

CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 203056

General Information

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

Special Permit: _____

Variance: X

Appeal: _____

PETITIONER: Broadway REprise LLC

PETITIONER'S ADDRESS: 358 Broadway #1, Cambridge, MA 02319

LOCATION OF PROPERTY: 358 BROADWAY, Unit 2, Cambridge, MA

TYPE OF OCCUPANCY: commercial

ZONING DISTRICT: Business A-1 Zone

REASON FOR PETITION:

/Change in Use/Occupancy/

DESCRIPTION OF PETITIONER'S PROPOSAL:

We would like to convert an existing 2nd flr commercial office condo in a mixed use building to a residential apartment.

SECTIONS OF ZONING ORDINANCE CITED:

Article: 5.000	Section: 5.26 (Conversion).
Article: 5.000	Section: 5.31 (Table of Dimensional Requirements).
Article: 8.000	Section: 8.22.3 (Non-Conforming Structure).
Article: 10.000	Section: 10.30 (Variance).

Original
Signature(s):

Michael J. Witt James Messineo
(Petitioner (s) / Owner)

MICHAEL J. WITT James Messineo
(Print Name)

Address:

358 BROADWAY CAMBRIDGE MA 02139

Tel. No.

617-755-3581

E-Mail Address:

mikewittdesign@yahoo.com

Date:

11/29/22

CITY OF CAMBRIDGE

BOARD OF ZONING APPEALS

371 Massachusetts Avenue, Cambridge, MA 02139

617-349-2200

SEA Application Form

SEA Number: 2010088

General Information

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: PROSODY REALTY LLC

PETITIONER'S ADDRESS: 155 Broadway St, Cambridge, MA 02139

LOCATION OF PROPERTY: 155 BROADWAY, UNIT 2, Cambridge, MA

TYPE OF OCCUPANCY: Commercial ZONING DISTRICT: Business A-1 Zone

REASON FOR PETITION:

(Change in Occupancy)

DESCRIPTION OF PETITIONER'S PROPOSAL:

We would like to convert an existing 2nd fl commercial office condo in a mixed use building to a residential apartment.

SECTIONS OF ZONING ORDINANCE CITED:

Article 8.000	Section 8.20 (Conversion)
Article 8.000	Section 8.21 (Table of Dimensional Requirements)
Article 8.000	Section 8.22.3 (Non-Conforming Structures)
Article 10.000	Section 10.30 (Variance)

Original
Signature(s):

(Petitioner(s) / Owner)

(Print Name)

Address:

Tel No:

E-mail address: info@prosodyrealty.com

Date: _____

BZA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Broadway REprise LLC
(OWNER)

Address: 358 Broadway Cambridge MA 02139

State that I/We own the property located at 358 Broadway unit #2,
which is the subject of this zoning application.

The record title of this property is in the name of Broadway REprise LLC

*Pursuant to a deed of duly recorded in the date 12/6/2017, Middlesex South
County Registry of Deeds at Book 70346, Page 212; or
Middlesex Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Michael J. Whitt
SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT*

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

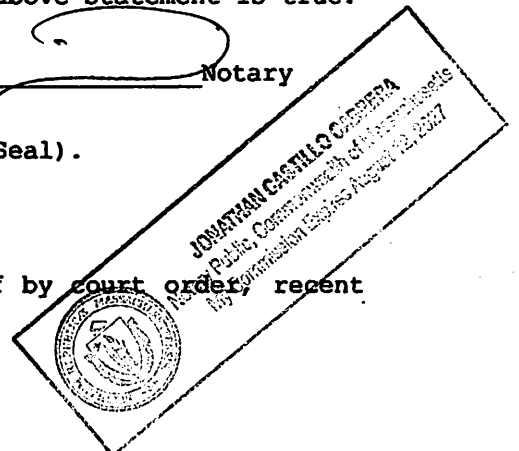
Commonwealth of Massachusetts, County of NORFOLK

The above-name MICHAEL JACK WHITT personally appeared before me,
this 10 of NOV, 2022, and made oath that the above statement is true.

[Signature] Notary

My commission expires AUGUST 12, 2027 (Notary Seal).

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



BZA Application Form

SUPPORTING STATEMENT FOR A VARIANCE

EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH MGL 40A, SECTION 10.

- A)** A literal enforcement of the provisions of this Ordinance would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:
- A literal enforcement would be a financial hardship. There is very little demand for commercial office space like ours. Since the pandemic we have had to decrease our rent, which doesn't cover our mortgage payments, real estate taxes, and other building expenses.
- B)** The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:
- The odd shape of the lot, along with the building sitting on the narrowest part, impedes our ability to meet zoning. A further constraint is that the building abuts the neighbor at 356 with no space in between the two structures.
- 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:
- Changing our second floor unit to an apartment is in keeping with the predominately residential nature of the area. The changes are consistent with the neighborhood which is mostly multi-family homes. Making this unit residential will increase housing in the area.
- 2)** Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of this Ordinance for the following reasons:
- We are not making any physical changes that would impact how the exterior of building has existed for most of its hundred years, or it's relationship to the immediate surroundings and the greater neighborhood. Granting this variance would have little to no effect on the daily lives of our neighbors.

***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: Broadway REprise LLC

Present Use/Occupancy: commercial

Location: 358 BROADWAY, Unit 2, Cambridge, MA

Zone: Business A-1 Zone

Phone: 617-755-3581

Requested Use/Occupancy: residential

		<u>Existing Conditions</u>	<u>Requested Conditions</u>	<u>Ordinance Requirements</u>	
<u>TOTAL GROSS FLOOR AREA:</u>		4867	4867	2797	(max.)
<u>LOT AREA:</u>		3729	3729	5000	(min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA: ²</u>		1.3	1.3	.75	
<u>LOT AREA OF EACH DWELLING UNIT</u>		932.25	932.25	1500	
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	61.05	61.05	50	
	<u>DEPTH</u>	120	120	124.5	
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	0	0	24.75	
	<u>REAR</u>	0	0	24.75	
	<u>LEFT SIDE</u>	0	0	19.8	
	<u>RIGHT SIDE</u>	0	0	19.8	
<u>SIZE OF BUILDING:</u>	<u>HEIGHT</u>	39.5	39.5	35	
	<u>WIDTH</u>	75	75	25.5	
	<u>LENGTH</u>	18.333	18.333	38.133	
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		0	0	30%	
<u>NO. OF DWELLING UNITS:</u>		4	4	2	
<u>NO. OF PARKING SPACES:</u>		8	8	0	
<u>NO. OF LOADING AREAS:</u>		0	0	0	
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u>		15.75	15.75	8.22	

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.:

The other building is a 4 bay cinderblock garage measuring, 20.1' w x 38.3' l x 9.8' ht. There would be no changes to it.

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'.

FORNATION OF THE LACUPELLE

10-10-68
10-10-68
10-10-68

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08-01-71 BY 6032

[illegible]

non-formation of egg bars, but would not significantly contribute to egg mass, but these are an evolutionary trait, (disposable) rather than a trait that is selected for, when there is a cost to egg mass.

The other finding is a 4-day clinical grade measuring 30.1 w x 38.3 l x 6.7 in. There would be no change to R.

1. SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 8.000, SECTION 8.03 (DISTRICT OF DIMENSIONAL REGULATIONS).

PL # 495 8-14-04 9:32 AM

LAND COURT
CASE No. 680B-1

REFERENCES
MIDDLESEX COUNTY REGISTRY OF DEEDS
DEED BOOK 14967 PAGE 140 (LOCUS DEED LOT B)
DEED BOOK 25436 PAGE 445 (LOCUS DEED LOT A)
PLAN 370 OF 1982 (LOCUS PLAN)
LAND COURT PLAN 680B-1

LEGEND
CL CENTERLINE
EM ELECTRIC METER
GG GAS GATE
OH OVERHANG
SMH SEWER MANHOLE
WG WATER GATE
WSF WOOD STOCKADE FENCE

SCALED PLAN #370 OF 1982

Middlesex Registry of Deeds
Southern District
Cambridge, Massachusetts
Plan No. 495 (680B-1) of 20 04
Rec'd 5-14 20 04
at 9:32 AM Doc No.
Rec'd, Bk Page
Attest
Register

INMAN PLACE
(PRIVATE - 15' WIDE)

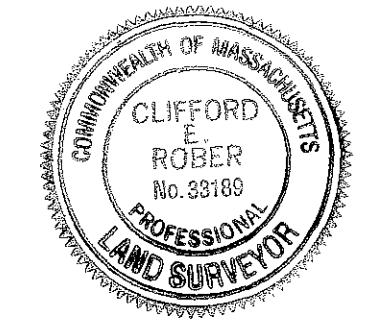
BROADWAY TERRACE
(PRIVATE - 15' WIDE)

BROADWAY
(PUBLIC - 66' WIDE)

I HEREBY CERTIFY THAT:

- 1) THE PROPERTY LINES SHOWN ARE THE LINES OF EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS AND WAYS ALREADY ESTABLISHED, AND I FURTHER CERTIFY THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN. CHAPTER 380, ACTS OF 1966.
- 2) THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.
- 3) THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDING AT #358 BROADWAY, CAMBRIDGE, MA, AS-BUILT AND FULLY LISTS THE UNITS CONTAINED THERE-IN.

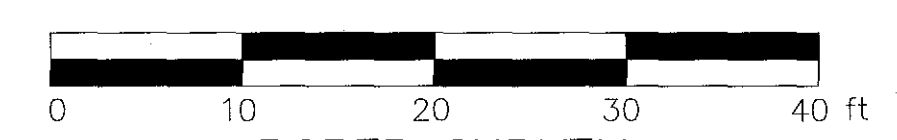
CLIFFORD E. ROBER, PLS NO. 33189
DATE 8/12/2004



358 BROADWAY
CONDOMINIUM

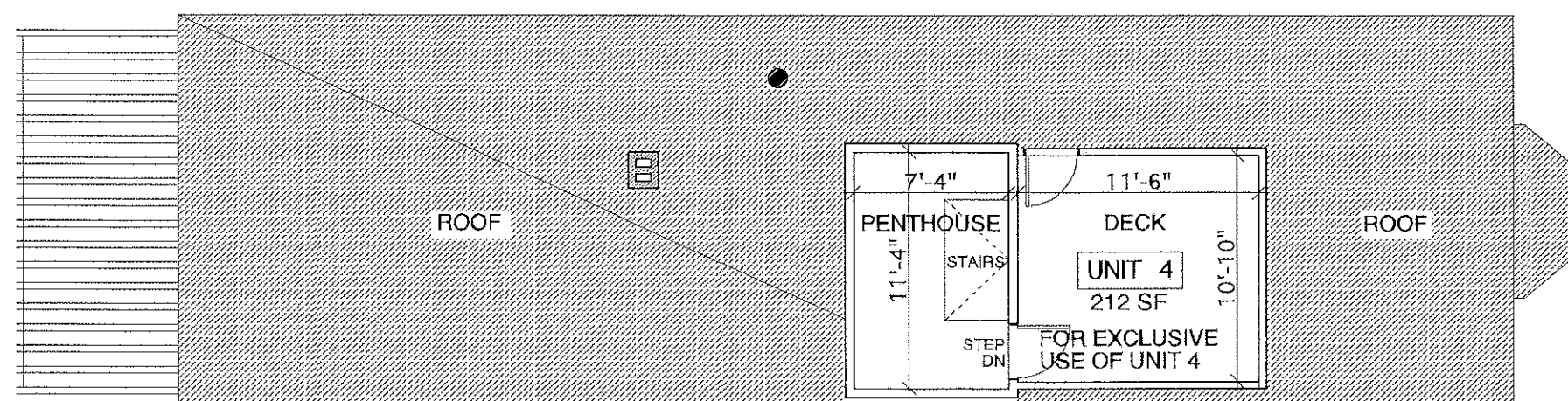
MASTER DEED PLAN
IN
CAMBRIDGE, MA
(MIDDLESEX COUNTY)

SCALE: 1" = 10' DATE: AUGUST 12, 2003

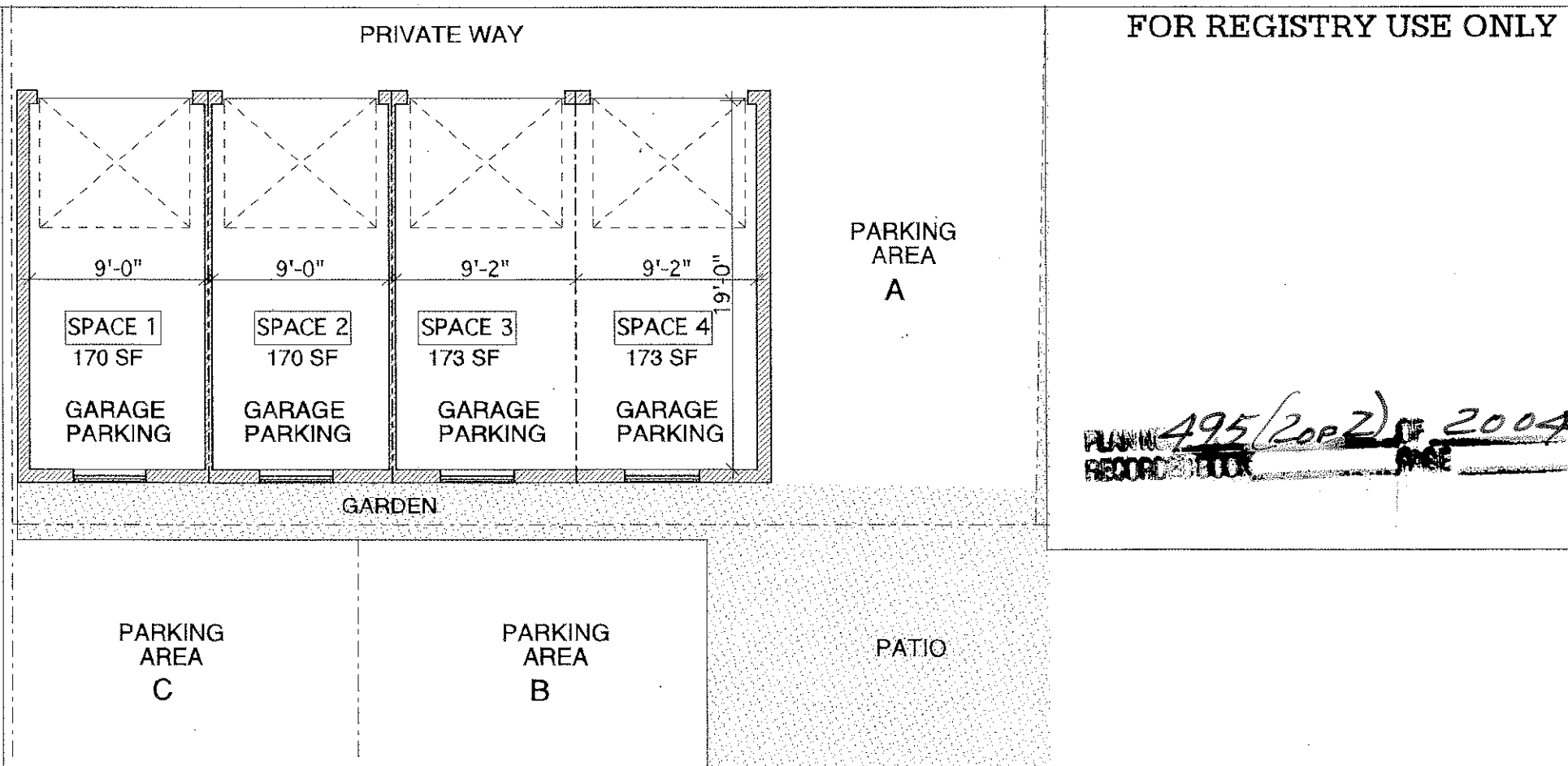


ROBER SURVEY
1072A MASSACHUSETTS AVENUE
ARLINGTON, MA 02476
(781) 648-5533
1570MD1.DWG

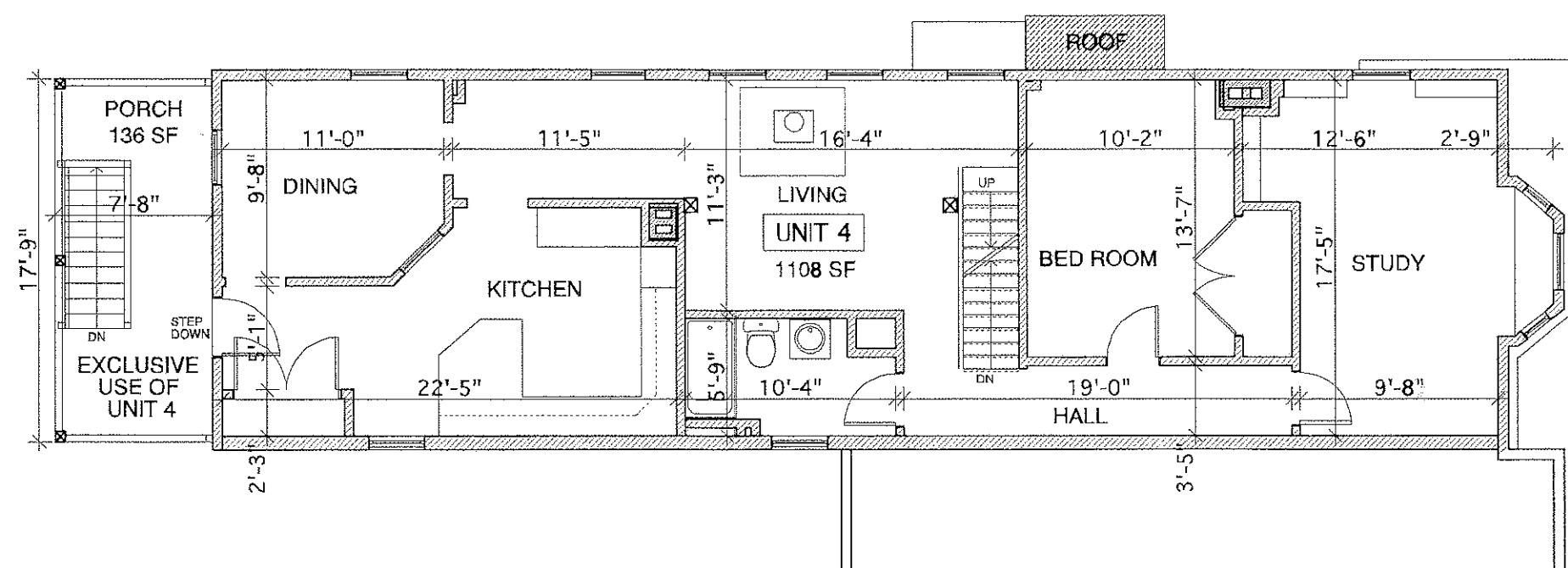
495 - 1



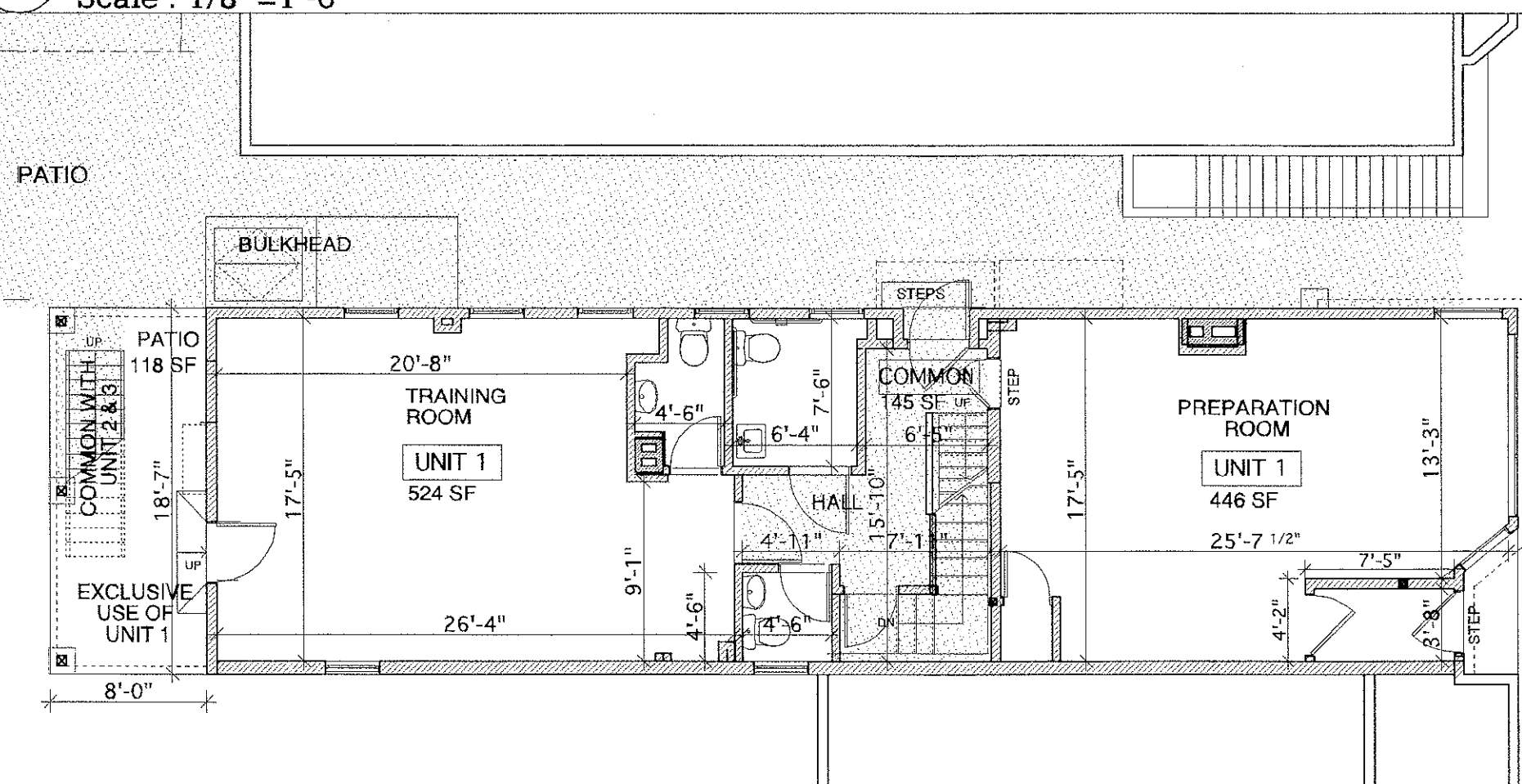
R ROOF DECK PLAN
Scale : 1/8"=1'-0"



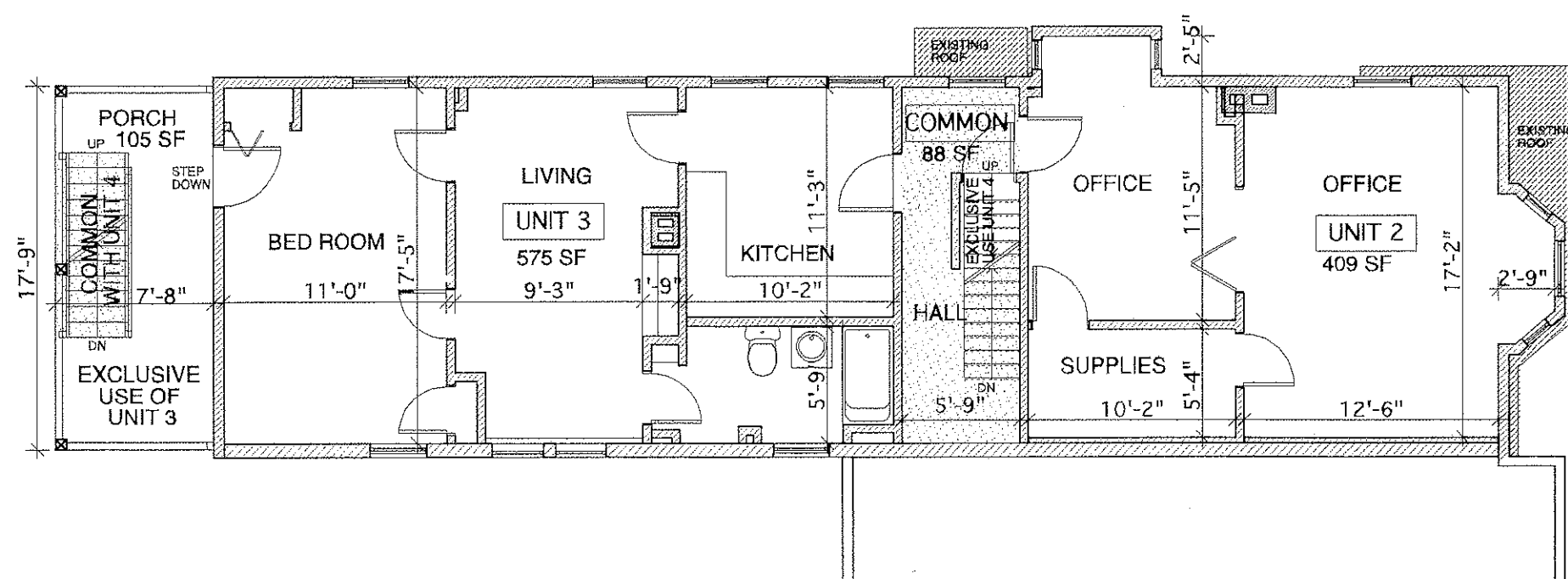
G GARAGE PLAN
Scale : 1/8"=1'-0"



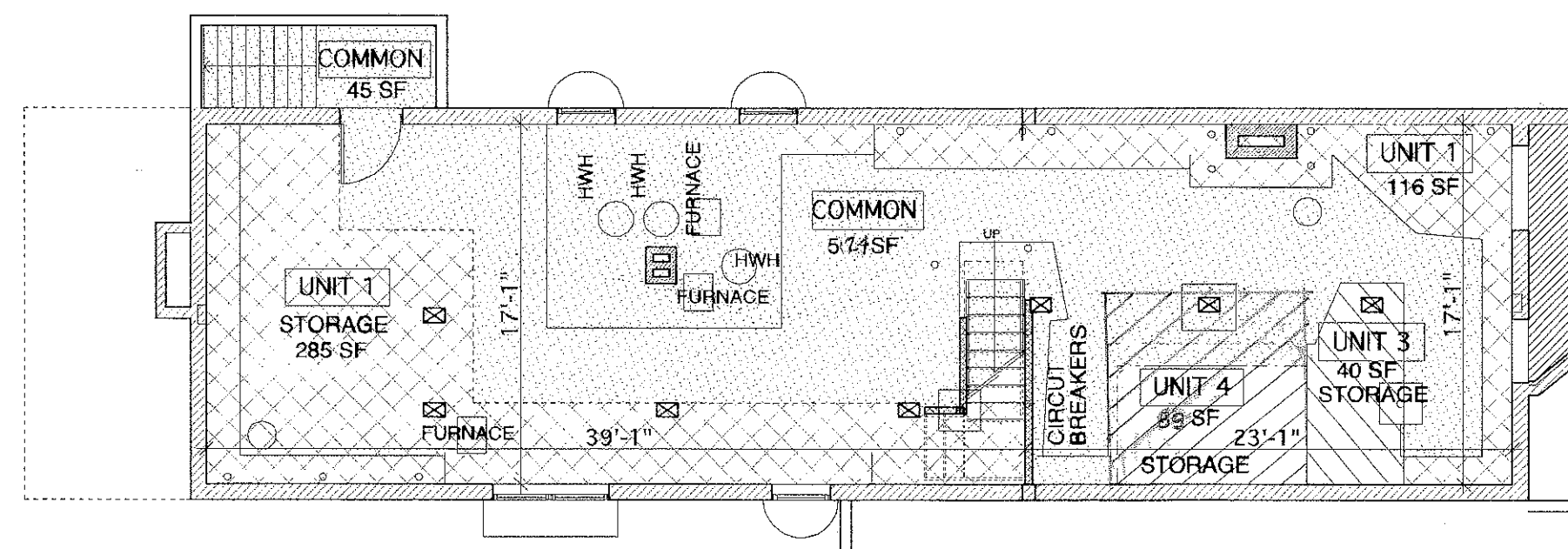
3 THIRD FLOOR PLAN
Scale : 1/8"=1'-0"



1 FIRST FLOOR PLAN
Scale : 1/8"=1'-0"



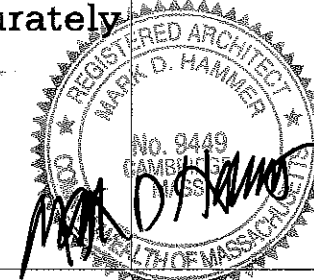
2 SECOND FLOOR PLAN
Scale : 1/8"=1'-0"



B BASEMENT PLAN
Scale : 1/8"=1'-0"

I hereby certify these plans fully and accurately depict the layout, location, unit number and dimensions of the units as built.

Mark D. Hammer, Architect

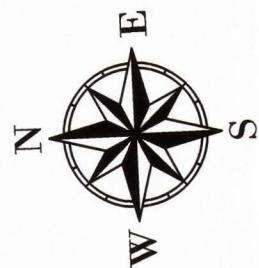


Hammer Architects
21 Bishop Allen Drive
Cambridge, MA 02139
617.876.5121

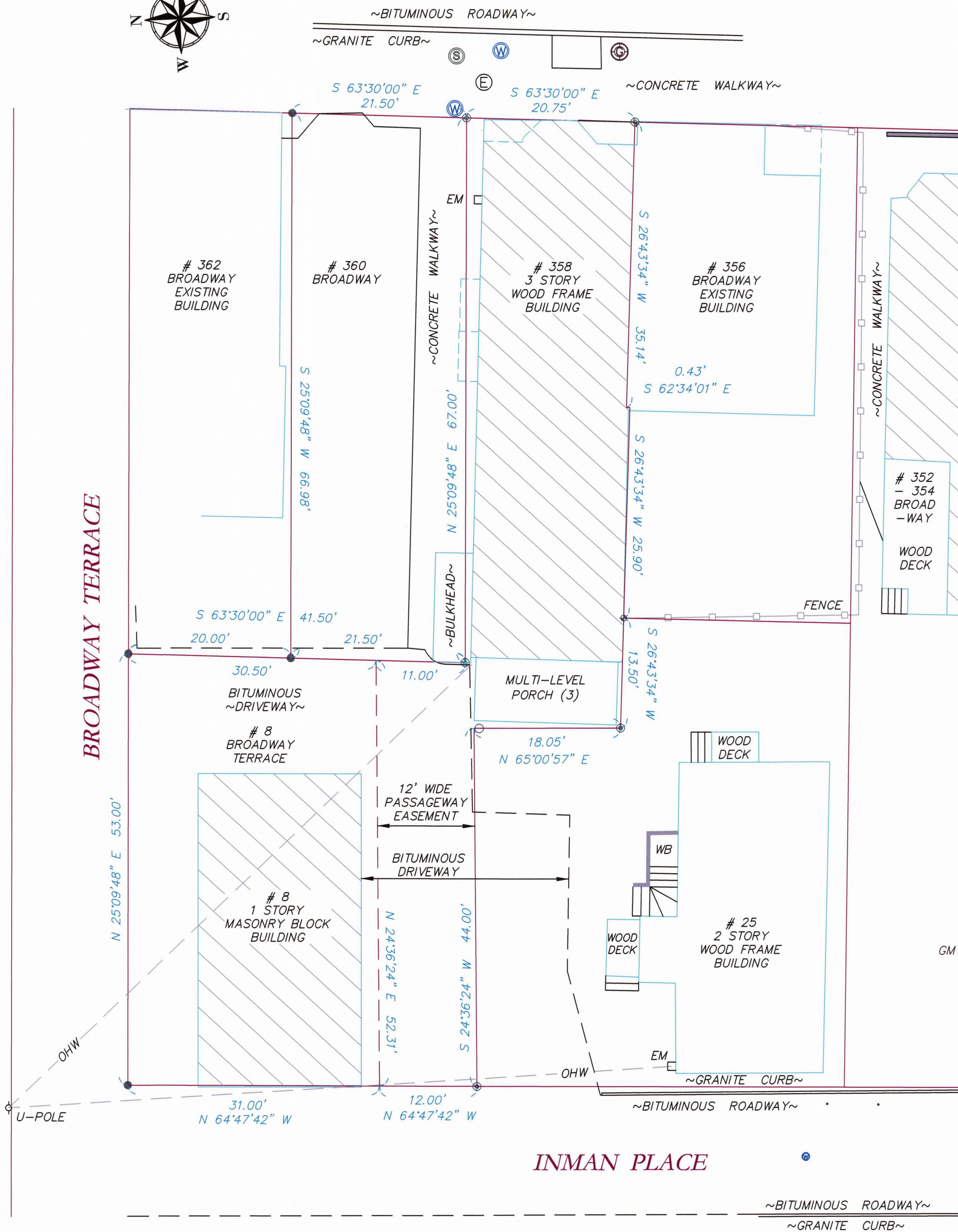
Title: Condominium Plans
Scale: 1/8" = 1'-0"
Date: 12/11/2003

358 Broadway
Cambridge, Massachusetts

495-2



BROADWAY



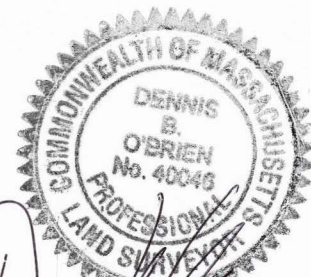
NOTES:

ALL OFFSETS & DIMENSIONS ARE TO THE SIDING UNLESS OTHERWISE NOTED.

GM=GAS METER
EM=ELECTRIC METER
OHW=OVERHEAD WIRES
WB=WALKOUT BASEMENT

LEGEND:

- = SPIKE - SET
- ⊙ = NAIL - SET
- ⊕ = PAINT MARK @ FENCE
- = IRON PIPE - FOUND
0.64' TO LOT CORNER
- ⊙ = DRILL HOLE - SET



Dennis O'Brien P.L.S.

PLAN SHOWING EXISTING CONDITIONS
358 BROADWAY
CAMBRIDGE, MA MIDDLESEX COUNTY

SCALE: 1:10	DATE: 10/9/2018	REVISED: ---	DRAWN BY: W.M.N.	CHECKED BY: D.O.
----------------	--------------------	-----------------	---------------------	---------------------

358 Broadway

front



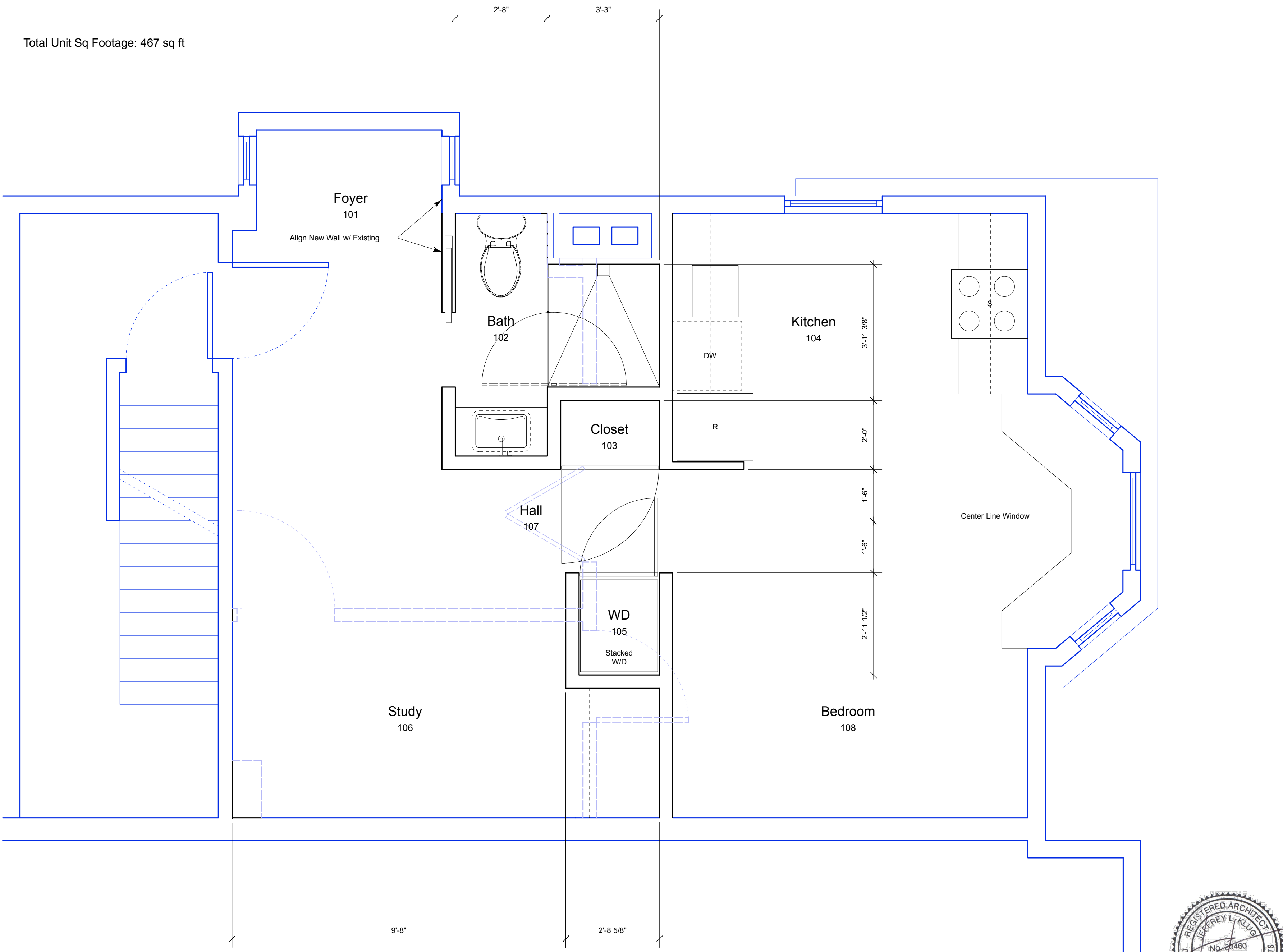
side



back from Inman Place



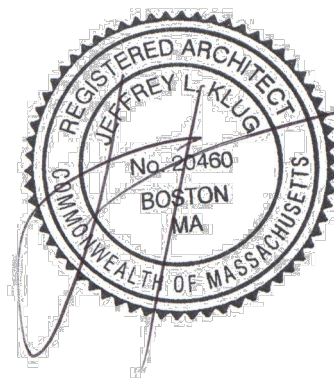
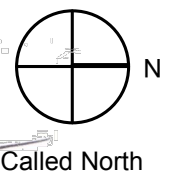
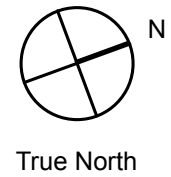
Total Unit Sq Footage: 467 sq ft



**358 Broadway
Unit 2**
358 Broadway
Cambridge, MA

- GENERAL NOTES
- 1) Should drawings, schedules, specifications or notes disagree in themselves or with each other the contractor shall provide the better quality or greater quantity of work and/or materials unless otherwise directed by addendum to the contract. Should such discrepancies be discovered contractor shall notify the architect for clarification before proceeding.
 - 2) These drawings are strictly graphic representation and are not to be scaled, in every case the written notes and dimension are correct.
 - 3) All new partitions surrounding mechanical rooms (walls, ceilings, floors) shall have one hour fire rated construction
 - 4) All dimensions taken from finished walls unless noted.
 - 5) For interior elevations see sheets A5.x

- KEY
- ____ New Construction
 - Existing Masonry Construction
 - Existing Construction
 - Existing to be Removed



A1.01c

12/8/20 10:59:53 AM
358B A1.01c.vwx



Mid Cambridge Neighborhood Conservation District Commission

831 Massachusetts Avenue, Cambridge, Massachusetts 02139
Telephone: 617 349 4683 TTY: 617 349 6112
E-mail: histncds@cambridgema.gov
www.cambridgema.gov/historic/districtsHistoricProperties/midcambridgencd

Tony Hsiao, *Chair*, Lestra Litchfield, *Vice Chair*
Monika Pauli, Charles Redmon, *Members*
Margaret McMahon, *Alternate*

CERTIFICATE OF NON-APPLICABILITY

Property: 358 Broadway, unit 2

Applicant: Mike Witt

The Mid Cambridge Neighborhood Conservation District Commission hereby certifies, pursuant to Chapter 2.78, Article III, Section 2.78.140-270 of the Code of the City of Cambridge and the order establishing said district that the work described below does not involve any activity requiring issuance of a Certificate of Appropriateness or Hardship:

Interior renovation. Replace non original windows and trim.

Permit #203056

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 issuance. If the work authorized by this certificate is not commenced within six months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such 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: MC 6616

Date of Certificate: November 28, 2022

Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on November 28, 2022.

By Tony Hsiao/aac, Chair

Twenty days have elapsed since the filing of this decision. No appeal has been filed ____ .
Appeal has been filed ____ . Date _____ City Clerk:

This map illustrates the proposed road layout for the Longfellow Building area. The map shows a grid of streets including Lee St, Broadway, Inman Pl, and West St. A red line outlines a proposed road, and blue arrows indicate traffic flow. The map also shows property lots with their respective numbers and names, such as the Longfellow Building and Wilder-Lee Park.

Streets and Intersections:

- Lee St:** Runs vertically on the left side of the map.
- Broadway:** Runs diagonally from the top left to the bottom right.
- Inman Pl:** A proposed road running diagonally from the bottom left to the top right.
- West St:** Runs horizontally at the bottom of the map.
- Fayette St:** A street at the top left, partially visible.

Property Lots and Numbers:

- Top Left:** 113-80, 113-81, 115-100.
- Top Right:** 114-130 (Longfellow Building), 359 Broadway.
- Left Side:** 370 Broadway, 368 Broadway, 366-B Broadway, 108-60, 54 Lee St, 108-62, 52 Lee St, 108-50, 108-49, 108-48, 35 West St, 108-22, 108-23.
- Center:** 366 Broadway, 364 Broadway, 362 Broadway, 360 Broadway, 108-54, 108-70, 108-3, 2 Broadway Ter, 358 Broadway, 108-92, 108-55, 7 Broadway Ter, 108-90, 8 Broadway Ter, 108-91, 25 Inman Pl, 7 Inman Pl, 108-93, 4 Broadway Ter, 22 Inman Pl, 108-11, 108-12, 33 West St, 27 West St, 108-69, 108-96, 5 West Pl, 108-97, 7 West Pl, 108-68, 17 West St, 13 West St, 108-81, 11 West St, 108-16, 108-17, 108-20, 9 West St.
- Right Side:** 356 Broadway, 354 Broadway, 352 Broadway, 350 Broadway, 348 Broadway, 108-8, 108-9, 108-15.

Parks and Other Features:

- Wilder-Lee Park:** Located on the left side of the map.
- Longfellow Building:** A large green area at the top right.

Proposed Road Layout:

- A red line outlines a proposed road that runs diagonally from the bottom left to the top right, parallel to Inman Pl.
- Blue arrows indicate traffic flow along the proposed road and existing streets.

358 Broadway #2

Petitioner

108-48
BIORICHLAND LLC
2600 HILLTOP DR
RICHMOND, CA 94806

108-85
NAGAFUJI, PAMELA & JERRY NAGAFUJI
354 BROADWAY, #2
CAMBRIDGE, MA 02139

108-90
BROADWAY REPRISE LLC,
C/O MICHAEL WITT & JAMES MESSINEO
358 BROADWAY
CAMBRIDGE, MA 02139

108-48
KAHN, BARBARA B., DR.
35 WEST ST., #3
CAMBRIDGE, MA 02139

108-48
DONHEISER, MADEILINE
35 WEST ST #4
CAMBRIDGE, MA 02139-1739

108-54
7 BROADWAY TERRACE LLC,
305 HARVARD ST
CAMBRIDGE, MA 02139

108-93
NUGENT, CHRISTINE JULIA & JEAN CAVANAUGH
4 BROADWAY TERR
CAMBRIDGE, MA 02139

114-130
CAMBRIDGE CITY OF SCHOOL DEPT
159 THORNDIKE ST
CAMBRIDGE, MA 02141

114-130
CITY OF CAMBRIDGE
C/O YI-AN HUANG
CITY MANAGER

108-85
TRAJMAN, DAN S. & DORIT TRAJMAN TIMNA
TRAJMAN MOLBERGER
7 INMAN PLACE, #7
CAMBRIDGE, MA 02139

108-85
PAUL, JONATHAN D. & JULIANNE YAZBEK
352 BROADWAY
CAMBRIDGE, MA 02139

114-130
CITY OF CAMBRIDGE
C/O NANCY GLOWA
CITY SOLICITOR

108-48
WORTMAN, DENNIS H.
35 WEST ST., UNIT #9
CAMBRIDGE, MA 02139

108-92
CORCORAN, SUSAN
356 BROADWAY
CAMBRIDGE, MA 02139

108-3
360 BROADWAY LLC,
358 BROADWAY
CAMBRIDGE, MA 02139

108-90
TZELNIC, MORI & PERCY TZELNIC
15 WALDEN ST
CAMBRIDGE, MA 02138

108-48
GOODARZY, ASAD & ESAM GOODARZY
35 WEST ST., #8
CAMBRIDGE, MA 02139

108-48
SLAVITT, DAVID R. TRUSTEE OF DAVID R.
SLAVITT 2002 REV TRUST
35 WEST ST. UNIT#5
CAMBRIDGE MA 02139

108-12
KAEMMER, ALTHEA S. & J. DAVID KAEMMER
27 WEST ST UNIT #8
CAMBRIDGE, MA 02139

108-12
QUERQUES, JOHN
27 WEST ST. UNIT#2
CAMBRIDGE, MA 02139

108-12
SYMONDS, CHRISTIAN
27 WEST ST., #1
CAMBRIDGE, MA 02139

108-12
ZHAO, XIAOHUI & YAN LI
Z & C PROPERTY MANAGEMENT LLC
22A VERNON ST
TAUNTON, MA 02780

108-12
SURI, NAVTEJ SINGH & HARVINDER KAUR SURI
27 WEST ST.#5
CAMBRIDGE, MA 02139

108-12
SURI, TAVNEET K.
27 WEST STREET, UNIT #3
CAMBRIDGE, MA 02139

108-55
O'DONNELL, PATRICIO &
MARINA UMASCHI BERS
7 BROADWAY TER., #1
CAMBRIDGE, MA 02139

108-48
BONVENTRE, JOSEPH V., PHD KRISTINA BRENN-
CANNON-BONVENTRE, PHD., TRS
101 BOSOTN POST RD
WAYLAND, MA 01778

108-12
HAN RITA
27 WEST ST UNIT 4
CAMBRIDGE, MA 02139

108-91
WATZMAN, SUZANNE, TRUSTEE
25 INMAN PL
CAMBRIDGE, MA 02139

108-48
DRISCOLL, THOMAS YAMIL
35 WEST ST UNIT 1
CAMBRIDGE, MA 02139

108-70
BAKER POND LLC
17 HIGHLAND ST
CAMBRIDGE, MA 02138

358 Broadway #2

108-12
HUMPHREY JONATHAN A PAVLOVIC ANA
27 WEST - UNIT 6
CAMBRIDGE, MA 02139

108-48
MCNEILL, TIMOTHY J. & JAMES S. WILBUR
35 WEST ST #7
CAMBRIDGE, MA 02139

108-85
BONSEY JOSIAH & MAIA GOKHALE
354 BROADWAY - UNIT 1
CAMBRIDGE, MA 02141

108-55
DEANDRADE MARK
7 BROADWAY TER - UNIT 2
CAMBRIDGE, MA 02139

108-55
MINIKEL ERIC V & SONIA M VALLABH TRS
MINIKEL VALLABH 2021 TR
7 BROADWAY TER - APT 3
CAMBRIDGE, MA 02139