

CITY OF CAMBRIDGE BOARD OF ZONING APPEAL 831 Massachusetts Avenue, Cambridge Masochusetts 617-349-6100

BZA Application Form

BZA Number: 106913

General Information

The undersigned hereby petition	ons the Board of Zoning Appeal for	the following:
Special Permit: X	Variance: X	Appeal:
PETITIONER: 33 Gore LLC C	/O Sarah Like Rhatigan, Esq., Trilog	gy Law LLC
PETITIONER'S ADDRESS: 12	Marshall Street, MA, Boston 02108	3

LOCATION OF PROPERTY: 33 Gore St, Cambridge, MA

TYPE OF OCCUPANCY: Multi-family residential

ZONING DISTRICT: Business A/Residence C

Zone/ECHO

REASON FOR PETITION:

/Additions//Conversion to Additional Dwelling Units/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Expansion by building up and constructing addition squaring off the right-rear side of a pre-existing, nonconforming two-family dwelling, adding two-residential units to the building, which is situated on a merged lot.

Expansion by building up and constructing addition squaring off the right-rear side of a pre-existing, nonconforming two-family dwelling, adding two-residential units to the building, which is situated on a merged lot. Special permit relief necessary to extend ECHO and Res C-2B zoning to the entire lot, to allow expansion of building height up within setbacks, for a waiver of parking requirements, and to allow two tandem parking spaces in the existing driveway.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 3.000 Article: 5.000 Article: 5.000 Article: 5.000 Article: 6.000	Section: 3.32.1 (Extension of Less Restrictive Dimensional Provisions) Section: 5.13 (Distance Between Buildings) Section 5.26 (Conversion). Section: 5.31 (Table of Dimensional Requirements) Section: 6.35.1 (Reduction of Required Parking) Section: 6.43. 1 (Access for Off-street Parking Spaces)
Article: 6.000 Article: 6.000	Section: 6.43. 1 (Access for Off-street Parking Spaces) Section: 6.44.1.g (Setbacks for on grade open parking spaces)
Article: 8.000	Section: 8.22.2.c (Alteration to Non-conforming structure)

Original
Signature(s):

(Petitioner (s) / Owner)

Sarah Like Rhatigan, Esq., on behalf of Petitioner

33 Gore LLC

(Print Name)

Address:

Trilogy Law LLC, 12 Marshall Street, Boston, MA 02108

Tel. No.

617-543-7009

Date: February 2, 2021

E-Mail Address:

sarah@trilogylaw.com

BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by **OWNER**, signed before a notary, and returned to Secretary of Board of Appeal).

I Peter Koskores, a Manager of 33 Gore LLC

(OWNER)

Addresses: 33 Gore Street, Cambridge, Massachusetts

State that 33 Gore LLC owns the property located at 33 Gore Street Cambridge, MA which is the subject of this zoning application.

The record title of this property is in the name of 33 Gore LLC

Pursuant to a deed dated *June 10, 2020* and duly recorded on *June 11, 2020* in the Middlesex South County Registry of Deeds at Book 74867, Page 78.

SIGNATURE BY LAND OWNER BY: Peter Koskores

Commonwealth of Massachusetts

County of Middlesex, South:

The above-named **Peter Koskores** personally appeared before me, this day of **December**, **2020**, and made oath that the above statement is true.

Notary Public:

My commission expires (Notary Seal).

02/27/2026

KAMAL KELAWALA-BILIMORIA

Commonwealth of Massachusetts My Commission Expires Feb. 27, 2026



BZA APPLICATION FORM - OWNERSHIP INFORMATION

(To be completed by **OWNER**, signed before a notary, and returned to Secretary of Board of Appeal).

I Peter Koskores, a Manager of 31 Gore LLC

(OWNER)

Addresses: 29-31 Gore Street, Cambridge, Massachusetts

State that 31 Gore LLC owns the property located at 29-31 Gore Street Cambridge, MA which is the subject of this zoning application.

The record title of this property is in the name of 31 Gore LLC

Pursuant to a deed dated *June 10, 2020* and duly recorded on *June 11, 2020* in the Middlesex South County Registry of Deeds at Book 74866, Page 428.

SIGNATURE BY LAND OWNER BY: Peter Koskores

Commonwealth of Massachusetts

County of Middlesex, South:

The above-named **Peter Koskores** personally appeared before me, this day of **December**, **2020**, and made oath that the above statement is true.

Kanal J. Kelawale Notary Public:

My commission expires (Notary Seal).

02/27/2025

KAMAL KELAWALA-BILIMORIA

Notary Public

Commonwealth of Managery

y Commission Expires Feb. 27, 2026

i de lastico de la composition de la c La composition de la

and the state of t

计分类等分

and the disease of system than the second is set 500 (17 exist the contract

A CARLON CONTROL CONTROL CONTROL OF CONTROL

u Dentron (1994), transport from the mount of the first of the specific of the first of the firs

ELECTRICAL CAMPERS OF LAST CONTRACTOR CONTRA

en de la valencia de la companya del companya del companya de la companya del la companya de la companya de la companya del la companya de l



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:

BACKGROUND AND INTRODUCTION:

The proposed renovation of this mid-19th Century, two-family dwelling seeks to expand by building up (one and a half stories) upon the existing footprint and squaring off the right-rear side of the building by 101 square feet; the renovations and expansion will result in an addition of two-residential units in the building. This pre-existing, non-conforming structure is sited on an undersized (4,470 SF) lot with narrow side yards and no front yard. Originally constructed on its own 1,035 SF lot, this property is deemed to have merged with the neighboring 31 Gore Street on account of it being held in common ownership. The neighboring 31 Gore Street property consists of a six-unit apartment building that is fully tenanted and not undergoing any changes at this time. Together, the merged lot (31 and 33 Gore Street) is located in the East Cambridge Housing Overlay District (see Section 20.40 of the Cambridge Zoning Ordinance ("CZO"), the "ECHO"), with a Base zoning in the Business A District (Residential C-2B for residential uses), with the exception of a 503 square foot triangular area (representing 11% of the area) which falls outside the ECHO, in a Residential C district.

The proposed renovation and expansion will result in an increase in total Gross Floor Area and a Floor Area Ratio of 2.0, in a dwelling unit density of 10 units, and an increase in the height of the 33 Gore Street building to 45 feet, dimensional elements which are generally allowed "as of right" under the ECHO's residential development density provisions under <u>Section 20.40</u>. Since the merged lot straddles the ECHO, with a small portion falling outside the overlay, and due to certain pre-existing constraints of the undersized lot, which result in technical violations of dimensional requirements and limited space for on-site parking, this project requires certain special permit relief (<u>see</u> Special Permit narrative), as well as variance relief, as described herein.

LITERAL ENFORCEMENT WOULD INVOLVE SUBSTANTIAL HARDSHIP REQUIRING VARIANCE: The proposed construction increases the height of the structure to 45 feet, which is allowed residential height within this portion of the ECHO and the Residential C-2B district. This is consistent with the intent and purpose of the creation of the ECHO, to promote and incentivize residential development in this mixed commercial/residential district. In this instance, the increase in height raises an issue as to the technical compliance of the project with dimensional requirements as they relate to two issues:

- (1) Minimum distance between buildings, under Section 5.13. The existing distance between the 33 Gore Street dwelling and its neighboring 31 Gore Street building is 11 feet, 1 inch and thus currently complies with Section 5.13, which requires that "the minimum distance between such buildings shall not be less than the sum of the heights of the buildings divided by six, or ten feet, whichever is greater." At its current height of 27 feet, applying the formula results in a calculation of 9.7 and thus a required minimum distance of 10 feet. The proposed construction will increase the height of the 33 Gore Street building to 45 feet, as permitted under the ECHO and Residential C-2B district. However, when applying the calculation under Section 5.13, the increase in height results in a small (2.7 foot) increase in the minimum required distance between buildings, to 12.7 feet. Although the actual minimum distance between the buildings on the lot will not change, the minimum distance between buildings changes (because defined as a function of building height), thus creating a technical non-compliance with this dimensional standard. Therefore, the Petitioner hereby seeks a variance from this Board asking that the Board allow for the project to proceed despite this technical non-conformity.
- (2) <u>Increase in height of building within setbacks, under Section 5.31</u>. The building lies within the front and left side yard setbacks, and therefore the expansion up within these setbacks results in an extension of these non-conformities. In a Residential C-2B district, front and side yard setbacks are

defined as a function of building height. Thus, since the building height is increased, the defined setbacks technically increase as well. The Petitioner believes and has petitioned this Board accordingly, that the increase in height is an extension of a pre-existing non-conformity (as to the front and left side setbacks), and thus, under <u>Section 8.22.2.c</u>, should be allowed by this Board upon a finding of a special permit. If, however, this Board should disagree with this interpretation, then in the alternative, the Petitioner requests a variance to allow for this increase in height within front and side setbacks.

Literal enforcement of the CZO in this instance would result in severely constraining the ability of an owner to expand the residential density on this lot, as is envisioned and encouraged by the residential development density provisions of the ECHO, causing substantial hardship both financial and otherwise, where there are no alternative locations on the site in which to expand to provide the additional living space needed to support the financial feasibility of this project.

The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures by not affecting generally the zoning district in which it is located for the following reasons:

The hardship described in this application is owing to the following unique circumstances: (a) the shape of the undersized lot that has been merged for zoning purposes due to common ownership, (b) the shape (height) and siting of the existing two-family structure (33 Gore Street) located very close to the left lot line and at the front lot line, and (c) the siting of the building with 11 feet, 1 inch between it and the neighboring structure. The circumstances of the merger are unique and generally not affecting other lots in the zoning district. Due to its age and deteriorated condition, the necessary improvements and upgrades to the 33 Gore Street dwelling will be extremely costly, and the expansion to increase living space will be financially necessary to offset construction costs. Constrained by the undersized lot, and the existing shape and size of the structure and the desire to preserve the only available open space at the rear, the Petitioner's only viable option is to expand the building up. The fact that the Property lies in a Base zoning district in which both the minimum distance between buildings and the side setbacks are defined as a function of the height of the building means that this project (that increases the height of the structure) will result in a recalculated dimensional requirements, thus triggering a variance requirement.

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 requested relief may be granted without detriment to the public good. The increase in height results in changed calculations for certain dimensional requirements under the CZO (specifically, the distance between buildings and side yard setbacks), but this increase in height is a dimensional element that is expressly permitted under both the ECHO as well as the Residential C-2B district in which the project lies. Furthermore, the increased height is in keeping with the height of neighboring uses in the vicinity. The proposal does not propose to move site the buildings closer together than they exist today. The addition towards the right-rear of the building extends the existing 11 feet, 1 inch distance between buildings back towards the rear of the lot. However, this change affects the interior of a multi-family apartment lot, and will not substantially, negatively affect the residents or neighboring uses. Additionally, the increased height of the 33 Gore Street building within the left side setback will not be substantially detrimental to the public good. The substantial upgrading of all systems, new firecode compliance (including sprinklered building) will result in improved safety and benefits for the abutters and the neighborhood. Moreover, the project will supply much-needed moderate-rate, residential rental housing that is close to public transit.

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

The granting of variance relief in this instance will be consistent with the intent and purpose of the ECHO, which is to encourage the further expansion of residential development within this quasi-

2/1/2021

commercial/residential area. Section 20.41 provides as follows: "Purpose. It is the intent of this Section 20.40 to provide an incentive for residential development within the designated ECHO district as an extension of the existing residential neighborhood...." Moreover, consistent with the stated intent and purpose of the ordinance, as detailed in Section 1.30 of Article 1.000 Preamble of the Zoning ordinance as well as M.G.L Ch. 40A Zoning Section 10 Variances, the proposed project will: (a) Create quality housing with valued open space for the benefit of the residents and abutters; (b) not result in use or activity not otherwise permitted in the ordinance; and (c) not result in negative impacts listed in Section 1.3 regarding traffic, population density, blight, and pollution.

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

BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

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

Granting the Special Permit requested for <u>33 Gore St</u>, <u>Cambridge</u>, <u>MA</u> (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 project meets the requirements for the granting of the following special permits:

- (i) The Petitioner seeks a special permit under <u>Section 3.32.1</u>, where more than one-half of the area of the lot lies in a less restricted district (the ECHO and the Business A/Residential C-2B district), to allow the less restrictive dimensional regulations under the ECHO and Business A/Residential C-2B district be "extend[ed] up to twenty-five (25) feet into the more restricted district" in this case, thereby extending the less restrictive regulations of the ECHO and Residential C-2B to the small Res. C area of the lot;
- (ii) The Petitioner seeks a special permit under <u>Section 8.22.2.c</u> to allow for the increase in the preexisting non-conforming condition, specifically, the front and left side yard setback violations, allowing for the proposed construction to extend non-conforming walls up within the front and left side setbacks, while not creating any new non-conformities;
- (iii) The Petitioner seeks a special permit under <u>Section 6.35.1</u> to allow for a reduction of required on-site parking, where the Property currently has one legal parking space (for 8 units), and proposes to provide two tandem parking spaces (for 10 units). The Petitioner has submitted a "Memorandum 33 Gore Street, Cambridge MA Parking Analysis," dated January 20, 2021, prepared by Trafinfo Communications, Inc., (the "Parking Analysis") which provides data and evidence to support a finding that the project meets the criteria for a special permit parking waiver under <u>Section 6.35.1</u>; and
- (iv) and (v) The Petitioner seeks special permits under <u>Section 6.43.3</u> and <u>6.44.1.g</u> to allow for parking of two cars in tandem in the existing driveway in a location within 5 feet of building walls, thus requiring relief for access and dimensional compliance.
- B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The proposed construction and addition of two dwelling units at this location will not substantially impact the established neighborhood character, nor cause congestion hazard or negative impacts in terms of traffic generated or patterns of access or egress. The existing neighborhood is best characterized as a mix of commercial and densely-built residential uses, situated less than a block off a major highway (Monsignor O'Brien Highway). It is located adjacent to an auto repair shop, rug store, multi-family apartment buildings, fire station, commercial parking lots, and a used car dealer. The proposed construction expands residential use in a manner that is consistent with uses in the neighborhood and will allow for revitalization, upgrading, and improvement to this small, somewhat deteriorated aged structure. The proposed construction does not after the access or egress from the site, which will continue to be served by a single driveway. Parking will be better managed, by removing the open paved area behind the building and providing two tandem parking spaces. The addition of two residential apartments at this location will not materially impact traffic in this well-traveled area just off Monsignor O'Brien Highway.

Finally, as described in the "Parking Analysis," the project meets the requirements set forth under Section 6.35.1 to support a waiver of required on-site parking, where the evidence set forth in the Parking Analysis shows that a lesser amount of parking (specifically, providing 2 tandem parking spaces, instead of the 3 parking spaces otherwise required for the project) "will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood," and "that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood," namely in this case, the allowing space to landscape two green open space yards behind each of the buildings on the lot.

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 continued operation of or development of adjacent uses would not be adversely affected by this renovation which does not materially change the nature of this proposed use (by converting from 6 to 8 units on the merged lot) or impair the adjacent large, multi-family residential apartment buildings on either side of the project, the auto repair shop and rug shop at the rear and parking lot and fire station across the street. In fact, the development of this Property will bring about welcome improvement to the neighborhood.

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:

No nuisance or hazard will be created as a result of the proposed special permit relief, for the reasons described above. The expansion of the residential building is in keeping with the residential development density envisioned for the neighborhood. The parking plan that is proposed for the site is an improvement over the current conditions and provides space for two vehicles to park in tandem. The proposed plan, by limiting parking to the existing driveway, and converting areas behind both buildings to newly landscaped green spaces, will provide much improved areas for residents to enjoy the open spaces on the lot. In sum, the plan balances the need for parking with the desire to provide green open space to its residents. Additionally, the plans provide for long-term bicycle parking in the basement of the 33 Gore Street building for two bicycles, thus meeting the requirements of Section 6.107, with space for two short-term bicycle parking spaces for the rear yard. This bicycle-friendly development will support residents who are anticipated to use bicycles for transportation and avoid vehicle use altogether.

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 requested special permit relief can be granted without impairing the integrity of the District or adjoining district, because the new basement window will be in keeping with standard residential construction and consistent with neighborhood uses.

*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:

33 Gore LLC

617-543-7009

Present Use/Occupancy:

Multi-family residential

Location: Phone:

Location: 12 Marshall Street

Zone:

Business A/Residence C Zone/ECHO

Requested Use/Occupancy: Multi

Multi-family residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		7,159	8,940	8,940	(max.)
LOT AREA:		4,470	4,470	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: 2		1.6	2.0	2.0	
LOT AREA OF EACH DWELLING UNIT		559	447	300	
SIZE OF LOT:	WIDTH	60	60	50	
	DEPTH	74	74	n/a	
SETBACKS IN FEET	FRONT	0	0	10.0	
	REAR	22.2 (33 Gore)/14.6 (31 Gore)	21.2 (33 Gore)/14.6 (31 Gore)	20.0	
	LEFT SIDE	1.75	1.75	(H+L)/5	
	RIGHT SIDE	2.75	2.75	(H+L)/5	
SIZE OF BUILDING:		27 (33 Gore)/31 (31 Gore)	45 (33 Gore)/31 (31 Gore)	45	
	WIDTH	16 ft (33 Gore)/26 ft (31 Gore)	16 ft (33 Gore)/26 ft (31 Gore)	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		9.1%	16.9%	15.0%	
NO. OF DWELLING UNITS:		2 (33 Gore)/6 (31 Gore) = 8 total	4 (33 Gore)/6 (31 Gore) = 10 total	14 (allowed under the ECHO)	
NO. OF PARKING SPACES:		1	2 (tandem)	3	
NO. OF LOADING AREAS:		0	0	0	
DISTANCE TO NEAREST BLDG. ON SAME LOT		11 feet, 1 inch	11 feet, 1 inch	12.7	

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'.



TrafInfo Communications, Inc. 10 Tower Office Park, Suite 301 Woburn, MA 01801 www.trafinfo.com

MEMORANDUM

TO: Christopher Koskores, Koskores Real Estate Corp. FROM: Sudhir Murthy, P.E., PTOE and Deanna Peabody, P.E.

DATE: January 28, 2021

SUBJECT: 33 Gore Street Cambridge, MA

Parking Analysis

INTRODUCTION

This memorandum discusses a Parking Analysis conducted by TrafInfo as per 6.35.3 – Parking Analysis of Article 6.000 of the Cambridge Zoning Ordinance for 33 Gore Street in Cambridge, Massachusetts associated with the Gore Street Development (the Project). This memorandum is in support of the issuance of a special permit by The Board of Zoning Appeals for Relief from Parking Requirements. The purpose of this memorandum is to provide evidence that the Project will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses, or otherwise adversely impact the neighborhood. Furthermore, the Project will provide positive environmental and other benefits to users of the lot and the neighborhood. As per the Zoning Ordinance, TrafInfo consulted with the City prior to writing this memorandum to determine the scope and methodology of the Parking Analysis herein included with the Special Permit Application of the Project.

BACKGROUND

33 Gore Street (the Project site), located in East Cambridge, is in a triangle of a mixed use area bounded by Gore Street to the south, Third Street to the west, and Massachusetts Route 28 (Monsignor O'Brien Highway) to the north. This area is in three zoning districts: C-1 (single-and two-family detached dwellings, townhouse dwellings, multifamily dwellings), C-2B (single-and two-family detached dwellings, townhouse dwellings, multifamily dwellings (apartments, condos), some institutional uses), and BA (most types of residential dwellings, most institutional uses, offices and laboratories, most retail uses). Furthermore, the project is in the Eastern Cambridge Housing Overlay (ECHO) area intended to provide an incentive for residential development as an extension of the existing residential neighborhood and to permit housing to be developed in combination with other uses permitted on a lot where a mix of uses is desirable.

33 Gore Street currently contains a 2.25 story 2 unit multi-family residential building with an existing footprint of approximately 691 gross square footage (gsf). There is an 11'-1" driveway leading to one parking space behind the structure. The Gore Street Development proposes to expand the footprint at 33 Gore Street to approximately 792 gsf, an addition of 101 gsf. In addition to the expanded footprint at the rear of the building, the proposed work includes the complete

Ph.: (888) 710-5380

renovation of interior spaces with new building utilities and window locations, new 3rd and 4th stories, and excavation and underpinning of the existing foundation. The building is proposed to have a total of 4 units, an increase of 2 units from existing conditions. The driveway is proposed to remain as is, however, the parking space behind the structure is proposed to be converted to 'green' open space for the lot. Instead, two parking spaces are proposed in the driveway itself, although they will be in tandem. It is understood that this tandem parking configuration requires a special permit, and if allowed, will result in two legal parking spaces for the Project, one more than the number of spaces that exist on the site currently.

The adjacent structure at 31 Gore Street contains 6 residential units with open 'green' space behind the building. The two parcels are merged only via common ownership by Koskores Real Estate Corp. It should be noted that there are no proposed changes to the structure at 31 Gore Street. However, when looking at both sites collectively, the existing 8 residential units (6 at 31 Gore Street and 2 at 33 Gore Street) are proposed to become a total of 10 units (6 at 31 Gore Street and 4 at 33 Gore Street) by the Project.



Figure 1 – Locus Map

As per Subsection 6.36, the Cambridge Zoning Ordinance requires one (1) parking space per dwelling unit. Hence, 33 Gore Street currently requires two (2) parking spaces and would require an additional two (2) parking spaces in the proposed condition for a total of four (4) parking spaces. Since one (1) legal space currently exists and two (2) tandem spaces are proposed to exist in the

future, which with a special permit will be considered "legal", the project is seeking a relief from the required two (2) additional parking spaces.

PARKING ANALYSIS

The first step of the Parking Analysis was to estimate the project's parking demand. The two (2) units at 33 Gore Street are currently vacant, however, the tenants of the six units at 31 Gore Street indicated that they collectively own five (5) vehicles and three (3) bicycles. It is assumed that the vehicles are parking either on street or in a nearby garage. It should also be noted that the existing parking space on site is vacant. Assuming a similar vehicle ownership rate as 31 Gore Street, the tenants of 33 Gore Street will own a maximum of three (3) to four (4) vehicles, two of which can park on site (in tandem), resulting in a maximum off-site parking demand of one (1) to three (3) vehicles. Additionally, the tenants are anticipated to own approximately two (2) bicycles.

TrafInfo conducted a field visit on Tuesday January 19, 2021 to inventory the parking availability on Gore Street between Third Street and Massachusetts Route 28. It was noted that parking on Gore Street is by permit only except on Sundays and that the parking on Gore Street between Third Street and Massachusetts Route 28 was 100% occupied at the time of the field visit except for the handicapped parking space in front of Olive Café. There were a few available spaces in the surrounding neighborhood. Since the parking along Gore Street is by permit only, the Project will not adversely affect the neighborhood by taking parking away from the businesses in the vicinity of the Project. Furthermore, the City can monitor parking demand and grant or restrict permits, as necessary.





Figure 2 – Gore Street Looking East (Left) and Looking West (Right)

Due to the on-going COVID-19 pandemic, more people are working from home and therefore, there is currently a greater utilization of on-street parking even during normal working hours. This may change in the future with spaces on Gore Street being available if residents commute to work using their cars. Furthermore, given the amount of transit options in the area and the walkability and bike ability of the area, residents may own cars primarily for weekend leisure trips. Given the infrequent use of their cars, residents would be more amenable to park at some distance if spaces are not available on Gore Street in the immediate vicinity of 33 Gore Street.

Page 3 of 9

The Zoning Ordinance states that in deciding, the Board of Appeals shall consider whether less off street parking is reasonable considering the following:

(1) The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MTBA transit station.

The First Street Municipal Garage, owned by the City, is located at 11 Spring Street / 51 First Street, with access via Spring Street. It is located approximately 0.3 miles from 33 Gore Street, a 6 minute walk, according to Google Maps. The garage has 1,110 parking spaces and is open 24/7. According to the City's website there is reduced fee monthly parking for Cambridge residents. Cambridge residents may park at the First Street Parking Garage for a fee of \$100 per month May through November and \$50 per month December through April with a current Resident Parking Permit. The application form is available on the website.

The Project is near several transit options. The Lechmere Station on the MBTA Green Line is only 500 ft from the Project site, a two minute walk. The Community College Station on the Orange Line and the Kendall/MIT Station on the Red Line are also within a mile of the Project, which then connect to several additional bus routes. As shown in Figures 3 and 4, there are also several MBTA bus stops near the Project as well as the Cambridgeside Shuttle which transports passengers from the Cambridgeside Galleria to Kendal/MIT Station on the Red Line and the EZRide Shuttle which transports passengers between Cambridge and North Station with a link between Lechmere Station on the Green Line and Kendall/MIT Station on the Red Line. Table 1 lists the transit options in the vicinity of the Project along with the distance and travel times by mode to the stations.



Figure 3 – Transit Options near 33 Gore Street

Table 1 – Distance	and Travel	Times to Nearby	v Transit Stations
---------------------------	------------	-----------------	--------------------

TRANSIT STATION	DISTANCE*	WALK TIME*	BIKE TIME*
Lechmere Station, Green Line	0.1 mile	2 min	1 min
O'Brien Hwy @ Winter St Bus Route 80 (Arlington Center – Lechmere Station) Bus Route 87 (Clarendon Hill or Arlington Center – Lechmere Station) Bus Route 88 (Clarendon Hill – Lechmere Station)	0.2 mile	2 min	1 min
225 Msgr O'Brien Hwy Bus Route 80 (Arlington Center – Lechmere Station) Bus Route 87 (Clarendon Hill or Arlington Center – Lechmere Station) Bus Route 88 (Clarendon Hill – Lechmere Station)	0.1 mile	5 min	2 min
Cambridge St @ Third St Bus Route 69 (Harvard Square – Lechmere Station)	0.1 mile	2 min	1 min
Cambridge St @ Sciarappa St Bus Route 69 (Harvard Square – Lechmere Station)	0.2 mile	4 min	2 min
Community College Station, Orange Line	0.8 mile	17 min	6 min
Kendall/MIT Station, Red Line	0.7 mile	16 min	5 min

^{*}SOURCE: GOOGLE MAPS

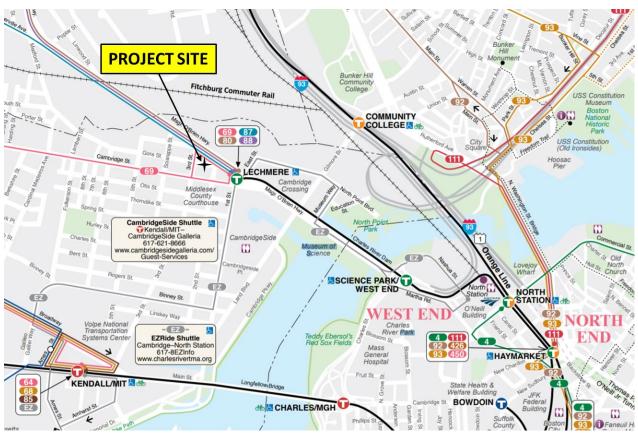


Figure 4 – MBTA Transit Map near 33 Gore Street

Furthermore, there are car-sharing services in the area including ZipCar which could be utilized by residents of the Project.

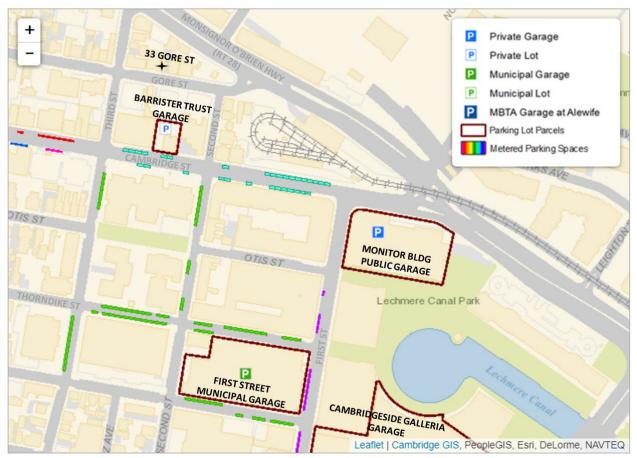
There are pedestrian accommodations in the area along all streets and the area is very walkable. There are 6 foot concrete sidewalks along both sides of Gore Street. Gore Street is a safety zone with a 20 mph speed limit.

There are bicycle accommodations in the area including bicycle lanes along Cambridge Street to Lechmere Station and new bike lanes and a cycle track on Massachusetts Route 28 in the vicinity of Lechmere Station. There is also a Hubway Bike sharing station at 153 Cambridge Street only 0.2 miles (4 min walk) from 33 Gore Street.

(2) The availability of public or commercial parking facilities in the vicinity of the use being served.

As mentioned above, the First Street Municipal Garage is near the Project. In addition to an opportunity for Cambridge residents to park in the garage, the garage also has public parking for \$2.00 per hour (less on weekday nights and weekends) which could be used for visitors of the Project. There are several additional private garages in the vicinity of 33 Gore Street which may provide opportunity for public parking for visitors of the residents of 33 Gore Street. These garages include the Barrister Trust garage located at 201 Cambridge Street, the Monitor Building Public Garage located at 2 Canal Park with access via Monsignor O'Brien Highway with 50 parking spaces, and the Cambridgeside Galleria located at 78-90 First Street with 2,538 parking spaces, among others. Additionally, there is metered parking in the vicinity of the Project along Cambridge Street, First Street, Thorndike Street, Second Street, and Third Street. In general, the metered parking has a 2 hour time limit and costs \$1.25 to \$1.50 per hour. At the time of TrafInfo's field visit, there were several metered parking spaces available. Figure 2 below shows the locations of public parking in the vicinity of 33 Gore Street.

Page 6 of 9



SOURCE: CITY OF CAMBRIDGE TRAFFIC, PARKING, & TRANSPORTATION WEBSITE

Figure 5 – Public Parking near 33 Gore Street

(3) Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces.

There are three existing off-street parking areas in the immediate vicinity of the Project: CVS, the Fire Station, and the City Car Dealership. These have significant utilization and hence do not offer an opportunity for shared parking.

(4) Age or other occupancy restrictions which are likely to results in a lower level of auto usage.

Although there will not be age or occupancy restrictions at the site, this Project is likely to attract those that would take public transit or walk/bike given the location of the Project and general trends within the City of Cambridge in general.

According the Bicycle Trends in Cambridge report from 2014, Cambridge is well suited to bicycling and more people are using their bikes every day for commuting, shopping, and general transportation. Between 2002 and 2012, the number of people bicycling in Cambridge tripled.

Cambridge is well served by rapid transit, with 5 stops on the Red Line and one stop on the Green Line (Lechmere), serving over 100,000 riders per day. In addition, 31 bus routes travel in Cambridge and carry 85,000 riders each working day. It is understood that transit ridership has decreased since the onset of COVID-19 pandemic.

(5) Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.

The proposed project adds 'green' open space without losing any existing parking. With the merged properties, the additional open space will meet the requirement of 15% of the lot. Providing any additional parking within the lot will impact the proposed green space. Furthermore, given the lot size of 33 Gore Street and the adjacent 31 Gore Street, there is no feasible way to provide parking without impacting adjacent properties.

(6) The provision of required parking for developments containing affordable units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental qualify for all residents of the development.

Article 6.000 requires development of adequate parking facilities to meet the reasonable needs of all building and land users without establishing regulations which unnecessarily encourage automobile usage. The parking and bicycle parking standards are intended to encourage public transit, bicycle usage and walking in lieu of automobiles where a choice of travel mode exists and flexibility in providing required parking through shared or off site arrangements to accommodate the automobile in the urban environment in a less disruptive way.

Given the location of the site and the availability of other modes including walking, bicycling, riding transit, car sharing services, etc. in combination with the small site and the construction of only two additional units, it seems reasonable to issue a special permit. There is no feasible way to provide parking without impacting the residents of the site and the neighborhood.

The Project proponent is committed to providing two (2) long-term bicycle storage spaces in the basement in compliance with the City's requirement for on-site bicycle parking.

Page 8 of 9

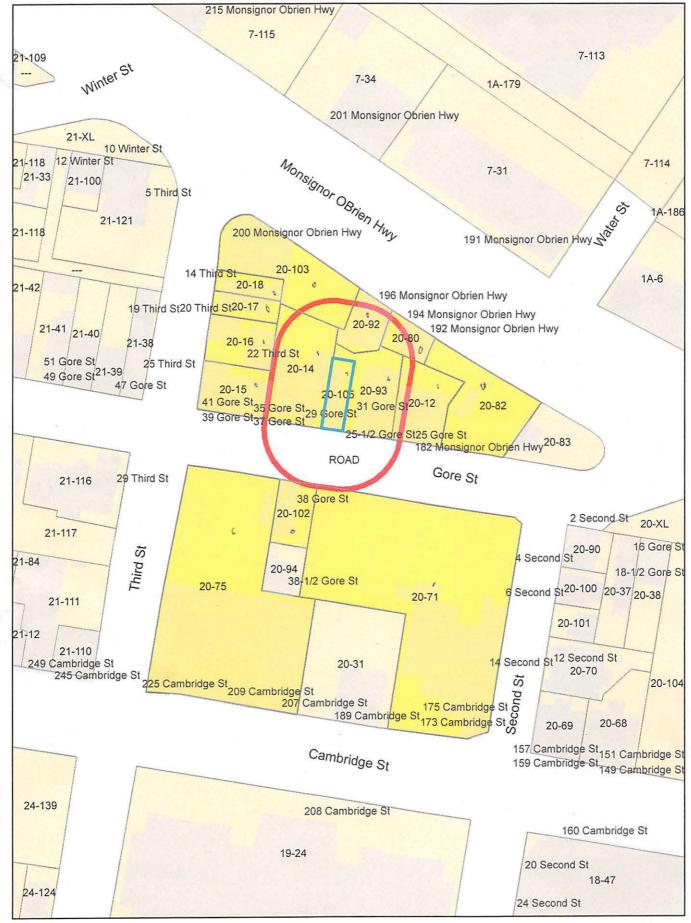
CONCLUSIONS

The proposed Project at 33 Gore Street involves the addition of two residential units to the existing two units for a total of four residential units. Based on current automobile ownership levels at the 6-unit 31 Gore Street, the Project will have a demand of 3 to 4 cars. The Project is proposing to provide on-site parking for 2 cars parked in tandem in the driveway. This memorandum documents a *Parking Analysis* in conformance with the City of Cambridge Ordinance in support of a special permit application request relief from the parking requirements for the following reasons:

- The utilization of existing on-street parking in the immediate vicinity of the site is at 100% but this could be compounded by the on-going COVID-19 pandemic. It was noted that there were a few parking spaces unoccupied in the surrounding neighborhood.
- On-street parking in the vicinity of the Project is by permit. Therefore, the Project will not negatively affect existing businesses and other uses by taking away their parking. The City also can manage the parking permits granted.
- There are several garages with public parking in addition to metered parking along Cambridge Street and other adjacent streets near the Project which can be used by visitors to the residents of the Project. At the time of TrafInfo's field visit there was sufficient parking available.
- There is a parking garage within walking distance to the Project with reduced rates for monthly parking permits for residents of the City.
- The Project is situated within 500 feet of the Lechmere Green Line station and MBTA bus stations, and within walking distance to several MBTA bus stops and shuttle stops, as well as to the MBTA Red and Orange lines.
- All streets including Gore Street near the Project have good pedestrian accommodations with concrete sidewalks. The City of Cambridge in general is a very bikeable/walkable community.
- There are bicycle accommodations in the vicinity of the Project with delineated bike lanes on Cambridge Street and bike lanes and a new cycle track on Route 28 Monsignor O'Brien Highway. The Proponent is committed to providing two (2) long term parking spaces in the basement of 31 Gore Street with easy access via a bulkhead door.
- There is no feasible way to have the parking on site given existing property constraints. The proposed site plan layout increases the green space on site while maintaining the same one legal parking space with one additional tandem parking space. Even if the proposed green space was removed, the required parking could not be accommodated.

Page 9 of 9

33 Gore St



33 Cou St.

20-92 LECHMERE RUG LLC, 200 MONSIGNOR O'BRIEN HGWY. CAMBRIDGE, MA 02141

20-103 CURLEY, PATRICK A., JR. TR. OF ALLEN REALTY TRUST 200 MSGR O'BRIEN HIGHWAY CAMBRIDGE, MA 02141

20-80 GAO, QING SHENG & MEI SUN 115 FARNHAM ST BELMONT, MA 02478-3172

20-17
BALORDI, VIRGINIA A., LOUISE ALLEN &
PAUL BALORDI
16 THIRD ST
CAMBRIDGE, MA 02141-1210

20-93-105 31 GORE LLC 2 LINCOLN ST SOMERVILLE, MA 02145

20-71 CITY OF CAMBRIDGE C/O LOUIE DEPASQUALE CITY MANAGER 20-102 DATTERO, AGNES M. 38 1/2 GORE ST. CAMBRIDGE, MA 02141-1214

20-16 MEOLA, DAMIAN D. TRUSTEE OF DMD REALTY TRUST 20 THIRD ST CAMBRIDGE, MA 02141

20-14
FERRARO, LOUIS,
TR. OF 14 TRAPELO ROAD NOMINEE TRUST
64 FLETCHER ROAD
BELMONT, MA 02478

20-12 GORE ST REAL ESTATE GROUP LLC 25 EDGE HILL RD CHESTNUT HILL, MA 02467

20-18 ALLEN, WILLIAM E. & LOUISE M. ALLEN 14 THIRD ST. CAMBRIDGE, MA 02141

20-71 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR TRILOGY LAW C/O SARAH L. RHATIGAN, ESQ. 12 MARSHALL STREET BOSTON, MA 02108

20-71 CAMBRIDGE CITY OF FIRE DEPT 491 BROADWAY CAMBRIDGE, MA 02138

20-15 L. J. REALTY CORPORATION 138 WOODSIDE LANE ARLINGTON, MA 02474

20-75 YONEDA PROPERTIES II MASSACHUSETTS, LLC 2502 STEVENS CREEK BLVD SAN JOSE, CA 95128

20-82 VIGLIONE, GERARDO TR. OF THE JOSEPH VIGLIONE REALTY TRUST 54 MOUNTAIN RD BURLINGTON, MA 01803



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: Peter Koskores (Print)	Date: 2 - 9-2/
Address: 33 Gove St.	•
Case No. BZA-106913	
Hearing Date: $\frac{2}{35}$	

Thank you, Bza Members



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

February 18, 2021

To:

The Board of Zoning Appeal

From: The Planning Board

Re:

BZA - 106913 - 33 Gore Street

At its regular business meeting of February 16, 2021, the Planning Board reviewed the abovereferenced Board of Zoning Appeal (BZA) case as part of its General Business. After consideration of the requests in the proposal and after hearing testimony from the applicant's representative, the Planning Board voted unanimously to forward the following comments to BZA.

In general, the Board felt that the creation of additional dwelling units is positive and has no particular issue with the height and density. However, Board members raised concerns about increasing the height along the existing side yard setback, which is already very close to residential windows on the abutting lot. Board members also raised issues with the design of the front façade, which appears to be a plain rectangle with few windows and could be improved.

The Applicant informed the Board that this project is subject to review by the Cambridge Historical Commission and that the proposed design will be revised. The Planning Board recommends that the BZA give consideration to these concerns raised by the Board when reviewing a revised design.

February 22, 2021

Via Email

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

Re: BZA Case No. BZA106913-2021, 33 Gore Street – Request for Continuance

Dear Members of the Board:

This matter is scheduled to be heard by the Board of Zoning Appeal at a public hearing on Thursday, February 25, 2021. On behalf of the petitioners, I hereby respectfully request a continuance and ask that this matter be rescheduled for a public hearing on Thursday, April 8, 2021.

Thank you for your consideration.

Sincerely,

Sarah Like Rhatigan, Esq.

CC: Mr. Christopher Koskores (via email)

Mr. Peter Koskores (via email)



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

2021 FEB 22 PM 2:35 831 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#_	(3)	ZA-10	06913-	2021.			
Address:	33	Gove	St.				
□ Owner, □	Petitioner	r, or ⊡ Rep	resentative:		rint N	Clahjan	Eng

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:	February 22, 2021	
		Signature

200

E Doe 33 Gore Street March 23, 2021 at 12:09 PM Sarah Rhatigan



To whom it may concern:

I am the Manager of Gore St Real Estate Group LLC which owns the property located at 25 Gore Street. As an abutter to the project at 33 Gore Street, I have been interested to see the proposal to renovate and improve the small two-family located two doors down from our property at 33 Gore Street. While I was supportive of the earlier proposal to build up to 4 units of housing in this location, I understand the owner has decided to do a smaller project, in order to bring the level down one-story, and create side-by-side townhouses. I am also supportive of these plans.

The owner has shared the elevations and plans for this project and I am supportive of their project and believe that this will be a great improvement for the street and our neighborhood, and recommend that you grant your support to this project.

Thank you.

Sincerely,

Emmanuel Doe, Manager

Gore St Real Estate Group LLC

March 33, 2021

Board of Zoning Appeal City of Cambridge 831 Massachusetts Avenue, 1st Fl. Cambridge, MA 02139

and

Cambridge Historical Commission 831 Massachusetts Avenue, 2nd Fl. Cambridge, MA 02139

RE: 33 Gore Street, Cambridge, MA

Dear Members of the Board of Appeal and Members of the Commission:

I am the owner of the property located at 35-37 Gore Street, Cambridge. The owners of 33 Gore Street have shared their plans to expand the house by adding an additional story and squaring off the back of the house, creating two townhouse style units.

I am supportive of their plans to make these changes and improvements to the property, and recommend that the Board of Appeal and Members of the Commission approve their applications for approval.

Thank you.

Louis Ferraro, Trustee

14 Trapelo Road Nominee Trust

Page 102

1 2 (8:00 p.m.) Sitting Members: Constantine Alexander, Brendan Sullivan, 3 4 Andrea A. Hickey, Matina Williams and 5 Jason Marshall CONSTANTINE ALEXANDER: All right. It's now 8:00. 6 Now, moving around, cut the suspense for the last case. The 7 8 Chair will call Case Number 106913 -- 33 Gore Street. Is there anyone here wishing to be heard on this matter? 9 one wishes to be heard? That's probably because we are in 10 receipt of a letter from Sarah Rhatigan, as counsel for the 11 12 petitioner. And the letter states, "This matter -- " [referring to the case we have 13 right now] "-- is scheduled to be heard by the Board of 14 Zoning Appeal, a public hearing on Thursday, February 25, 15 16 2021. On behalf of the petitioners, I hereby respectfully 17 request a continuance, and ask that this matter be rescheduled for a public hearing on Thursday, April 8, 18 19 2021." 20 And this is a case not heard, so the five of us 21 don't necessarily have to be present on April 8. We do have room on our calendar for this, to continue this case until 22

April 8. So I will -- the Chair proposes to make the following motion.

The Chair moves that this case be continued as a case not heard until 6:00 p.m. on April 8, subject to the following conditions:

One, that the petitioner sign a waiver of time for decision. Such waiver must be signed and returned to the Inspectional Services Department -- I think we have it in the file, wait a minute. The petitioner -- counsel, who's experienced in these matters. Yeah, she signed one already, so we don't need that. Eliminate that condition.

The second is that a new posting sign or a modified posting sign must be maintained for the 14 days prior to April 8, just as the sign for tonight's hearing was maintained.

I should mention -- and it should be conveyed to the petitioner's counsel -- that when I checked for the sign it was in bad condition, barely hanging on. They should take better steps to maintain a readable sign than was the case before, particularly given the fact there seems to be some issues on the merits of this case.

So that sign, I think the current sign is not in

```
condition to be modified. So our new sign should be
1
2
    obtained and maintained for the 14 days prior to April 8.
    And lastly to the extent there are going to be new or
3
4
    modified plans, specifications, drawings or the like, they
5
    must be in our files no later than 5:00 p.m. on the Monday
    before April 8. Brendan, how do you vote?
6
7
              BRENDAN SULLIVAN: Brendan Sullivan yes to the
8
    continuance.
9
               CONSTANTINE ALEXANDER:
                                      Andrea?
               ANDREA HICKEY: Andrea Hickey yes to the
10
11
    continuance.
12
               CONSTANTINE ALEXANDER: Jason?
               JASON MARSHALL: Jason Marshall yes to granting
13
14
    the continuance.
               CONSTANTINE ALEXANDER: Matina?
15
               MATINA WILLIAMS: Matina Williams yes to granting
16
17
     the continuance.
18
               CONSTANTINE ALEXANDER: And I vote continue as
19
     well. Case continued. Meeting is over. Thank you,
20
     everybody.
21
               COLLECTIVE: Good night.
22
               CONSTANTINE ALEXANDER: Good night.
```

						-90 -		
1	[08:02	p.m.	End o	of	Proceedings]			
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17							3	
18								
19								
20								
21								
22								
							:	
,							1	



City of Cambridge

MASSACHUSETTS

BOARD OF ZONING APPEAL

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

Replacement.

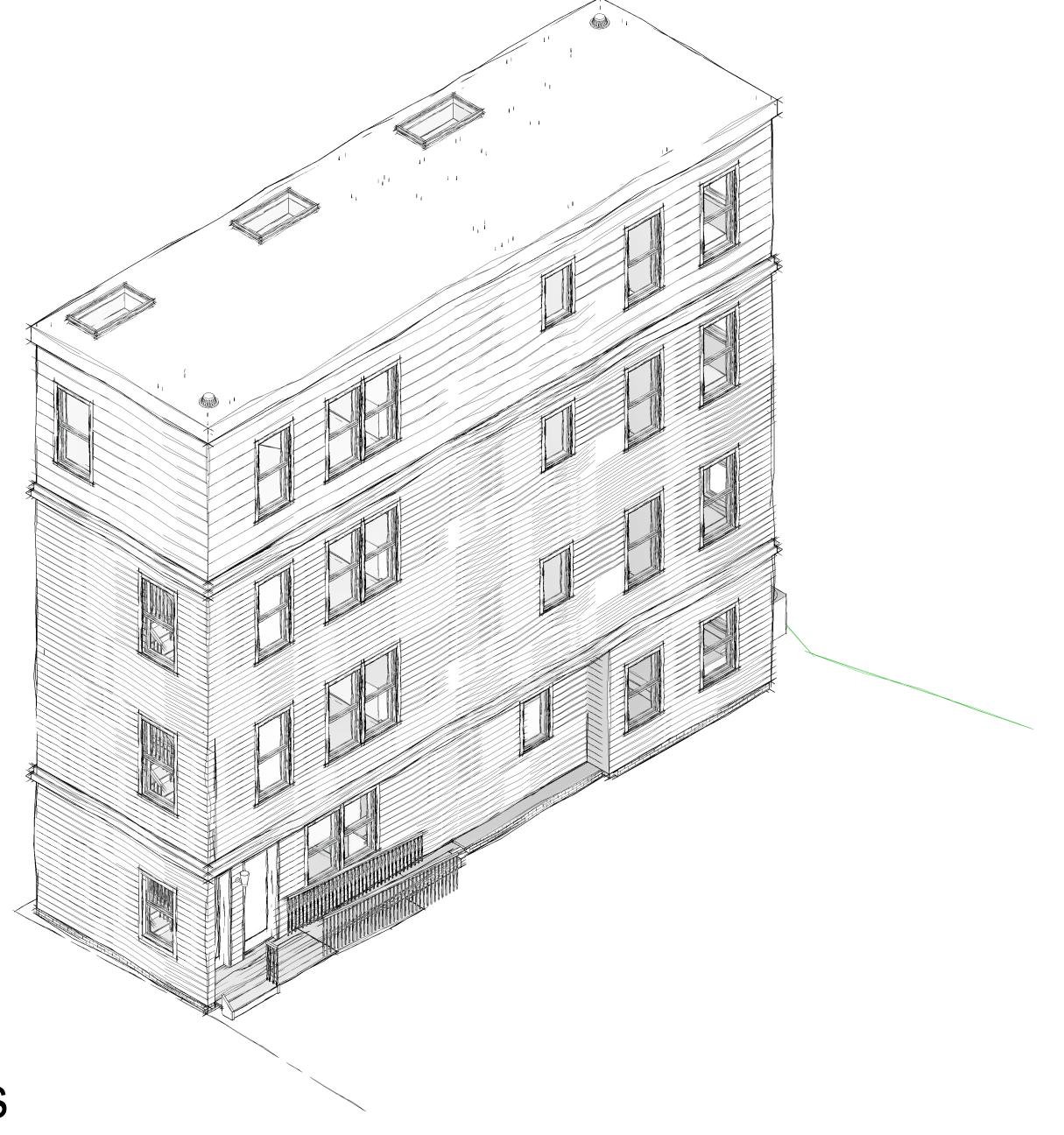
BZA

POSTING NOTICE - PICK UP SHEET

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

Name: Peter Estaves (Print)	Date: $3/22/21$
Address: 33 Gove Id.	· · · · · ·
Case No. 821-106913	
Hearing Date: 4/8/21	

Thank you, Bza Members



WARNING:

This document may not be secure, may be corrupted in transmission or due to software incompatibility and/or may be amended or altered by third parties after leaving Joe The Architect LLC's possession. Joe The Architect LLC is not responsible for and accepts no liability for such matters. Subject only to any conflicting provision within any prior binding agreement by Joe The Architect LLC (which agreement may also contain additional conditions relating to this document and its use):

1. the content of this document is confidential and copyright in it belongs to Joe The Architect LLC. They are permitted only to be opened, read and used by the addressee. 2. all users of this document must carry out all relevant investigations and

must examine, take advice as required and satisfy themselves concerning the contents, correctness and sufficiency of the attachment and its contents for their purposes.

3. to the extent permitted by law, all conditions and warranties concerning this document or any use to which they may be put (whether as to quality, outcome, fitness, care, skill or otherwise) whether express or implied by statute, common law, equity, trade, custom or usage or otherwise are expressly excluded.

4. any person using or relying document releases and indemnifies and will keep indemnified Joe The Architect LLC against all claims, liabilities, loss, costs and expenses arising directly or indirectly out of or in connection with such use or reliance including without limitation any misrepresentation, error or defect in this document.

Contractors to use Architectural drawings for set out. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. All work to comply with I.B.C. Statutory Authorities and relevant American Standards.

Index of Drawings

A000 COVER SHEET A001 SITE CONTEXT AND CODE ANALYSIS

A002 STANDARDS, GENERAL NOTES & ABBREVIATIONS

MEANS OF EGRESS PLAN A030 EXISTING FLOOR PLANS

A110 BASEMENT FLOOR PLAN A111 FIRST FLOOR PLAN A112 SECOND FLOOR PLAN

A113 THIRD FLOOR PLAN A114 FOURTH FLOOR PLAN **ROOF PLAN** A115

A200 EXISTING EXTERNAL ELEVATIONS A201 EXTERNAL ELEVATIONS

A202 EXTERNAL ELEVATIONS

A210 BUILDING SECTIONS

PROJECT NAME:

Gore Street Development

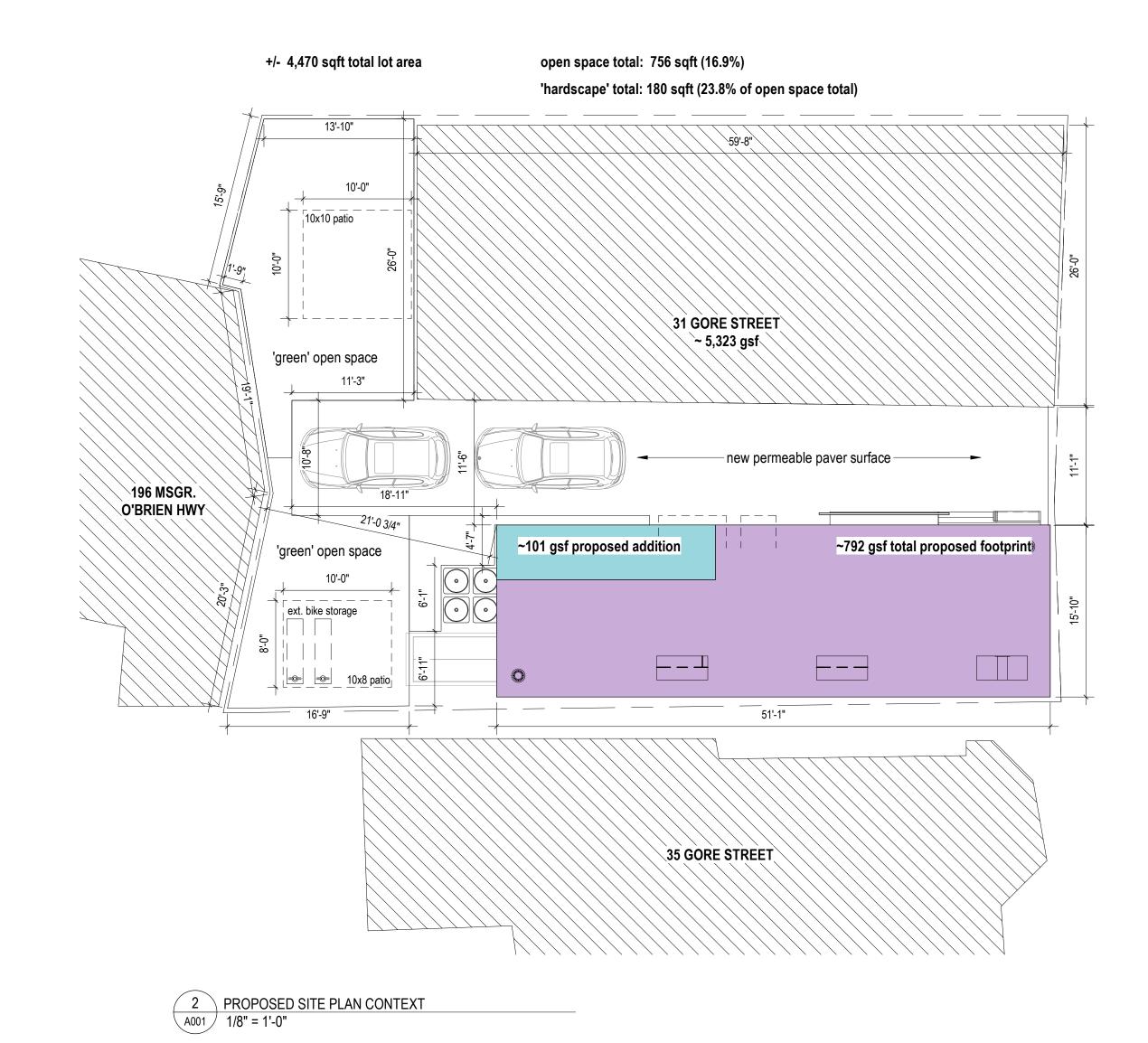
Gore Street, 33

Cambridge, MA

project number 308 drawing number A000 revision 1

CLIENT NAME: 33 Gore LLC, (





Joe The Architect, Inc., all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use Architectural

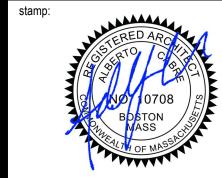
rawings for set out. Contractors to check and verify all Dimensions on Site prior to construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. y discrepancies should be immediately referred to the Architect. The project manager

hall be notified in writing of any discrepancies prior to proceeding with the work. The scale f drawings may change when copied or faxed. All work to comply with I.B.C. Regulations

and relevant American Standards. © 2019- all rights reserved

consultant / contractor information:

For Permit



revision description SPECIAL PERMIT 01/21/2021



Per Massachusetts state building co	de 780 CMR 9th edition/ internation	building code						
Existing Proposed								
Use Group (780 CMR Section 304)	R-3	R-2						
Type of construction (780 CMR Section 602)	Type V - B	Type V - B						
Number of stories	2.25	4						
Fire Protection	Building is not Fully Sprinklered	Building to be Fully Sprinklered						
Building Element (780 CMR Section	601)	Fire Resistance Rating						
primary structural frame		1						
bearing walls	1							
exterior walls		1						
interior walls		1						
non bearing walls and interior		0						
floor construction and secondary me	mbers	1						
roof construction and secondary mer	mbers	1						

	PROJECT ZONING INFORMATION (LOCAL REGULATIONS)									APPLICABLE CODES & REGULATIONS (9th EDITION 780 CMR)				
	Property Cla	y Class TWO - FAM - RES Zoning Class Res - C2B Code Type Applicable Code			TWO - FAM - RES			Res - C2B		Zoning Class Res - C2B				Applicable Code
	Map/Lot	20 - 105												
	Neighborho	od East Cambridge											MA Building	780 CMR: Massachusetts State Building Code - 9th Edition
	Zoning Ordi	nance Zoning Ordinand	of the City	y of Cambrido	je									As a reminder, the new, ninth edition code is based on modified versions of the following 2015 codes as published by the International Code Council (ICC).
		Zoning	Data	Required	Existing U	•			Existing Me	rged	Proposed M	erged		
					(33 G	iore)	(33 Gore 31	Gore)) (site)		(site)		Residential	International Residential Code 2015 (IRC 2015)
ered	Use & Lot		Use I	Residential	Resid	ential	Residential		Residenti	Residential		tial	Existing Buildings	International Existing Building Code (IEBC)
		# of Dwelling \	nits* 14	(max) ur	its 2	units	6 4 6	units	8	units	10	units	Plumbing	248 CMR 10.00: Uniform State Plumbing Code
		Lot	Area 5	5,000 s	qft 1,035	sqft	1,035 3,435	sqft	4,470	sqft	4,470	sqft	Energy	International Energy Conservation Code (IECC)
		Lot Area / # of Dwelling \	nits* 3	300 s	aft 517.5	sqft		sqft	559	sqft	447	sqft	Accessibility	521 CMR: Massachursetts Architectural Access Board Regulations
		Gross Floor Area Foot	I	n/a g	sf 691	gsf	792 1,774	gsf	2,465	gsf	2,556	gsf		
		(All Build	ngs)											
		Open Space (pervious	rea)	15	6 0	%		%	9.1	%	16.9	%	PROJECT G	SENERAL INFORMATION (PROJECT DATA SHEET)
	Building	Gross Floor	Area	n/a g	sf 1,836	gsf	3,617 5,323	gsf	7,159	gsf	8,940	gsf	Project Number	308
	Main Body	Net Floor Area	·	n/a n	sf 1,496	nsf	2,901	nsf		nsf		nsf	Project Title	Gore Street Development
	& Density	(sum of all usab											Project Address	33 Gore Street, Cambridge, MA 02141
		Floor Area Ratio (FAR)	` /	2.0	1.6				1.6		2.0		Client Name	Koskores Real Estate Corp.
		Building H	- -	45	t 27	ft	45 31	ft	27 31	ft	45 31	ft	Client Address	2 Lincoln Street, Somerville, MA 02145
	Building	Front Yard Se		10	t 0	ft	0 0	ft	0	ft	0	ft		
	Setbacks	Rear Yard Se		20	t 22.2	ft	21.2 14.6	ft	22.2 14.6	ft	21.2 14.6	ft	PROJECT D	DESCRIPTION
		Side Yard Setback	` /	H+L/5	t 1.75	ft	1.75	ft	1.75	ft	1.75	ft	Denovation and ad	dition to an evieting multi family regidential etructure legated in East Combridge Coope
		Side Yard Setback ('	H+L/5	t 1.5	ft	2.75	ft	2.75	ft	2.75	ft		dition to an existing multi family residential structure located in East Cambridge. Scope cavation and underpinning of existing basement foundation, new foundation at addition
		Street From		20	t 19	ft	59.83	ft	59.83	ft	59.83	ft	area. New penthou	se floor to add a story to the original structure, complete interior renovation with new
	1	1 D: (D : D :		1 110\/0	, ,,,,	l 61	1 444		1 44.4	l 61	1 44.4	-	II huilding utilities one	d window locations

Additional Information

ECHO (East Cambridge Housing Overlay) overlay district.
Parcels merged via common ownership - 33 Gore Street & 31 Gore Street

Distance Between Buildings (H1+H2)/6 ft 11.1 ft 11.1 ft 11.1 ft 11.1 ft building utilities and window locations.

EXISTING STRUCTURES (IEBC)

Alteration - Level 3 (section 504)

Based on our interpretation of the IEBC 2015 Chapter 5 - Classification of work, 33 Gore Street is Alteration -Level 3 (section 504). The work includes complete renovation of interior spaces, an addition to the rear of the existing footprint, a new 4th story, and excavation & underpining of existing foundation. The Building is classification group R-2 with a project scope area of 100%, an automatic fire supression system will be required. The work will comply with all the provisions of chapter for Level 1 alterations and level 2 alterations as well as all the required provisions for level 3 alterations. Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate

2 Lincoln Street, Somerville, MA 02145

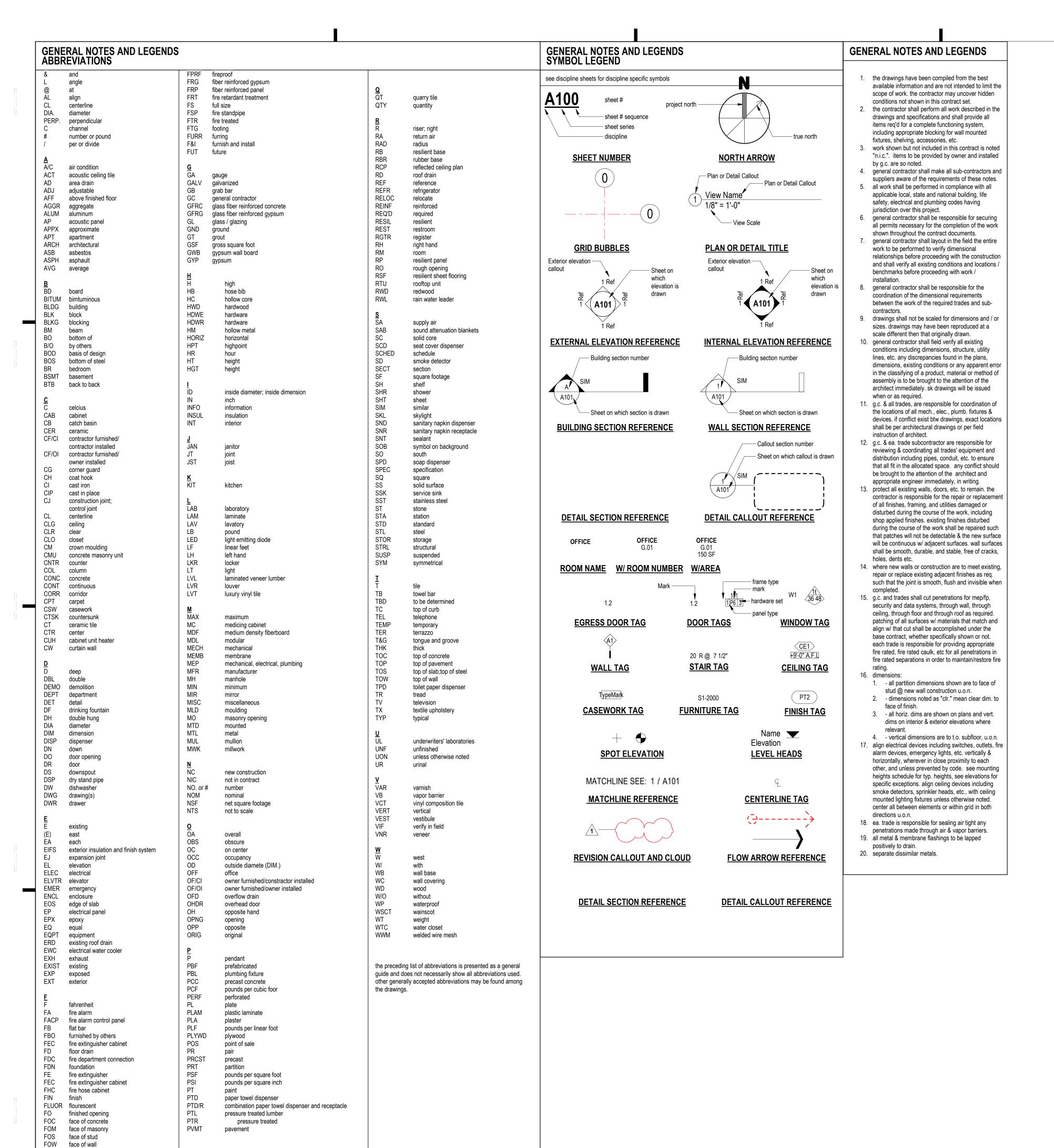
JOE THE ARCHITECT

343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing title SITE CONTEXT AND CODE ANALYSIS

drawing scale approver

As indicated | Approver drawing number



FPL

FPR

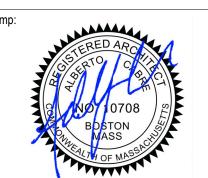
fireplace

fire protection riser

For Permit

oe The Architect, Inc., all drawings and written material herein constitute the original and published work of the architect, and the same may not be duplicated, used, or isclosed without the written consent of the architect. Contractors to use Architectural awings for set out. Contractors to check and verify all Dimensions on Site prior to nstruction/Fabrication. Figured Dimensions take precedence over Scaled Dimension all be notified in writing of any discrepancies prior to proceeding with the work. The scale drawings may change when copied or faxed. All work to comply with I.B.C. Regulations © 2019- all rights reserved

consultant / contractor information:



revision	revision description	date
1	SPECIAL PERMIT	01/21/202

Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate

2 Lincoln Street, Somerville, MA 02145

JOE THE ARCHITECT

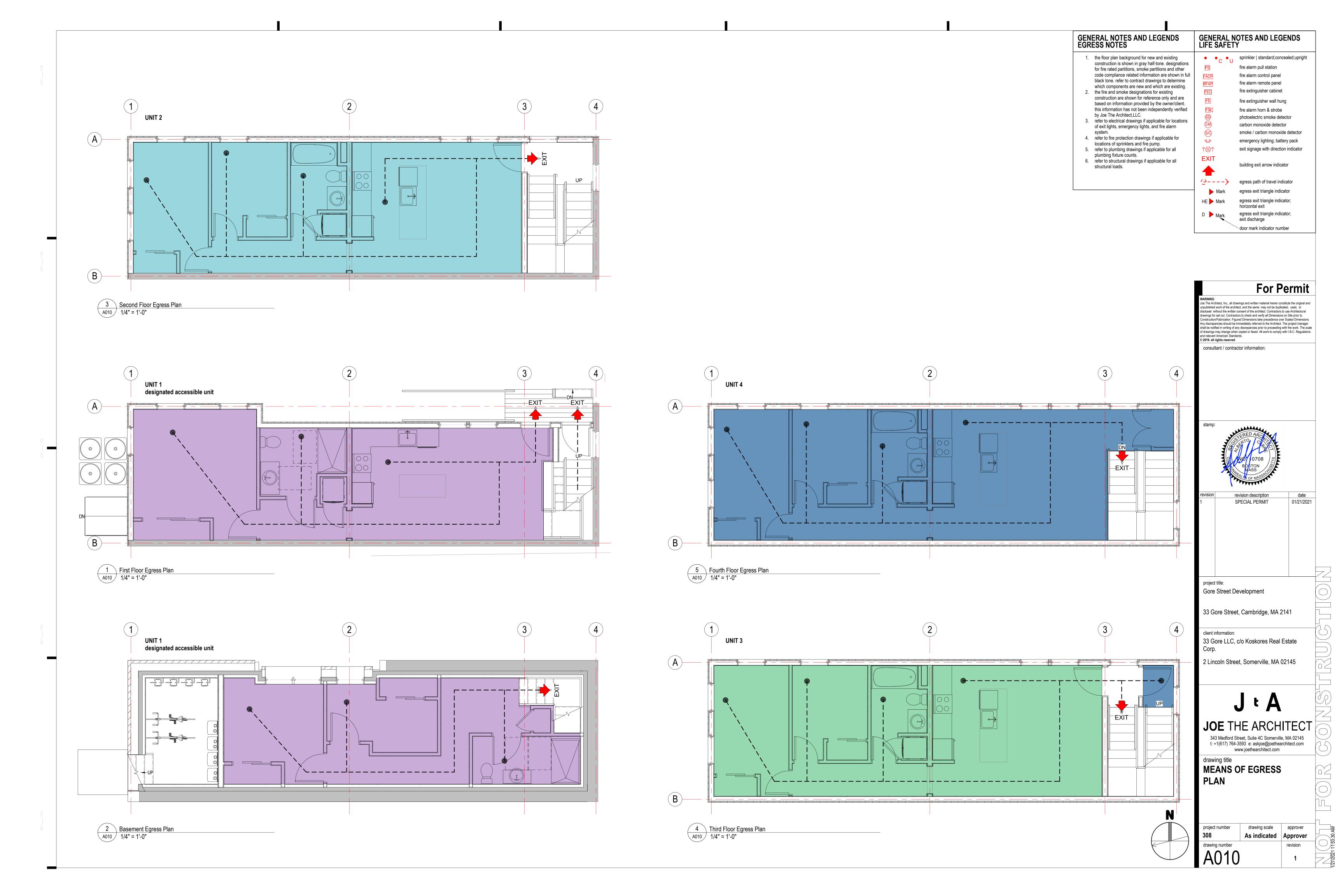
343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

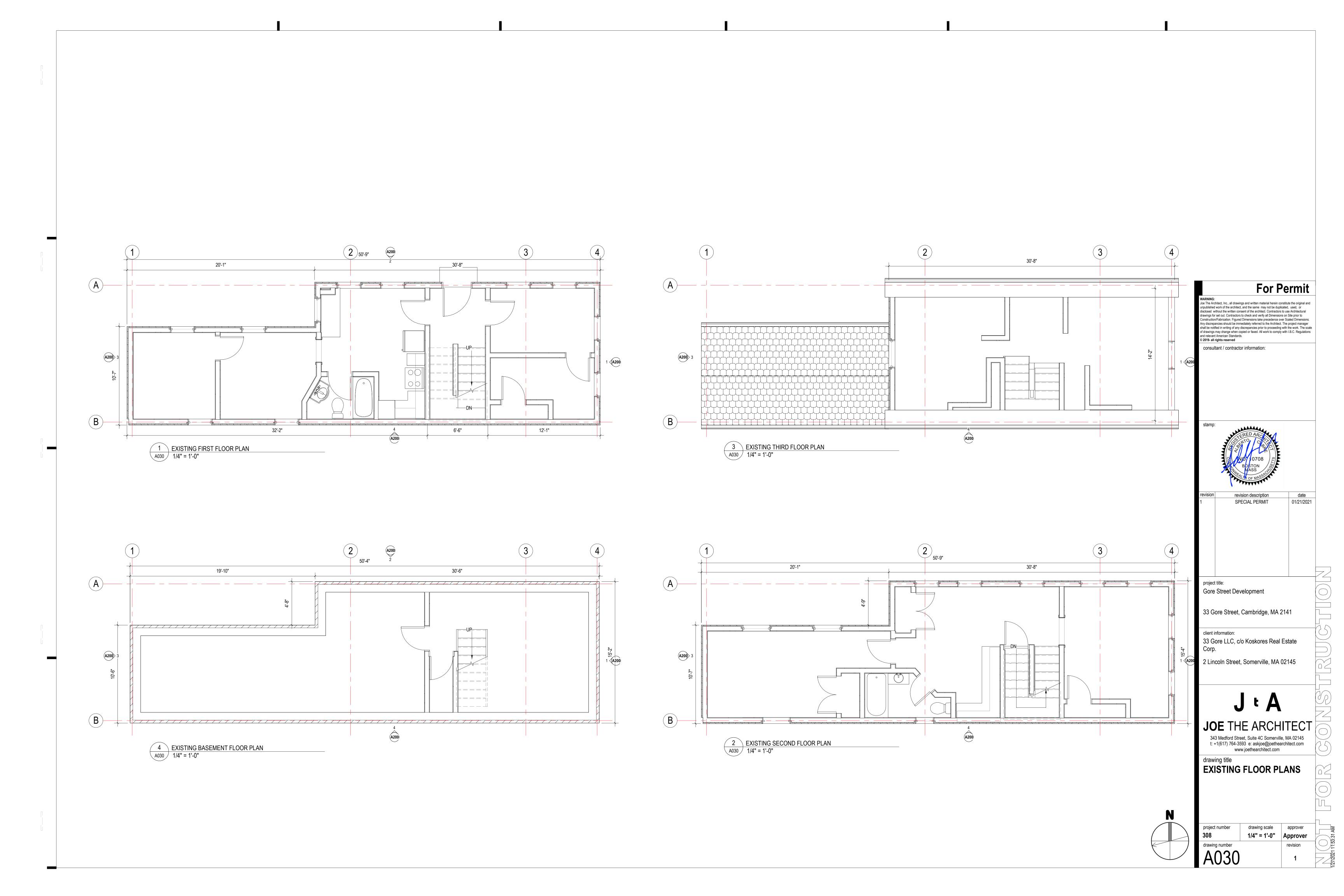
drawing title

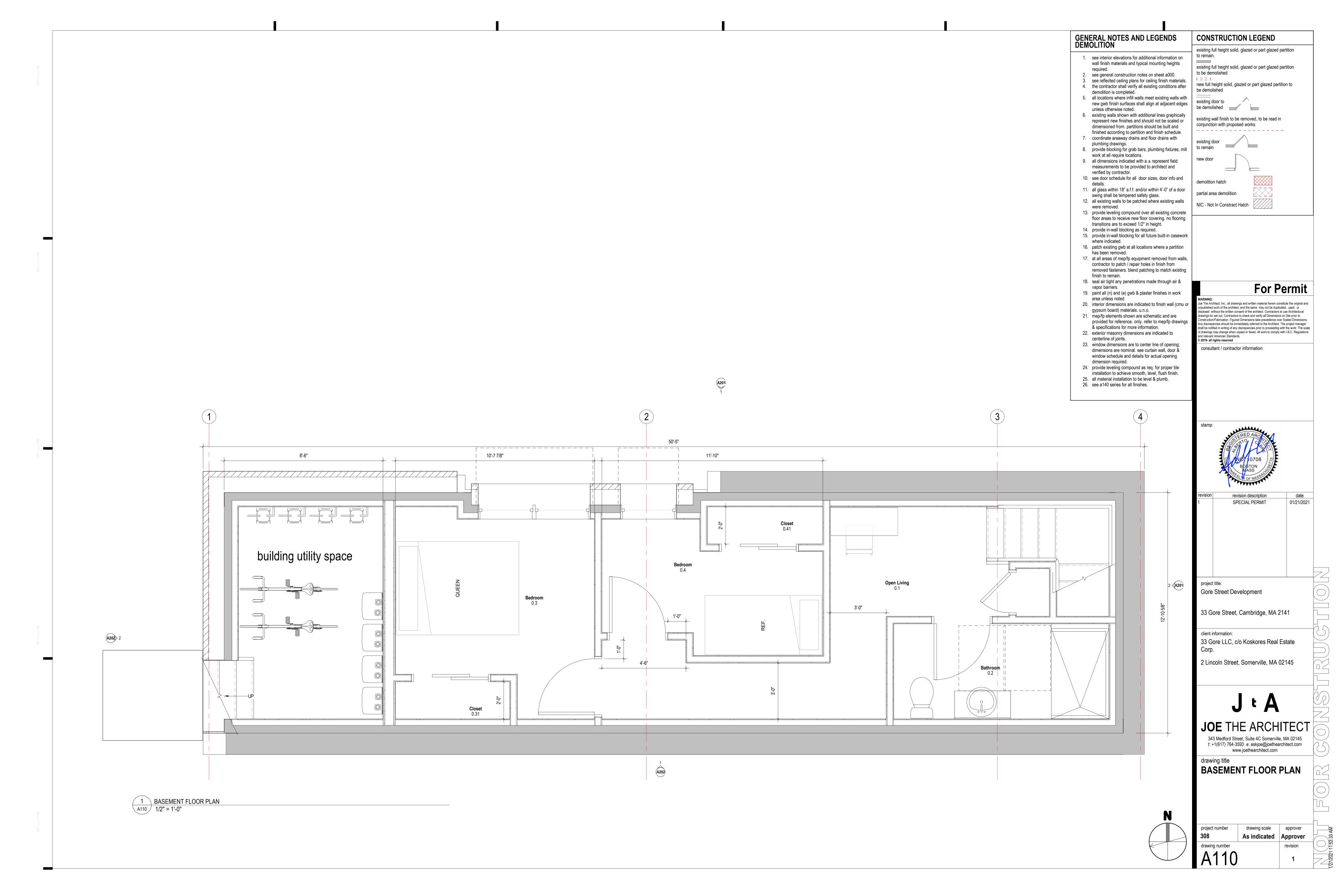
STANDARDS, GENERAL **NOTES & ABBREVIATIONS**

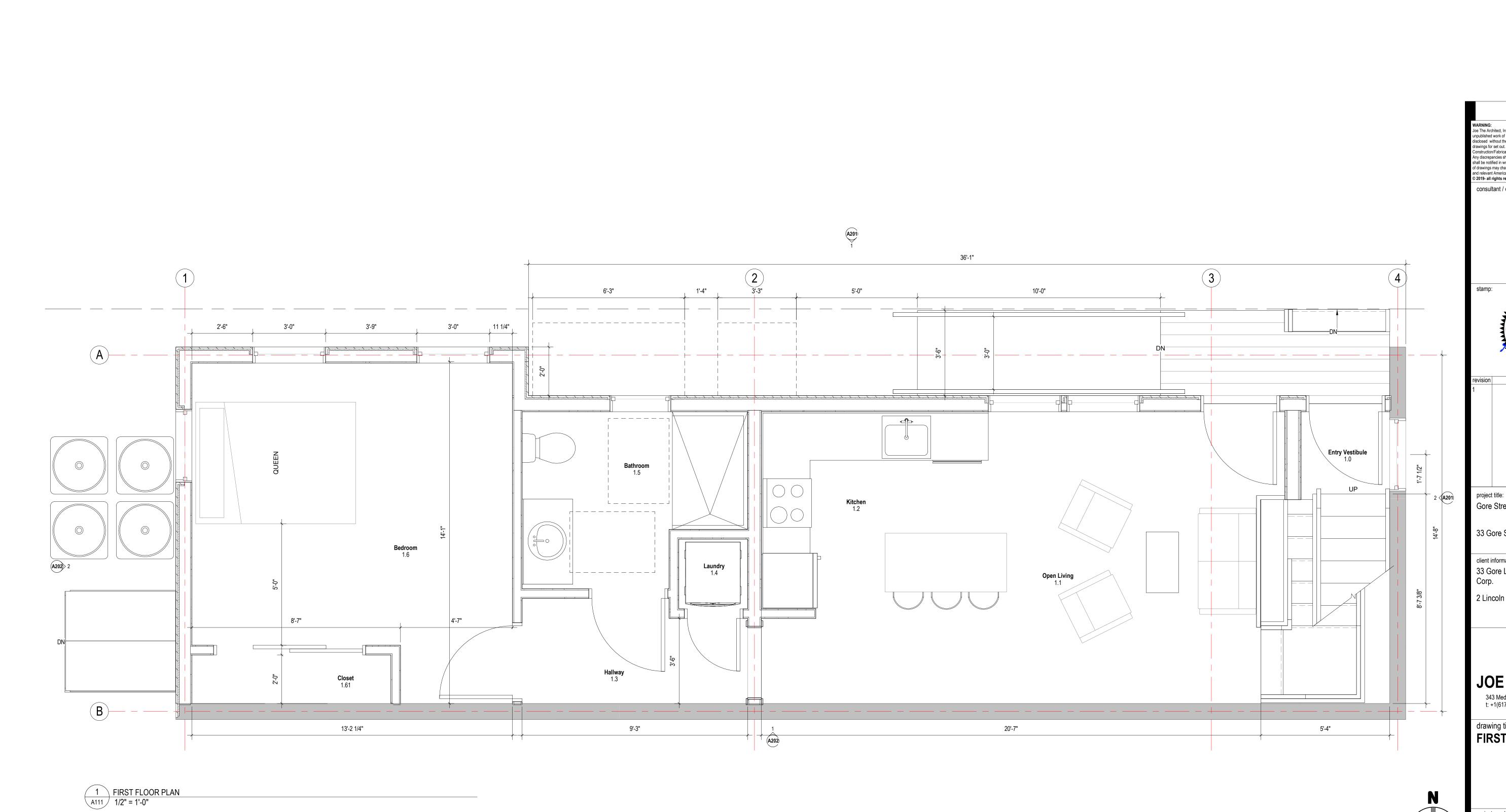


drawing scale As indicated | Approver drawing number





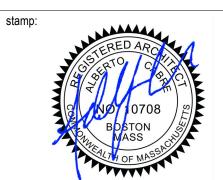




For Permit

WARNING:
Joe The Architect, Inc., all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use Architectural drawings for set out. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. The project manager shall be notified in writing of any discrepancies prior to proceeding with the work. The scale of drawings may change when copied or faxed. All work to comply with I.B.C. Regulations and relevant American Standards.

consultant / contractor information:



date 01/21/2021 revision description SPECIAL PERMIT

Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate

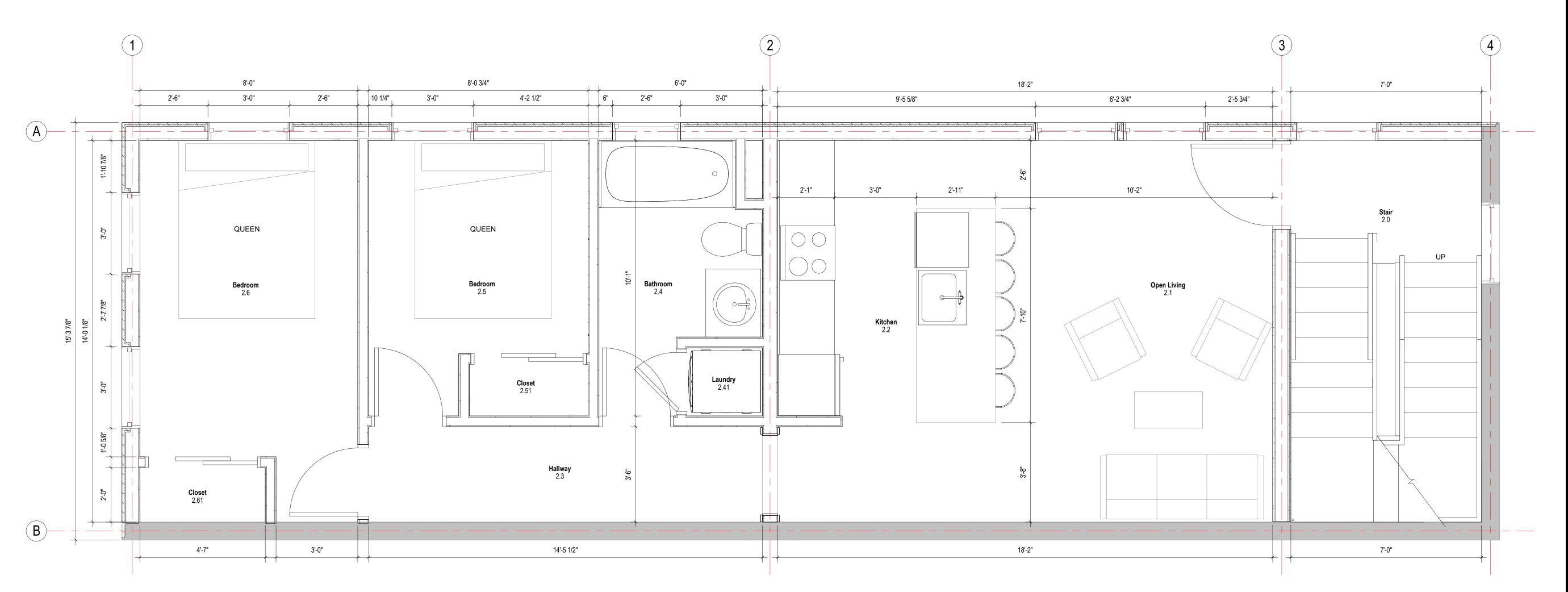
2 Lincoln Street, Somerville, MA 02145

JOE THE ARCHITECT

343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing title
FIRST FLOOR PLAN

drawing scale approver 1/2" = 1'-0" Approver

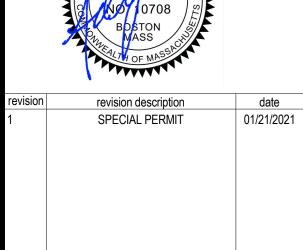


WARNING:
Joe The Architect, Inc., all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use Architectural drawings for set out. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. The project manager shall be notified in writing of any discrepancies prior to proceeding with the work. The scale of drawings may change when copied or faxed. All work to comply with I.B.C. Regulations and relevant American Standards.

© 2019- all rights reserved

consultant / contractor information:

stamp:



Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information:
33 Gore LLC, c/o Koskores Real Estate
Corp.

2 Lincoln Street, Somerville, MA 02145

J t A

JOE THE ARCHITECT

343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing title
SECOND FLOOR PLAN

project number
308

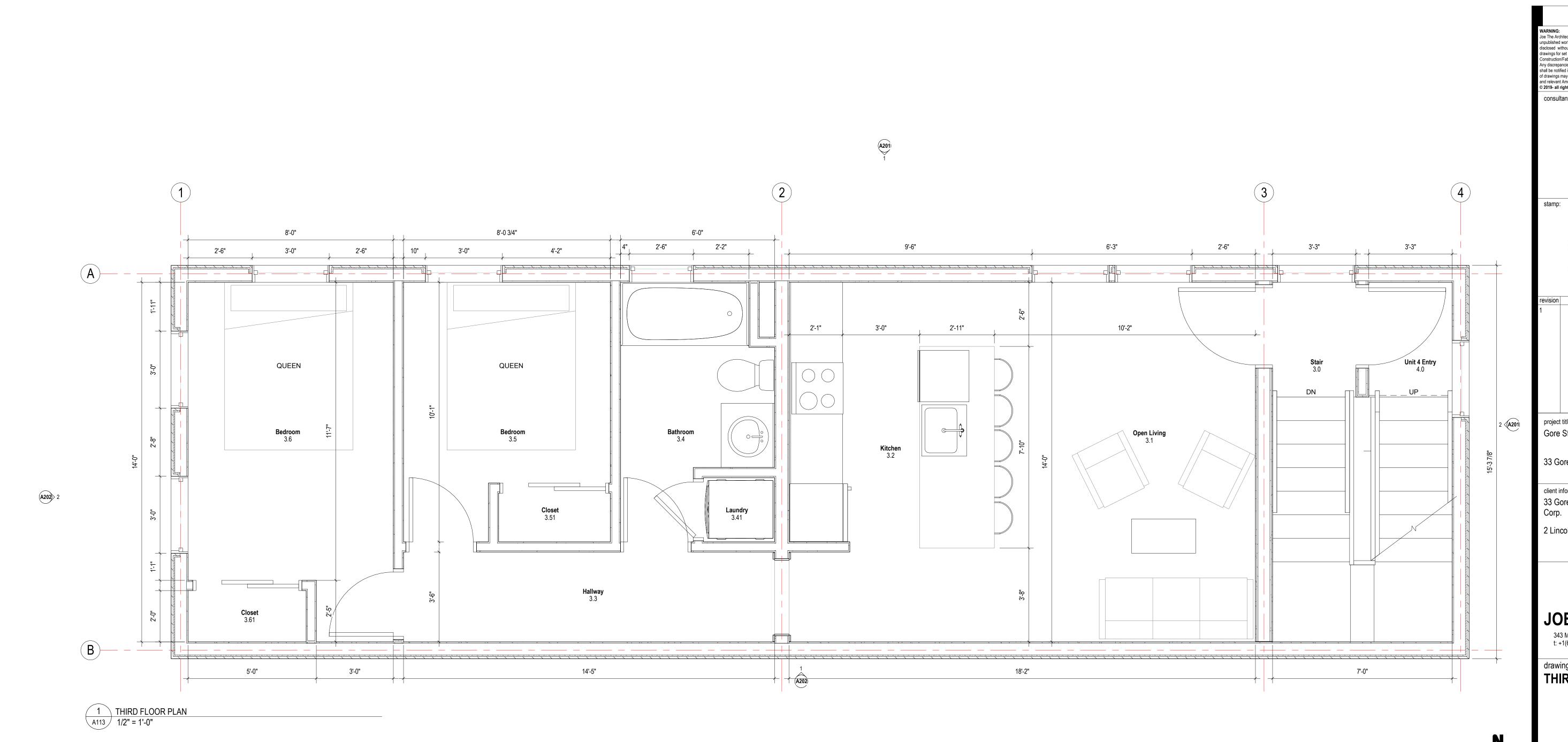
1/2" = 1'-0"

Approver

Arawing number

revision

1 SECOND FLOOR PLAN
A112 1/2" = 1'-0"



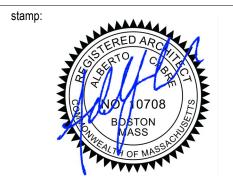
For Permit

WARNING:

Joe The Architect, Inc., all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use Architectural drawings for set out. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. The project manager shall be notified in writing of any discrepancies prior to proceeding with the work. The scale of drawings may change when copied or faxed. All work to comply with I.B.C. Regulations and relevant American Standards.

© 2019- all rights reserved

consultant / contractor information:



date 01/21/2021 revision description SPECIAL PERMIT

Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate

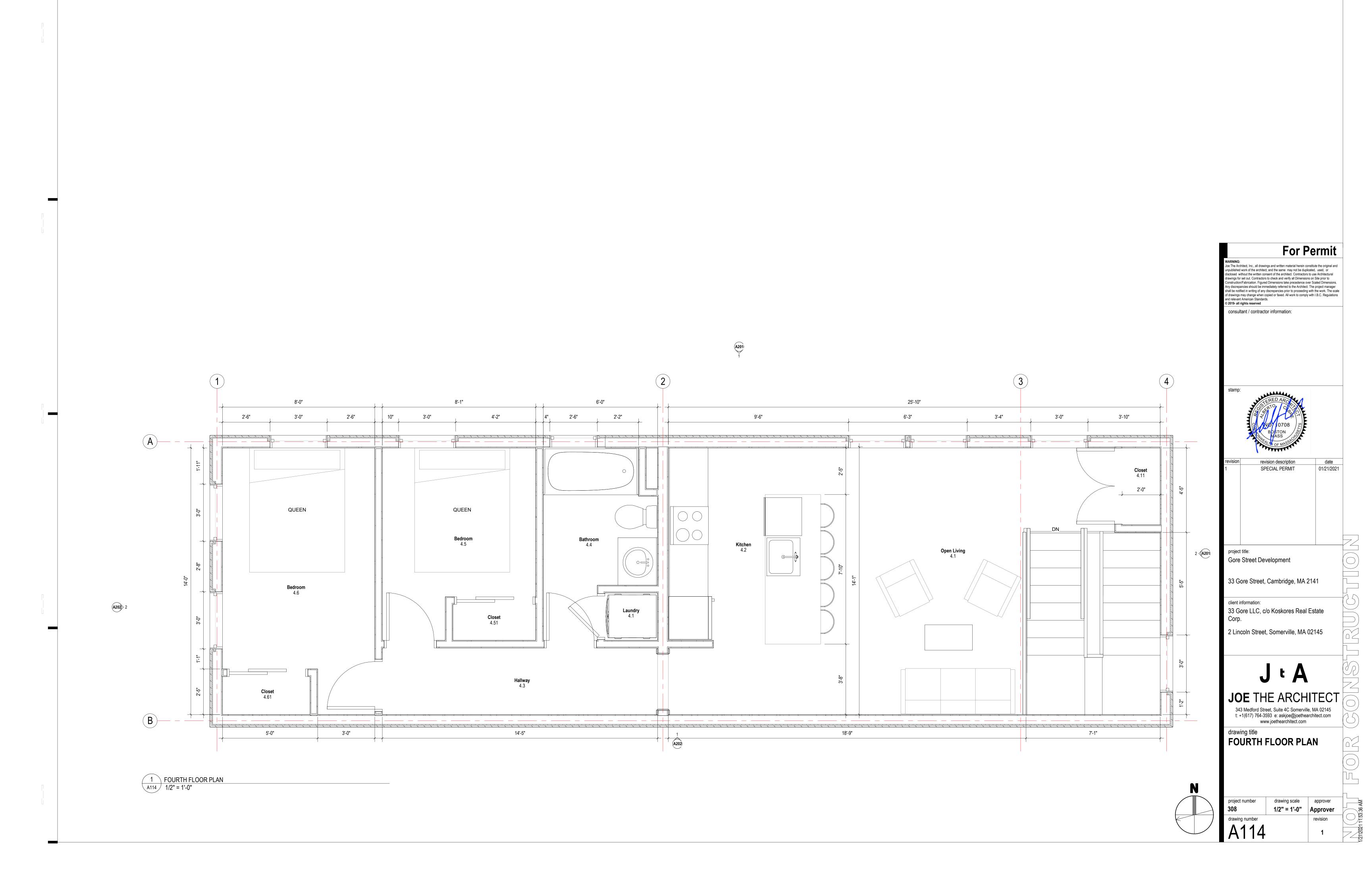
2 Lincoln Street, Somerville, MA 02145

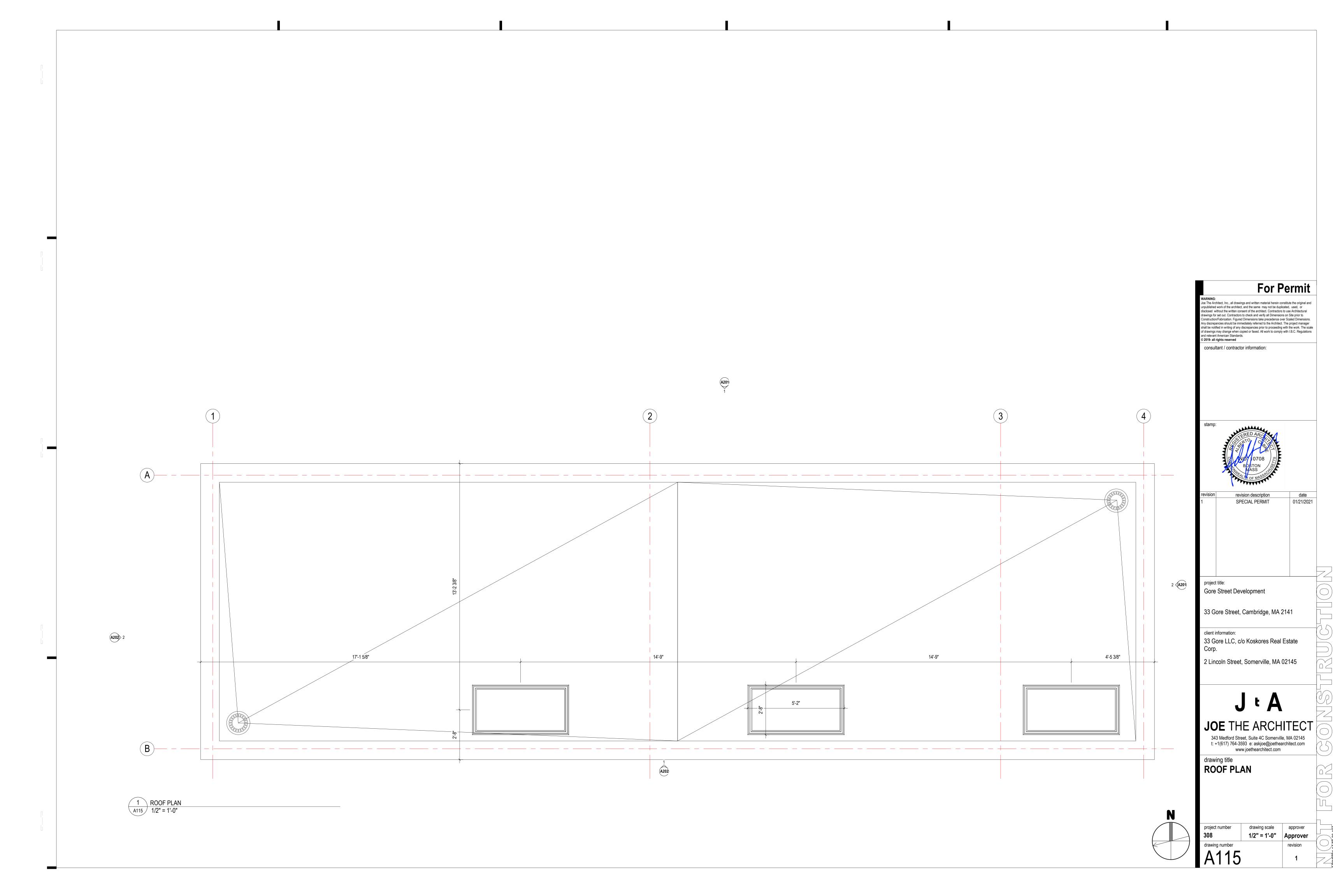
JOE THE ARCHITECT

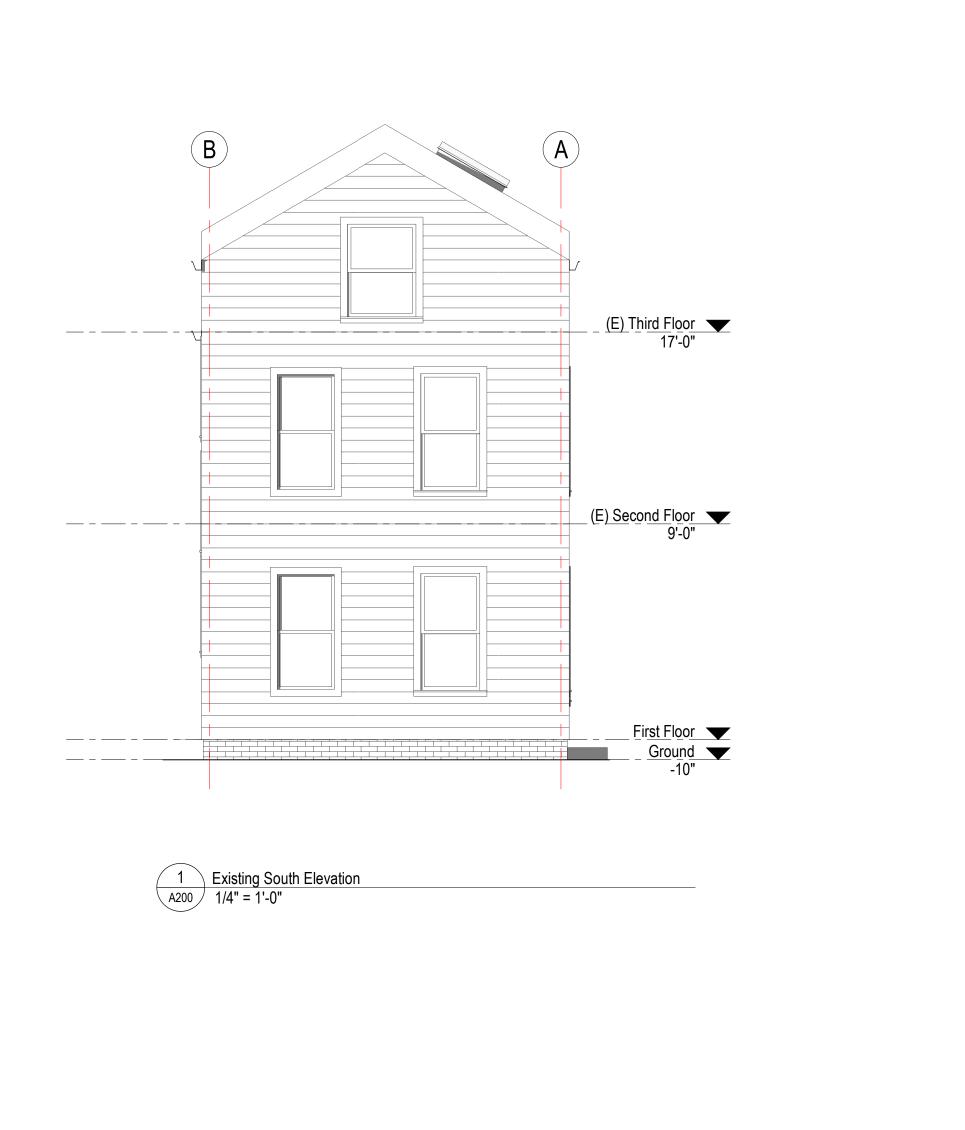
343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing title
THIRD FLOOR PLAN

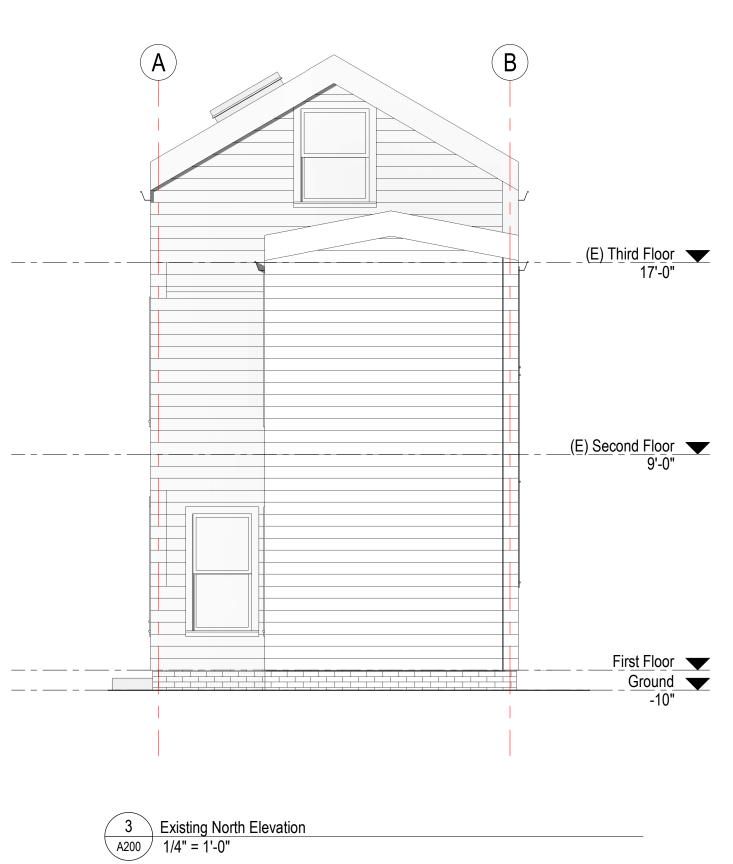
drawing scale approver 1/2" = 1'-0" Approver

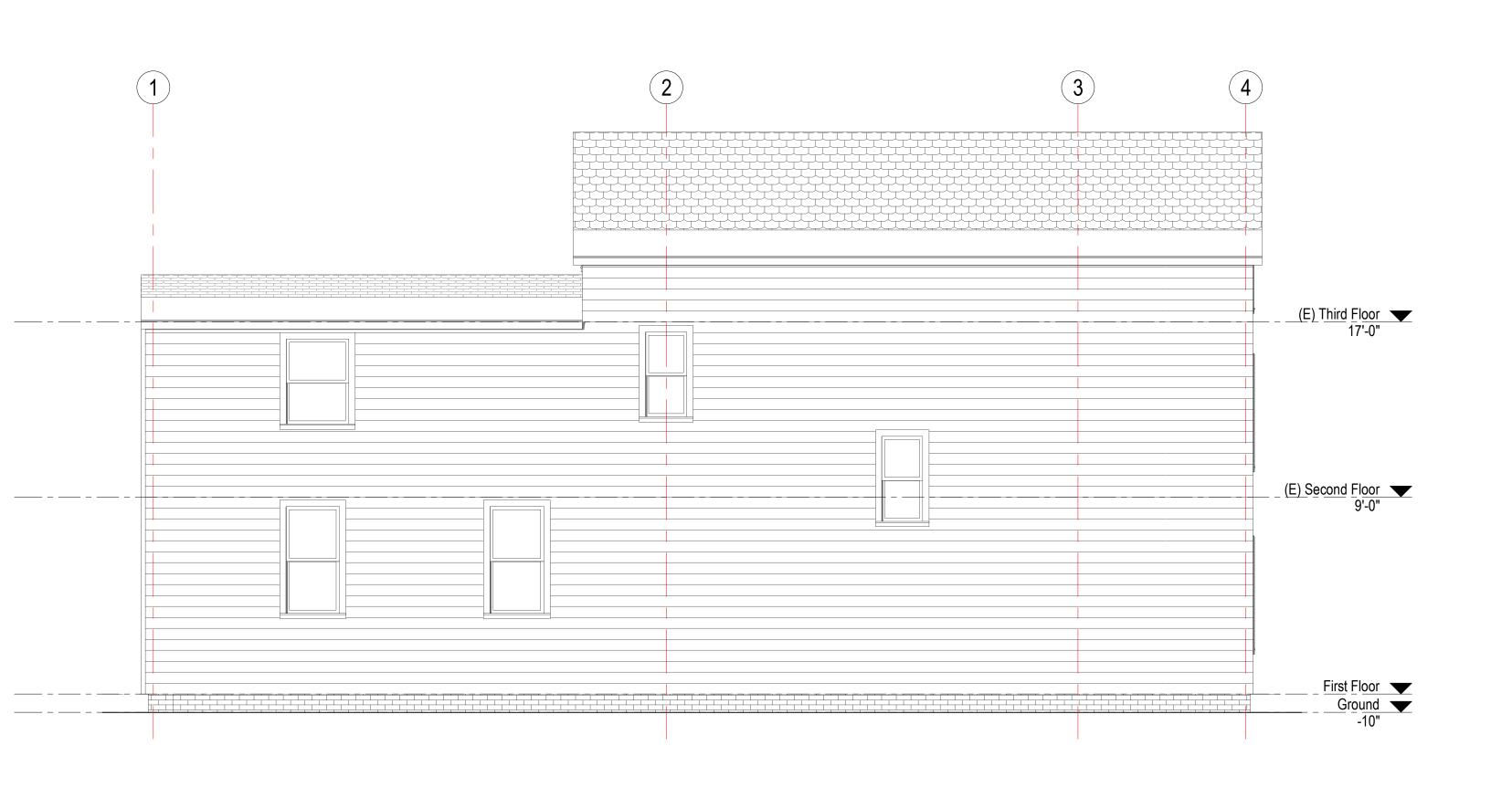












Existing West Elevation
A200 1/4" = 1'-0"

For Permit

WARNING:
Joe The Architect, Inc... all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to a Architectural drawings for set out. Contractors to check and verify all Dimensions and prevalence over Scaled Dimensions. Any discrepances provided in Permission on Site price to Construction Fabrication. Piger dimensions take providence over Scaled Dimensions. Any discrepances price to proceeding with the work. The scale of drawings may change when copied or fased. All work to comply with 18.C. Regulations and relevant Aperican Olisacies.

• 2819-3 all rights reserved

consultant / contractor information:

stamp:

revision revision description date

1 SPECIAL PERMIT 01/21/2021

project title:

Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information:

33 Gore LLC, c/o Koskores Real Estate Corp.

2 Lincoln Street, Somerville, MA 02145

project number d 1

project number	drawing scale	approver
308	1/4" = 1'-0"	Approver
drawing number		revision
A200		1

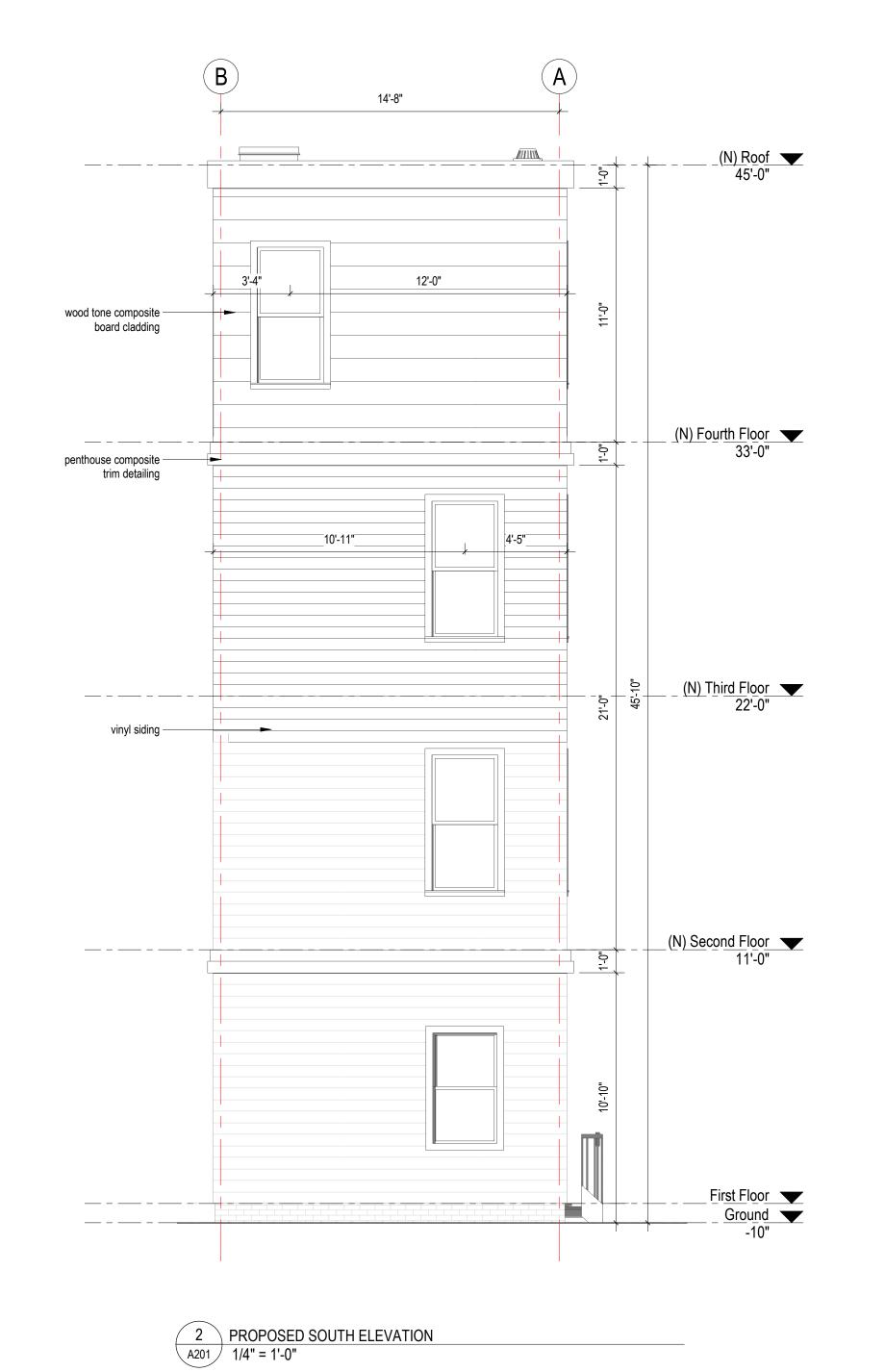
JOE THE ARCHITECT

343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing title
EXISTING EXTERNAL

ELEVATIONS





For Permit WARNING:

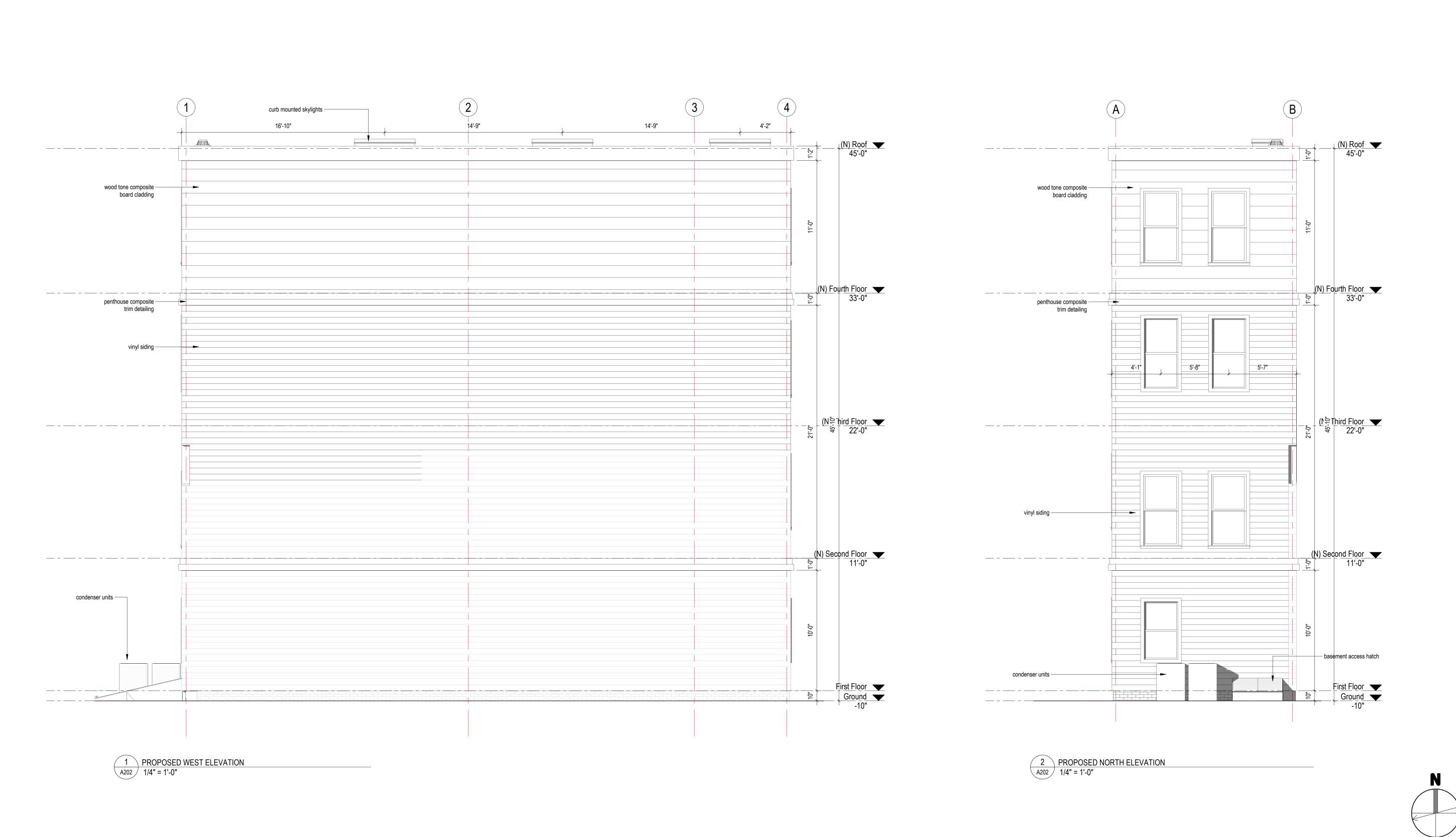
Joe The Architect, Inc., all drawings and written material herein constitute the original and unpublished work of the architect, and the same may not be duplicated, used, or disclosed without the written consent of the architect. Contractors to use Architectural drawings for set out. Contractors to check and verify all Dimensions on Site prior to Construction/Fabrication. Figured Dimensions take precedence over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. The project manager shall be notified in writing of any discrepancies prior to proceeding with the work. The scale of drawings may change when copied or faxed. All work to comply with I.B.C. Regulations and relevant American Standards.

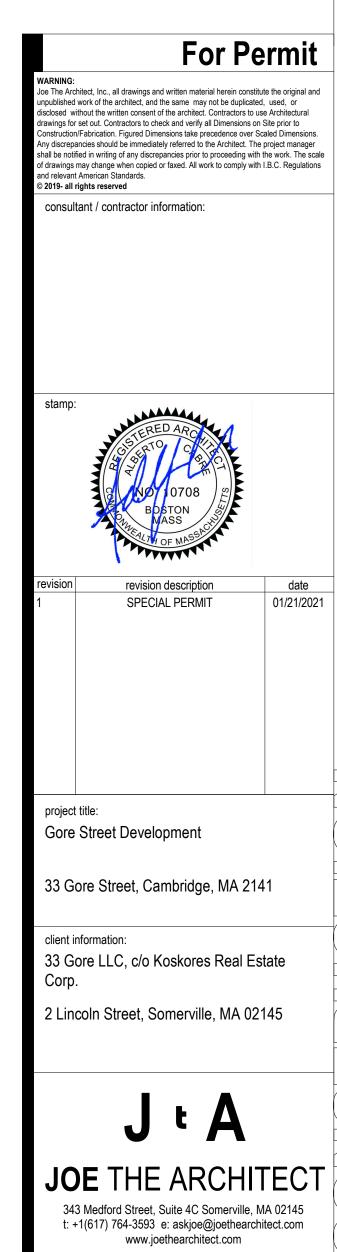
© 2019- all rights reserved consultant / contractor information: date 01/21/2021 revision description SPECIAL PERMIT Gore Street Development 33 Gore Street, Cambridge, MA 2141 client information: 33 Gore LLC, c/o Koskores Real Estate 2 Lincoln Street, Somerville, MA 02145 **JOE** THE ARCHITECT 343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

N

project number drawing scale approver 308 1/4" = 1'-0" Approver drawing number revision 1

drawing title
EXTERNAL ELEVATIONS



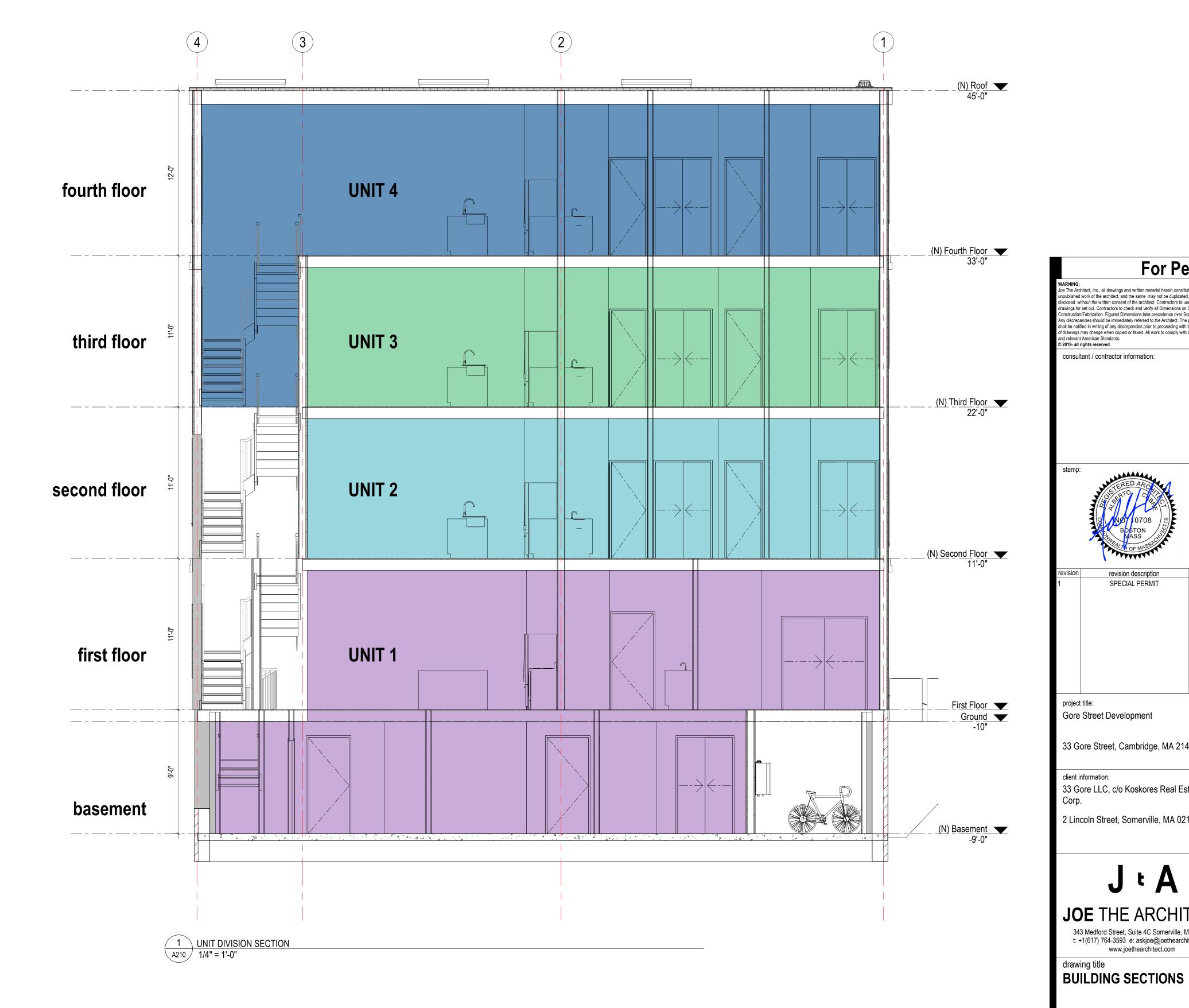


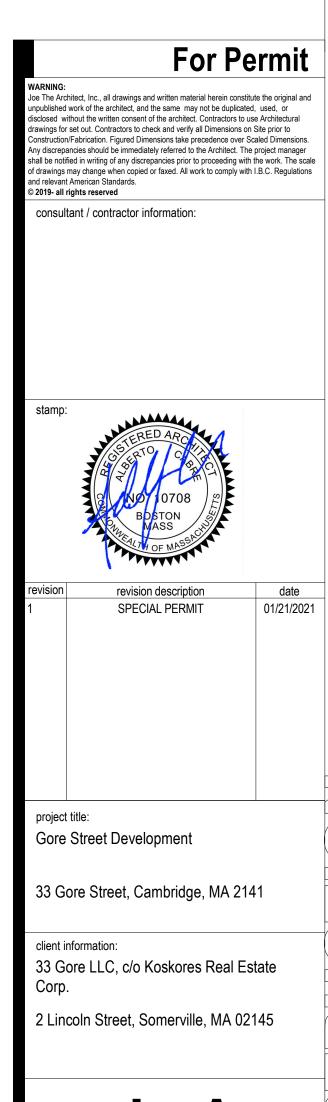
drawing title

EXTERNAL ELEVATIONS

drawing scale approver

1/4" = 1'-0" Approver





JOE THE ARCHITECT

343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

drawing number A210

drawing scale approver 1/4" = 1'-0" Approver

MSPECTIONAL SERVICES
2021 APR -5 P 2:53

April 5, 2021

VIA Email and In Hand Delivery
Board of Zoning Appeal
City of Cambridge
831 Massachusetts Avenue
Cambridge, MA 02139

Re: BZA Case No. BZA106913-2021, 33 Gore Street – Supplemental Materials

Dear Members of the Board:

This matter is scheduled to be heard by the Board of Zoning Appeal at a public hearing on Thursday, April 8, 2021. On behalf of the petitioners, enclosed please find the following <u>revised</u> application materials:

- 1) Revised Application for Variance and Special Permit
- 2) Revised Architectural Plans
- 3) Revised Renderings
- 4) Letters of Support

The applicant presented to the Cambridge Historical Commission on April 1, 2021, receiving a unanimous vote approving the attached plans for a Certificate of Appropriateness, subject to ongoing CHC staff design review.

Sincerely,

Sarah Like Rhatigan, Esq.

CC (via email only):

Mr. Christopher Koskores

Mr. Peter Koskores

Mr. Charles Sullivan

Ms. Sarah Burks

Mr Eric Hill



CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

CITY OF CAMBRIDGE 831 Massachusetts Avenue, Cambridge MA 02139 NAL SERVICES

617-349-6100

2021 APR -5 PREVISED

BZA Application Form

BZA Number: 106913

General Information

The undersigned hereby petitions the	Board of Zoning A	ppeal for the followi	ng:
Special Permit:X	Variance: X		Appeal:
PETITIONER: 33 Gore LLC C/O Sara	ah Like Rhatigan, E	Esq., Trilogy Law LL	<u>c</u>
PETITIONER'S ADDRESS: 12 Marsh	all Street, MA, Bos	ston 02108	
LOCATION OF PROPERTY: 33 Gore	St , Cambridge,	<u>MA</u>	
TYPE OF OCCUPANCY: Multi-family	residential	ZONING DISTRIC Zone/ECHO	T: <u>Business A/Residence C</u>
REASON FOR PETITION:			

/Additions//Conversion to Additional Dwelling Units/

DESCRIPTION OF PETITIONER'S PROPOSAL:

Expansion by building up and constructing addition squaring off the right-rear side of a pre-existing, nonconforming two-family dwelling, adding two-residential units to the building, which is situated on a merged lot.

Expansion by building up and constructing addition squaring off the right-rear side of a pre-existing, nonconforming two-family dwelling, adding two-residential units to the building, which is situated on a merged lot. Special permit relief necessary to extend ECHO and Res C-2B zoning to the entire lot, to allow expansion of building height up within setbacks, for a waiver of parking requirements, and to allow two tandem parking spaces in the existing driveway.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 3.000	Section: 3.32.1 (Extension of Less Restrictive Dimensional Provisions)
Article: 5.000	Section: 5.13 (Distance Between Buildings)
Article: 5.000	Section 5.26 (Conversion).
Article: 5.000	Section: 5.31 (Table of Dimensional Requirements)
Article: 6.000	Section: 6.35.1 (Reduction of Required Parking)
Article: 6.000	Section: 6.43.3 (Access for Off-street Parking Spaces)
Article: 6.000	Section: 6.44.1.g (Setbacks for on grade open parking spaces)
Article: 8.000	Section: 8.22.2.c (Alteration to Non-conforming structure)

Original Signature(s):

INSPECTIONAL SERVICES

2021 APR -5 P 2: 53

Sarah Like Rhatigan, Esq., on behalf of Petitioner

33 Gore LLC (Print Name)

Address:

Trilogy Law LLC, 12 Marshall Street, Boston, MA 02108

Revised 4.5.21

Tel. No.

617-543-7009

Date: February 2, 2021

E-Mail Address:

sarah@trilogylaw.com

BZA Application Form

REVISED 4.5.21

DIMENSIONAL INFORMATION

Applicant: 33 Gore LLC

Present Use/Occupancy:

Multi-family residential

Location: 12 Marshall Street

Zone:

Business A/Residence C

Zone/ECHO

Phone:

617-543-7009

Requested Use/Occupancy:

Multi-family residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		7,159	8,387	8,387	(max.)
LOT AREA: RATIO OF GROSS		4,470	4,470	5,000	(min.)
FLOOR AREA TO LOT AREA: 2		1.6	1.9	1.9	
LOT AREA OF EACH DWELLING UNIT		559	559	300	
SIZE OF LOT:	WIDTH	60	60	50	
	DEPTH	74	74	n/a	
SETBACKS IN FEET	:FRONT	0	0	10.0	
	REAR	22.2 (33 Gore)/14.6 (31 Gore)	21.2 (33 Gore)/14.6 (31 Gore)	20.0	
	LEFT SIDE	1.75	1.75	(H+L)/5	
	RIGHT SIDE	2.75	2.75 34.25 (33 Gore)/31	(H+L)/5	
SIZE OF BUILDING:	HEIGHT	27 (33 Gore)/31 (31 Gore)	(31 Gore) 16 ft (33 Gore)/26 ft	45	
	WIDTH	16 ft (33 Gore)/26 ft (31 Gore)	(31 Gore)	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		9.1%	16.9%	15.0%	
NO. OF DWELLING UNITS:		2 (@ 33 Gore)/6 (@ 31 Gore) = 8 total	NO CHANGE	14 (allowed under the ECHO)	
NO. OF PARKING SPACES:		1	2 (tandem)	3	
NO. OF LOADING AREAS: DISTANCE TO NEAREST		0	0	0	
BLDG. ON SAME LOT		11 feet, 1 inch	11 feet, 1 inch	10.2	

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

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

BZA Application Form

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:

BACKGROUND AND INTRODUCTION:

The proposed renovation of this mid-19th Century, two-family dwelling seeks to expand by building up (one and a half-stories) upon the existing footprint and squaring off the right-rear side of the building by 101 square feet; the renovations and expansion will result in an addition of two-residential units in the building. This pre-existing, non-conforming structure is sited on an undersized (4,470 SF) lot with narrow side yards and no front yard. Originally constructed on its own 1,035 SF lot, this property is deemed to have merged with the neighboring 31 Gore Street on account of it being held in common ownership. The neighboring 31 Gore Street property consists of a six-unit apartment building that is fully tenanted and not undergoing any changes at this time. Together, the merged lot (31 and 33 Gore Street) is located in the East Cambridge Housing Overlay District (see Section 20.40 of the Cambridge Zoning Ordinance ("CZO"), the "ECHO"), with a Base zoning in the Business A District (Residential C-2B for residential uses), with the exception of a 503 square foot triangular area (representing 11% of the area) which falls outside the ECHO, in a Residential C district.

The proposed renovation and expansion will result in an increase in total Gross Floor Area and a Floor Area Ratio of 2.0, in a dwelling unit density of 10 units, and an increase in the height of the 33 Gore Street building to 45 feet, dimensional elements which are generally allowed "as of right" under the ECHO's residential development density provisions under Section 20.40. Since the merged lot straddles the ECHO, with a small portion falling outside the overlay, and due to certain pre-existing constraints of the undersized lot, which result in technical violations of dimensional requirements and limited space for on-site parking, this project requires certain special permit relief (see Special Permit narrative), as well as variance relief, as described herein.

34.25

LITERAL ENFORCEMENT WOULD INVOLVE SUBSTANTIAL HARDSHIP REQUIRING VARIANCE: The proposed construction increases the height of the structure to 45 feet, which is allowed residential height within this portion of the ECHO and the Residential C-2B district. This is consistent with the intent and purpose of the creation of the ECHO, to promote and incentivize residential development in this mixed commercial/residential district. In this instance, the increase in height raises an issue as to the technical compliance of the project with dimensional requirements as they relate to two issues:

- No longer applicable.
 - (1) Minimum distance between buildings, under Section 5.13. The existing distance between the 33 Gore Street dwelling and its neighboring 31 Gore Street building is 11 feet, 1 inch and thus currently complies with Section 5.13, which requires that "the minimum distance between such buildings shall not be less than the sum of the heights of the buildings divided by six, or ten feet, whichever is greater." At its current height of 27 feet, applying the formula results in a calculation of 9.7 and thus a required minimum distance of 10 feet. The proposed construction will increase the height of the 33 Gore Street building to 45 feet, as permitted under the ECHO and Residential C-2B district. However, when applying the calculation under Section 5.13, the increase in height results in a small (2.7 foot) increase in the minimum required distance between buildings, to 12.7 feet. Although the actual minimum distance between the buildings on the lot will not change, the minimum distance between buildings changes (because defined as a function of building height), thus creating a technical non-compliance with this dimensional standard. Therefore, the Petitioner hereby seeks a variance from this Board asking that the Board allow for the project to proceed despite this technical non-conformity.
 - (2) <u>Increase in height of building within setbacks</u>, <u>under Section 5.31</u>. The building lies within the front and left side yard setbacks, and therefore the expansion up within these setbacks results in an extension of these non-conformities. In a Residential C-2B district, front and side yard setbacks are

defined as a function of building height. Thus, since the building height is increased, the defined setbacks technically increase as well. The Petitioner believes and has petitioned this Board accordingly, that the increase in height is an extension of a pre-existing non-conformity (as to the front and left side setbacks), and thus, under <u>Section 8.22.2.c</u>, should be allowed by this Board upon a finding of a special permit. If, however, this Board should disagree with this interpretation, then in the alternative, the Petitioner requests a variance to allow for this increase in height within front and side setbacks.

Literal enforcement of the CZO in this instance would result in severely constraining the ability of an owner to expand the residential density on this lot, as is envisioned and encouraged by the residential development density provisions of the ECHO, causing substantial hardship both financial and otherwise, where there are no alternative locations on the site in which to expand to provide the additional living space needed to support the financial feasibility of this project.

The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures by not affecting generally the zoning district in which it is located for the following reasons:

The hardship described in this application is owing to the following unique circumstances: (a) the shape of the undersized lot that has been merged for zoning purposes due to common ownership, (b) the shape (height) and siting of the existing two-family structure (33 Gore Street) located very close to the left lot line and at the front lot line, and (c) the siting of the building with 11 feet, 1 inch between it and the neighboring structure. The circumstances of the merger are unique and generally not affecting other lots in the zoning district. Due to its age and deteriorated condition, the necessary improvements and upgrades to the 33 Gore Street dwelling will be extremely costly, and the expansion to increase living space will be financially necessary to offset construction costs. Constrained by the undersized lot, and the existing shape and size of the structure and the desire to preserve the only available open space at the rear, the Petitioner's only viable option is to expand the building up. The fact that the Property lies in a Base zoning district in which both the minimum distance between buildings and the side setbacks are defined as a function of the height of the building means that this project (that increases the height of the structure) will result in a recalculated dimensional requirements, thus triggering a variance requirement.

C) DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

The requested relief may be granted without detriment to the public good. The increase in height results in changed calculations for certain dimensional requirements under the CZO (specifically, the distance between buildings and side yard setbacks), but this increase in height is a dimensional element that is expressly permitted under both the ECHO as well as the Residential C-2B district in which the project lies. Furthermore, the increased height is in keeping with the height of neighboring uses in the vicinity. The proposal does not propose to move site the buildings closer together than they exist today. The addition towards the right-rear of the building extends the existing 11 feet, 1 inch distance between buildings back towards the rear of the lot. However, this change affects the interior of a multi-family apartment lot, and will not substantially, negatively affect the residents or neighboring uses. Additionally, the increased height of the 33 Gore Street building within the left side setback will not be substantially detrimental to the public good. The substantial upgrading of all systems, new firecode compliance (including sprinklered building) will result in improved safety and benefits for the abutters and the neighborhood. Moreover, the project will supply much-needed moderate-rate, residential rental housing that is close to public transit.

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

The granting of variance relief in this instance will be consistent with the intent and purpose of the ECHO, which is to encourage the further expansion of residential development within this quasi-

commercial/residential area. Section 20.41 provides as follows: "Purpose. It is the intent of this Section 20.40 to provide an incentive for residential development within the designated ECHO district as an extension of the existing residential neighborhood...." Moreover, consistent with the stated intent and purpose of the ordinance, as detailed in Section 1.30 of Article 1.000 Preamble of the Zoning ordinance as well as M.G.L Ch. 40A Zoning Section 10 Variances, the proposed project will: (a) Create quality housing with valued open space for the benefit of the residents and abutters; (b) not result in use or activity not otherwise permitted in the ordinance; and (c) not result in negative impacts listed in Section 1.3 regarding traffic, population density, blight, and pollution.

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

BZA Application Form

SUPPORTING STATEMENT FOR A SPECIAL PERMIT

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

Granting the Special Permit requested for <u>33 Gore St</u>, <u>Cambridge</u>, <u>MA</u> (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 project meets the requirements for the granting of the following special permits:

- (i) The Petitioner seeks a special permit under <u>Section 3.32.1</u>, where more than one-half of the area of the lot lies in a less restricted district (the ECHO and the Business A/Residential C-2B district), to allow the less restrictive dimensional regulations under the ECHO and Business A/Residential C-2B district be "extend[ed] up to twenty-five (25) feet into the more restricted district" in this case, thereby extending the less restrictive regulations of the ECHO and Residential C-2B to the small Res. C area of the lot;
- (ii) The Petitioner seeks a special permit under <u>Section 8.22.2.c</u> to allow for the increase in the preexisting non-conforming condition, specifically, the front and left side yard setback violations, allowing for the proposed construction to extend non-conforming walls up within the front and left side setbacks, while not creating any new non-conformities;

No longer required.

- (iii) The Petitioner seeks a special permit under <u>Section 6.35.1</u> to allow for a reduction of required on-site parking, where the Property currently has one legal parking space (for 8 units), and proposes to provide two tandem parking spaces (for 10 units). The Petitioner has submitted a "Memorandum 33 Gore Street, Cambridge MA Parking Analysis," dated January 20, 2021, prepared by Trafinfo Communications, Inc., (the "Parking Analysis") which provides data and evidence to support a finding that the project meets the criteria for a special permit parking waiver under Section 6.35.1; and
- (iv) and (v) The Petitioner seeks special permits under <u>Section 6.43.3</u> and <u>6.44.1.g</u> to allow for parking of two cars in tandem in the existing driveway in a location within 5 feet of building walls, thus requiring relief for access and dimensional compliance.
- B) Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The proposed construction and addition of two dwelling units at this location will not substantially impact the established neighborhood character, nor cause congestion hazard or negative impacts in terms of traffic generated or patterns of access or egress. The existing neighborhood is best characterized as a mix of commercial and densely-built residential uses, situated less than a block off a major highway (Monsignor O'Brien Highway). It is located adjacent to an auto repair shop, rug store, multi-family apartment buildings, fire station, commercial parking lots, and a used car dealer. The proposed construction expands residential use in a manner that is consistent with uses in the neighborhood and will allow for revitalization, upgrading, and improvement to this small, somewhat deteriorated aged structure. The proposed construction does not alter the access or egress from the site, which will continue to be served by a single driveway. Parking will be better managed, by removing the open paved area behind the building and providing two tandem parking spaces. The addition of two residential apartments at this location will not materially impact traffic in this well-traveled area just off Monsignor O'Brien Highway.

Finally, as described in the "Parking Analysis," the project meets the requirements set forth under Section 6.35.1 to support a waiver of required on-site parking, where the evidence set forth in the Parking Analysis shows that a lesser amount of parking (specifically, providing 2 tandom parking spaces, instead of the 3 parking spaces otherwise required for the project) "will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood," and "that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood," namely in this case, the allowing space to landscape two green open space yards behind each of the buildings on the lot.

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 continued operation of or development of adjacent uses would not be adversely affected by this renovation which does not materially change the nature of this proposed use (by converting from 6 to 8 units on the merged lot) or impair the adjacent large, multi-family residential apartment buildings on either side of the project, the auto repair shop and rug shop at the rear and parking lot and fire station across the street. In fact, the development of this Property will bring about welcome improvement to the neighborhood.

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:

No nuisance or hazard will be created as a result of the proposed special permit relief, for the reasons described above. The expansion of the residential building is in keeping with the residential development density envisioned for the neighborhood. The parking plan that is proposed for the site is an improvement over the current conditions and provides space for two vehicles to park in tandem. The proposed plan, by limiting parking to the existing driveway, and converting areas behind both buildings to newly landscaped green spaces, will provide much improved areas for residents to enjoy the open spaces on the lot. In sum, the plan balances the need for parking with the desire to provide green open space to its residents. Additionally, the plans provide for long-term bicycle parking in the basement of the 33 Gore Street building for two bicycles, thus meeting the requirements of Section 6.107, with space for two short-term bicycle parking spaces for the rear yard. This bicycle-friendly development will support residents who are anticipated to use bicycles for transportation and avoid vehicle use altogether.

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 requested special permit relief can be granted without impairing the integrity of the District or adjoining district, because the new basement window will be in keeping with standard residential construction and consistent with neighborhood uses.

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

CITY OF CAMORIDGE WASPECTIONAL SERVICES

2021 APR -5 P 2: 53

WARNING:

This document may not be secure, may be corrupted in transmission or due to software incompatibility and/or may be amended or altered by third parties after leaving Jee The Architect LLCs possession. Jee The Architect LLCs in or tesponsible for and accepts no liability for such antiests. Subject only to any conflicting provision within any prior binding agreement by Joe The Architect LLC (which agreement may also contain additional conflictions relating to this document and sus up any prior binding agreement by Joe The Architect LLC. They are permitted only to be opposed, end and used by the addresses on permitted only to be opposed, end and used by the addresses are confidential and copyright in it belongs to Joe The Architect LLC. They are permitted only to be opposed, end and used by the addresses are discharged in the addresses on comerning the contents, correctness and sufficiency of the attachment and its contents for their purposes.

3. to the extent permitted by law, all conditions and warranties concerning the countent or any use to which they may be part (whether as to quality, colories, firess), care, all on otherwisely with engressi or clarifying document releases and inflement of the Architect LC. Segland at claims, liabilities, loss, costs and expenses arising directly or indirectly of of on connection with acts the or feature michallegy with out initiation any minespressnitation, error or defect in this document.

JOE THE ARCHITECT
343 Medford Street, Suile 4C,
Somerville, MA 02145
t + 1(1717) 784-3893

33 Gore LLC, c/o Koskores Real Estate Corp.

CLIENT ADDRESS:
2 Lincoln Street, Somerville, MA 02145

Index of Drawings

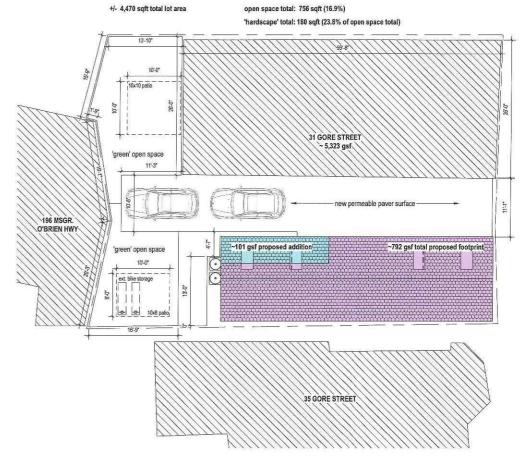
COVER SHEET
SITE CONTEXT AND CODE AWALYSIS
STAMDARDS, GENERAL NOTES & ABBREVIATIONS
MEANS OF EGRESS PLAN
EXISTING FLOOR PLAN
BASEMENT FLOOR PLAN
FIRST FLOOR PLAN
SECOND FLOOR PLAN
THERD FLOOR PLAN
THERD FLOOR PLAN
EXISTING EXTERNAL ELEVATIONS
EXTERNAL ELEVATIONS
BUILDING SECTIONS
BUILDING SECTIONS

For Permit

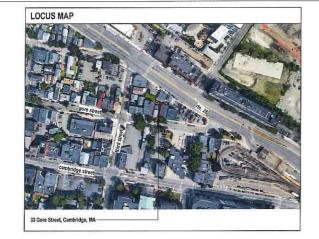
PROJECT NAME: Gore Street Development

33 Gore Street, Cambridge, MA 2141





2 PROPOSED SITE PLAN CONTEXT 1/8" = 1'-0"



Per Massachusetts state building co	de 780 CMR 9th edition/internation	building code
	Existing	Proposed
Use Group (780 CMR Section 304)	R-3	R-2
Type of construction (780 CMR Section 602)	Type V - B	Type V - B
Number of stories	2.25	4
Fire Protection	Building is not Fully Sprinklered	Building to be Fully Sprinklered
Building Element (780 CMR Section	Fire Resistance Rating	
primary structural frame		1
bearing walls		1
exterior walls	1	
Interior walls	1	
non bearing walls and interior		0
floor construction and secondary me	mbers	1
roof construction and secondary men	1	

PRO.	ECT Z	ONING INFOR	MATION	(LO	CAL REG	ULA'	TION	S)						APPLICAB	LE CODES & REGULATIONS (9th EDITION 780 CMR)
Property C	lass	TWO - FAM - RES Zoning Class							R	Res - C2B				Code Type	Applicable Code
Map/Lot	The second secon														
Neighborh	ood	East Cambridge							1					MA Building	780 CMR: Massachusetts State Building Code - 9th Edition
Zoning On	linance	Zoning Ordinance of the	ne City of Carr	bridge			.,,			100				1	As a reminder, the new, ninth edition code is based on modified versions of the following 2015 codes as published by the International Code Council (ICC).
		Zoning Data	Require	ed	Existing Un-			osed Me ore 31 (Existing M		Proposed N (site)		Residential	International Residential Code 2015 (IRC 2015)
					\$10000				-	1,000	Ÿ	1000			
Use & Lot		Use	Residen	-	Resider	-		esidentia		Residen	-	Residen	4	Existing Buildings	International Existing Building Code (IEBC)
		# of Dwelling Units*	14 (max)	units	2	units	2	6	units	8	units	8	units	Plumbing	248 CMR 10.00: Uniform State Plumbing Code
		Lot Area	5,000	sqft	1,035	sqft	1,035	3,435	sqft	4,470	sqft	4,470	sqft	Energy	International Energy Conservation Code (IECC)
	-	a / # of Dwelling Units*	600	sqft	517.5	sqft	-	-	sqft	559	sqft	559	sqft	Accessibility	521 CMR: Massachursetts Architectural Access Board Regulations
	Gross	s Floor Area Footprints (All Buildings)	n/a	gsf	691	gsf	792	1,774	gsf	2,465	gsf	2,556	gsf	Control of the Contro	The control of the co
	Open 9	Space (pervious area)	15	%	0	%	-	-	%	9.1	%	16.9	%	PROJECT (GENERAL INFORMATION (PROJECT DATA SHEET)
Building		Gross Floor Area	n/a	gsf	1,836	gsf	3,064	5,323	gsf	7,159	gsf	8,387	gsf	Project Number	308
Main Body		Net Floor Area**/***	n/a	nsf	1,496	nsf	2.574	_	nsf	_	nsf	_	nsf	Project Title	Gore Street Development
& Density		(sum of all usable sf)												Project Address	33 Gore Street, Cambridge, MA 02141
	Floor	Area Ratio (FAR) (I/C)	2.0		1.6		-			1.6		1.87		Client Name	Koskores Real Estate Corp.
		Building Height	45	ft	27	ft	34.25	31	ft	27 31	ft	34.25 31	ft	Client Address	2 Lincoln Street, Somerville, MA 02145
Building Setbacks		Front Yard Setback	10	ft	0	ft	0	0	ft	0	ft	0	ft		
SetDacks		Rear Yard Setback	20	ñ	22.2	fi	21.2	14.6	ft	22.2 14.6	ft	21.2 14.6	ft	PROJECT D	DESCRIPTION
	_	ide Yard Setback (left)	H+L/5	ft	1.75	ft	1.	-	Ħ	1.75	ft	1.75	ft	Denouelles and as	Idition to an existing multi family residential structure located in East Cambridge. Scope
	Sid	le Yard Setback (right)	H+L/5	ft	1.5	ft	2.	-	ft	2.75	ft	2.75	ft		conton to an existing multi family residential structure located in East Cambridge. Scope scavation and underpinning of existing basement foundation, new foundation at addition
	-	Street Frontage	20	ft	19	ft	59.		ft	59.83	ft	59.83	ft		use floor to add a story to the original structure, complete interior renovation with new
	Distar	nce Between Buildings	(H1+H2)/6	fl	9.6	ft	10	.8	ft	9.6	ft	10.8	ft	building utilities an	d window locations.
Additional	nformatio	n													
		ge Housing Overlay) ov ommon ownership - 33 (24 Cars	Clean									EVICTING C	TRUCTURES (IEBC)
rarceis me	ged via ou	ommon ownersnip - 33	Sore Street &	31 Gore	Street									EVIOLING 9	TRUCTURES (IEBC)
														Alteration - Level 3	(section 504)
														Based on our intern	retation of the IEBC 2015 Chapter 5 - Classification of work, 33 Gore Street is Alteration -
														Level 3 (section 504). The work includes complete renovation of interior spaces, an addition to the rear of the
														existing footprint, a	new 4th story, and excavation & underpinning of existing foundation. The Building is R-2 with a project scope area of 100%, an automatic fire supression system will be
															will comply with all the provisions of chapter for Level 1 afterations and level 2 alterations
															suired provisions for level 3 alterations.

For Permit

project file:
Gore Street Development

33 Gore Street, Cambridge, MA 2141

dient information:
33 Gore LLC, c/o Koskores Real Estate
Corp.
2 Lincoln Street, Somerville, MA 02145

JEAN

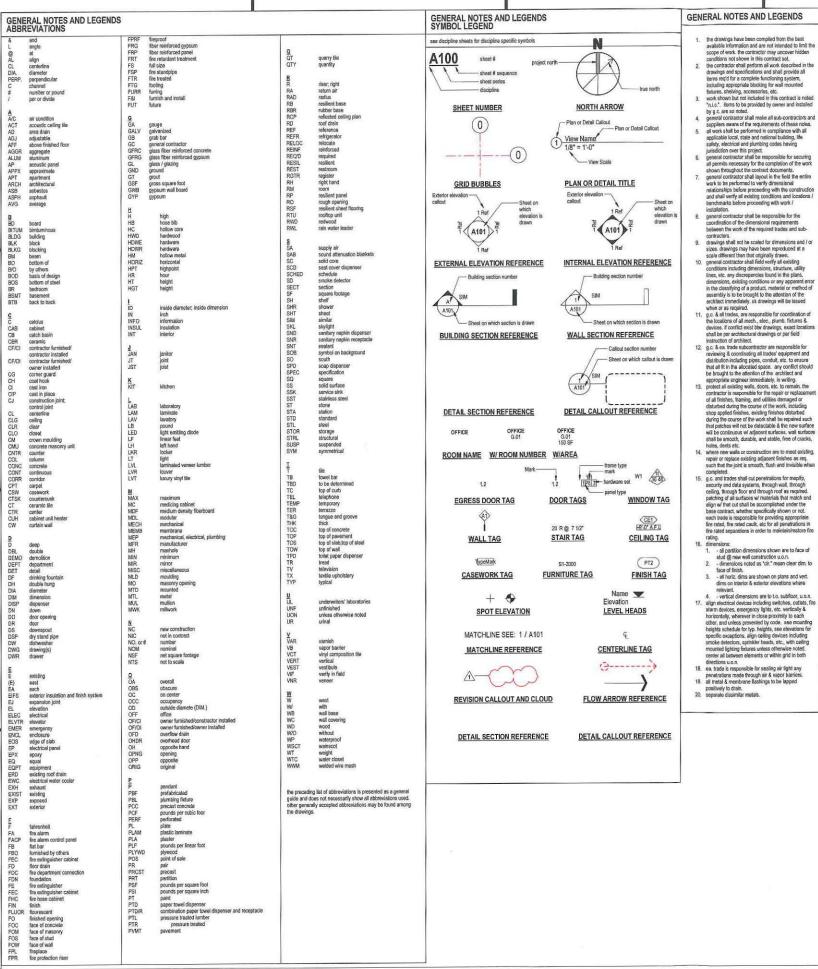
JOE THE ARCHITECT

343 Mediard Street, Suite 4C Somerville, MA 02145

t + 1(617) 764-3593 or askjow@joetheachitect.com
www.joetheachitect.com
drawing title

drawing title
SITE CONTEXT AND
CODE ANALYSIS

drawing scale approver
As indicated Approver



vallable information and are not intended to limit fr

n.i.c.". items to be provided by owner and installe

protect at existing waits, coots, etc. to remain, me contractor is responsible for the repair or replacement of all finishes, framing, and utilities damaged or disturted during the course of the work, including shop applied finishes, existing finishes disturbed during the course of the work shall be repaired such that patches will not be detectable & the new surface will be continuous w/ adjacent surfaces, wall surface shall be smooth, durable, and stable, free of cracks

For Permit

onsultant / contractor information



evision	revision description	dat
	SPECIAL PERMIT	03/26/

project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

74 (9)

33 Gore LLC, c/o Koskores Real Estate

2 Lincoln Street, Somerville, MA 02145

J t A

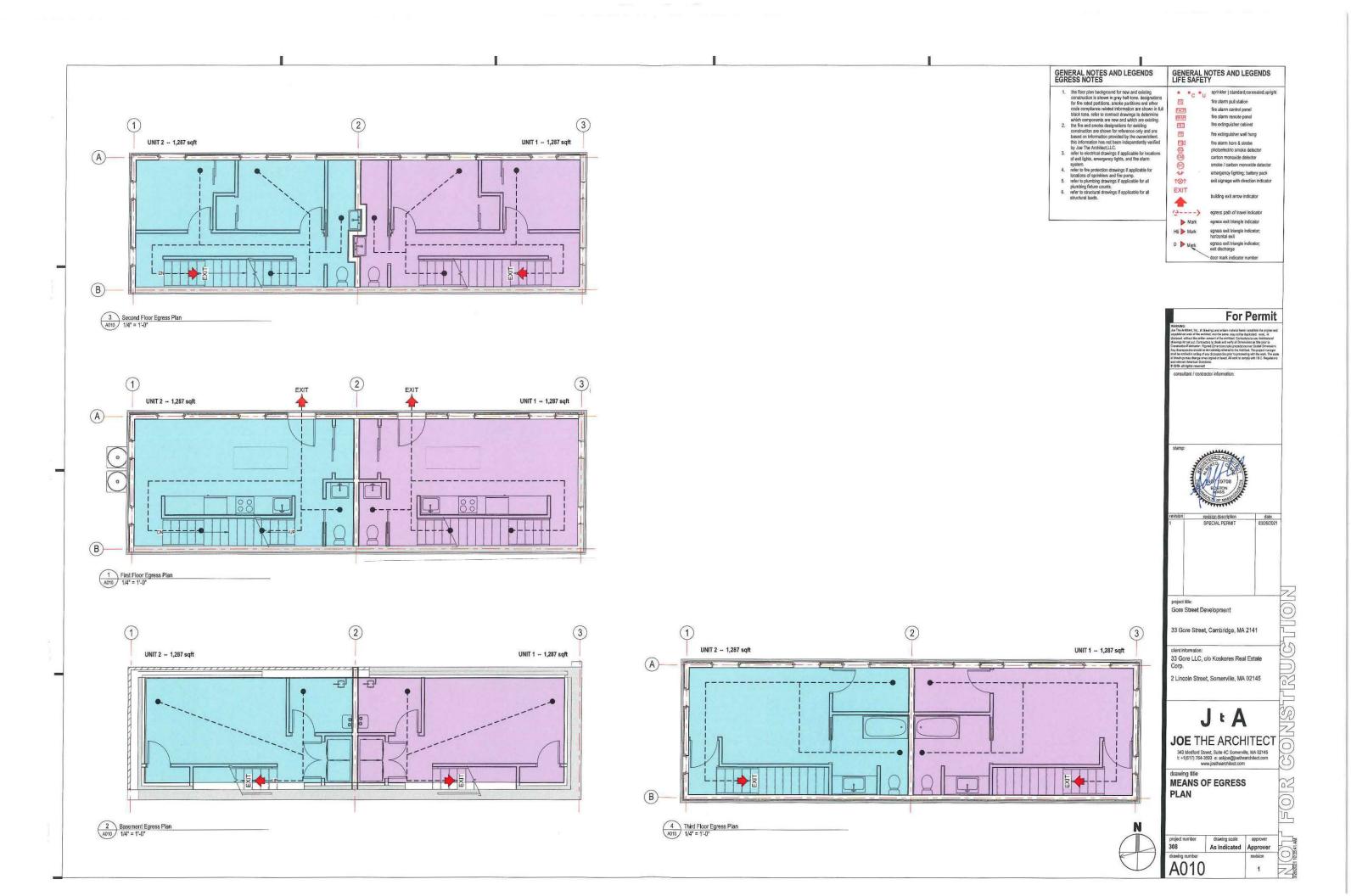
JOE THE ARCHITECT

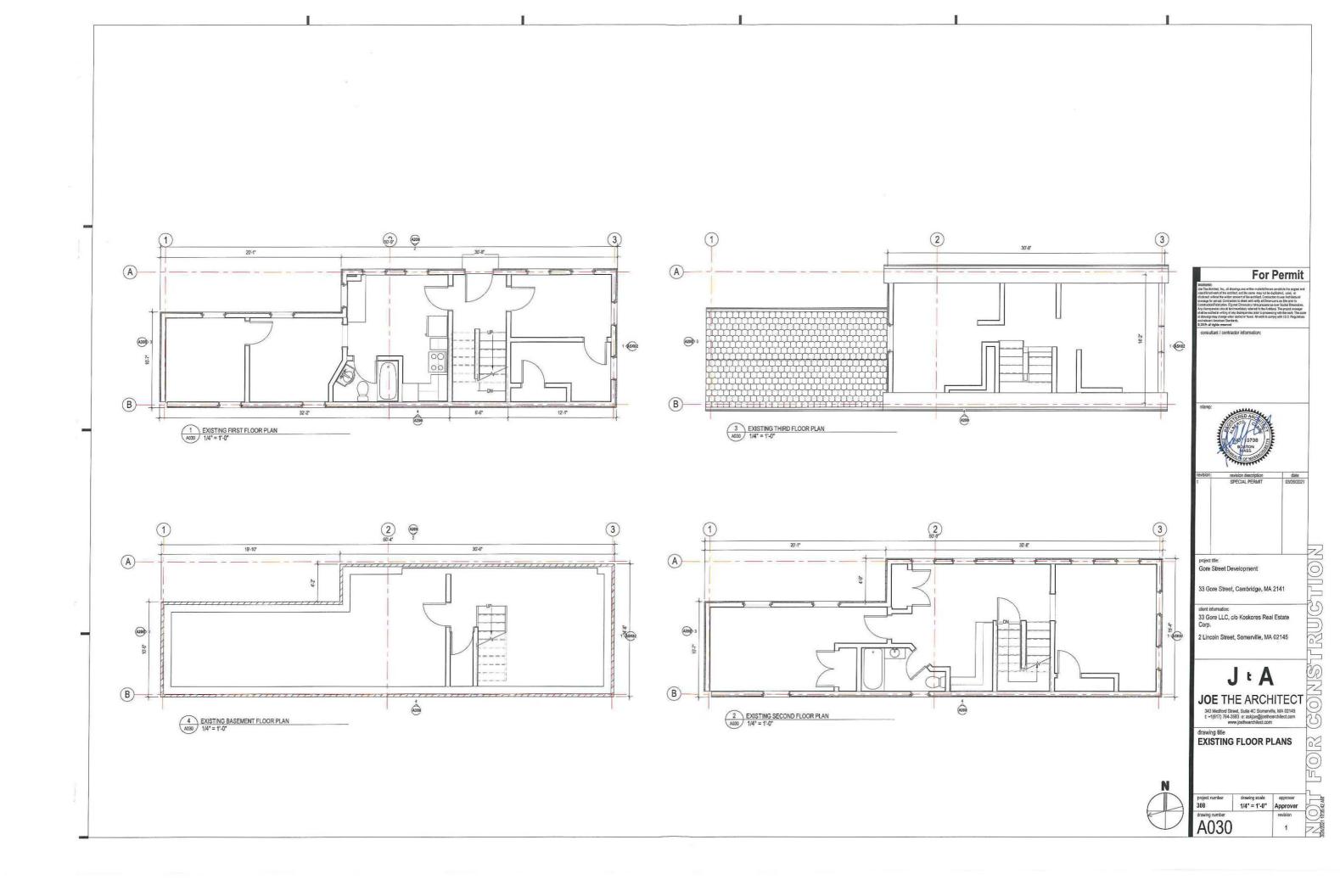
343 Mediord Street, Suite 4C Somerville, MA 02145 t.+1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

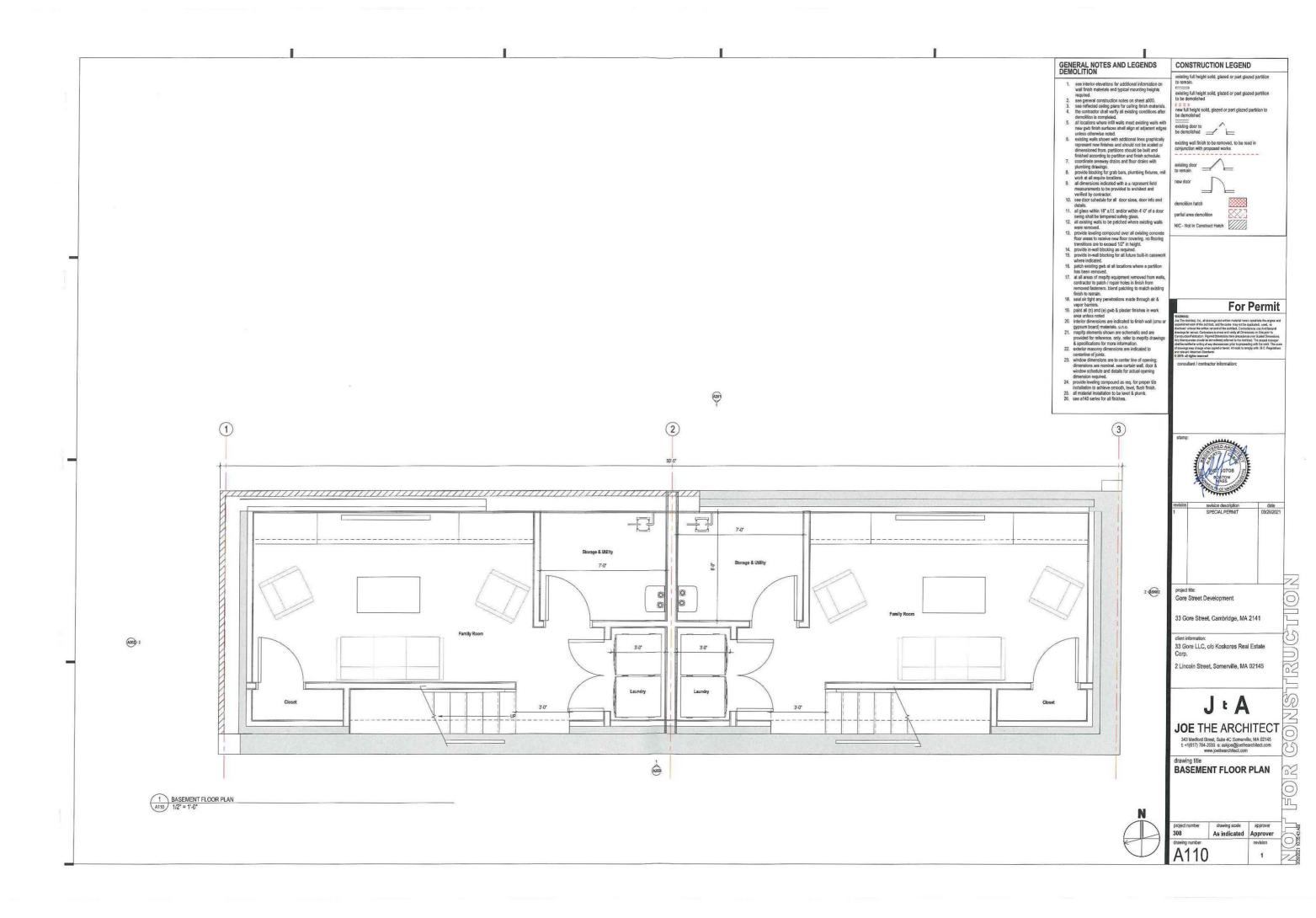
STANDARDS, GENERAL NOTES & **ABBREVIATIONS**

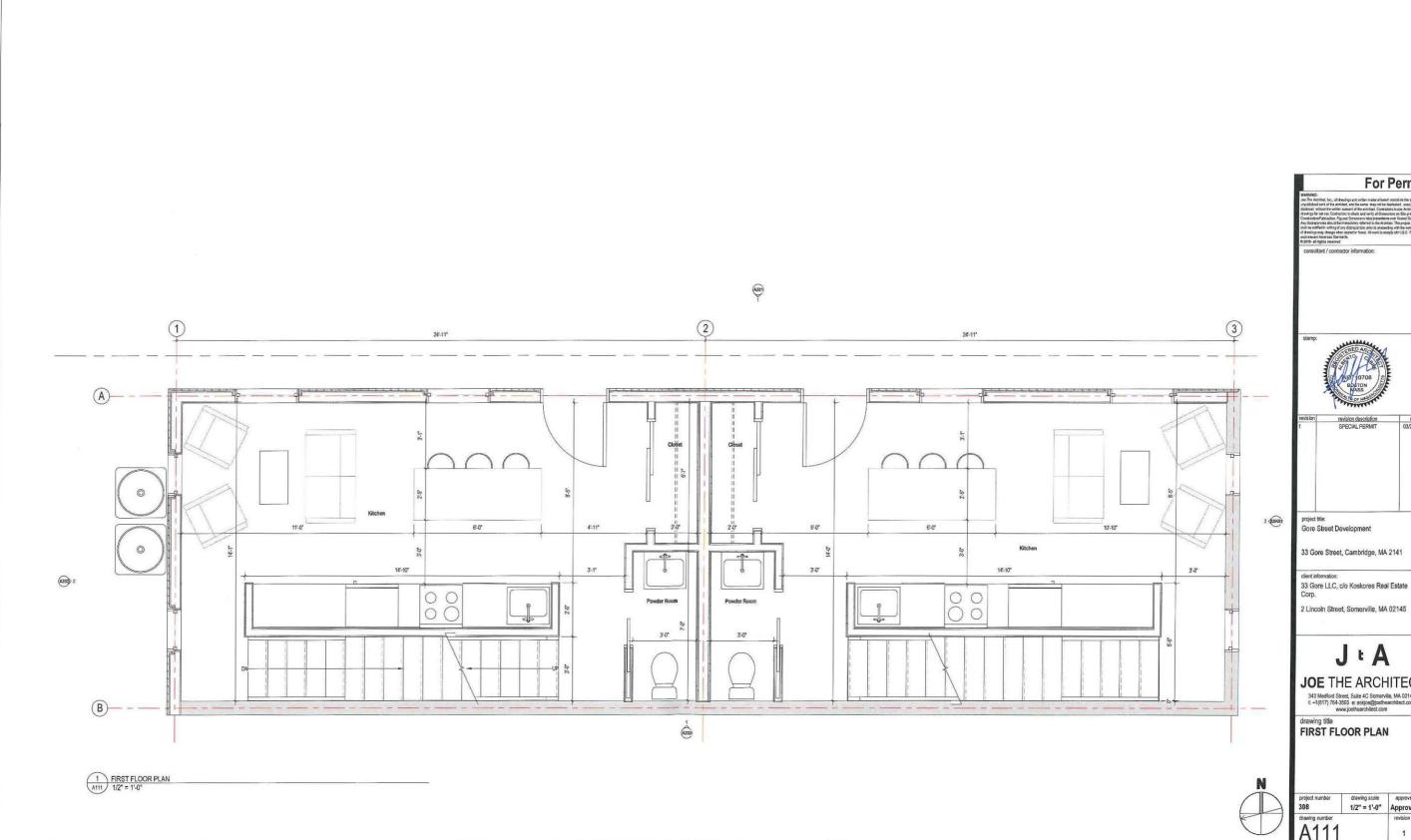


As indicated Approver





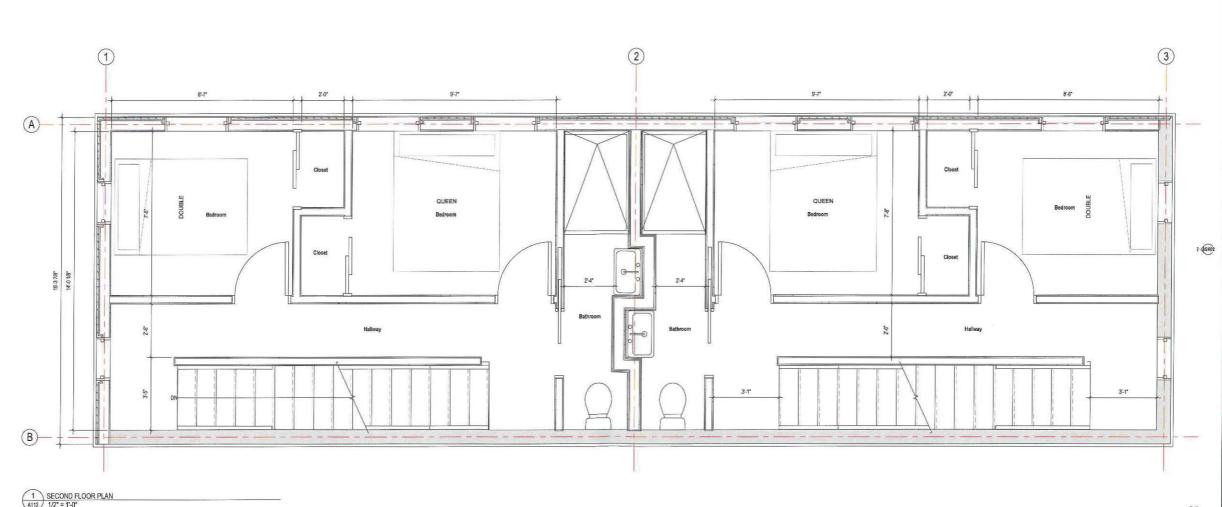




For Permit



33 Gore LLC,	cio Koskores Rei	al Estate	
2 Lincoln Stree	et, Somerville, MA	02145	0 2
	JιA		1
343 Medford St t: +1(617) 764-3	HE ARCH reet, Suite 4C Somerv 3593 er askjoe@joeth ww.joethearchitect.com	ille, MA 02145 earchitect.com	200
drawing title	OOR PLAN	ı	6
project number 308	drawing scale 1/2" = 1'-0"	approver Approver	1
drawing number		revision	2
A111		1	1





J t A

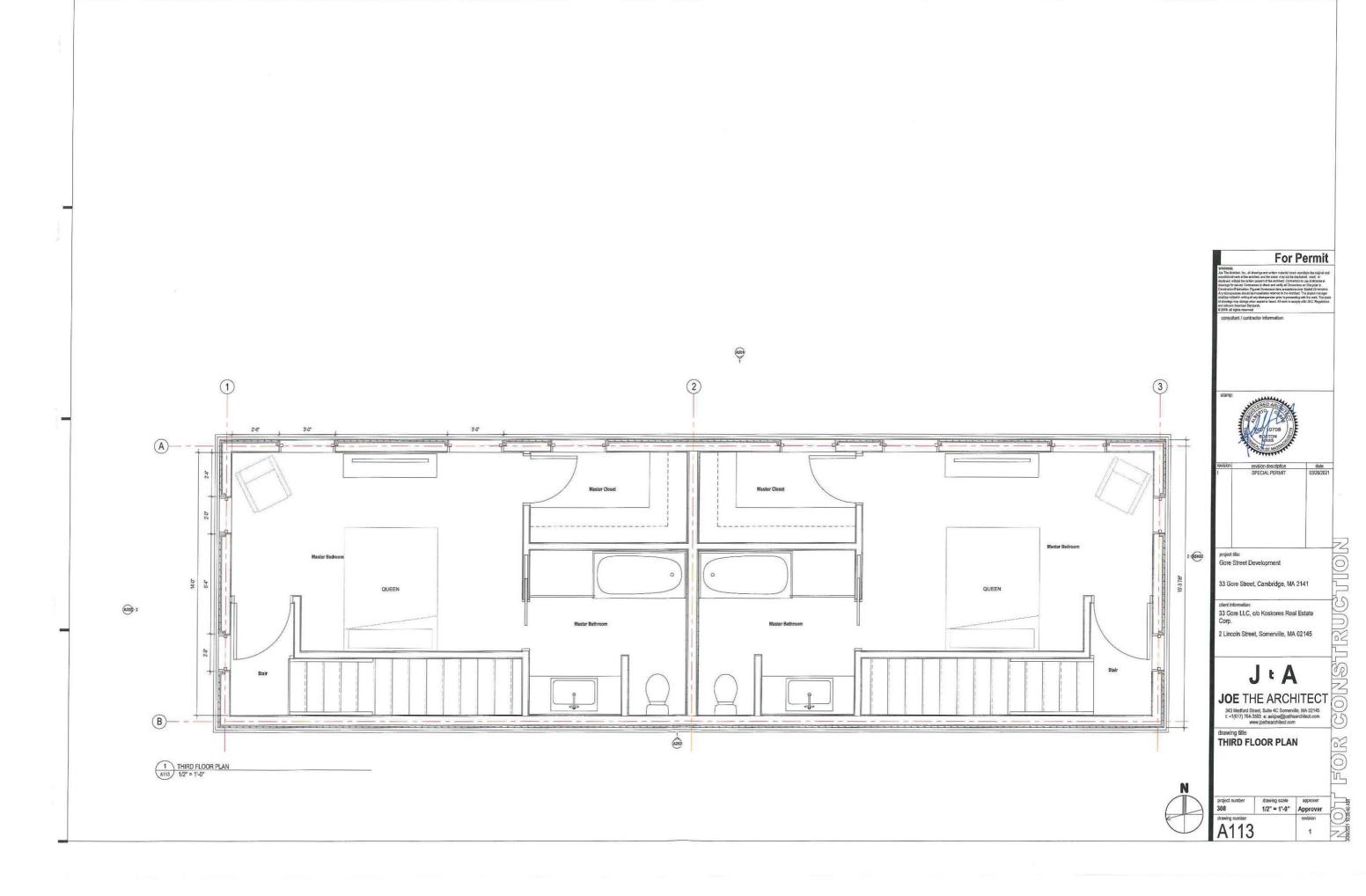
33 Gore Street, Cambridge, MA 2141

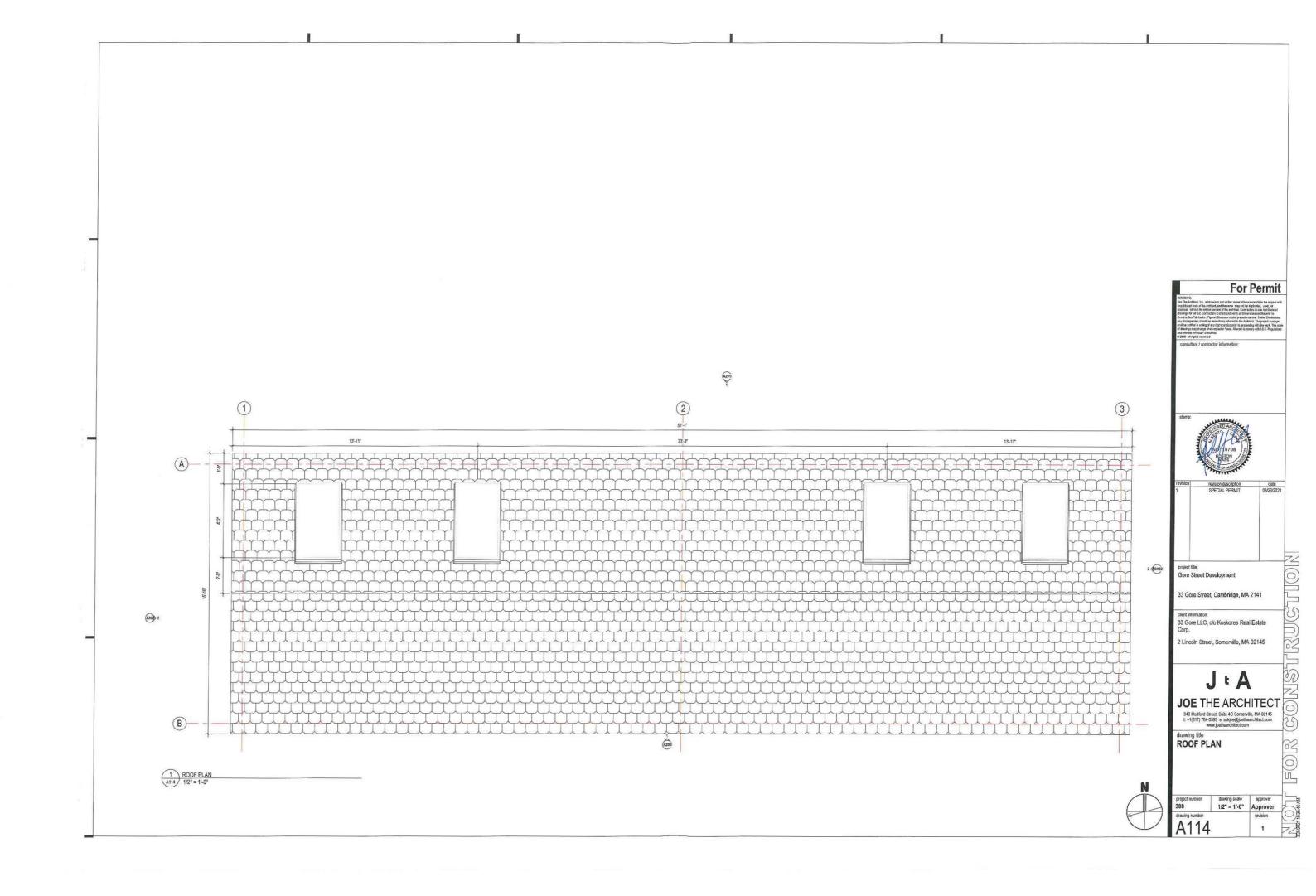
33 Gore LLC, c/o Koskores Real Estate Corp. 2 Lincoln Street, Somerville, MA 02145

JOE THE ARCHITECT
343 Mediord Street, Suite 4C Somerville, MA 02145
t:+1(617) 784-3838 e: askjoe@joethearchitect.com

drawing title
SECOND FLOOR PLAN

drawing scale approver
1/2" = 1'-0" Approver
revision
1











ı		
ı	1	
ı		
ı		
ı		
ľ		
ı		

NO11

project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate Corp.

2 Lincoln Street, Somerville, MA 02145

J t A

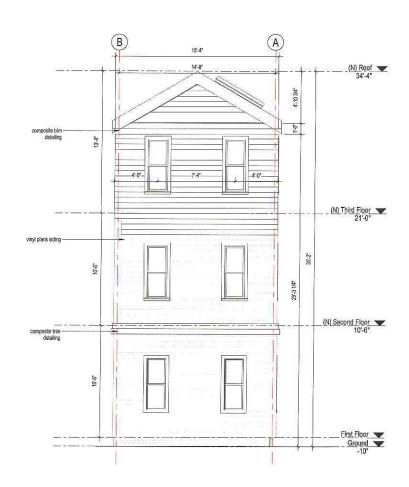
JOE THE ARCHITECT

drawing title
EXISTING EXTERNAL
ELEVATIONS



EXISTING	EXTERN/ ONS	AL	(0)
project number	drawing scale 1/4" = 1'-0"	approver Approver	7 7 1
A200		revision	





2 PROPOSED SOUTH ELEVATION 1/4" = 1'-0"



consultant / contractor information:



revision description	date
SPECIAL PERMIT	03/26/202

project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate Corp.

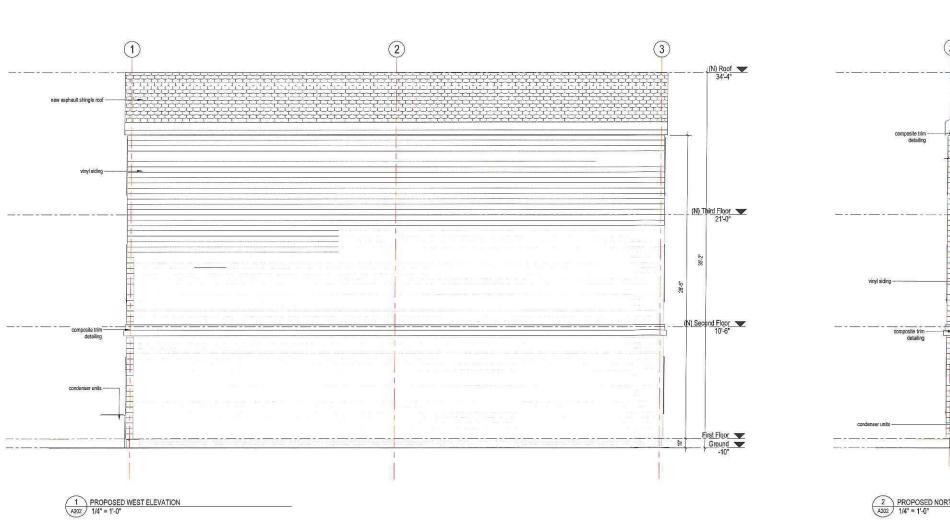
2 Lincoln Street, Somerville, MA 02145

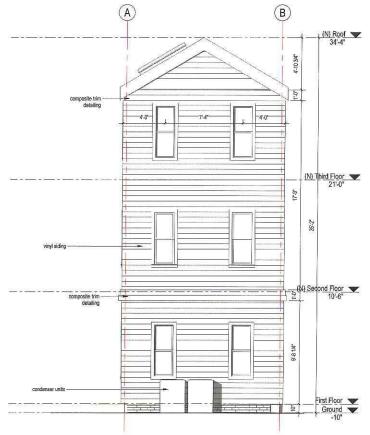
J + A

JOE THE ARCHITECT
343 Mediord Street, Suite 4C Samerville, IMA 02145
t +1(617) 764-3933 e: asigo-@ijoethearchitect.com
www.joethearchitect.com

drawing title
EXTERNAL ELEVATIONS

project number 808	drawing scale 1/4" = 1'-0"	Approver
drawing number		revision





PROPOSED NORTH ELEVATION
1/4" = 1'-0"





project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate Corp.

2 Lincoln Street, Somerville, MA 02145

J t A

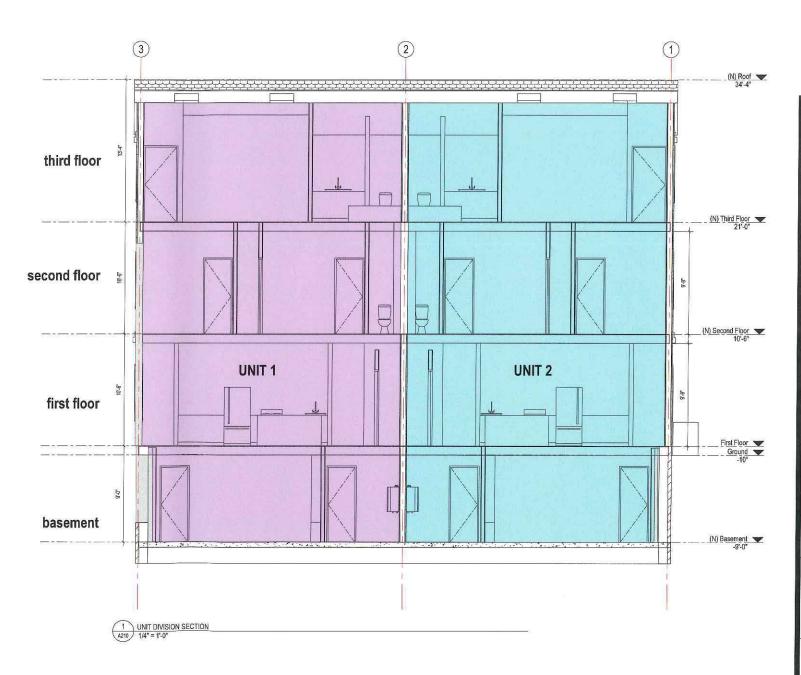
JOE THE ARCHITECT

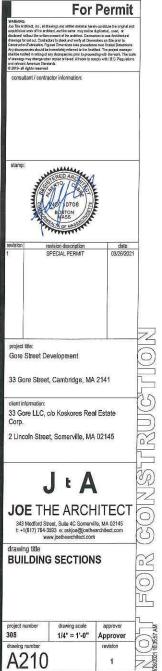
343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

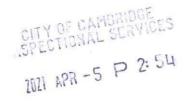
drawing title
EXTERNAL ELEVATIONS

drawing scale approver 1/4" = 1'-0" Approver









33 GORE STREET

SPECIAL PERMIT 03 / 26 / 2021

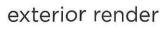
03/26/21

www.ioethearchitect.com



JtA







3 03/26/21

exterior render

JtA









CITY OF CAMBRIDGE INSPECTIONAL SERVICES

2021 JUN -7 P 4: 05

June 7, 2021

VIA Email and In Hand Delivery

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

Re: BZA Case No. BZA106913-2021, 33 Gore Street – Supplemental Materials

Dear Members of the Board:

On behalf of the petitioners, enclosed please find the following <u>revised</u> and <u>supplemental</u> application materials:

- 1) Memorandum in Support of Special Permit
- 2) Revised Architectural Plans
- 3) Revised Renderings
- 4) Revised Landscape Plan

Thank you for your consideration of this Application.

Sincerely,

Sarah Like Rhatigan, Esq.

CC (via email only):

Mr. Christopher Koskores

Mr. Peter Koskores

Mr. Charles Sullivan

Ms. Sarah Burks

Mr Eric Hill

MEMORANDUM IN SUPPORT OF SPECIAL PERMIT

33 GORE STREET, CAMBRIDGE, MA BZA CASE NO. 106913-2021

INTRODUCTION:

The Petitioner seeks to renovate and expand this legally pre-existing, non-conforming, two-family dwelling, by building up and constructing an addition to square off a rear el of the Property.

On April 1st, the Petitioner presented their plans to the Cambridge Historical Commission. The Historical Commission approved the application "on the condition that the existing front block of the house be raised up and the new story be constructed at the first floor level... The approval was also subject to the condition that exterior construction details and materials be submitted for Historical Commission staff review and approval." (See Copy attached here, for your reference).

REVISED MATERIALS:

The revised architectural plans, dated June 3, 2021, reflect changes made in response to the Historical Commission's conditions, to construct the addition at the first floor level, to adjust the front windows and trim to better maintain the original look of the original structure, and to add entry door hoods, similar to the existing one. There are no changes to the plans that affect bulk or dimensional elements of the project, or other matters that affect the zoning relief requested of this Board.

The revised landscape plan, prepared by Michael D'Angelo, reflects the modified landscape plan for the two-family dwelling plan, with rear patios and lawn areas, screening of exterior condensers, and other details of specimen and hardscape materials.

The revised renderings, dated June 3, 2021, incorporate the exterior window, trim and entry door hood changes made to the plans in response to the Historical Commission's recommendations.

PETITIONER'S APPLICATION MAY BE APPROVED BY SPECIAL PERMIT:

After meeting with Commissioner Ranjit Singanayagam on April 12 and again on June 7, 2021, the Commissioner confirmed that the alterations reflected in the plans were appropriate for review as a special permit under the <u>Bellalta v. Board of Appeals of Brookline</u>, Slip Opinion SJC-12516 (SJC 2019), recently codified by an amendment to the Zoning Ordinance, adding a new <u>Section 8.22.2(d)</u>, where the Petitioner's plans do not propose any new dimensional nonconformity and no change of use.

The 33 Gore Street Property is a two-family structure and the proposed construction increases preexisting, dimensionally nonconforming aspects of the building – namely, by extending up the height of the left side wall of the structure which preexisted, since the mid-1800s, nonconforming in that it now violates current side-yard setback requirements for the district. No new nonconformities are being created. Whereas the Petitioner's original application sought to add two additional dwelling units, the revised application maintains this as a two-family structure.

The project plans seek other special permit relief under <u>Section 6.43.3</u> and <u>6.44.1.g</u> to allow for parking of two cars in tandem in the existing driveway, as such would allow for an improved, rational and safe use of the existing driveway for parking of two vehicles for the inhabitants of the two dwelling units at 33 Gore Street.

The Petitioner has met with the East Cambridge Planning Team (ECPT) and is aware of the ECPT's letter expressing its preference to see an addition that would extend to cover the rear of the lot. The Petitioner has reviewed the concept sketch carefully, and determined that it raises issues, creating new zoning violations at the rear and left yard setbacks, results in the total elimination of the yard, and required green and open space for this property, and loss of parking, and would cause negative impacts for the immediate abutters to the project. For these reasons, the Petitioner has respectfully been unable to accommodate these recommendations.

The Petitioner has consulted with and received the express support from its adjoining neighbors who are most impacted by the changes proposed on the lot. The construction proposed will have minimal impacts upon neighboring uses and result in desirable improvements to an aged, structure, and allow for the modernization and improvement for living conditions of its future residents.

CONCLUSION:

For the reasons stated above, and as described in Petitioner's application, the project meets the requirements for a special permit. The proposed construction will not substantially impact the established neighborhood character, nor cause congestion hazard, or negative impacts in terms of traffic generated or patters of access or egress. The

continued operation of or development of adjacent uses would not be adversely affected by this alteration to the existing structure. No nuisance or hazard will be created. The renovation and expansion of the residential dwelling unit is in keeping with the residential development density envisioned for the neighborhood. The parking plan that is proposed for the site is an improvement over the current conditions, and provides space for two vehicles to park in tandem. The proposed plan, by limiting parking to the existing driveway, and converting areas behind both buildings to newly landscaped green spaces, will provide much improved areas for residents to enjoy the open spaces on the lot. In sum, the plan balances the need for parking with the desire to provide green open space to its residents. The requested special permit relief can be granted without impairing the integrity of the District or adjoining district.

Respectfully submitted,

On behalf of the Petitioner,

Sarah Like Rhatigan, Esq. Trilogy Law LLC 12 Marshall Street Boston, MA 02108 617-543-7009



CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139 Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112 E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, Chair, Susannah Barton Tobin, Vice Chair; Charles M. Sullivan, Executive Director Joseph V. Ferrara, Chandra Harrington, Elizabeth Lyster, Caroline Shannon, Jo M. Solet, Members Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, Alternates

CERTIFICATE OF APPROPRIATENESS

Property:

33 Gore Street

Applicant:

33 Gore LLC

Attention:

c/o Sarah Rhatigan, Attorney

Trilogy Law

2 Lincoln Street

Somerville, Mass. 02145

The Cambridge Historical Commission hereby certifies, pursuant to the Massachusetts Historic Districts Act (MGL Ch. 40C) and the Cambridge Historical Buildings and Landmarks Ordinance (Cambridge City Code, Ch. 2.78), that the work described below is not incongruous to the historic aspects or architectural character of the building or district:

Renovate and expand the existing house as described,

- 1. Raise up the existing 2.5-story house and construct a new first floor below it.
- 2. Excavate and underpin the existing foundation and construct a new foundation at the expanded ell.
- 3. Remove the existing ell and construct a new addition to match the height of the front block of the house.

The overall massing, site plan, and location of doors and windows shall be carried out as described in the plans and elevations by Joe the Architect titled, "33 Gore Street, Cambridge, MA 2141," and dated 3/26/2021.

The application was approved on the condition that the existing front block of the house be raised up and the new story be constructed at the first floor level. This will assist in the preservation of the existing wall and roof framing. The approval was also subject to the condition that exterior construction details and materials be submitted for Historical Commission staff review and approval prior to application for a building permit.

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

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

Case Number: 4487	Date of Certificate: 47 2021
Attest: A true and correct copy offices of the City Clerk and thon By Susaunah B. Teloin / S	e Cambridge Historical Commission
*********	***********
Twenty days have elapsed since t No appeal has been filed Date	

ORDINANCE NO. 2021-1 - FINAL PUBLICATION

CITY OF CAMBRIDGE

In the Year Two Thousand and Twenty-One

AN ORDINANCE

That the Zoning Ordinance of the City of Cambridge be amended on a petition by the City of Cambridge Law Department, along with the Community Development Department and Inspectional Services Department to amend Article 8.000 of the Cambridge Zoning Ordinance as follows:

In Article 8.000 Nonconformity, add a Section 8.22.2(d) that reads as follows:

d. In all districts the Board of Zoning Appeal may grant a special permit for the alteration or enlargement of a preexisting dimensionally nonconforming detached single-family dwelling or two-family dwelling, not otherwise permitted in Section 8.22.1 above, but not the alteration or enlargement of a preexisting nonconforming use, provided that there is no change in use and that any enlargement or alteration of such preexisting nonconforming detached single-family dwelling or two-family dwelling may only increase a preexisting dimensional nonconformity but does not create a new dimensional nonconformity. In order to grant the special permit the Board of Zoning Appeal is required to find that the alteration or enlargement shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood, and that the alteration or enlargement satisfies the criteria in Section 10.43.

In City Council April 5, 2021.
Passed to be ordained by a yea and nay vote:

Yeas 9; Nays 0; Absent 0.

Attest:- Anthony I. Wilson, City Clerk

A true copy;

ATTEST:- Anthony I. Wilson, City Clerk

atte distros

BZA Application Form

**REVISED 6.07.21

DIMENSIONAL INFORMATION

Applicant: 33 Gore LLC

Present Use/Occupancy:

Multi-family residential

Location: 12 Marshall Street

Zone:

Business A/Residence C

Zone/ECHO

Phone:

617-543-7009

Requested Use/Occupancy:

Multi-family residential

		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:		7,159	8,387	8,387	(max.)
LOT AREA:		4,470	4,470	5,000	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		1.6	1.9	1.9	
LOT AREA OF EACH DWELLING UNIT		559	559	300	
SIZE OF LOT:	WIDTH	60	60	50	
	DEPTH	74	74	n/a	
SETBACKS IN FEET	:FRONT	0	0	10.0	
	REAR	22.2 (33 Gore)/14.6 (31 Gore)	21.2 (33 Gore)/14.6 (31 Gore)	20.0	
	LEFT SIDE	1.75	1.75	(H+L)/5	
	RIGHT SIDE	2.75	2.75 **35.25 (33 Gore)/31	(H+L)/5	
SIZE OF BUILDING:	HEIGHT	27 (33 Gore)/31 (31 Gore)	(31 Gore)	45	
	WIDTH	16 ft (33 Gore)/26 ft (31 Gore)	16 ft (33 Gore)/26 ft (31 Gore)	n/a	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		9.1%	16.9%	15.0%	
NO. OF DWELLING UNITS:		2 (@ 33 Gore)/6 (@ 31 Gore) = 8 total	NO CHANGE	14 (allowed under the ECHO)	
NO. OF PARKING SPACES:		1	2 (tandem)	3	
NO. OF LOADING AREAS: DISTANCE		0	0	0	
TO NEAREST BLDG. ON SAME LOT		11 feet, 1 inch	11 feet, 1 inch	**11.0	

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'.

Pacheco, Maria

From:

Singanayagam, Ranjit

Sent:

Monday, June 7, 2021 3:55 PM

To: Cc: Sarah Rhatigan Pacheco, Maria

Subject:

RE: 33 Gore Street, Cambridge, MA--BZA Case No. 106913-2021

HI Sarah

I have reviewed the plans you have submitted and found that you are not creating a new zoning violation. The additions will not create a setback, FAR or an open space violations.

Based on this information I think you may be able to apply for a Special Permit as Article 8 Section 8.22.2 (d).

If you have any questions please call or email me

Thanks ranjit

: Sarah Rhatigan <sarah@trilogylaw.com> Sent: Monday, June 7, 2021 12:28 PM

To: Singanayagam, Ranjit <ranjits@cambridgema.gov>

Cc: Pacheco, Maria <mpacheco@cambridgema.gov>

Subject: 33 Gore Street, Cambridge, MA--BZA Case No. 106913-2021

Hello Ranjit-

Enclosed here are the revised architectural plans for 33 Gore Street that we will be filing today for the Board of Zoning Appeal's consideration at the continued hearing on Thursday, June 10th.

These plans are for an addition (to add one-floor, and to square off a rear el) to a pre-existing, non-conforming, two-family structure. The alterations and enlargements to the structure will <u>not</u> create any new dimensional non-conformities, nor a change in use, as the structure will continue to be used as a two-family dwelling. In addition to the addition, the application also requests a special permit to allow for two car tandem parking in the existing driveway.

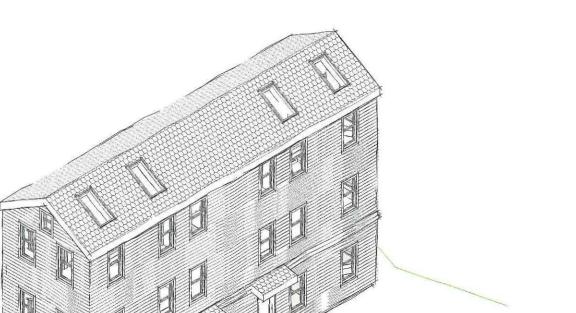
As we have discussed, the project may proceed for review as a special permit matter only (not requiring a variance) pursuant to the standard of review established under <u>Bellalta v. Board of Appeals of Brookline</u>, which has recently been codified by an amendment to the Cambridge Zoning Ordinance adding a new <u>Section 8.22.2(d)</u> (see attached).

Please reply to this email to confirm that you agree with the above statement as to the eligibility of this project for a special permit based on the information I have provided here. If you have questions or require any additional information, please contact me at any time.

Thank you, -Sarah

Sarah Like Rhatigan, Esq. Trilogy Law LLC 12 Marshall Street Boston, MA 02108 Tel: 617-543-7009

Email:Sarah@trilogylaw.com



WARNING:
This document may not be secure, may be corrupted in transmission or due to software incompatibility and/or may be amended or altered by third parties after levering. Joe The Architect LLC is possession, Joe The Architect LLC is not responsible for and accepts no liability for such artists. Subject only to any conflicting prevision within any prior binding agreement by Joe The Architect LLC (which agreement may also contain additional confliction relating to this document and its user prior binding agreement by Joe The Architect LLC (which agreement may also contain additional confliction relating to this document and to expert the it belongs to Joe The Architect LLC. They are permitted only to be operate, read and used by the addresses are sufficiently of the addresses. It is also sufficiently of the addresses concerning the contents, concentions and sufficiency of the attachment and its contents for that proposes.

3. but the setting permitted by law, all conditions and warrantiles concerning the contents, common law, equity, loade, custom or usage or implied by statute, common law, equity, loade, custom or usage or implied by statute, common law, equity, loade, custom or usage or will seep prioruminal of the The Architect LLC against all claims, liabilities, will seep prioruminal of the The Architect LLC against all claims, liabilities, will seep the impresses straining clarify or indeed proposed in the advanced on with such use or relation including without limitation any missepresentation, error or defect in this document.

Contractors to use Architectural drawings for set out. Contractors to check and welly all Dimensions on Site prior to Construction Federation. Figured Dimensions take procedures over Scaled Dimensions. Any discrepancies should be immediately referred to the Architect. All work to comply with I.B.C. Statutory Authorities and relevant American Statutaries.

Index of Drawings

COVER SHEET
SITE CONTEXT AND CODE ANALYSIS
STANDARDS, GENERAL NOTES & ABBREMATIONS
MEANS OF GENERS SHAN
EXISTING FLOOR PLANS
BASEMENT FLOOR PLAN
FIRST FLOOR PLAN
SECOND FLOOR PLAN
THRIO FLOOR PLAN
THRIO FLOOR PLAN
EXCENTED FLOOR PLAN
EXCENTED FLOOR PLAN
EXISTING EXTERNAL ELEVATIONS
EXTERNAL ELEVATIONS
BUILDING SECTIONS
BUILDING SECTIONS

A000 A001 A002 A010 A030 A110 A111 A112 A113 A114 A200 A201 A202 A210

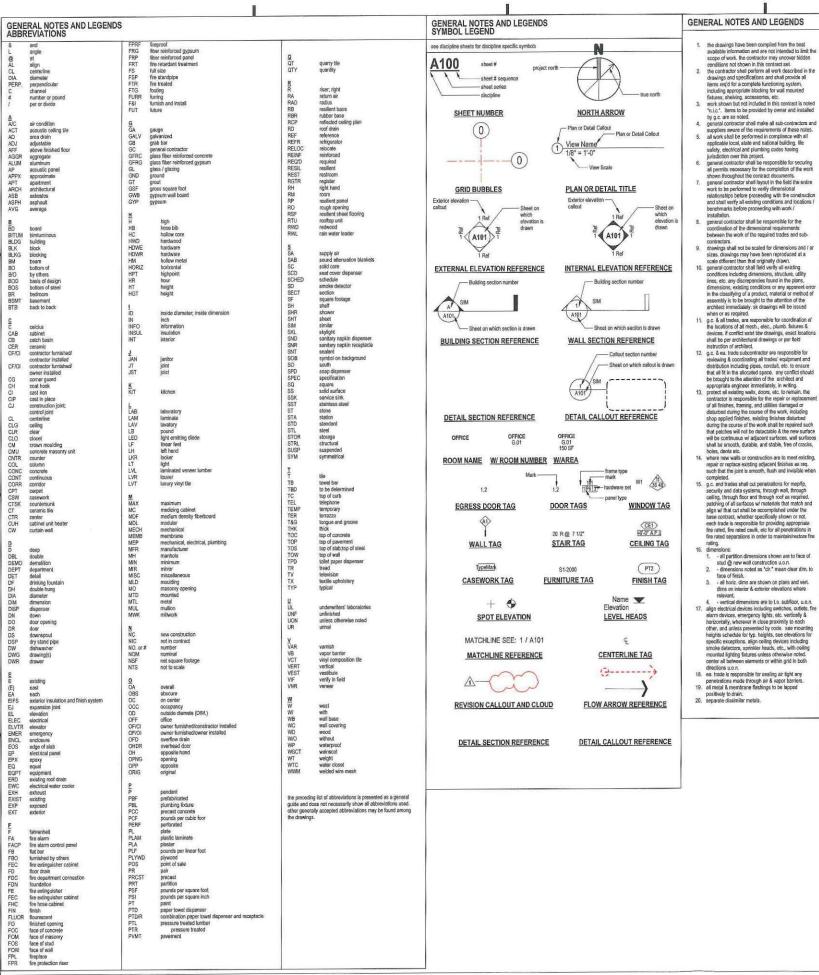
33 Gore LLC, c/o Koskores Real Estate Corp.

CLIENT ADDRESS:
2 Lincoln Street, Somerville, MA 02145 JOE THE ARCHITECT

343 Medford Street, Suite 4C, Somerville, MA 02145 t. +1(617) 764-3593

PROJECT NAME: Gore Street Development

33 Gore Street, Cambridge, MA 2141



Jurisdiction over this project, general contractor shall be responsible for securing all permits necessary for the compation of the work shown throughout the contract documents, general contractor shall ayout in the fell of the entire work to be performed to verify dimensional relationships before proceeding with the construction and shall verify all existing conditions and locations /

contractors.

frevings shall not be scaled for dimensions and J or sizes, drawings shall not be scaled for dimensions and J or sizes, drawings may have been reproduced at a scale different then that originally drawn.

general contractor shall field verify all existing conditions including dimensions, extructive, utility lines, etc. any discrepancies found in the plants, offinensions, existing conditions or any appeared more in the disastilying of a product, material or method of assembly is to be trought to the aftertion of the architect immediately, sk drawings will be issued when or as required.

shall be smooth, durable, and stable, free of cracks

soon that the joint is smooth, flush and invisible in completed.

15. g., and trades shall cut perietrations for meptin, security and data systems, through wait, through ceiling, through floor and trungh not as required, patching of all surfaces wit materials that match and sall by with cut shall be securelished under the best countries, whose control of the providing appropriate for attack for reade case, less for providing appropriate for rated case, less for all powerfactions in fire rated case, less for all powerfactions in fire rated.

4. - vertical dimensions are to 1.0. subfloor, u.o.n. 1. align electrical disease including switches, collets, in aliam disvices, senegoncy lights, etc. vertically & hartzochally, wherever in close proximity to each other, and unless prevented by code, sae mounting heights schedule for typ. heights, see elevations for specific acceptions align colling devices including smole detectors, sprinkler heads, etc., with colling mounted lighting fatures unless otherwise molect, centre all between alements or within grid in both directions us most timough of reading at fight any penetrations made through a rif a vapor barriers.
19. all metal & membrane fissings to be lapped positively of orien.

For Permit

onsultant / contractor information



revision	revision description	date
1	SPECIAL PERMIT	06/03/20

Gore Street Development

33 Gore Street, Cambridge, MA 2141

33 Gore LLC, c/o Koskores Real Estate

2 Lincoln Street, Somerville, MA 02145

JIA

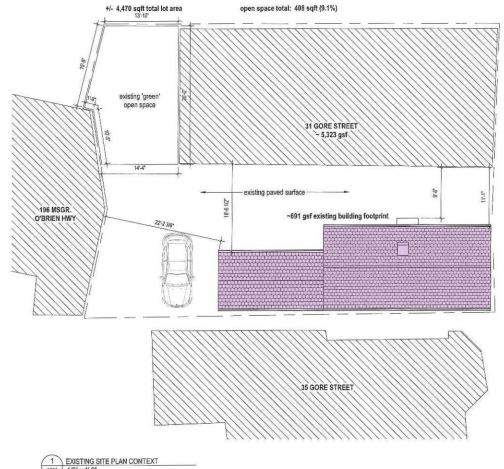
JOE THE ARCHITECT

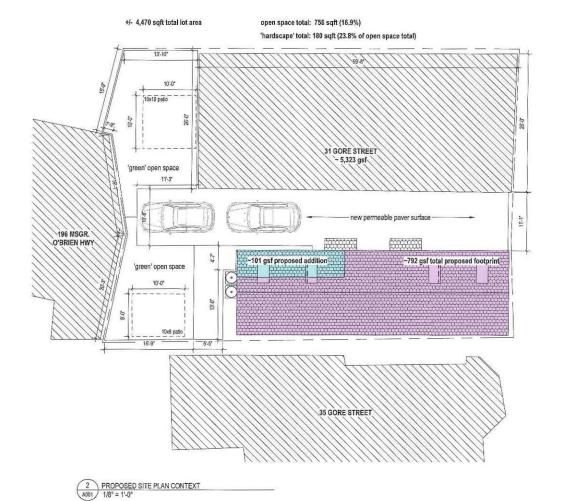
343 Medford Street, Suite 4C Somerville, MA 02145 t +1(617) 764-3593 e: askjoe@joethearchitect.com www.joethearchitect.com

STANDARDS, GENERAL NOTES & **ABBREVIATIONS**

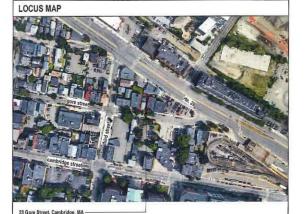


drawing scale As indicated Approver 1





1 EXISTING SITE PLAN CONTEXT A001 1/8" = 1'-0"

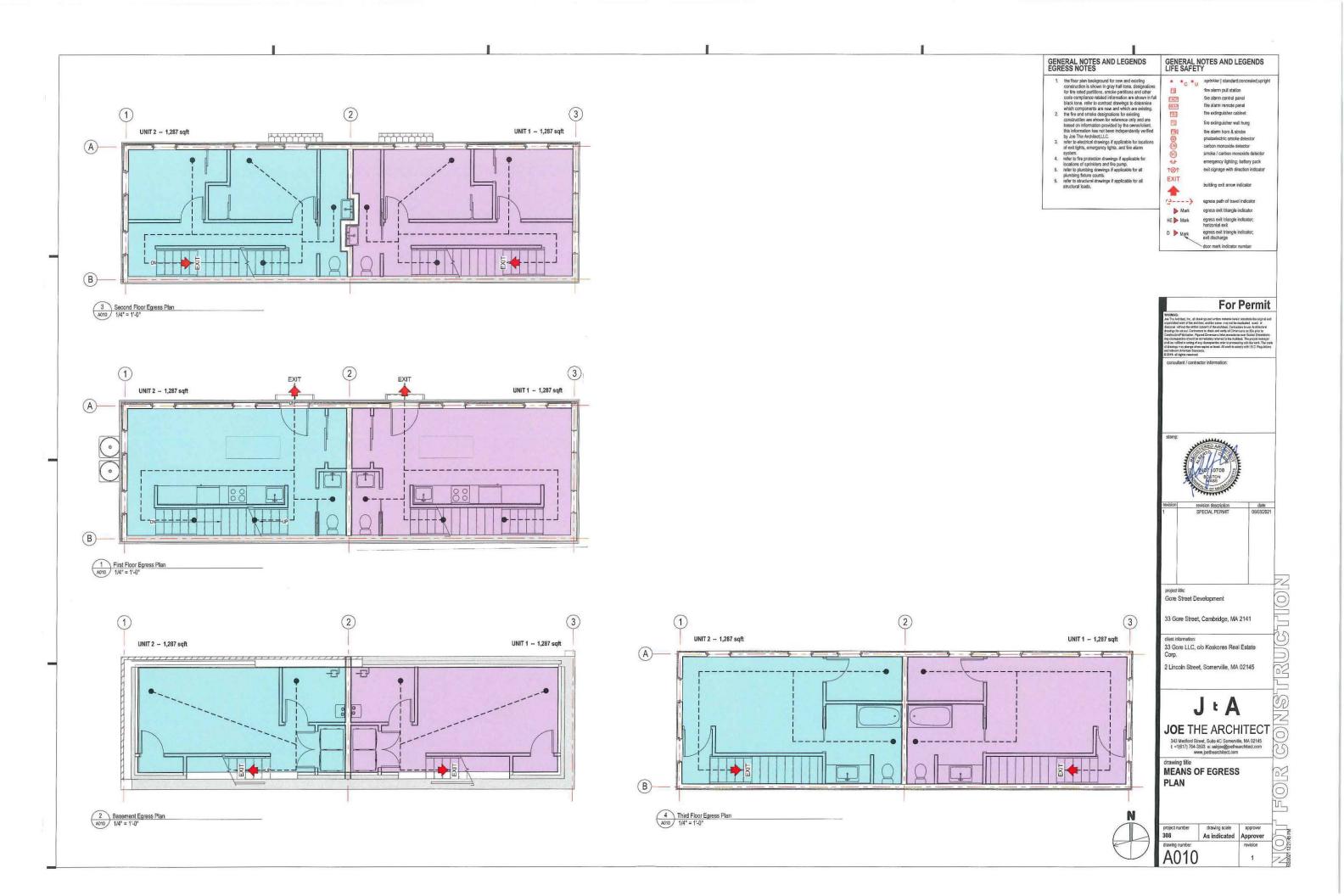


Per Massachusetts state building co	de 780 CMR 9th edition/ internation	building code
	Existing	Proposed
Use Group (780 CMR Section 304)	R-3	R-2
Type of construction (780 CMR Section 602)	Type V - B	Type V - B
Number of stories	2,25	4
Fire Protection	Bullding is not Fully Sprinklered	Building to be Fully Sprinklered
Building Element (780 CMR Section	601)	Fire Resistance Rating
primary structural frame		1
bearing walls	1	
exterior walls	1	
interior walls		1
non bearing walls and interior		0
floor construction and secondary me	mbers	1
roof construction and secondary mer	nbers	1

	2012	ECT ZONING INFO	MATIOI	V (LU	CAL REG	-	-		-					AFFLICAD	LE CODES & REGULATIONS (9th EDITION 780 CMR)	project title:
	Property Cla					- 2	Zoning C	Class	F	es - C2B				Code Type	Applicable Code	Gore Street Development
	Map/Lot	20 - 105				_	-	_	-							-
	Neighborhoo			-					-					MA Building	780 CMR: Massachusetts State Building Code - 9th Edition As a reminder, the new, ninth edition code is based on modified versions of the	33 Gore Street, Cambridge, MA 2141
	Zoning Ordi	200 Table 1 10-4 - 0.0 4 - 1.1 0 Table 2 - 1.1 1	4		I Second West Park		177	- 1000	_					-11	following 2015 codes as published by the International Code Council (ICC).	33 Gole Steet, Cambridge, MA 2141
-		Zoning Date	Requi	red	Existing Un-			posed Me Sore 31		Existing (sit		Proposed (site		Residential	International Residential Code 2015 (IRC 2015)	
klered	Use & Lot	Use	Reside	ntial	Residen	ntial	1	Residenti	al	Reside	ntial	Reside	ntial	Existing Buildings	International Existing Building Code (IEBC)	client information:
		# of Dwelling Units	14 (max)	units	2	units	2	6	units	8	units	- 8	units	Plumbing	248 CMR 10.00: Uniform State Plumbing Code	33 Gore LLC, c/o Koskores Real Estate
		Lot Area	5,000	sqft	1,035	fipe	1,035	3,435	sqft	4,470	sqft	4,470	sqft	Energy	International Energy Conservation Code (IECC)	Corp.
		Lot Area / # of Dwelling Units	600	sqft	517.5	sqft		****	sqft	559	sqft	559	sqft	Accessibility	521 CMR: Massachursetts Architectural Access Board Regulations	2 Lincoln Street, Somerville, MA 02145
		Gross Floor Area Footprints (All Buildings		gsf	691	gsf	792	1,774	gsf	2,465	gsf	2,556	gsf	rocessionity	SET OWN, Massacristiscus Authorophies Access Budill (regulations	
		Open Space (pervious area	15	%	0	%			%	9.1	%	16.9	%	PROJECT	GENERAL INFORMATION (PROJECT DATA SHEET)	
	Building	Gross Floor Area	n/a	gsf	1,836	gsf	3,064	5,323	gsf	7,159	gsf	8,387	gsf	Project Number	308	1 A
	Main Body & Density	Net Floor Area**/*** (sum of all usable of		nsf	1,496	nsf	2,574	-	nsf	-	nsf	-	nsf	Project Title Project Address	Gore Street Development 33 Gore Street, Cambridge, MA 02141	J t A
		Floor Area Ratio (FAR) (I/C)	2.0		1.6			4		1.6		1.87		Client Name	Koskores Real Estatu Corp.	
		Building Height	45	ft	27	ft	35.25	31	育	27 31	ft	35.25 31	ft	Client Address	2 Lincoln Street, Somerville, MA 02145	JOE THE ARCHITEC
	Building	Front Yard Setback	10	ft	0	ft	0	0	ft	0	ft	0	ft.	Citatii Address	Z LINCOIN SCIENT, SOMEWIND, MAY 02145	
	Setbacks	Rear Yard Setback	20	ft	22.2	ft	21.2	14.6	fi	22.2 14.	6 ft	21.2 14.	5 ft	PROJECT	DESCRIPTION	343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchitect.com
	1	Side Yard Setback (left)	H+L/5	ft	1.75	ft	1 1	.75	ft	1.75	tt	1.75	ft	I) II. In the on tendent of		www.joethearchitect.com
		Side Yard Setback (right)	H+U5	ft	1.5	ft	2	.75	ft	2.75	ft	2.75	ft		Idition to an existing multi family residential structure located in East Cambridge, Scope scavation and underpinning of existing basement foundation, new foundation at addition	drawing title
		Street Frontage	20	it	19	ft	59	1.83	fl	59.83	ft	59.83	ft		use floor to add a story to the original structure, complete interior renovation with new	
		Distance Between Buildings	(H1+H2)/6	ft	9.6	ft	1	0.8	ft	9.6	ft	10.8	ft	building utilities an	d window locations.	SITE CONTEXT AND
		nformation Cambridge Housing Overlay) o ged via common ownership - 33		31 Gare	Street									EXISTING S	TRUCTURES (IEBC)	CODE ANALYSIS

project number 308	As indicated	approver Approver	-
drawing number		revision	7
A001		1	E

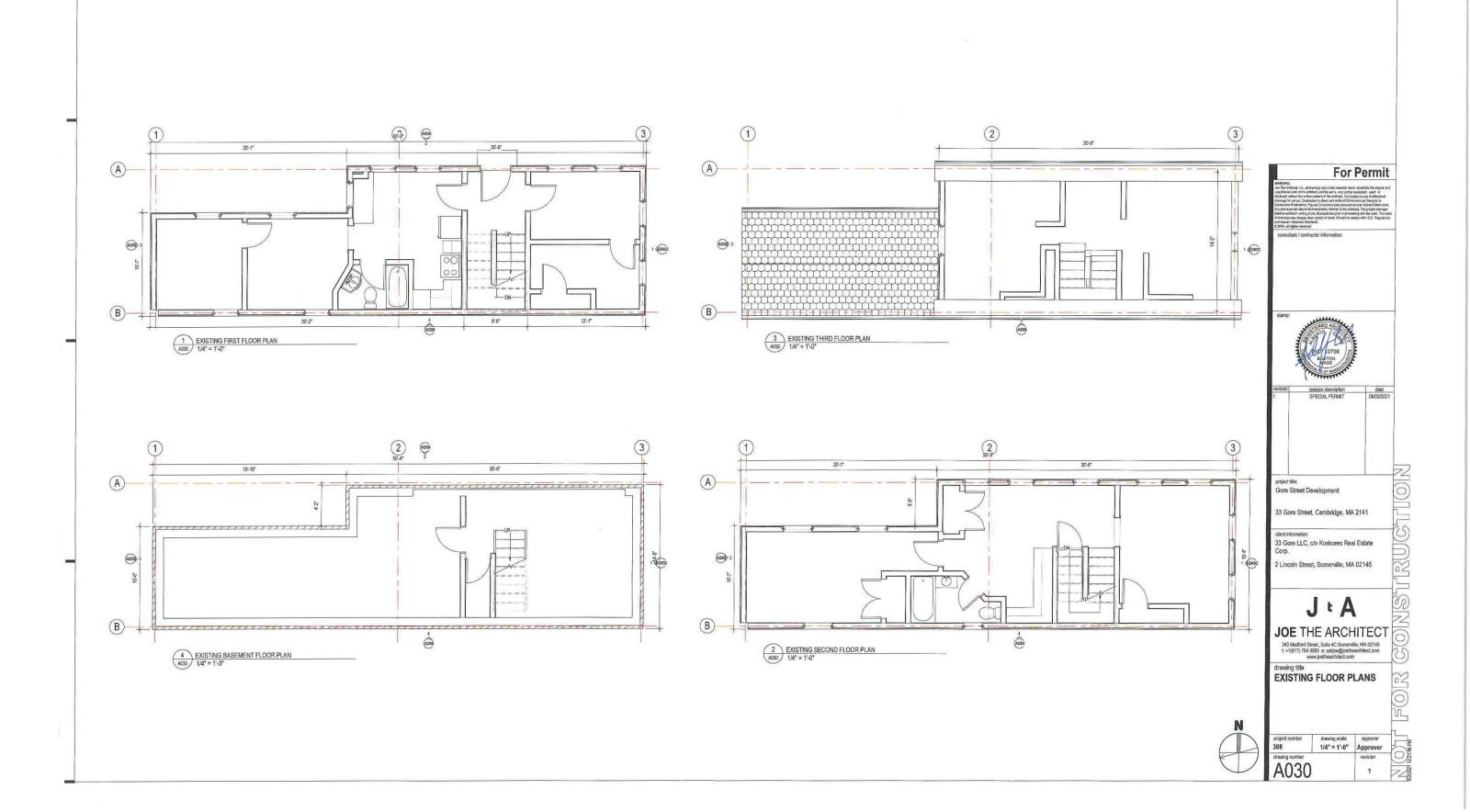
Based on our interpretation of the IEBC 2015 Chapter 5 - Classification of work, 33 Gore Street is Alteration-Level 3 (section 504). The work includes complete renovation of interior spaces, an addition to the rear of the wisting floor, in. anew 4th story, and ecoavation & underprining of existing floadshoot. The building is classification group R-2 with a project scope area of 100%, an automatic fire supression system will be required. The work will comply with all the provisions of chapter for Level 1 alterations and level 2 alterations as well as all the required provisions for level 3 alterations.

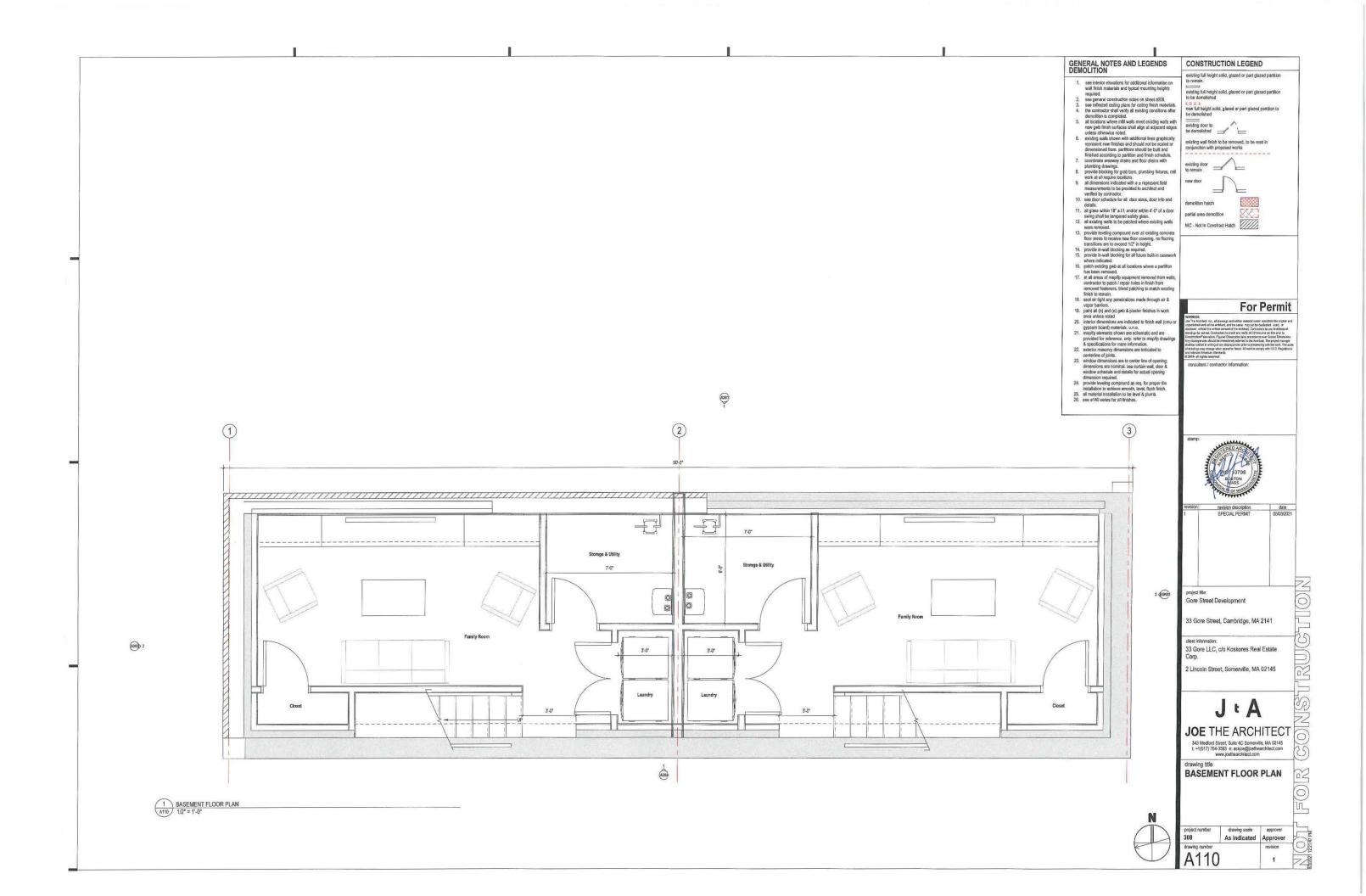


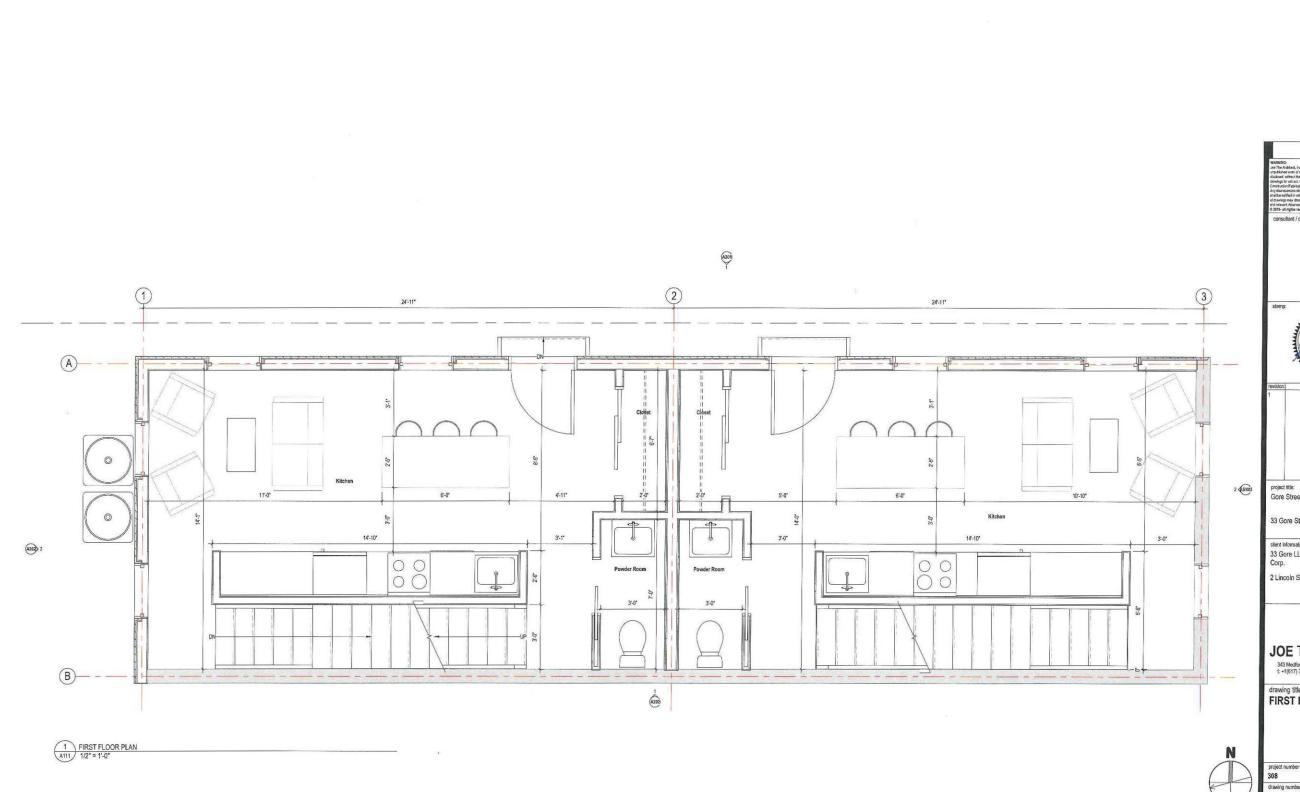


drawing title
FOURTH FLOOR PLAN

project number drawing scale Approver drawing number revision









project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate Corp.

2 Lincoln Street, Somerville, MA 02145

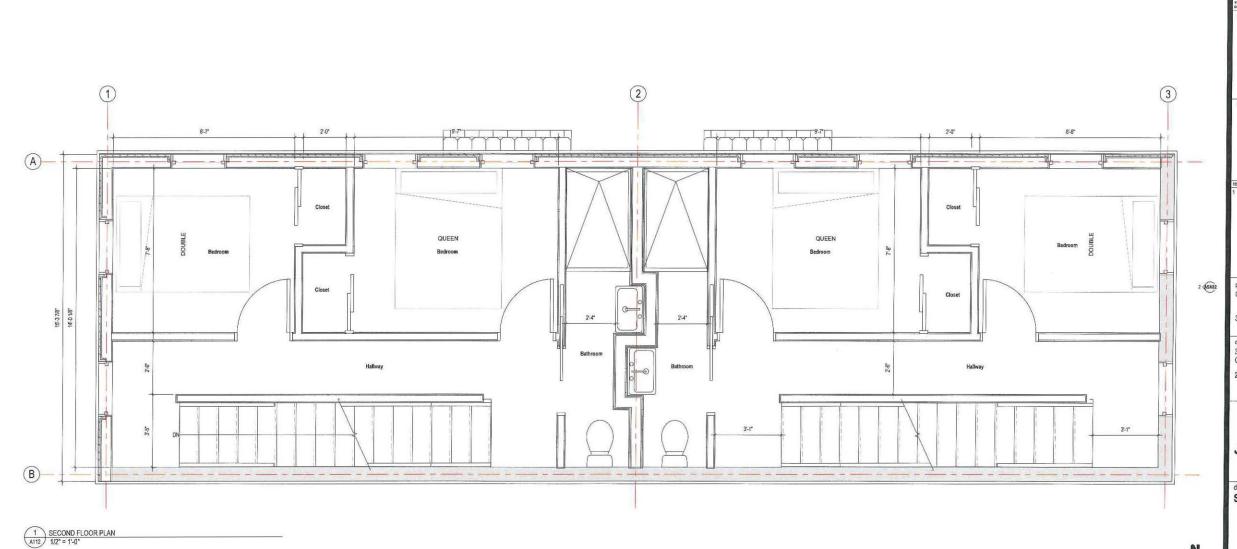
JIA

JOE THE ARCHITECT

343 Mediant Street, Surle 4C Somerville, MA 02145
t +1(617) 764-3939 at assign@joethearchitect.com
www.joethearchitect.com

drawing title
FIRST FLOOR PLAN

project number 308	drawing scale 1/2" = 1'-0"	Approver
drawing number		revision





project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

J t A

JOE THE ARCHITECT

343 Mediand Street, Sumerville, MA 02145

L + 1(617) 704-3999 et antipoe@joethearchitect.com

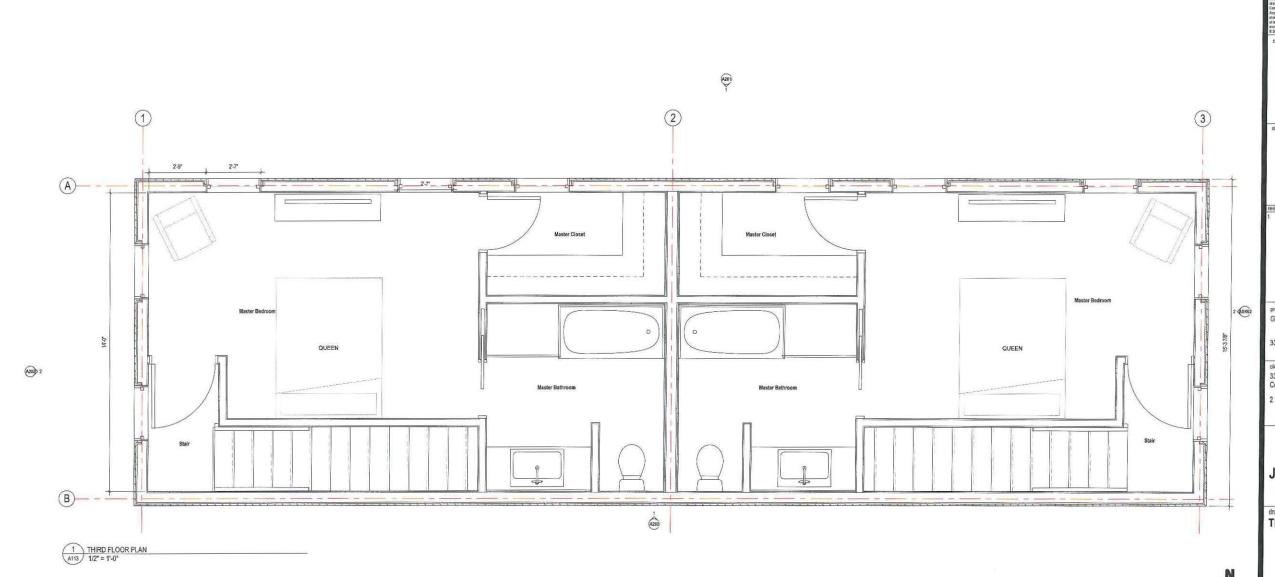
www.pethearchitect.com

dicrawing hills

drawing title
SECOND FLOOR PLAN



project number 308	drawing scale 1/2" = 1'-0"	Approver
drawing number		revision





project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client Information: 33 Gore LLC, c/o Koskores Real Estate Corp.

2 Lincoln Street, Somerville, MA 02145

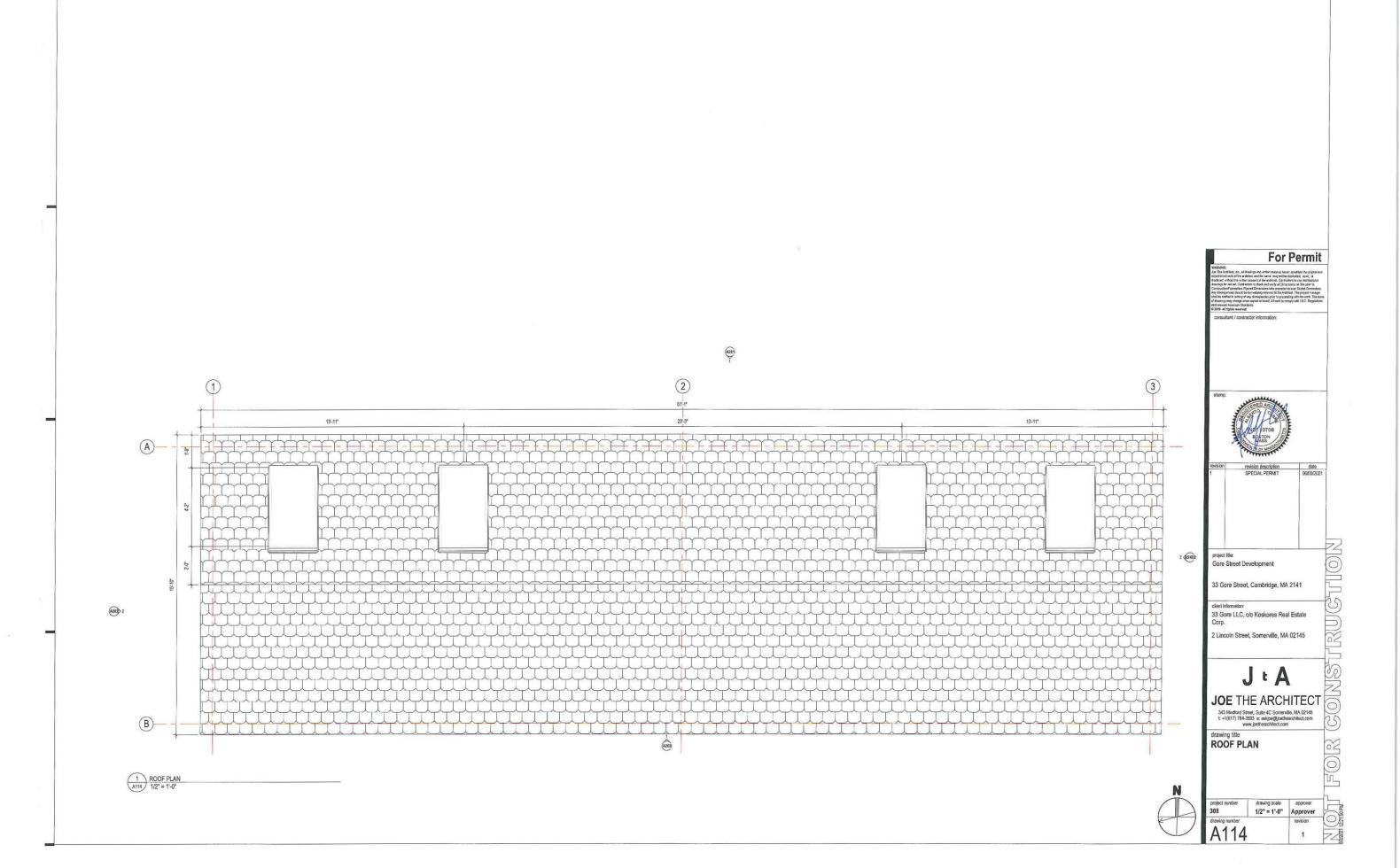
J t A

JOE THE ARCHITECT
343 Medirard Struet, Suite 4C Somerville, MA 02145
t.+1(617) 764-3996 e: askjoe@jenthearchillect.com
www.joethearchillect.com

drawing title
THIRD FLOOR PLAN



project number	drawing scale	Approver
308	1/2" = 1'-0"	Approver
drawing number		revision









revision	revision description	date
1	SPECIAL PERMIT	06/03/202

project title: Gore Street Development

33 Gore Street, Cambridge, MA 2141

client information: 33 Gore LLC, c/o Koskores Real Estate Corp.

J t A

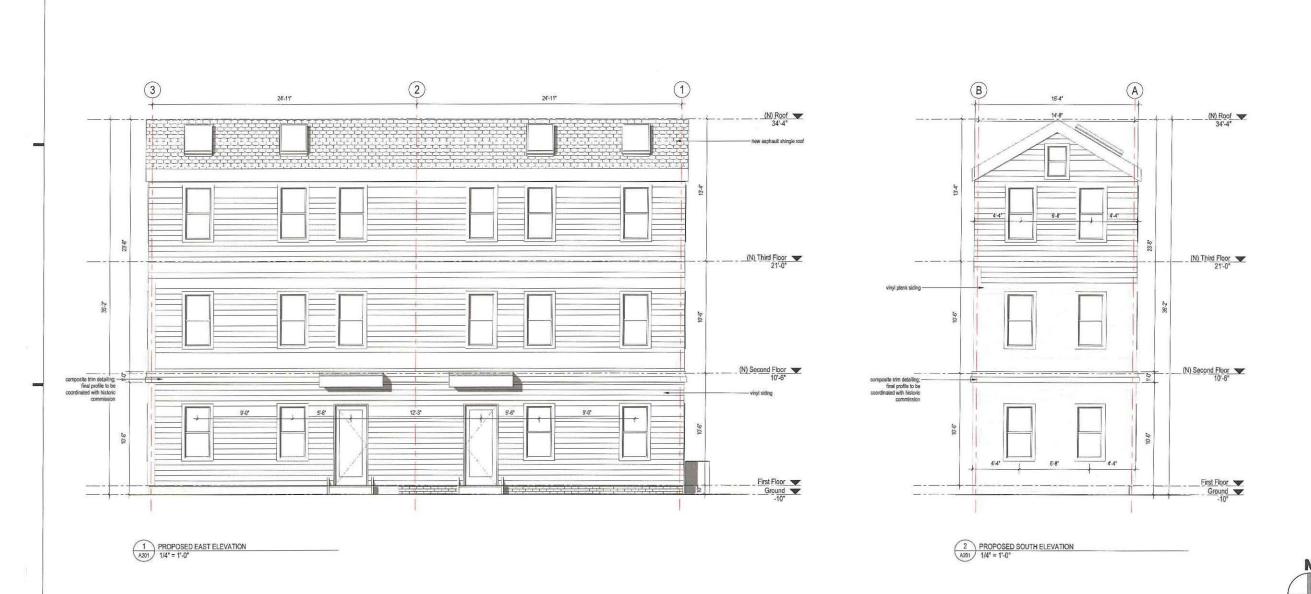
JOE THE ARCHITECT

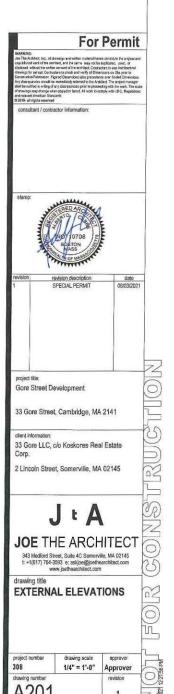
343 Medford Street, Suite 4C Somerville, MA 02145 t: +1(617) 764-3593 e: askjoe@joethearchilect.com www.joethearchilect.com

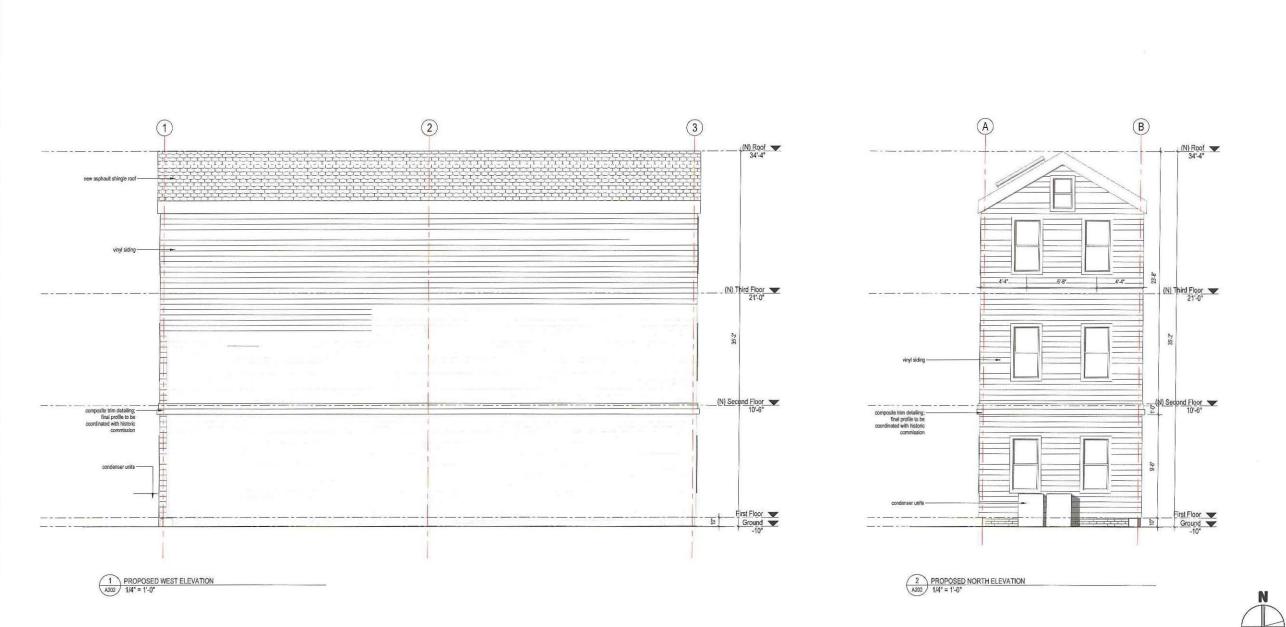
drawing title
EXISTING EXTERNAL **ELEVATIONS**

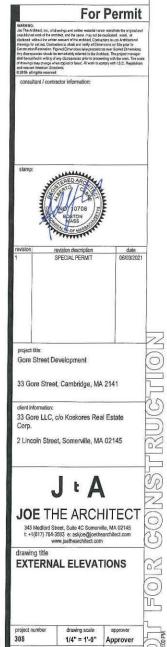


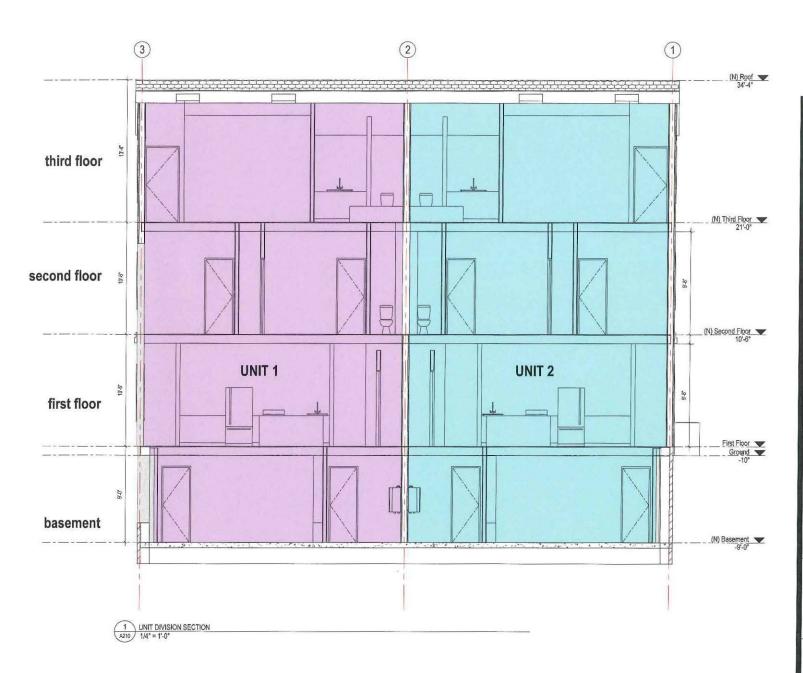
project number 308	drawing scale 1/4" = 1'-0"	approver Approver
rawing number		revision
4200		1













drawing scale approver
1/4" = 1'-0" Approver
revision



SPECIAL PERMIT 06 / 03 / 2021



06/02/21



2 Q6, Q2, 21 www.joolingarchitect.com exterior render

J t A



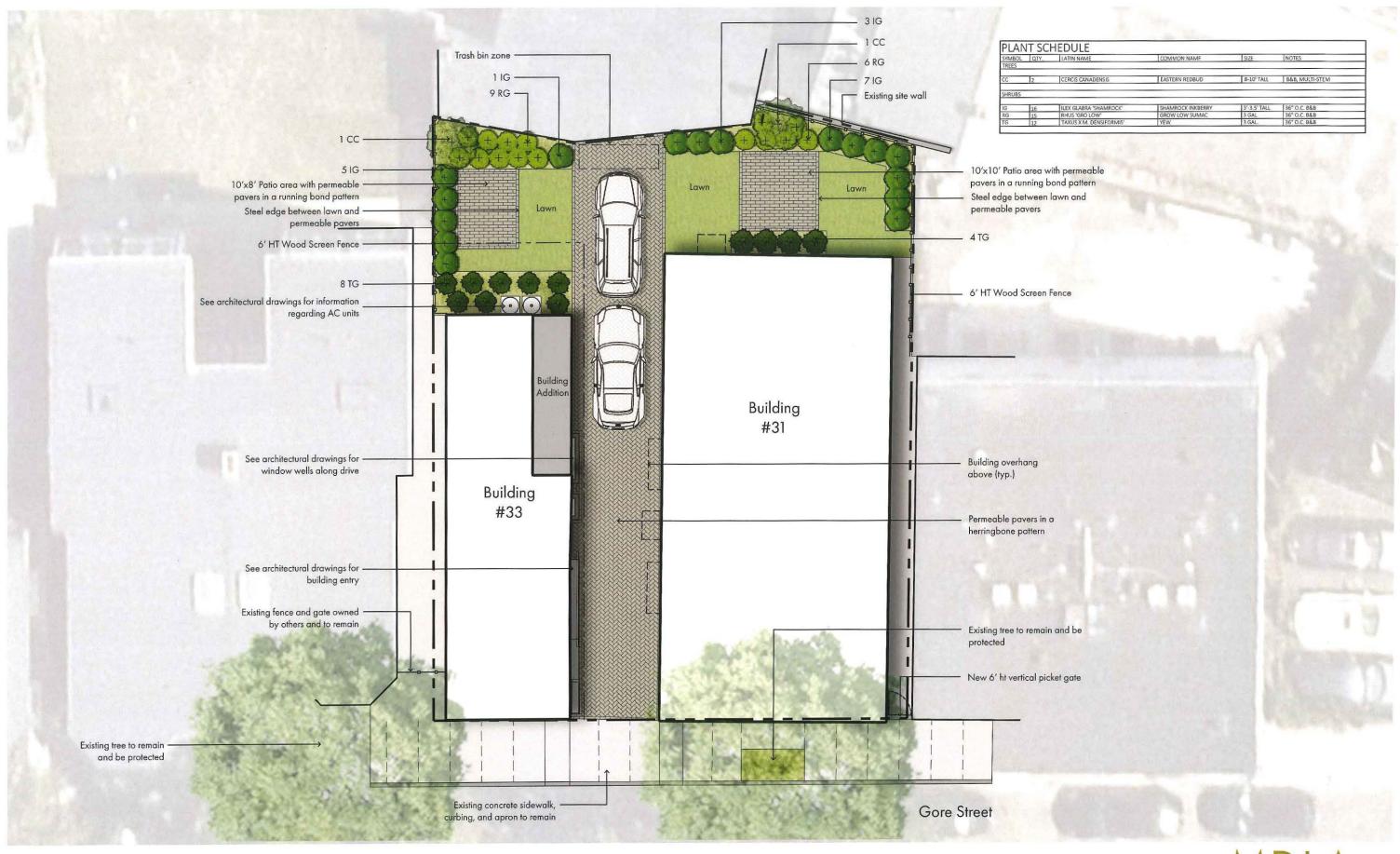


















CAMBRIDGE HISTORICAL COMMISSION

831 Massachusetts Avenue, 2nd Fl., Cambridge, Massachusetts 02139 Telephone: 617 349 4683 Fax: 617 349 3116 TTY: 617 349 6112 E-mail: histcomm@cambridgema.gov URL: http://www.cambridgema.gov/Historic

Bruce A. Irving, *Chair*, Susannah Barton Tobin, *Vice Chair*; Charles M. Sullivan, *Executive Director* Joseph V. Ferrara, Chandra Harrington, Elizabeth Lyster, Caroline Shannon, Jo M. Solet, *Members* Gavin W. Kleespies, Paula A. Paris, Kyle Sheffield, *Alternates*

CERTIFICATE OF APPROPRIATENESS

Property:

33 Gore Street

Applicant:

33 Gore LLC

Attention:

c/o Sarah Rhatigan, Attorney

Trilogy Law

2 Lincoln Street

Somerville, Mass. 02145

The Cambridge Historical Commission hereby certifies, pursuant to the Massachusetts Historic Districts Act (MGL Ch. 40C) and the Cambridge Historical Buildings and Landmarks Ordinance (Cambridge City Code, Ch. 2.78), that the work described below is not incongruous to the historic aspects or architectural character of the building or district:

Renovate and expand the existing house as described,

- 1. Raise up the existing 2.5-story house and construct a new first floor below it.
- Excavate and underpin the existing foundation and construct a new foundation at the expanded ell.
- 3. Remove the existing ell and construct a new addition to match the height of the front block of the house.

The overall massing, site plan, and location of doors and windows shall be carried out as described in the plans and elevations by Joe the Architect titled, "33 Gore Street, Cambridge, MA 2141," and dated 3/26/2021.

The application was approved on the condition that the existing front block of the house be raised up and the new story be constructed at the first floor level. This will assist in the preservation of the existing wall and roof framing. The approval was also subject to the condition that exterior construction details and materials be submitted for Historical Commission staff review and approval prior to application for a building permit.

Certificate of Appropriateness, page 2

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

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

Case	Number: 4	487		Date of Cer	tifica	ite: <u>4</u>	7/202	1
officon_	es of the	City Clerk	and th	of decision ne Cambridge S/6 , Chai	Histo			
****	*****	****	****	*****	****	*****	*****	****
Twent	y days ha	ve elapsed	since t	the filing of	this	decision	. •	
No ar Date	peal has	been filed		. Appeal has		filed City Cle		

Pacheco, Maria

From: Charles Hinds <chuckhinds@msn.com>

Sent: Monday, May 17, 2021 5:45 PM

To: Pacheco, Maria

Cc: 'Sarah Rhatigan'; 'Chris Koskores'; 'Peter Koskores'; board@ECPT.groups.io

Subject: Letter from ECPT to BZA regarding 33 Gore St (BZA #106913)

Attachments: ECPT Letter to BZA Regarding Propsed Alterations to 33 Gore Street.pdf; 33 Gore Street -

Sketch.pdf

Dear Marie,

Attached please find a letter and associated sketch from the East Cambridge Planning Team (ECPT) to the Board of Zoning Appeal (BZA) regarding proposed alterations to 33 Gore St. (BZA #106913). Could you please forward to members of the BZA and place in the case file. Let me know if you have any questions.

Very truly yours, Chuck Hinds President East Cambridge Planning Team

Mobile: 617-407-0574

A neighborhood organization serving East Cambridge since 1965.



East Cambridge



Planning Team

A Neighborhood Organization for the Betterment of East Cambridge

May 17, 2021

Cambridge Board of Zoning Appeal 831 Mass Ave Cambridge, MA 02139

RE: 33 Gore St (BZA #106913)

Dear Chair Constantine Alexander; Vice Chair Brendan Sullivan, Members Wernick, Hickey, Green, Monteverde; and Associate Members Anderson, Hammer, Williams, Marshall:

On May 12, 2021, owner Peter Koskores and Architect Joe Stromer of Joe The Architect presented proposed alterations to a workers cottage located at 33 Gore St. to the East Cambridge Planning Team (ECPT). These alterations included constructing an additional story, raising the roof, and enlarging the ell.

The house at 33 Gore Street is a classic workers cottage built in 1842 and appears to be the oldest home in that block. For three generations it was the home of one family in East Cambridge. As such, its classic profile it has remained unchanged despite buildup to its left and right. Its door surround has the original ornamental cornices that existed from its inception.

While we appreciate the attempt to preserve the present structure, rather than seek a demolition, adding 10 feet to this classic home essentially alters its profile to a point that no one would recognize it as a workers cottage. A substantial number of workers cottages in East Cambridge have been preserved and all are considered historically significant. Those nicely preserved are even smaller, having 1.5 stories, rather than the 2.5 stories in the subject home. ECPT members strongly suggested that a much safer and easier and more historically preferred method of enlarging this house would be a simple addition in the rear where there is ample space and no abutters to block in. The rear yard has open space to the left with the abutter's large backyard and shared open space to the right. Further, this merged lot backs up to the stone rear wall of the garage on Monsignor O'Brien Highway with no windows whatsoever.

Adding the equivalent of 1.5 stories to an 1842 worker's cottage is a very risky endeavor, whether doing it by lifting the present house, as is being now suggested, or adding 1.5 stories to the 1842 original frame, which was never meant to support that weight. Attached is a sketch by one of our members, who is an architect, illustrating a possible alternative approach of creating a two family without the additional story. It would be kinder to the Gore St. context and less intrusive to the abutters.

As enjoyed for three generations, this home had a shared yard between 33 and 29 and 31 Gore Streets with a shared yard to the rear. At no time was there parking on the premises. Children from the neighborhood enjoyed the open space between the houses.

We understand the hardships of working with a lot this size and the need to create more housing in the neighborhood. We would support an addition to the rear to increase the FAR and support variances as to setback, open space, and parking that it may require. We support petitioner's request to increase FAR of 33 Gore Street to provide additional housing on this lot but there is a safer and better way to preserve this historic structure.

East Cambridge



Planning Team

In conclusion, we ask the Board of Zoning Appeal to continue this case to allow the petitioner to work with the neighborhood and the Cambridge Historical Commission on an improved design.

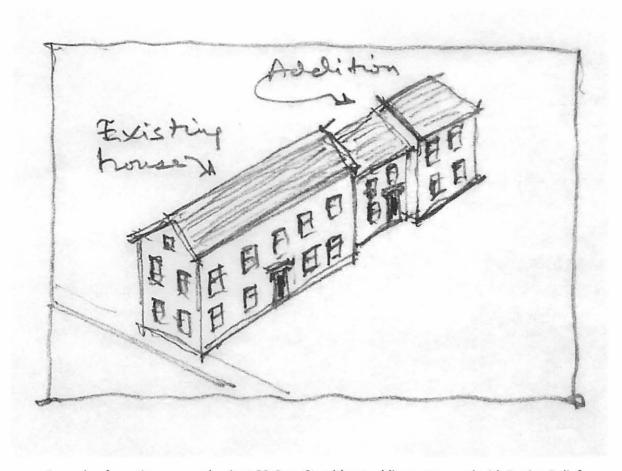
Very truly yours,

Charles T. Hinds

ank-

President, ECPT

33 Gore Street Conceptual Sketch of a Potential Alternate Design



Example of creating a second unit at 33 Gore St. without adding a story and with Zoning Relief

(Not to scale)

1 2 (6:10 p.m.) 3 Sitting Members: Constantine Alexander, Brendan Sullivan, 4 Andrea Hickey, Jim Monteverde, Jason 5 Marshall 6 CONSTANTINE ALEXANDER: Okay. The Chair will now call Case Number 106913 -- 33 Gore Street. Anyone here 7 8 wishing to be heard on this matter? SARAH RHATIGAN: Good evening. Yes, this is Sarah Rhatigan from Trilogy Law. I am here with the petitioners -10 - Chris Koskores and Peter Koskores. They're here from KRE 11 Realty. And our architect, Joe Strummer, is here as well 12 representing the development team. Thank you very much for 13 14 having us here this evening. 15 We are in the continued agenda, but we actually 16 have not presented to this Board yet, and I wanted to just describe briefly to you how we are here to you tonight. 17 18 CONSTANTINE ALEXANDER: Yes, I was going to 19 request that in any event. 20 SARAH RHATIGAN: Yes. 21 CONSTANTINE ALEXANDER: Could you just summarize the relief you're going to be seeking? You're seeking? 22

to cont

1 SARAH RHATIGAN: I'm sorry, did you say --2 CONSTANTINE ALEXANDER: No, I would like you to 3 just quickly summarize for the Board and the audience what relief you are seeking -- specifically, not the technical 4 part. Just tell us what you're doing, you're planning to do 5 6 7 SARAH RHATIGAN: Sure. CONSTANTINE ALEXANDER: -- if we approve this. 8 SARAH RHATIGAN: Yes. Yes, I will do that. Thank 9 you. This is a project for 33 Gore Street, which is 10 currently a two-family structure that is located on a merged 11 12 lot. And Sisia, would you mind putting up the plans 13 that -- and if you could put up the site plan for us? I'll 14 keep talking. 15 33 Gore Street is a two-family structure -- again, 16 on a merged lots. And the plans that you're being asked to 17 approve involve a plan to increase the height of that 18 19 structure by one and a half stories, and to square off the 20 back of the structure with an addition at the rear. 21 The result will continue to be a two-unit

building, but they'll be reconfigured so they're in the

۲.

22

```
townhouse side-by-side configuration. And --
1
2
              CONSTANTINE ALEXANDER: And the relief for this --
3
    what is the relief for this? What's the section, the legal
    basis for this?
4
5
              SARAH RHATIGAN: The Legal relief that we require
    for this petition is a variance. And the variance is for
6
7
    the increase in height of the structure. And the structure
    is --
8
9
               CONSTANTINE ALEXANDER: How tall will the
    structure be if we go into the relief?
10
11
               SARAH RHATIGAN: j structure with the revised set
     of plans that were filed on Monday, April 5, the new height
12
13
     of the structure is now --
14
               JOE STROMER: 35 feet 2 inches.
15
               SARAH RHATIGAN:
                                I had 34.25 feet. Is that right,
16
     Joe?
           Joe, was that your voice speaking, Joe?
17
               JOE STROMER: It's 35 feet 2 inches.
18
               CONSTANTINE ALEXANDER: 35 feet is generally the
19
     permitted height for a residential structure. So you must
20
     be more than 35 feet?
21
               SARAH RHATIGAN:
                                So --
22
               JIM MONTEVERDE: Excuse me.
```

1

1 SARAH RHATIGAN: -- I apologize if --

JIM MONTEVERDE: This is Jim Monteverde. I'm looking at your drawings and at your sheet A001, the project zoning information. And I think that, Sarah, calls out exactly as you just called it out. 34.25. So that number comes from --

SARAH RHATIGAN: Exactly, that --

JIM MONTEVERDE: -- somewhere.

SARAH RHATIGAN: -- yeah, that was the information that I was -- that I was running from.

And just to be clear, Mr. Chairman, the reason for the relief is not that this height exceeds the allowable in the district, but that the increase in height is within the setback. And so that -- it's an extension of a preexisting nonconforming setback wall.

JIM MONTEVERDE: Okay.

SARAH RHATIGAN: And there has been some inconsistent guidance that we've received as to whether or not this is variance relief or special permit relief. And when this application was originally filed, there was actually an additional height to the structure.

So we were applying for a variance for other

Page 19

reasons as well. So for sure, we knew that we were requiring a variance. And this was essentially a variance in the alternative.

But we've continued to request a variance, because it was unclear as to whether or not the increase in height within the setback requires a variance or whether it could be granted by a special permit.

So I'm sorry if this is a little -- you know, it's not quite as clear as we'd all appreciate, but that is in fact the reason for the request.

CONSTANTINE ALEXANDER: Okay. And the other structure, it's a special permit?

SARAH RHATIGAN: And then the special permit relief -- again, it's for the same issue, which is the increase in height within the setback.

And then the other reason for a special permit is just to allow for -- the new parking configuration would allow for two cars to park in the tandem configuration in a driveway.

Because this is a merged lot, it's not actually a -- you know, just a two-family structure, which I believe would allow that as of right, but it's actually -- you know,

for zoning purposes you look at these two, they're two buildings side by side. And it would not otherwise be allowed as-of-right.

So therefore we're requesting a special permit. Thank you, Sisia, this is the plan I wanted to be able to just refer to for purposes of showing the Board what this looks like.

This would be the parking configuration. And just to be clear, the two parking spaces would be for the use of the two units and the Building #33.

Building #31 is owned by my client. It's currently tenanted. There are tenants living there. That building is not being changed or renovated, and it's not part of this project in any way. But it is owned by them.

CONSTANTINE ALEXANDER: The two buildings contain a total of eight dwelling units?

SARAH RHATIGAN: Correct, yes.

CONSTANTINE ALEXANDER: That's awfully dense for this part of the city. I mean, these structures are on top of each other, and the idea of further zoning relief, further extension of the height, further use of the land I have a problem with.

SARAH RHATIGAN: Well --

CONSTANTINE ALEXANDER: To be honest with you.

3 And I guess the Planning Board did as well.

SARAH RHATIGAN: Well, I wanted to -- if I could just --

CONSTANTINE ALEXANDER: Go ahead.

SARAH RHATIGAN: -- provide a little bit of a history of the zoning for this area. And I wanted to just mention briefly kind of how we got to where we were.

When we originally were looking at the zoning for the property and the proposed -- you know, and possible proposals, an important thing to note: This property, if we -- let's see, I'm not sure that we have a context map, I'm sure that you probably know this -- I'm sorry, but I'm not sure if we have a context map in the plans here.

This is a section of Gore Street that is right off of McGrath O'Brien in a portion of an overlay district -the East Cambridge Housing Overlay District. And this overlay district actually expressly incentivizes dense -more dense residential development.

And when we initially looked -- when we initially looked at what to do here, the Overlay District would allow

for actually up to 14 units on the site.

If it could be done in such a way that, you know, it wouldn't otherwise violate other sort of density issues.

The original set of plans that were filed with this Board provided for 12 units. And, as you know, we withdrew those plans after reviewing those with the neighbors and reviewing them with the Historic Commission, and after getting feedback that they were not happy with that.

And in fact the Planning Board, you mentioned that the Planning Board had weighed in -- the Planning Board weighed in on the initial set of plans in which the original structure was actually 45 feet. And there were going to be four units at #33, not two units. And there was going to be much more substantial impacts on our neighbor to the left.

CONSTANTINE ALEXANDER: Did you go back to the Planning Board with your revised plans?

SARAH RHATIGAN: The project that you're seeing now --

CONSTANTINE ALEXANDER: I'm sorry?

SARAH RHATIGAN: I'm sorry?

CONSTANTINE ALEXANDER: Did you go --

SARAH RHATIGAN: I'm sorry, I didn't hear what your question was?

CONSTANTINE ALEXANDER: Yeah, I'm sorry. You presented the plans to the Planning Board; the Planning Board had a number of issues. You revised the plans. Did you bring the revised plans back to the Planning Board to get their views?

SARAH RHATIGAN: They -- at the time that we met with the Planning Board, their comments were that they were hoping that the Zoning Board would take a careful look at any impacts that might be on the neighbor to the left. And that they -- you know, they felt that, you know, the forum for the review was essentially this Board.

And again, at that point the plans were substantially different than what you've seen today.

CONSTANTINE ALEXANDER: All right.

SARAH RHATIGAN: If I could ask Joe Stromer, the architect -- actually, I'm sorry -- Sisia, you're controlling the slide show. Sisia, you have the whole set of plans that we filed, correct?

SISIA DAGLIAN: Yeah.

SARAH RHATIGAN: Would you be able to -- would you

```
1
    be able to show the renderings that were filed with the
2
    initial plans February 2? I would just like to be able to
3
    show you where we were -- yep, page number 9 that you're
    showing on that would be --
4
5
              SISIA DAGLIAN: Those were not the February ones.
    I can bring them up from the city agenda, I think.
6
7
              SARAH RHATIGAN: Oh, I'm sorry. Yeah. I'm having
8
    trouble seeing what I'm looking at here. So 9 is the
9
    current. So we essentially eliminated a whole floor of the
10
    structure in this set of plans.
               SISIA DAGLIAN: Just a second. So here's your
11
12
    context plan.
13
               SARAH RHATIGAN: Thank you.
               BRENDAN SULLIVAN: So this is Brendan Sullivan.
14
     just have a --
15
16
               SARAH RHATIGAN: Yeah.
17
               BRENDAN SULLIVAN: -- quick question.
18
               SARAH RHATIGAN: Sure.
19
               BRENDAN SULLIVAN: Number 31 and 33 will contain a
20
     total of eight units?
21
               SARAH RHATIGAN: And -- yes, and that's what they
22
     contain today, yep.
```

1 BRENDAN SULLIVAN: And then there will be two 2 parking spaces between the buildings, as shown? SARAH RHATIGAN: That's correct, yep. 3 BRENDAN SULLIVAN: 4 Okay. 5 SARAH RHATIGAN: And the -- just so you're aware, 6 the current conditions with parking have been that the whole 7 back yard area is paved. 8 And we believe -- I mean, we -- when we owned it very recently, but we understand that there's been sort of 9 idiosyncratic situations with cars parked behind the 10 building, either one or two or potentially more. 11 12 But in this case, the owner will be -- you know, 13 creating a nice landscaped area behind the building, so 14 there won't be -- they'll be removing pavement and eliminating the kind of, essentially crowded parking lot 15 conditions in the rear. 16 17 BRENDAN SULLIVAN: [Brendan Sullivan again.] The current use of the building, is it rental, or is it condo? 18 19 SARAH RHATIGAN: Um--, the current use of the building on the left I believe is -- is it vacant, Chris or 20 Peter? 21

CHRIS KOSKORES: Yes, it currently is vacant.

22

```
1
              BRENDAN SULLIVAN: I'm sorry, it -- currently it
    is rental?
2
3
              CHRIS KOSKORES: It's currently vacant at the
4
    moment.
              BRENDAN SULLIVAN: Vacant. The proposed use of
5
    the building, will it be rental or condo?
6
               SARAH RHATIGAN: That is a discussion that's been
7
              I think since we moved from a four-unit.
8
    ongoing.
9
              BRENDAN SULLIVAN: I mean, you're going to have a
10
    business plan here in going through this exercise. I would
     think at the end of the day you've got to have determined
11
     how you're going to pay for this; whether it be long-term
12
13
     rental, or it's going to be a development of the property --
14
     redevelopment of the property -- and then sell it as condos?
     I don't --
15
16
               SARAH RHATIGAN: Well, I think, there's certainly
17
     two potential --
18
               BRENDAN SULLIVAN: You know, being in the
19
     business, I don't think that you'd go into this exercise and
20
     not have determined at the end of the day what you're going
21
     to do with the property. So --
22
               CONSTANTINE ALEXANDER: And that goes to the
```

.!

```
1
    question two of the hardship that you need to establish,
    with respect to the variance you're seeking. I haven't
2
3
    heard what a hardship -- you haven't finished your
    presentation.
4
5
              SARAH RHATIGAN: Right. And I will get to that.
              CONSTANTINE ALEXANDER: Okay.
6
7
              SARAH RHATIGAN: Do you mind if we do -- I just
    wanted to show you the reduction in the scope of what we've
8
9
    done, and also, just provide a little bit more detail. We
    also -- after -- the Planning Board saw the view of plans
10
11
    that you're looking at now.
12
               And Sisia, would you mind --
13
               SISIA DAGLIAN: Which drawing do you want to look
14
     at?
               SARAH RHATIGAN: -- advancing to the renderings
15
16
     that are approximately maybe another five pages down?
17
     just probably the easiest way to get the --
18
               SISIA DAGLIAN: Are these the ones that you're
19
     referring to?
20
               SARAH RHATIGAN: I'm sorry, these are not, no.
21
     These are later renderings. I'm sorry. We're not able to
22
     get a good view.
```

What I wanted to be able to show you was the original concept -- the original renderings that were showing how the original plans that the Planning Board was responding to were really blocking the view from the neighbors' window.

And what drove the change really were conversations with our neighbors to the left. And I would point out that the neighbor that is, you know, to the left of us has reviewed these and has approved and is pleased with the changes that we've made.

The other -- there we go.

SISIA DAGLIAN: Mm-hm.

SARAH RHATIGAN: I think that's the view that I was looking for. Thank you, Sisia. I'm sorry that you've had to scroll through to find it. So you can see that the change from the view that you're looking at now on the screen is really quite significant.

We built with a flat roof. The height was, you know, quite significant at 45 feet; a flat front. The windows were different as well. The Planning Board had some concern about the look.

The other significant thing that we did was we

went through a process of Design Review with the Cambridge Historic Commission, and the Cambridge Historic Commission had a lot of helpful feedback.

And we were before the Cambridge Historic

Commission on Thursday, April 1 and had a very good meeting,
at which they approved the project -- the plans that you
have seen that were submitted to you on Monday, and they
provided a certificate of appropriateness that I'm not sure
if you've received.

I did receive a copy of that from Ms. Sarah Burke, which I can provide by e-mail. She has indicated that she would try to get it to the office staff this morning.

CONSTANTINE ALEXANDER: We don't have a copy of that.

SARAH RHATIGAN: You don't? Okay.

CONSTANTINE ALEXANDER: I know you stored it in your file, I guess.

SARAH RHATIGAN: I could read that to you into the record. I'd be happy to read that into the record to you.

One of the comments from the Historic Commission were that they wanted to see the project proceed with an effort to try to lift the existing house, and to put the addition under,

which is going to take some work with -- you know, structural engineering work.

But we're going to engage in that process with the Cambridge Historic Commission staff and some ongoing review with their design.

But it was a -- you know, it was a healthy discussion. And again, they did issue the certificate of appropriateness. And if you'd like, I can -- you know, I can make sure that I get that entered into the record in one way.

In terms of hardship, the elements of hardship really relate to -- there are a number of things about this lot and about the house itself that are both unique and make for a very difficult situation in terms of being able to improve the property and be able to use it or, you know, to use it or for residential use for, you know, for essentially for --

CONSTANTINE ALEXANDER: Let me go back -SARAH RHATIGAN: -- to modernize it.

CONSTANTINE ALEXANDER: You know, are you going to condominiumize this, or are you going to rent it? Are you going to condominiumize it, you're going to -- you're just

Page 31

looking to increase the value of the property, you got a higher sale price?

If you've got to rent it, it's something else. You haven't given us that information. And that's to me very important.

SARAH RHATIGAN: So I'm not -- I'm sorry, I'm just having trouble following the logic as to the use of the -- a rental versus an ownership --

CONSTANTINE ALEXANDER: It goes to the question of hardship.

SARAH RHATIGAN: -- the financial pro forma, or?

CONSTANTINE ALEXANDER: No. If you're going to condominiumize this property, there's no hardship here, other than the hardship is you can't get as much money for the property as you would like.

Because you're not going to be using the property, the current owners. You're going to be selling it off.

SARAH RHATIGAN: Okay. Well, I mean I think that the intention is not to condominiumize it. I mean, the owners tend not to. I mean, they own the building on the right as a rental. It's not -- 31 Gore Street is not conducive to a condominium ownership. It is a rental

```
1
    project. And 33 Gore Street, as you mentioned, is in close
2
    proximity.
3
              I mean, I guess you're not suggesting, like, some
    kind of condition on an approval that would prohibit a
4
    condominium conversion? I mean, I don't think I've ever --
5
              CONSTANTINE ALEXANDER: No, we wouldn't do that.
6
7
    I don't think we can do that legally.
              SARAH RHATIGAN: Okay, that -- I'm sorry.
8
     I think that's probably why I'm having a little trouble
 9
10
    answering your question. I think --
              ANDREA HICKEY: Councillor, could I ask a
11
12
     question, please?
               SARAH RHATIGAN: Yes.
13
               ANDREA HICKEY: So how long have your clients
14
     owned building #31?
15
               SARAH RHATIGAN: Let's see. Chris and Peter
16
17
     remind me; you purchased this summer?
18
               CHRIS KOSKORES: It was in May 2020.
               ANDREA HICKEY: And then 33 was purchased
19
20
     subsequent?
21
               CHRIS KOSKORES: Yes.
22
               ANDREA HICKEY: Okay. And Councillor, with
```

1 respect to the parking that you're proposing in the 2 driveway, this tandem space, does that parking conform, or 3 are you asking for relief for parking? SARAH RHATIGAN: We're asking for relief from 4 5 parking because I think that it is noncompliant as to the distance from the side building. I --6 7 ANDREA HICKEY: Yeah, I agree. 8 SARAH RHATIGAN: -- excuse me, so there's special permit relief. 9 10 ANDREA HICKEY: Yeah. SARAH RHATIGAN: There's special permit relief in 11 12 that regard. 13 ANDREA HICKEY: All right. SARAH RHATIGAN: The way we've looked at this is 14 15 that the anticipation is that this is going to remain a 16 rental. This is going to remain a rental property. And 17 that's the most realistic. That's the most realistic, you 18 know, use of this property. 19 Is there a possibility that in the future, perhaps 20 they could condoize and create -- you know, two condos where

the left side becomes -- you know, two private owners and

the right side is owned by Chris and Peter as a rental

21

22

project? Perhaps? But, you know, again that's a practical matter. I don't know that that's really in the cards.

But for, you know, for purposes of being able to - stepping back to the zoning case, #33 Gore Street is a
very, very old property that needs really significant work.

And I think that it's very much like a lot of projects that you see people come to you for, where it may - - you know, it's been used as a two-unit, you know, home, but under very substandard conditions.

And in order to create -- in order to be able to spend the money that needs to be spent, in order to -- for example work with Historic in order to do some very expensive construction, they need to be able to expand the building in order to be able to pay for that construction.

You know, one could rent this out to people in a substandard way and make tons of money. I mean, people do that across the city of Cambridge. But that's not their business model, and that's not their hope.

BRENDAN SULLIVAN: This is Brendan Sullivan. I think, Sarah, this is where we part company, because I think when they bought this a year ago, they obviously bought it in the condition that it was in and supposedly paid fair

Page 35

market value for the condition that it was in, and didn't have to require zoning relief in order to either justify that expenditure and the added renovations.

And that should have been a business decision at that time that -- you know, the purchase price, the renovation is going to come up to a sum, and then how are we going to recoup those expenses?

And it's either going to be rental, which would be higher rents -- so here's a vacant building -- or we're going to do it in such a way that we are going to condo it, and then recoup the money quicker.

And the only way to enhance that investment is by making more attractive units and by putting on an addition to the building, which then it becomes -- you know, fairly nice units to sell.

And then I think eventually after Building #33 is condoed, then they turn their attention to #31, so that the two buildings together become a development package. That's my thought on it.

SARAH RHATIGAN: I think one of the things I'm having a little difficulty with is that the changes that are being made -- it's hard to imagine --

BRENDAN SULLIVAN: And again -- [Brendan Sullivan] 1 2 -- I'm not saying that they're not necessary. 3 SARAH RHATIGAN: Yes. BRENDAN SULLIVAN: And I'm not saying that they're 4 5 not expensive, it's just that that's a business decision at the time. And, again, operating in that sphere of business 6 7 8 SARAH RHATIGAN: Mm-hm. BRENDAN SULLIVAN: -- I know that you have to sit 9 10 down basically with pen and paper or a calculator, and you have to make that assessment. "We are paying X number of 11 12 dollars for it, we need to put X number of dollars into it, 13 and consequently, how do we recoup that investment?" So I'm not denying your saying that it's going to 14 require an awful lot of money. But again, that should have 15 been factored into the purchase price. 16 17 SARAH RHATIGAN: So the -- you know, another --BRENDAN SULLIVAN: So anyway, I guess the bottom 18 19 line is this is a tough sell for me, so. 20 SARAH RHATIGAN: Another question that I might ask 21 is, you know, are you -- does this Board -- does this Board

find that extending the height of the building within a

22

setback is a special permit, in other cases? And if you have been determining that, then we would like to request that relief as a special permit.

And if we request it by special permit, then I'd like to be able to argue, you know, very strongly that we do meet special permit provisions, in terms of, you know, no substantial detriment and, you know, meeting those -- you know, those provisions.

And I'd also be happy to talk more about, you know, the variance as well.

ANDREA HICKEY: Councillor, was it the Building Department's direction that caused you to file this as a special permit? I mean, as a variance -- my mistake.

SARAH RHATIGAN: It was not. It was a -- the reason that this was ultimately filed as a variance was because the time that we -- when we originally filed with the original set of plans, the building height to #33 was 45 feet.

And the vast majority of this lot is in a C2B residence -- it's a Business A district, so for residential construction a C2B.

And the distance between buildings is based on a

calculation. And the calculation is based on height of buildings. And, as you can see, the distance between these two buildings is -- you know, it is what it is. But it's 11 feet I think one inch. And you see that we're adding an addition here in the rear.

And although our project was not actually making buildings closer together, by increasing the height of the building on the left, the Commissioner felt that technically, because we were increasing the height of the building, because the formula was changing, we were therefore increasing the nonconformity of the distance between the buildings. I'm sorry, this is very confusing. It took me --

ANDREA HICKEY: No I --

SARAH RHATIGAN: -- like sitting there mulling this over. It sounds very academic, but it was that that drove us to file this as a variance. If it were not --

ANDREA HICKEY: Yeah.

SARAH RHATIGAN: -- that distance between buildings technical calculation, I would have filed this as a special permit. Because in all other respects, I thought this was a special permit case.

1 JIM MONTEVERDE: Yeah. I'm sorry, this is Jim 2 Monteverde. 3 SARAH RHATIGAN: Yes. 4 JIM MONTEVERDE: I'm looking at the dimensional 5 information and your revised dimensional information. 6 SARAH RHATIGAN: Yes. 7 JIM MONTEVERDE: And the bottom line is the 8 distance to nearest building on same lot? 9 SARAH RHATIGAN: Yep. JIM MONTEVERDE: And it says the existing 10 condition is 11 foot 1, and the requested condition is 11 11 12 foot 1. And the ordinance is 10 foot 2. So in other words, 13 it has --14 SARAH RHATIGAN: Yes. 15 JIM MONTEVERDE: -- nothing changes? 16 SARAH RHATIGAN: Correct. And so what happens is 17 now with the revised plans, because the building height for 33 is now less, we are now no longer changing the building -18 19 - the calculation such that we're out of compliance with the 20 building, the distance between buildings. 21 Oh, because of the height? JIM MONTEVERDE: 22 SARAH RHATIGAN: Exactly. We used to be.

1 JIM MONTEVERDE: Yeah. 2 SARAH RHATIGAN: We used to be --3 JIM MONTEVERDE: Right. SARAH RHATIGAN: -- tipping it such that we were 4 5 further out of compliance. But now we're no longer out of compliance. 6 7 JIM MONTEVERDE: Okay. ANDREA HICKEY: Did you go back to the 8 9 commissioner and ask him whether a special permit filing now was appropriate, given the reduction in height? 10 11 SARAH RHATIGAN: No. It's been difficult to -you know, to be able to book meetings these days. You know, 12 so we were not able to make an appointment to make that kind 13 14 of a determination. BRENDAN SULLIVAN: [Brendan Sullivan again.] 15 16 Andrea, I think you're on the right track. I think that I'm 17 unprepared to decide whether or not you need a variance or a special permit. 18 19 I think that it really needs to go back to the 20 Commissioner to decide what the -- in light of the new 21 submissions, and have him rule and then come back to us with 22 a clean document that you -- this is the relief that you

Page 41

really need.

SARAH RHATIGAN: And that's because we just -there's no way I can persuade you how incredibly difficult
this would be for any petitioner to be able to make
renovations to a building such as this to modernize it to -I mean, you're working within a setback that's incredibly
tight on a merged lot with multiple overlay districts -- you
know, tight constraints.

You know, it has all the elements of hardship that we've seen this Board grant in other cases. And it has so many of the elements that feel like it should -- you know, it should pass muster. I mean, we'll -- you know, the --

CONSTANTINE ALEXANDER: What Brendan is suggesting is that --

SARAH RHATIGAN: The uniqueness is -- the uniqueness we certainly -- I certainly have never seen a lot that is quite as encumbered by layers of complexity as this one for a small project.

CONSTANTINE ALEXANDER: I would agree with that, and my experience as well. The fact of the matter is you've got a complicated, messy case here. You're going to -- you force the vote tonight; you may not get the relief you want.

And why not go back to the Commissioner? It may take some time, but that's how it is in this day of the pandemic -- and get some clarification, based on the new plan, and maybe minimize the zoning relief you need to obtain.

ANDREA HICKEY: I think --

CONSTANTINE ALEXANDER: I think you're asking for trouble, in short.

ANDREA HICKEY: Yeah, I --

CONSTANTINE ALEXANDER: -- in forcing a vote tonight on this.

ANDREA HICKEY: I would second that. I think in terms of the threshold for a variance, personally I'm not there. Perhaps with the threshold for a special permit, you could be persuasive. But my advice as well would be to go back and see if this is now appropriately filed under a special permit.

CONSTANTINE ALEXANDER: And I would just judge second what Andrea said. And I'm not there for the variance either, not yet anyway. But -- so you're rowing against the wind here.

I think you should go back and repeat what Andrea

Page 43

said. Go back to the Commissioner, whatever it takes to get there, and however long it takes to get there and try to get more clarity about the current situation, and then take it - and then come back before this Board.

But it's your call.

SARAH RHATIGAN: We will take that advice, for sure. We would definitely like to have a continuance to be able to get some clarity around that.

CONSTANTINE ALEXANDER: Okay. And this is being obviously a case heard. And part of the problem is to what date do we continue? Because you're dependent upon when you can get to meet with the commissioner and get some feedback from him.

I would suggest -- just off the top of my head -- a meeting in June, in early June. June 10 is available... if we continue the case to June 10, assuming the other members of the Board can be available that day, because this is a case heard obviously. What's your pleasure?

SARAH RHATIGAN: Is there an earlier date when you're all available that we might be able to try for?

CONSTANTINE ALEXANDER: Not -- you may not have heard the other case. We're not -- we have a meeting on the

```
1
    twentieth, but there's no openings in that meeting.
2
              SARAH RHATIGAN: Oh, okay. I was -- yeah.
3
              CONSTANTINE ALEXANDER: Yeah, and the twenty-
4
    seventh I won't be here. So you only have four members.
5
    And I don't know if you want to go forward with four
    members. We could. It's up to you.
6
7
              ANDREA HICKEY: And I won't be here on that date
8
    either.
              CONSTANTINE ALEXANDER: Oh.
9
               SARAH RHATIGAN: Okay, so Jim can --
10
              CONSTANTINE ALEXANDER: June 10 is a date.
11
     assume Jim, Andrea and Jason, you're all available on the
12
13
     tenth?
               JIM MONTEVERDE: Yes. [Jim Monteverde], I'm
14
15
     available.
16
               JASON MARSHALL: Yep.
17
               ANDREA HICKEY: [Andrea Hickey], I'm available.
               BRENDAN SULLIVAN: Brendan Sullivan yes.
18
19
               CONSTANTINE ALEXANDER: And Brendan just said yes.
20
     I want to make sure you heard him. So should I make a
21
     motion to continue this case as a case heard --
22
               SARAH RHATIGAN: Yes.
```

Page 45

CONSTANTINE ALEXANDER: -- until --

JIM MONTEVERDE: Yeah.

CONSTANTINE ALEXANDER: Okay. The Chair moves that we continue this case as a case heard until 6:00 p.m. on January 10 -- I'm sorry, June 10, I got the wrong month - subject to the following condition:

That the petitioner sign a waiver of time for decision, and that waiver must be signed and returned to the Building Department no later than a week from today. And that's not done, the case will be dismissed.

Second of all -- and then that shouldn't be a problem, because it's a routine matter for the Building Department -- second, that a new posting sign must be put up, or the current one modified, to reflecting the new time and the new date -- I got it backwards -- the new date and the new time.

And you can either, as I said, get a new sign or you can with a magic marker or what have you mark up the current sign, so long as the current sign is legible.

And I've noticed this is a problem with maintaining signs on that structure. And it's not your fault, but it seems to me every time I go by that area, the

```
sign is in tatters, or has been partially ripped down.
1
2
    you have to police it a little bit better this time around.
3
              And lastly, that any new plans or new
4
    developments, plans, specs, what have you, must -- as you
5
    know, Sarah -- must be in our file no later than 5:00 p.m.
6
    on the Monday before June 10.
7
               Brendan, how do you vote?
               BRENDAN SULLIVAN: Yes to the continuance.
8
9
               CONSTANTINE ALEXANDER:
                                       Jason?
               JASON MARSHALL: Jason Marshall yes to the
10
11
    continuance.
               CONSTANTINE ALEXANDER:
12
                                        Jim?
13
               JIM MONTEVERDE: Jim Monteverde yes to the
14
     continuance.
               CONSTANTINE ALEXANDER:
                                        Andrea?
15
16
               ANDREA HICKEY: Andrea Hickey yes to the
17
     continuance.
18
               CONSTANTINE ALEXANDER: And the Chair votes yes as
19
     well.
20
               [All vote YES]
               So the case will be continued until June 10.
21
22
     Thank you.
```

Page 47

	 				Page	47
1	SARAH	RHATIGAN:	Thank	you.		
2						
3						
4						
5						
6						
7						
8						
9						
10						,
11						
12						
13 14						
15						
16						!
17						
18						
19						
20						
21						
22						

I CERTIFY THAT THIS PLAN WAS MADE FROM AN **BOSTON** INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF MARCH 5, 2020 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON. SURVEY, INC. MONSIGNOR OBRIEN HIGHWAY UNIT C-4 SHIPWAY PLACE CHARLESTOWN, MA 02129 (617) 242-1313 ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE: COMMUNITY PANEL: 25017C0577E 06/04/2010 **EFFECTIVE DATE:** No. 208-214 MONS. O'BRIEN HW N/F PATRICK A. CURLEY, JR. BK 14601; PG 122 PREPARED FOR: No. 196 MONS. O'BRIEN HW **KOSKORES REAL ESTATE CORPORATION** N/F LECHEMERE RUG LLC C/O PETER KOSKORES BK 35402; PG 320 PO BOX 911 No. 192-194 MONS. O'BRIEN HW **WINCHESTER, MA 01890** N/F SHENG GAO MEI SUN BK 56769; PG 583 **REFERENCES:** SITE PLAN OF LAND **OWNER OF RECORD:** FRAZIER S. PROFFITT **LOCATED AT** 29-31 GORE STREET S69*37'55*E CAMBRIDGE, MA 02143 **31 & 33 GORE STREET** BK 46307; PG 162 DEED: CAMBRIDGE, MA S66 08'21'E BK 71333; PG 409 **PLANTERS** ×36.77 36.78 X 37.35 EASEMENT: BK 40902; PG 495 PAVED DATE: MAY 7, 2020 SCALE: 1.0 INCH = 10.0 FEET **BK 243; PG END** PARKING AREA PL 1929 #182 PL 1930 #227 PID: 854 PATIO AREA 4,470±SF PL 1939 #11 PL 1946 #1244 PARCELS MERGED BK 2.5" LCC: 3287-A F.E. 11264-A BK 10.23 PID: 862 13190-B 29873-В X37.08 **CITY OF CAMBRIDGE ENGINEERING RECORDS SURVEY #6578** SURVEY #R337 SURVEY 200 MCGRATH_SURVEY2019 FB 163; PG 40 BK 0.7 **BOUNDARY SHOWN DELINEATES CITY OF** CAMBRIDGE PARCEL ID'S 854 & 862 MERGED IN No. 37-39 GORE ST N/F LOUIS FERRARO COMMON OWNERSHIP. **NOTES:** PARCEL ID: 20-12 2 STORY BK 26908; PG 570 20-14 No. 25 GORE ST N/F GORE STREET REAL ESTATE GROUP, LLC C. 269876 BA, RES.C **CAMBRIDGE CITY BASE** DATUM: BK 2.6' BUSINESS A TREE AREA BUS. A 3,967±SF S THIRD No. 31 2 ½ STORY W/F 3 STORY ZONING DISTRICT 1ST FL: 38.40 // PEAK: 66.87 AREA RES C 503±SF 1ST FL: 38.92 PEAK: 63.94 110.00' S80'46'06"E 59.83° S80°4<u>6°0</u>6°E 37.88 37.42 37.35 FIELD: MO DRAFT: RAP GORE STREET GCC CHECK: (50' WIDE ~ PUBLIC) 10/15/20

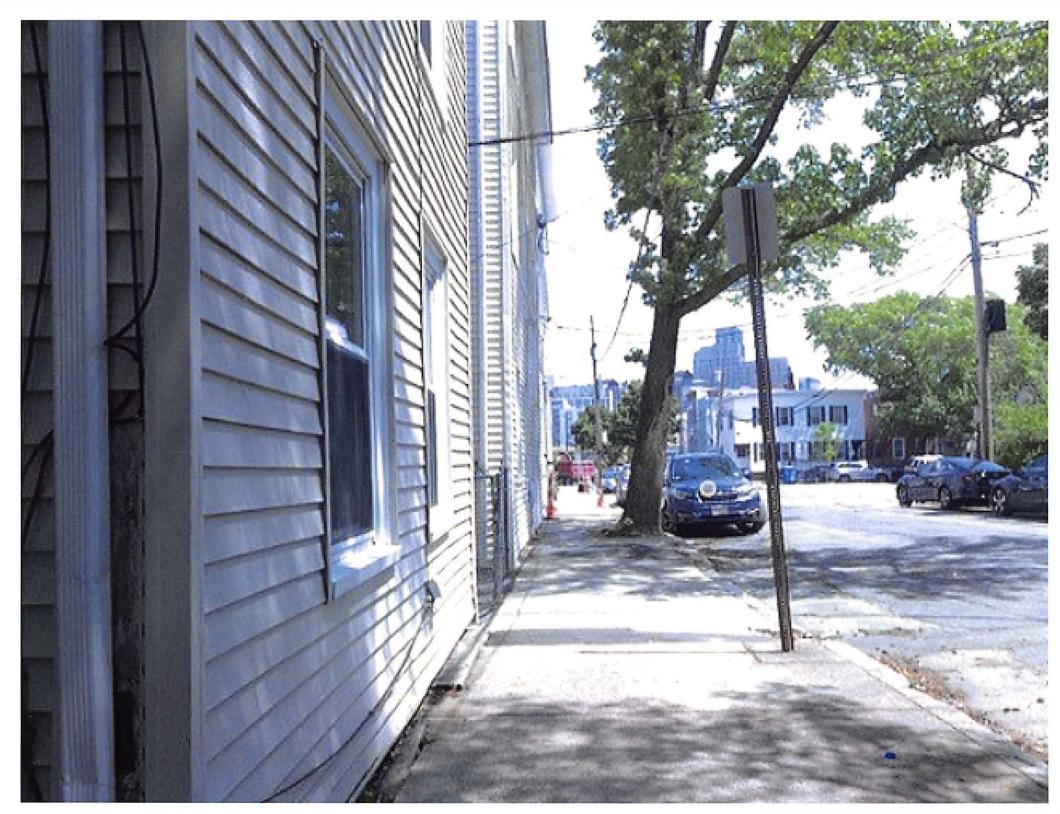
JOB#

20-00224







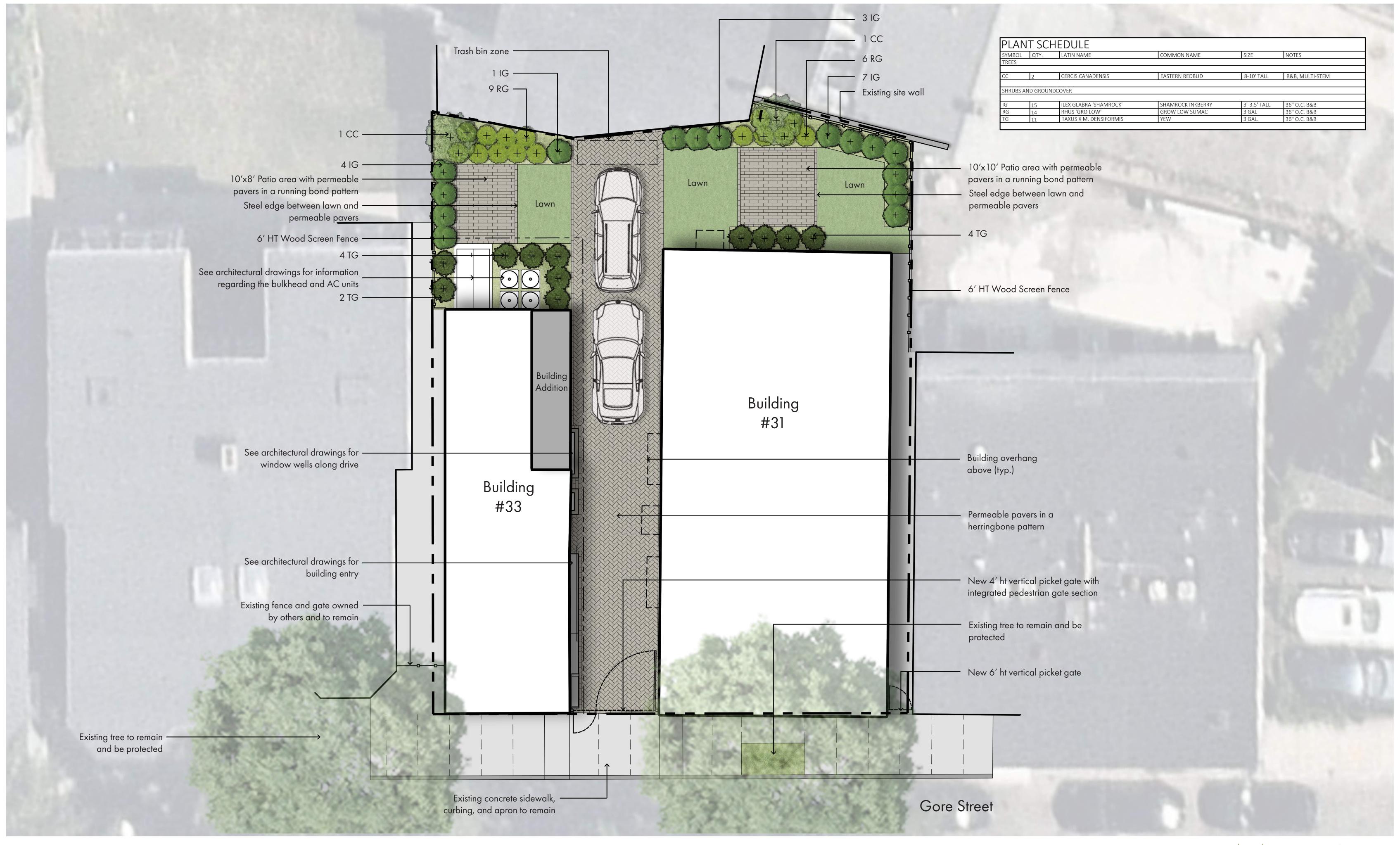




I CERTIFY THAT THIS PLAN WAS MADE FROM AN **BOSTON** INSTRUMENT SURVEY ON THE GROUND ON THE DATE OF MARCH 5, 2020 AND ALL STRUCTURES ARE LOCATED AS SHOWN HEREON. SURVEY, INC. MONSIGNOR OBRIEN HIGHWAY **UNIT C-4 SHIPWAY PLACE** ACCORDING TO THE FEDERAL EMERGENCY CHARLESTOWN, MA 02129 (617) 242-1313 MANAGEMENT AGENCY (F.E.M.A.) MAPS, THE MAJOR IMPROVEMENTS ON THIS PROPERTY FALL IN AN AREA DESIGNATED AS ZONE: COMMUNITY PANEL: 25017C0577E 06/04/2010 **EFFECTIVE DATE:** No. 208-214 MONS. O'BRIEN HW N/F PATRICK A. CURLEY, JR. BK 14601; PG 122 PREPARED FOR: No. 196 MONS. O'BRIEN HW **KOSKORES REAL ESTATE CORPORATION** N/F LECHEMERE RUG LLC C/O PETER KOSKORES BK 35402; PG 320 PO BOX 911 No. 192-194 MONS. O'BRIEN HW WINCHESTER, MA 01890 N/F SHENG GAO MEI SUN BK 56769; PG 583 **REFERENCES:** SITE PLAN OF LAND **OWNER OF RECORD:** FRAZIER S. PROFFITT **LOCATED AT** 29-31 GORE STREET CAMBRIDGE, MA 02143 31 & 33 GORE STREET BK 46307; PG 162 DEED: S66 08'21"E CAMBRIDGE, MA BK 71333; PG 409 **PLANTERS** ×35.77 36.78 EASEMENT: BK 40902; PG 495 DATE: DECEMBER 9, 2020 SCALE: 1.0 INCH = 10.0 FEET **BK 243; PG END** PL 1929 #182 PAVED PARKING AREA AREA PL 1930 #227 PATIO 4,470±SF 10 PL 1939 #11 PID: 854 PL 1946 #1244 PARCELS MERGED F.E. LCC: 3287-A 11264-A PID: 862 13190-B 29873-В **CITY OF CAMBRIDGE ENGINEERING RECORDS SURVEY #6578 SURVEY #R337** SURVEY 200 MCGRATH_SURVEY2019 FB 163; PG 40 **BOUNDARY SHOWN DELINEATES CITY OF** ADDITION' No. 37-39 GORE ST CAMBRIDGE PARCEL ID'S 854 & 862 MERGED IN N/F LOUIS FERRARO COMMON OWNERSHIP. **NOTES:** MAP/LOT: 20-12 BK 26908; PG 570 2 STORY No. 25 GORE ST 20-14 N/F GORE STREET REAL ESTATE GROUP, LLC C. 269876 BA, RES.C CAMBRIDGE CITY BASE DATUM: BK 2.6 BUSINESS A PROPOSED . 4 STORY DWELLING : TREE No. 31 S AREA BUS. A 3,967±SF THIRD EXISTING 2 ½ STORY. W/F AREA RES C 503±SF 1ST FL: 38.40 PEAK: 66.87 1ST FL: 38.92 PEAK: 63.94 (ÉK, 0.6;//) 110.00' S80'46'06"E 59.83' S80'<u>46'</u>06"E 37.88 37.42 37.35 FIELD: MO DRAFT: RAP GORE STREET GCC CHECK: (50' WIDE ~ PUBLIC) 12/09/20

JOB#

20-00224







Gore Street Development

33 gore street, cambridge, ma

Exterior Design Renderings 01 / 14 /2021



aerial view





















