

# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139 617 349-6100

**BZA APPLICATION FORM** 

	25	1277210
Р	an	No.

BZA-017294-2020

**GENERAL INFORMATION** 

The undersigned Special Permit :	hereby petit	tions the Boa	ord of Zoning App Variance :	eal for th √		Appeal :
PETITIONER :	Keith H	inzman	randino i	V		ibbxs
PETITIONER'S A	S	2000.00	berma Street	Hull, I	MA 02045	
OCATION OF P	ROPERTY:	36 Mont	gomery St Car	mbridge	, MA 02140	
TYPE OF OCCUP	PANCY:		zł.	z	ONING DISTRICT :	Residence B zone
REASON FOR PE	ETITION :					
	Addi	tions				
DESCRIPTION O	F PETITIONE	R'S PROPOS	SAL:			
leck with lar	rger 3-par sets, and Ll.	nel slidin create ne	g patio door, w exterior er	enclos	se existing from	ting un-covered side t porch to allow for exterior steps and
article 5.00				of Dime	ensional Require	ments).
Article 8.00	0	- Section	8.22.3 (Non-	Conform	ning Structure).	
Article 8.00	0	Section	8.22.2.C (No	n-Confo	orming Structure	).
			Original Signatu	ıre(s) :	M. ISETT	Petitioner(s) / Owner)  A HNZMAN
						(Print Name)
			Ad	dress :	47 12	Carpenna 17
					HOLGIM	A 02045
				. No. :	617 91	13 4114 10 KNHDESIAN. N
(/0	10		E-N	Mail Addre	ess: MEITH	10 001410-31410.10

## 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 Kama Cicero and Paul Wilshere
(OWNER)
Address: 36 Montgomery Street Cambridge, MA 02140
State that I/We own the property located at 36 Montgomery Street
which is the subject of this zoning application.
The record title of this property is in the name of Kama H. Lurie Cicero
ê
*Pursuant to a deed of duly recorded in the date $\frac{12/7/2014}{}$ , Middlesex South
County Registry of Deeds at Book 64707, Page 55; or
Middlesex Registry District of Land Court, Certificate No
Book Page
New York and the second
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 Norfelk
The above-name Kama H. Lurie Cicero personally appeared before me,
this 30 of June, 2030, and made oath that the above statement is true.
this, 20_0_, and made oath that the above statement is true.
land AR Day Notary
Notal
My commission expires 6/28/24 (Notary Seal).
COMMUNICATION OF THE PARTY OF T
• If ownership is not shown in recorded deed, e.g. if by court order, respectively.

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:

Not having dormers for additional bedroom space makes it hard to raise a family.

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 existing roof height at the outside walls of the existing attic floor does not allow adequate headroom for a master suite.

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

Substantial detriment to the public good for the following reasons:

This reflects the density of the neighboring homes and is less volume and mass than the additions made to direct abutters. Many homes have longer, larger dormers.

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

The dormers and enclosed porch allow a family to continue to live in their home without having to sell and move to a larger home. This improves the housing stock for others, when they do eventually sell as the family grows, children become older and the owners look to downsize.

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

#### **BZA APPLICATION FORM**

#### **DIMENSIONAL INFORMATION**

APPLICANT: kwh PRESENT USE/OCCUPANCY: single family

LOCATION: 36 Montgomery St Cambridge, MA 02140 ZONE: Residence B zone

PHONE: REQUESTED USE/OCCUPANCY: single family

PHONE:		REQUESTED USE	E/OCCUPANCY:	single family	
		EXISTING CONDITIONS	REQUESTED CONDITIONS	<u>ORDINANCE</u> <u>REQUIREMENTS</u> 1	
TOTAL GROSS FLOOR AF	REA:	1774	2012	945	(max.)
LOT AREA:		1890	1890	2500	(min.)
RATIO OF GROSS FLOOR TO LOT AREA: 2	R AREA	0.94	1.06	0.50	(max.)
LOT AREA FOR EACH DW	ELLING UNIT:	NA	NA	NA	(min.)
SIZE OF LOT:	WIDTH	42	42	50	(min.)
	DEPTH	45	. NA	NA	
SETBACKS IN FEET:	FRONT	9.1	9.1	15	(min.)
	REAR	0.97	0.97	25	(min.)
	LEFT SIDE	11.2	11.2	12.5	(min.)
	RIGHT SIDE	7.2	7.2	7.5	(min.)
SIZE OF BLDG.:	HEIGHT	32.1	32.1	35	(max.)
	LENGTH	36.9	36.9	N/A	
	WIDTH	23.1	23.1	N/A	
RATIO OF USABLE OPEN TO LOT AREA:	I SPACE	488	42%	40%	(min.)
NO. OF DWELLING UNITS:		N/A	N/A	N/A	(max.)
NO. OF PARKING SPACES:		1	1	1 (m	in./max)
NO. OF LOADING AREAS:		0	N/A	N/A	(min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:		N/A	N/A	N/A	(min.)

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

SEE CAMBRIDGE ZONING ORDINANCE ARTICLE 5.000, SECTION 5.30 (DISTRICT OF DIMENSIONAL REGULATIONS).

TOTAL GROSS FLOOR AREA (INCLUDING BASEMENT 7'-0" IN HEIGHT AND ATTIC AREAS GREATER THAN 5')
DIVIDED BY LOT AREA.

<sup>3.</sup> OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 15'.



# CITY OF CAMBRIDGE MASSACHUSETTS BOARD OF ZONING APPEAL 831 MASSACHUSETTS AVENUE CAMBRIDGE, MA 02139

617 349-6100

2020 JUN -9 PM 2: 50

BZA APPLICATION FORM

AMBRIDGE, MBZ8-017294-2020

**GENERAL INFORMATION** 

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

Special Permit :√	Variance : Appeal :
PETITIONER: Keith H	inzman
PETITIONER'S ADDRESS :	47 Kenberma Street Hull, MA 02045
OCATION OF PROPERTY :	36 Montgomery St Cambridge, MA 02140
TYPE OF OCCUPANCY :	ZONING DISTRICT: Residence B zone
REASON FOR PETITION :	
Add	tions
DESCRIPTION OF PETITION	ER'S PROPOSAL :
new coat closets, and retaining wall.  SECTIONS OF ZONING ORD	create new exterior entry to basement with exterior steps and NANCE CITED:
Article 5.000	Section 5.31 (Table of Dimensional Requirements).
Article 8.000	Section 8.22.3 (Non-Conforming Structure).
Article 8.000	Section 8.22.2.C (Non-Conforming Structure).
	Original Signature(s):  (Petitioner(s) / Owner)  (Print Name)
	Address: 47 1000 1500 157 161. No.: 617 913 4714
(/2/2	E-Mail Address: KEITHOKNHDESIGN. N

36 Montgomery et.

		(010)	JIME OF	
193-109	193-78 54 Montgomer	ry St	193-147	193-123
	51- <i>A</i>		<sup>t</sup> 51 Montgomery St 193-1 <mark>46</mark>	
193-108	193-159	лу ЭС		193-124
	46 Montgo	mery St	47 Montgomery St 193-145	
193-107	193-157 193-156 3 Olive Pl			
	Olive Pl 4 Olive Pl 2 Olive Pl		193-144 39 Montgomery St	193-127
193-106	193-83 193-84 193-85 40 Montg	omery 9	37 Montgomery St	193-128
193-105	193-88 36 Montgo	ROAD mery St	193-143	193-120
193-103	3 Frances PI 1 Frances PI  Frances PI 2 Frances PI	>	33 Montgomery St 193-160	193-129
193-214	193-89 193-90 193-91 30 Montgo		29 Montgomery St193-161	
	24 Montgomery	y St	193-141 27 Montgomery St 25 Montgomery St	193-130
193-103	193-92 24 Montgomery	Montgomer	23 Montgomery St	193-131
193-102	22 Montgomery St 193-93	_	21 Montgomery St	
			17 Montgomery St 193-139	193-173
193-101	193-94 16 Mon	ntgomery St	193-138	193-172

36 montgonery st.

193-85 WANG, GEN-SHENG, JEAN CHANG, CHE-TSING WANG & ZHENG WANG 40 MONTGOMERY ST. CAMBRIDGE, MA 02140-2435 193-86 CICERO, KAMA H. LURIE 36 MONTGOMERY ST CAMBRIDGE, MA 02140 KEITH HINZMAN 47 KENBERMA STREET HULL, MA 02045

193-87 MARKARIAN, MICHELE 1 FRANCES PL. CAMBRIDGE, MA 02140 193-88 LYMAN , MICHAEL & JEAN KLINGLER 3 FRANCES PLACE CAMBRIDGE, MA 02140 193-83 TARGOFF, JASON A. & MARCELLA M. ANDERSON 4 OLIVE PLACE. CAMBRIDGE, MA 02140-2443

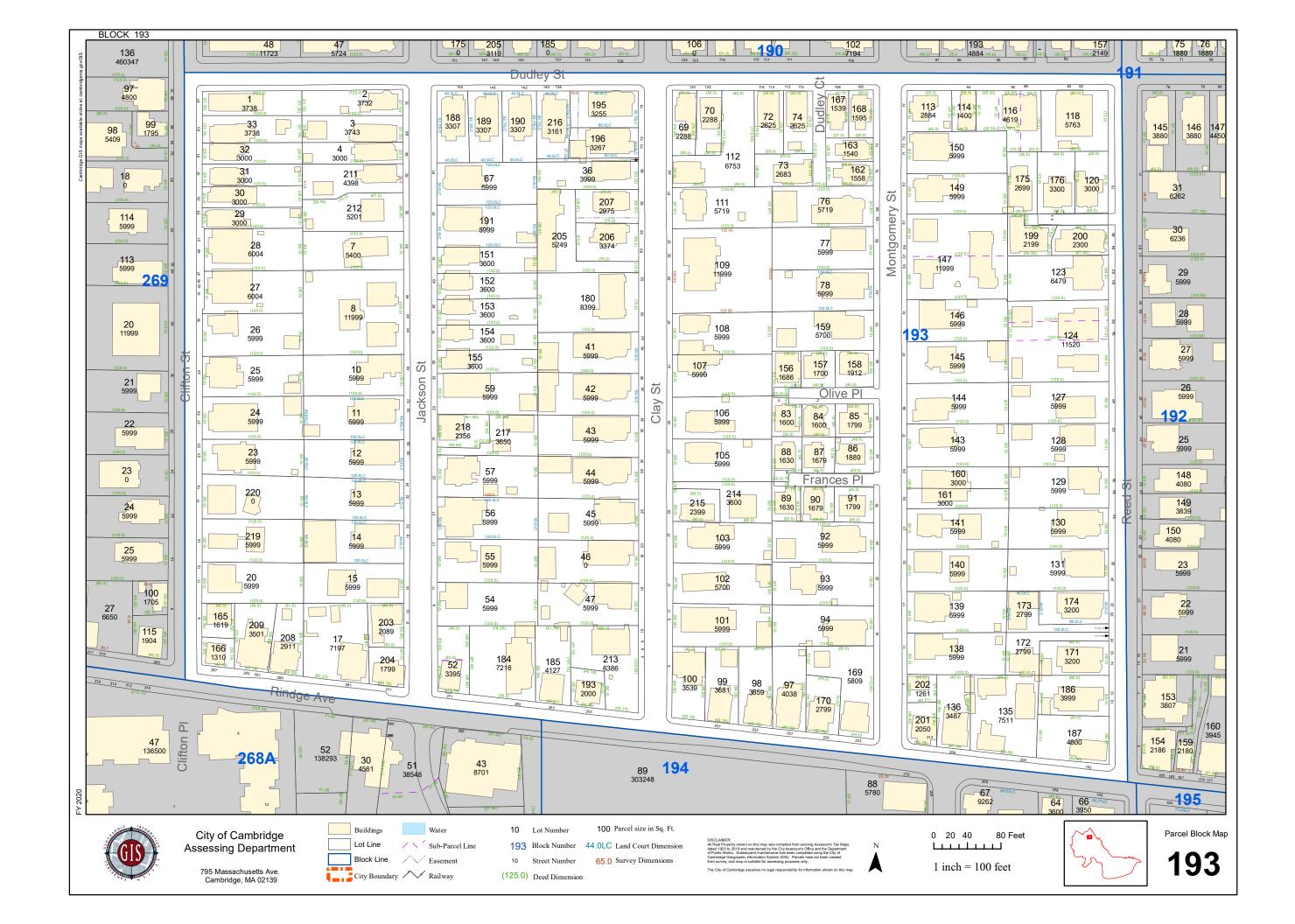
193-90 SIMPSON, LILLIAN 2 FRANCES PL CAMBRIDGE, MA 02140 193-84
MACLELLAN, DIANE,
TR. OF MACLELLAN REALTY FAMILY TRUST
2 OLIVE PLACE
CAMBRIDGE, MA 02140-2443

193-160 NERCESSIAN, NORA N. & GERARD J. LIBARIDIAN 33 MONTGOMERY STREET CAMBRIDGE, MA 02140-2410

193-161 LIBARIDIAN, GERARD J. & NORA N. NERCESSIAN 33 MONTGOMERY ST. CAMBRIDGE, MA 02140-2410 193-144 WOODWARD, DANIEL & SARAH TAVARES 39 MONTGOMERY ST., #1 CAMBRIDGE, MA 02140 193-144 WONG, MARGARET 39 MONTGOMERY ST. UNIT#3 CAMBRIDGE, MA 02140

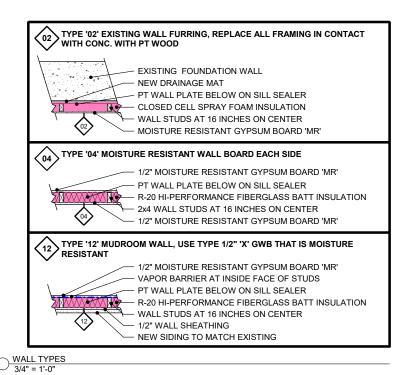
193-144 YOUNGBEAR, KATHY M. 39 MONTGOMERY STREET, UNIT #2 CAMBRIDGE, MA 02140 193-143 LEGACY NORTH PROPERTIES INC 4 ASHBURY LANE ANDOVER, MA 01810

193-91 WONG, FOLK-MAN & MONERA WONG 30 MONTGOMERY ST CAMBRIDGE, MA 02140-2411



# ZONING REVUE SET - (NOT FOR CONSTRUCTION) 36 MONTGOMERY ST, CAMBRIDGE, MA 1-FAMILY RENOVATION & ADDITION





## **GENERAL NOTES:**

1. CONSTRUCTION TO BE CONSISTENT WITH THE 9TH EDITION OF THE MASSACHUSETTS STATE BUILDING CODE, 2015 IRC WITH MASSACHUSETTS AMMENDMENTS.

2. REFER TO STRUCTURAL DRAWINGS ATTACHED WITH THIS SET, LABELED S1 THROUGH S2, AS PREPARED BY REGISTERED STRUCTURAL COREY MATTHEWS, PE, PHONE NUMBER (617) 997-5802

3. ALL NEW WORK AND THE EXISTING DWELLING SHALL BE BROUGHT INTO CONFORMANCE WITH ALL NATIONAL, STATE AND LOCAL CODES INCLUDING BUT NOT LIMITED TO THE CURRENTLY ADOPTED EDITIONS OF NFPA 72 AND UL 217

4. G.C. TO ALERT STRUCTURAL ENGINEER AND ARCHITECTURAL DESIGNER TO ANY
DISCREPANCIES BETWEEN STRUCTURAL AND ARCHITECTURAL DRAWINGS OR SITE CONDITIONS, BUT I'
THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND THE ARCHITECTURAL DRAWINGS OR SITE CONDITIONS, AS THEY ARE DISCOVERED IN A TIMELY FASHION SO THEY MAY BE PROPERLY ADDRESSED

ARCHITECTURAL DOCUMENTS, BUT I'
THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR STO TO SUBJECT OF THE SOLE RESPONSIBILITY OF THE SOLE RESPONS

5. ALL REFERENCES TO STRUCTURAL MEMBERS AND CONSTRUCTION IS FOR COORDINATION PURPOSES, REFER TO STRUCTURAL DRAWINGS FOR STRUCTURAL REQUIREMENTS

6. IT IS THE RESPONSIBILITY OF THE SUBCONTRACTORS FOR THE FLECTRICAL FIRE PROTECTION, HVAC AND PLUMBING SYSTEMS TO PROVIDE ALL ENGINEERING SERVICES AS REQUIRED BY LOCAL AUTHORITIES AND TO OBTAIN PERMITS AS NECESSARY TO ACCOMPLISH THE WORK. THE ARCHITECT WILL REVIEW ALL DRAWINGS AND SUBMITTALS FOR COORDINATION WITH THE INTENT OF THE ARCHITECTURAL DOCUMENTS, BUT IT IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND THE ENSURE THAT ALL INSTALLATIONS ARE DONE IN A WORKMANLIKE MANNER AND COMPLY WITH APPLICABLE CODE REQUIREMENTS.

## **MECHANICAL NOTES:**

## MECHANICAL SYSTEMS NOTES GENERAL

1. THE HVAC SYSTEM SHALL BE DESIGNED AND INSTALLED BY THE HVAC SUBCONTRACTOR. ENGINEERED STAMPED DRAWINGS SHALL BE SUBMITTED TO AUTHORITIES HAVING JURISDICTION AS REQUIRED. THE ARCHITECT WILL REVIEW ALL DRAWINGS AND SUBMITTALS FOR COORDINATION WITH THE INTENT OF THE ARCHITECTURAL DOCUMENTS & THE OUTLINE SPECIFICATIONS OF THE OWNER'S ENGINEER.

2. THE PLUMBING SYSTEM SHALL BE DESIGNED AND INSTALLED BY THE PLUMBING SUBCONTRACTOR. ENGINEERED STAMPED DRAWINGS SHALL BE SUBMITTED TO AUTHORITIES HAVING JURISDICTION AS REQUIRED. THE ARCHITECT WILL REVIEW ALL DRAWINGS AND SUBMITTALS FOR COORDINATION WITH THE INTENT OF THE ARCHITECTURAL DOCUMENTS

## **INSULATION NOTES: (BRIEF)**

1. FILL EXISTING CAVITIES WITH R-3.5 PER INCH MIN. SEE NOTES BELOW FOR PORTIONS OF NEW CONSTRUCTED ELEMENTS

2. MINIMUM WINDOW PERFORMANCE: U-0.30 OR BETTER

**3a.** ROOF AND CEILING INSULATION: PERFORMANCE R-49 OR BETTER. EXTEND FULL DEPTH INSULATION TO EXTERIOR WALL SHEATHING TO ELIMINATE COLD CORNERS AND PREVENT ICE DAM FORMATIONS

3b. FULL INSULATION DEPTH OVER TOP PLATES REDUCTION IN CEILING INSULATION: PER 'R402.2.1 CEILINGS WITH ATTIC SPACES', AREAS REQUIRING R-49 CEILING INSULATION CAN BE REDUCED TO R-38 FOR AREAS THAT HAVE 100 PERCENT INSULATION DEPTH EXTENDING OVER TOP PLATES TO OUTSIDE FACE OF STUDS.

4. WOOD FRAME EXTERIOR WALLS: CLOSED CELL ICYNENE INSULATION MUST BE IN EXISTING 2x4 WD STUD WALLS, (NOTE THAT FIBERGLASS BATT INSULATION CANNOT MEET THE MINIMUM PERFORMANCE REQUIREMENTS WITH A 3.5 OR 4 INCH STUD CAVITY)

**5. BASEMENT WALL INSULATION:** R-15 MIN. INSULATION, CONTINUOUS AT INSIDE FACE OF BASEMENT WALLS, 2-PLY R-10 SHOWN

**6. BASEMENT SLAB INSULATION:** R-10 MIN. INSULATION, 20 PSI, MIN COMPRESSIVE STRENGTH RIGID INSULATION, 2-PLY R-10 SHOWN

## **BUILDING CODE:**

MASSACHUSETTS BUILDING CODE IRC 2015 WITH MA.
 AMMENDMENTS, NINTH EDITION
 DORMER ADDITION AND BASEMENT RENOVATION TO EXISTING STRUCTURE WITH NEW ENCLOSED EXISTING PORCH
 3. R-3, 2-FAMILY HOUSE
 4. VB CONSTRUCTION TYPE
 5. SINGLE DWELLING (NO SEPARATION REQUIRED)

## ZONING NOTES:

PLEASE REFER TO ZONING SUMMARY TABLE ON NEXT SHEET FOR FAR CALCULATIONS.

## DRAWING LIST

	DRAWING LIST
SHEET	TITLE
-CS1-	COVERSHEET
-CS2-	ZONING SHEET
-CS3-	ENERGY CODE NOTES
A101	FLOOR PLANS
A102	FLOOR PLANS
A201	EXTERIOR ELEVATIONS
A202	EXTERIOR ELEVATIONS
A203	EXTERIOR ELEVATIONS
A204	EXTERIOR ELEVATIONS
A301	BUILDING SECTIONS
A302	STAIR SECTIONS

## PERMIT DRAWINGS NOTE

THIS SET OF DRAWINGS PREPARED FOR AN OWNER ACTING AS GENERAL CONTRACTOR, NOT ALL DETAILS NECESSARY FOR CONSTRUCTION ARE SHOWN



w w w . K W H d e s i g n . n e t

KWH design, inc. Keith Hinzman, LEED AP BD+C PO BOX 51644 BOSTON, MA 02205 (617) 913-4714 keith@kwhdesign.net www.KWHdesign.net



# CGM STRUCTURAL ENGINEERING

886 North St Walpole, MA 02081 617.997.5802

STRUCTURAL ENGINEER

Gordon Greenfield, AIA Consulting Architect Gordon.Greenfield@gmail.com 4 Cook St, Charlestown, MA 02129



## TRUE HALFSIZE SET

No.	Description	Date

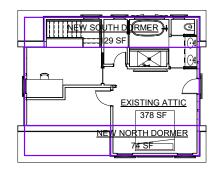
## 36 MONTGOMERY CAMBRIDGE, MA COVERSHEET

Project number	Project Number
Date	2020-06-0
Drawn by	Autho
Checked by	Checke

-CS1-

3/4" = 1'-0

//3/2020 3:48:26 PM



SECOND 669 SF

#### **ZONING - EXISTING GROSS AREAS** AREA NAME SQ. FT. LEVEL PHASE FAR FIRST 727 SF 1ST FLR EXISTING YES SECOND 669 SF 2ND FLR EXISTING YES EXISTING ATTIC 378 SF 3RD FLR EXISTING YES

Grand total: 3	1774 SF	'				
ZONING - NEW ADDITIONAL GROSS AREAS						
AREA NAME	SQ. FT.	LEVEL	PHASE	FAR		
NEW ENTRY	36 SF	1ST FLR	NEW	YES		
NEW SOUTH	129 SF	3RD FLR	NEW	YES		
DORMER						
NEW NORTH	74 SF	3RD FLR	NEW	YES		
DORMER						
Grand total: 3	239 SF					
<b>ZONING - NEW TOTAL GROSS AREAS</b>						
AREA NAME	SQ. FT.	LEVEL	PHASE	FAR		

<b>ZONING - NEW TOTAL GROSS AREAS</b>						
AREA NAME	SQ. FT.	LEVEL	PHASE	FAR		
FIRST	727 SF	1ST FLR	EXISTING	YES		
NEW ENTRY	36 SF	1ST FLR	NEW	YES		
SECOND	669 SF	2ND FLR	EXISTING	YES		
EXISTING ATTIC	378 SF	3RD FLR	EXISTING	YES		
NEW SOUTH DORMER	129 SF	3RD FLR	NEW	YES		
NEW NORTH DORMER	74 SF	3RD FLR	NEW	YES		
Grand total: 6	2012 SF	•	•	•		

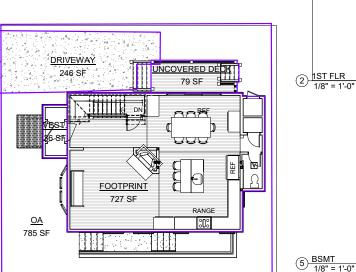
TABLE	'B' RESIDENTIAL SUBDISTRICT			
CAMBRIDGE ZONING SUBDISTRICT 'B'	EXISTING CONDITION	PROPOSED CONDITION	ORDINANCE REQUIRED	RELIEF REQUIRED
TOTAL GROSS AREA SQUARE FEET	1,774	2,012	945	Υ
<b>LOT AREA</b> SQUARE FEET	1,890	NO CHANGE	5,000	ENC
FLOOR AREA RATIO (FAR)	0.94	1.06	0.50	Υ
LOT AREA/DWELLING SQUARE FEET	2,500	N/A	N/A	N/A
LOT WIDTH (FEET) (MINIMUM)	42	NO CHANGE	50	ENC
LOT DEPTH (FEET)	45	NO CHANGE	-	N
SETBACK FRONT YARD (FEET)	11.3	NO CHANGE	15	ENC
SETBACK REAR YARD (FEET)	0.97	NO CHANGE	25	ENC
SETBACK LEFT (FEET)	11.2	NO CHANGE	12.5	ENC
SETBACK RIGHT (FEET)	7.2	NO CHANGE	7.5	ENC
BUILDING HEIGHT (FEET)	32.1	NO CHANGE	35	N
BUILDING LENGTH (FEET)	36.9	NO CHANGE	-	N
BUILDING WIDTH (FEET)	23.1	NO CHANGE	-	N
RATIO OPEN SPACE (PERCENTAGE)	48%	42%	40%	N
RATIO PERMEABLE (PERCENTAGE)	-	-	N/A	N
NO. DWELLING UNITS	1	NO CHANGE	-	N
NO. PARKING SPACES	1	NO CHANGE	1	N
NO. LOADING AREAS	0	NO CHANGE	-	N
DISTANCE NEAREST BUILDING	NA	NO CHANGE	NA	N

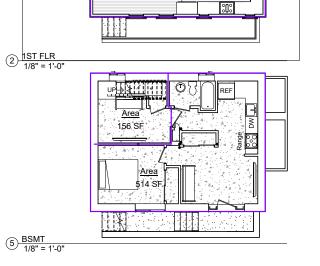
EXISTING GROSS AREA FOR FAR CALCULATION = 1,774 SF

PROPOSED GROSS AREA FOR FAR CALCULATION = 2,012 SF (PLEASE TABLES HERE)

PROPOSED FAR: 1.06 (2,012 / 1,890 = 1.06)

	BRIDGE, MASSACHUSETTS RED DECEMBER 7, 2017	
Reco		PROJECT LOCATION
В	Residence B	





1) AVG GRADE 1/8" = 1'-0"

**36 MONTGOMERY** CAMBRIDGE, MA **ZONING SHEET** Project number Project Number 2020-06-03 Drawn by Author Checked by

-CS2-

1/8" = 1'-0"

TABLE	'B' RESIDENTIAL SUBDISTRICT				
CAMBRIDGE ZONING SUBDISTRICT 'B'	EXISTING CONDITION	PROPOSED CONDITION	ORDINANCE REQUIRED	RELIEF REQUIRED	
TOTAL GROSS AREA SQUARE FEET	1,774	2,012	945	Y	
<b>LOT AREA</b> SQUARE FEET	1,890	NO CHANGE	5,000	ENC	
FLOOR AREA RATIO (FAR)	0.94	1.06	0.50	Y	
LOT AREA/DWELLING SQUARE FEET	2,500	N/A	N/A	N/A	
LOT WIDTH (FEET) (MINIMUM)	42	NO CHANGE	50	ENC	
LOT DEPTH (FEET)	45	NO CHANGE	-	Ν	
SETBACK FRONT YARD (FEET)	11.3	NO CHANGE	15	ENC	
SETBACK REAR YARD (FEET)	0.97	NO CHANGE	25	ENC	
SETBACK LEFT (FEET)	11.2	NO CHANGE	12.5	ENC	
SETBACK RIGHT (FEET)	7.2	NO CHANGE	7.5	ENC	
BUILDING HEIGHT (FEET)	32.1	NO CHANGE	35	N	
BUILDING LENGTH (FEET)	36.9	NO CHANGE	-	N	
BUILDING WIDTH (FEET)	23.1	NO CHANGE	-	N	
RATIO OPEN SPACE (PERCENTAGE)	48%	42%	40%	N	
RATIO PERMEABLE (PERCENTAGE)	-	-	N/A	N	
NO. DWELLING UNITS	1	NO CHANGE	-	N	
NO. PARKING SPACES	1	NO CHANGE	1	N	
NO. LOADING AREAS	0	NO CHANGE	_	N	

36 MONTGOMERY STREET, CAMBRIDGE, MA

*	NC INDICATES AN EXISTING, NON-CONFORMING CONDITION	
-	OT AREA TAKEN FROM ATTACHED SURVEY PREPARED BY RJC	C

EXISTING LOT AREA FOR FAR CALCULATION = 1,890 SF

EXISTING FAR: 0.94 (1,774 / 1,890 = 0.94)

**ZONING** 



www.KWHdesign.net

KWH design, inc. Keith Hinzman, LEED AP BD+C PO BOX 51644 BOSTON, MA 02205 (617) 913-4714 keith@kwhdesign.net www.**KWH**design.net



CGM STRUCTURAL **ENGINEERING** 

886 North St Walpole, MA 02081 617.997.5802

STRUCTURAL ENGINEER

Gordon Greenfield, AIA Consulting Architect Gordon.Greenfield@gmail.com 4 Cook St, Charlestown, MA 02129



# TRUE HALFSIZE SET

No.	Description	Date

## **ENERGY CODE REQUIREMENTS: IECC 2015 EDITION (AIR BARRIER & INSULATION)**

# TABLE R402.4.1.1

COMPONENT	AIR BARRIER AND INSULATION INSTALLATION  AIR BARRIER CRITERIA®	INSULATION INSTALLATION CRITERIA
SESTION - 210-2110	A continuous air barrier shall be installed in the	
General requirements	building envelope.  The exterior thermal envelope contains a continuous air barrier.	Air-permeable insulation shall not be used as a sealing material.
	Breaks or joints in the air barrier shall be sealed.	
Ceiling/attic	The air barrier in any dropped ceiling/soffit shall be aligned with the insulation and any gaps in the air barrier shall be sealed.  Access openings, drop down stairs or knee wall doors	The insulation in any dropped ceiling/soffit shall be aligned with the air barrier.
	to unconditioned attic spaces shall be sealed.	
Walls	The junction of the foundation and sill plate shall be sealed.  The junction of the top plate and the top of exterior	Cavities within corners and headers of frame walls shall be insulated by completely filling the cavity with a material having a thermal resistance of R-3 per inch minimum.
	walls shall be sealed.  Knee walls shall be sealed.	Exterior thermal envelope insulation for framed walls shall be installed in substantial contact and continuous alignment with the air barrier.
Windows, skylights and doors	The space between window/door jambs and framing, and skylights and framing shall be sealed.	
Rim joists	Rim joists shall include the air barrier.	Rim joists shall be insulated.
Floors (including above garage and cantilevered floors)	The air barrier shall be installed at any exposed edge of insulation.	Floor framing cavity insulation shall be installed to maintain permanent contact with the underside of subfloor decking, or floor framing cavity insulation shall be permitted to be in contact with the top side of sheathing, or continuous insulation installed on the underside of floor framing and extends from the bottom to the top of all perimeter floor framing members.
Crawl space walls	Exposed earth in unvented crawl spaces shall be covered with a Class I vapor retarder with overlapping joints taped.	Where provided instead of floor insulation, insulation shall be permanently attached to the crawlspace walls.
Shafts, penetrations	Duct shafts, utility penetrations, and flue shafts opening to exterior or unconditioned space shall be sealed.	
Narrow cavities		Batts in narrow cavities shall be cut to fit, or narrow cavities shall be filled by insulation that on installation readily conforms to the available cavity space.
Garage separation	Air sealing shall be provided between the garage and conditioned spaces.	
Recessed lighting	Recessed light fixtures installed in the building thermal envelope shall be sealed to the drywall.	Recessed light fixtures installed in the building thermal envelope shall be air tight and IC rated.
Plumbing and wiring		Batt insulation shall be cut neatly to fit around wiring and plumbing in exterior walls, or insulation that on installation readily conforms to available space shall extend behind piping and wiring.
Shower/tub on exterior wall	The air barrier installed at exterior walls adjacent to showers and tubs shall separate them from the showers and tubs.	Exterior walls adjacent to showers and tubs shall be insulated.
Electrical/phone box on exterior walls	The air barrier shall be installed behind electrical or communication boxes or air-sealed boxes shall be installed.	
HVAC register boots	HVAC register boots that penetrate building thermal envelope shall be sealed to the subfloor or drywall.	
Concealed sprinklers	When required to be sealed, concealed fire sprinklers shall only be sealed in a manner that is recommended by the manufacturer. Caulking or other adhesive sealants shall not be used to fill voids between fire sprinkler cover plates and walls or ceilings.	

## **ENERGY CODE REQUIREMENTS: IECC 2015 EDITION (R-VALUES)**

# TABLE R402.1.2 INSULATION AND FENESTRATION REQUIREMENTS BY COMPONENT<sup>8</sup>

CLIMATE ZONE	FENESTRATION U-FACTOR <sup>b</sup>	SKYLIGHT <sup>b</sup> <i>U</i> -FACTOR	GLAZED FENESTRATION SHGC <sup>b, e</sup>	CEILING R-VALUE	WOOD FRAME WALL <i>R</i> -VALUE	MASS WALL R-VALUE	FLOOR R-VALUE	BASEMENT° WALL R-VALUE	SLAB <sup>d</sup> R-VALUE & DEPTH	CRAWL SPACE° WALL R-VALUE
5 and Marine 4	0.30	0.55	NR	49	20 or 13+5h	13/17	30 <sup>g</sup>	15/19	10, 2 ft	15/19

- c. "15/19" means R-15 continuous insulation on the interior or exterior of the home or R-19 cavity insulation at the interior of the basement wall. "15/19" shall be permitted to be met with R-13 cavity insulation on the interior of the basement wall plus R-5 continuous insulation on the interior or exterior of the home. "10/13" means R-10 continuous insulation on the interior or exterior of the home or R-13 cavity insulation at the interior of the basement wall.
- d. R-5 shall be added to the required slab edge R-values for heated slabs. Insulation depth shall be the depth of the footing or 2 feet, whichever is less in Climate Zones 1 through 3 for heated slabs.
- e. There are no SHGC requirements in the Marine Zone
- g. Or insulation sufficient to fill the framing cavity, R-19 minimum.
- h. The first value is cavity insulation, the second value is continuous insulation, so "13+5" means R-13 cavity insulation plus R-5 continuous insulation.

MASSACHUSETTS AMMENDMENTS:
1. FENESTRATION U-FACTOR CHANGED TO 0.30

## **IECC 2015 CHAPTER 5: EXISTING BUILDINGS (OVERVIEW)**

FOR EXISTING BUILDINGS THE FOLLOWING REQUIREMENTS APPLY:

- 1. THE UN-ALTERED PORTION OF THE EXISTING BUILDING DOES NOT HAVE TO COMPLY WITH THE IECC/MA AMENDMENTS
- 2. THE NEW AND ALTERED PORTIONS OF THE BUILDING HAVE TO COMPLY WITH THE 2015 IECC AND MA AMENDMENTS
- 3. THE NEW WORK SHALL COMPLY WITH THE FOLLOWING:
- R402.1: BUILDING THERMAL ENVELOPE (TABLE R402.1.2 INSULATION/FENESTRATION REQ'S)
- R402.2: SPECIFIC PRESCRIPTIVE INSULATION REQ'S FOR CEILING INSULATION, EAVES & HATCHES R402.3.1 THROUGH R402.3.5 EAVE BAFFLE, HATCHES, MASS WALLS, STEEL FRAMED CONS, FLOORS
- R402.4 AIR LEAKAGE, CAULKING, GASKETS, WEATHER STRIPING AND WRAPS
- 4. NEW LIGHTING HAS TO COMPLY WITH R404.1 LIGHTING EQUIPMENT, 75% OF FIXTURES MUST HAVE HIGH-EFFICIENCY LAMPS

## **INSULATION NOTES: (PROJECT SPECIFIC REQUIREMENTS)**

- 1. FILL EXISTING CAVITIES WITH R-3.5 PER INCH MIN. SEE NOTES BELOW FOR PORTIONS OF NEW CONSTRUCTED ELEMENTS
- 2. MINIMUM WINDOW PERFORMANCE: U-0.30 OR BETTER
- 3. MINIMUM SKYLIGHT PERFORMANCE: U-0.55 OR BETTER
- 4. ROOF AND CEILING INSULATION: PERFORMANCE R-49 OR BETTER. EXTEND FULL DEPTH INSULATION TO EXTERIOR WALL SHEATHING TO ELIMINATE COLD CORNERS AND PREVENT ICE DAM FORMATIONS
- 4b. FULL INSULATION DEPTH OVER TOP PLATES REDUCTION IN CEILING INSULATION: PER 'R402.2.1 CEILINGS WITH ATTIC SPACES', AREAS REQUIRING R-49 CEILING INSULATION CAN BE REDUCED TO R-38 FOR AREAS THAT HAVE 100 PERCENT INSULATION DEPTH EXTENDING OVER TOP PLATES TO OUTSIDE FACE OF STUDS.
- 5. WOOD FRAME EXTERIOR WALLS: CLOSED CELL ICYNENE INSULATION MUST BE IN EXISTING 2x4 WD STUD WALLS, (NOTE THAT FIBERGLASS BATT INSULATION CANNOT MEET THE MINIMUM PERFORMANCE REQUIREMENTS WITH A 3.5 OR 4 INCH STUD CAVITY)
- 6. FLOOR INSULATION: R-30 INSULATION BETWEEN JOISTS. INSULATION MUST BE INSTALLED FOR PERMANENT DIRECT CONTACT BETWEEN SUB-FLOOR AND INSULATION. INSTALLATIONS THAT ALLOW FUTURE SAGGING OF INSULATION AWAY FROM FLOOR DECK
- 7. BASEMENT WALL INSULATION: R-15 MIN. INSULATION. CONTINUOUS AT INSIDE FACE OF BASEMENT WALLS. 2-PLY R-10 SHOWN
- 8. BASEMENT SLAB INSULATION: R-10 MIN. INSULATION, 20 PSI, MIN COMPRESSIVE STRENGTH RIGID INSULATION, 2-PLY R-10 SHOWN
- 9. SILL SEALER: PER IECC 2015 TABLE R402.4.1.1 AIR BARRIER AND INSULATION INSTALLION, THE JUCTION OF THE FOUNDATION AND
- 10. INTERIOR MINERAL WOOL INSULATION: ALL INTERIOR FLOOR/CEILING CAVITIES THAT ARE NOT PART OF THE BUILDING ENVELOP SHALL BE FILLED WITH MINERAL WOOL SELECTED FOR SOUND PERFORMANCE, ALL LIGHT FIXTURES MUST BE 'IC' RATED FOR INSULATION CONTACT WHERE THEY ARE INSTALLED IN INSULATED CAVITIES

## VENTILATION FAN NOTES: [V]

- 1. USE ONLY FANS WITH A NOISE LEVEL OF 1.0 SONES OR LESS
- 2. USE AUTOMATIC CONDENSATION SENSORS
- 3. USE HUMIDISTATS
- 3. USE LED LIGHTS
- 4. USE PANASONIC WHISPERGREEN® SELECT™ VENTILATION FANS

5. AT ALL 3/4 AND FULL BATHROOMS USE WHISPERGREEN® SELECT™ CEILING MOUNTED VENTILATION FAN/LED LIGHT FV-11-15VKL1 WHISPERGREEN SELECT™ - 110-130-150 CFM FAN/LED LIGHT



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STRUCTURAL ENGINEER

Gordon Greenfield, AIA Consulting Architect Gordon.Greenfield@gmail.com 4 Cook St. Charlestown, MA 02129



## TRUE HALFSIZE SET

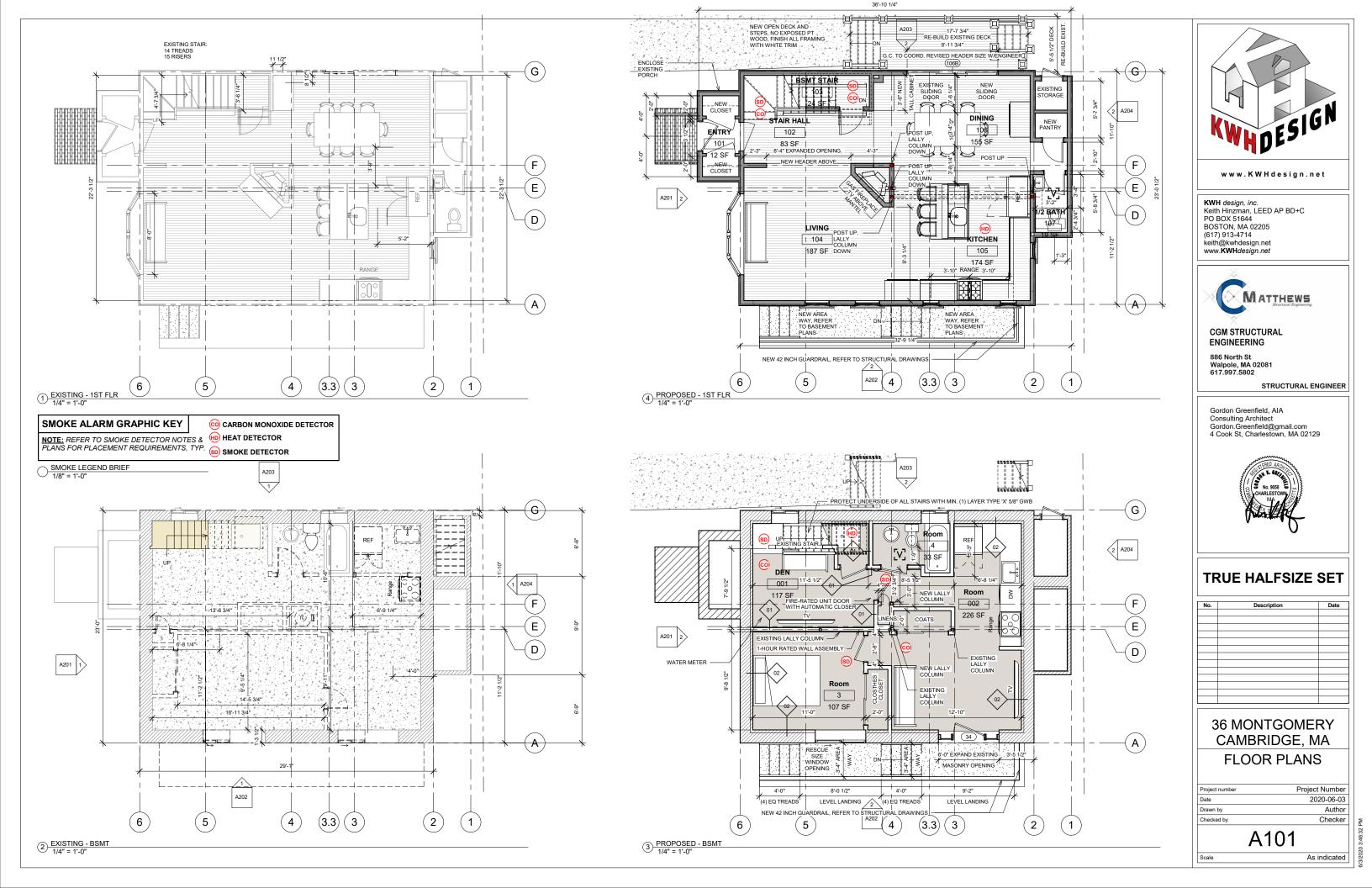
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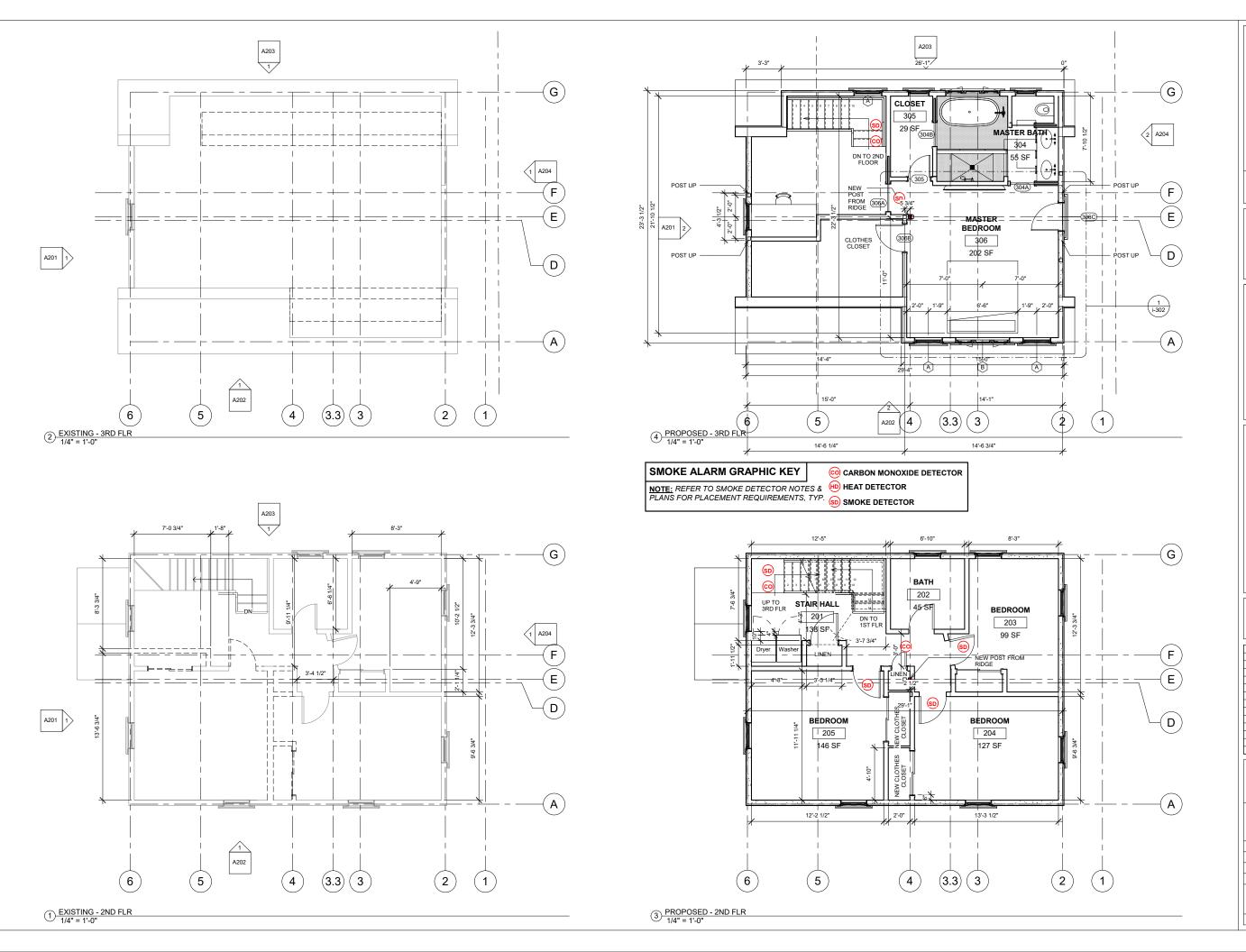
# **36 MONTGOMERY** CAMBRIDGE, MA

**ENERGY CODE** NOTES

Project number	Project Number
Date	2020-06-03
Drawn by	Author
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-CS3-







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# TRUE HALFSIZE SET

No.	Description	Date

# 36 MONTGOMERY CAMBRIDGE, MA FLOOR PLANS

Project number	Project Number
Date	2020-06-03
Drawn by	Author
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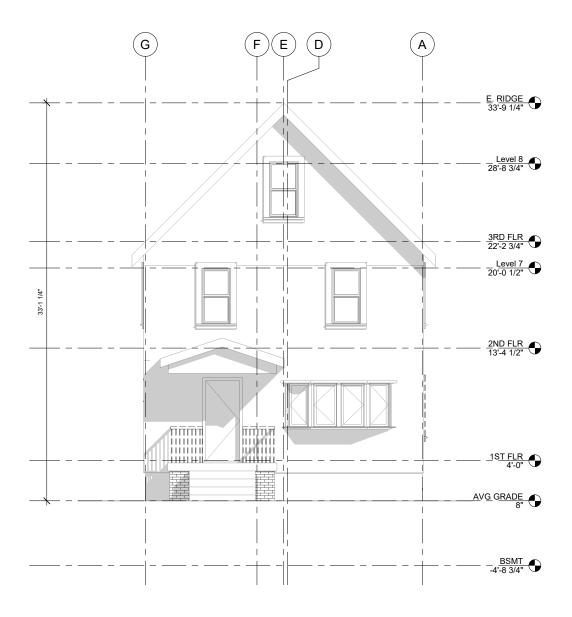
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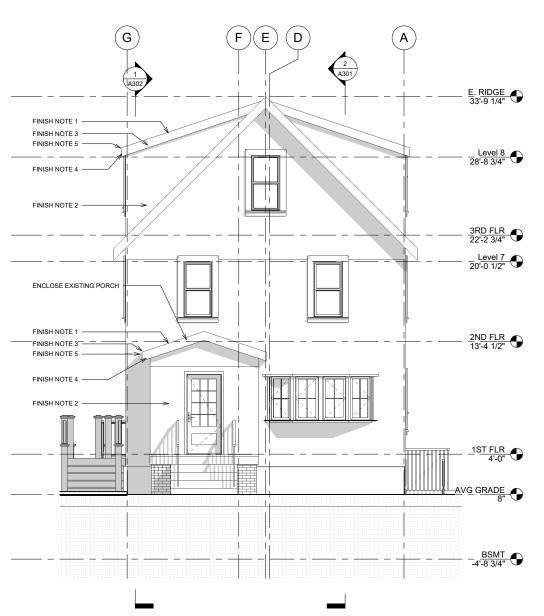
#### **EXTERIOR MATERIALS AND FINISHES:**

- ALL NEW DORMER ROOFS AND WALLS TO BE THE FOLLOWING:
- 1. LIFETIME ARCHITECTURAL ASPHALT SHINGLES
- 2. HARDIEPLANK SIDING 4 INCH EXPOSURE

1 EXISTING - EAST ELEVATION
1/4" = 1'-0"

- 3. WHITE AZEK TRIM FOR FASCIA, CORNER BOARDS AND WINDOW TRIM
- 4. WHITE METAL GUTTERS AND DOWNSPOUTS
- 5. COPPER METAL FLASHING AND DRIP EDGE AT ROOF EAVES





PROPOSED - EAST ELEVATION

1/4" = 1'-0"



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## TRUE HALFSIZE SET

No.	Description	Date

# 36 MONTGOMERY CAMBRIDGE, MA

EXTERIOR ELEVATIONS

Scale

	Project number	Project Number
	Date	2020-06-03
İ	Drawn by	Author
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A201

1/4" = 1'-0"

## WINDOW NOTES:

NOTE: REFER TO WINDOW SCHEDULE AND PLANS FOR TYPE AND LOCATION, TYP.

ALL WINDOWS TO BE INSTALLED PER 2015 IRC AND 9TH EDITION MASSACHUSETTS AMMENDMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

1. ALL WINDOWS MORE THAN 72 INCHES ABOVE THE SURROUNDING GRADE SHALL HAVE A 24 INCH MINIMUM SILL HEIGHT UNLESS AN OPENING LIMITING DEVICE INSTALLED COMPLYING WITH SECTION R612.3.

2. EXIT AND RESCUE OPENING LOCATIONS SHALL HAVE A MINIMUM OPENING OF 5.7 SQUARE FEET (EXCEPT NOTE 4)

3. MAXIMUM SILL HEIGHT AT RESCUE OPENING SHALL BE 44 INCHES ABOVE THE FINISH FLOOR OF THE ROOM THEY

4. PER MASSACHUSETTS AMMENDMENT TO THE IRC, R310.1.1, DOUBLE HUNG WINDOWS SHALL HAVE A NET CLEAR

5. PER MASSACHUSETTS AMMENDMENT TO THE IRC, R310.1.2, THE MINIMUM NET CLEAR OPENING DIMENSIONS SHALL BE 20 INCHES BY 24 INCHES IN EITHER DIRECTION

6. INSTALL TEMPERED GLASS AT ALL LOCATIONS REQUIRING SAFTEY GLASS INCLUDING WITHIN 24 INCHES OF SWINGING DOORS, 60 INCHES OF STAIRS, LESS THAN 60 INCHES ABOVE A TUB OR SHOWER FLOOR, AND WINDOWS LESS THAN 18 INCHES ABOVE THE FLOOR. REFER TO 'R308.4 (IBC 2406.4) HAZARDOUS LOCATIONS'

	NEW WINDOWS				
MK COUNT DESCRIPTION			UNITS	COMMENTS	
Α	3	DOUBLE HUNG		RESCUE SIZE AT 3RD FLOOR	
В	1	3648 CSMT	3		
С	2	DOUBLE HUNG			
D	2	DOUBLE HUNG			
E	1	GLIDING WINDOW		RESCUE SIZE 5 FT X 3 FT 6 AND TEMPERED	
F	2	DOUBLE HUNG			
G	1	3648 CSMT	3		
Grand total: 12					

## **EXTERIOR MATERIALS AND FINISHES:**

ALL NEW DORMER ROOFS AND WALLS TO BE THE FOLLOWING:

1. LIFETIME ARCHITECTURAL ASPHALT SHINGLES

2. HARDIEPLANK SIDING 4 INCH EXPOSURE

3. WHITE AZEK TRIM FOR FASCIA, CORNER **BOARDS AND WINDOW TRIM** 

4. WHITE METAL GUTTERS AND DOWNSPOUTS

5. COPPER METAL FLASHING AND DRIP EDGE AT ROOF EAVES



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## TRUE HALFSIZE SET

No.	Description	Date

# **36 MONTGOMERY** CAMBRIDGE, MA

**EXTERIOR ELEVATIONS** 

Project	number	Project Number
Date		2020-06-03
Drawn	by	Author
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1/4" = 1'-0"

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			E. RIDGE 33'-9 1/4"	E. RIDGE 33'-9 1/4"
			Level 8 28"-8 3/4"	RESCUE SIZE WINDOW, MAX. SILL HEIGHT 44" A.F.F.  FINISH NOTE 3 FINISH NOTE 5 FINISH NOTE 4
			3RD FLR 22'-2 3/4" • Level 7 20'-0 1/2" • •	3RD FLR 22'-2 3/4" Level 7 20'-0 1/2"
			2ND FLR 13'-4 1/2"	2ND FLR 13'-4 1/2"
				NEW WINDOW  RESCUE SIZE WINDOW, MAX. SILL HEIGHT 44*  A.F.F.
			1ST FLR 4'-0"	AFF.  TEMPERED GLAZING, HAZARDOUS LOCATION  1ST FLR 4-0"
			AVG GRADE 8" BSMT 4'-8 3/4"	AVG GRADE 8"  BSMT 4'-8 3/4"
• 1	·			

1) EXISTING - NORTH ELEVATION 1/4" = 1'-0"

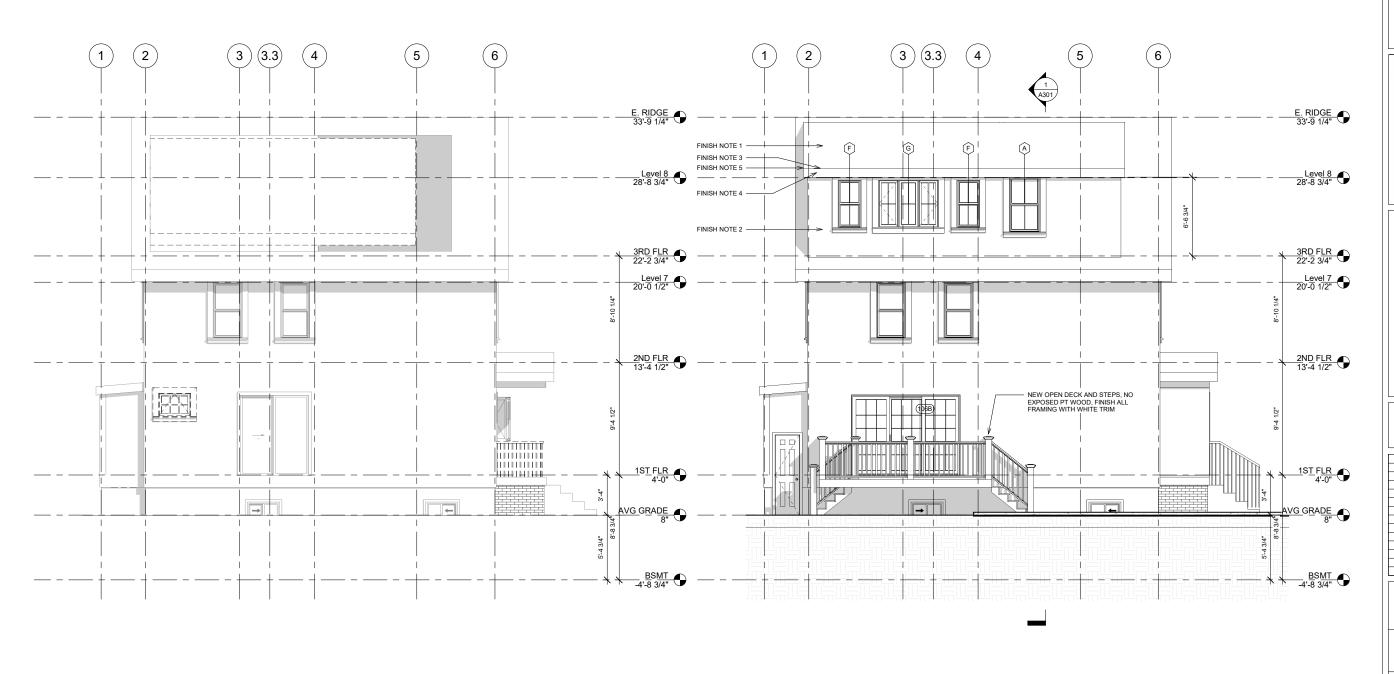
PROPOSED - NORTH ELEVATION
1/4" = 1'-0"

A202

#### EXTERIOR MATERIALS AND FINISHES:

ALL NEW DORMER ROOFS AND WALLS TO BE THE FOLLOWING:

- 1. LIFETIME ARCHITECTURAL ASPHALT SHINGLES
- 2. HARDIEPLANK SIDING 4 INCH EXPOSURE
- 3. WHITE AZEK TRIM FOR FASCIA, CORNER BOARDS AND WINDOW TRIM
- 4. WHITE METAL GUTTERS AND DOWNSPOUTS
- ${\bf 5.}$  COPPER METAL FLASHING AND DRIP EDGE AT ROOF EAVES





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# TRUE HALFSIZE SET

No.	Description	Date

# 36 MONTGOMERY CAMBRIDGE, MA

EXTERIOR ELEVATIONS

 Project number
 Project Number

 Date
 2020-06-03

 Drawn by
 Author

 Checked by
 Checker

A203

Scale

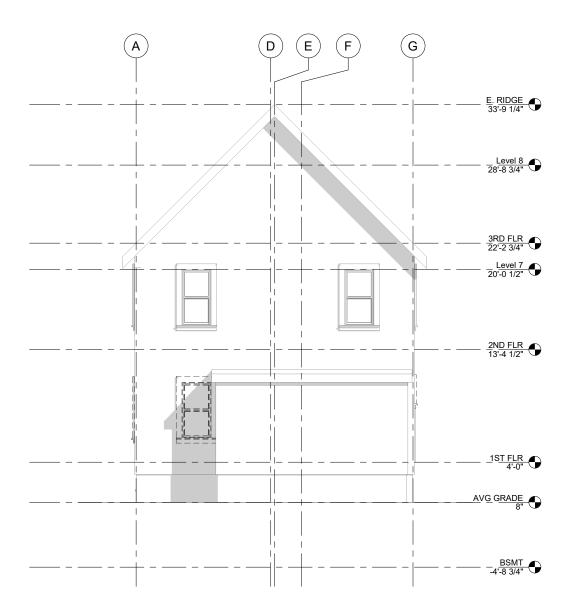
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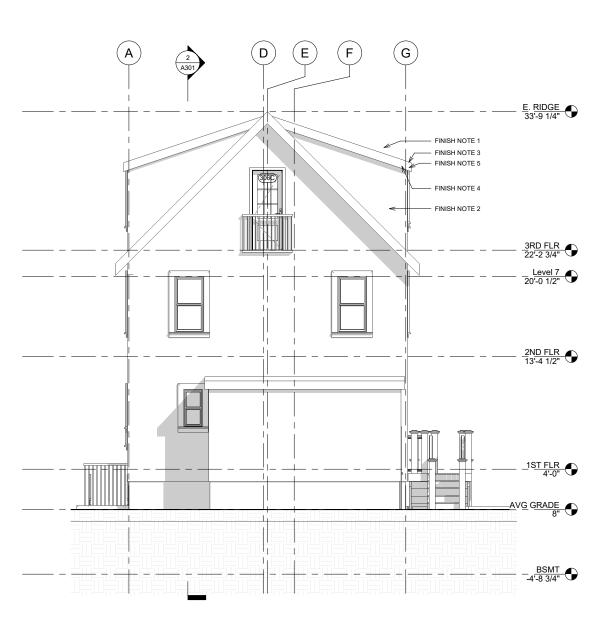
1/4" = 1'-0"

#### **EXTERIOR MATERIALS AND FINISHES:**

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- 1. LIFETIME ARCHITECTURAL ASPHALT SHINGLES
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- 5. COPPER METAL FLASHING AND DRIP EDGE AT ROOF EAVES





1) EXISTING - WEST ELEVATION 1/4" = 1'-0"

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



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# **36 MONTGOMERY** CAMBRIDGE, MA

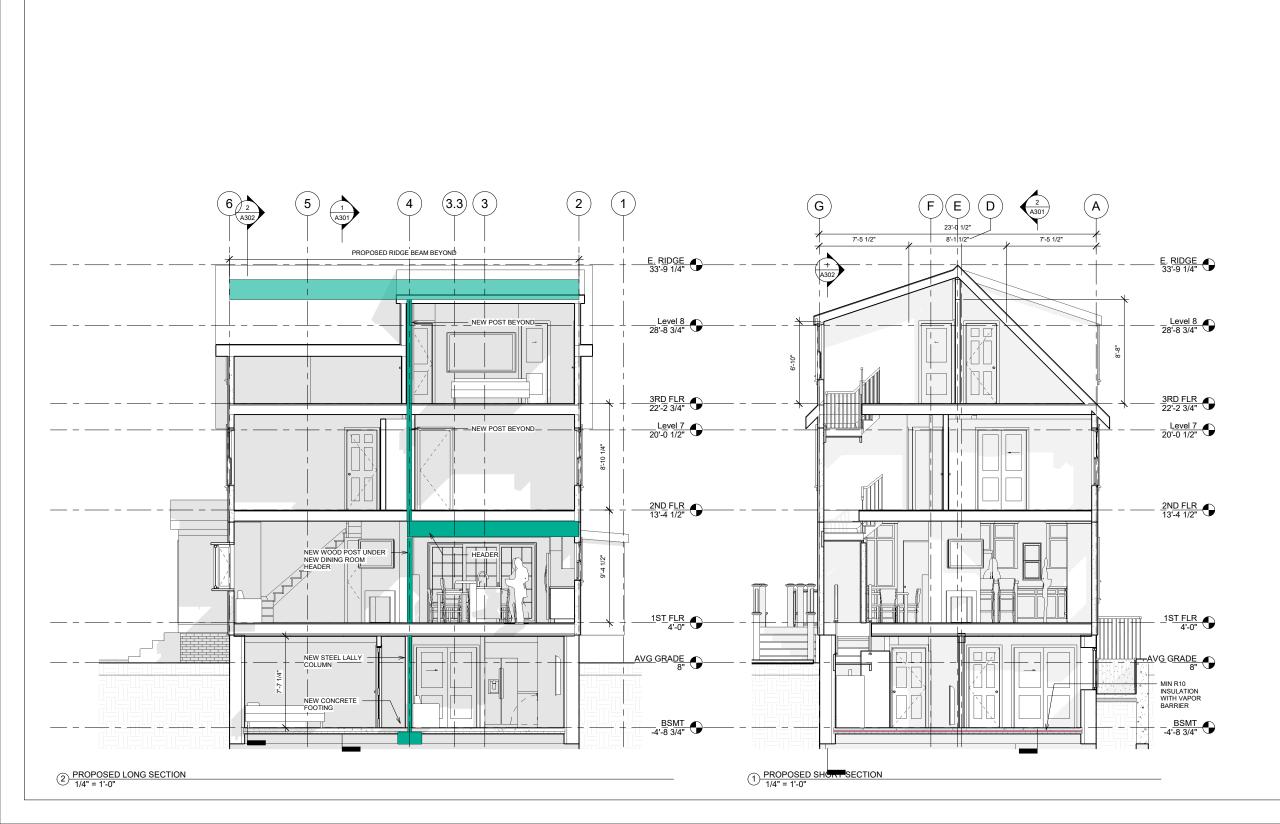
**EXTERIOR ELEVATIONS** 

Project number	Project Number
Date	2020-06-03
Drawn by	Author
Checked by	Checker

A204

Scale

1/4" = 1'-0"





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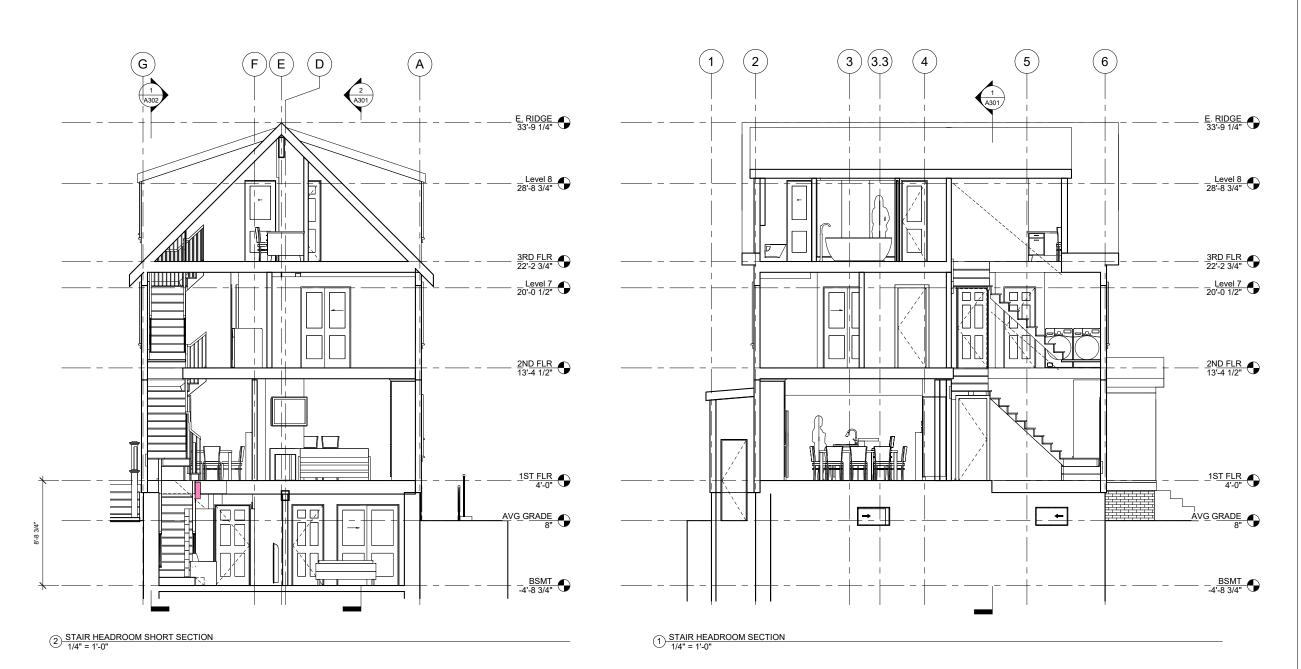
# 36 MONTGOMERY CAMBRIDGE, MA

# **BUILDING SECTIONS**

ı	Project number	Project Number	
ı	Date	2020-06-03	
ı	Drawn by	Author	
ı	Checked by	Checker	

A301

As indicated





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# TRUE HALFSIZE SET

No.	Description	Date

## 36 MONTGOMERY CAMBRIDGE, MA STAIR SECTIONS

Project number	Project Number		
Date	2020-06-03		
Drawn by	Author		
Checked by	Checker		

A302

1/4" = 1'-0"



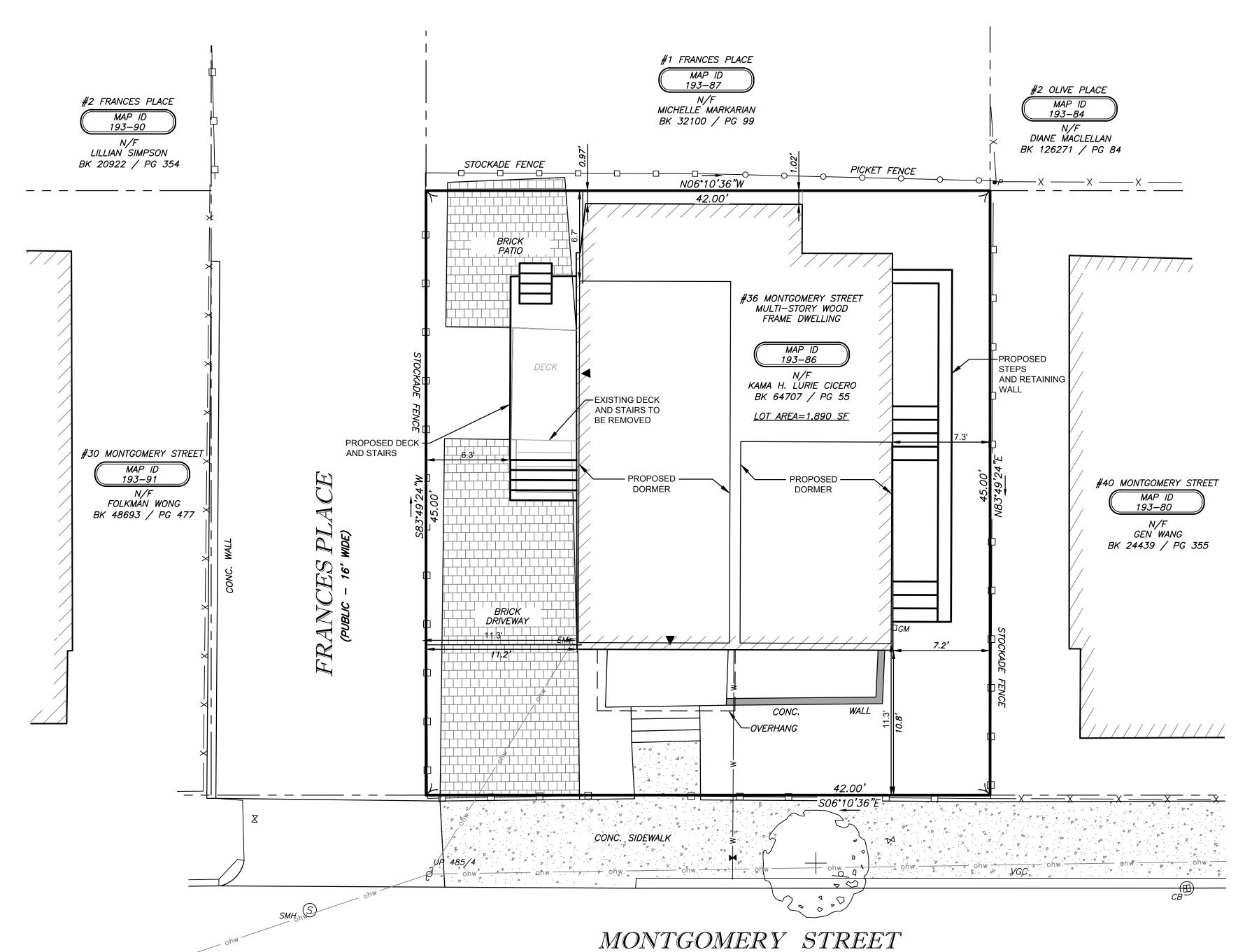






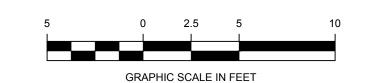




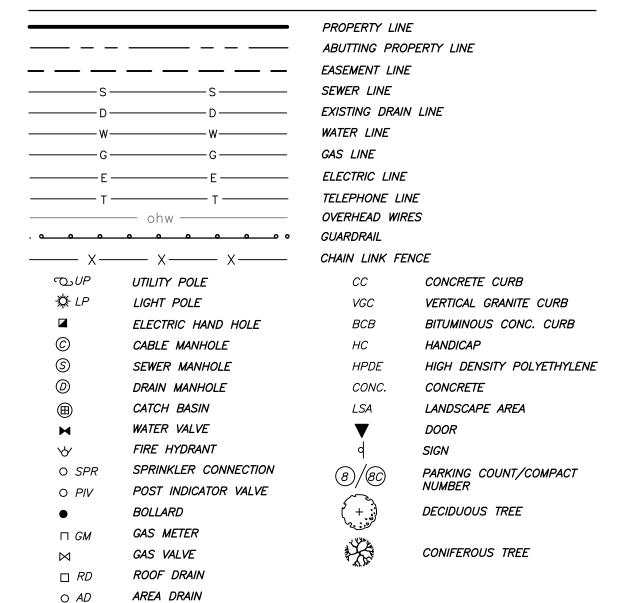


(PUBLIC - 40' WIDE)





# LEGEND



# PLAN REFERENCES

PLAN BOOK AND PAGES REFERENCE THE MIDDLESEX COUNTY REGISTRY OF DEEDS

1. PLAN 12 OF 1896

IRRIGATION CONTROL VALVE

2. PLAN 2361 OF 1894

3. PLAN 265 OF 1977 4. PLAN 376 OF 2006

Record Owner:

KAMA CICERO

36 MONTGOMERY STREET

CAMBRIDGE, MA 02104 BK 64707 / PG 55

PARCEL ID: 193-86

36 MONTGOMERY STREET CAMBRIDGE, MA 02104

RJO'CONNELL & ASSOCIATES, INC. **CIVIL ENGINEERS, SURVEYORS & LAND PLANNERS** 

80 MONTVALE AVENUE, SUITE 201 STONEHAM, MA 02180 PHONE: 781.279.0180 RJOCONNELL.COM

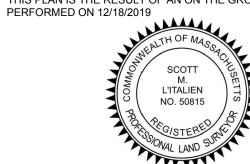
KAMA CICERO

36 MONTGOMERY STREET CAMBRIDGE, MA 02140

36 MONTGOMERY

STREET

CAMBRIDGE, MA THIS PLAN IS THE RESULT OF AN ON THE GROUND SURVEY



PROFESSIONAL LAND SURVEYOR FOR

RJ O'CONNELL & ASSOCIATES, INC REVIEWED BY: 1" = 5' FIELD CREW: RJK / JBJ FIELD BOOK: FIELD BOOK 35 / PG 58

PROPOSED PLOT PLAN

3/24/2020

03/09/2020

DRAWING NUMBER:

PROJECT NUMBER:

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NOTES

- 1. THIS PLAN WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND USING TOTAL STATION METHODS ON 12/18/2019.
- 2. THE HORIZONTAL DATUM IS NAD 83. THE VERTICAL DATUM IS CITY OF CAMBRIDGE. DATUM WAS ESTABLISHED USING RTK GPS METHODS.
- 3. THE POSITIONAL ACCURACY OF THE DATA AND PHYSICAL IMPROVEMENTS ON THIS PLAN MAY BE APPROXIMATE. ANY USE OF ELECTRONIC DATA CONTAINED IN AUTOCAD VERSIONS OF THIS PLAN TO GENERATE COORDINATES OR DIMENSIONS NOT SHOWN ON THE PLAN IS NOT AUTHORIZED.
- 4. THE PARCEL SHOWN IS LOCATED IN ZONE X, AS SHOWN ON "FLOOD INSURANCE RATE MAP, MIDDLESEX COUNTY, MA," PANEL 419 OF 656, MAP NUMBER 25817C0419E, EFFECTIVE DATE MONTH
- 5. THE PARCEL IS LOCATED IN THE RESIDENCE B ZONING DISTRICT AS SHOWING IN ZONING DISTRICT MAP FOR CITY OF CAMBRIDGE JANUARY 2008.

## Pacheco, Maria

From:

philip arsenault <pgarsenault@gmail.com>

Sent:

Monday, June 29, 2020 5:41 PM

To:

Pacheco, Maria

Subject:

Case BZD-017294-2020

Attachments:

POLICE REPORTS 36 Montgomery St.pdf; Photo 1 May 29, 2019.jpg; Photo 2 June 20,

2020.jpg

Philip Arsenault 4 Frances Place Cambridge, MA 20140 617-271-3293

June 29, 2020

Dear Members of The Board of Zoning Appeal,

Subject: Case # BZA-017294-2020

I am in opposition to the above petition.

The new construction will remove a large amount of the yard space on the property, resulting in use of Frances Place by the residents of 36 Montgomery St. This will cause disruption to the residents of both Frances Place and Montgomery St. Based on recent experiences with the petitioning party, it would result in further disturbance of the peaceful neighborhood I have lived in for 60+ years.

In 2019, the petitioning party placed a full-sized basketball hoop in their yard with the net facing Frances Place. By doing so, they converted the quiet street into a noisy basketball field - see photo #1. Despite repeated, polite requests from neighbors, the net remained in this position until the petitioning party moved out of the property in October 2019. To add insult to injury, the petitioning party gave permission to kids from other neighborhoods to use the basketball hoop even when they were not home. This made it impossible for the neighbors to contain the problem and resolve the disturbance amicably. If it was only the children of 36 Montgomery St involved, our community would have had the recourse of addressing it with them.

After looking at the blueprints, I am very concerned that the property would be used as a short-term rental space. Kama Cicero is a realtor and manages multiple rental properties, including AirBnb rentals. By installing a bigger deck and more doors on the side of the house abutting Frances Place, it would allow access to more residents through this entrance. Even if this is not the case, the deck would cause greater noise disruption to Frances Place and 30 Montgomery St from the established residents.

The property already possesses a 7-foot high split fence with plants overgrowing into Frances Place - see photo #2. This makes it challenging for vehicles using Frances Place, which is a narrow dead end. When I drive my truck to and from my own house, the branches hit the vehicle. I am concerned the new deck will result in an even taller fence, less visibility for drivers and more obtrusion onto property.

Multiple requests for consideration of their neighbors have been made to the petitioning party, in relation to the basketball net, the fence, and other disturbances. Cambridge Community Police has been involved on multiple occasions, with Officer Anthony Santiago attempting to mediate in one case where

he suggested the net could be faced away from Frances Place. All requests were met with aggressive and threatening behavior from Kama Cicero and Paul Wilshire - see attached police reports from three incidents.

Until last year, I had never been threatened with physical harm from a neighbor. That occurred over a basketball net, which could easily have been contained within the petitioning party's property. In addition, there are at least three parks with basketball facilities within 10 minutes walk of the property.

Finally, I must raise concerns that work has already been done on the property for several months ahead of the hearing, with total disregard for the Board of Zoning Appeal, for building safety and COVID-19 regulations.

I grew up in the house I now own. The petitioning party has been unwilling to show the same respect to neighbors my parents instilled in me. Reducing the open space of this property by granting this petition will increase the opportunities for further altercations and cause more disruption to my community.

I look forward to your decision, and thank you for taking the time to review my objections.

Sincerely,

Philip Arsenault



# CAMBRIDGE POLICE DEPARTMENT CAMBRIDGE, MA

<u>INCIDENT # / REPORT #</u> 19005702 / 1 OFFICER
O'REGAN, BRIAN

RANK OFF REVIEW STATUS
APPROVED

**INCIDENT #19005702 DATA** 

As Of 08/10/2019 23:45:15

**BASIC INFORMATION** 

CASE TITLE

NEIGHBOR DISPUTE

LOCATION FRANCES PL

APT/UNIT#

DATE/TIME REPORTED

08/10/2019 20:12:57

DATE/TIME OCCURRED
On or about 08/10/2019 20:12

INCIDENT TYPE(S)/OFFENSE(S)

(MISCELLANEOUS)MISC. REPORT TYPE

**PERSONS** 

KOLE INVOLVED PARTY NAME

SEX FEMALE RACE WHITE

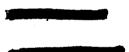
INVOLVED PARTY



**FEMALE** 

WHITE

INVOLVED PARTY



MALE

WHITE

INVOLVED PARTY

MALE

WHITE

[NO OFFENDERS]

[NO VEHICLES]

[ NO PROPERTY]

OFFICER REPORT: 19005702 - 1 / O'REGAN, BRIAN (659)

DATE/TIME OF REPORT 08/10/2019 20:42:34 TYPE OF REPORT
INCIDENT

REVIEW STATUS
APPROVED

### NARRATIVE

On 08/10/2019, at approximately 8:20PM, Cambridge Police responded to a residence on Frances Place for a report of a disturbance between neighbors. Those parties were separated

and a report was taken.

On 08/10/2019, at approximately 8:20PM, I Officer O'Regan, while assigned to uniformed patrol unit CAR5, along with my partner Lt. T. Flynn, responded to Frances Place for a report of a disturbance between neighbors over "kids playing." Upon our arrival, Officers observed multiple kids playing basketball on Frances Street. Shortly thereafter, I was approached by Reporting Party.

According to she purchased him a basketball hoop and assembled it in the front yard. then positioned the basketball hoop over her fence onto. Frances Place, where the neighbor "resides. Over the past few months, her neighbor "has harassed her regarding the "hoop being on his property." believes that "has been "overreacting" and "confrontational" because he's a "bully." Prior to our arrival, 'we' yelled at her son, and three boys (unknown to her) for playing basketball on "his property." To hinder the boys playing basketball, 'parked his motor vehicle at the intersection with Montgomery Street. Shortly thereafter, contacted Cambridge Police for clarification/assistance. It is 's belief that she can position the backboard onto Frances Place because it is accessible to the public. It should be noted that Frances Place is a Private Way and the street sign reflects as such. I informed that Frances Place is a Private Way and her children would have to pack it up for the night, to which she complied.

As I was obtaining a statement from , Lt. Flynn spoke with of Frances Place, the Involved Party. According to "child and friends" have been playing basketball on "his property" since December. Prior to our arrival, was backing out of Frances Place and son and friends refused to move,

confronted to calling the Coneighbors, Place and would like a email to Car	and was me cambridge Police.  assistance with this of mbridge Police Commothing further at this	n-going issue	stated "before along with his ) of Frances ) of Frances Place . Lt. Flynn sent an
OFFICER SIGNATUR	RES		
Reporting Officer:		Date	:
Approving Officer:	O'REGAN, BRIAN	659 Date	es
	MEDEIROS, MICHAEL	516 grafi e	

180

rich.



# CAMBRIDGE POLICE DEPARTMENT CAMBRIDGE, MA

INCIDENT # / REPORT # 19006195 / 1

OFFICER SOREY, BRIELLE RANK OFF REVIEW STATUS
APPROVED

**INCIDENT #19006195 DATA** 

As Of 08/27/2019 19:26:06

**BASIC INFORMATION** 

CASE TITLE

**MISCELLANEOUS** 

**LOCATION** 

APT/UNIT #

DATE/TIME REPORTED

08/27/2019 18:05:51

DATE/TIME OCCURRED
On or about 08/27/2019 18:05

MONTGOMERY ST

INCIDENT TYPE(S)/OFFENSE(S)

(MISCELLANEOUS)MISC. REPORT TYPE

**PERSONS** 

ROLE

INVOLVED PARTY

VALUE OF THE PARTY 
SEX

RACE

FEMALE

BLACK

INVOLVED PARTY

MALE

ASIAN/PACIFIC ISLANDER

INVOLVED PARTY

MALE

WHITE

INVOLVED PARTY

FEMALE

WHITE

[ NO OFFENDERS ]

[ NO VEHICLES ]

[ NO PROPERTY ]

**OFFICER REPORT: 19006195 - 1 / SOREY, BRIELLE (656)** 

DATE/TIME OF REPORT

TYPE OF REPORT

**REVIEW STATUS** 

08/27/2019 19:24:59

INCIDENT

APPROVED

### NARRATIVE

On Tuesday, August 27, 2019, at approximately 6:40 P.M., Cambridge Police responded to a Cambridge residence for an unwanted person.

Officer Sore responded to person. Upon party, called police around next at Montg fence overlochang around rude and usteenagers h	Montgomery on officers' arrival, e about the ongoing to her house and gomery Street have boking Francis Place	Officer Rea Street for a we were me g issue of te going into h a basketba e causing la stated th als o her yard to	ner yard. The neighbors Il hoop set up over the arge groups of teens to nat the teenagers are o stated that the					
told officers that the teenagers have been harassing the neighbors in the area. She believes that they have been putting screws in the tires of her motor vehicle, as well as the tires of a neighbor's motor vehicle. They have also been harassing one of the elderly neighbors on Francis Place.								
The mother of one of the teenagers, has been having an ongoing issue with Her current boyfriend has been threatening, who is a resident of Frances Place. said that he has made reports in the past regarding these threats.  Myself and Officer Reagan advised the parties that we would forward their information and situation to Community Relations.								
Officer Signatu	RES							
Reporting Officer:	SOREY, BRIELLE	656	Date:					
Approving Officer:	MEDEIROS, MICHAEL	516	Date:					



# CAMBRIDGE POLICE DEPARTMENT CAMBRIDGE, MA

INCIDENT # / REPORT # 19006130 / 1 OFFICER NICOTRA,ALFRED RANK

REVIEW STATUS APPROVED

INCIDENT #19006130 DATA

As Of 09/01/2019 15:30:47

BASIC INFORMATION

CASE TITLE THREATS LOCATION

FRANCES PL

APT/UNIT #

DATE/TIME REPORTED 08/25/2019 14:46:53 DATE/TIME OCCURRED
On or about 08/25/2019 14:46

INCIDENT TYPE(S)/OFFENSE(S)

(275/2)THREAT TO COMMIT CRIME c275 \$2

PERSONS

ROLE VICTIM NAME.

SEX MALE RACE WHITE

INVOLVED PARTY

MALE

WHITE

[NO OFFENDERS]

[ NO VEHICLES ]

[ NO PROPERTY ]

OFFICER REPORT: 19006130 - 1 / NICOTRA, ALFRED (636)

DATE/TIME OF REPORT 08/25/2019 14:49:43 TYPE OF REPORT INCIDENT REVIEW STATUS APPROVED

NARRATIVE

On August 25,2019 at approximately 245PM a resident came into the police station to report being threatened at their home by a neighbor.

On the above date and time while assigned to marked patrol car 1R, I, Ofc. A. Nicotra spoke with who stated

neighbors w me a license	oing neighbor dispute hose name he did no e plate, who is a neigh	ot know, b	ut was e plate	s able to e came	provide
in fear that that to attract chemical "that he wor	stated that although would some set up a basker aldren and noise, in a stated to physical threats ag	strike him tball hoop an attemp that today was alone	in the to prove	e commrovoke	claimed non alley said n up" he
A similar re CPD file 190	port was filed by <b>2</b> 005702.		on A	ugust 10	0, 2019
OFFICER SIGNATUR	RES			1 E	
Reporting Officer:			Date:		
in. 005	NICOTRA,ALFRED	636	Date		
Approving Officer:	NICKERSON,MICHAEL	572	Date:		



