



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2020 SEP 24 PM 2:37
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

BZA Application Form

BZA Number: 92108

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: Marc Resnick, Trustee, M Lady Realty Trust C/O Beantown Companies

PETITIONER'S ADDRESS: 100 Felton Street, Ste 201, MA, Waltham 02453

LOCATION OF PROPERTY: 293 Rindge Ave., Cambridge, MA

TYPE OF OCCUPANCY: 2-Family Residential

ZONING DISTRICT: Residence B Zone

REASON FOR PETITION:

/Dormer/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Adding a dormer to the street side of the third floor of the existing building, which adds 27 gross square feet, changing the FAR from .828 to .835.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 10	Section: 40
Article: 5	Section: 31
Article: 8	Section: 22

Original
Signature(s):

(Petitioner (s) / Owner)

Marc Resnick, Trustee

(Print Name)

Address:

Tel. No. 6174599128
E-Mail Address: baratta.beantown@gmail.com

Date: _____

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Marc Resnick, Trustee, M Lady Realty Trust
(OWNER)

Address: 100 Felton Street, Waltham, MA 02453

State that I/We own the property located at 293 Rindge Avenue, Cambridge, MA,
which is the subject of this zoning application.

The record title of this property is in the name of M Lady Realty Trust

*Pursuant to a deed of duly recorded in the date December 19, 2019, Middlesex South
County Registry of Deeds at Book 73857, Page 595; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

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

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

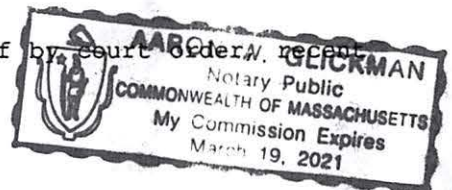
Commonwealth of Massachusetts, County of Middlesex

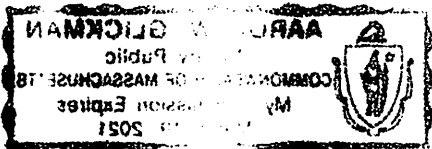
The above-name Marc Resnick personally appeared before me,
this 23rd of September, 2020, and made oath that the above statement is true.

[Signature] Notary

My commission expires 3/19/21 (Notary Seal).

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





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 293 Rindge Ave., Cambridge, MA (location) would not be a detriment to the public interest because:

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

The change will not be detrimental on the neighborhood, as the change in square feet is minor, the footprint of the building remains the same, and no change in the amount of dwelling units is proposed.

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 amount of units and parking spaces stays the same, so no impact will be had on traffic. The means of egress stay the same.

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

The change is de minimis and does not create and additional units/occupants, or change in parking, or change in the footprint of the building.

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 work will be done according to all building codes and with deference to the neighbors with regards to noise levels and hours that the work will be done. There are currently no occupants in the building.

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 change will not drastically change the look of the building and every effort will be used to maintain the same look of the neighborhood.

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

BZA Application Form**DIMENSIONAL INFORMATION****Applicant:** Marc Resnick, Trustee, M Lady Realty Trust**Present Use/Occupancy:** 2-Family Residential**Location:** 100 Felton Street, Ste 201**Zone:** Residence B Zone**Phone:** 6174599128**Requested Use/Occupancy:** 2-Family Residential

	<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>	2898	2925	N/A	(max.)
<u>LOT AREA:</u>	3,501	3,501	5,000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>	.828	.835	.5	
<u>LOT AREA OF EACH DWELLING UNIT</u>	N/A	N/A	N/A	
<u>SIZE OF LOT:</u>				
WIDTH	N/A	N/A	N/A	
DEPTH	N/A	N/A	N/A	
<u>SETBACKS IN FEET:</u>				
FRONT	N/A	N/A	N/A	
REAR	N/A	N/A	N/A	
LEFT SIDE	N/A	N/A	N/A	
RIGHT SIDE	N/A	N/A	N/A	
<u>SIZE OF BUILDING:</u>				
HEIGHT	N/A	N/A	N/A	
WIDTH	N/A	N/A	N/A	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>	N/A	N/A	N/A	
<u>NO. OF DWELLING UNITS:</u>	N/A	N/A	N/A	
<u>NO. OF PARKING SPACES:</u>	N/A	N/A	N/A	
<u>NO. OF LOADING AREAS:</u>	N/A	N/A	N/A	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>	N/A	N/A	N/A	

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

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

293 Rindge Road Renovation

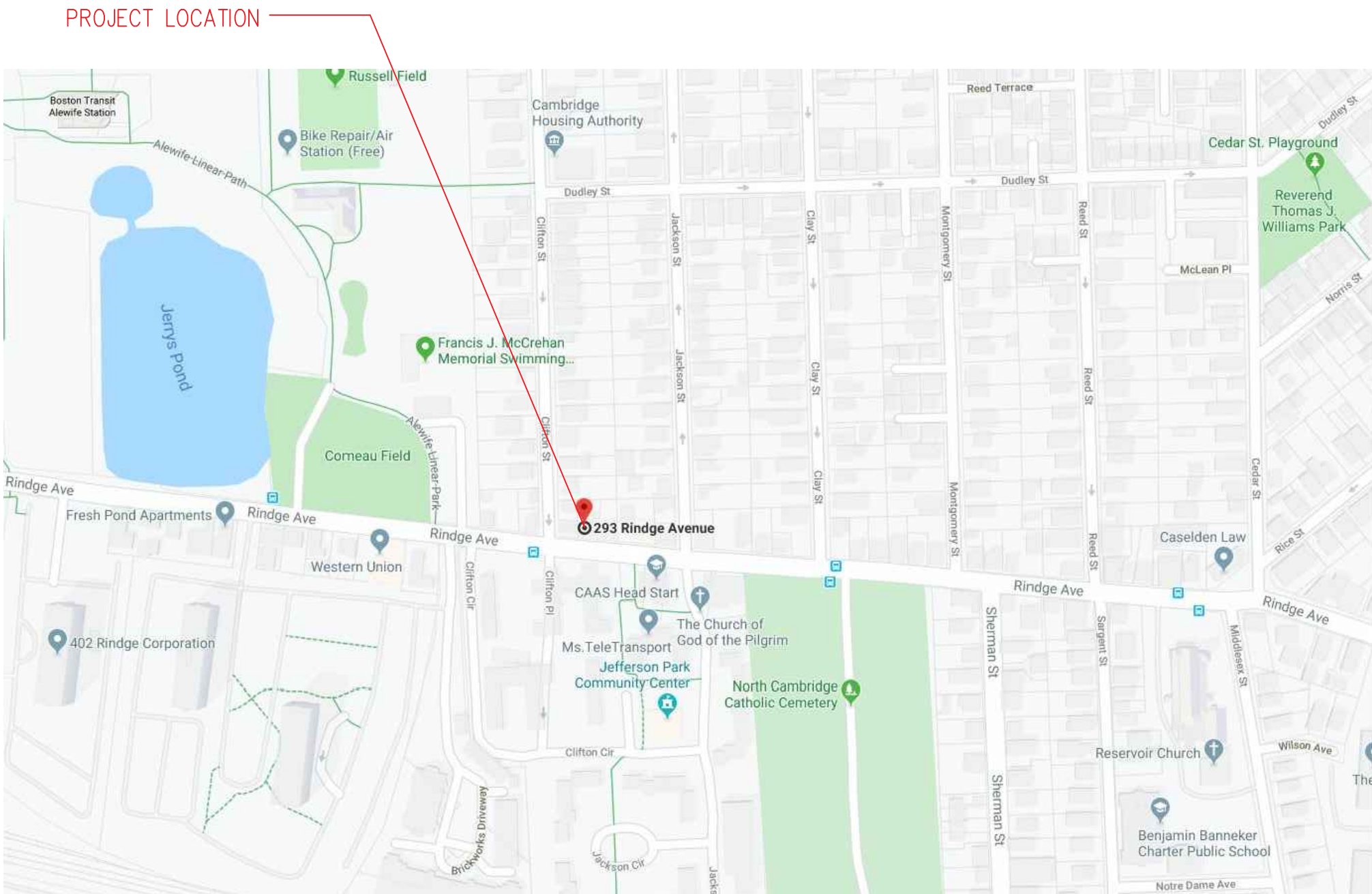
293 Rindge Road, Cambridge, MA

Owner:

The Beantown Companies
100 Felton St, Suite 201
Waltham, MA 02453

Architect:

Seger Architects, Inc.
10 Derby Square
Salem, MA 01970
Phone: 978-744-0208



LOCUS PLAN : NOT TO SCALE

PROJECT INFORMATION	
PROJECT:	RENOVATION
LOCATION:	293 RINDGE AVENUE, CAMBRIDGE, MA 02140
JURISDICTION:	CITY OF CAMBRIDGE
DESCRIPTION OF WORK:	RENOVATION OF TWO FAMILY RESIDENTIAL BUILDING. ADDITION OF 3RD FLOOR DORMER. REMOVE CHIMNEYS. REPLACE REAR DECK/MEANS OF EGRESS.
APPLICABLE CODES:	2015 – IRC w/ MA STATE 9TH EDITION AMENDMENTS MA STATE ELECTRICAL CODE MA STATE PLUMBING CODE MA STATE MECHANICAL CODE
ZONING:	B – TWO FAMILY OR SEMI-DETACHED DWELLINGS
BUILDING USE GROUP:	RESIDENTIAL
CONSTRUCTION TYPE:	TYPE 5B UNPROTECTED
LOT SIZE:	3,501 SF
NOTE:	AS A DESIGN BUILD PROJECT, THE ELECTRICAL, PLUMBING, AND HVAC ARE THE RESPONSIBILITY OF THE GC.
	EXISTING BUILDING 2,898 GAF SF, 0.828 FAR PROPOSED BUILDING 2,925 GAF SF, 0.835 FAR

SYMBOLS	
	ELEVATION KEY SHEET NUMBER
	BUILDING SECTION KEY SHEET NUMBER
	DETAIL NUMBER SHEET NUMBER
	PARTITION TYPE
	DOOR NUMBER
	ROOM NUMBER
	REVISION # SYMBOL
	ELEVATION TARGET
	SMOKE DETECTOR
	Co2 DETECTOR

DRAWING INDEX	
SHEET	DESCRIPTION
Architectural	
	COVER
EX-1.1	EXISTING BASEMENT, 1ST AND 2ND FLOOR PLANS
EX-1.2	EXISTING 3RD FLOOR AND ROOF PLANS
EX-2.1	EXISTING ELEVATIONS
A-1.1	PROPOSED BASEMENT, 1ST AND 2ND FLOOR PLANS
A-1.2	PROPOSED THIRD FLOOR AND ROOF PLANS
A-2.1	PROPOSED EXTERIOR ELEVATIONS

GENERAL NOTES

- These documents are the property of the architect and shall not be copied, duplicated, altered, modified or revised in any way without the expressed written approval of the architect.
- To the best of the architects' knowledge these construction documents are in conformance with the requirements of the building authorities having jurisdiction over this type of construction and occupancy.
- It is the intent of the architect to delineate these documents as accurate as possible for the purpose of graphic representation. Do not "scale" these documents. The dimensions shown are to take precedence over scaling the documents. The general contractor shall take full responsibility for any incorrect work and any repair of said work as a result of scaling the documents.
- All work performed by the general contractor shall comply and conform with local and state building codes, ordinances and regulations, along with all other authorities having jurisdiction. The general contractor is responsible to be aware of these requirements and governing regulations.
- The general contractor shall thoroughly review and become familiar with these documents. Upon review, the general contractor shall document and notify the architect of any errors, omissions, discrepancies and / or inconsistencies prior to the start of any portion of the proposed work. The architect shall review the proposed corrections after the receipt of notification. The discovery of discrepancies and / or conflicts after the start of work shall be the full responsibility of the general contractor to repair or replace.
- The general contractor shall be responsible for the correction of any errors, omissions, discrepancies and / or inconsistencies which have not been brought to the architects' attention.
- The general contractor shall accept the premises as is, in its current state. The owner shall assume no responsibility for the condition of the existing site, and its contents, at the time of bidding or thereafter.
- The general contractor shall field verify all existing site conditions, along with dimensions, prior to the start of any portion of the work. All findings, discrepancies and concerns shall be brought to the owners' attention in written format.
- The general contractor shall be responsible for all work and materials represented on these documents including the work and materials furnished by subcontractors and vendors.
- Deviations from these documents in the construction phase shall be reviewed by the architect and the owner prior to the start of work in question. Any deviations from these documents without prior review, shall be the sole responsibility of the general contractor.
- It is the sole responsibility of the general contractor to determine erection procedure, means and methods and sequence of construction.
- The general contractor is responsible to produce and comply with an approved construction schedule acceptable to the owner's expectations.
- The owner shall furnish any and all reports received from the geotechnical engineer (soil reports), on the study of the proposed site, to the architect, structural engineer and general contractor. In the event the geotechnical reports do not exist, the soil condition shall be assumed to be a minimum design soil pressure stated by the structural engineer of record for the purpose of structural design. General contractor shall assure the soil conditions meet or exceed this criteria.
- Shop drawing review and distribution, along with product submittals, requested in the construction documents, shall be the sole responsibility of the general contractor, unless directed otherwise under a separate agreement.
- The architect shall not accept, or review any request for shop drawing review and / or stamp without the review and stamp of the general contractor clearly shown on the documents.

Segerarchitects, inc

10 Derby Square, Suite 3N,
Salem, Massachusetts 01970
Telephone: 978-744-0208
www.segerarchitects.com

PROJECT ARCHITECT

SEAL

PROJECT CONSULTANTS

293 RINDGE AVE.
RENOVATION

293 Rindge
Avenue
Cambridge, MA,
02140

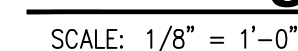
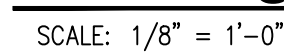
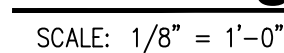
PROJECT INFORMATION		
OWNER INFORMATION		
No.	Description	Date
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Date:	August 3, 2020	
Scale:	As Noted	
Designed By:	JM	
Drawn By:	JM	
Checked By:	JAS	
Approved By:	JAS	
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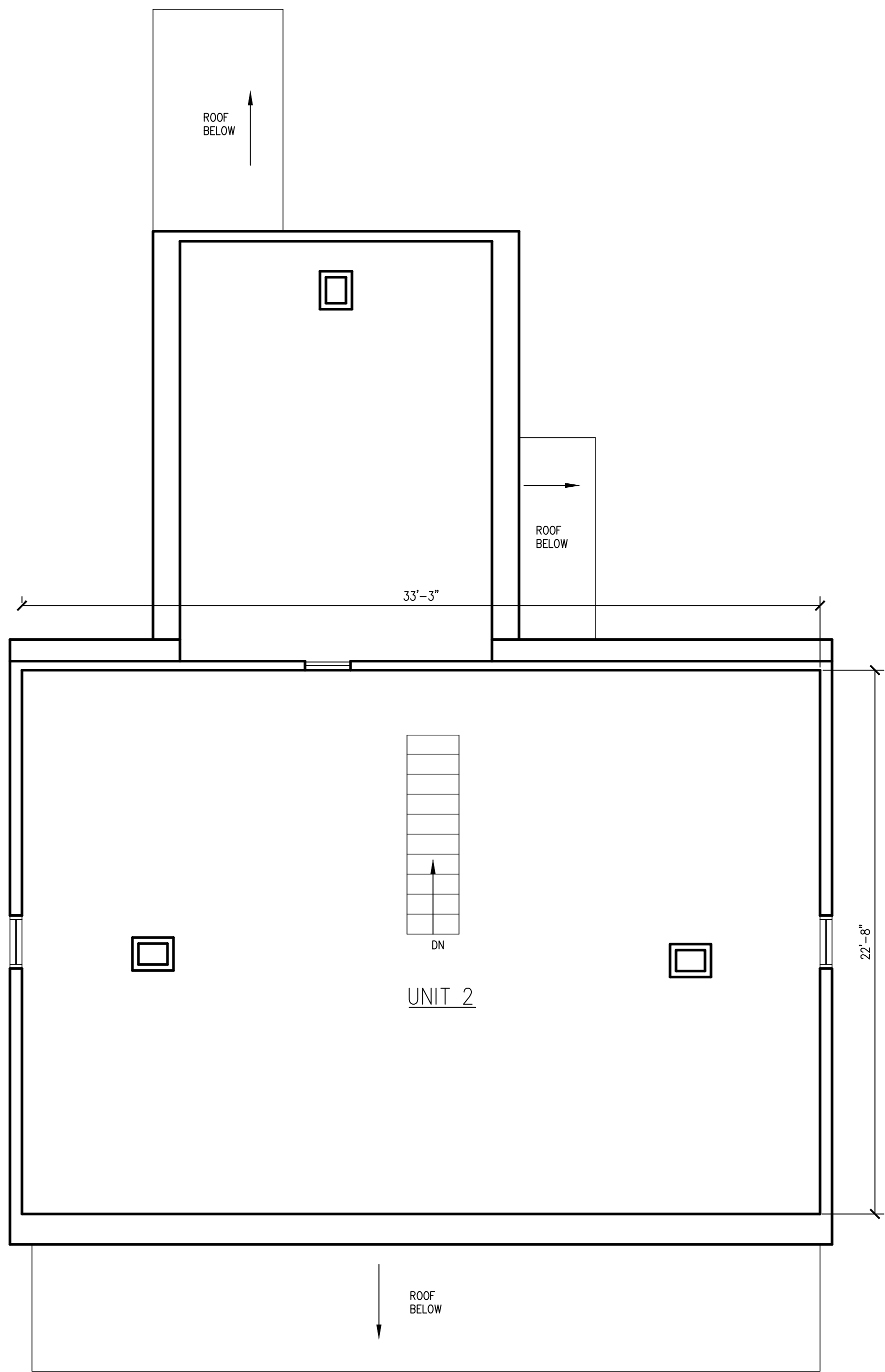
Cover Sheet

SHEET NAME

COVER

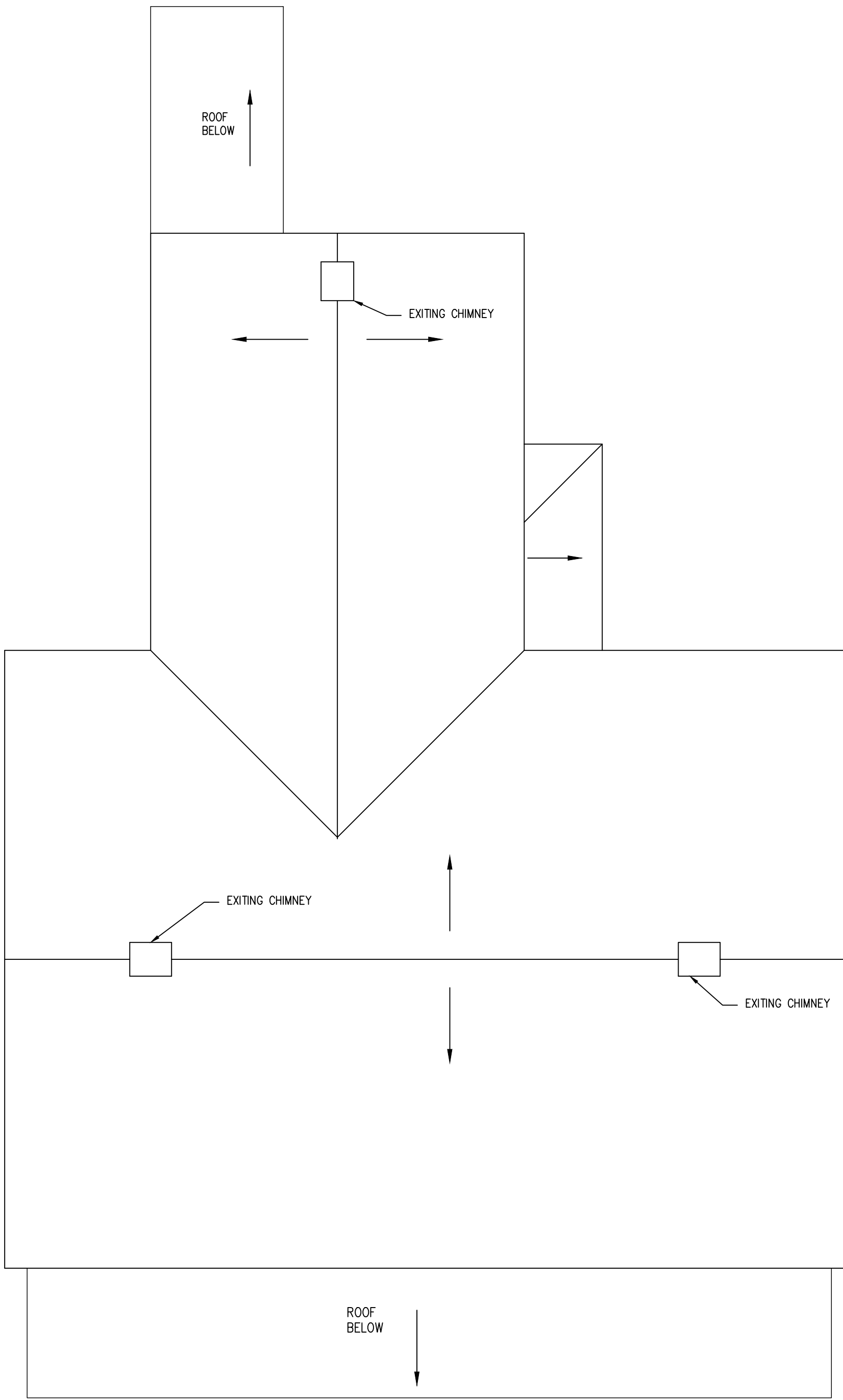
SHEET NO.





Existing Attic Plan

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

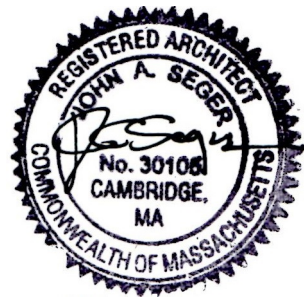


Roof Plan

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

Seger architects, inc
10 Derby Square, Suite 3N,
Salem, Massachusetts 01970
Telephone: 978-744-0208
www.segerarchitects.com

PROJECT ARCHITECT



SEAL

PROJECT CONSULTANTS

293 RINDGE AVE.
RENOVATION

293 Rindge
Avenue
Cambridge, MA,
02140

PROJECT INFORMATION

OWNER INFORMATION

No.	Description	Date

PROJECT REVISIONS

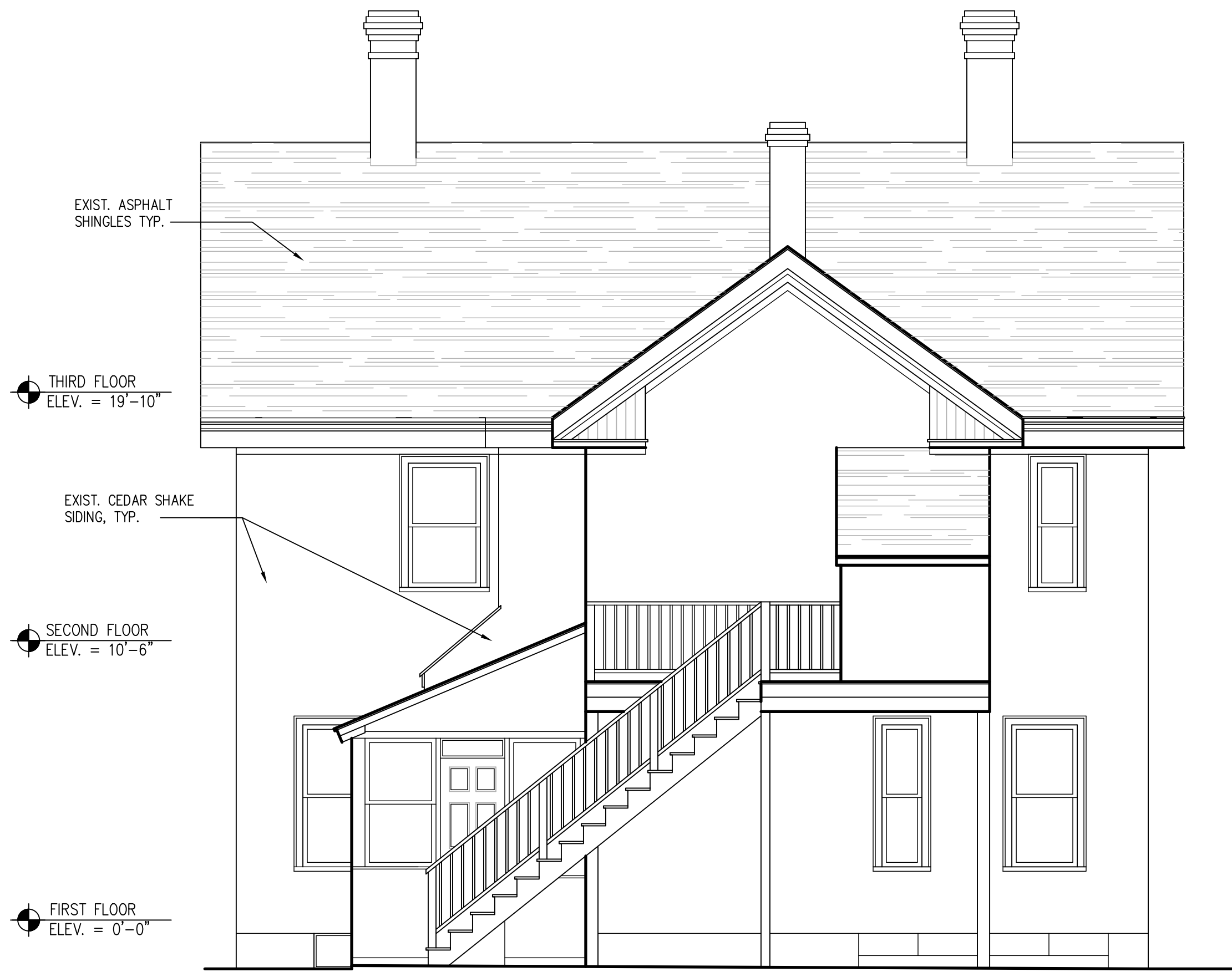
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Drawn By:	JM
Checked By:	JAS
Approved By:	JAS
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**Existing
Third Floor
and
Roof Plans**

SHEET NAME

EX-1.2

SHEET NO.



North Elevation

SCALE: 1/4" = 1'-0"



West Elevation

SCALE: 1/4" = 1'-0"



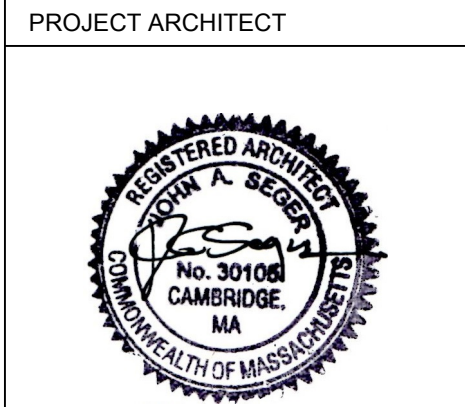
South Elevation (Rindge Ave.)

SCALE: 1/4" = 1'-0"



East Elevation

SCALE: 1/4" = 1'-0"



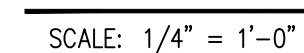
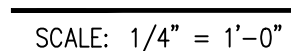
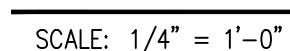
PROJECT ARCHITECT
PROJECT CONSULTANTS

293 RINDGE AVE.
RENOVATION

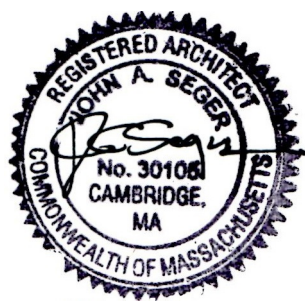
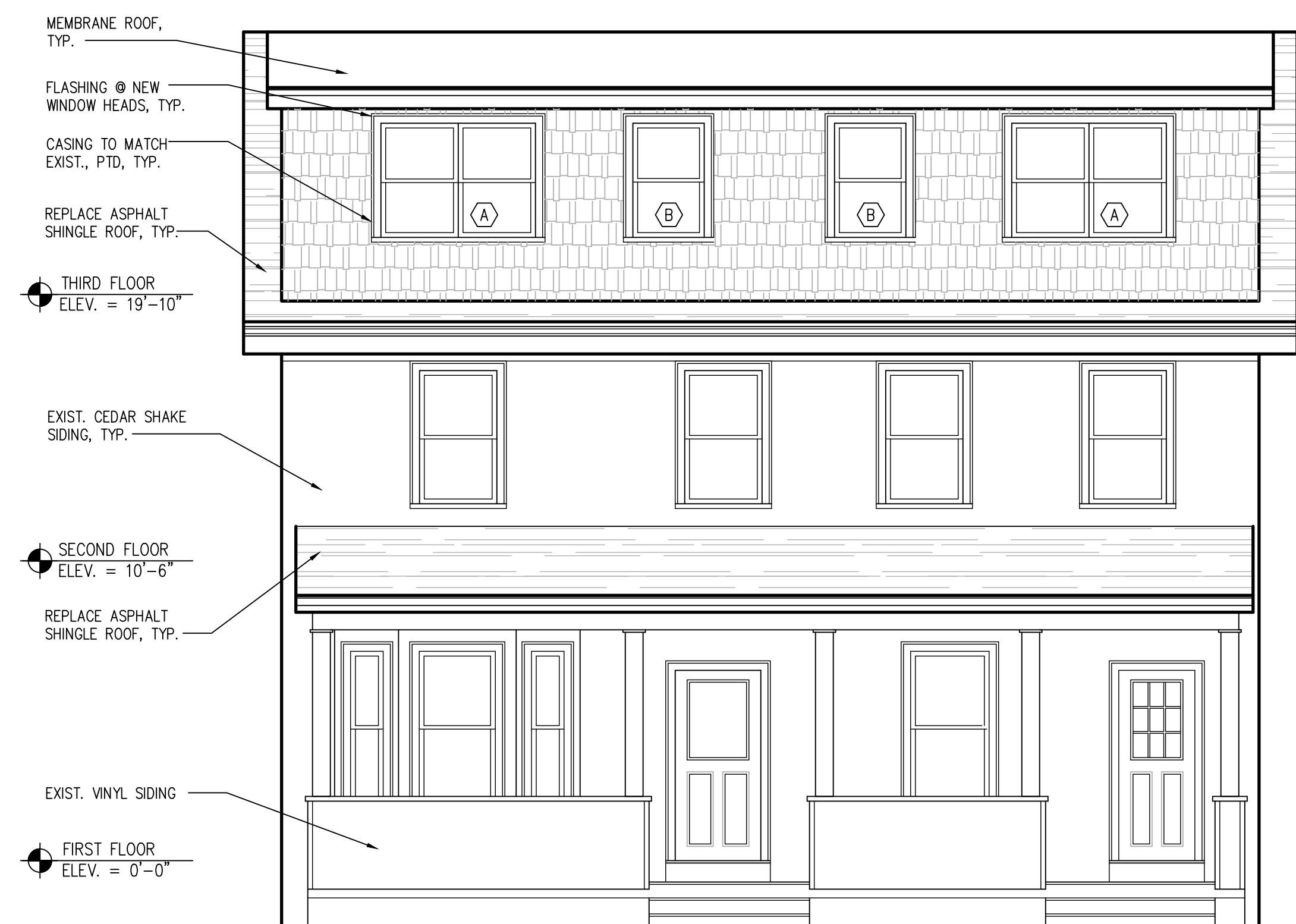
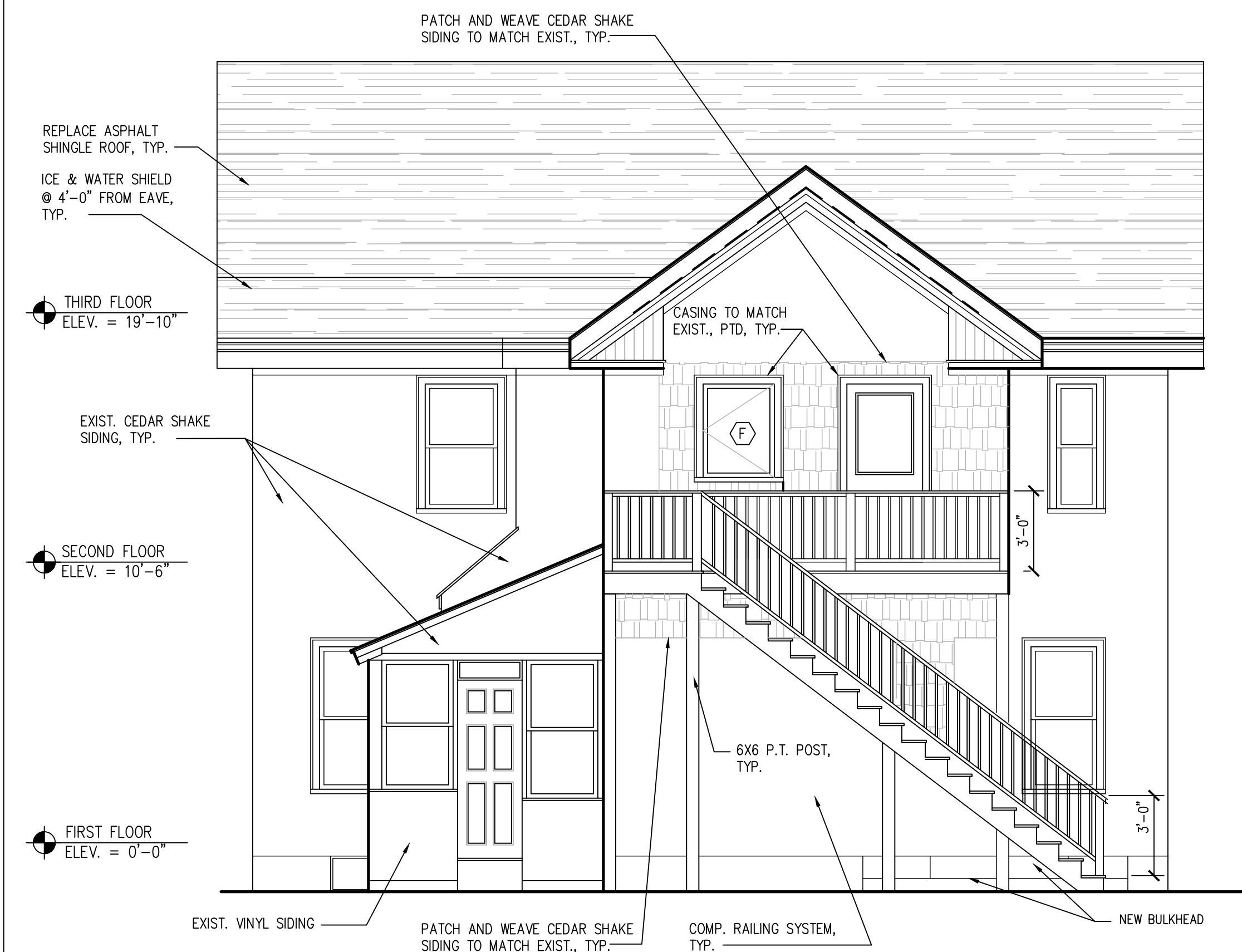
293 Rindge
Avenue
Cambridge, MA,
02140

PROJECT INFORMATION		
OWNER INFORMATION		
No.	Description	Date
PROJECT REVISIONS		
Job No.:	2019-034	
Date:	August 3, 2020	
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Designed By:	JM	
Drawn By:	JM	
Checked By:	JAS	
Approved By:	JAS	
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Exterior Elevations
SHEET NAME
EX-2.1
SHEET NO.



SHEET NO.



293 RINDGE AVE.
RENOVATION

293 Rindge
Avenue
Cambridge, MA,
02140

No.	Description	Date
PROJECT REVISIONS		

Job No.:	2019-034
Date:	August 3, 2020
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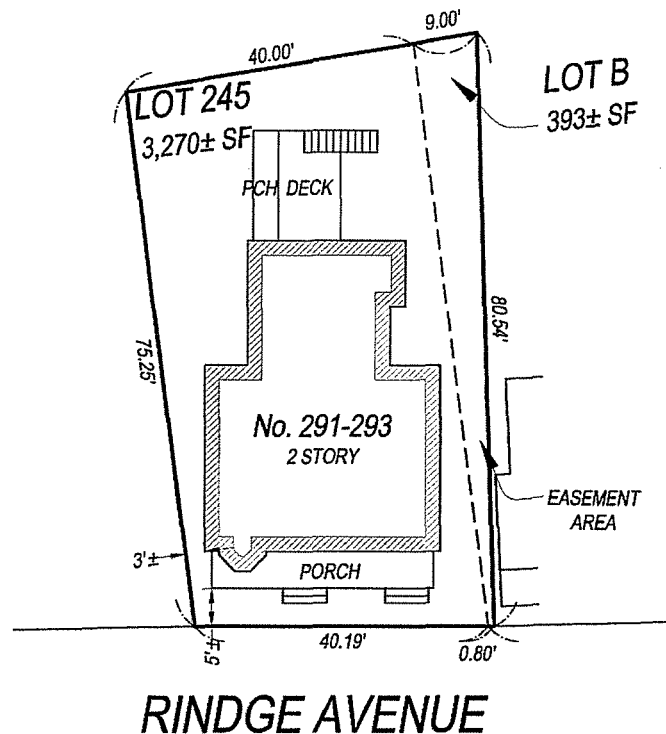
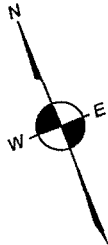
Exterior Elevations

MORTGAGE INSPECTION PLAN

LOCATION: 293 RINDGE AVENUE
CITY, STATE: CAMBRIDGE, MA
APPLICANT: RINDGE AVE TRUST
CERTIFIED TO: MIDDLESEX FEDERAL SAVINGS, N.A.; RINDGE AVE TRUST
DATE: 12-17-2019



19-10733
BOSTON
SURVEY, INC.
P.O. BOX 290220
CHARLESTOWN, MA 02129
T (617) 242-1313; F (617) 242-1616
WWW.BOSTONSURVEYINC.COM



SCALE: 1" = 20'

FLOOD DETERMINATION

According to Federal Emergency Management Agency maps, the major improvements on this property fall in an area designated as

ZONE: X

COMMUNITY PANEL No. 25017C0419E

EFFECTIVE DATE: 6/4/2010

REFERENCES

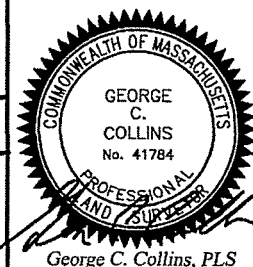
DEED REF: 41604/378

PLAN REF: 6/37 & 1951/68

NOTE: To show an accurate scale this plan must be printed on legal sized paper (8.5" x 14")

The permanent structures are approximately located on the ground as shown. They either conformed to the setback requirements of the local zoning ordinances in effect at the time of construction, or are exempt from violation enforcement action under M.G.L. Title VII, Chapter 40A, Section 7, and that there are no encroachments of major improvements across property lines except as shown and noted hereon.

This is not a boundary or title insurance survey. This plan should not be used for construction, recording purposes or verification of property lines.





293 Kinross Ave. - 132A-92108

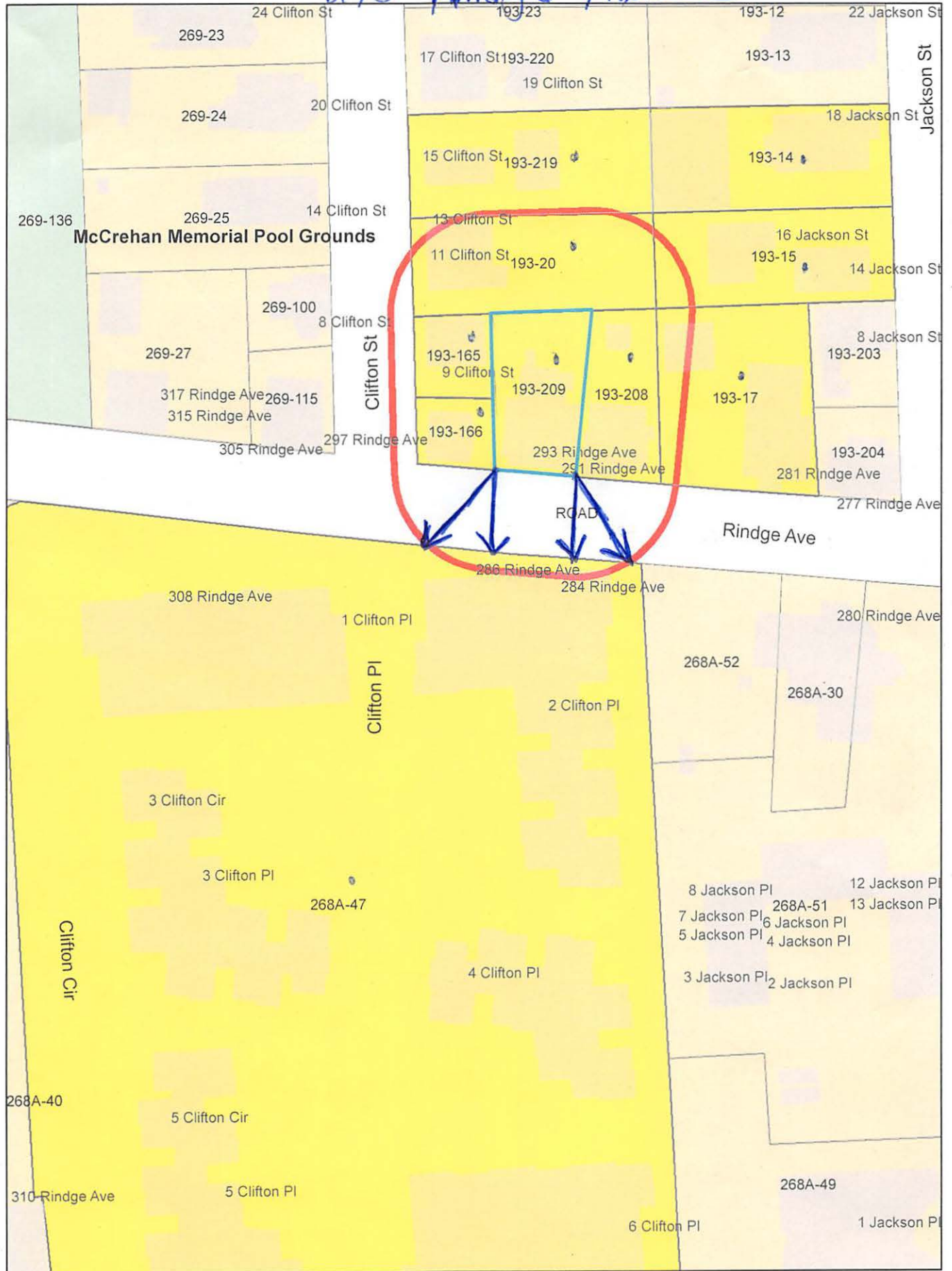








293 Rindge Avenue



293 Rindge Ave

Petitioner

193-17
PINTO, JOAO
344 NORFOLK STREET
CAMBRIDGE, MA 02139

193-20
CALDWELL, PATRICIA
13 CLIFTON ST
CAMBRIDGE, MA 02140

193-209
RESNICK, MARC
TRUSTEE OF M LADY REALTY TRUST
100 FELTON STREET SUITE 201
WALTHAM, MA 02453

193-208
WILSON, GEORGE, Z.
289 RINDGE AVE
CAMBRIDGE, MA 02140

268A-47
CAMBRIDGE HOUSING AUTHORITY
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

193-219
KYLE, SCOTT & CHRISTINE KYLE
15 CLIFTON ST., #1
CAMBRIDGE, MA 02140

193-219
SMITH, LILLIAN M.
15 CLIFTON ST., #2
CAMBRIDGE, MA 02140

193-14
MORIN, GISELE
405 ALEWIFE BROOK PARKWAY #426
SOMERVILLE, MA 02144

193-166
TANG, SHANNON
297 RINDGE AVE
CAMBRIDGE, MA 02140

193-15
DESIGN SYNERGY GROUP, LLC
30 MAGNOLIA STREET
ARLINGTON, MA 02474

193-165
COUSSEILLANT, MARIE L.
9 CLIFTON ST.
CAMBRIDGE, MA 02140-2428



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:

Ben Hermine

(Print)

Date:

10/14/20

Address:

293 Rindge Ave

Case No.

BZA-92108

Hearing Date:

11/5/20

Thank you,
Bza Members



100 Felton Street Suite 201 * Waltham, MA 02453 * Ph: 617-782-7800 * Fx: 978-274-1450

October 30, 2020

Board of Zoning Appeal
City of Cambridge
831 Mass Avenue
Cambridge, MA

Re: Case No BZA92108-2020

To Whom it May Concern:

I represent the petitioner and owner in the above zoning relief petition, M Lady Realty Trust, and on their behalf filed the above captioned application. We are requesting a continuance on our petition so that we may rework the dormers in our plans to better comply with Cambridge building codes.

Thank you for your time and attention to this matter.

Regards,

Michelle M. Baratta, Esq.
Baratta.beantown@gmail.com
617.459.9128



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

2020 NOV -2 AM 11:53
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Board of Zoning Appeal Waiver Form

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

RE: Case # BZA-92108-2020

Address: 293 Rindge Ave

☐ Owner, ☐ Petitioner, or ☐ Representative: Michelle Baratta
(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: 11/2/20

Michelle Baratta
Signature