June 30?

9 JAMES RAFFERTY: I'm -- if that's the soonest
10 available date, then we will, obviously, abide by that.

11 BRENDAN SULLIVAN: How about anything in May?
12 Yeah.

13 OLIVIA RATAY: We have June 9.

14 BRENDAN SULLIVAN: June 9?

15 JAMES RAFFERTY: June 9 is much preferable. Thank
16 you.

17 BRENDAN SULLIVAN: June 9 as a case not heard,
18 okay. On the motion, then, to continue this matter, vote?
19 Is there anybody else calling in?

20 Any other? I know there's been -- Mr. Wiggins is
21 representing somebody, and then also Mr. Heur. Let me open
22 it to Mr. Wiggins, if he has just a comment. Michael?

1 MICHAEL WIGGINS: Thank you, Mr. Chairman. Can
2 you hear me?

3 BRENDAN SULLIVAN: Yes.

4 MICHAEL WIGGINS: Yes. So I represent Margaret
5 Flanagan and Timothy Barrows, who are the abutter just to
6 the south of this property or just downhill from it. And we
7 do have substantial objections to -- petition
8 notwithstanding -- evidently the variance part of it, the
9 height variance has been withdrawn. We'd like to confirm
10 that.

11 We do object to the special permit for a number of
12 reasons. I don't want to take the time this evening --

13 BRENDAN SULLIVAN: I don't want to get into the
14 merits either, Michael.

15 MICHAEL WIGGINS: Certainly not.

16 BRENDAN SULLIVAN: Right now there's a motion to
17 continue this matter until June 9. Would you or your
18 clients be available and amenable to that date?

19 MICHAEL WIGGINS: Yes. We could do that.

20 BRENDAN SULLIVAN: Okay.

21 MICHAEL WIGGINS: And we'll submit our written
22 comments before then to give you a heads-up.

1 BRENDAN SULLIVAN: Okay.

2 MICHAEL WIGGINS: But yes, that would be fine.

3 BRENDAN SULLIVAN: Okay. All right. Well, thank
4 you. Mr. Heuer on the line do you know, or no?

5 CONSTANTINE ALEXANDER: "Heuer." [Pronunciation]

6 BRENDAN SULLIVAN: Okay. No? Okay. All right.
7 So on the motion, then, to continue this matter until June
8 9, 2022, on the condition that the petitioner change the
9 posting sign to reflect the new date of June 9, 2022 and the
10 new time of 6:00 p.m.

11 That any new submittals be in the file by 5:00
12 p.m. on the Monday prior to the June 9 hearing.

13 Mr. Rafferty, there is a waiver in the file, or
14 there will be?

15 JAMES RAFFERTY: There will be.

16 BRENDAN SULLIVAN: There will be, by Monday a week
17 from Monday Counsel will provide the Board with the waiver
18 of statutory requirement for a hearing and a decision to be
19 rendered.

20 On the motion to continue this matter until June
21 9, 2022 and Mr. Alexander?

22 CONSTANTINE ALEXANDER: I vote in favor.

1 BRENDAN SULLIVAN: Mr. Monteverde?

2 JIM MONTEVERDE: I vote in favor.

3 BRENDAN SULLIVAN: Wendy Leiserson?

4 WENDY LEISERSON: Wendy Leiserson votes in favor.

5 BRENDAN SULLIVAN: Slater Anderson?

6 SLATER ANDERSON: Slater Anderson votes in favor.

7 BRENDAN SULLIVAN: And Brendan Sullivan yes, in
8 favor of continuing.

9 [All vote YES]

10 The matter is continued to June 9 at 6:00 p.m.

11 JAMES RAFFERTY: Thank you very much. Have a good
12 evening.

13

14

15

* * * * *

16 (9:00 p.m.)

17 Sitting Members: Constantine Alexander, Brendan Sullivan,

18 Jim Monteverde, Wendy Leiserson,

19 Slater W. Anderson

20 BRENDAN SULLIVAN: The Board will now hear Case

21 Number No. 163144 -- 25 Walker Street. Mr. Ellsworth?

22 CAMPBELL ELLSWORTH: Good evening. Can you hear



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2022 MAY -5 PM 12:16
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 # #165327

Address: 27 Fayerweather St

Owner, Petitioner, or Representative: Jaimes Rasberry, Esq.
(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: 4/8/22

Jaimes Rasberry
Signature

ADAMS & RAFFERTY
ATTORNEYS AT LAW
A Professional Association *
907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

James J. Rafferty, P.C.
jr Rafferty@adamsrafferty.com

Telephone (617) 492-4100
Fax (617) 492-3131

April 28, 2022

Brendan Sullivan, Chair
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139


RE: 27 Fayerweather Street
BZA Case No. 165327

Dear Mr. Sullivan:

In response to a request from the applicant's neighbor, please accept this correspondence as a request to continue the hearing on the above-captioned matter to the next available date.

Thank you for your assistance in this matter.

Very truly yours,

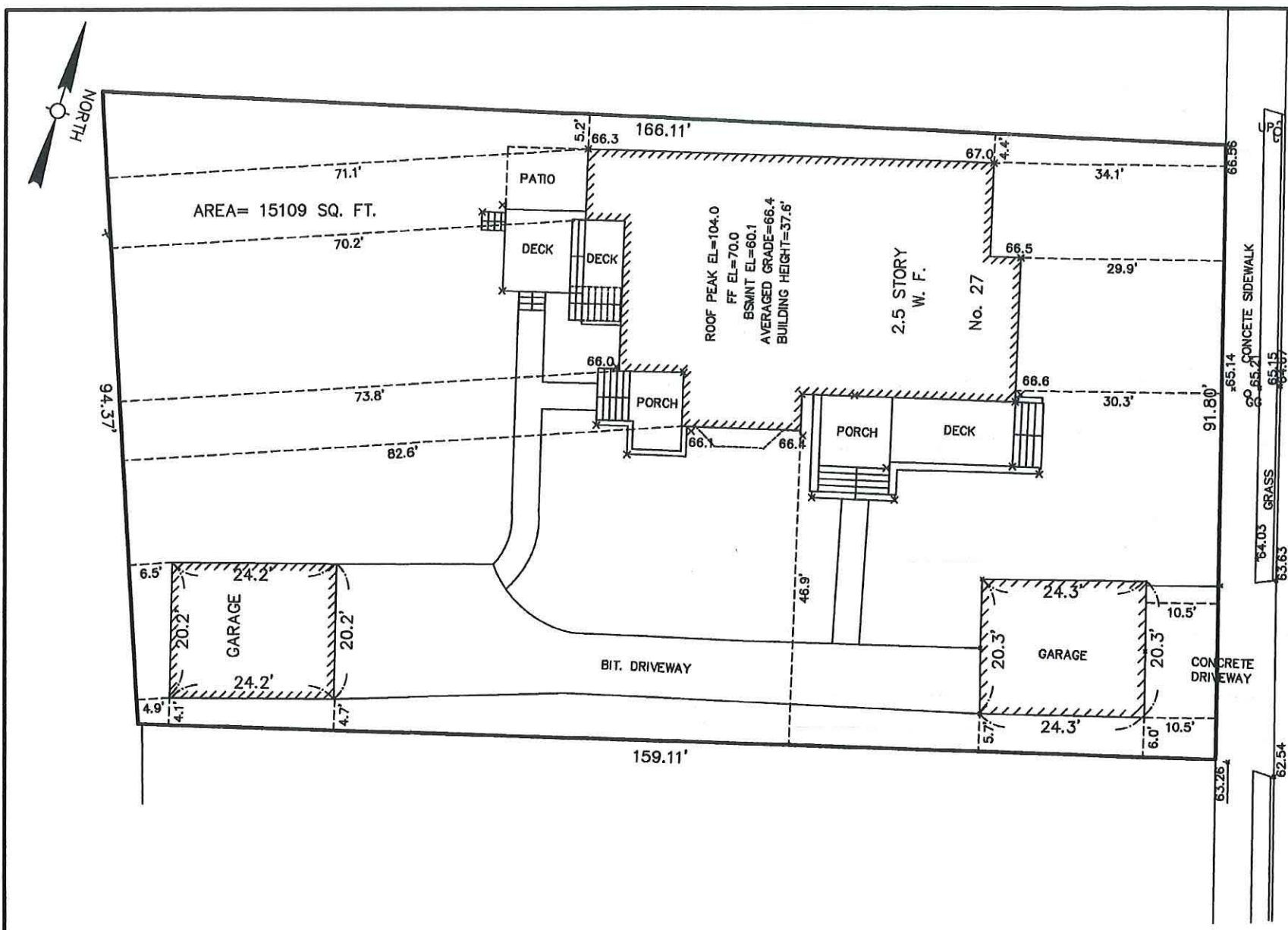


James J. Rafferty

JJR/pwc

Cc: Joe Glenmullen, M.D.
Tad Heuer

**not a partnership*



AVERAGED GRADE = $\frac{67.0+66.5+66.6+66.4+66.1+66.0+66.3}{7} = 66.4$

FAYERWEATHER STREET

PLOT PLAN
 27 FAYERWEATHER STREET
 CAMBRIDGE, MASS.

Antoni Szerszunowicz

SCALE : 1" = 20'

MARCH 8, 2022

AGH ENGINEERING

166 WATER STREET

STOUGHTON, MA 02072

PHONE: (781)344-2386

GRAPHIC SCALE



GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

NO.	DATE	REVISION NOTES

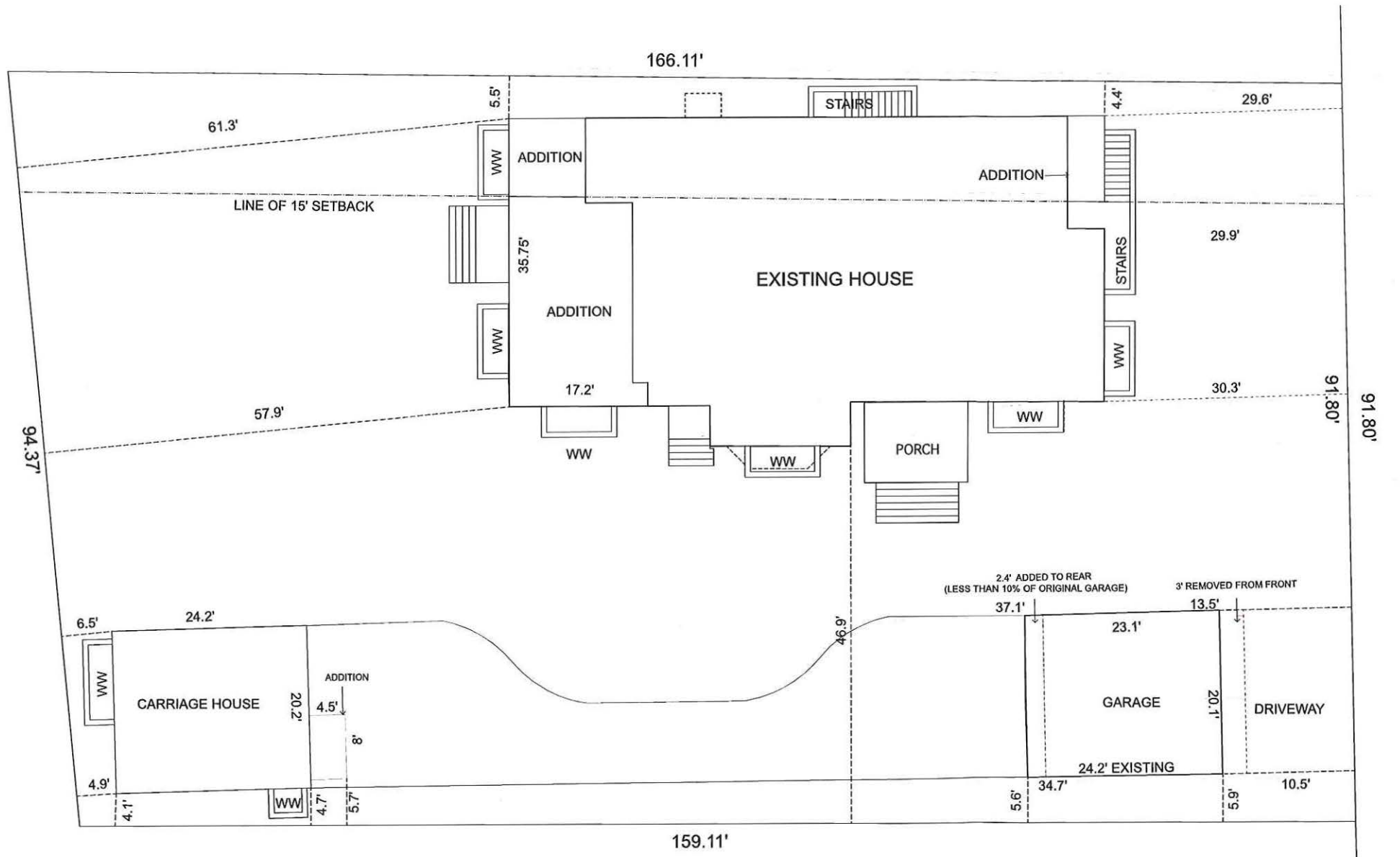
CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

SITE PLAN

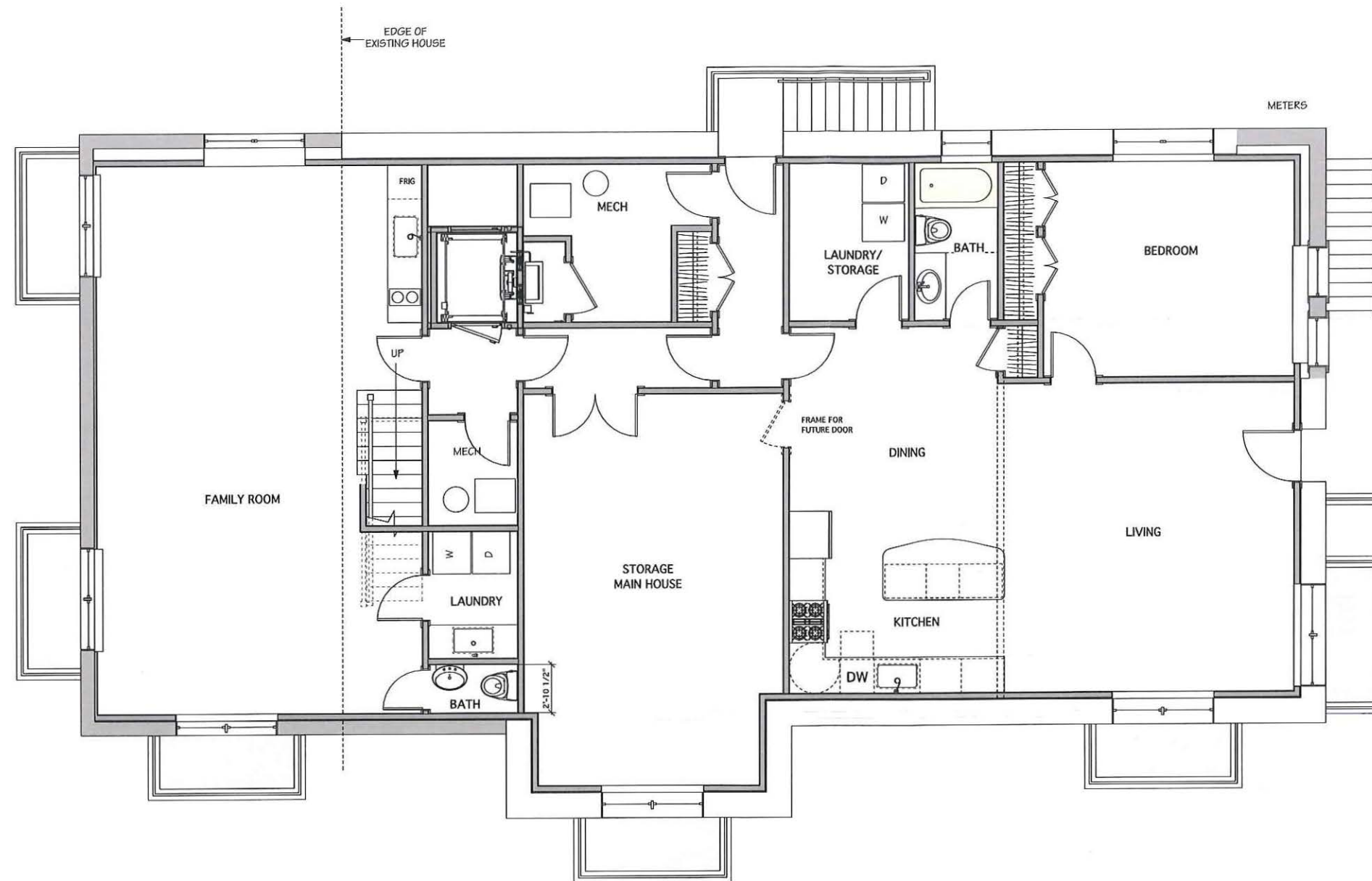
S-1



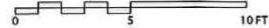
FAYERWEATHER STREET

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



BASEMENT PLAN



REVISIONS NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name
	Consultant Address

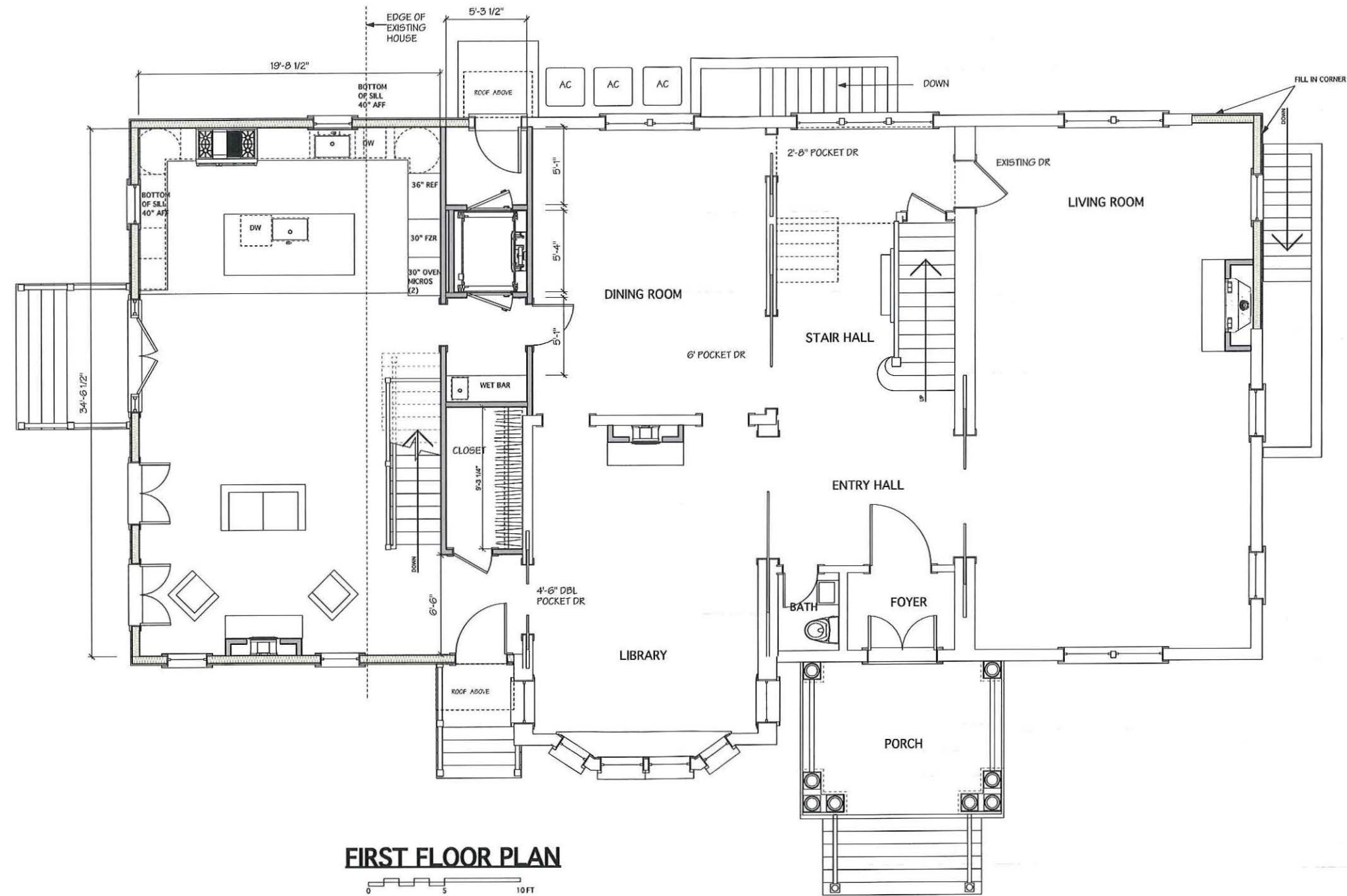
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	

DATE	PROJECT JOB NUMBER
2/15/22	2106

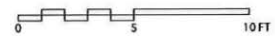
NO.	DATE	ISSUE NOTE

BASEMENT PLAN

A1-0



FIRST FLOOR PLAN



GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

NO.	DATE	REVISION NOTES

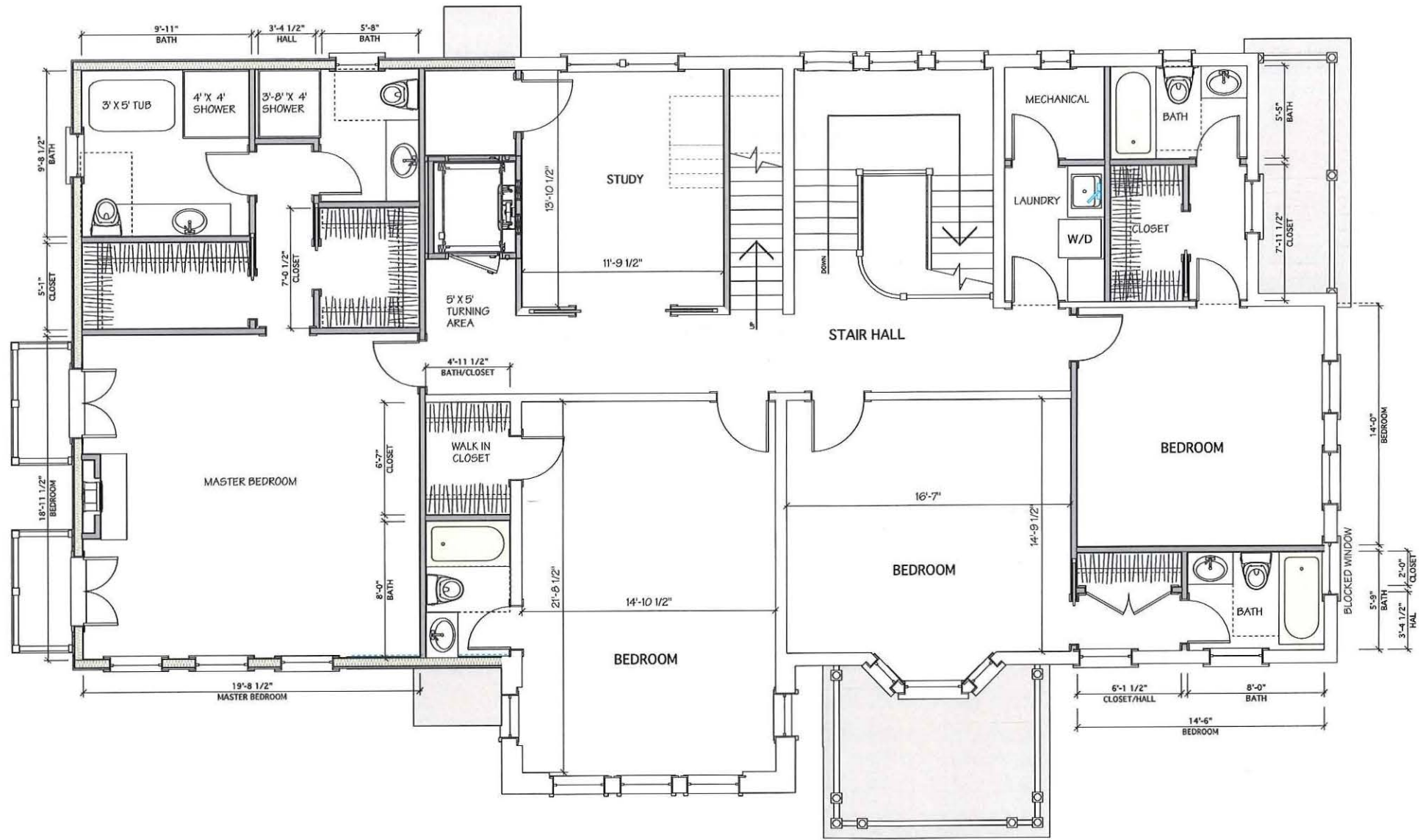
CONSULTANT	Consultant Name Consultant Address
------------	---------------------------------------

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
2/15/22	2106

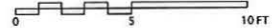
NO.	DATE	ISSUE NOTE

FIRST FLOOR PLAN

A1-1



SECOND FLOOR PLAN



GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

REVISIONS	NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name	Consultant Address

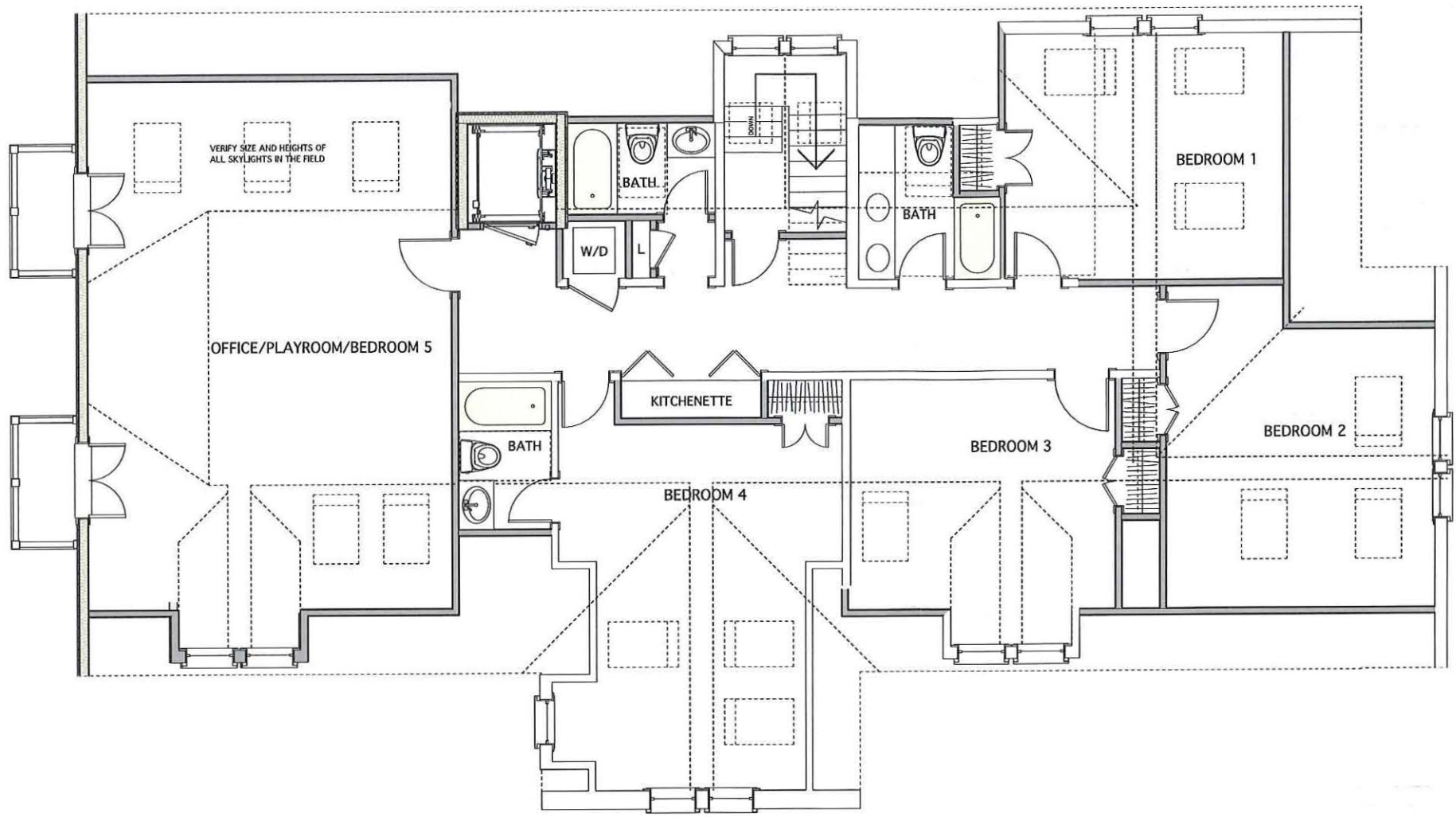
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

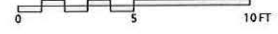
SECOND FLOOR PLAN

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



TOP FLOOR PLAN



REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

PROJECT ARCHITECT NANCY DINGMAN	DRAWN BY
DATE 2/15/22	PROJECT JOB NUMBER 2106

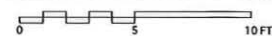
NO.	DATE	ISSUE NOTE

THIRD FLOOR PLAN

A1-3



FRONT ELEVATION



GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name
	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

FRONT ELEVATION
FRONT ELEVATION

A2-1

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS	NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name
	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

SIDE ELEVATIONS

A2-2



4 LEFT SIDE ELEVATION
Scale: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
0 5 10 FT

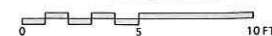
1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



REAR ELEVATION



REVISIONS		
NO.	DATE	REVISION NOTES

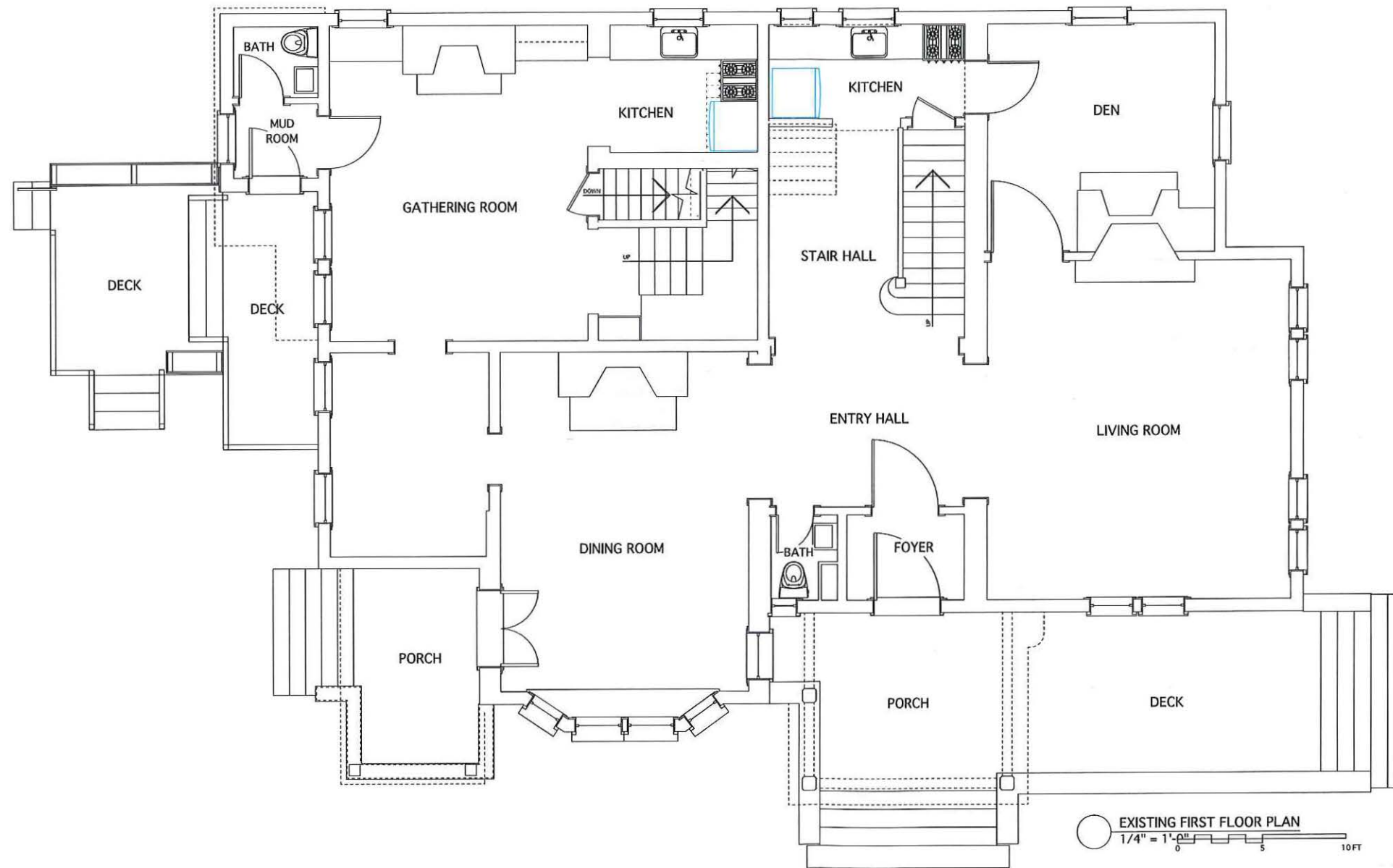
CONSULTANT	Consultant Name
	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
2/15/22	2105

NO.	DATE	ISSUE NOTE

REAR EL

A2-3



GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS NO.	DATE	REVISION NOTES

CONSULTANTS
Consultant Name
Consultant Address

PROJECT ARCHITECT
NANCY DINGMAN
DATE
08/24/21

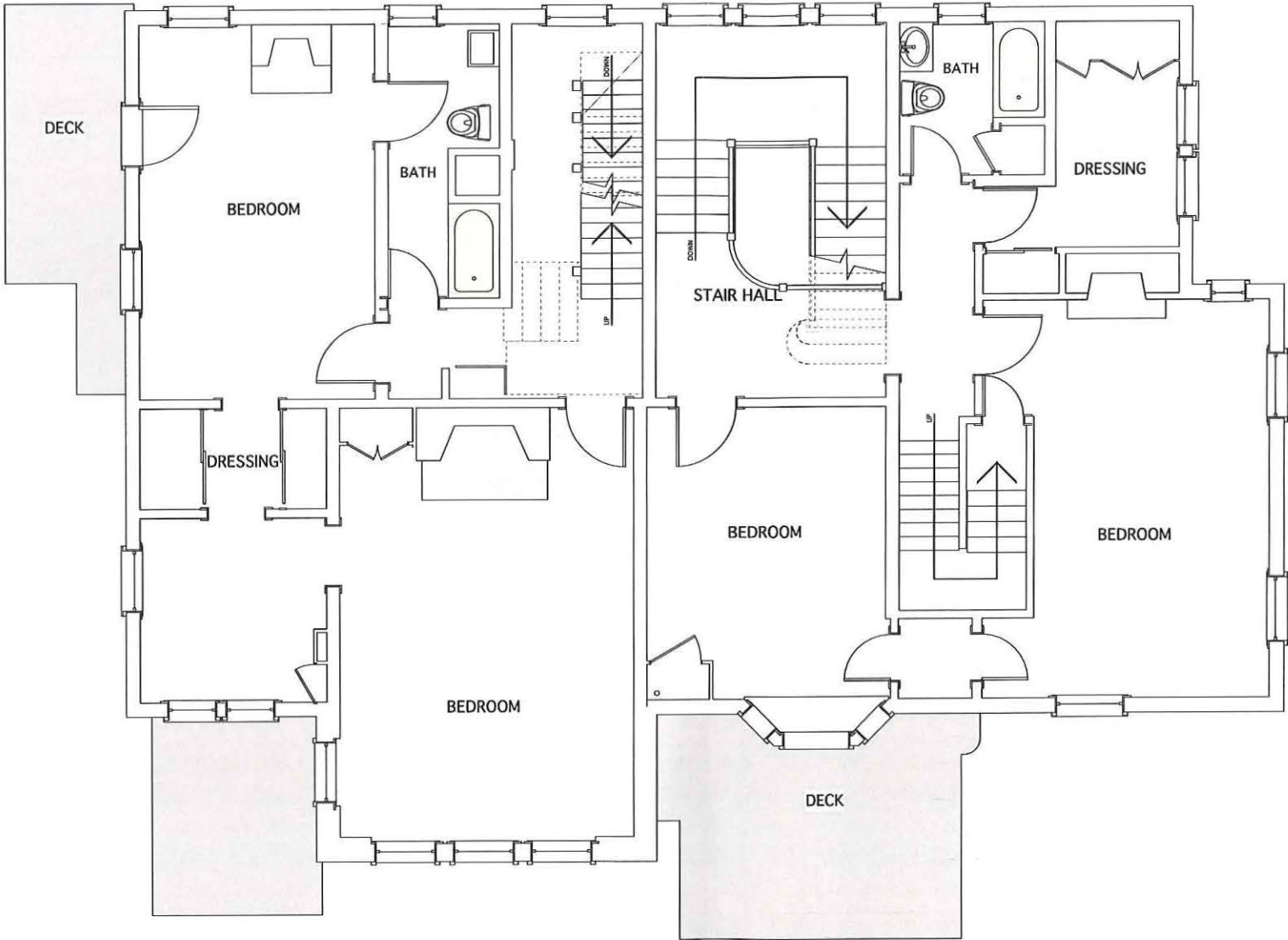
DRAWN BY
Drawn By
PROJECT JOB NUMBER
2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

FIRST FL X
FIRST FLOOR PLAN

A1-1 EX

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055



EXISTING SECOND FLOOR PLAN
 1/4" = 1'-0"

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

NO.	DATE	REVISION NOTES

CONSULTANTS
 Consultant Name
 Consultant Address

PROJECT ARCHITECT
 NANCY DINGMAN
 DATE
 08/24/21

DRAWN BY
 Drawn By
 PROJECT JOB NUMBER
 2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

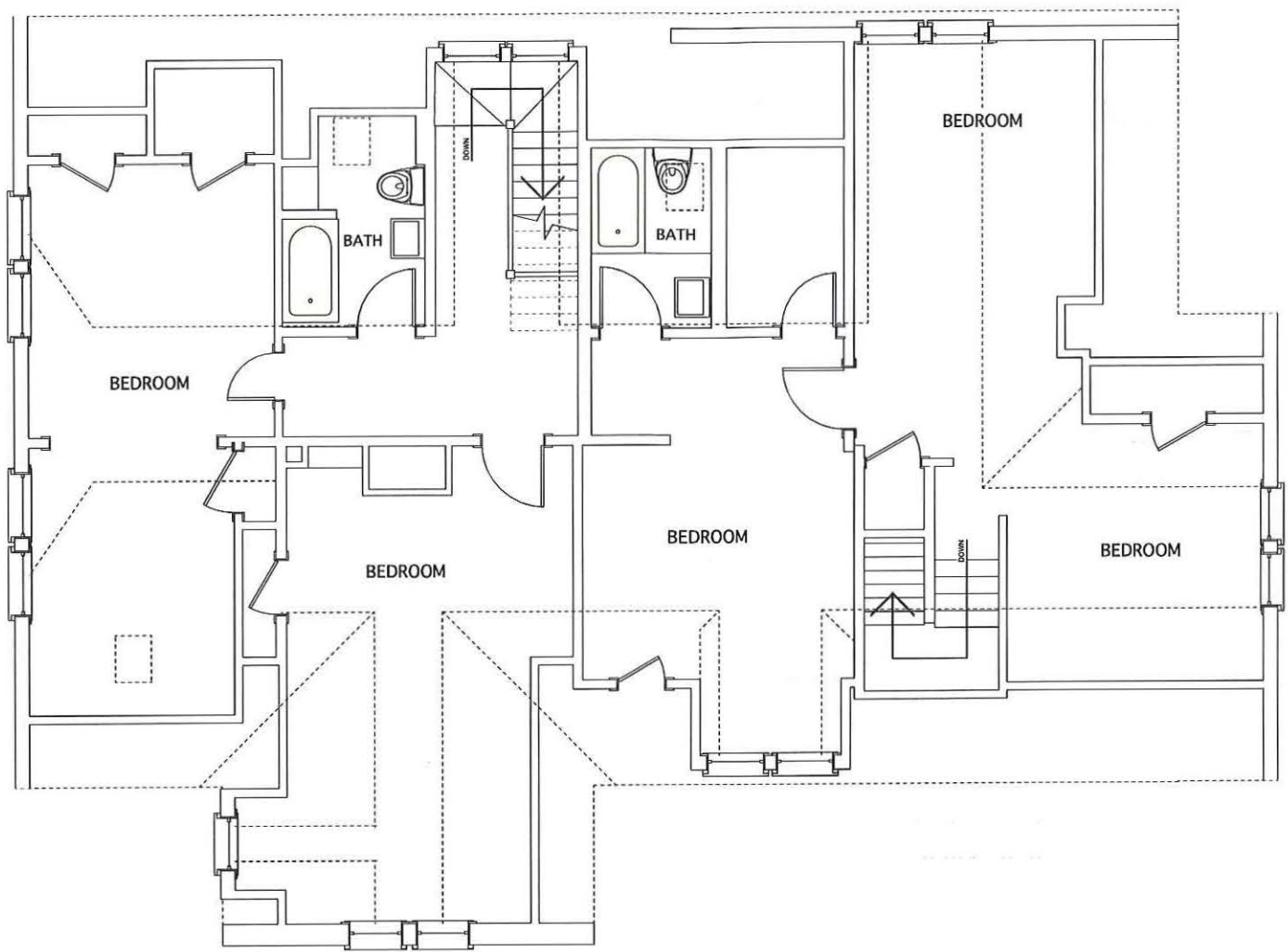
SECOND FL X
 SECOND FLOOR PLAN

A1-2 EX

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



○ EXISTING THIRD FLOOR PLAN
 1/4" = 1'-0"

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	
Consultant Name	
Consultant Address	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
08/24/21	2106

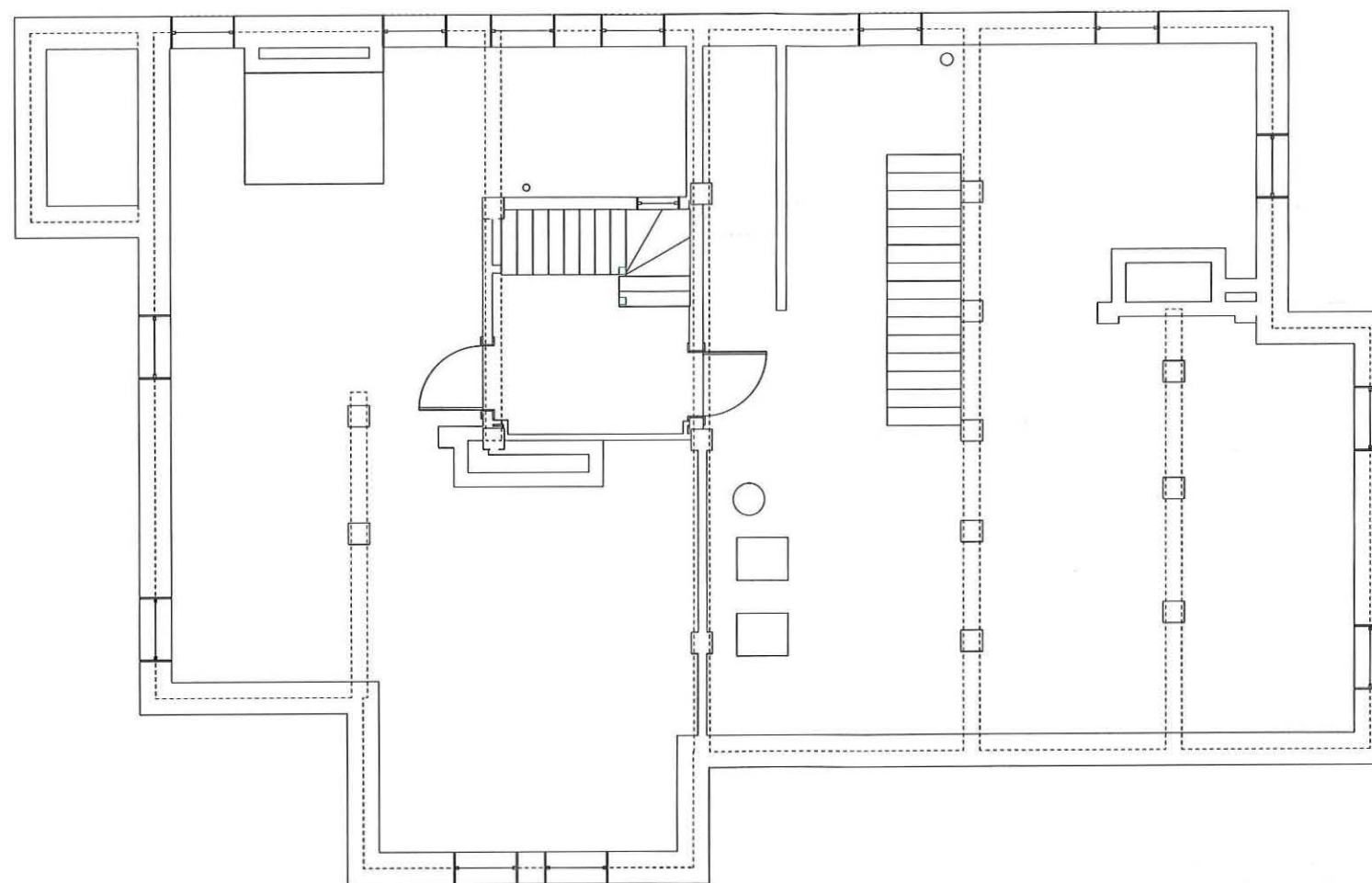
NO.	DATE	ISSUE NOTE
1	9/8/21	

TOP FL X
 THIRD FLOOR PLAN

A1-3 EX

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



REVISIONS	
NO.	REVISION NOTES

CONSULTANTS	Consultant Name Consultant Address
-------------	---------------------------------------

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
08/24/21	2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

BASEMENT X
 BASEMENT PLAN

A1-4 EX



EXISTING RIGHT SIDE ELEVATION
3/16" = 1' 0" 10 FT



EXISTING REAR ELEVATION
3/16" = 1' 0" 10 FT



EXISTING LEFT SIDE ELEVATION
3/16" = 1' 0" 10 FT



EXISTING FRONT ELEVATION
3/16" = 1' 0" 10 FT

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
08/24/21	2106

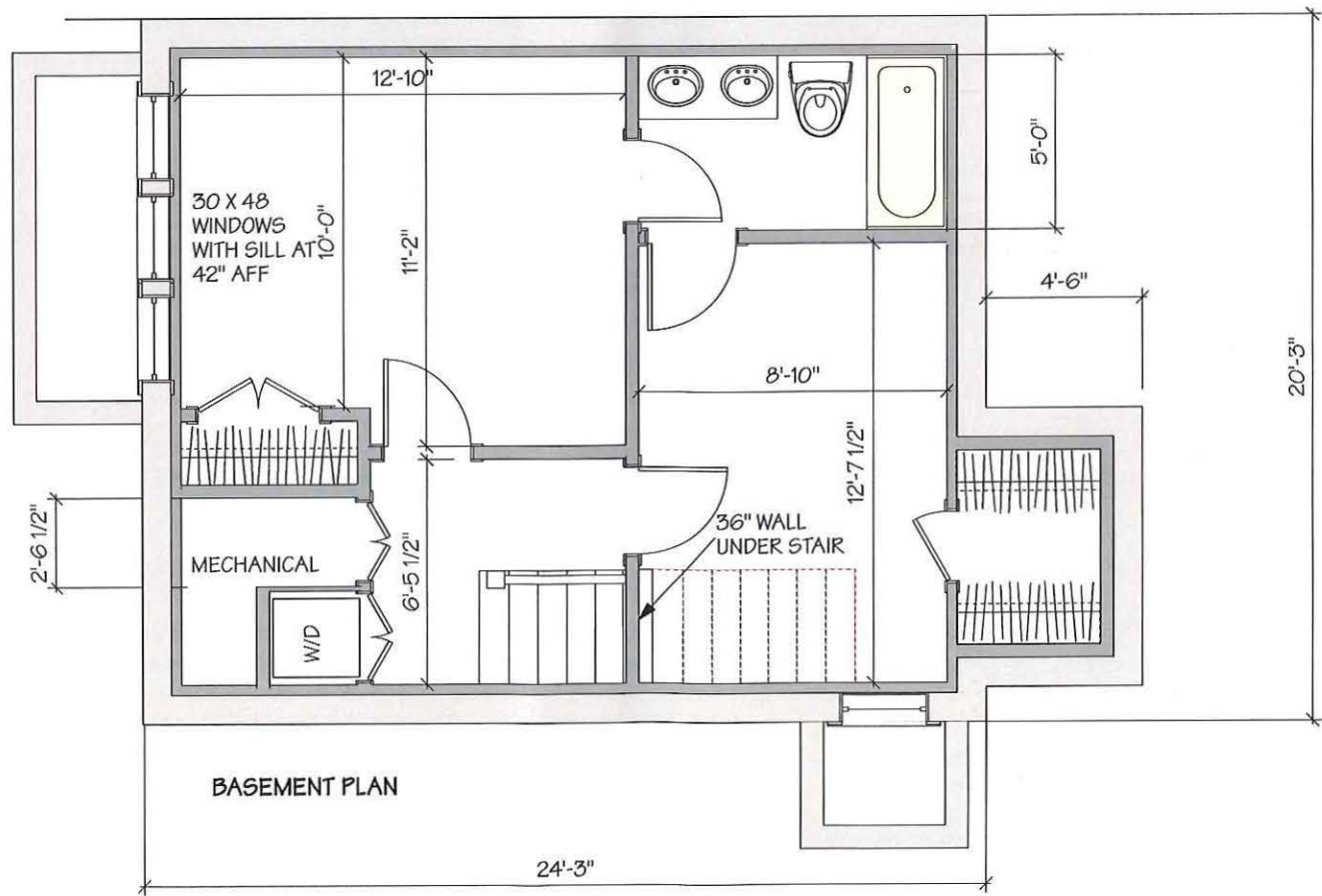
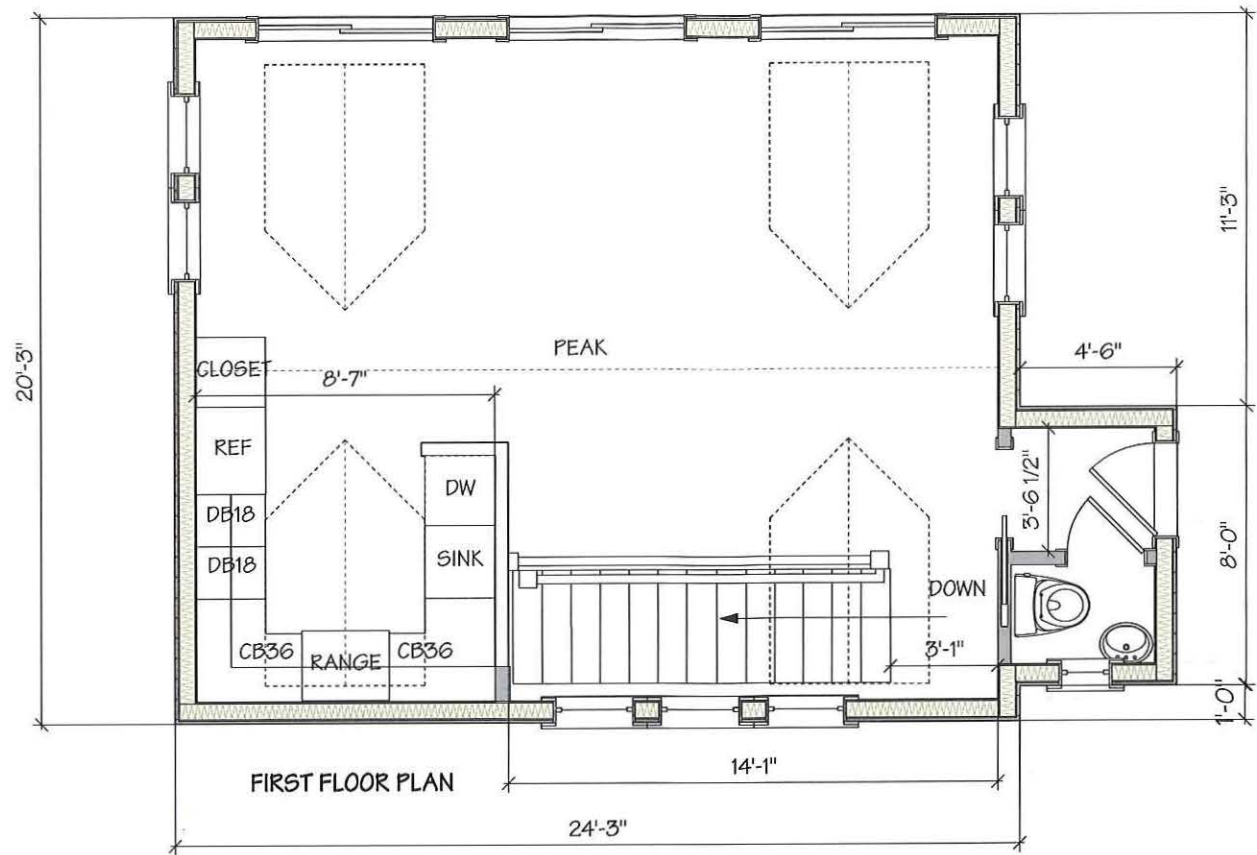
NO.	DATE	ISSUE NOTE
1	9/8/21	

ELEVATIONS X
ELEVATIONS

A2-1 EX

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



REVISIONS	
NO.	DATE

CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

CARRIAGE HOUSE

C-3

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS

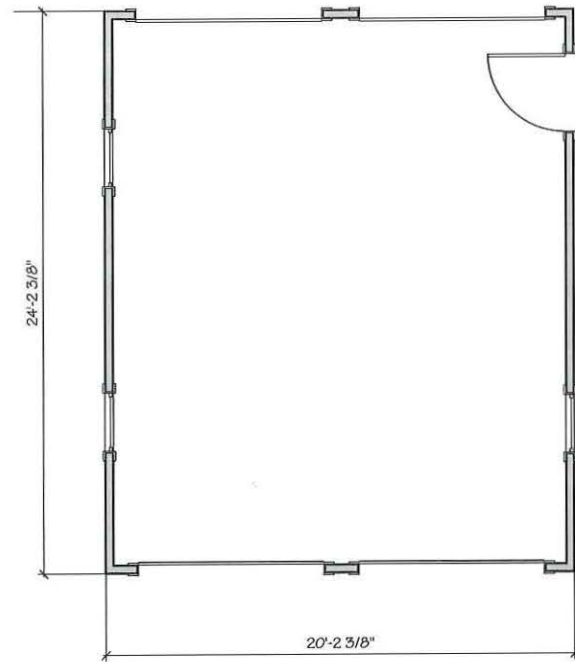
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE
1	2/22/22	REVISED PLAN
2	2/25/22	REVISED PLAN

CARRIAGE HOUSE

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



GARAGE REAR



GARAGE FRONT



GARAGE RIGHT SIDE



GARAGE LEFT SIDE

REVISIONS	
NO.	REVISION NOTES

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
2/15/22	2106

NO.	DATE	ISSUE NOTE

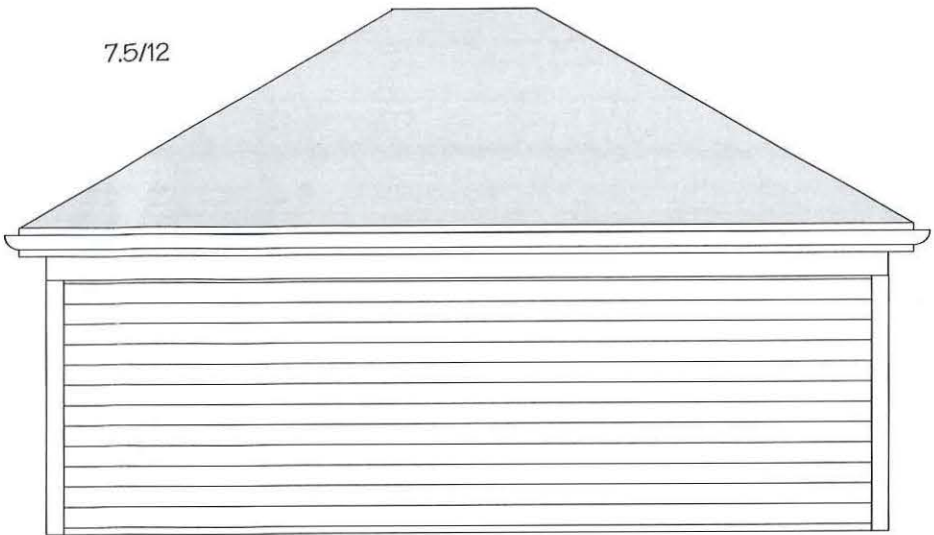
GARAGE

G-1

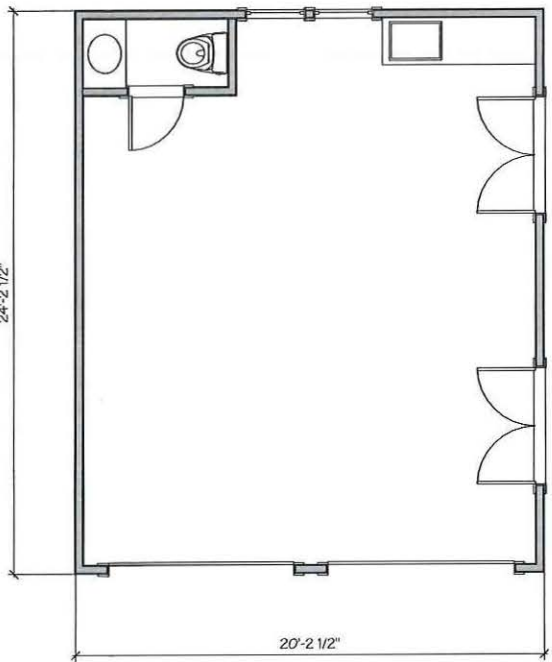
1950 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140
TEL 617-497-4150
FAX 617-868-1055



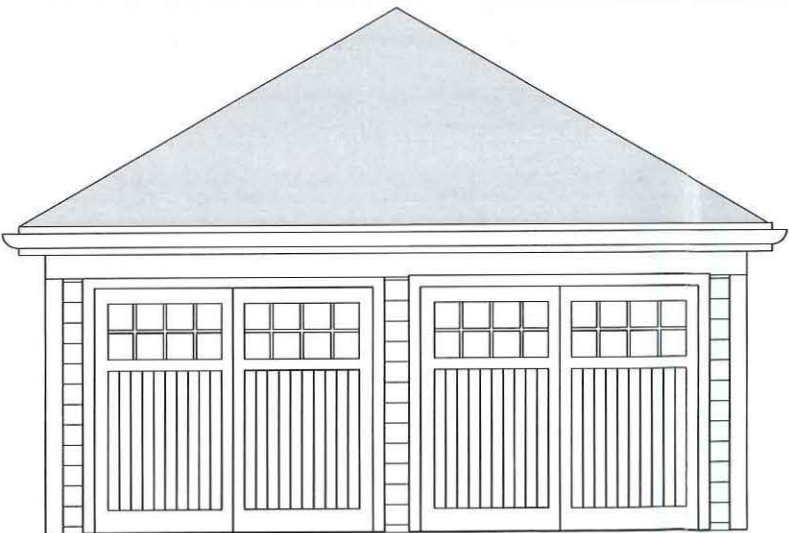
RIGHT - NORTH SIDE ELEVATION



LEFT - SOUTH ELEVATION



REAR GARAGE PLAN



FRONT - EAST ELEVATION



REAR - WEST SIDE ELEVATION

REAR GARAGE

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
6/3/22	2106

NO.	DATE	ISSUE NOTE

GARAGE REAR 15' PEAK

G-3

Pacheco, Maria

From: Ken Froot <kfroot@gmail.com>
Sent: Tuesday, June 7, 2022 12:27 PM
To: jrafferty@adamsrafferty.com; Pacheco, Maria
Cc: Nelson, Eric Matthew
Subject: 27 Fayerweather revised plans and June 9 meeting
Attachments: 27 fayerweather Froot letter II to Glenmullen.pdf

Dear Maria and Mr. Rattery,

Please find attached my letter concerning 27 Fayerweather. I would appreciate having this read into the record at the June 9 meeting this week. I am out of town; the meeting was scheduled at relatively short notice and would like to have been able to attend.

Many thanks for all of your help in conveying this letter to Mr. Glenmullen.

Sincerely,

Ken

--

Kenneth A. Froot
Andre Jakurski Professor of Finance, Emeritus
Harvard Business School
Soldiers Field | Boston, MA 02163
Ph 617.495.6677 | Fx 617.496.7357 | kfroot@hbs.edu
<http://scholar.harvard.edu/kenfroot>

HARVARD UNIVERSITY

GRADUATE SCHOOL OF BUSINESS ADMINISTRATION

GEORGE F. BAKER FOUNDATION

KENNETH A. FROOT
Andre R. Jakurski Professor of Business Administration, Emeritus

SOLDIERS FIELD
BOSTON, MASSACHUSETTS 02163
TEL 617-495-6677
kfroot@hbs.edu

June 7, 2022
Dr. Joseph Glenmullen
1770 Massachusetts Ave.
Suite 263
Cambridge, MA 02140

Dear Dr. Glenmullen,

Appreciate your sharing the updated plans for 27 Fayerweather. I see that you have made changes and that suggests a good and constructive attitude toward your closest abutters. However, your changes to the main residence, which are the ones most important to me, do not address the original issues of your plans from my perspective. My issues, expressed directly in my April 14 letter and again at the in-person meeting with you and others on May 18, were with the unnecessary *height* and *massiveness* of the western addition to the already large main residence. In my April 14 letter and at our meeting I laid out an approach that would result in my support to work with you further on the details of an expansion of the main house. Namely, that the western/rear addition be of good squarefootage as you need, but limited a single story with minimized vertical impact. Your revised plans make little progress on this. The revised addition from your attorney's June 6 email is still 3+ stories. Its gable is a few feet lower from the 38' (or so) you originally proposed, yet still well over 30' high (and probably more like 34'; I cannot tell vertical height exactly from your plans).

As such, I am not supportive of the present version of the western extension of the main house. I would hope you could address my concerns directly and take up my offer of an important western expansion to the main house.

I would appreciate electronic communications as I will be travelling until the meeting and won't have access to US mail. I understand you won't be able to provide this yourself, but I imagine that your attorney, James Rafferty, could, and, he, therefore is cc'ed here.

Sincerely,



Ken Froot

Cc: James Rafferty, jrafferty@adamsrafferty.com
Eric Nelson, enelson@fas.harvard.edu
Maria Pacheco, mpacheco@cambridgema.gov

Pacheco, Maria

From: Ken Froot <kfroot@gmail.com>
Sent: Wednesday, June 8, 2022 9:23 PM
To: Pacheco, Maria
Cc: jrafferty@adamsrafferty.com
Subject: revised letter for tomorrow's meeting on 27 Fayerweather ST
Attachments: 27 fayerweather Froot letter II to Glenmullen 20220608.pdf

Dear Maria,

I mistakenly omitted a sentence in the letter i sent to you yesterday. If you would, please destroy that and use this version, to be read aloud at the meeting tomorrow evening. I am in Europe and cannot attend.

Very much appreciate your help. If this is a problem, please contact me and i will find an alternate person to read the letter.

Many thanks,

Ken

--

Kenneth A. Froot
Andre Jakurski Professor of Finance, Emeritus
Harvard Business School
Soldiers Field | Boston, MA 02163
Ph 617.495.6677 | Fx 617.496.7357 | kfroot@hbs.edu
<http://scholar.harvard.edu/kenfroot>

HARVARD UNIVERSITY

GRADUATE SCHOOL OF BUSINESS ADMINISTRATION

GEORGE F. BAKER FOUNDATION

KENNETH A. FROOT
Andre R. Jakurski Professor of Business Administration, Emeritus

SOLDIERS FIELD
BOSTON, MASSACHUSETTS 02163
TEL 617-495-6677
kfroot@hbs.edu

June 8, 2022
Dr. Joseph Glenmullen
1770 Massachusetts Ave, #263
Cambridge, MA 02140

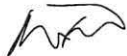
Dear Dr. Glenmullen,

Appreciate your sharing the updated plans for 27 Fayerweather. I see that you have made changes and that suggests a good and constructive attitude toward your closest abutters. However, your changes to the main residence, which are the ones most important to me, do not address the original issues of your plans from my perspective. My issues, expressed directly in my April 14 letter and again at the in-person meeting with you and others on May 18, were with the unnecessary *height* and *massiveness* of the western addition to the already large main residence. In my April 14 letter and at our meeting I laid out an approach that would result in my support to work with you further on the details of an expansion of the main house. Namely, that the western/rear addition be of good squarefootage as you need, but limited a single story with minimized vertical impact. Your revised plans make little progress on this. The revised addition from your attorney's June 6 email is still 3+ stories. Its gable is a few feet lower from the 38' (or so) you originally proposed, yet still well over 30' high (and probably more like 34'; I cannot tell vertical height exactly from your plans). Moreover, the addition is now nearly *double* its westward length from previous version, so the occlusion of southern light is more severe and encompasses an even larger square area when viewed from the north than the original. You have focused on the setback instead of on the real issue, which is making the house so massive that it substantially blocks light for your neighbors to the north.

As such, I am not supportive of the present version of the western extension of the main house. I would hope you could address my concerns directly and take up my offer of an important single floor western expansion to the main house.

I would appreciate electronic communications as I will be travelling until the meeting and won't have access to US mail. I understand you won't be able to provide this yourself, but I imagine that your attorney, James Rafferty, could, and, he, therefore is cc'ed here.

Sincerely,



Ken Froot

Cc: James Rafferty, jrafferty@adamsrafferty.com
Eric Nelson, enelson@fas.harvard.edu
Maria Pacheco, mpacheco@cambridgema.gov



Seaport West
155 Seaport Boulevard
Boston, MA 02210-2600

617.832.1000 main
617.832.7000 fax

Tad Heuer
617-832-1187 direct
THeuer@foleyhoag.com

June 8, 2022

By Electronic Mail

Brendan Sullivan, Chair
Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

RE: BZA-165327 – 27 Fayerweather Street

Dear Mr. Sullivan and Members of the Board:

I write on behalf of Eric Nelson, the owner of 31 Fayerweather Street and a direct abutter to the proposed project.

The applicant submitted revised plans precisely at the Board's deadline of 5:00 PM this past Monday, June 6. As the applicant has been aware since early May, Dr. Nelson has been travelling in Europe since mid-May on business. Given the time differential and his professional commitments — combined with the fact that the applicant elects not to use email — this limited notice of the revised plans in advance of the hearing on Thursday, June 9 has made it exceptionally challenging for Dr. Nelson to evaluate these plans, much less discuss them with the applicant.

The revised plans do begin to address the most acute issues concerning Dr. Nelson — specifically, the effects on light, air, and privacy from an initially-proposed 17.5-foot-long-by-39-foot-high rear addition, within five feet of the common lot line in a district where the minimum side yard setback is fifteen feet. The revised plans marginally reduce the height of the rear addition, and now respect the side yard setback.

However, the revised plans nearly double the addition's length, and *still* propose a large multi-story (34.5-foot-long-by-34-foot-high) expansion to what is an already quite large dimensionally nonconforming structure. Even as revised, the size of the proposed addition would *still* generate adverse effects on the light, air, and privacy of 31 Fayerweather (both as to the home itself and its garden area, which abuts the common lot line). And the resulting impact — whether reviewed under Section 8.22.2(c) or 8.22.2(d) of the Ordinance — would *still* be substantially more detrimental than the existing nonconforming structure.

Nonetheless, Dr. Nelson continues to believe there remains an opportunity to reach a mutually agreeable compromise with respect to height and bulk. He respectfully requests that the Board continue this matter to its next meeting on June 30, 2022 to provide him sufficient time (following his return on June 12) to discuss the newly revised plans with the applicant, with the goal of identifying a resolution that will allow him to support this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Tad Heuer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tad Heuer

Roland & Lori Pease
57 Lakeview Ave.
Cambridge, MA 02138

Brendan Sullivan, Chair
Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

June 9, 2022

RE: BZA-165327 – 27 Fayerweather Street

Dear Mr. Sullivan and Members of the Board,

We kindly request additional time to review the revised plans for 27 Fayerweather St., BZA-165327, which were submitted on June 6th. This is a large addition with ramifications for light and privacy as well as the groundwater which is an environmental concern.

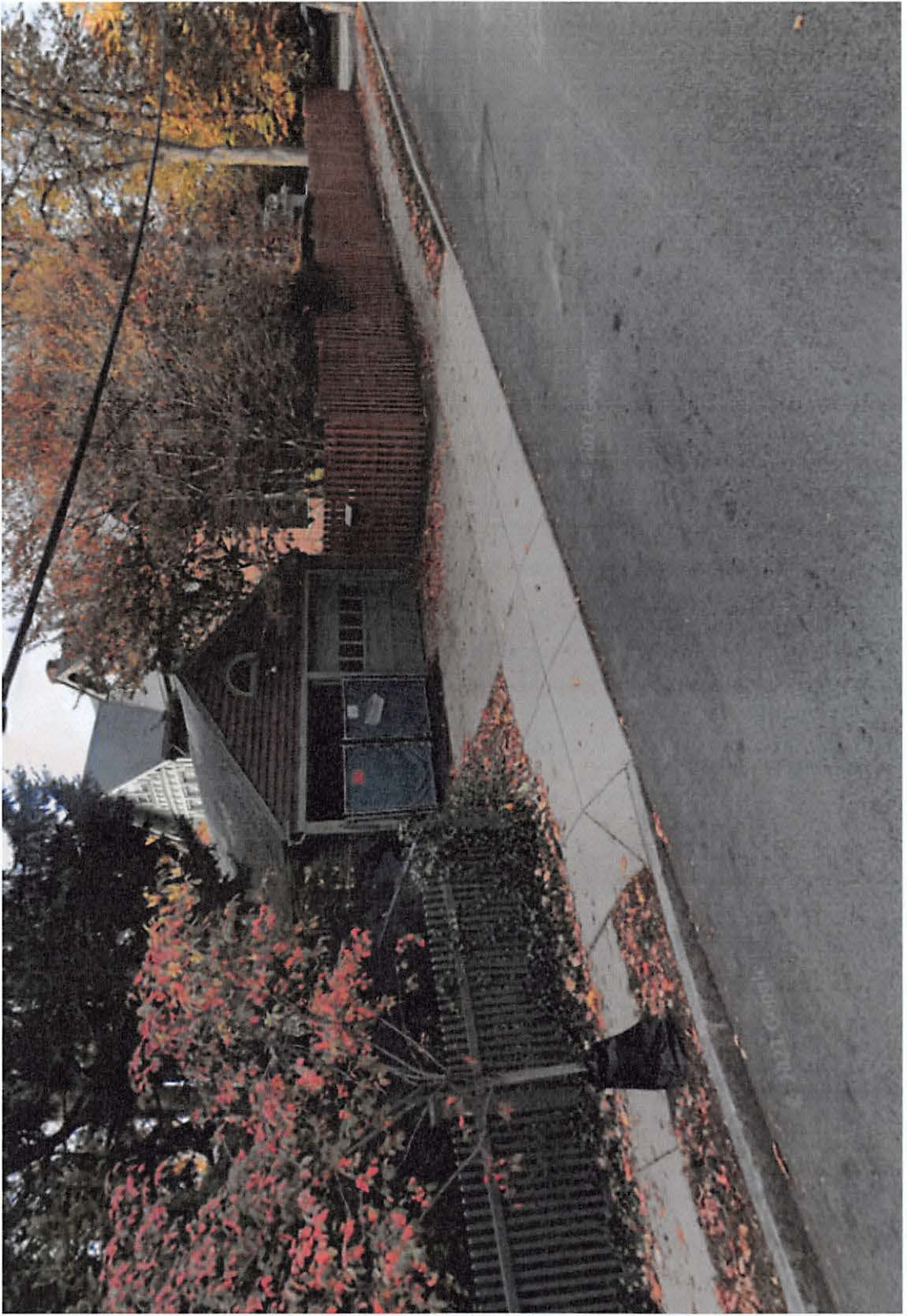
It is the responsibility of us all to get this project “right”, for ourselves and future residents.

Respectfully,
Roland & Lori Pease

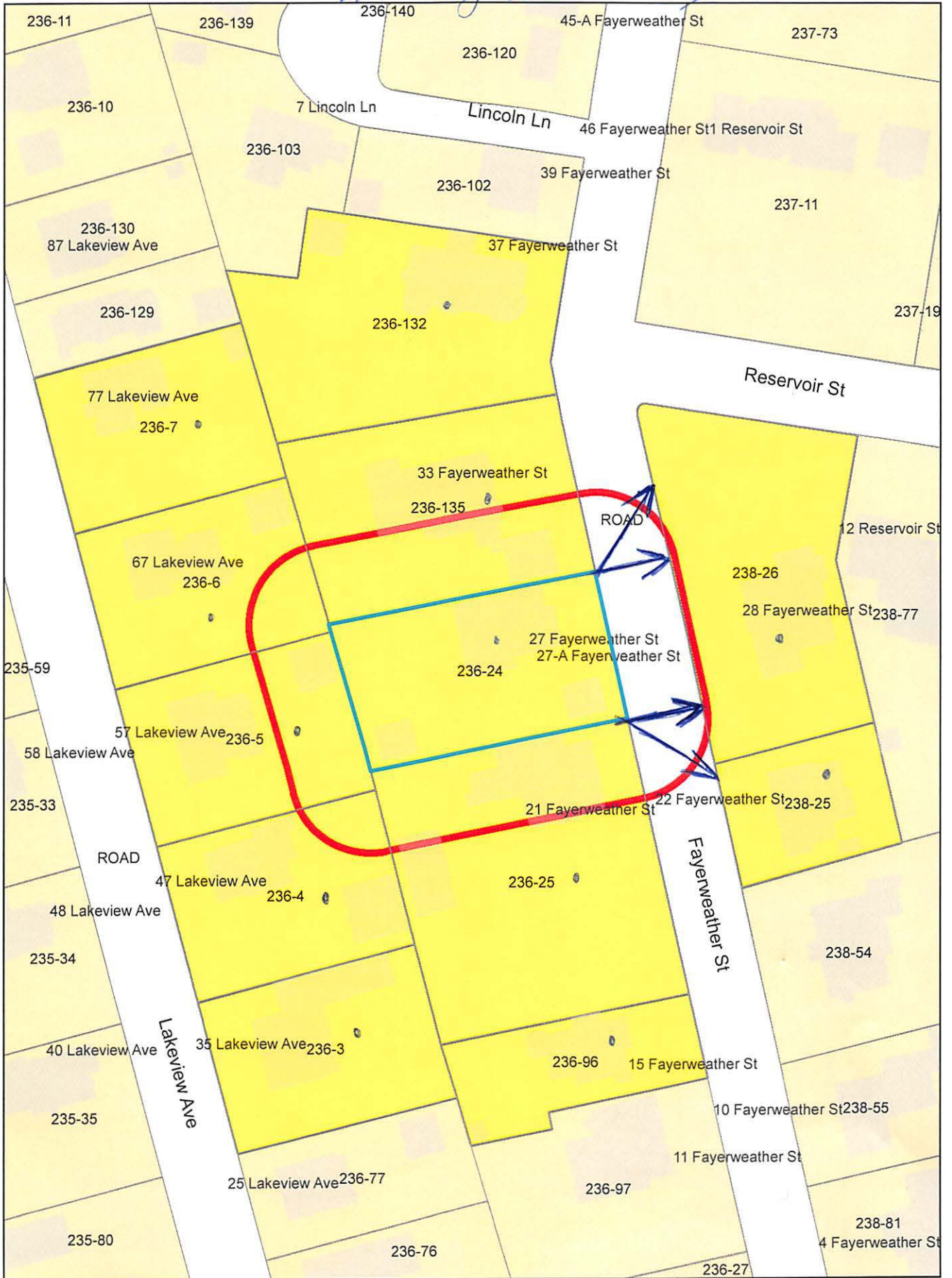
27 Fayweather St.







27 Fayerweather St.



27 Fayerweather St.

Petitioner

236-4
HOWER, ROBERT & KIRA HOWER
47 LAKEVIEW AVE
CAMBRIDGE, MA 02138-3325

236-5
PEASE, LORI K. & ROLAND F. PEASE
57 LAKEVIEW AVENUE
CAMBRIDGE, MA 02138

JAMES J. RAFFERTY, ESQ.
907 MASS AVENUE – SUITE 300
CAMBRIDGE, MA 02139

236-96
EMBRY, BRUCE J.,
TR.15 FAYERWEATHER ST
C/O DAVID ALTSHULER
P.O. BOX 16089161
SIOUX FALLS, SD 57186

236-135
FROOT, KENNETH A.
31-33 FAYERWEATHER ST, UNITB
CAMBRIDGE, MA 02138

236-24
FAYERWEATHER ST LLC
31 ST JAMES AVE 6TH FLOOR
BOSTON, MA 02116

236-7
LI, XIAOLEI & WEILIANG SHI
77 LAKEVIEW AVE
CAMBRIDGE, MA 02138

236-25
BARROWS, TIMOTHY A. &
MARGARET A. FLANAGAN
C/O PAUL MCCOY FAMILY
31 ST. JAMES AVE. SUITE 740
BOSTON, MA 02116

238-25
FREI, FRANCES & ANNE MORRIS, T
RUSTEES THE GILEAD TRUST
22 FAYERWEATHER ST
CAMBRIDGE, MA 02138

238-26
KESHISHIAN, VARTAN &
SEDA EBRAHIMI-KESHISHIAN
28 FAYERWEATHER ST
CAMBRIDGE, MA 02138

236-132
GRUBER, AMANDA J
TRS AMANDA J GRUBER 2010 REVOCABLE TR
37 FAYERWEATHER ST
CAMBRIDGE, MA 02138

236-3
FOLEY, CHARLES T. II & LEAH BELAIRE
35 LAKEVIEW AVENUE
CAMBRIDGE, MA 02138

236-135
NELSON ERIC MATTHEW
985 MEMORIAL DR - UNIT 201
CAMBRIDGE, MA 02138

236-6
CROWLEY, CATHERINE T.
67 LAKEVIEW AVE
CAMBRIDGE, MA 02138

ADAMS & RAFFERTY
ATTORNEYS AT LAW
A Professional Association *
907 Massachusetts Avenue, Suite 300
Cambridge, MA 02139

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

2022 APR 25 P 4:30

James J. Rafferty, P.C.
jrfferty@adamsrafferty.com

Telephone (617) 492-4100
Fax (617) 492-3131

April 25, 2022

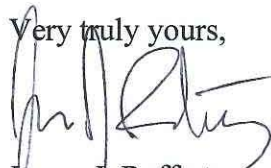
Ms. Maria Pacheco
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

RE: 27 Fayerweather Street
BZA Case No. 165327

Dear Ms. Pacheco:

Delivered herewith, please find an amended plan set for the above-captioned application. In response to concerns expressed by neighbors, the applicant has decided not to pursue the portion of their application that seeks a Variance for increased height in the accessory garage and carriage house.

Thank you for your assistance in this matter.

Very truly yours,

James J. Rafferty

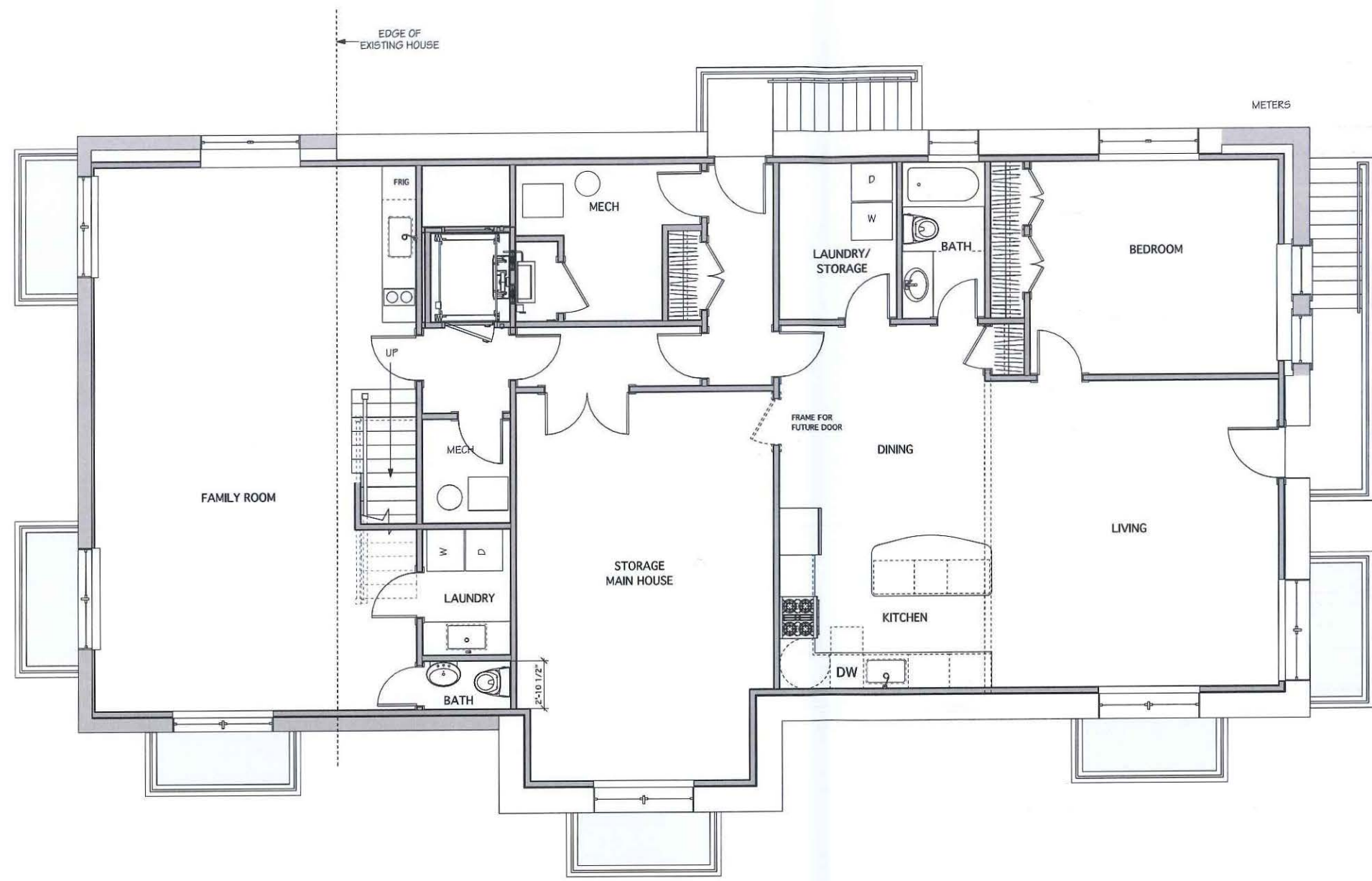
JJR/pwc

CITY OF CAMBRIDGE
INSPECTIONAL SERVICES

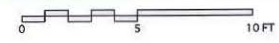
2022 APR 25 P 4: 30

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



BASEMENT PLAN



NO.	DATE	REVISION NOTES

NO.	DATE	REVISION NOTES

PROJECT ARCHITECT	DATE	PROJECT JOB NUMBER
NANCY DINGMAN	04/25/22	2106

NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/4/21	PROGRESS SET

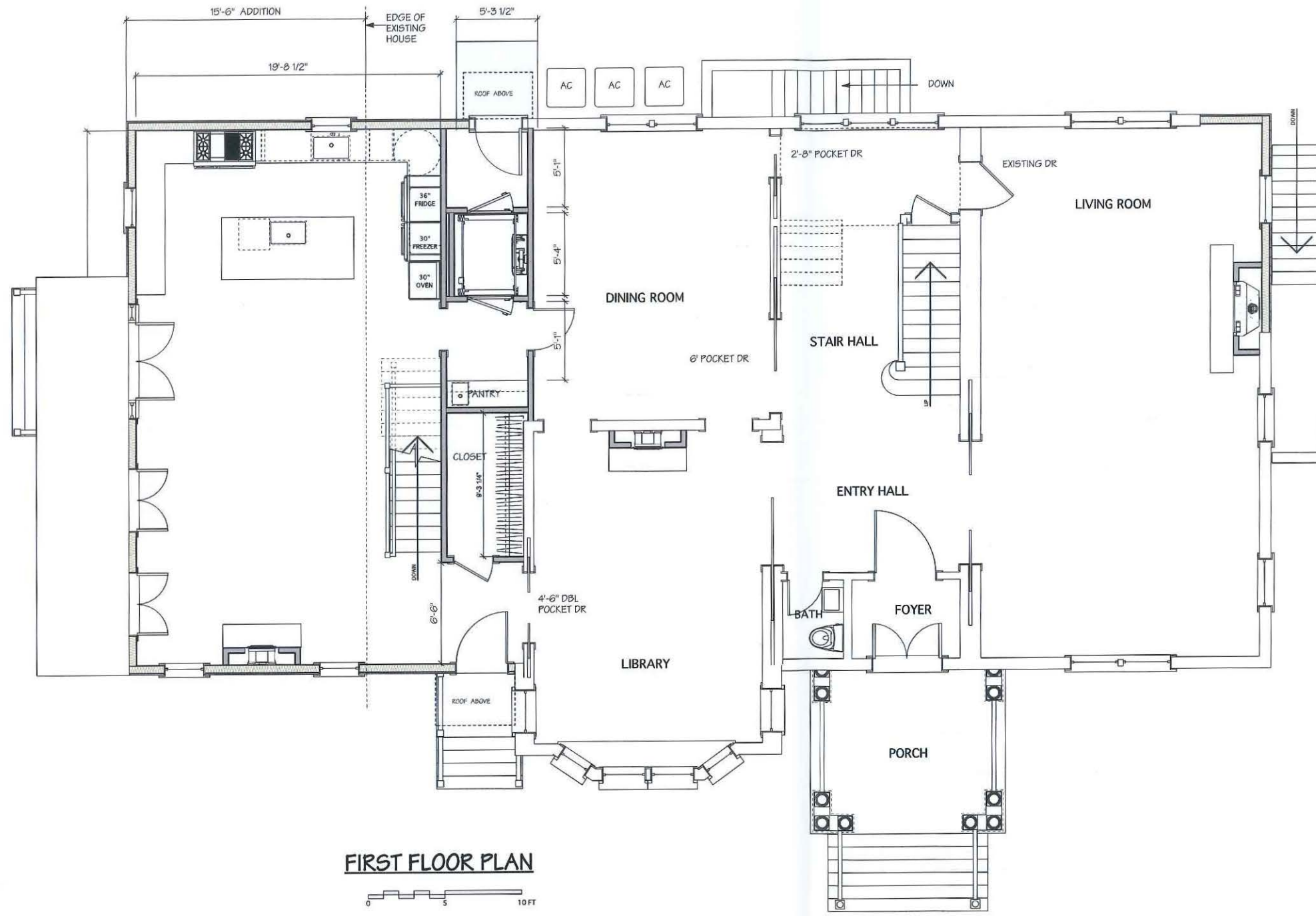
NO.	DATE	ISSUE NOTE

BASEMENT PLAN

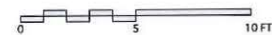
A1-0

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



FIRST FLOOR PLAN



REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

Consultant Name
Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/25/22	2106

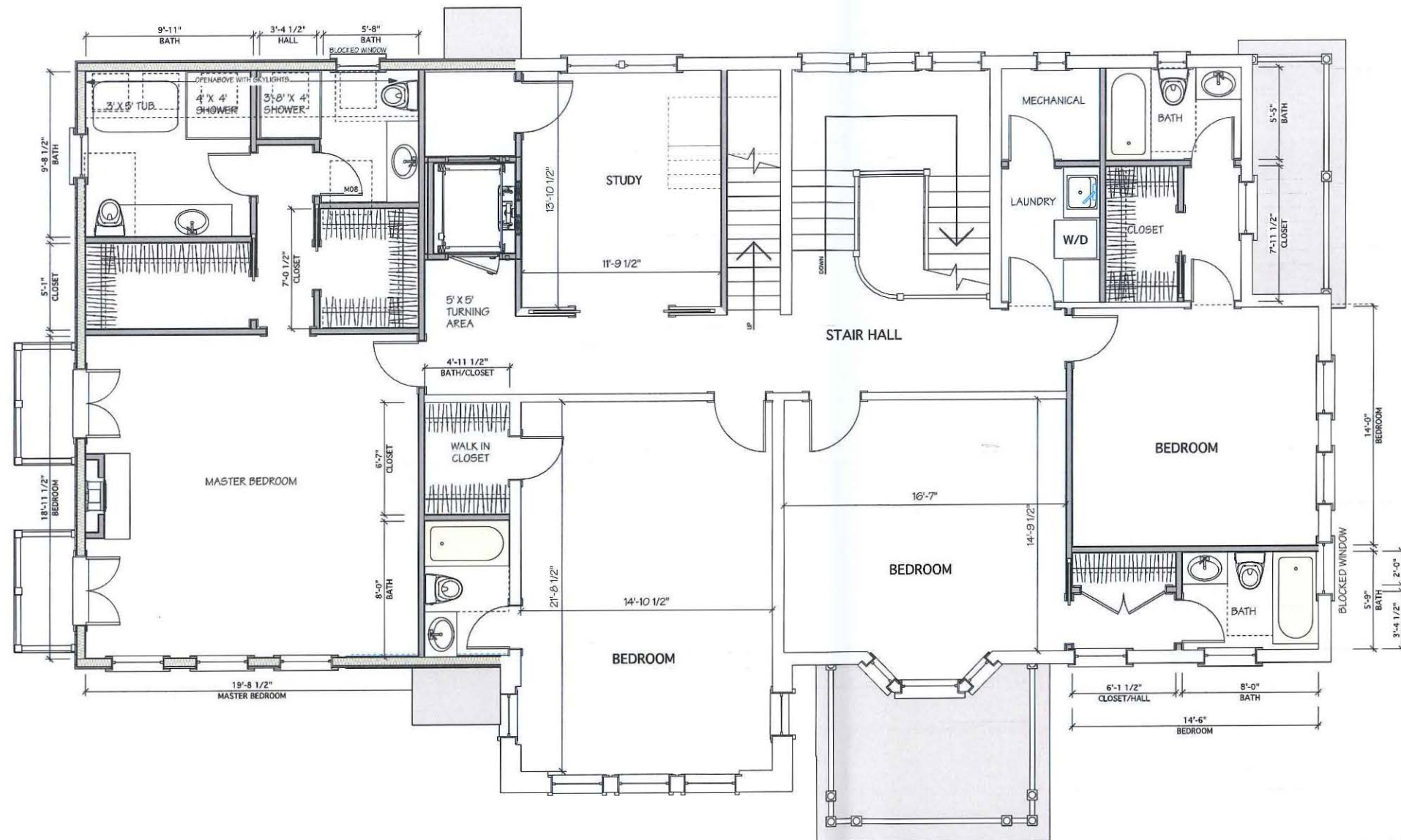
NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/14/21	PROGRESS SET

FIRST FLOOR PLAN

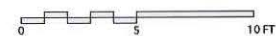
A1-1

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



SECOND FLOOR PLAN



REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
04/25/22	2106

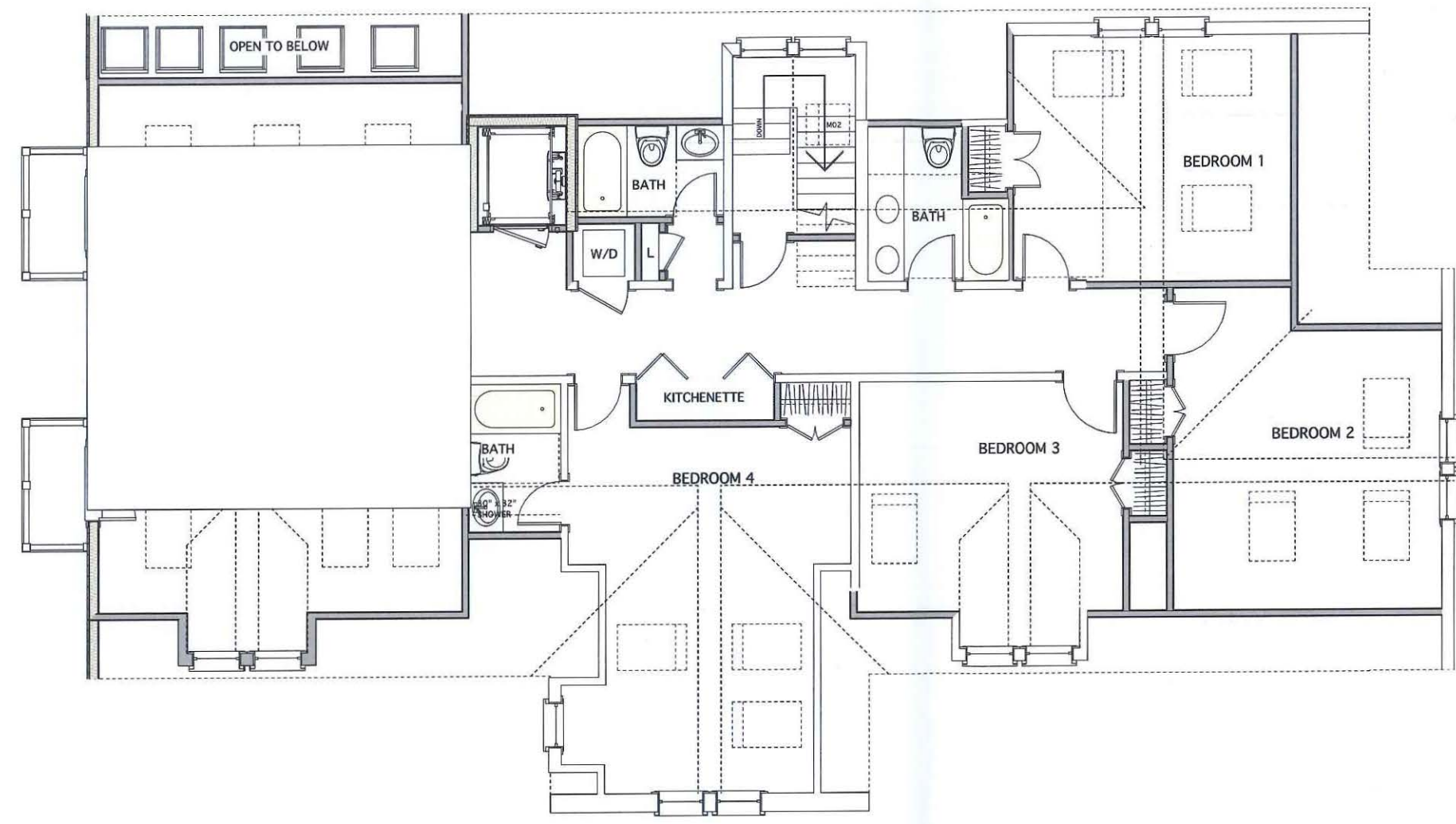
NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/14/21	PROGRESS SET

SECOND FLOOR PLAN

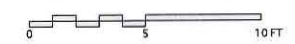
A1-2

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



TOP FLOOR PLAN



REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
04/25/22	2106

NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/14/21	PROGRESS SET

TOP FLOOR PLAN

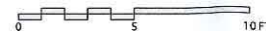
A1-3

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



LEFT SIDE ELEVATION (SOUTH)



REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS
Consultant Name
Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/25/22	2106

NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/14/21	PROGRESS SET

FRONT EL

A2-1

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

Consultant Name
 Consultant Address

PROJECT ARCHITECT
 NANCY DINGMAN
 DATE
 04/25/22

DRAWN BY
 Drawn By
 PROJECT JOB NUMBER
 Z108

NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
7	10/14/21	PROGRESS SET
8	11/14/21	PROGRESS SET

RIGHT/LEFT EL

A2-2



REAR ELEVATION (WEST)



FRONT ELEVATION (EAST)

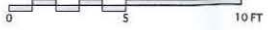
1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



RIGHT SIDE ELEVATION (NORTH)



REVISIONS	
NO.	REVISION NOTES

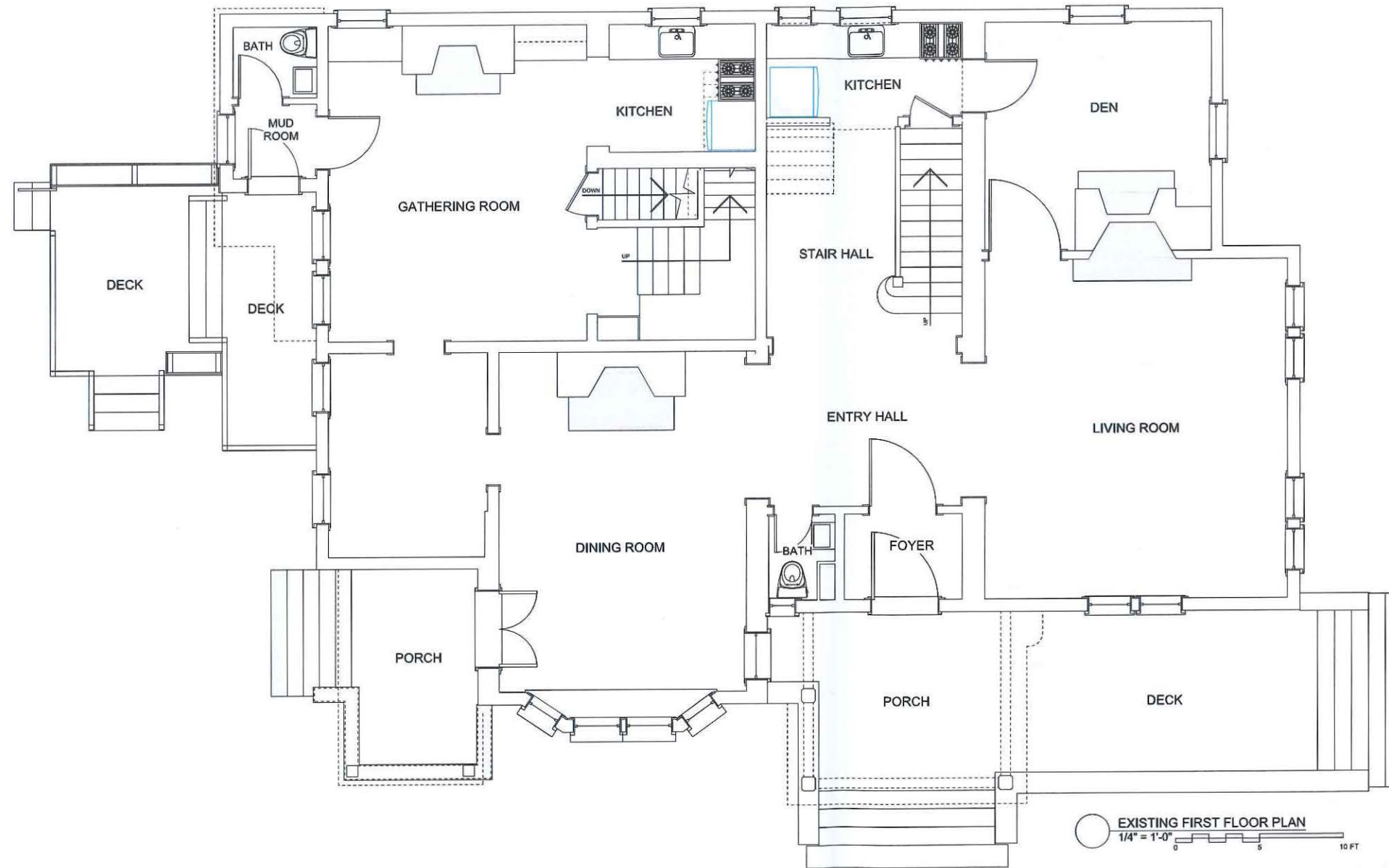
CONSULTANTS	
Consultant Name	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/25/22	2106

NO.	DATE	ISSUE NOTE
1	9/9/21	PLANS
2	9/11/21	PLAN REVISIONS
3	9/13/21	PLAN REVISIONS
4	9/15/21	PLAN REVISIONS
5	10/8/21	PROGRESS SET
6	10/10/21	PROGRESS SET
9	4/20/22	PROGRESS SET

REAR EL SKYLIGHTS
 BLOCKED WINDOWS

A2-6



EXISTING FIRST FLOOR PLAN
1/4" = 1'-0"
0 5 10 FT

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name
	Consultant Address

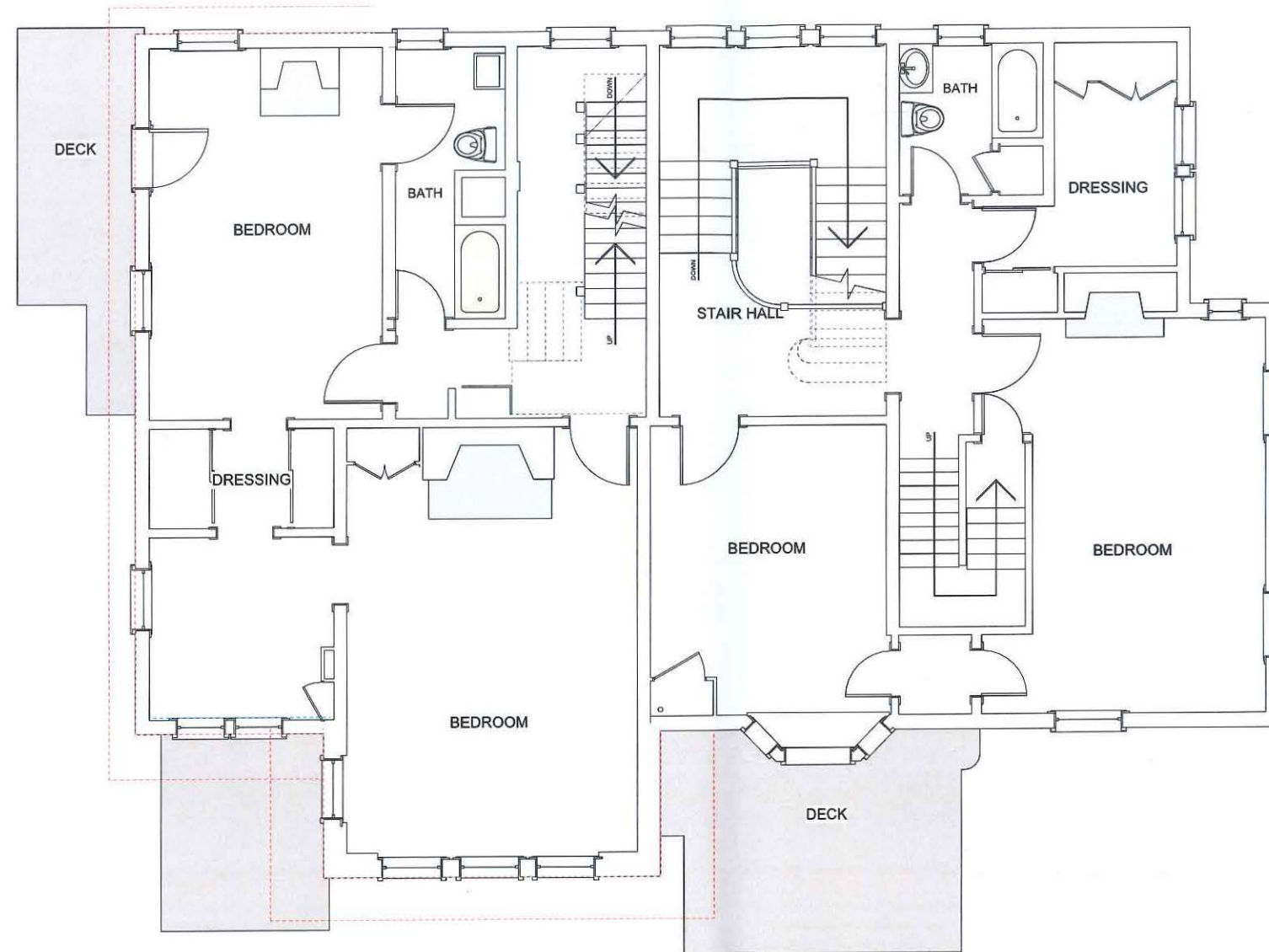
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/18/22	2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

EXISTING FIRST FLOOR PLAN
FIRST FLOOR PLAN

A1-1 EX

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055



EXISTING SECOND FLOOR PLAN
 1/4" = 1'-0" 0 5 10 FT

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	Consultant Name
	Consultant Address

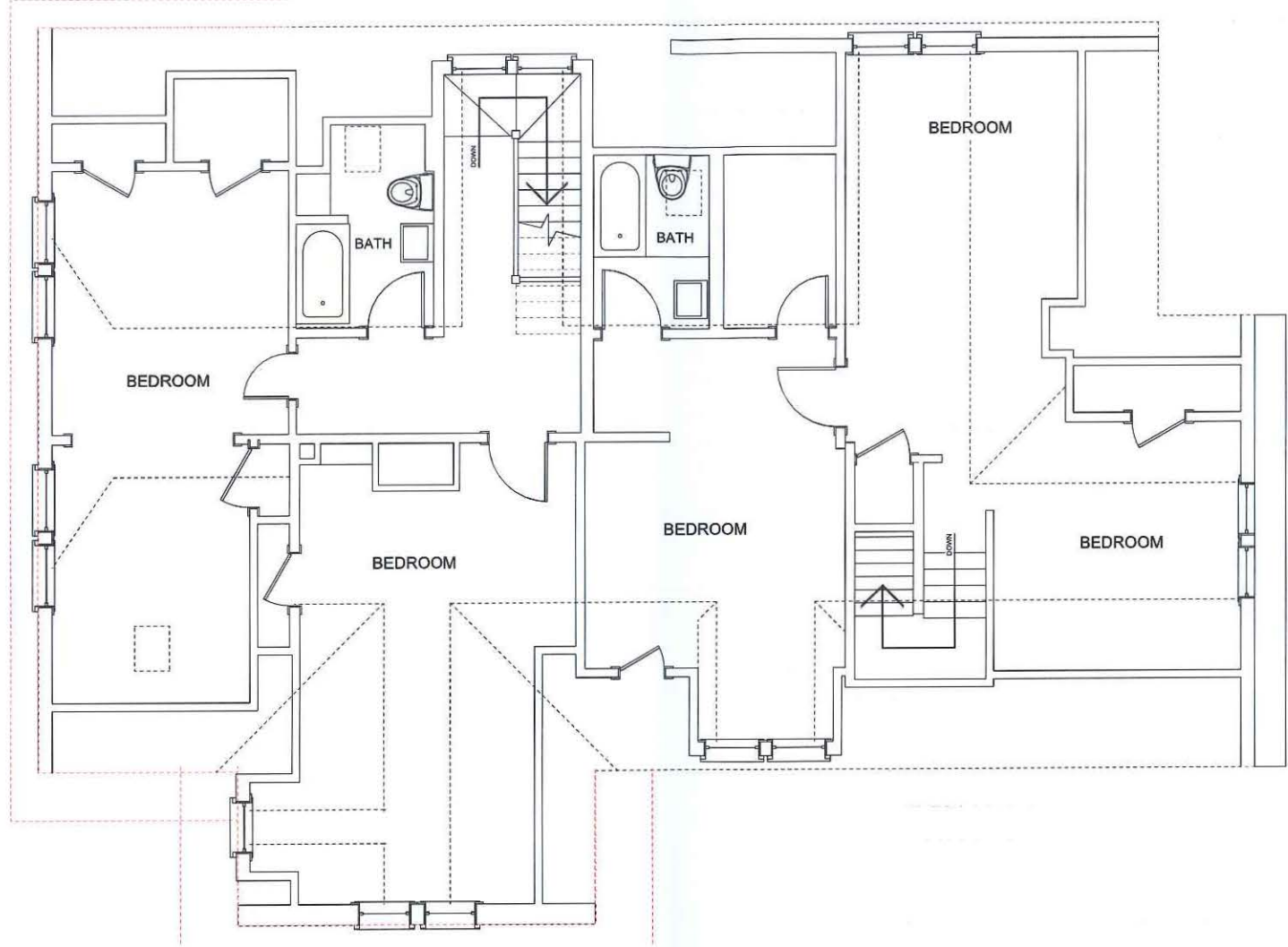
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/18/22	2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

EXISTING SECOND FLOOR PLAN
 SECOND FLOOR PLAN

A1-2 EX

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055



EXISTING THIRD FLOOR PLAN
 1/4" = 1'-0" 0 5 10 FT

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	
Consultant Name	Consultant Address

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	Drawn By
DATE	PROJECT JOB NUMBER
04/18/22	2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

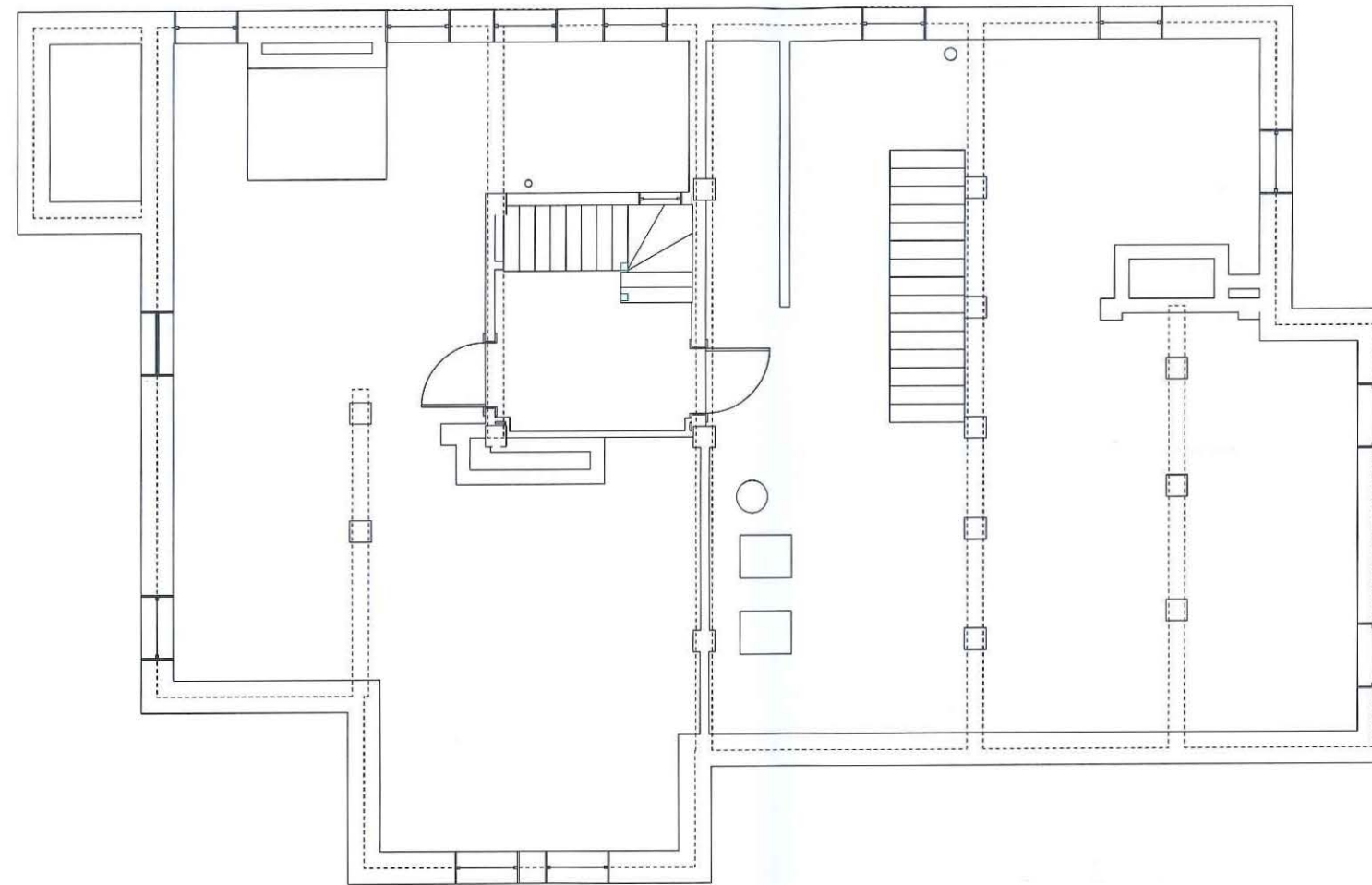
EXISTING THIRD FLOOR PLAN
 THIRD FLOOR PLAN

A1-3 EX

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	
Consultant Name	Consultant Address

PROJECT ARCHITECT		DRAWN BY	
NAME	DATE	NAME	DATE
NANCY DINGMAN	04/18/22		

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	

NO.	DATE	ISSUE NOTE
1	9/8/21	

EXISTING BASEMENT PLAN
 1/4" = 1'-0" 10 FT

EXISTING BASEMENT PLAN
 BASEMENT PLAN

A1-4 EX

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA



EXISTING FRONT ELEVATION (EAST)
3/16" = 1'-0"
0 5 10 FT



EXISTING RIGHT SIDE ELEVATION (NORTH)
3/16" = 1'-0"
0 5 10 FT



EXISTING REAR ELEVATION (WEST)
3/16" = 1'-0"
0 5 10 FT



EXISTING LEFT SIDE ELEVATION (SOUTH)
3/16" = 1'-0"
0 5 10 FT

NO.	DATE	REVISION NOTES

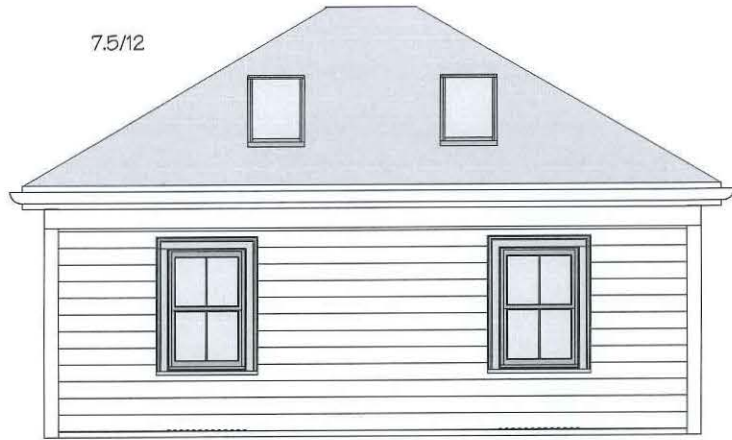
CONSULTANTS	
PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
04/18/22	2106

NO.	DATE	ISSUE NOTE
1	9/8/21	

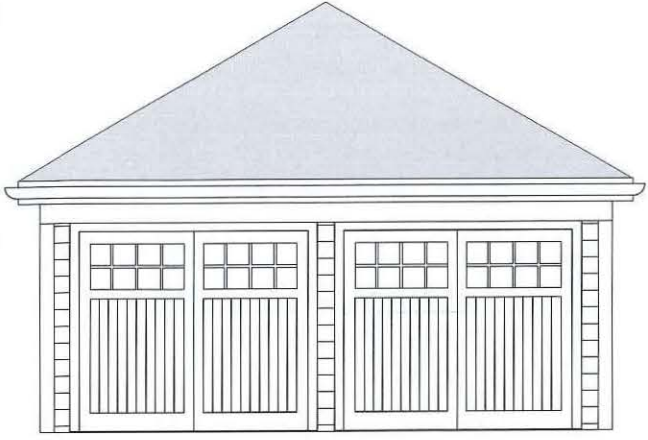
ELEVATIONS X
ELEVATIONS

A2-1 EX

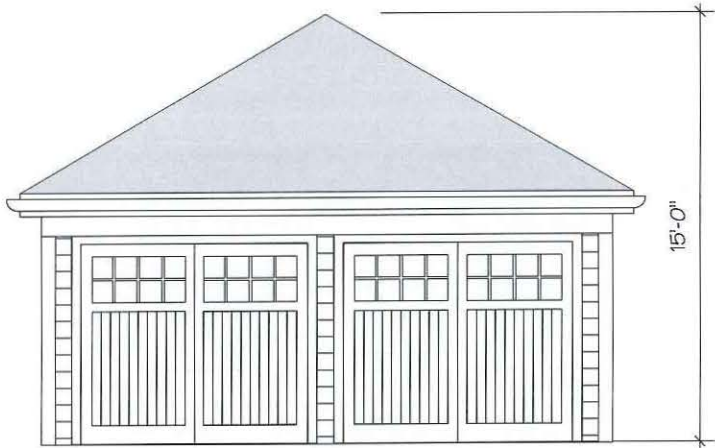
1950 MASSACHUSETTS AVE
CAMBRIDGE, MA 02140
TEL. 617-497-4150
FAX 617-868-1055



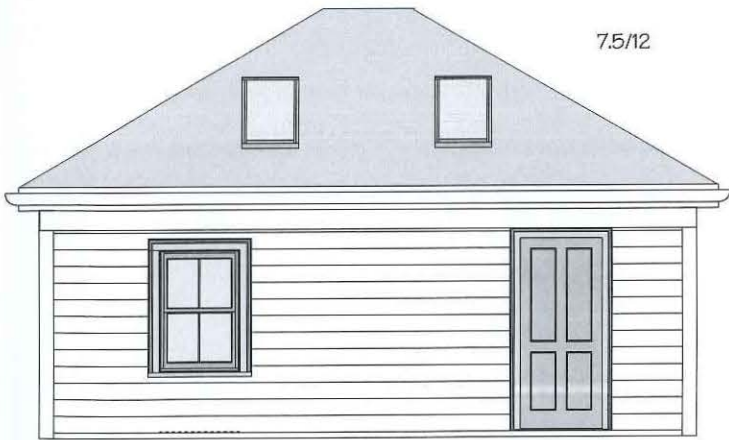
LEFT - SOUTH ELEVATION



REAR - WEST SIDE ELEVATION



FRONT - EAST ELEVATION



RIGHT - NORTH SIDE ELEVATION

LENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

--	--

PROJECT ARCHITECT

NANCY DINGMAN

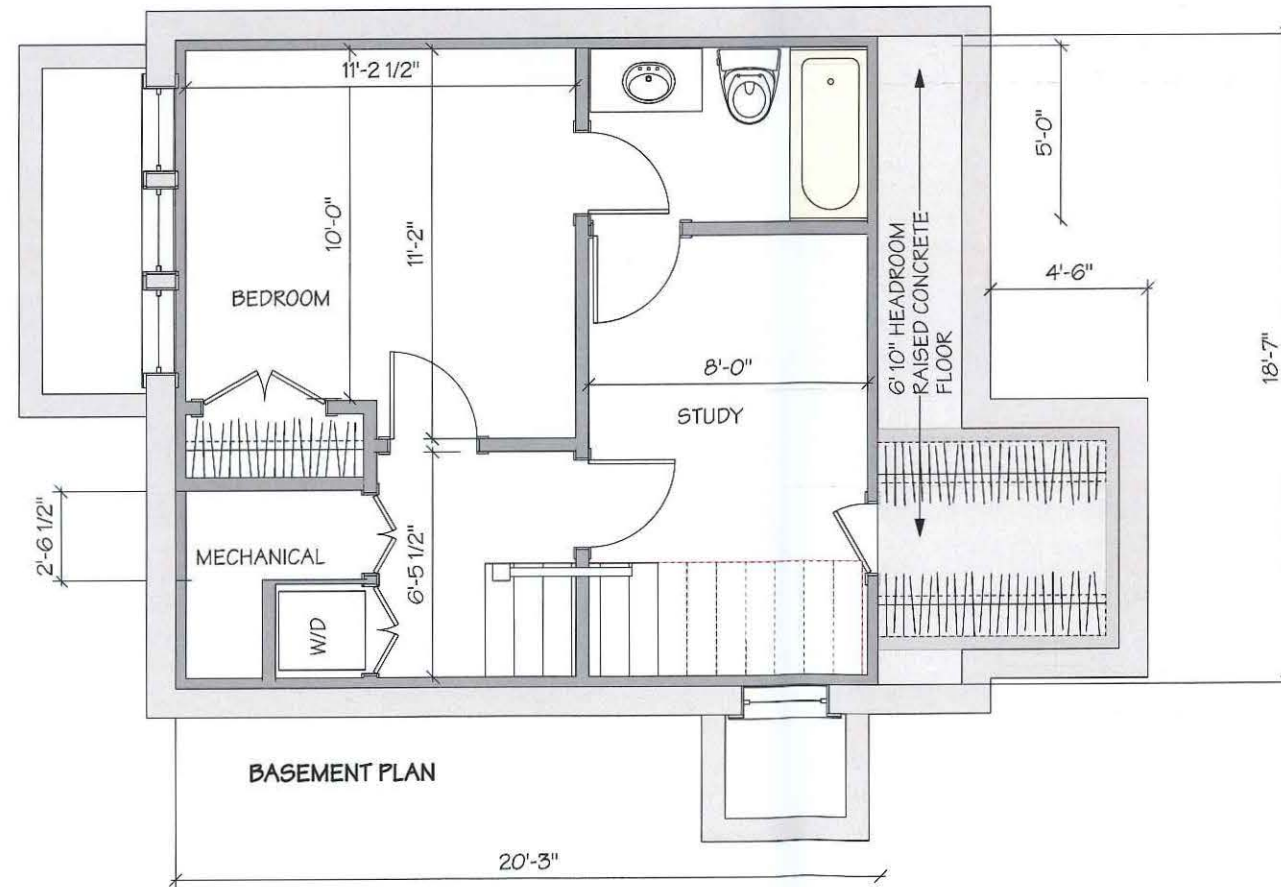
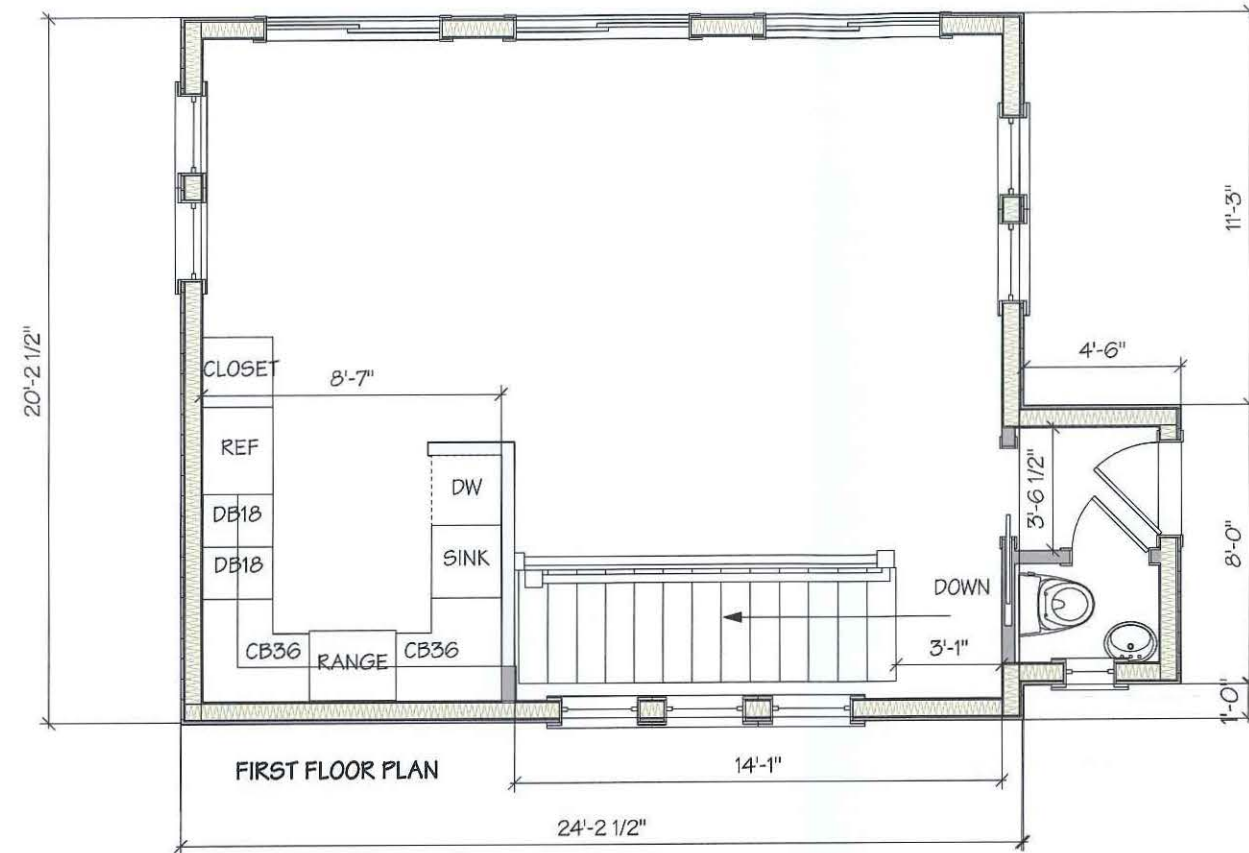
DATE: 4/5/22 PROJECT JOB NUMBER: 2106

NO. DATE ISSUE NOTE

NO.	DATE	ISSUE NOTE
1	12/6/21	ZONING
2	4-16-22	ZONING
3	4-20-22	ZONING
3	4-24-22	ZONING

GARAGE 15' PEAK

G-2



FIRST FLOOR FA: 525 SF
BASEMENT FA: 375 SF
TOTAL FA: 900SF

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
CAMBRIDGE, MA

REVISIONS		
NO.	DATE	REVISION NOTES

CONSULTANTS	

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
4/5/22	2106

NO.	DATE	ISSUE NOTE

CARRIAGE HOUSE PLAN B 900SF

C-3

1950 MASSACHUSETTS AVE
 CAMBRIDGE, MA 02140
 TEL 617-497-4150
 FAX 617-868-1055

GLENMULLEN RESIDENCE

27 FAYERWEATHER STREET
 CAMBRIDGE, MA



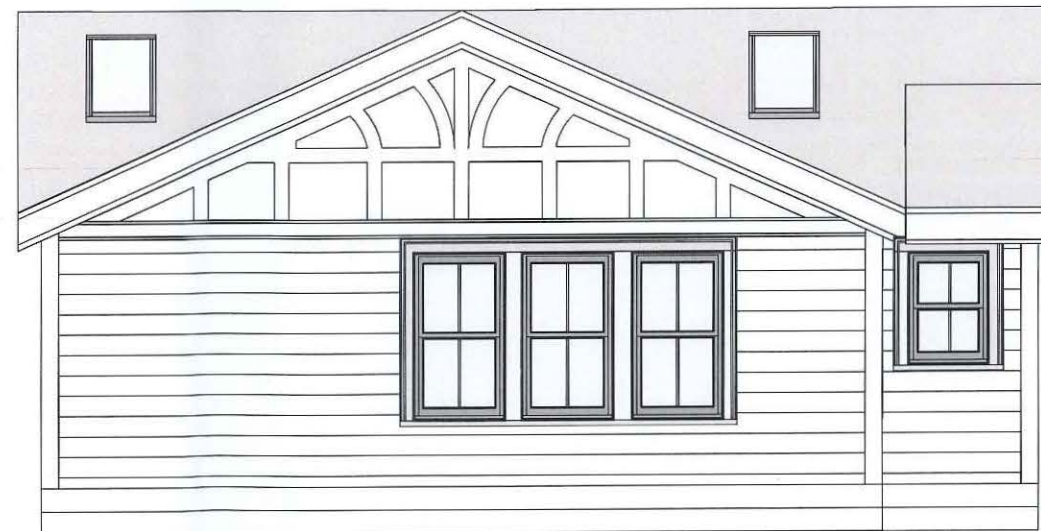
RIGHT - NORTH SIDE ELEVATION



FRONT - EAST ELEVATION



REAR - WEST SIDE ELEVATION



LEFT - SOUTH ELEVATION

REVISIONS

NO.	DATE	REVISION NOTES

CONSULTANTS

--

PROJECT ARCHITECT	DRAWN BY
NANCY DINGMAN	
DATE	PROJECT JOB NUMBER
4/5/22	2106

NO.	DATE	ISSUE NOTE
1	3/26/22	FLAT ROOF
2	4/18/22	15' PEAK
3	4/19/22	15' PEAK WITH GABLES
4	4/20/22	15' PEAK WITH GABLES

CARRIAGE HOUSE GABLES
 15' ELS. ALT.

Pacheco, Maria

From: Ken Froot <kfroot@gmail.com>
Sent: Sunday, April 24, 2022 5:26 PM
To: Pacheco, Maria
Subject: Hearing for 27 Faywerweather St Cambridge, April 28
Attachments: 27 fayerweather Froot letter to Glenmullen.pdf

Dear Ms. Pacheco,

I am attaching an April 14th letter i wrote to Dr Glenmullen and his attorney concerning his plans to renovate the above property, to which i'm a North-boundary abutter at 33 Fayerweather.

I would like the letter to be submitted into the public record for this meeting. Dr. Glenmullen has not responded to my concerns and so i would like them aired and debated at the meeting. I do feel strongly about reducing considerably the massive size and height of the western extension of the main house along the north boundary at extremely close setbacks. This is already a large house and property and i've suggested ways to ensure it can be even bigger while ameliorating my concerns.

I will be in the middle east on the 28th, so the meeting is at 3:30am local time for me - i don't know for sure i will be able to attend altho i hope to. Is there anyway to know exactly when this property is discussed (so i don't have to be awake thru most of the hours i have to sleep)? I would greatly appreciate some pre-set time, or perhaps a phone call when the discussion of this property begins. Is that at all possible? I'm sorry but i've had this trip planned for a long time.

All the best,

Ken Froot

--

Kenneth A. Froot
Andre Jakurski Professor of Finance, Emeritus
Harvard Business School
Soldiers Field | Boston, MA 02163
Ph 617.495.6677 | Fx 617.496.7357 | kfroot@hbs.edu
<http://scholar.harvard.edu/kenfroot>

HARVARD UNIVERSITY
GRADUATE SCHOOL OF BUSINESS ADMINISTRATION
GEORGE F. BAKER FOUNDATION

KENNETH A. FROOT
Andre R. Jakurski Professor of Business Administration, Emeritus

SOLDIERS FIELD
BOSTON, MASSACHUSETTS 02163
TEL 617-495-6677
kfroot@hbs.edu


April 14, 2022
Dr. Joseph Glenmullen
1770 Massachusetts Ave.
Suite 263
Cambridge, MA 02140

Dear Dr. Glenmullen,

Appreciate your for sharing the plans for 27 Fayerweather. I can certainly be supportive of improvements to the property. My reservations with your plans are, for the main house, the large cubic footage being added to the West at several stories in height and at a distance of under 6' from the northern side setback. Given the extreme non-conformity of this setback (and indeed of all the setbacks on this lot, which are very aggressive), such a massive and tall structure would seem to be detrimental to the neighborhood (the test for Section 8.22 approvals) and to sunlight for your neighbors to the north at 31 and 33 Fayerweather. If this could be reduced to a single story, keeping the great room you have in the plans, it would bring in a lot of light and additional living space. Indeed, if you were to go this route, I, for one, would be open to a proposal that added more horizontal single-story space, providing an even greater great room. For the rear garage, an additional story, obtained by requesting a variance, seems unnecessary; I'd like to understand the hardships involved with not granting it (Section 10.31).

I would appreciate electronic communications as I will be travelling until the meeting and won't have access to US mail. I understand you won't be able to provide this yourself, but I imagine that your attorney, James Rafferty, could, and, he, therefore is cc'ed here

Sincerely,



Ken Froot

Cc: James Rafferty, jrafferty@adamsrafferty.com;
Eric Nelson, enelson@fas.harvard.edu

April 25, 2022

Cambridge Board of Zoning Appeals

Re: Case Number BZA-165327

To Whom It May Concern:

While we support the overall vision and spirit of the proposed renovation of 27 Fayerweather Street, we do have some concerns about specific elements of proposed construction. This letter is an addendum to our previous letter, where we expressed our general support.

Upon further consideration and inspection of the site, we have concerns about the visual impact of increasing the garage heights from 15' to 22,' as well as the additional congestion of putting an accessory dwelling unit in the back garage. Increasing the number of potential households at this increasingly busy intersection – already a congested part of the street – runs the risk of negatively impacting the neighborhood, including shared spaces and sidewalks that our two children regularly use for play and transit.

We certainly welcome the new owners of 27 Fayerweather Street to the neighborhood but urge them to work with the neighbors most impacted by their plans to revise certain elements of their proposed renovations.



Anne Morriss, Owner of 22 Fayerweather Street



Frances Frei, Owner of 22 Fayerweather Street

Pacheco, Maria

From: Bob Hower <bob@g20vc.com>
Sent: Monday, April 25, 2022 2:51 PM
To: Pacheco, Maria; Kira Elizabeth Hower
Subject: Bza 165327

Bob and Kira Hower
47 Lake View Ave
(behind & adjacent to 27 Fayerweather)

Dear Zoning Appeal Board,

Thank you for taking my note into consideration. I am writing to strongly oppose the recent application by Joe Glenmullen to re-develop 27 Fayerweather.

I wish I could feel differently. My perspective on this issue starts with my service on the Cambridge Community Foundation (10 years), living on Lake View Ave for 18 years and living in Cambridge for more than 30 (on Chilton, Sparks & Lexington). I am sympathetic to the challenges that our housing shortage in Cambridge creates and I know that we need creative solutions.

However, the 27 Fayerweather redevelopment proposal which significantly expands an already large, multi-family house *and* replaces the garage and driveway with a new, two-story dwelling five feet from neighbors' private back yards is a bridge too far. I attempted to read and understand the applicable zoning code - boy, you guys have a tough job - all I can say is that I don't see how Joe's proposal could be consistent with the spirit or letter of a code that takes into consideration the impact of a project on its neighbors' properties even a little bit. My opposition is based on concerns not just for me, but for my neighbors and the future residents of the houses adjacent to 27 Fayerweather.

Here's why I am opposed:

1) There's significant underground water flow through the 27 Fayerweather property that creates serious saturation and flooding issues for the properties below 27 Fayerweather, particularly 57 Lake View, but also our property at 47 Lake View. Digging a new foundation for the new dwelling will redirect the water in unpredictable ways that frankly can't be rectified solely on that property. It's unclear what remediation will be needed on our property to address new water issues.

2) A mature stand of 5 mature maple trees (30 years +) sits near the property line just behind the existing garage that will certainly die when a new foundation is dug deep enough to accommodate the basement level of the new dwelling. These trees help alleviate flooding issues by soaking up water and of course they also provide privacy.

It's worth noting what happened to a 50+ year old, 60' beautiful Beech Tree in 2009 that was living next door to us at 35 Lake View. A developer bought the adjacent house at 25 Lake View and installed a new garage foundation 5 feet from the Beech. The Beech was dead in less than 2 years, which was enough time for the developer to flip the house, and move on. I recall that developer saying that he would protect the Beech.

3) Anyone sitting in my back yard or that of 57 Lake View or 21 Fayerweather would immediately see that locating a new rental house at the site of the existing garage at 27 Fayerweather will have a significant impact on all of us (noise, light, odor, etc). Further, it's the totality of the changes and the increase in the intensity of the use of the property that will impact the neighborhood. The plan removes the driveway, thus putting more parking pressure on the street for 3 units and all their guests.

When we bought our house, we could not have anticipated that someone would be able to build three housing units next to us. I realize this is literally a "not in my back yard" plea. I have tried to stay open-minded, given the real housing concerns, but I can't support this project. Enabling people like Joe who pretend not to be developers; who say they "didn't even know the zoning code when they bought the house" and then use veiled threats against neighbors by saying "if I don't get my variance to 22,' I could build a two story structure - by right - with a bigger footprint, and more windows", then we know that the incentives that are in place can lead to abuse, and to unintended consequences that will not address the housing shortage effectively.

I wish I could believe Joe when he says he will protect the stand of trees adjacent to our property and 5' from the proposed foundation, or that the unit won't be rented out because only his kids will be staying there. But Joe has said so many incredulous things that I have to assume he is simply a developer trying to maximize the square footage he can get and then move on. If Joe is really planning to stay, then I would welcome him as a neighbor and encourage him to live in the house for a while before deciding that 6,000 sf isn't big enough for him and his wife or that he needs 3 kitchens to have his kids stay with him.

His neighbors have been here living happily together for a long while. We would welcome him too if he started to do and say the things that neighbors, not developers, do. Developers who pretend to abutters that they are committed to own a property for the long term in order to gain their support and lie about the support of other abutters should not be rewarded with the approvals they seek.

Lastly, I would have sent this note to Joe, but he operates solely from a landline phone - no texts or emails. His only paper trail is typed letters dropped off at our house on his schedule. I suppose it's part of his

playbook. I hope Cambridge doesn't become such a big city that sincerity and being a good neighbor doesn't matter.

My best,

Bob

--



Bob Hower, *Co-founder & Partner*
500 Boylston Street, Suite 1380, Boston, MA 02116
[617.850.9777](tel:617.850.9777) :: @bobthevc :: g2ovc.com

Pacheco, Maria

From: Michael W. Wiggins <mww@westonpatrick.com>
Sent: Monday, April 25, 2022 3:52 PM
To: Pacheco, Maria
Subject: 27 Fayerweather Street BZA #165327
Attachments: Letter to Constantine Alexander 2022-4-25.pdf; Statement of Margaret Flanagan with photos attached.pdf; Statement of Greg Dennee AIA with Visual Renderings attached.pdf

Dear Maria,

With regarding to BZA # 165237, attached please find my letter to the Chair and the accompanying statements of my client, Margaret Flanagan and her architect, Greg Dennee. Please file these documents and bring them to the attention of the Chair and members of the Board for the hearing on April 28.

Thank you,

Michael Wiggins

Michael W. Wiggins
Weston Patrick, P.A.
One Liberty Square, Suite 1210
Boston, MA 02109-4825
Tel. 617-880-6300
Direct Line 617 880 6313
Fax 617 742-5734
Email mww@westonpatrick.com

The above message is a PRIVATE communication that may contain privileged or confidential information. If you receive it in error, please do not read, copy or use it and do not disclose or forward it to other. Please immediately notify the sender by reply email and then delete the message from your system. Thank you.

To ensure compliance with IRS requirements, please be advised that any U.S. federal tax advice that may be included in this communication is not intended or written to be used, and may not be used by any taxpayer, for the purpose of avoiding any federal tax or tax penalties. Any advice in this message is intended only for your use, and cannot be relied upon by any other person or used for any other purpose with the sender's written consent.

WESTON | PATRICK

April 25, 2022

By email to mpacheco@cambridgema.gov

Constantine Alexander, Chair
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139


RE: 27 Fayerweather Street BZA #165327

Dear Mr. Alexander and Members of the Board:

I represent Margaret Flanagan and Timothy A. Barrows, owners of the property at 21 Fayerweather Street, which directly abuts 27 Fayerweather Street. Included with this letter please find the statement of my client, Margaret Flanagan, with photos attached, in opposition to the petition for a variance and special permit in the above matter. Also included is the statement of her architect, Greg Dennee dated April 20, 2022, with renderings attached to illustrate the adverse impact of the proposed carriage house on my clients' use of their property.

My clients have just been informed by another abutter that the petitioner has now proposed to alter the design of the proposed rear carriage house by reducing the height thereof, and that the request for a variance from the height restrictions is to be withdrawn. Even assuming that such a reduction is confirmed to the Board, my clients would nevertheless object to the issuance of a special use permit for the proposed accessory dwelling unit, for the reasons set forth in Ms. Flanagan's statement and as will be further articulated at the hearing in this matter. They also object to the allowance of multiple windows in the southern façade of the existing windowless structure within the applicable side yard setback.

Respectfully submitted,


Michael W. Wiggins

MWW:hs
Attachments

April 25, 2022

By email to mpacheco@cambridgema.gov
Constantine Alexander, Chair
Board of Zoning Appeal
831 Massachusetts Avenue
Cambridge, MA 02139

RE: 27 Fayerweather Street BZA #165327

Dear Mr. Alexander and Members of the Board:

My husband Timothy A. Barrows and I own the property at 21 Fayerweather Street, where we raised our children. We purchased the property in 2003. We have reviewed the application in the above case and the site plan and building plans submitted to the Board. We adamantly oppose the petition for a special permit for an accessory dwelling unit to be constructed in place of the existing rear garage and a variance that would allow the height of the proposed accessory dwelling unit to be twenty-two feet and two inches and the height of the proposed new front garage to be twenty-two feet and seven and one-half inches.

The side of our house facing 27 Fayerweather Street is located very close to the common boundary line between 21 Fayerweather Street. Our second floor windows look out above the front garage at 27 Fayerweather Street that is located just on the other side of the line. We enjoy the openness of the space and daylight above the garage that is afforded to us on that level. If the front garage, now fifteen feet high at its peak, were replaced by the proposed garage at a height of twenty-two feet and seven and one-half inches, the air and view outside our second floor windows would be cut off by the mass of the taller garage, and light emanating from its dormer windows would intrude on our second floor rooms. A photo depicting the juxtaposition of the front garage with the side of our house facing it is submitted with this letter.

To the rear of our house, next to the boundary line, are a garden and patio. I am an avid gardener and work in that garden in all kinds of weather but particularly in warmer weather. Our family considers the garden and patio as an extended outdoor living room, using it informally throughout the day for sunbathing, reading, gathering with family socializing with guests and relaxing. We frequently gather around a fire pit on the patio at night with family and friends, at all times of the year. To preserve a sense of privacy and green screen for the benefit of both ourselves and the abutters at 27 Fayerweather Street, we have carefully managed and kept in place a row of arbor vitae along the boundary line next to the garden and patio. It is fertilized, sprayed for insects, and pruned yearly at a height of about fifteen feet by a professional landscaping company at significant expense. The rear garage at 27 Fayerweather is mostly screened from our view, year round. We are very concerned that the proposed accessory dwelling, with its dormer windows projecting toward our rear yard and patio above the row of arbor vitae, would shatter the sense of openness and privacy that we treasure, walling in the patio on that side and casting unwelcome light

from multiple windows on it at night. It would also cut off some of the late afternoon light from reaching our property.

We are also very concerned that the proximity of a dwelling unit less than 5 feet from the property line will completely alter how we use the space. We will no doubt be privy to everything that happens in the building given the openings on the side and on the front of the proposed dwelling. And whoever is in the dwelling is no doubt likely to hear everything that happens in our space as well. Having people living within the setback will have a chilling effect on how we are able to use that area.

The four panel comparison study that has been prepared by our architect Greg Dennee and submitted to the Board clearly demonstrates the negative impact on our use of our patio and garden. To further illustrate for the Board the adverse effect of raising the height of both the front and rear garages, we engaged the services of our contractor, Kistler and Knapp Builders, Inc. to install four twenty-two foot high poles along the property line. Submitted herewith is a photo of the rear yard patio and garden that depicts the two rear poles placed along the boundary line facing the rear garage, showing the open space that the roof of the proposed accessory building would be filling in. Also submitted herewith are a photo looking from the rear patio toward the two front poles that were placed next on the side of our house facing the front garage, and a photo from the second floor window looking over the existing front garage with the same two front poles in place.

The existing residential building at 27 Fayerweather has been used as a single family with accessory apartment located within it ever since we have resided next door. It is described on the Cambridge Assessors' database as "Single family with Auxiliary Apartment". The plans submitted by the petitioner would add to the mix an entirely new habitable unit in the previously unoccupied basement. They would also provide direct elevator access from a rear entrance to the third floor, which will contain three bathrooms, a kitchenette, washer/dryer, space for living and/or dining space as the occupant may choose, and four bedrooms. Use of the building as reconfigured, as a two family plus accessory apartment, appears to be planned. We understand that the zoning ordinance allows for a single accessory dwelling unit, to be located either within the main building or within an accessory building, to be authorized by special permit. But it does not appear to allow two accessory dwelling units to be added to a two family residence, which plainly appears to be the case here.

We urge you not to grant the special permit for an accessory dwelling unit in place of the rear garage. We also urge you not to grant a variance to raise the height of either of the garages above the 15 foot maximum permitted by the Ordinance. Thank you for your consideration.

Sincerely,

Margaret Flanagan

Margaret Flanagan

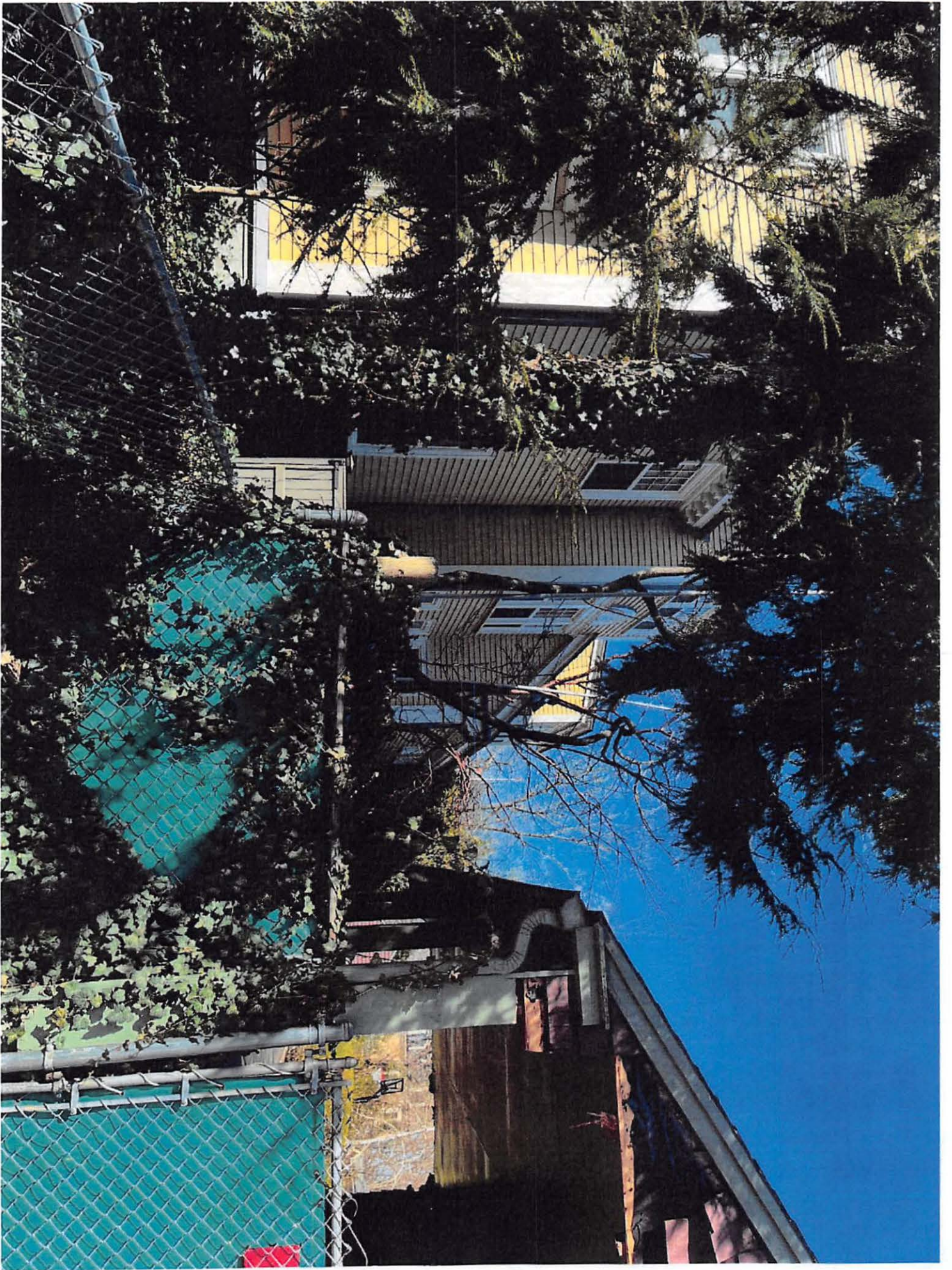






Photo ID: 100-100

Photo ID: 100-100



April 20, 2022

To Whom It May Concern

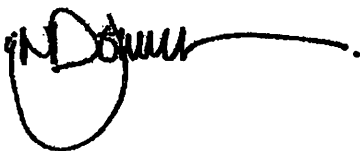
Re: 27 Fayerweather Street, Cambridge MA BZA #165327

I, Greg Dennee, AIA, am a partner in the firm of Locati Architects PLLC, of Bozeman, Montana. At the request of Margaret Flanagan and Timothy A. Barrows, the owners of the property at 21 Fayerweather Street, Cambridge, Massachusetts, our firm prepared, under my supervision, a set of visual renderings (“visuals”) to illustrate how a proposed 22 foot high accessory building, to be built upon the footprint of an existing 15 foot high rear garage (also referred to as a “carriage building”) at the abutting property at 27 Fayerweather Street would appear when seen from the rear yard garden and patio at 21 Fayerweather that faces the existing garage. In preparing the visuals we examined the set of existing and proposed building plans and site plan prepared by Allison Dingman Architects, dated February 15, 2022 and the plot plan prepared by AGH Engineering on March 8, 2022, on file with the application of the abutter at the Cambridge Zoning Board of Appeal. We also examined a photograph taken by Margaret Flanagan that depicts the view from the rear of her house across the rear garden and patio area toward the existing 15 foot high rear garage, which is partially screened by an existing line of arbor vitae on Ms. Flanagan’s property next to the common boundary line. The visuals were created by using a program called SkechUP, with which we created a 3D model scaled correctly

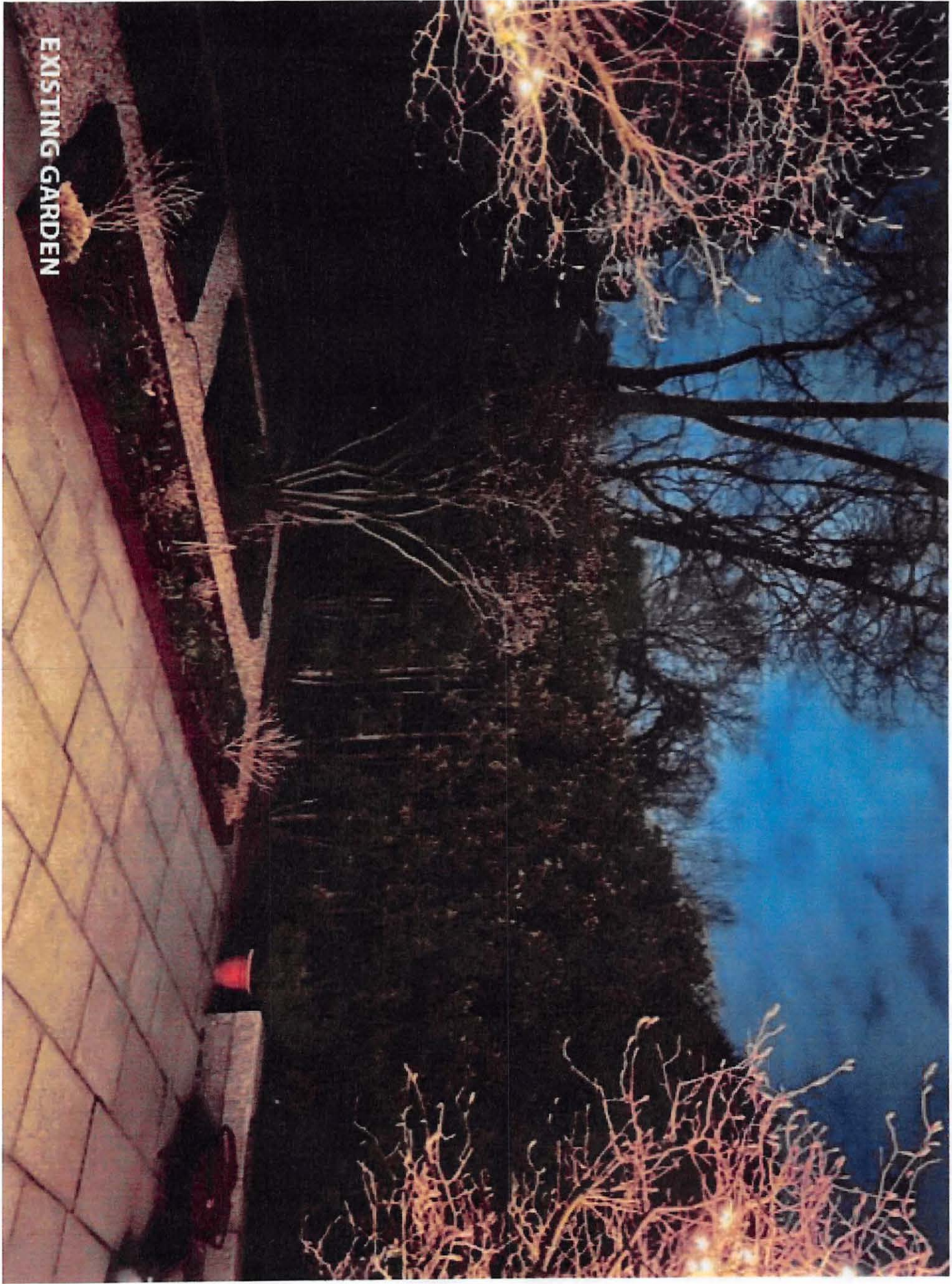
to the building and site plans prepared by Allison Dingman. We exported the model to a program known as Lumion, whereby we simulated lights, landscaping and context. We then matched the photograph supplied by Ms. Flanagan to the Lumion images, using Photoshop, and produced the four “before and after” attached visuals for comparison.

The visual labeled “Existing Garden” is a reproduction of the photograph showing the existing view from the rear of Ms. Flanagan’s house across the patio and garden toward the location of the existing rear garage. The visual labeled “Existing Garden With Current Garage” fairly depicts a scaled shadow image of the existing rear garage located beyond the arbor vitae that are located next to the common boundary line. The visual labeled “Existing Garden With Proposed Carriage House” depicts how the proposed new 22 foot high accessory building would appear when seen from the same view. The visual labeled “Existing Garden With Proposed + Carriage House (Overlay)” represents a fair comparison of the de minimis impact of the existing rear garage with the substantial effect of the proposed accessory building upon views and privacy in the garden and patio. We also prepared the attached direct, scaled model of the existing rear garage juxtaposed directly with the proposed carriage house.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "G. Dennee", with a long horizontal flourish extending to the right.

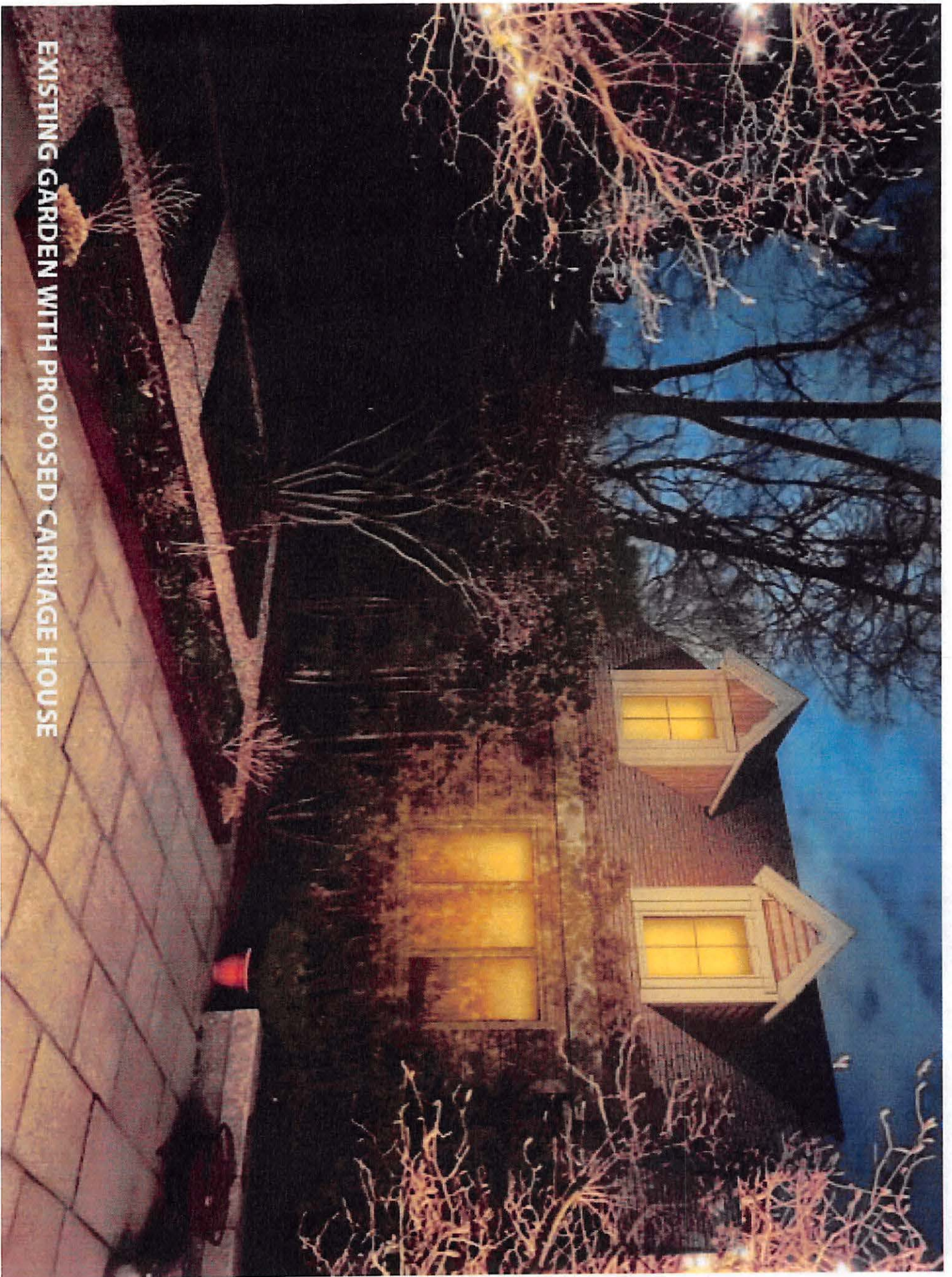
Greg Dennee, AIA



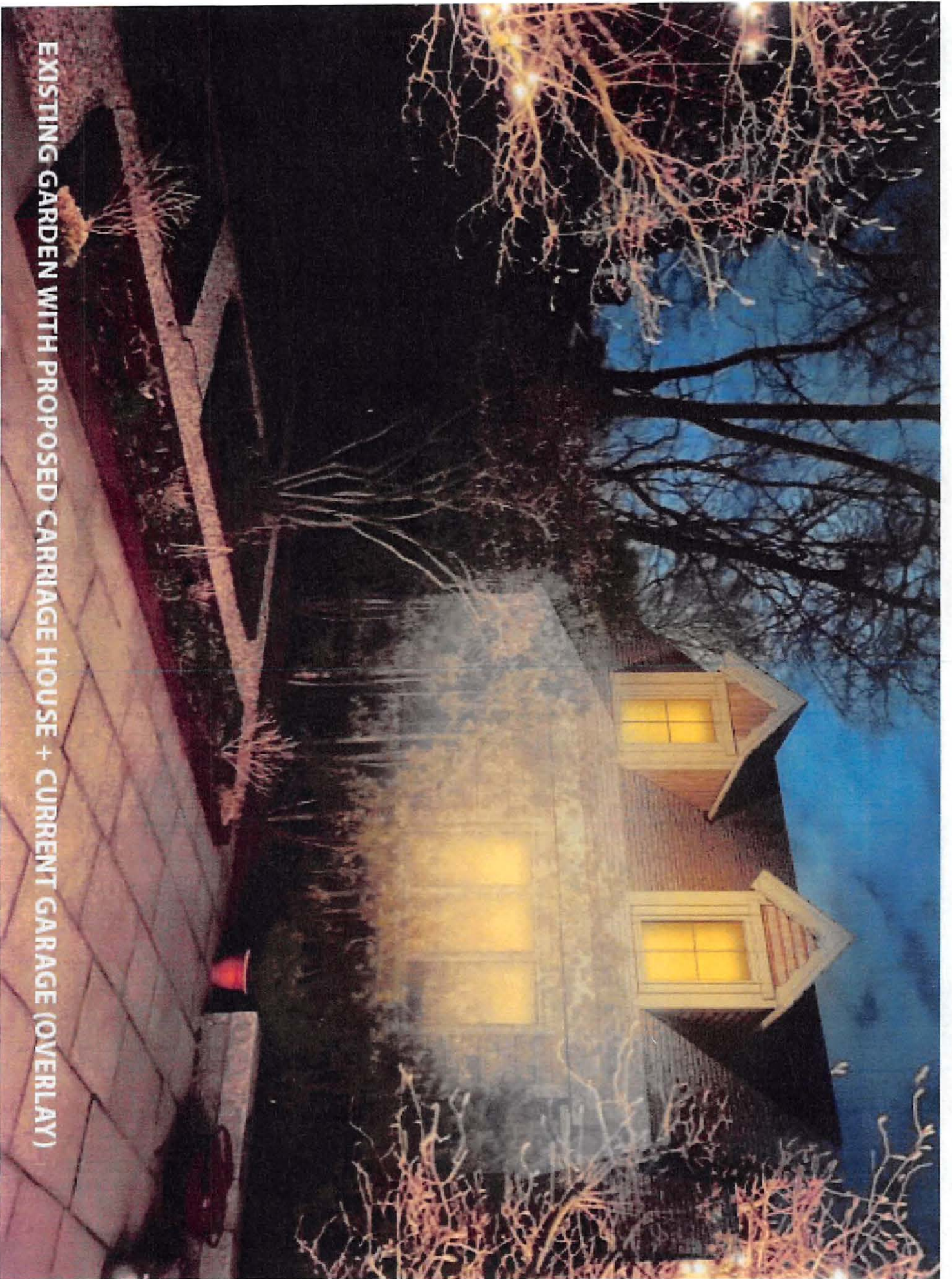
EXISTING GARDEN



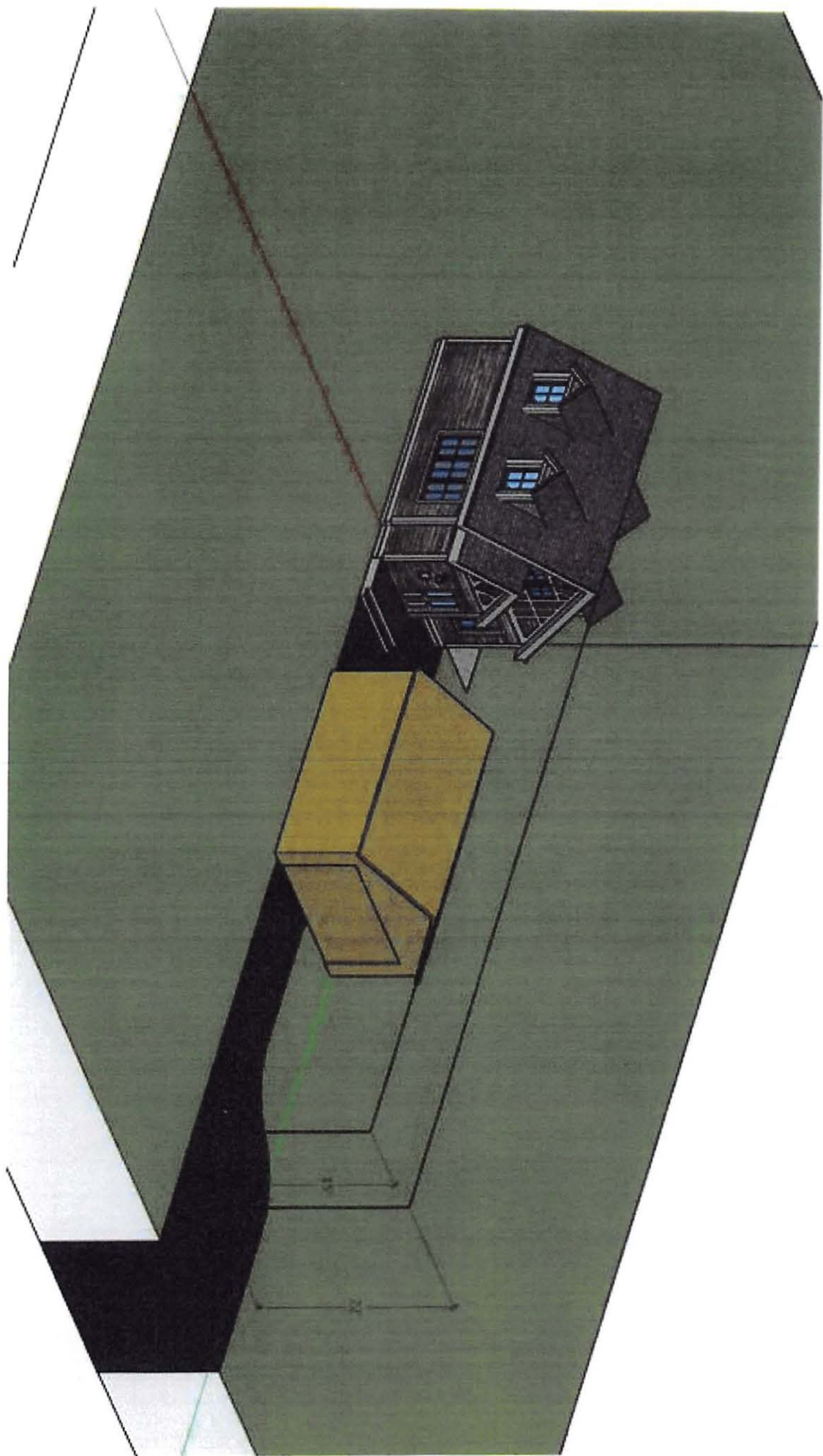
EXISTING GARDEN WITH CURRENT GARAGE



EXISTING GARDEN WITH PROPOSED CARRIAGE HOUSE



EXISTING GARDEN WITH PROPOSED CARRIAGE HOUSE + CURRENT GARAGE (OVERLAY)



Roland & Lori Pease
57 Lake View Avenue
Cambridge, MA 02138

Board of Zoning Appeal
Inspectional Services – Zoning
831 Massachusetts Ave.
Cambridge, MA 02139

April 24, 2022

Re: BZA Number: 165327
27 Fayerweather St.

Dear Board of Zoning Appeals,

We reside directly in back of 27 Fayerweather St. and as abutters do not endorse the plans as proposed for a Variance and Special permit. We do not wish to see our garden space encroached upon, or see a precedent set that will adversely impact our neighborhood.

We have lived at 57 Lakeview Avenue for 25 years. We cherish our garden oasis filled with songbirds, and plantings that have been carefully chosen through trial and error over many years to create a walled garden of greenery when all is in leaf. We have neighbors who also enjoy the tranquility of their gardens that will be directly impacted if our single family zoned neighborhood is converted into multi-use properties.

We do not endorse the back garage being turned into an accessory dwelling of any type. It is already within the 5' set back. We do not endorse the 22' height which will block out the sky, shine light from double dormer windows on each side of the roof and from 1st floor windows facing us and our neighbors, and create accompanying noise. The current garage has no windows facing our way. We do not endorse a basement foundation and are concerned that while the plans do not show a second story, there is room to add this down the line, at which point this accessory dwelling will grow in square footage. We are also not happy to see that the basement will have window wells that push out from the foundation and into the 5' required set back required of all construction. On one side, the current garage as it located, is less than 5 feet from the property line, there is a proposed window well to be installed in this area. Even at 15' in height, an accessory dwelling in this location will permanently change how we enjoy and use our garden space.

Please note that the plans include window wells on all basement windows in the main home as well, some also encroaching on the 5' space that is supposed to exist between properties. An exterior stair to the basement also encroaches into this space.

We are concerned that the tall trees in our joined back corner, which we enjoy for their graceful height, privacy and screening, will be destroyed by construction when roots are trampled and cut roughly to pour any sort of foundation, full basement or slab for the accessory dwelling. They are Maple trees which do not like their roots disturbed. Some trees do not mind as much, Maples care. We have scheduled an appointment with an arborist to seek guidance.

Our other major concern is the water that flows underground and at times pools in the backyard of this property. There is water running underground that has increased over our 25 years in residence, neighborhood home renovations and garden work have redirected and increased the flow. Inevitably after construction, tall trees die or go into decline when roots are damaged, and when work is completed, there are fewer trees to drink up the water. This has contributed to our water issue on Lakeview Ave. Last Summer we met with the City when there was a complaint about water that runs down our cobblestone parking area. The concern was that we were using a sump pump to dump water onto the sidewalk. It's actually the water that is running off of Fayerweather St. When we met with the City it was determined that we were not at fault. The home at 27 Fayerweather has a garden tipped in our direction and we kindly request that a water engineer be brought in as a part of the permitting process to assess how to handle this issue during any construction and thereafter. We are concerned too that the foundation for the new addition on the main home will contribute to this problem as well and request that the basement addition be a part of the water engineer's assessment.

We do not like the 4 balconies being proposed on the back of the home, they will feel like eyes peering into our garden, just as the double dormers will feel like eyes into our neighbor's gardens. We respectfully ask that these balconies be reconsidered and removed.

We are also concerned how this property will be used, we do not understand the need for 5 kitchens and 5 laundry units as well as an elevator. The property was listed as a single family with an auxiliary apartment. It is now being described as a 2 family with the request for an accessory dwelling. It is important to note that this is an A-1 residential zone, are we being asked to approve 3 separate units on this property with the potential for 5 units at some point? We are very concerned about possible short and long-term rental options, and question the development of this property.

This property is owned by an LLC, and while we met Joe Glenmullen and found him quite affable, we do not actually know who owns this property or what plans are in the works. Joe has developed other properties in Cambridge under a number of separate LLC's and his recent work at 68 Sparks St. in Cambridge mirrors the work he plans to do at 27 Fayerweather. This concerns us.

We are also concerned that we did not learn of this project until April 5th when Joe left a note in our mailbox with his landline number for us to call. The Notice of Public Hearing arrived in our mail on April 14th or 15th. We set up a time to meet with Joe on Saturday April 16th. We request that no permits be given out until water and tree issues are addressed to determine what is feasible. This all feels rather fast for such a large project, we wish to take the time to review carefully and ensure all is handled carefully.

We are happy to work with Joe Glenmullen on possible revised plans once water and tree issues and needs are established. We wish to be on good terms with our new neighbor and realize this process can impede that goal. We wish to see solutions put forth that address concerns for water runoff, trees and encroachment.

Included are 2 photos of the back corner of our property to show the tall trees, and our sitting area that sits directly next to a new dwelling. The 22' poles our neighbors put up to show the 22" height are visible in these images as is the current brown garage.

All best,
Lori & Roland Pease







Seaport West
155 Seaport Boulevard
Boston, MA 02210-2600

617.832.1000 main
617.832.7000 fax

April 25, 2022

Brendan Sullivan, Chair
Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

RE: BZA-165327 – 27 Fayerweather Street

Dear Mr. Sullivan and Members of the Board:

I write on behalf of Eric Nelson, the owner of 31 Fayerweather Street and a direct abutter to the proposed project. Mr. Nelson has met with the proponent to discuss his concerns that the addition as proposed — a three-story extension to the rear of 27 Fayerweather Street, located ten feet into the 15-foot right side yard setback — will have a significant adverse effect on the light, air, and privacy of his own home and outdoor space.¹

While Mr. Nelson and the proponent have not yet been able to reach a mutually agreeable compromise, he believes there is an opportunity to do so. This letter requests that — unless the Board chooses to deny the relief requested — the Board grant a continuance until May 19, 2022 (or the nearest meeting thereto) to enable the parties to continue discussing a resolution that would allow Mr. Nelson to support this project.

As the direct abutter on the right side, the impact of the proposed addition on 31 Fayerweather would be severe. The existing right side yard setback is already significantly nonconforming, at 4.4 feet in a zoning district requiring a minimum of 15 feet (sum of 35). The proposal also seeks to increase the already-nonconforming height of 37.6 feet to 39.5 feet.²

The proposal appears to add approximately 20 linear feet to the existing structure at the second and third stories (plus *additional* length from new second- and third-story balconies). It would simultaneously infill above an existing one-story rear ell, and raise that portion of the existing structure to over 39 feet. The excerpted elevations below — in red outline (plus the red-dashed outline for the balcony extensions) — illustrate the significant scope of the proposed addition.

¹ Kenneth Froot, the owner of 33 Fayerweather Street, has similar objections, which he will be conveying to the Board himself.

² Note that the submitted plans appear to mislabel the left and right sides as the front and rear elevations, respectively, and vice versa.

Page 2

The overall effect on light, air, and privacy for 31 Fayerweather Street — from the introduction of what is effectively a new 20-foot-by-39-foot structure, ten feet closer to its lot line than allowed under the Ordinance — will by any measure be substantially more detrimental than the existing nonconforming structure under G.L. c. 40A, § 6 and Section 8.22.2(d) of the Ordinance.

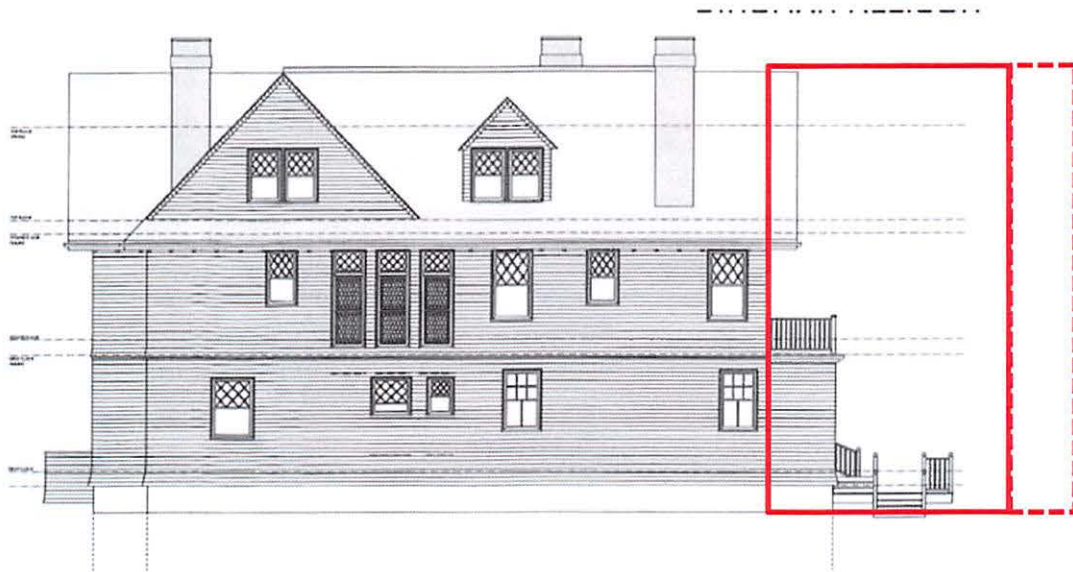
In light of the above, Mr. Nelson respectfully requests that the Board grant a continuance in this matter to enable further discussions with the proponent.

Sincerely,

A handwritten signature in black ink, appearing to read "Tad Heuer", with a long horizontal flourish extending to the left.

Tad Heuer

Excerpt from Sheet A2-1 EX



Excerpt from Sheet A2-3

