12/1/21, 3:02 PM



# CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2021 DEC -2 AM 10: 14 DEFICE OF THE CITY CLERK CAMBRIDGE, MASSACHUSETTS

### BZA Number: 154682

# **BZA Application Form**

## **General Information**

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

Special Permit: \_\_\_\_\_

Variance: X

Appeal: \_\_\_\_\_

PETITIONER: 30-32 Cameron Ave., LLC C/O Mohammed Bellal

PETITIONER'S ADDRESS: 34 Atlantic Street, Lynn, MA 01902

LOCATION OF PROPERTY: 30 Cameron Ave, Cambridge, MA

TYPE OF OCCUPANCY: Multi family 4 units

ZONING DISTRICT: Residence B Zone

# **REASON FOR PETITION:**

/Additions/

# DESCRIPTION OF PETITIONER'S PROPOSAL:

Renovation of an existing basement to be used for occupancy and connected to the first floor and we are proposing a new third floor addition to be connected to the floor below (2nd floor).

#### SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000Section: 5.31 (Table of Dimensional Requirements).Article: 10.000Section: 10.30 (Variance).

Original Signature(s):

(Petitioner (s) / Owner)

DEFRENTA

(Print Name)

Address: Tel. No. E-Mail Address:

617-417-4860 bellal1234@yahoo.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 Mohammed Bellal, Manager of 30-32 Cameron Ave., LLC

Address: 34 Atlantic Street, Lynn, MA 01902

State that I/We own the property located at <u>30 Cameron Ave., Cambridge, MA</u>, which is the subject of this zoning application.

The record title of this property is in the name of \_\_\_\_\_\_ 30-32 Cameron Ave., LLC

County Registry of Deeds at Book <u>77680</u> , Page <u>29</u> ; or Middlesex Registry District of Land Court, Certificate No. Book <u>Page</u> <i>Mohamed Bellal</i> <i>STERATURE BY LAND OWNER OR</i> <i>ADTHORISED TRUSTEE, OFFICER OR AGENT*</i> *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of <u>Suffok</u> The above-name <u>Moha Witterd Bellal</u> personally appeared before me, this <u>18</u> of <u>Mouraber</u> , 20 <u>21</u> , and made oath that the above statement is true.		of duly recorded in the date <u>May 4, 2021</u> , Middlesex South
Book Page Mohamed Bellal STEWATURE BY LAND OWNER OR AUTHORISED TRUSTER, OFFICER OR AGENT* *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of The above-name Mohammed Bellal personally appeared before me,	County Registry of D	eeds at Book <u>77680</u> , Page <u>29</u> ; or
Mohammed Belld STENATURE BY LAND OWNER OR AUTHORISED TRUSTEE, OFFICER OR AGENT* *Written evidence of Agent's standing to represent petitioner may be requested. Commonwealth of Massachusetts, County of The above-name Mohammed Belld personally appeared before me,	Middlesex Registry D	istrict of Land Court, Certificate No
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Commonwealth of Massachusetts, County of The above-name Mohammed Bellal personally appeared before me,		
The above-name <u>Mohammed Bellal</u> personally appeared before me,	*Written evidence of	Agent's standing to represent petitioner may be requested.
		schusetts. County of Sullak
this <u>18</u> of <u>Nouraber</u> , 20 <u>21</u> , and made oath that the above statement is true.	Commonwealth of Mass	
$\cdot \mathbf{N} = \mathbf{N}$		••
faine fainilien Notary	The above-name Mo	hammed Bellal personally appeared before me,

My commission expires <u>05-16-2025</u> (Notary Seal) MAXIME MAXIMILIEN Notary Public. Commonwealth of Massachusetts My Commission Expires May 16, 2025

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

# **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:

Existing non-occupied space is wasteful and not being effectively used for the inhabitants of this building.

The hardship is owing to the following circumstances relating to the soil conditions, shape or
b) 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:

n/a

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

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The additional space being acquired is existing and does not impinge upon enlarging the existing site and expansion is entirely within the existing structure.

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

The existing use is residential. The alteration and renovation simply enlarges the residential use to the existing units within the building.

\*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:30-32 Cameron Ave., LLCLocation:30 Cameron Ave., Cambridge, MAPhone:617-417-4860

Present Use/Occupancy:Multi family 4 unitsZone:Residence B ZoneRequested Use/Occupancy:Multi family 4 units

		<u>Existing</u> <u>Conditions</u>	]	Requested Conditions	<u>Ordinance</u> <u>Requirements</u>	
TOTAL GROSS FLOOR AREA:		3416		6459	2645	(max.)
LOT AREA:		5415		5415	5000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>		.488		.84	.5	
LOT AREA OF EACH DWELLING UNIT		n/a		n/a	n/a	
SIZE OF LOT:	WIDTH	55		55	50	
	DEPTH	98.45		98.45	N/A	
SETBACKS IN FEET:	FRONT	9.4		9.4	15	
	REAR	32.4		32.4	25	
	LEFT SIDE	19.9		19.9	7.6 sum of 20	
	RIGHT SIDE	7.8		7.8	7.6 sum of 20	
SIZE OF BUILDING:	HEIGHT	23.5		33.83	35	
	WIDTH	48.22		48.22	N/A	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		68.6%		68.6%	40%	
<u>NO. OF DWELLING</u> UNITS:		4		4	2500 per unit	
NO. OF PARKING SPACES:		6		6	4	
NO. OF LOADING AREAS:		n/a		n/a	n/a	
DISTANCE TO NEAREST BLDG. ON SAME LOT		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'.

March 10, 2022

1	* * * *
2	6:02 p.m.)
3	Sitting Members: Brendan Sullivan, Constantine Alexander,
4	Jim Monteverde, Laura Wernick, and Jason
5	Marshall
6	BRENDAN SULLIVAN: First case I'm going to call
7	tonight <mark>is BZA No. 154682 30 Ca</mark> meron Avenue. Anybody
8	representing the petitioner on the line?
9	[Pause]
10	There is none. We are in receipt of
11	correspondence from Attorney David Glick to Ms. Maria
12	Pacheco.
13	"I have spoken with the Building Inspector and
14	have been informed that the revised set of proposed building
15	plans that have been submitted to the Building Department
16	for review
17	"Given these revised plans that were only
18	recently submitted, coupled with the lack of notice of
19	tonight's hearings, I will be requesting a continuance of
20	this application to the next hearing date. If you have any
21	questions, please let me know.
22	"Thank you,

	rage /
1	Attorney David Glick."
2	The next available date will be May 5, 2022. Mr.
3	Alexander, will you be available on May 5 as a case heard?
4	CONSTANTINE ALEXANDER: I will.
5	BRENDAN SULLIVAN: Jason, will you be available
6	on May 5?
7	JASON MARSHALL: I will not, Mr. Chair.
8	BRENDAN SULLIVAN: Will not? Okay. It is a case
9	heard. So the next available date after that will be May
10	19? Will you be available on the nineteenth?
11	JASON MARSHALL: Yes, I will.
12	BRENDAN SULLIVAN: Okay. Laura, will you be
13	available on nineteenth?
14	JASON MARSHALL: Yes, I expect to be. Yes.
15	BRENDAN SULLIVAN: Okay. And Gus, back to you
16	again on the nineteenth?
17	CONSTANTINE ALEXANDER: I'll be available.
18	BRENDAN SULLIVAN: And Jim, you're available on
19	the nineteenth?
20	JIM MONTEVERDE: I am, thank you.
21	BRENDAN SULLIVAN: And I am available on the
22	nineteenth.

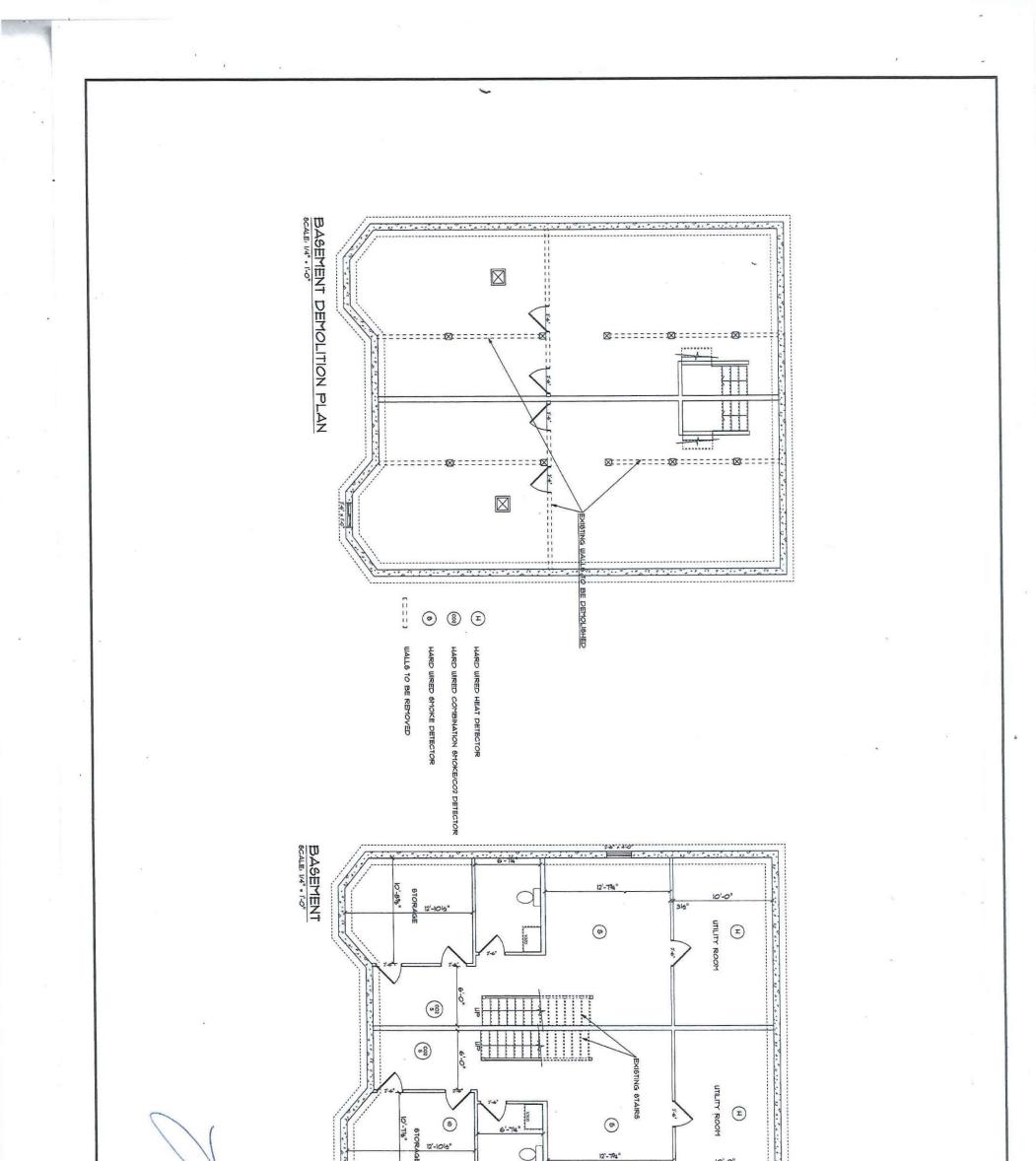
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1	Let me make a motion, then, to continue this
2	matter to May 19, 2022, on the condition that the petitioner
3	change the posting sign to reflect the new date of May 19,
4	2022 and the time of 6:00 p.m. The date, May 19, 2022 and
5	the time of 6:00 p.m. (sic)
6	Also, that should any submissions not in the file
7	tonight be submitted, they must be in the file by the 5:00
8	p.m. on the Monday prior to the May 19 hearing a revised
9	set of drawings and also dimensional forms reflecting those
10	new submittals. Anything else to add?
11	CONSTANTINE ALEXANDER: So did you mention the
12	posting sign?
13	BRENDAN SULLIVAN: The posting sign and time and
14	the date. On the motion then, to continue this matter until
15	May 19, 2022 at 6:00 p.m. Mr. Alexander?
16	CONSTANTINE ALEXANDER: I vote in favor.
17	BRENDAN SULLIVAN: Jim Monteverde?
18	JIM MONTEVERDE: I vote in favor.
19	BRENDAN SULLIVAN: Jason Marshall?
20	JASON MARSHALL: Jason Marshall in favor.
21	BRENDAN SULLIVAN: Laura Wernick?
22	LAURA WERNICK: I vote in favor.

March 10, 2022

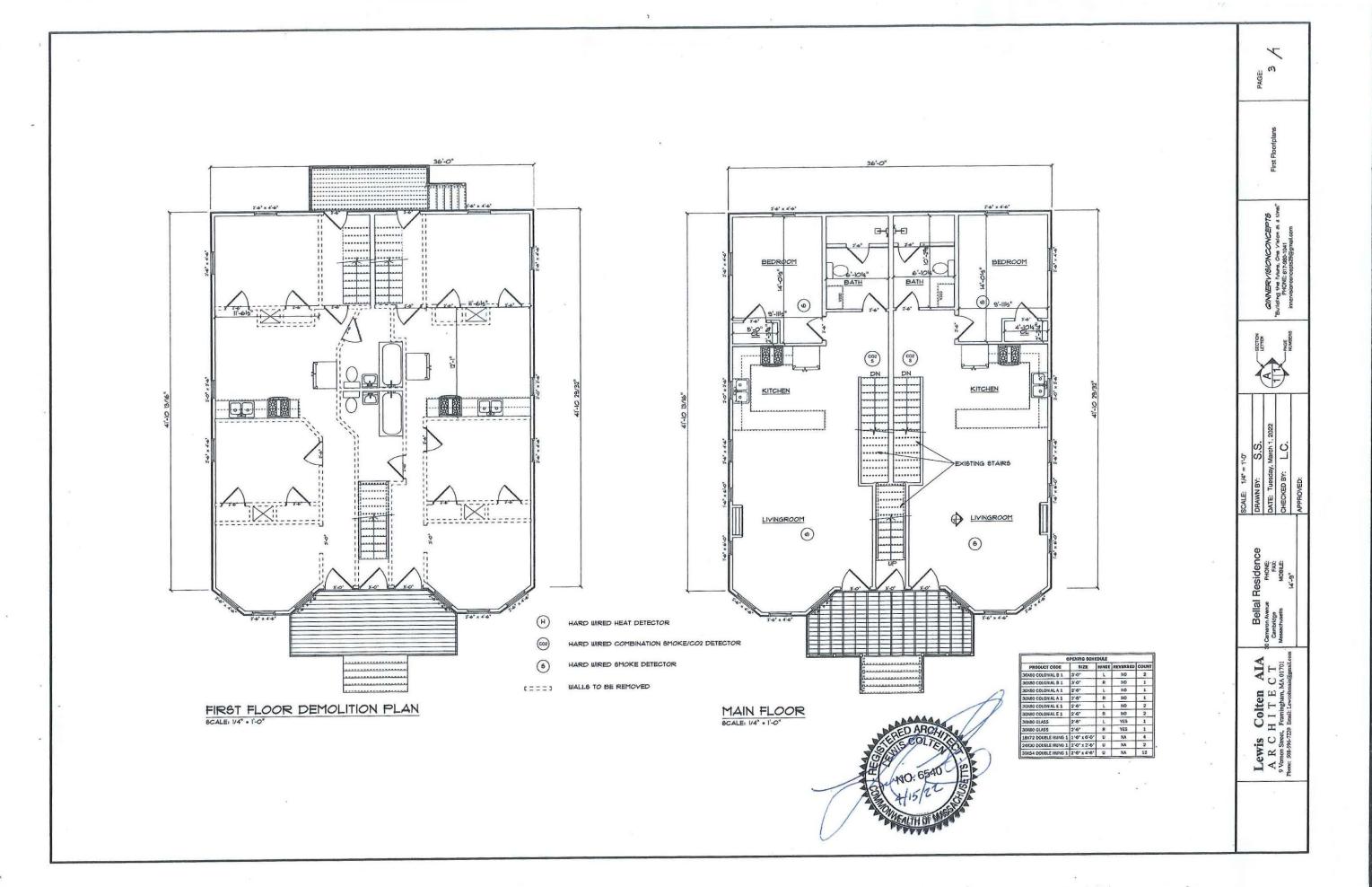
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1		BRENDAN SULLIVAN: Brendan Sullivan yes, voting in
2	favor.	
3		[All vote YES]
4		The matter is continued until May 19, 2022 at
5	6:00.	
6		
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30 CAMERON AVENUE CAMBRIDGE, MA CITY OF C 2022 NAY 11

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	9 Vernon Store, Framingham, MA 01701 Cambridge FAX: "Building the future, One Vision at a time!"   9 Vernon Store, Framingham, MA 01701 Massachusotts MOBILE: CHECKED BY: L, C.   Phone: 508-596-7220 Emsil: Lewcoltensis@gmail.com 14'-9" APPROVED: The future, One Vision at a time!"		/1

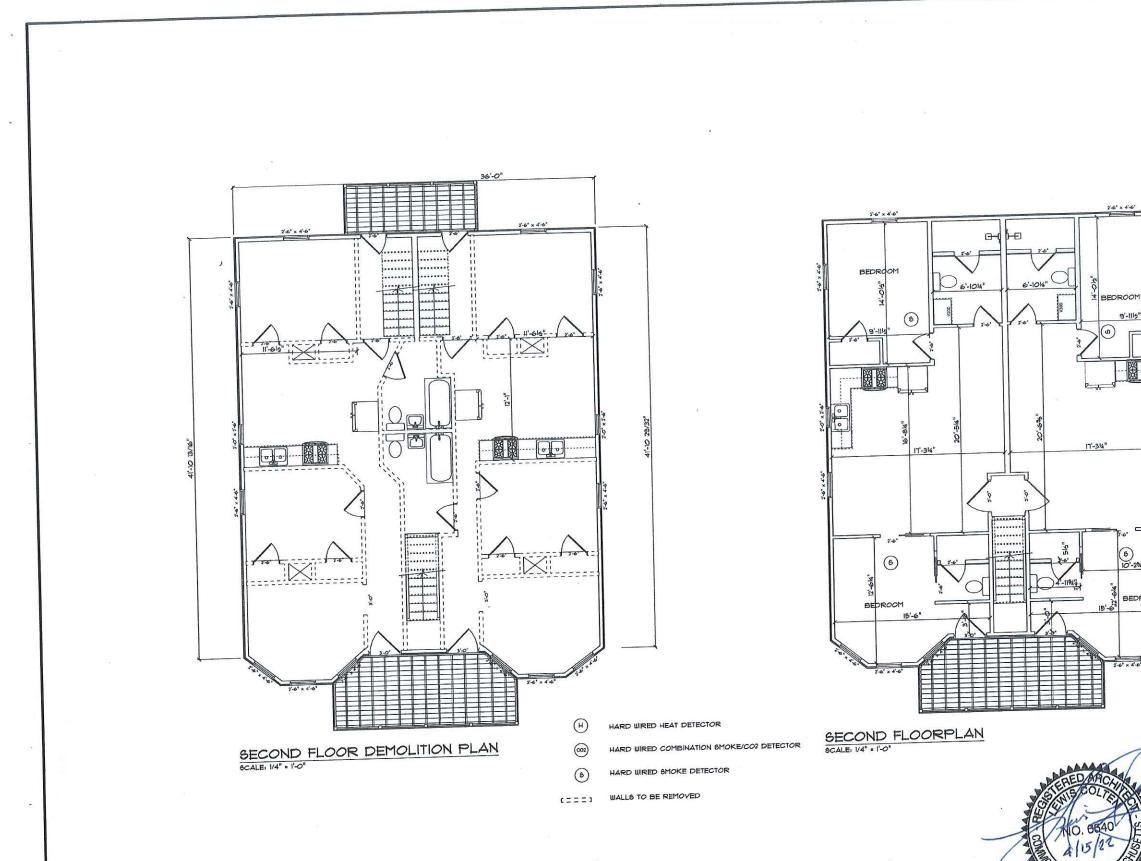


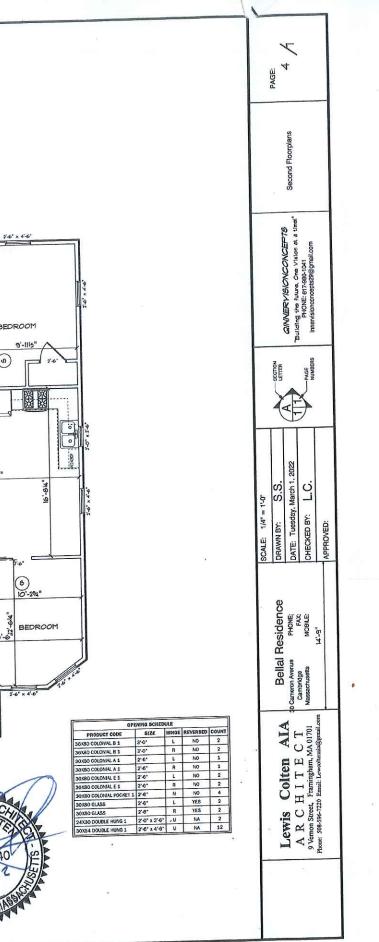
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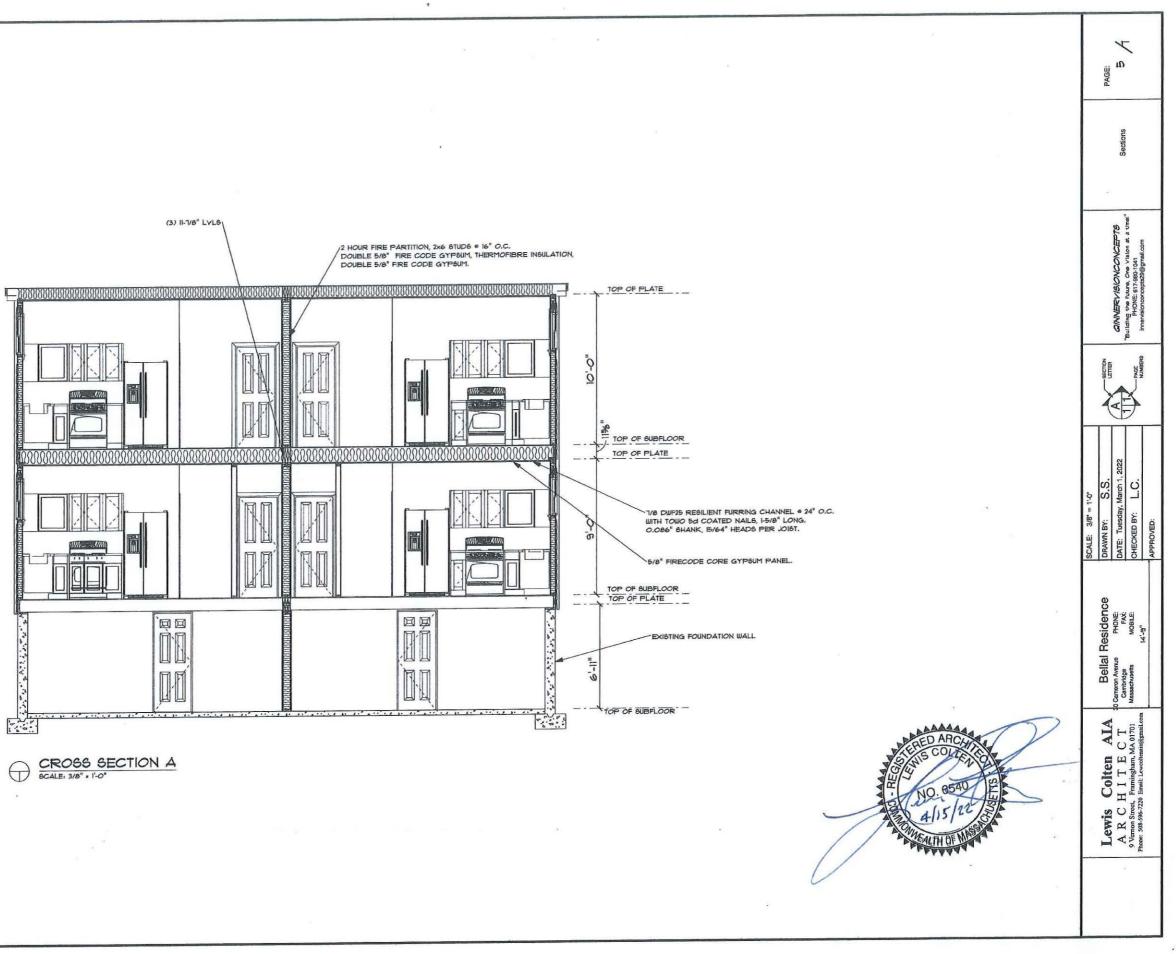


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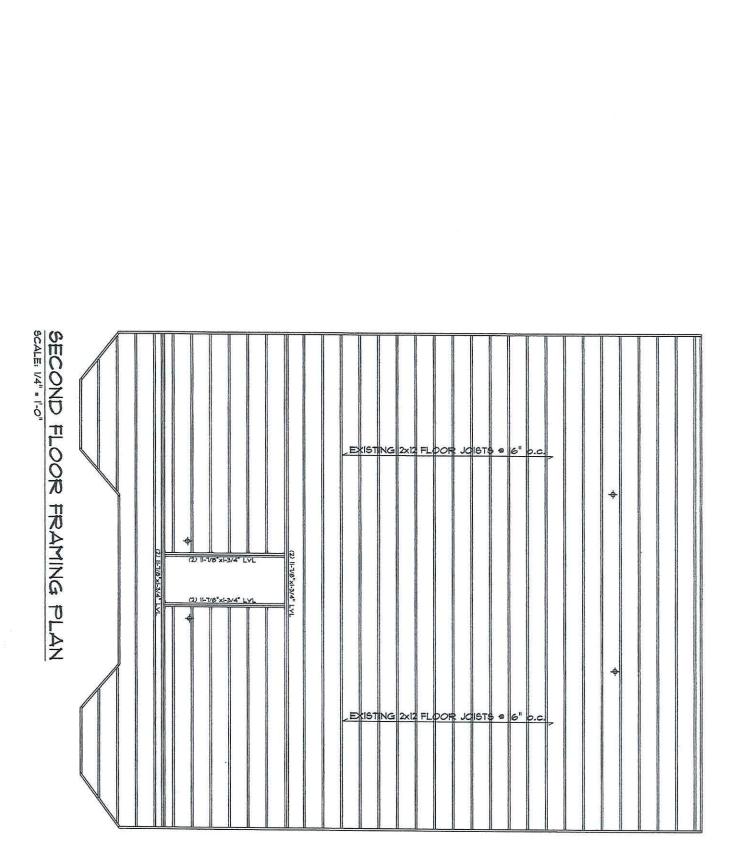
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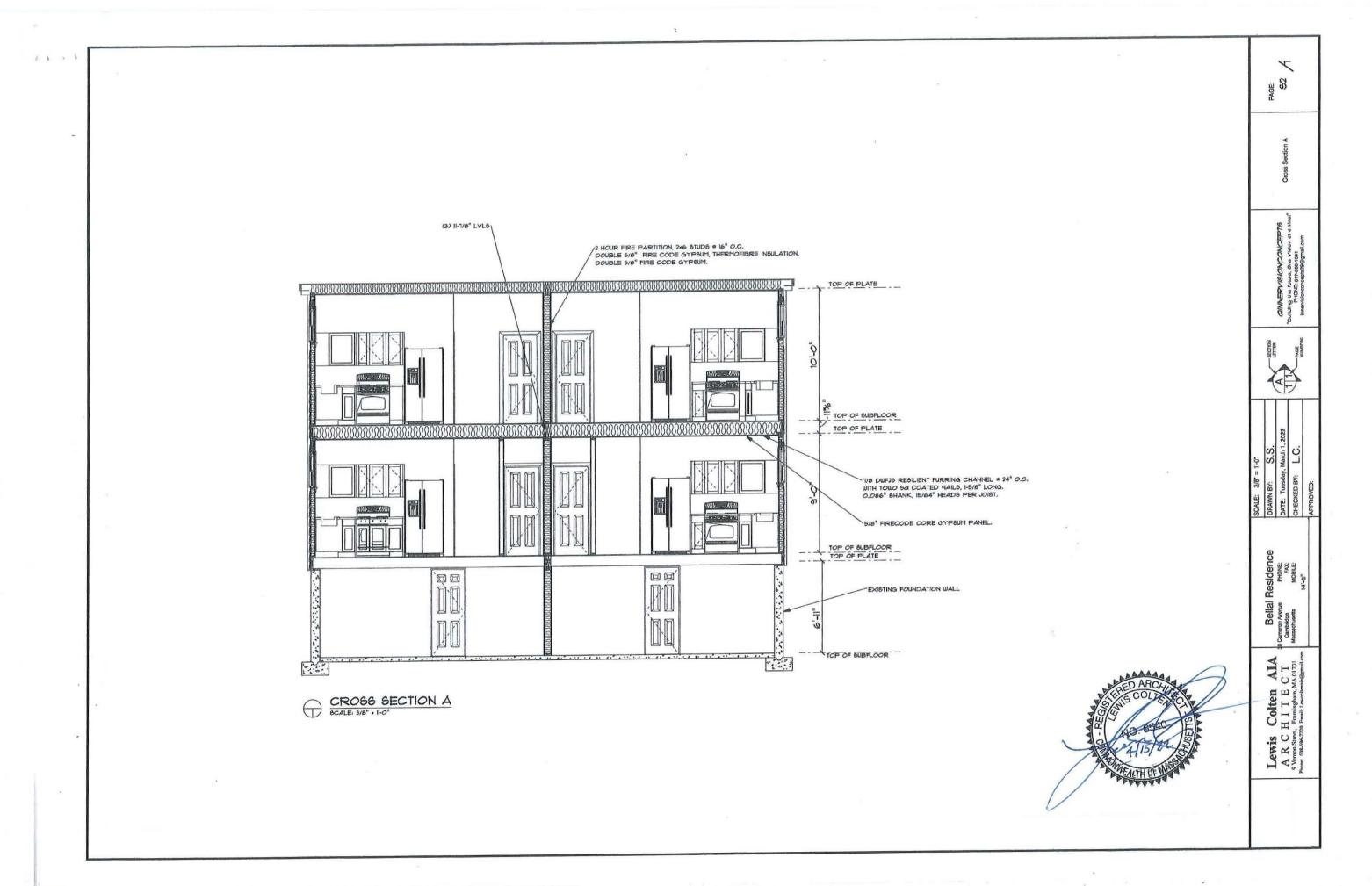
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	husetts MOBILE: 14'-9"	CHECKED BY: L.C.	PAGE	"Building the future, One Vision at a time!" PHONE: 617-980-1041	FION Flatting Flats	
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City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

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# BZA

## **POSTING NOTICE – PICK UP SHEET**

The undersigned picked up the notice board for the Board of Zoning Appeals Hearing.

Name:	molto	<u>AMMED</u> (Print)	BEL	LAL	Date:	9/27/22	
Address:	_30	Camer	M	Are	•		

Case No. <u>BZA-154682</u> Hearing Date: <u>10/6/22</u>

Thank you, **Bza Members** 

May 19, 2022

Page 6

1	* * * *
2	(6:03 p.m.)
3	Sitting Members: Constantine Alexander, Brendan Sullivan,
4	Jim Monteverde, Laura Wernick, and Jason
5	Marshall
6	BRENDAN SULLIVAN: The Board will hear Case No.
7	154682 30 Cameron Avenue. Yes, good evening, Madam
8	Chair, and Members of the Board. My name is Attorney David
9	Gluck (phonetic), on behalf of 30-32 Cameron Ave, LLC, with
10	regards to what was originally an application for a
11	dimensional variance under Article 5, Section 5.31.
12	If you remember previously, as it related to this
13	property, which is two-story, four-family residential
14	dwelling, which has six parking spaces on site, the initial
15	proposed build that was subject to the initial application.
16	It had a request for an additional third floor to
17	add living space to be added to the top two units, Units $#3$
18	and #4, as well as additional floor space in a basement to
19	accommodate the first and second units that were located on
20	the first floor.
21	Since that time, the plans which have been
22	submitted to the Board have been modified. The third-floor

1	portion of the proposed build has been has essentially
2	been terminated, and the interest here is to move forward
3	with the demolition and renovations of the first and second
4	floor of the property, and the four units, as well as to
5	move forward, if I may I don't know if I can have access
6	to show the in-plan, if I may share my screen?
7	So if you go down to the second this is the
8	renovation construction at 30 Cameron Ave the second
9	screen, #2.
10	Just bringing you to this, essentially in the
11	basement the idea would be to have two windows facing the
12	street side to renovate an area for a utility room in the
13	rear of the dwelling, as well as storage in the front, and
14	then to provide for two bathrooms in the basement as well.
15	So the idea would be and actually, if I can
16	direct your attention down to Tab #5, or Screen #5, bringing
17	you down to the basement level, you'll see that between the
18	top of the plate and the top of the subfloor, it's roughly 6
19	feet 11 inches for the height of the basement.
20	The idea here, and for the Board's consideration
21	would be to have an area that could accommodate those two
22	units on the first floor for Unit #2 and #3 that would fall

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1	within a possible or fall within an exemption in the				
2	Article 2 of the definitions, identifying gross floor area,				
3	and what it does include and what it doesn't include.				
4	In this case, it states that "Gross floor area				
5	shall not include any basement or cellar living space in any				
6	other type of structure with the issuance of the special				
7	permit.				
8	"In granting such a special permit, the permit				
9	granting authority may approve the exemption of a portion of				
10	gross floor area located in the basement or cellar from a				
11	calculation of GFA, provided the permit granting authority				
12	finds that the use is occupying such exempted GFA support				
13	the character of the neighborhood or district in which the				
14	applicable lot is located."				
15	At the present time, the gross floor area of the				
16	dwelling is 3416 feet. The lot area is 5415 feet. What				
17	we're seeking in modifying this build is essentially to seek				
18	relief per could be a special permit in order to have				
19	an exemption and maintain the same gross floor area, as I				
20	imagine many other residential dwellings in Cambridge do, in				
21	order to allow for some extra additional space, as well as				
22	to accommodate the utility rooms in the [16:18 audio				

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1 unclear] area. 2 CONSTANTINE ALEXANDER: This is Gus Alexander, 3 member of the Board. 4 DAVID GLUCK: Sure. 5 CONSTANTINE ALEXANDER: The fact -- the petition 6 is for a variance. That's what we have, a request for a 7 variance. What are you talking about a special permit for? 8 DAVID GLUCK: So we -- we're looking to switch 9 from a variance, and not move forward on a variance for 10 additional gross floor area. 11 CONSTANTINE ALEXANDER: I'll defer to the Chair, 12 but I think you have to readvertise and start all over 13 again. You just can't come to the hearing with a case 14 that's supposed to be a variance, and on the fly ask us to 15 change it with a special permit. 16 Sorry. In my view, anyway. BRENDAN SULLIVAN: Attorney Gluck, well, there's a 17 couple issues that I have: number one that I received the 18 new drawings on Monday. And I reviewed them Monday and the 19 20 -- actually Tuesday. 21 And I guess the question I have, well what are 22 they asking for? And because there was really no narrative

1	as to what the basement is going to be used for. So you can				
2	obviously go to the drawing, you see that there's two				
3	utility rooms and open space, two bathrooms and storage.				
4	So it appears that it's going to be finished				
5	storage space. Is that correct?				
6	DAVID GLUCK: I mean, that as it would stand				
7	now, it would essentially just be nonuse able space.				
8	BRENDAN SULLIVAN: Okay. All right. So all				
9	right, so I think you can do that as-of-right. You can				
10	finish off the space and do it as-of-right. I believe that				
11	you're already permitted for the two bathrooms, which				
12	again you can do as-of-right.				
13	The other issue that I have is that if you're				
14	asking for relief, and potentially it's special permit, that				
15	you really need to refile				
16	DAVID GLUCK: Yeah.				
17	BRENDAN SULLIVAN: for a special permit, as Mr.				
18	Alexander said. The other issue is that if you want to say				
19	continue with the variance request with a modified plan, à				
20	la the one that's before us, which was filed on Monday then				
21	we don't have a dimensional form reflecting the changes,				
22	because you've eliminated the third floor.				

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1	And as per your presentation, the basement was				
2	never FAR, so that dimensional form the dimensional				
3	numbers are going to change, and yet a new submittal hasn't				
4	been changed.				
5	So there seems to be some defect in the				
6	application, à la the new plan before us.				
7	DAVID GLUCK: Thank you, Mr. Chair.				
8	BRENDAN SULLIVAN: Am I clear?				
9	DAVID GLUCK: Very clear. I think at this point				
10	it would just be a matter of if I'm you know, with this				
11	modified plan, it we're not looking to move forward on				
12	the variance.				
13	However, what I would I think what we would				
14	like to do is to review, if necessary, an application, or to				
15	go forward with an application for a special permit if we				
16	need to.				
17	BRENDAN SULLIVAN: Right. And again, the other				
18	DAVID GLUCK: This				
19	BRENDAN SULLIVAN: The other flipped coin of that				
20	flip of the coin on that is that if we were to continue				
21	with this application as you know, as a again, asking				
22	for a continuance and to modify this, Mr. Alexander cannot				

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1 be here until October. 2 You would probably be heard sooner on a new 3 application for the special permit, if that would be 4 appropriate, but also to bring the paperwork, the 5 dimensional form up to, you know, proper standing, that's 6 all, and have a proper application so that -- you know, 7 again, going forward, these may be units sold, and the 8 documentation has to be ironclad for potential buyers of the 9 space. 10 DAVID GLUCK: Okay. So --11 BRENDAN SULLIVAN: So we're asking, I think, for a 12 -- let us continue this matter, all right? 13 And then I think what we need to do then is to 14 have you guys huddle, and then in consultation with the 15 Commissioner is to come back with a new application, à la 16 either, well, you're going to need to resubmit the -- an 17 appropriate dimensional form, anyhow. 18 DAVID GLUCK: Understood, yep. 19 BRENDAN SULLIVAN: Okay. So let me make a motion, 20 then, to --21 JIM MONTEVERDE: Mr. Chair, I think the proponent 22 would like to be heard.

BRENDAN SULLIVAN: Yes, absolutely, Jim. Jim 1 2 Monteverde? JIM MONTEVERDE: No, I think the proponent is 3 4 waving his hand on the screen. BRENDAN SULLIVAN: Oh, I'm sorry. 5 CONSTANTINE ALEXANDER: On our screen. 6 BRENDAN SULLIVAN: Anybody want to be heard on 7 this matter, Board members? No? Okay. 8 JIM MONTEVERDE: There's -- Mohammed Bellal is --9 BRENDAN SULLIVAN: Okay. 10 JIM MONTEVERDE: -- waving his hand around. 11 JASON MARSHALL: Yeah, Mr. Chair, I see it as 12 well. It looks like the applicant is asking to be heard. 13 JIM MONTEVERDE: Yeah, I can't tell if he's on 14 15 mute, but --DAVID GLUCK: There's two people with the same --16 called in with the same --17 JIM MONTEVERDE: Line. 18 DAVID GLUCK: -- line, it seems like. There's no 19 audio. You're muted. 20 BRENDAN SULLIVAN: There's -- either that or 21 22 they're on mute.

May 19, 2022

Page 14

JIM MONTEVERDE: Right. 1 DAVID GLUCK: Now --2 JIM MONTEVERDE: There we go. 3 BRENDAN SULLIVAN: Okay. 4 JIM MONTEVERDE: Mohammed, you can unmute 5 yourself? 6 BRENDAN SULLIVAN: Mr. Bellal? He's on unmute. 7 JIM MONTEVERDE: Yeah, he's just got to unmute 8 9 himself. BRENDAN SULLIVAN: David, are you reaching him at 10 11 all? DAVID GLUCK: Yeah, he's --12 BRENDAN SULLIVAN: Mr. Bellal, you're on mute, if 13 14 it's okay --DAVID GLUCK: His mic isn't working. 15 LAURA WERNICK: He has to say something. He 16 hasn't said anything yet. Say something. 17 DAVID GLUCK: He is. 18 JIM MONTEVERDE: He is. 19 LAURA WERNICK: Okay, okay. 20 DAVID GLUCK: I'm not getting him. 21 LAURA WERNICK: I'm sorry, we cannot --22

1	MOHAMMED BELLAL: I can see them only, but not				
2	hearing them Mr. David Gluck. Are you guys hearing me?				
3	COLLECTIVE: Yes.				
4	MOHAMMED BELLAL: Okay. Good afternoon, sir. And				
5	thank you everybody. Thank you for helping me out here. I				
6	just have I just have that is in my mind. My house is				
7	posted as a two-story building.				
8	As my attorney explained already, I don't want to				
9	go on too long, but my I am feeling pain only one thing				
10	(sic): Across my house is the #45 house number, Cameron				
11	Ave. It's the same location.				
12	They don't have that like I have, they get the				
13	approved extension without the zoning, they get the				
14	basement, pool, with the two bathrooms, two bedrooms, and I				
15	do not get even basement finished, need to go Zoning or need				
16	to go, or I can do it, I just don't understand what I have				
17	to do and they don't have to do, and why is I am looking				
18	BRENDAN SULLIVAN: I believe you're asking for				
19	relief under the Ordinance, and it appears that				
20	JIM MONTEVERDE: No, I don't think that I don't				
21	think it's the proponent who was just talking. Because he's				
22	still waving his hand.				

1	BRENDAN SULLIVAN: Yeah. I don't know who				
2	DAVID GLUCK: That is the that's the architect,				
3	Lou Colton, who is here for a second.				
4	BRENDAN SULLIVAN: All right. Let me make a				
5	motion, then, to continue this matter. It's going to have				
6	to be in October.				
7	CONSTANTINE ALEXANDER: I think it's going to be				
8					
9	BRENDAN SULLIVAN: October 6. Continue this				
10	matter until October 6, 2022, at 6:00 p.m. on the condition				
11	that the petitioner change the posting sign and maintain it				
12	for a period of 14 days prior to October 6. The design				
13	should reflect the new date of October 6, 2022, at 6:00 p.m.				
14	Any new submittals regarding this petition should				
15	be in the file by 5:00 p.m. prior to the October 6 hearing				
16	By the Monday, by I'm sorry, that any new submittal be in				
17	the file by 5:00 p.m. on the Monday prior to the October 6				
18	hearing.				
19	On the motion, then, to continue this matter?				
20	CONSTANTINE ALEXANDER: I vote in favor.				
21	BRENDAN SULLIVAN: Jim Monteverde?				
22	JIM MONTEVERDE: In favor.				

May 19, 2022

Page 17

1	BRENDAN SULLIVAN: Laura Wernick?				
2	LAURA WERNICK: In favor.				
3	BRENDAN SULLIVAN: Jason Marshall?				
4	JASON MARSHALL: Yes, in favor of the continuance.				
5	BRENDAN SULLIVAN: Yes, in favor.				
6	[All vote YES]				
7	BRENDAN SULLIVAN: The matter is continued until				
8	October 6. Okay, thank you very much.				
9	DAVID GLUCK: Thank you.				
10	BRENDAN SULLIVAN: Laura, thank you.				
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Lewis Colten AIA 9 Vernon Street A R C H I T E C T Framingham, MA 01701

Phone: 508-596-7220 Fax: 508-820-9708 Electronic Mail: lewcoltenaia@gmail.com

November 22, 2022

By E-Mail and First Class Mail

Ms. Maria Pacheco Department of Inspectional Services City of Cambridge 831 Massachusetts Avenue, 1st Fl. Cambridge, MA 02139

Re: 30 Cameron Avenue - BZA - 154682

Dear Maria:

Please accept this letter as a notice of withdrawal of our request for a variance for the expansion of the above-noted project. Accordingly, please remove us from the agenda for the upcoming hearing.

The owner of this project is moving forward without using the proposed expansion of the additional floor. The work will proceed as a renovation and alteration of the existing conditions and will, therefore, not require any variances.

Thank you for your time and effort regarding this matter.

Sincerely,

01111

Lewis Colten AIA, CBO

cc: Mohammed Bellal David Click, Esq.

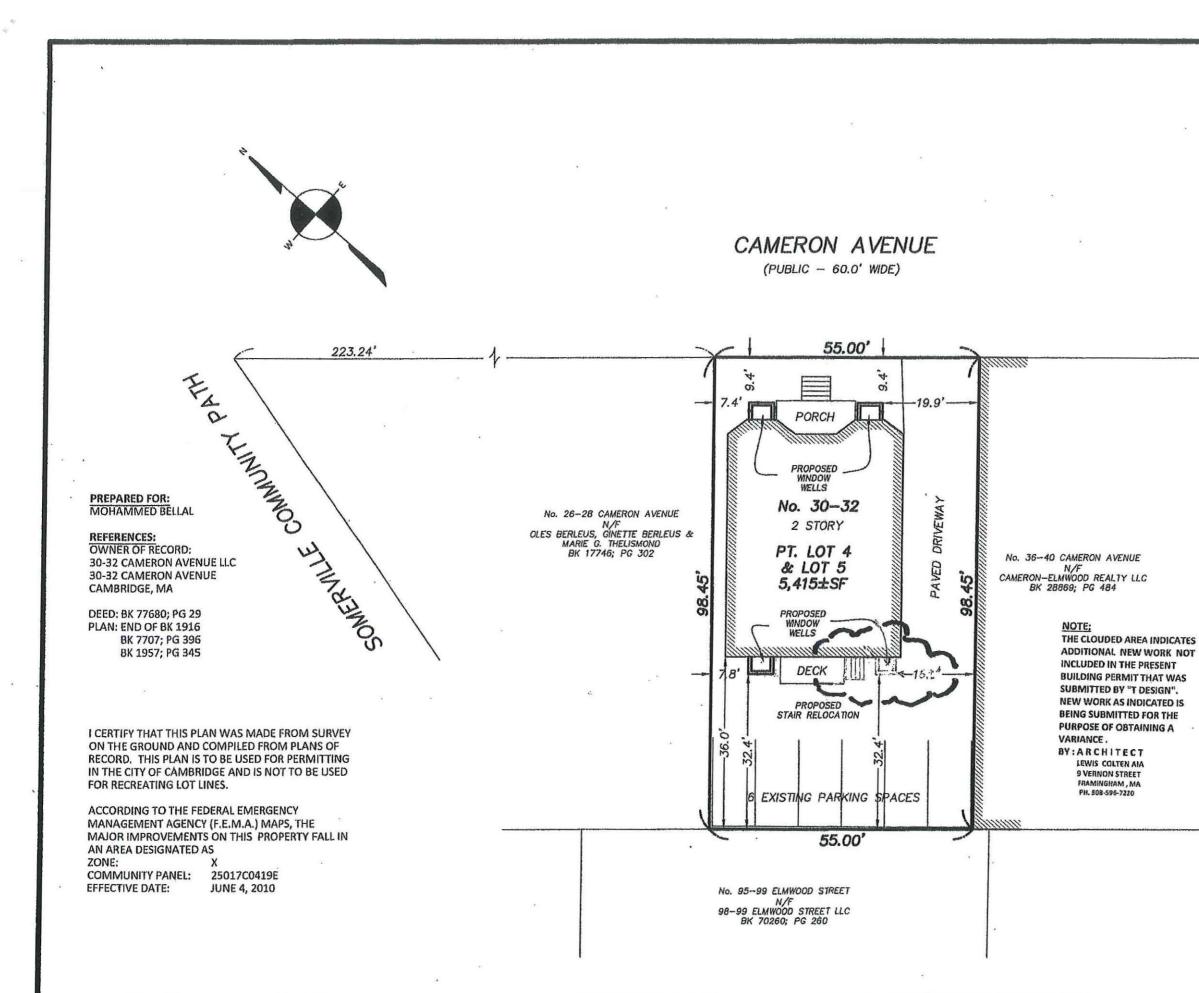
October 6, 2022

1	* * * *			
2	(6:01 p.m.)			
3	Sitting Members: Brendan Sullivan, Jim Monteverde, Laura			
4	Wernick, and Slater W. Anderson			
5	BRENDAN SULLIVAN: First case we'll call tonight			
6	is BZA No. 154682 30 Cameron Avenue. Anybody from the			
7	petitioner wish to speak? We are in receipt of			
8	correspondence from Lewis Colten, C-o-l-t-e-n.			
9	"As the representative for Mohammed Bellal, I am			
10	requesting a continuance of the hearing that is to take			
11	place today at 30 Cameron Street. Should you have any			
12	questions, please let me know.			
13	"Lewis Colten, AIA, CBO."			
14	On the motion, then, to continue this matter to			
15	December 1, 2022, on the condition that the petitioner			
16	change the posting sign to reflect the new date of December			
17	1, 2022, and the new time at 6:00 p.m. Also, that said sign			
18	must be maintained and visible the public at least 14 days			
19	prior to the December 01, 2022 hearing.			
20	Also, should there be any changes to any of the			
21	filing application material that is not currently in the			
22	file, that said new submittals must be in the file 5:00 p.m.			

1	on the Monday prior to December 1, 2022. And I believe we				
2	do have a waiver of the sign.				
3	So on the motion, then, to continue the matter to				
4	December 1, Andrea Hickey? Or Jim Monteverde, sorry.				
5	JIM MONTEVERDE: In favor of the continuance.				
6	BRENDAN SULLIVAN: Laura Wernick?				
7	LAURA WERNICK: In favor of the continuance.				
8	BRENDAN SULLIVAN: Slater Anderson?				
9	SLATER ANDERSON: In favor.				
10	BRENDAN SULLIVAN: And Brendan Sullivan in favor.				
11	[All vote YES]				
12	BRENDAN SULLIVAN: Four affirmative votes, the				
13	matter is continued to December 1, 2022.				
14	LAURA WERNICK: So I think that's it for me,				
15	Brendan, so I'm going				
16	BRENDAN SULLIVAN: Yeah.				
17	LAURA WERNICK: to check out.				
18	BRENDAN SULLIVAN: Thank you, thank you.				
19	JIM MONTEVERDE: Yeah, I think that was the only				
20	one for me as well for this evening.				
21	BRENDAN SULLIVAN: Thank you. And for everything.				
22	JIM MONTEVERDE: All right. Thank you all. Bye-				

1	bye.				
2		LAURA	WERNICK:	Bye.	
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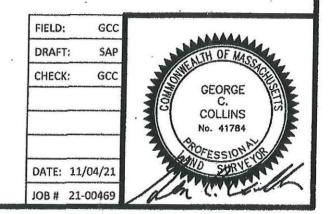


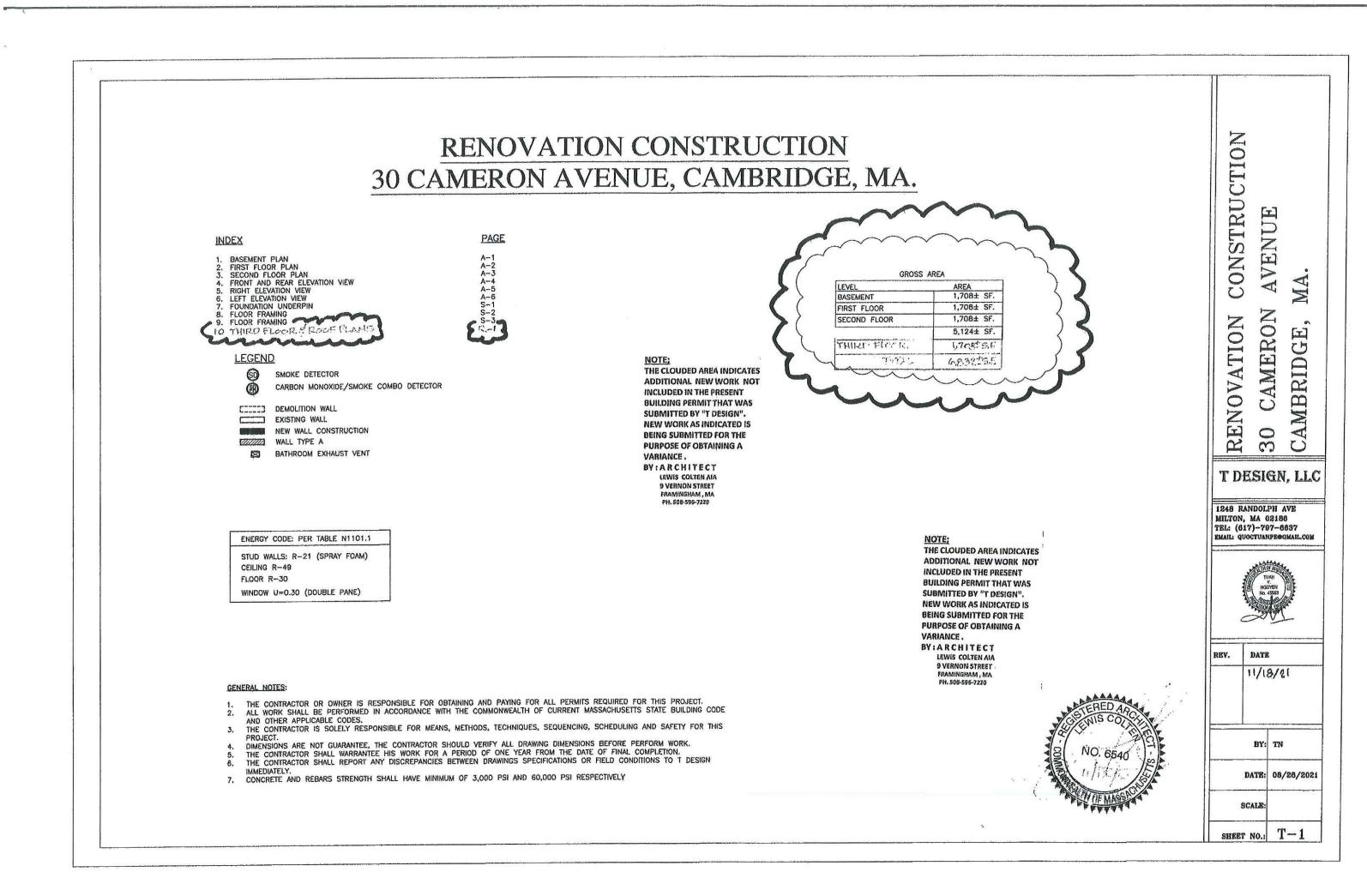


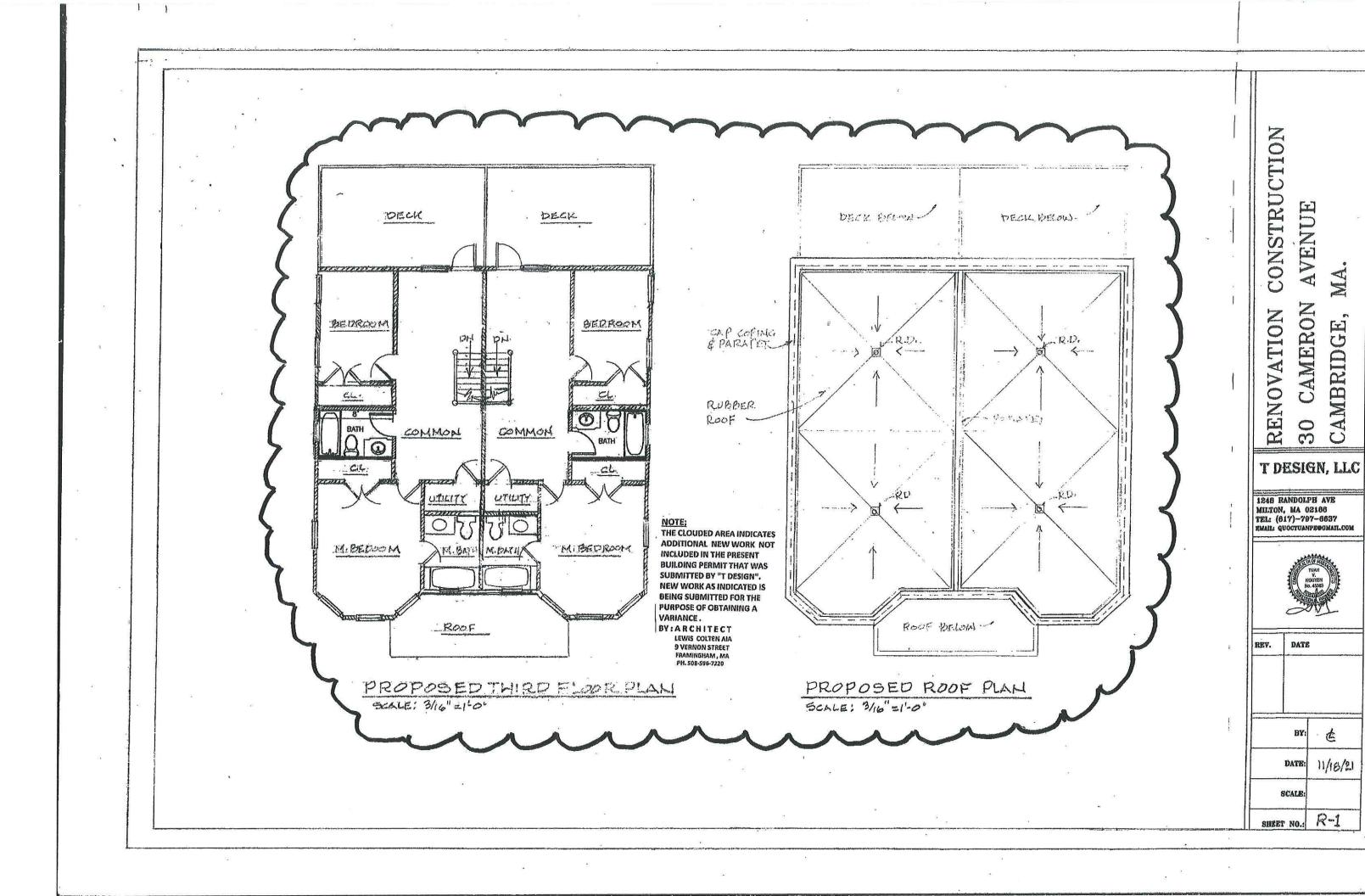
# **CERTIFIED PLOT PLAN**

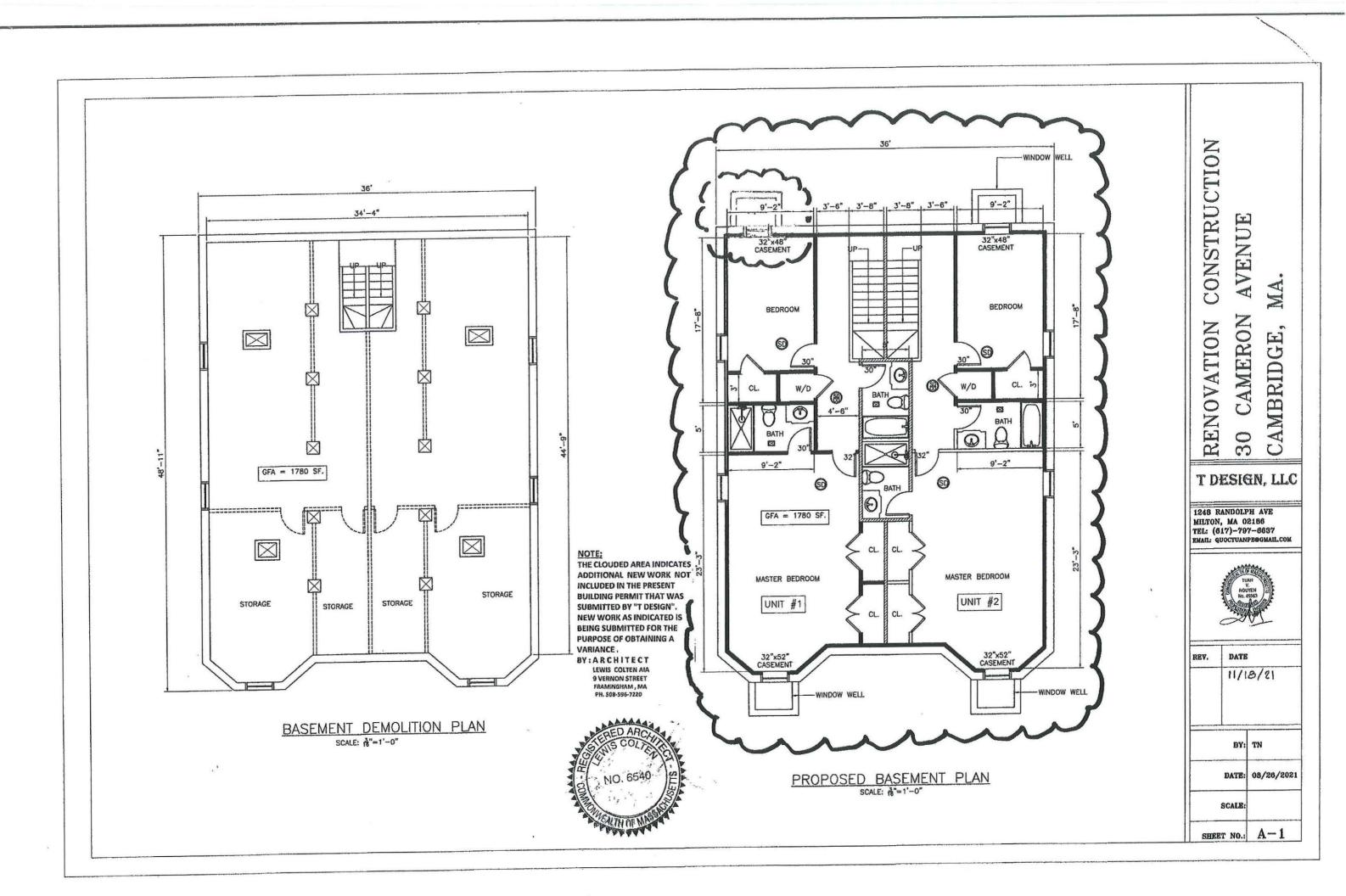
# LOCATED AT **30-32 CAMERON AVENUE** CAMBRIDGE, MA

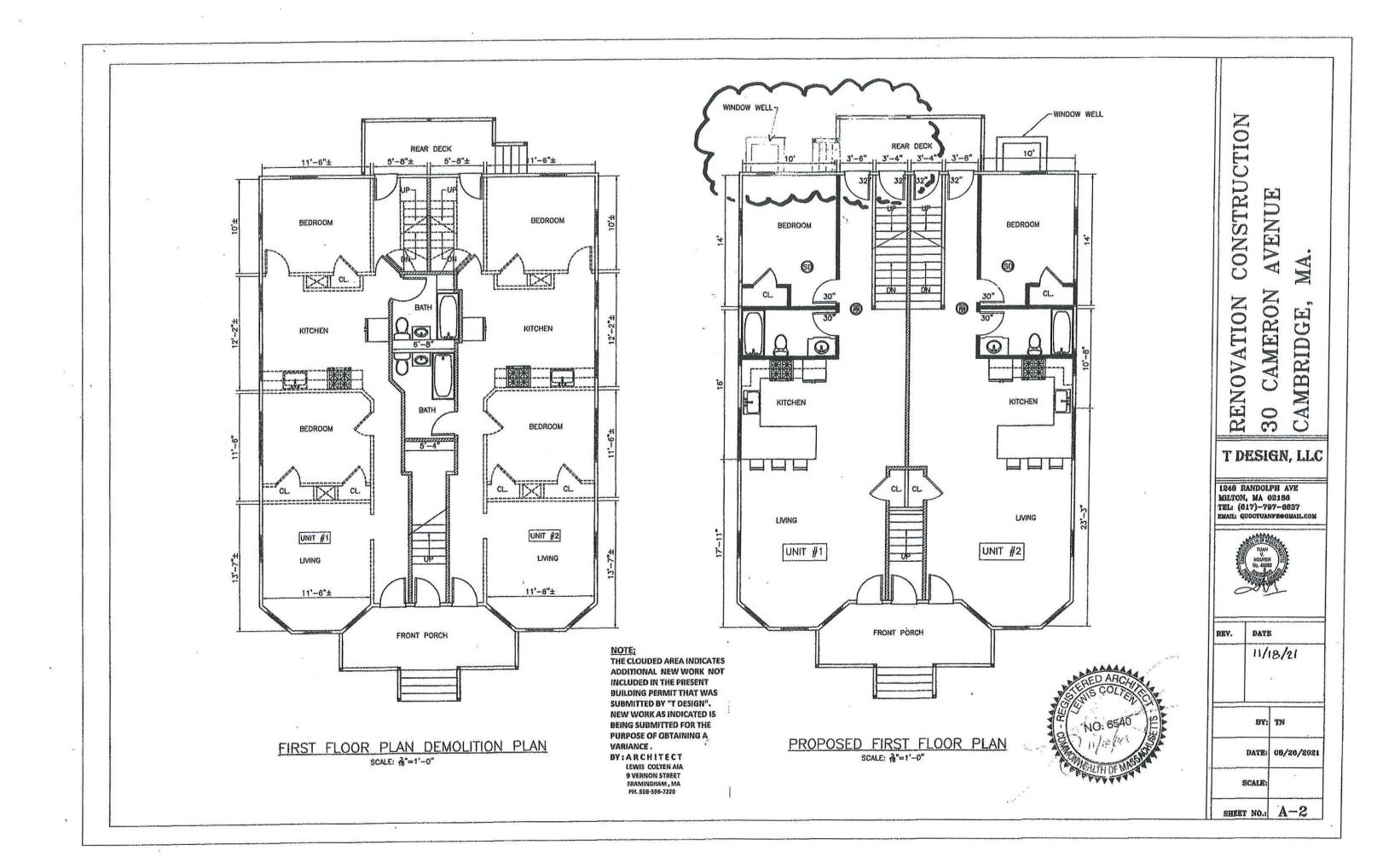
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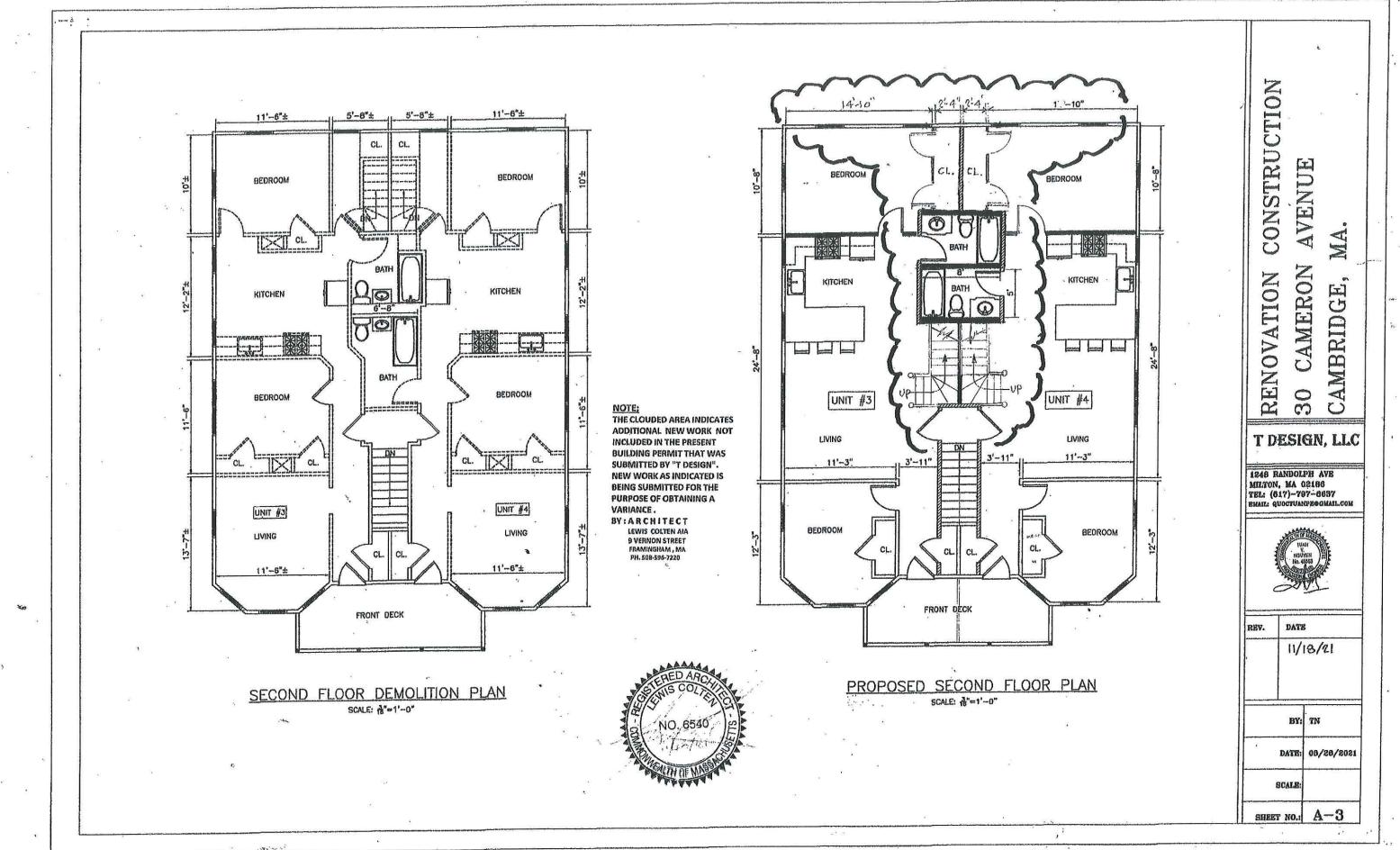




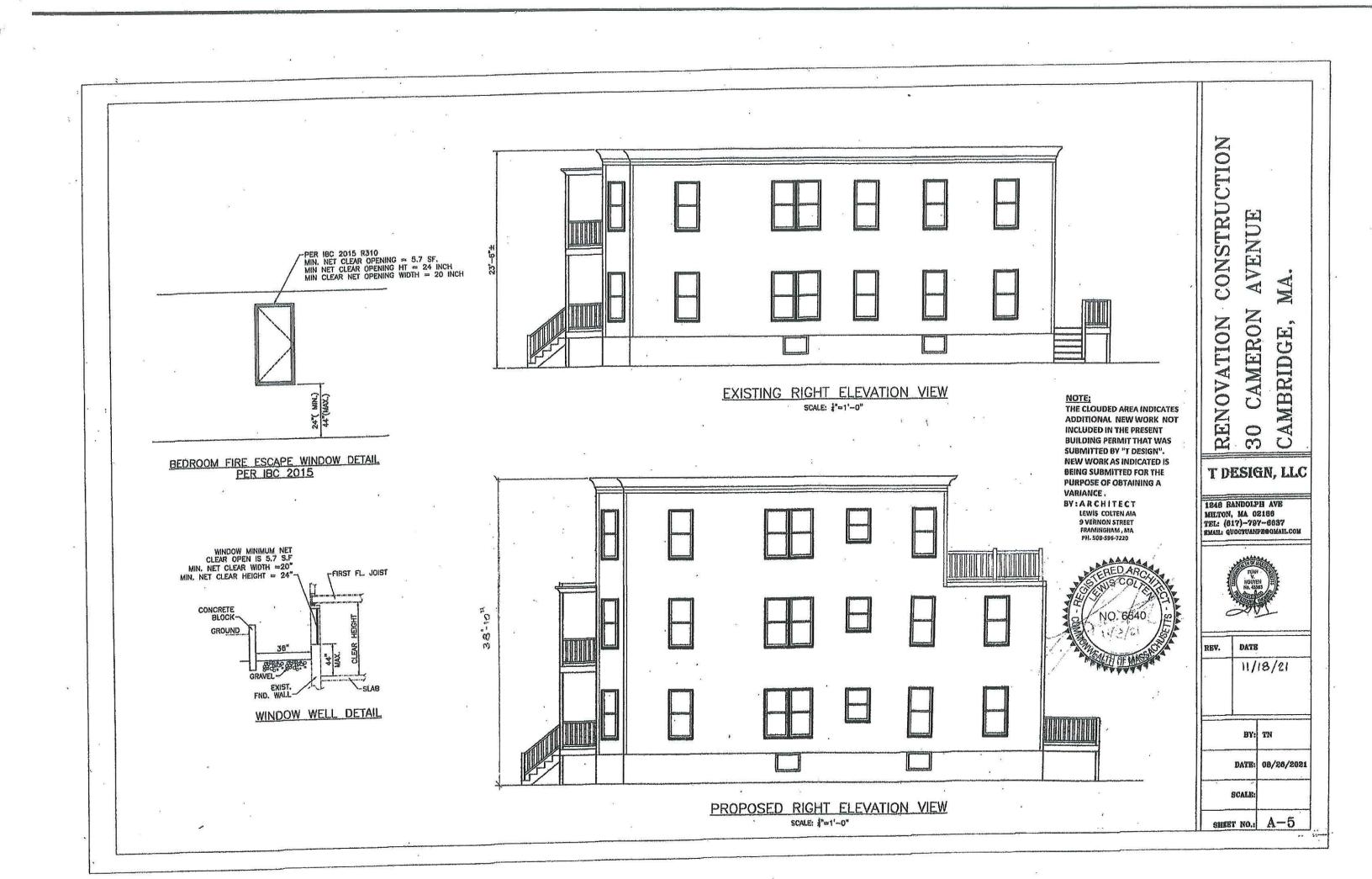




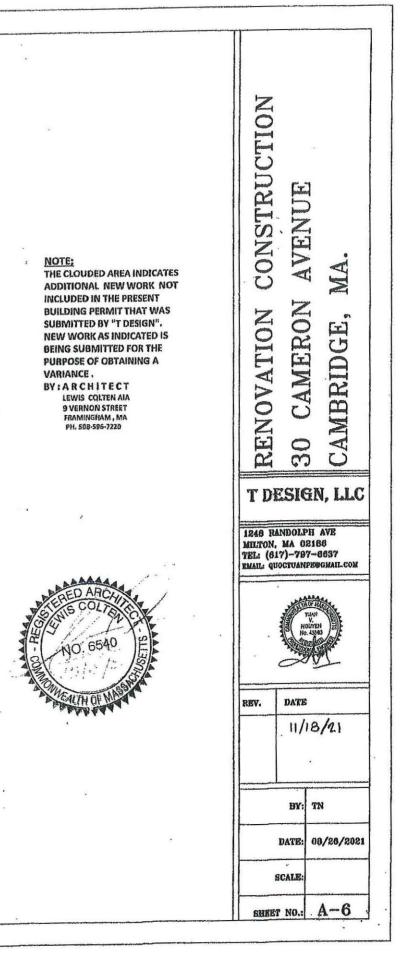




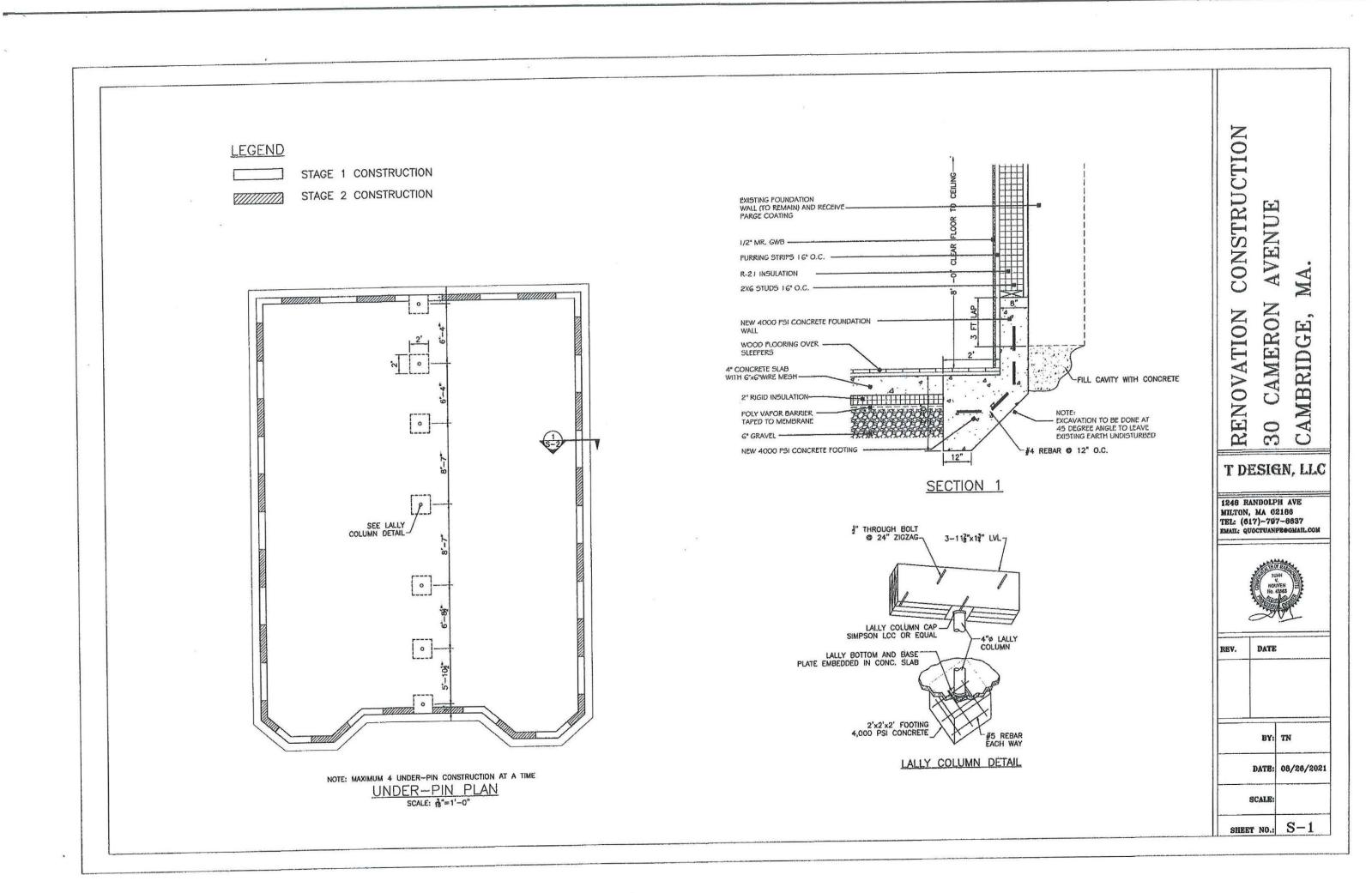


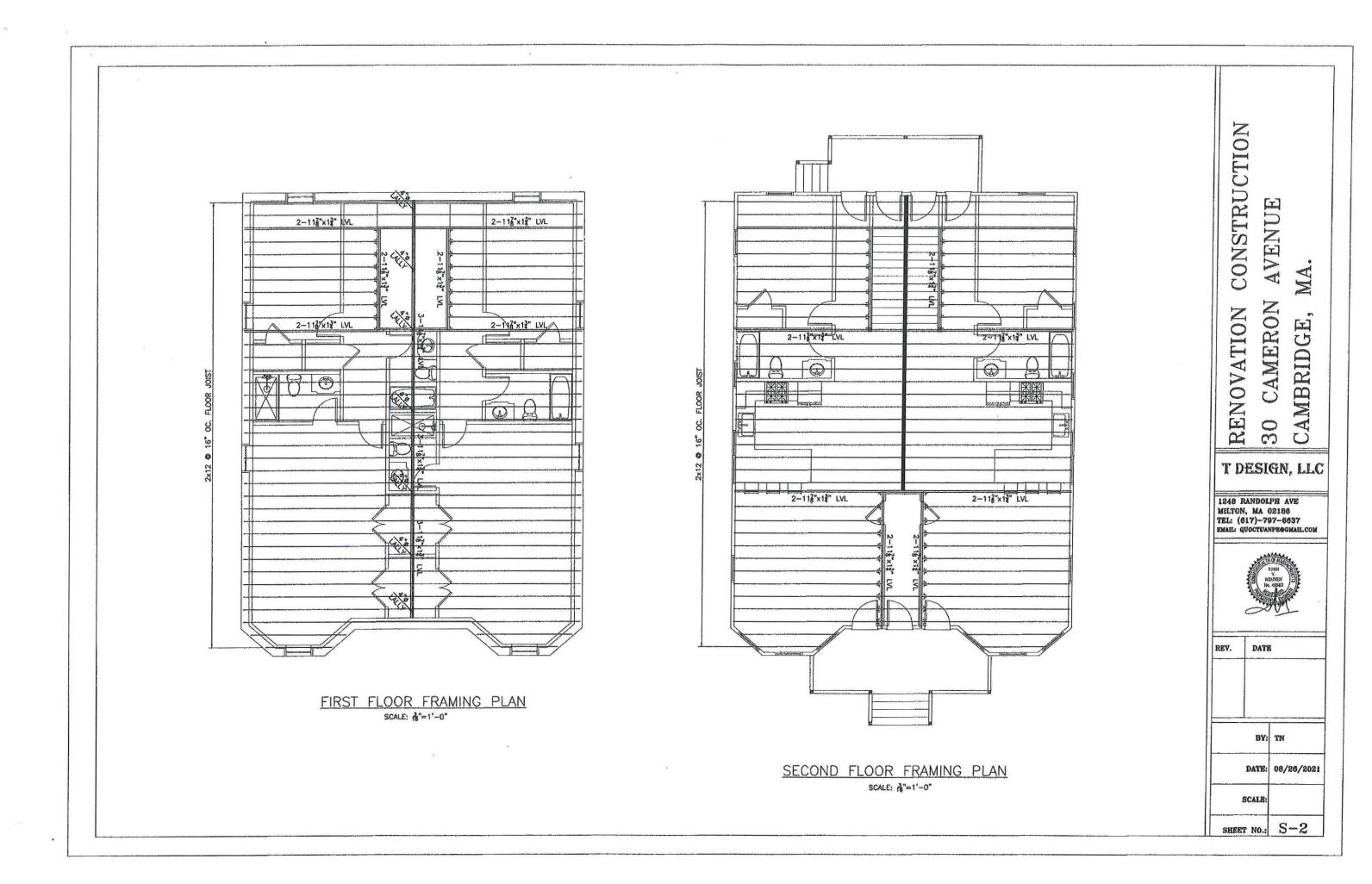


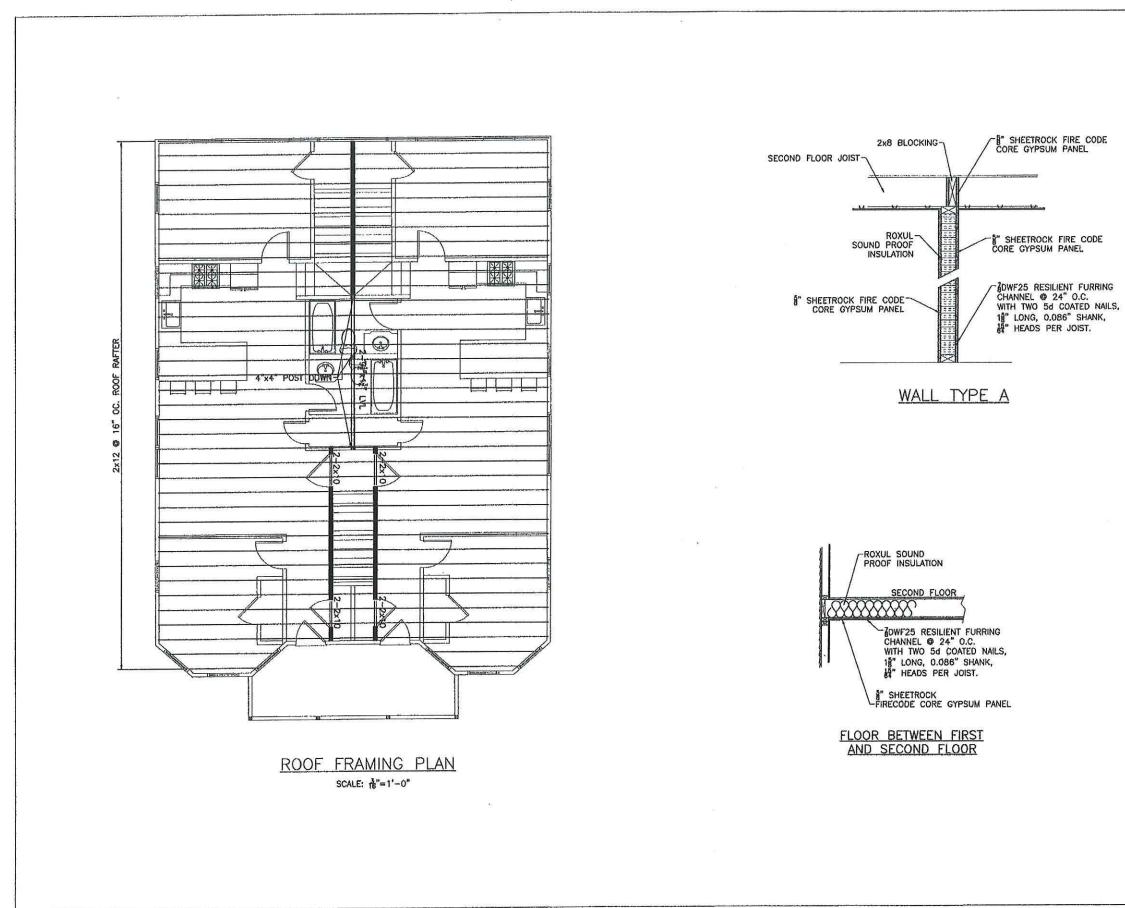




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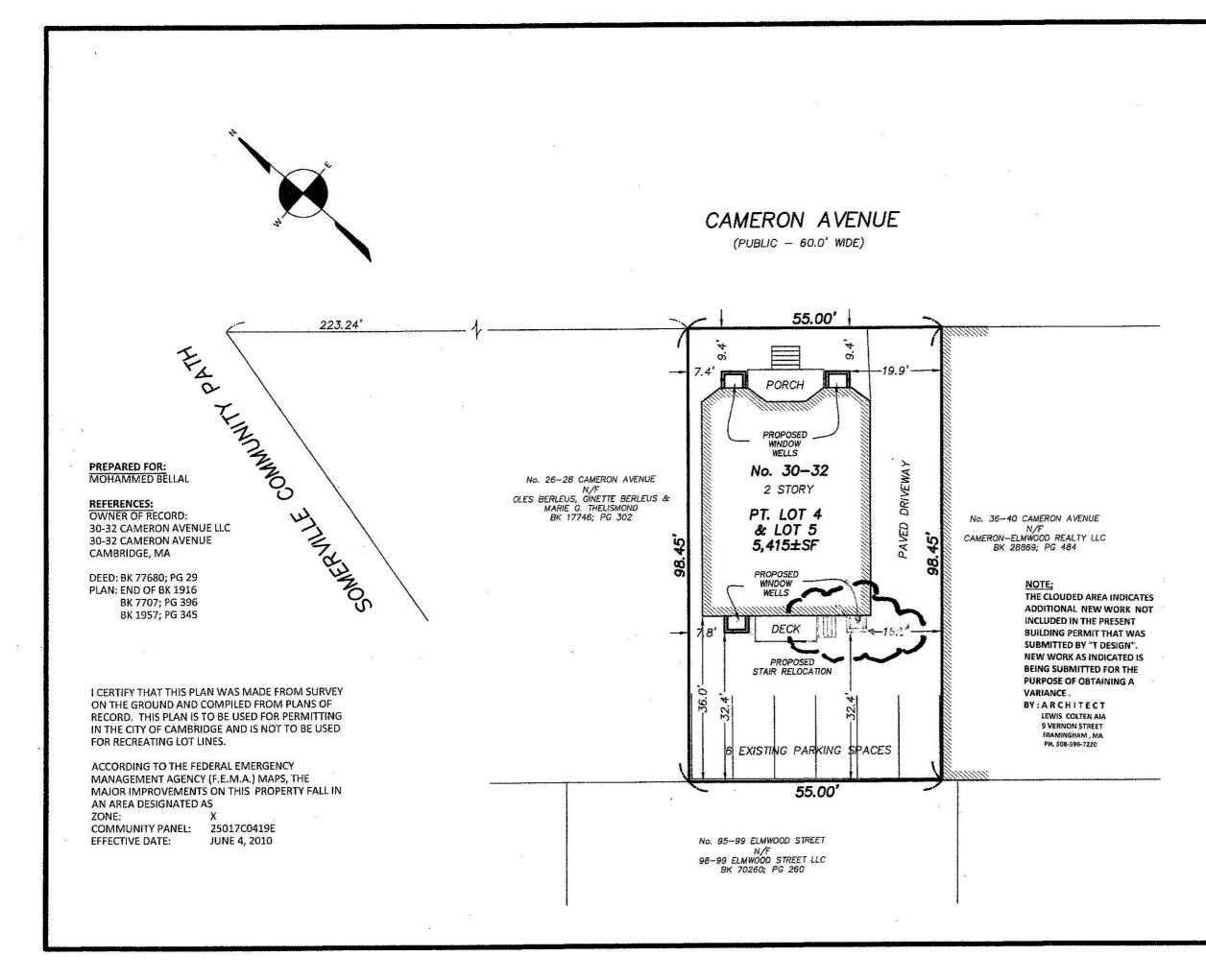




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CONSTRUCTION AVENUE MA CAMERON RENOVATION 5 [-] CAMBRIDG 30 T DESIGN, LLC 1248 RANDOLPH AVE MILTON, MA 02188 TEL: (617)-797-6637 EMAIL: QUOCTUANPESGMAIL.COM REV. DATE BY: TN DATE: 08/26/2021 SCALE SHEET NO .: S-3

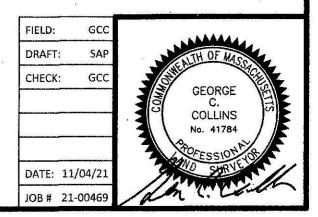


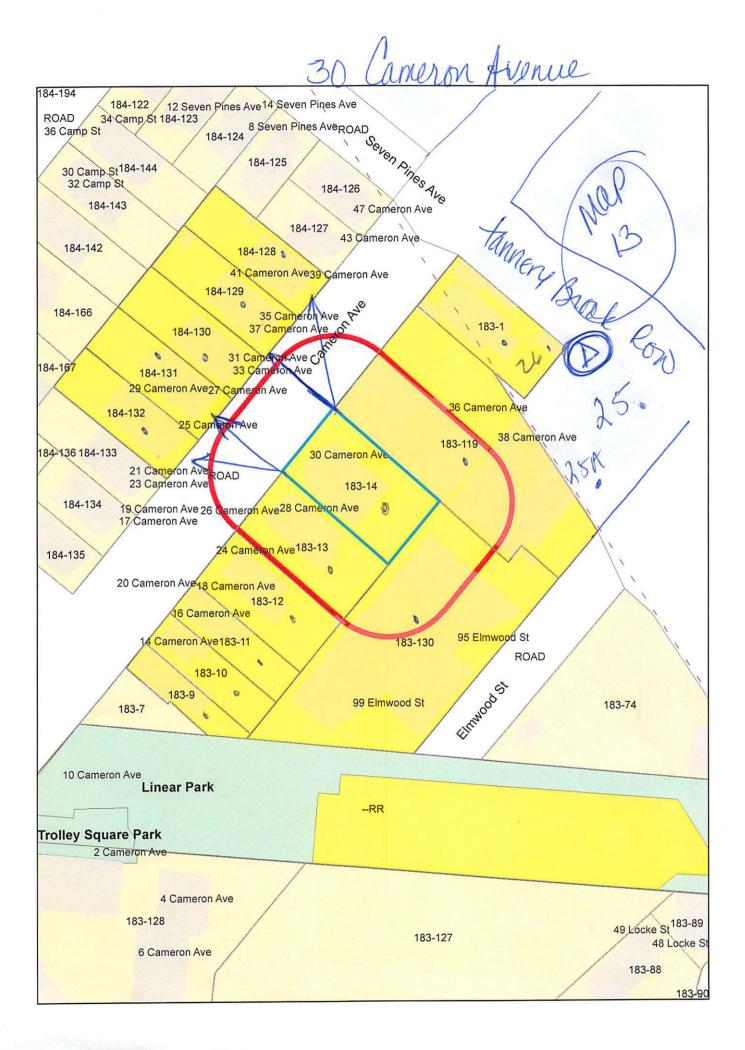




# CERTIFIED PLOT PLAN LOCATED AT 30-32 CAMERON AVENUE CAMBRIDGE, MA SCALE: 1.0 INCH = 20.0 FEET

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183-1 NICKERSON, WILLIE F. 80 CAMERON AVE SOMERVILLE, MA 02144-2404

183-13 BERLEUS, OLES, GINETTE BERLEUS & MARIE G. THELISMOND 28 CAMERON AVE. CAMBRIDGE, MA 02140

183-12 WOLDE-YOHANNES, SERGUT 23 ELMORE ST #1 BOSTON, MA 02119

184-132 AHMAD, SURABHI TRUSTEE THE AHMAD FAMILY REVOC. TRUST 25 CAMERON AVE. #2 CAMBRIDGE, MA 02140

183-11 MACCURTAIN, KERRY A. 18 CAMERON AVE. CAMBRIDGE, MA 02140

184-131 MOTSCHWILLER, RICHARD S. & VENESSA A. RAO 27-29 CAMERON AVE. UNIT 29A CAMBRIDGE, MA 02139

184-129 ADLER, ARI & MELISSA GONZALEZ-BRENES 35-37 CAMERON AVE. UNIT 37 CAMBRIDGE, MA 02140

183-10 MIKULKA, JAENIA, TRS THE JAENIA MIKULKA 2009 TR 16 CAMERON AVE CAMBRIDGE, MA 02140

13/D/25/2 HCOVE I LLC 11 TANNERY BROOK ROW #2 SOMERVILLE, MA 02144

13/D/25/5 LAURA S. & ROBERT L. PEABODY 11 TANNERY BROOK ROW #5 SOMERVILLE, MA 02144 30 Caneron Are

183-9 COMMONWEALTH GAS COMPANY C/O NSTAR GAS CO PROPERTY TAX DEPT P.O. BOX 270 HARTFORD, CT 06141-0270

183-130 95-99 ELMWOOD ST LLC 33 CHURCH ST CAMBRIDGE, MA 02138

184-130 BOWES, MICHAEL R. & JENNIFER K. JUBINVILLE 33 CAMERON AVE CAMBRIDGE, MA 02140

184-128 KEEN, STEPHEN G. & DIANE P.K. GRAY 41 CAMERON AVE CAMBRIDGE, MA 02140

183-11 ZOLOTUSKY, DAVID 20 CAMERON AVE. #2 CAMBRIDGE, MA 02140

184-129 GONZALEZ, DANIEL & MARY LYDECKER 35-37 CAMERON AVE. UNIT 35 CAMBRIDGE, MA 02140

183-12 LI, JIALU YI LI 24 CAMERON AVE UNIT 2 CAMBRIDGE, MA 02140

BOSTON & MAIN RAILROAD IRON HORSE PARK N. BILLERICA, MA 01862

13/D/25/3 TRACY HAWKINS 11 TANNERY BROOK ROW #3 SOMERVILLE, MA 02144

183-12 BELANGER, EMILY 24 CAMERON AVE., #3 CAMBRIDGE, MA 02140

Titioners

WAGNER DEFREITAS 72 GORE ROAD #1 REVERE, MA 02151

183-14 30-32 CAMERON AVE LLC C/O MOHAMMED BELLAL, MANAGER 34 ATLANTIC ST LYNN, MA 01902

184-132 VECKENSTEDT, ANJA 25 CAMERON AVE., #1 CAMBRIDGE, MA 02140

184-132 25-3 CAMERON AVE. LLC, 10 ALEXANDER RD. NEWTON, MA 02461

184-131 BAHGAT SHEHATA, ALESSANDRO & SERENA FACCHINETTI 27-29 CAMERON AVE. UNIT 29B CAMBRIDGE, MA 02139

184-131 OLSHAN, RYAN & CAROLYN B. OLSHAN 27-29 CAMERON AVE. UNIT 27 CAMBRIDGE, MA 02139

184-130 LIU, JEFFREY & DOROTHY J. HEEBNER 31 CAMERON AVE CAMBRIDGE, MA 02140

13/D/25/1 DELAPORTE DESIGN INCL 41R RUSSELL STREET SOMERVILLE, MA 02144

13/D/25/4 ROBERT P. DIGIORGIO 11 TANNERY BROOK ROW #4 SOMERVILLE, MA 02144

183-119 & 13/D/25A CAMERON-ELMWOOD REALTY, L.L.C. C/O JOSHUA MASSEY 91 PERKINS STREET SOMERVILLE, MA 02145

30 Cameron Ave

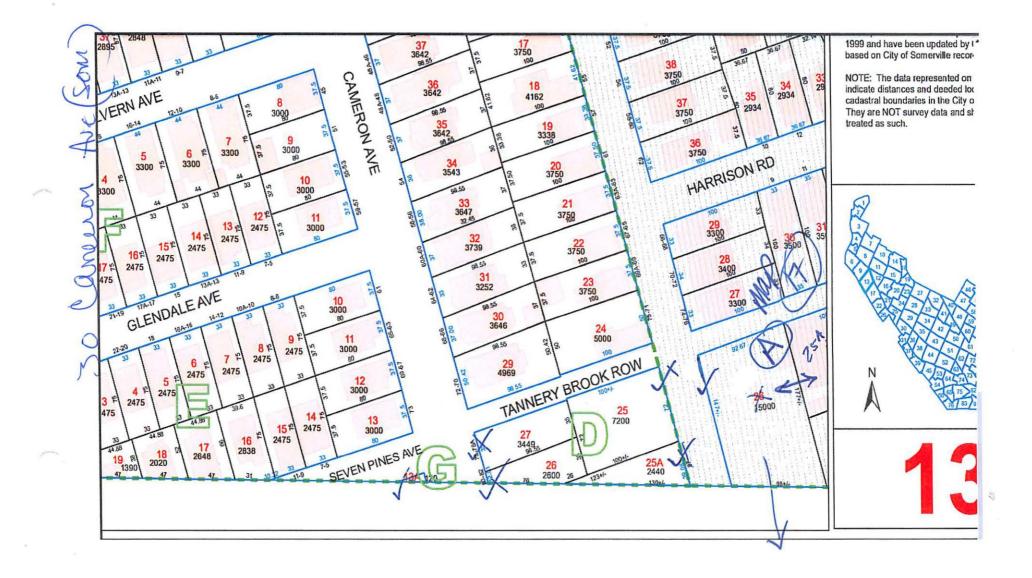
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13/D/26 SHIRLEY E. MCCLOUD GAYLE E. WASHINGTON 82 CAMERON AVENUE SOMERVILLE, MA 02144

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## **87 ELMWOOD ST**

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Location	87 ELMWOOD ST	Mblu	13/ D/ 25/A /
Acct#	00088002	Owner	CAMERON-ELMWOOD REALTY LLC
Assessment	\$279,200	PID	83
<b>Building Count</b>	1		

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#### **Current Value**

Assessment					
Valuation Year Improvements Land Total					
2021	\$22,700	\$256,500	\$279,200		

### **Owner of Record**

Owner	CAMERON-ELMWOOD REALTY LLC	Sale Price	\$502,100
Co-Owner	C/O INTEGRATED REAL ESTATE ASSOCIATES	Certificate	
Address	91 PERKINS STREET	Book & Page	28869/ 484
	SOMERVILLE, MA 02145	Sale Date	07/23/1998
		Instrument	1G

#### **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
CAMERON-ELMWOOD REALTY LLC	\$502,100		28869/ 484	1G	07/23/1998
TRUST DAMON REALTY	\$900,000		]9935/ 573	A	07/12/1989
MYSTIC REALTY TRUST	\$0				

#### **Building Information**

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Building 1 : Section 1		
Year Built:		
Living Area:	0	
Replacement Cost:	\$0	
<b>Building Percent Good</b>	:	
Replacement Cost		
Less Depreciation:	<b>\$</b> 0	
	Building Attributes	

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Location	11 TANNERY BROOK ROW #1	Mblu	13/ D/ 25/ 1/
Acct#	20212030	Owner <sup>·</sup>	DELAPORTE DESIGN INC
Assessment	\$1,286,200	PID	113985
<b>Building Count</b>	1	Assessing District	

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### **Current Value**

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Assessment						
Valuation Year	Improvements	Land	Total			
2021	\$1,286,200	\$0	\$1,286,200			

### **Owner of Record**

Owner	DELAPORTE DESIGN INC	Sale Price	\$809,650
Co-Owner		Certificate	
Address	41 R RUSSELL STREET	Book & Page	72749/ 150
	SOMERVILLE, MA 02144	Sale Date	06/12/2019
		Instrument	1U

## **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DELAPORTE DESIGN INC	\$809,650		72749/ 150	10	06/12/2019
ZERO ELMWOOD LLC	\$2,050,000		69643/ 298	1P	07/21/2017

#### **Building Information**

Building	1	:	Section	1	
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Field		Description	
	Building A	Attributes	
Less Depreciation:	\$1,282	,700	
Replacement Cost			
<b>Building Percent Good:</b>	100		
Replacement Cost:	\$1,282,712		
Living Area:	1,244		
Year Built:	2017		

Location	11 TANNERY BROOK ROW #2	Mblu	13/ D/ 25/ 2/
Acct#	20212040	Owner	HCOVE I LLC
Assessment	\$1,313,800	PID	113986
<b>Building Count</b>	1	Assessing District	

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### **Current Value**

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Assessment						
Valuation Year	Valuation Year Improvements					
2021	\$1,313,800	\$0	\$1,313,800			

### **Owner of Record**

Owner	HCOVEILLC	Sale Price	\$1,415,000
Co-Owner		Certificate	
	11 TANNERY BROOK ROW 2	Book & Page	72641/ 389
	SOMERVILLE, MA 02144	Sale Date	05/22/2019
		Instrument	00

#### **Ownership History**

		<b>Ownership Histo</b>	<b>bry</b>		
Owner	Sale Price	Certificate	Book & Page	instrument	Sale Date
HCOVEILLC	\$1,415,000		72641/ 389	00	05/22/2019
ZERO ELMWOOD LLC	\$2,050,000		69643/ 298	1P	07/21/2017

## **Building Information**

-			
Building 1 : Section 1			
Year Built:	2017		
Living Area:	1,302		
Replacement Cost:	\$1,310,2	291	
<b>Building Percent Good:</b>	100		
Replacement Cost			
Less Depreciation:	\$1,310,3	300	
	Building At	ttributes	
Field		Desc	ription
STYLE		Low rise	<u></u>

Location	11 TANNERY BROOK ROW #3	Mblu	13/ D/ 25/ 3/
Acct#	20212050	Owner	HAWKINS TRACY
Assessment	\$1,529,100	PID	113987
<b>Building Count</b>	1	Assessing District	

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### **Current Value**

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Assessment						
Valuation Year	Land	Total				
2021	\$1,529,100	\$0	\$1,529,100			

#### **Owner of Record**

Dwner	HAWKINS TRACY	Sale Price	\$1,698,000
Co-Owner		Certificate	
Address	11 TANNERY BROOK ROW 3	Book & Page	72367/ 177
	SOMERVILLE, MA 02144	Sale Date	03/22/2019
		Instrument	00

## **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
HAWKINS TRACY	\$1,698,000		72367/ 177	00	03/22/2019
ZERO ELMWOOD LLC	\$2,050,000		69643/ 298	1P	07/21/2017

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#### **Building Information**

Building	1	:	Section 1	
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STYLE		Low rise		
Field		Description		
	Building A	Attributes		
Less Depreciation:	\$1,525,600			
Replacement Cost				
Building Percent Good:	100			
Replacement Cost:	\$1,525	,636		
Living Area:	1,714			
Year Built:	2017			

Location	11 TANNERY BROOK ROW #4	Mblu	13/ D/ 25/ 4/
Acct#	20212060	Owner	DIGIORGIO ROBERT P
Assessment	\$1,604,400	PID	113988
<b>Building Count</b>	1	Assessing District	

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## **Current Value**

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Assessment				
Valuation Year	Improvements	Land	Total	
2021	\$1,604,400	\$0	\$1,604,400	

#### **Owner of Record**

Owner	DIGIORGIO ROBERT P	Sale Price	\$1,800,000
Co-Owr	er	Certificate	
Address	s 11 TANNERY BROOK ROW 4	Book & Page	72397/ 242
	SOMERVILLE, MA 02144	Sale Date	03/29/2019
		Instrument	00

#### **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DIGIORGIO ROBERT P	\$1,800,000		72397/ 242	00	03/29/2019
ZERO ELMWOOD LLC	\$2,050,000		69643/ 298	1P	07/21/2017

### **Building Information**

Building 1 : Section 1		
Building I. Section I	and have a state a support of the state of the	and a success and a successful definition of the successful and the su
Year Built:	2017	
Living Area:	1,869	
<b>Replacement Cost:</b>	\$1,600,879	
<b>Building Percent Good:</b>	100	
<b>Replacement Cost</b>		
Less Depreciation:	\$1,600,900	
	<b>Building Attributes</b>	
Field		Description
STYLE	Low rise	

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Location	11 TANNERY BROOK ROW #5	Mblu	13/ D/ 25/ 5/
Acct#	20212070	Owner	PEABODY ROBERT L & LAURA S
Assessment	\$1,659,100	PID	113989
<b>Building Count</b>	1	Assessing District	

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#### **Current Value**

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Assessment				
Valuation Year	Improvements	Land	Total	
2021	\$1,659,100	\$0	\$1,659,100	

#### **Owner of Record**

Owner Co-Owner	PEABODY ROBERT L & LAURA S	Sale Price Certificate	\$1,800,000
Address	11 TANNERY BROOK ROW 5		72369/ 187
	SOMERVILLE, MA 02144	Sale Date	03/25/2019
		Instrument	00

#### **Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
PEABODY ROBERT L & LAURA S	\$1,800,000		72369/ 187	00	03/25/2019
ZERO ELMWOOD LLC	\$2,050,000		69643/ 298	1P	07/21/2017

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#### **Building Information**

#### **Building 1 : Section 1**

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Field		Description			
Building Attributes					
Less Depreciation:	ciation: \$1,655,600				
Replacement Cost					
<b>Building Percent Good:</b>	100				
Replacement Cost:	\$1,655,632				
Living Area:	1,997				
Year Built:	2017				

## **80 CAMERON AVE**

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Location	80 CAMERON AVE	Mblu	13/ D/ 26/ /
Acct#	14493085	Owner	MCCLOUD SHIRLEY E
Assessment	\$848,700	PID	3483
<b>Building Count</b>	1		

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#### **Current Value**

Assessment				
Valuation Year	Improvements	Land	Totai	
2021	\$343,000	\$505,700	\$848,700	

#### **Owner of Record**

Owner	MCCLOUD SHIRLEY E	Sale Price	\$0
Co-Owner	WASHINGTON GAYLE E	Certificate	
Address	82 CAMERON AVE	Book & Page	08P2904EPI
	SOMERVILLE, MA 02144	Sale Date	10/14/2008
		Instrument	1H

#### **Ownership History**

		<b>Ownership Histo</b>	ory		
Owner	Sale Price	Certificate	Book & Page	instrument	Sale Date
MCCLOUD SHIRLEY E	· \$0		08P2904EPI	1H	10/14/2008
NICKERSON WILLIE F	\$0		12411/ 047		01/19/1967

### **Building Information**

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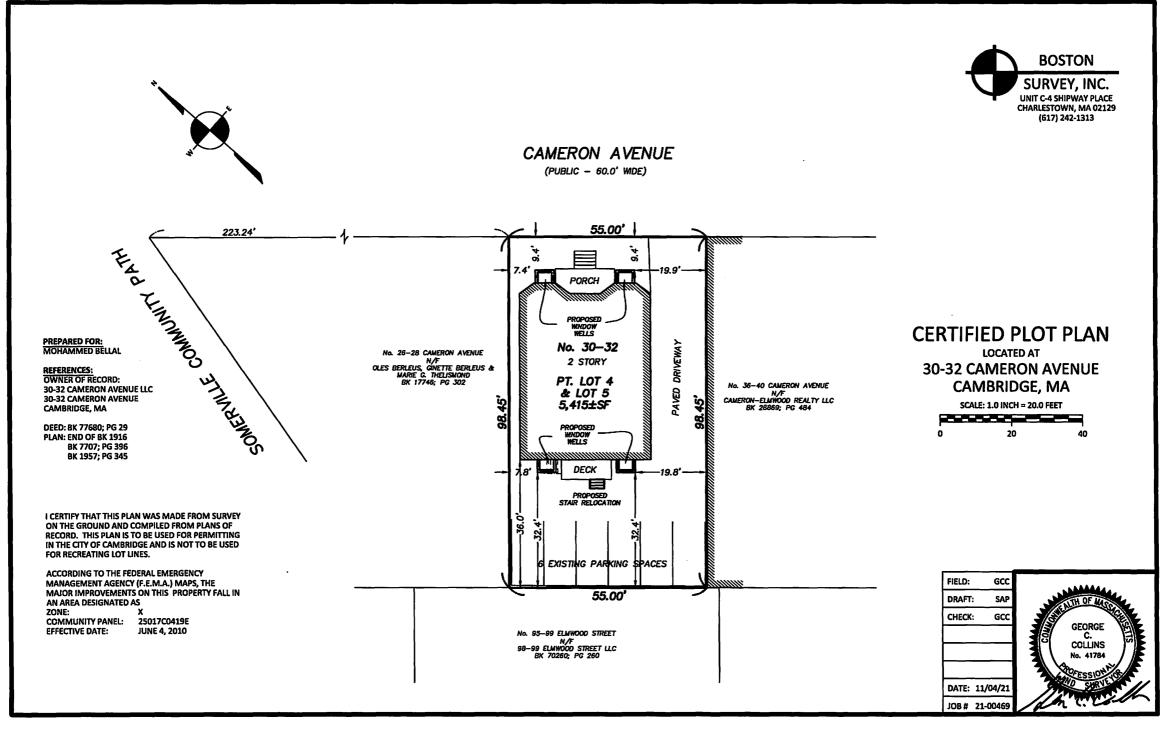
Building	1	:	Section	1
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Year Built:	1900				
Living Area:	2,573				
Replacement Cost:	\$591,420				
Building Percent Good:	58				
Replacement Cost					
Less Depreciation:	\$343,000				
	Building Attributes				
Field		Description			
Style	Two Family				





30 Jameron Ave BZA-154682





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:	INAG	NFR	DE	-NeitAs Date:	12-20.	-21
Address:	30	(Print)	ron	Avenue		
				//		

Case No. <u>BZA - 154682</u> Hearing Date: <u>1/6/32</u>

Thank you, **Bza Members** 

## **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:

Existing non-occupied space is wasteful and not being effectively used for the inhabitants of this building. Renovation of the basement and addition of the third floor as livable space is an improvement to the structure while maintaining the same structural footprint.

**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:

Considering the building and lot size and shape were created well before the current zoning limitations, any form of alteration to the structure will render the structure non-conforming under the current dimensional requirements for the Residence **B** district where the gross floor area is already non-conforming. The hardship is due to a greatly undersized lot. Given the existing gross floor area in relation to the lot size, there is no addition that does not require a zoning variance under the circumstances.

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

1) Desirable relief may be granted without substantial detriment to the public good for the following reasons:

The additional space being acquired is existing and does not impinge upon enlarging the existing footprint of the structure and expansion is entirely within the existing structure.

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

The existing use is residential. The alteration and renovation simply enlarges the residential use to the existing units within the building. The size and shape of the structure with the additional third floor living space is consistent with the residences in the immediately surrounding neighborhood which for the majority all appear to consist of a third floor living space.

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

January 6, 2022

Page 80

\* \* \* \* \* 1 (7:41 p.m.) 2 Sitting Members: Brendan Sullivan, Constantine Alexander, 3 Jim Monteverde, Jason Marshall, and Laura 4 Wernick 5 BRENDAN SULLIVAN: The Board will hear Case 6 #154682 -- 30 Cameron Avenue. Anybody here regarding --7 representing the petitioner? 30 Cameron Avenue? Mr. Bellal 8 Defreitas? 9 JIM MONTEVERDE: They're there. They were just 10 there a second ago, and then they disappeared. 11 BRENDAN SULLIVAN: Mr. Bellal [(sic) and per 12 Liberty]? 13 JIM MONTEVERDE: No, Defreitas is trying to 14 connect the audio. At least that's what my screen says. 15 Nope, now he's on mute. 16 LAURA WERNICK: Mr. Defreitas, you need to switch 17 18 off of mute. 19 JIM MONTEVERDE: There you go. BELLAL DEFREITAS: Hello. 20 LAURA WERNICK: Hello. 21 JIM MONTEVERDE: Hi. 22

1	WAGNER DEFREITAS: I think we should have Attorney
2	David in the meeting as well with us.
3	BRENDAN SULLIVAN: I don't think he's in. Are you
4	with us?
5	WAGNER DEFREITAS: Hi, I'm here.
6	BRENDAN SULLIVAN: Okay. If you would identify
7	yourself for the record?
8	WAGNER DEFREITAS: I'm Wagner Defreitas.
9	BRENDAN SULLIVAN: Your address?
10	WAGNER DEFREITAS: The property address?
11	CONSTANTINE ALEXANDER: We have that.
12	WAGNER DEFREITAS: Okay. So 72 Gore Road in
13	Revere, Massachusetts.
14	BRENDAN SULLIVAN: Okay. Okay, your case.
15	CONSTANTINE ALEXANDER: All right. Present the
16	case. Your obligation is to tell us why you should give us
17	the relief you're seeking.
18	JIM MONTEVERDE: Yeah. Mr. Defreitas, are you
19	waiting for your attorney to join you?
20	WAGNER DEFREITAS: Yes. That's what I was waiting
21	for. And the architect. He was supposed to be here, but I
22	don't

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1	JIM MONTEVERDE: Maybe we can move this to the end
2	of the Agenda, Mr. Chair?
3	WAGNER DEFREITAS: Can we do that, so I can try to
4	get hold of them?
5	BRENDAN SULLIVAN: Yes. All right.
6	CONSTANTINE ALEXANDER: We're not quite at 7:45,
7	which is the next case; we're a couple minutes away.
8	WAGNER DEFREITAS: Okay.
9	CONSTANTINE ALEXANDER: We might as well do it.
10	CONSTANTINE ALEXANDER: People waiting.
11	OLIVIA RATAY?: What are the names of the people
12	you're waiting for?
13	WAGNER DEFREITAS: Lewis and David. David Click.
14	I mean, everyone knew about the meeting, so. Can I try to
15	get hold of them? It looks like they're on, from the
16	Participant list.
17	BRENDAN SULLIVAN: Could you call them?
18	WAGNER DEFREITAS: Hang on one second.
19	OLIVIA RATAY?: Lewis Colton, you can speak.
20	WAGNER DEFREITAS: [Phone call] Lewis? Are you
21	you trying to yeah, can you talk to them or not? What
22	about David? They can't hear you? What about David? I'll

1	call him. One second. Am I heard?
2	OLIVIA RATAY: You're on the phone.
3	CONSTANTINE ALEXANDER: Hello?
4	[Echo: "Hello"]
5	DAVID CLICK: Good evening, Mr. Chairman and
6	Members of the Board. This is Attorney David Click. My
7	apologies. I was having some technical difficulties on
8	signing in. Can you hear me okay?
9	BRENDAN SULLIVAN: Yes.
10	CONSTANTINE ALEXANDER: Yes.
11	DAVID CLICK: Okay. Thank you. This is an
12	application from the applicant 30-32 Cameron, LLC for relief
13	from the Uniform Dimensional Requirements under Article 5
14	Section 5.31 for the construction related to certain a
15	certain multifamily building at 30-32 Cameron Ave in
16	Cambridge.
17	This application: It relates to this multifamily
18	building, which just to give the Board a resynopsis (sic) of
19	the surrounding area, it's in a Residence B zone.
20	The building is a two-story building. It's a bit
21	unique in the sense that as opposed to the surrounding
22	multifamily buildings or residences that are roughly over,

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1	under and three-story buildings, this is a two-story side-
2	by-side, in that there are four units within the property
3	with a total square footage of 3420 square feet.
4	The lot area at the property is approximately 5415
5	square feet. The current building height is roughly 23.5
6	feet. The current parking amount of parking spaces for
7	the facility or for the residence is six, and so essentially
8	this application comes before the Board based on the intent
9	of the owner in order to enlarge the gross square footage at
10	the residence that would and I can get to it later, but
11	would coincide and dovetail with the surrounding
12	neighborhood.
13	At this point, the as I mentioned before, the
14	gross floor area is roughly it's under about 3416 feet.
15	The ordinance requirements are roughly 2645 square feet. So
16	it's already falling outside of compliance with what the
17	maximum requirements could be under the circumstances.
18	What we're essentially requesting is to take this
19	four-unit essentially a two-story residence and expand the
20	living space for the two units on the first floor that are
21	side-by-side, to expand those into a living space in the
22	right now underutilized and unused basement.

1	At the same time, we are asking to expand the
2	third and fourth unit that are both located side-by-side on
3	the second floor of the residence into a third floor that
4	would be of similar height, but would still fall under the
5	height restriction of 35 feet in the Residence B zone.
6	The proposed and I'm happy at any time just in
7	the existing, or what I can say is the existing oh, thank
8	you for bringing it up so this right here is the actual
9	set of plans showing the existing and proposed. If I may, I
10	don't know if I could have the ability to control the
11	pointer? Is that possible?
12	BRENDAN SULLIVAN: No, Staff controls it. Olivia
13	Ratay is going to have to control the scrolling.
14	DAVID CLICK: Okay, that's fine.
15	BRENDAN SULLIVAN: You can put in a request, and
16	then she's more than capable of complying with that.
17	DAVID CLICK: Okay. So essentially what we're
18	looking to do here, if you could please turn to Sheet A1?
19	CONSTANTINE ALEXANDER: Excuse me, sir. This is
20	Constantine Alexander, a Member of the Board. This is a
21	variance. The variance requirements of the variance are
22	set by state law. You've got to address and convince us

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1	that you satisfy the requirements for a variance for state
2	law. I mean, the fact that you want to you're building
3	on and all that is very nice, but if you don't meet the
4	requirements of a variance, we can't grant you relief.
5	DAVID CLICK: Yep.
6	CONSTANTINE ALEXANDER: You're going to address
7	the fact of the substantial hardship if we enforce the
8	ordinance? The hardship that I can see is that the property
9	can't you want to make the property more valuable than it
10	is now. That's not a hardship for the purpose of the
11	zoning.
12	Moreover, the hardship must be owing to
13	circumstances relating to the soil conditions, shape or
14	topography of such land or structures, and especially
15	affecting such land or structure, but not affecting
16	generally the zoning district in which it is located.
17	I have seen nothing in our files that addresses
18	that issue. You have to persuade us and that's one of
19	-
	the requirements maybe not mentioned you have to persuade
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	the requirements maybe not mentioned you have to persuade

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1	due to the uniqueness of this lot; this long-standing
2	existing lot and its shape, coupled with the shape of the
3	structure that's there, that a literal enforcement of the
4	dimensional provisions under 5.31 would involve a
5	substantial hardship, financial or otherwise, as
6	contemplated under Section 40 or Chapter 40A Section 10,
7	here you have a shape of a lot.
8	And I reference the uniqueness of the shape of the
9	structure because of the way that it's set, and how that
10	affects the Dimensional Requirements i.e., the ratio of
11	gross floor area to lot area. The required gross floor area
12	to lot area is 0.5. In our case, the existing conditions
13	already are 0.488.
14	Our requested conditions, which I was going to get
15	to after explaining somewhat of what the build is is
16	essentially 0.84.
17	But what we're saying is is that considering the
18	shape and the current the shape of the lot, current shape
19	of the structure, that any request for any form of an
20	improvement to the structure or to the property, as would be
21	of benefit to all parties those in the surrounding
22	community as well as the applicant that it can't be done

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1	without seeking relief
2	And or seeking relief from this uniform
3	restriction in the Table of Dimensions.
4	BRENDAN SULLIVAN: Mr. Councillor, this is Brendan
5	Sullivan. I'll amplify upon Mr. Alexander's comments and
6	say that you're not entitled to any expansion; that there is
7	nothing unique about the size or shape of this lot vis-à-vis
8	other sizes and shapes of lots in the surrounding area.
9	Now, you may say it's unique because it only goes up two
10	stories, other properties go up three stories.
11	Across the street, there is a mix of two- and
12	three-story buildings. And it is encumbered by the current
13	zoning ordinance, which at some point whoever drafted the
14	zoning ordinance and the application of the ordinance to
15	this particular area decided to stay with that 0.50, and
16	that not to exceed that under until extreme
17	circumstances.
18	And yet again, I don't see anything unique about
19	this property as far as the soil, shape or topography, or
20	the placement of the building. Yes, it predates the
21	existing ordinance, but at some point the drafters of and
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22 obviously started with Community Development, went to

1	Planning Board; they approved it and went to the City
2	Council to enact is as the governing ordinance for this
3	particular district.
4	Can we just back up a little bit? When did 30-32
5	Cameron Ave, LLC purchase this property?
6	DAVID CLICK: Sometime in the beginning of last
7	year.
8	BRENDAN SULLIVAN: May of 2021? I don't mean to
9	be cute, but I mean is that roughly it?
10	DAVID CLICK: If you can bear with me, I can tell
11	you right now. Yes, I believe honestly
12	BRENDAN SULLIVAN: So that at the time, was the
13	building was occupied or was it vacant, when the new owners
14	took title to it?
15	DAVID CLICK: I would let Mr. Defreitas answer
16	that.
17	WAGNER DEFREITAS: Hello. Can you hear me?
18	BRENDAN SULLIVAN: Yes.
19	WAGNER DEFREITAS: Okay. Yeah, so there was one
20	unit occupied. But once we purchased the building, they
21	moved out like the next two days.
22	BRENDAN SULLIVAN: Yeah. Was the building when

1 you purchased it -- was it condominiums or was it rentals? 2 I'm not sure. 3 WAGNER DEFREITAS: 4 BRENDAN SULLIVAN: Well, you had one person living 5 6 DAVID CLICK: It was a -- rental. 7 BRENDAN SULLIVAN: Well, you had one person living there. 8 9 DAVID CLICK: Mm-hm. 10 BRENDAN SULLIVAN: Did they pay you rent the day 11 after you took --12 WAGNER DEFREITAS: Yeah, it was rental. It was 13 rental. Yeah, I just got a text from my --14 BRENDAN SULLIVAN: It was rental. So what we're 15 being asked to -- what we're being asked is to take a four-16 unit previously rental building. And I would assume that 17 given the size of the units and also the condition of the 18 building, it's probably somewhat moderate affordable rental 19 units. 20 And it would appear that the Cameron Ave, LLC: 21 They then decided that, well, we can maximize this building 22 by -- and again, I'm reading your pleadings, which -- again,

1	didn't make much sense to me that, just stay with me for
2	a minute, the "existing non-occupied space is wasteful and
3	not being effectively used for the inhabitants of this
4	building." So I'm saying to myself, "Well, so then they've
5	taken it all away and decided to put units in there. What
6	benefit is that for the inhabitants of the building?"
7	And then also adding the third structure what
8	benefit is that to the inhabitants of the building, and
9	there is none. It was really an attempt to take this
10	building, take away the rental aspect of it, which there was
11	obviously a community benefit to that, and then to turn it
12	into condos. And so now we get into the area of development
13	and the expansion of the building.
14	Regarding the what you're where it was and
15	where you're going, the basement we can go floor by floor
16	the basement before had no bedrooms, no bathrooms,
17	correct?
18	DAVID CLICK: That's correct.
19	BRENDAN SULLIVAN: Okay. The first floor was
20	had four bedrooms? Two bedrooms on one side, two bedrooms
21	on the other?
22	DAVID CLICK: So each unit had two bedrooms, one

1	bath.
2	BRENDAN SULLIVAN: On the first floor, you had
3	four bedrooms. On the second floor, which was probably a
4	mirror image of the first floor, there was also four
5	bedrooms there. Is that correct? Two on one side, two on
6	the other.
7	WAGNER DEFREITAS: Yes.
8	DAVID CLICK: That is correct, because you can see
9	on the left-hand side second floor demolition plan.
10	BRENDAN SULLIVAN: Right. Okay. So now we're up
11	to there is a total of eight bedrooms in the existing
12	preexisting building.
13	On the bathrooms on the first on the
14	basement, obviously, there were none. Because there was no
15	useable space on there or at the higher levels
16	residential occupiable space. The proposal is for four
17	bathrooms in the basement?
18	DAVID CLICK: Correct.
19	BRENDAN SULLIVAN: On the first floor, there were
20	two existing, and there are now two more proposed. On the
21	second floor, there were two existing, and now two proposed.
22	So I guess where I'm going with this is that in

Page 93

1	the existing building there were eight existing bedrooms.
2	What you're proposing is 14 bedrooms. There were four
3	existing bathrooms, and the proposal before us is for 12
4	proposed bathrooms.
5	Dramatically going to increase the intensity and
6	use of that building. And I understand you're fighting the
7	ordinance and the how you're hampered by it.
8	The purpose of the zoning ordinance is that it shall be the
9	purpose of the ordinance and I'm citing from Section 1.30
10	to lesson congestion in the street, conserve health, to
11	secure safety from fire, flood, panic, other dangers to
12	provide adequate light and air to prevent the overcrowding
13	of land and to avoid the undue concentration of population
14	and to encourage housing of persons of all income levels.
15	What we're being asked is for you to go from the
16	fairly reasonable, moderate rental and you purchased the
17	property, obviously, for its current use; I can't think that
18	somebody who's going to pay an exorbitant amount of property
19	because of what they potentially can do potentially have
20	to come down before this Board in order to enhance that
21	investment.
22	However, that happens to be a business decision

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1	that you're purchasing a piece of property for its current
2	use, current condition, and the ability to pay for that.
3	But it's the intensity of the use where I think I
4	draw the line as to what was there existing
5	WAGNER DEFREITAS: Yep.
6	BRENDAN SULLIVAN: had some public benefit, and
7	what is now being proposed. Is there anybody else? Again,
8	Mr. Click, I'll allow you to come back. You may want to
9	hear some other members of the Board.
10	Jason, any thoughts on
11	JASON MARSHALL: Thanks, Mr. Chair. You know, I
12	guess similar to you, I have reviewed this application
13	several times before the hearing, and really struggled with
14	understanding what the hardship is.
15	And to Mr. Alexander's earlier comments and as
16	you know, Counsel, variance isn't exactly standard I
17	can't discern what our legal ability would be to grant the
18	variance based on the given reason here.
19	And I agree with the Chair that this is quite an
20	intensive request. So I am struggling with this
21	application. So I don't need to pile on. The Chairman went
22	into it in great detail, and I'll look forward to hearing

Page 95

1	what my fellow Board Members say and your response. But
2	that's where I am at this point.
3	DAVID CLICK: Thank you, Mr. Marshall. I'm open
4	to hear what the Board says. And obviously, you know, it's
5	certainly good feedback to hear. The initial just in
6	order to maintain transparency as to bringing this
7	dimensional variance dimensional variances are not a
8	there's not a streamlined definition as to what the hardship
9	would be for a dimensional variance.
10	And what level of hardship needs to be shown when
11	you have a dimensional variance under circumstances where
12	the essentially the footprint of the property remains the
13	same and the general character of the use remains the same.
14	That said, certainly open to hear comments from
15	the Board, as to what other you know, what other
16	reflections they may have as to what the build is now, and
17	what it could potentially be.
18	BRENDAN SULLIVAN: Jim Monteverde, your comments,
19	questions?
20	JIM MONTEVERDE: No, I had two concerns initially.
21	And I think I heard discussion about some of them. I didn't
22	follow the hardship, and I notice that the FAR she is

1	considerably above the allowed. So and from everything
2	I've heard, I would not be in support of the application as
3	it stands.
4	BRENDAN SULLIVAN: Laura?
5	LAURA WERNICK: Yeah. I think my fellow Board
6	members have articulated any concerns that I have. Thank
7	you.
8	BRENDAN SULLIVAN: Okay. Well, Mr. Glick, it's a
9	high hurdle. I'm not sure how you can given those
10	comments by the Board, I think the sentiment of the Board is
11	to try to explain away the application and the extent of the
12	relief being requested.
13	DAVID CLICK: So at this time I just would need
14	given the response from the Board, I would need time to
15	speak with my client before making a further request. Can
16	we come back on a further call, or what are our options for
17	the Board?
18	BRENDAN SULLIVAN: Well, we could recess this. We
19	have two more cases that may go fairly quickly that you
20	know, if you want to recess this, you can come back. Stay
21	tuned; it may be you know, a half-an-hour, 45 minutes at
22	the outset. After you huddle, what are the options?

Page 97

1	The options are either to we can go forward or we
2	can take a vote up or down. The ramifications of that is
3	that should you be denied relief based on this particular
4	application, that you are precluded for two years coming
5	back.
6	DAVID CLICK: In which I can state, Mr. Chair,
7	that we're not inclined to go forward to vote.
8	BRENDAN SULLIVAN: Okay. And on the why don't
9	you huddle for 30 minutes, and the other option would be
10	then to continue this matter and take into consideration the
11	comments of the Board and potentially come back with a
12	revised plan?
13	Do you want to take a 30-minute break, or do you
14	want to just go forward now with the continuance?
15	DAVID CLICK: I would just go forward with the
16	continuance right now.
17	BRENDAN SULLIVAN: Okay, that's fine. All right.
18	That's fine. We are into we would be into March 10.
19	It's a case heard, and so we would need Mr. Alexander to be
20	present.
21	CONSTANTINE ALEXANDER: I can be available on the
22	tenth.

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1	BRENDAN SULLIVAN: Mr. Alexander is available.
2	Jason, are you available on the tenth?
3	JASON MARSHALL: I am, yes.
4	BRENDAN SULLIVAN: Jim Monteverde, are you
5	available on the tenth?
6	JIM MONTEVERDE: I am available.
7	BRENDAN SULLIVAN: And Laura on the tenth?
8	LAURA WERNICK: Tenth of February?
9	BRENDAN SULLIVAN: Tenth of March.
10	LAURA WERNICK: Of March? I'm sorry. Yes, I
11	expect to be.
12	BRENDAN SULLIVAN: Yes?
13	LAURA WERNICK: Yes.
14	BRENDAN SULLIVAN: Yes. Okay, great. And
15	[Brendan Sullivan] I'm not going anywhere anyhow. So we are
16	all available on March 10, if that works for you, Mr. Click?
17	DAVID CLICK: It certainly does. I appreciate
18	your availability.
19	BRENDAN SULLIVAN: Okay. Let me make a motion
20	then to continue this matter until March 10,2022 at 6:00
21	p.m. on the condition that the petitioner change the posting
22	date on the sign to March 10,2022 at 6:00 p.m.

1	That any changes to the submittal that is before
2	us tonight be in the file by the 5:00 p.m. on the Monday
3	prior to March 10.
4	That the petitioner sign a waiver to the statutory
5	requirement for a hearing and the decision to be rendered
6	thereof. Such waiver shall be in the file by a week from
7	this coming Monday 5:00 p.m. And it should be sent to
8	either Ms. Pacheco or Ms. Ratay.
9	And I think that's it. Oh, changing the posting
10	sign; any new submittals be in by 5:00 p.m. prior to March
11	10 by 5:00 p.m. on Monday prior to March 10 and the
12	signing of the waiver. Great. On the motion
13	DAVID CLICK: And then
14	BRENDAN SULLIVAN: Yes?
15	DAVID CLICK: I apologize; the waiver, when must
16	that be submitted to
17	BRENDAN SULLIVAN: A week from Monday.
18	DAVID CLICK: Okay. Okay, thank you.
19	CONSTANTINE ALEXANDER: I should add that a
20	failure to do that means this case will be dismissed
21	automatically.
22	DAVID CLICK: Understood.

1	BRENDAN SULLIVAN: Yeah. It's very important that
2	that waiver and again, it's very easy; you can sign it,
3	and then you just
4	DAVID CLICK: Yeah.
5	BRENDAN SULLIVAN: attach it and sent it right
6	back again. So, on the motion, then, to continue this
7	matter until March 10? Mr. Alexander?
8	CONSTANTINE ALEXANDER: I vote in favor.
9	BRENDAN SULLIVAN: Mr. Marshall?
10	JASON MARSHALL: Yes in favor of the continuance.
11	BRENDAN SULLIVAN: Jim Monteverde?
12	JIM MONTEVERDE: Jim Monteverde in favor of
13	continuance.
14	BRENDAN SULLIVAN: Laura Wernick?
15	LAURA WERNICK: Laura Wernick in favor of the
16	continuance.
17	BRENDAN SULLIVAN: And Brendan Sullivan in favor
18	of continuing.
19	[All vote YES]
20	BRENDAN SULLIVAN: The matter is continued until
21	6:00 p.m. March, 10. Thank you, Mr. Click.
22	DAVID CLICK: Thank you, Mr. Chair. Thank you,

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1	Members of the Board.
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City of Cambridge

MASSACHUSETTS

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BOARD OF ZONING APPEAL

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

## **Board of Zoning Appeal Waiver Form**

The Board of Zoning Appeal 831 Mass Avenue Cambridge, MA 02139 RE: Case # <u>BTA - 154082</u> Address: <u>30</u> Canteron IA Address: <u>30</u> Canteron IA (Print Name) (Maragel, 30-32 Cameron

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, Detitioner, or D 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.

Signature