



# CITY OF CAMBRIDGE

BOARD OF ZONING APPEAL

831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

2022 DEC -5 PM 12: 16

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

## BZA Application Form

**BZA Number: 202568**

### General Information

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

Special Permit: \_\_\_\_\_ Variance:   X   Appeal: \_\_\_\_\_

**PETITIONER:** David Matheson C/O John Lodge

**PETITIONER'S ADDRESS:** John Lodge Architects, Cambridge, 02138

**LOCATION OF PROPERTY:** 3 HANCOCK PL , Unit 1 , Cambridge, MA

**TYPE OF OCCUPANCY:** 2 Residential Units                      **ZONING DISTRICT:** Residence C-1 Zone

**REASON FOR PETITION:**

/Additions/

### **DESCRIPTION OF PETITIONER'S PROPOSAL:**

We are proposing to demolish an existing rear first floor deck and replace it with a new 7'-2" x 10'-0" deck. The proposed deck, which will be less than 4' above average grade, will be within the rear and sideyard setbacks.

### **SECTIONS OF ZONING ORDINANCE CITED:**

- 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):

(Petitioner (s) / Owner)

John Lodge

(Print Name)

Address:  
Tel. No.  
E-Mail Address:

56 Aberdeen Ave., Cambridge, MA  
617-308-3037  
john@johnlodgearchitects.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 DAVID MATHESON  
(OWNER)

Address: 53 HUBBARD ST CONCORD MA 01742

State that I/We own the property located at 3 HANCOCK PL. WIT 1, which is the subject of this zoning application.

The record title of this property is in the name of DAVID H M MATHESON

\*Pursuant to a deed of duly recorded in the date 8/21/19, Middlesex South County Registry of Deeds at Book 73150, Page 401; or Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_.

David Matheson  
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

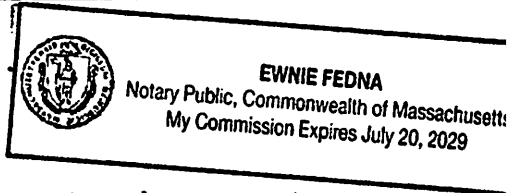
\*Written evidence of Agent's standing to represent petitioner may be requested.

Commonwealth of Massachusetts, County of Middlesex

The above-name David Matheson personally appeared before me, this 20 of September, 2022, and made oath that the above statement is true.

Ewnie Fedna Notary

My commission expires July 20, 2029 (Notary Seal)



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

UNITED STATES DEPARTMENT OF JUSTICE

IN RE: [Illegible Name]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

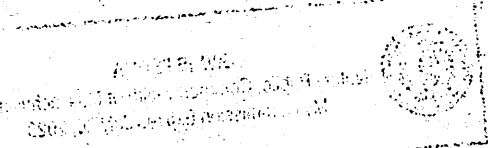
[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]



[Illegible signature]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

## **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:

The existing back yard, which is mostly paved and has very poor drainage does not allow for beneficial use of the open space. The proposed new deck, while it does not increase the amount of open space, substantially improves its quality.

- 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 rear yard of 3 Hancock Place, which is bounded by a windowless brick facade at the rear and narrow alleys on both sides, suffers from poor drainage and limited access to sunlight. The proposed raised deck will create new, usable open space with more access to sunlight.

- 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:

Part of the proposed improvements to the back yard includes removing the existing impervious paving surfaces and replacing them with better draining surfaces. The proposed deck, which will be roughly 3 feet above grade, will not have any visual effect on any of the abutters.

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

The proposed deck moderately increases the size of an existing non-conforming deck in the sideyard setback, while dramatically improving it's usability.

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

SEA Application Form

REPORTING 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 applicant for the following reason:

The existing back yard, which is mostly paved and has very poor drainage does not allow for beneficial use of the open space. The proposed new deck while it does not increase the amount of open space, substantially improves its quality.

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 reason:

The rear yard of 2 Hancock Place, which is bounded by a windowless brick facade at the rear and narrow alleys on both sides, suffers from poor drainage and limited access to sunlight. The proposed raised deck will create new, usable open space with more access to sunlight.

DESIRABLE RELIEF MAY BE GRANTED WITHOUT EITHER:

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

Part of the proposed improvements to the back yard includes removing the existing in-ground paving surfaces and replacing them with better draining surfaces. The proposed deck, which will be roughly 3 feet above grade, will not have any visual effect on any of the adjacent

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

The proposed deck moderately increases the size of an existing non-conforming deck in the side yard setback, while substantially improving its usability.

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:** David Matheson**Present Use/Occupancy:** 2 Residential Units**Location:** 3 HANCOCK PL, Unit 1, Cambridge, MA**Zone:** Residence C-1 Zone**Phone:** 617-308-3037**Requested Use/Occupancy:** 2 Residential Units

		<b><u>Existing Conditions</u></b>	<b><u>Requested Conditions</u></b>	<b><u>Ordinance Requirements</u></b>	
<b><u>TOTAL GROSS FLOOR AREA:</u></b>		2057 GSF	2057 GSF	1426 GSF	(max.)
<b><u>LOT AREA:</u></b>		2057 GSF	2057 GSF	1070 GSF	(min.)
<b><u>RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup></u></b>		1.92	1.92	.75	
<b><u>LOT AREA OF EACH DWELLING UNIT</u></b>		713	713	1667	
<b><u>SIZE OF LOT:</u></b>	WIDTH	20	20	50	
	DEPTH	71'	71'	100	
<b><u>SETBACKS IN FEET:</u></b>	FRONT	10	10	18	
	REAR	9.75 / 26.25	9.75 / 26.25	20	
	LEFT SIDE	0 / 7'-2"	0 / 7'-2"	15	
	RIGHT SIDE	0 / 7.2	0 / 7.2	7.5'	
<b><u>SIZE OF BUILDING:</u></b>	HEIGHT	29	29	35	
	WIDTH	48.66'	48.66	33	
	LENGTH	20	20	30' max	
<b><u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u></b>		320	320	428	
<b><u>NO. OF DWELLING UNITS:</u></b>		2	2	3 max	
<b><u>NO. OF PARKING SPACES:</u></b>		0	0	1 per D.U.	
<b><u>NO. OF LOADING AREAS:</u></b>		0	0	NA	
<b><u>DISTANCE TO NEAREST BLDG. ON SAME LOT</u></b>		NA	NA	10	

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.:

None

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'.

### GENERAL NOTES

### PERMITTED DIMENSIONS

Application: 3 HANCOCK ST., Unit 1, Cambridge, MA  
 Location: 817-808-3017  
 Applicant: Residential Unit  
 Zoning: Residential C-1 Zone  
 Proposed Use: Residential Unit

Proposed	Existing	Permitted	Permitted	Permitted
1428 GSF	2024 GSF	2024 GSF	2024 GSF	2024 GSF
1070 SF	2024 GSF	2024 GSF	2024 GSF	2024 GSF
78	1.03	1.03	1.03	1.03
1887	712	712	712	712
80	20	20	20	20
100	21	21	21	21
18	18	18	18	18
20	0.2818822	0.2818822	0.2818822	0.2818822
18	0.17-21	0.17-21	0.17-21	0.17-21
78	0.17-21	0.17-21	0.17-21	0.17-21
38	20	20	20	20
38	20	20	20	20
20	20	20	20	20
150	20	20	20	20
150	200	200	200	200
3	2	2	2	2
1 or 1.5	0	0	0	0
1A	0	0	0	0
10	1A	1A	1A	1A

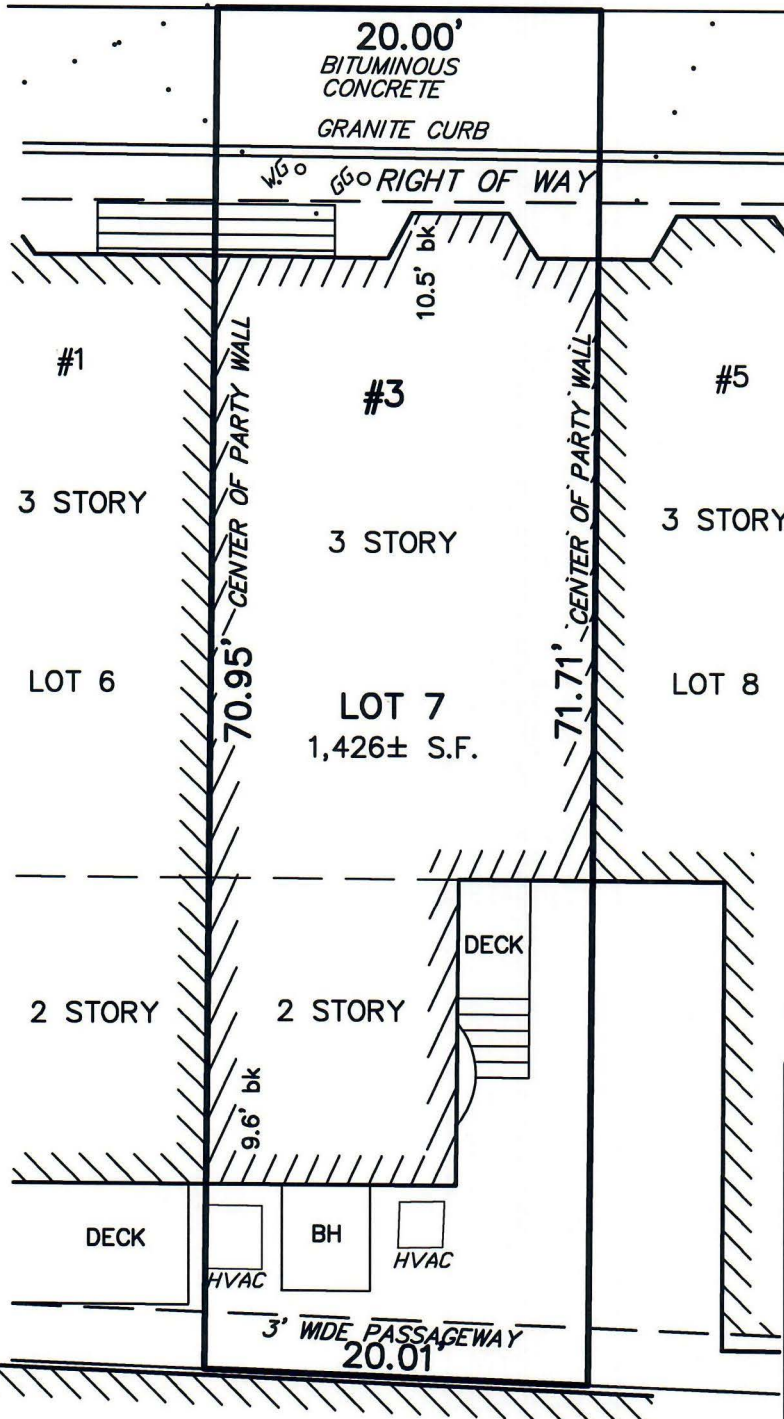
Describe where applicable, other occupancies on the same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g. wood frame, concrete, brick, steel, etc.

- 1. SEE CAMBRIDGE ZONING OR FINANCE ARTICLE 5.000, SECTION 5.00 (DISTRICT OF DIMENSIONAL REGULATIONS)
- 2. TOTAL GROSS FLOOR AREA INCLUDING BASEMENT 7'0" IN HEIGHT AND ALSO AREAS GREATER THAN 6'0" DIVIDED BY LOT AREA
- 3. OPEN SPACE SHALL NOT INCLUDE PARKING AREAS, WALKWAYS OR DRIVEWAYS AND SHALL HAVE A MINIMUM DIMENSION OF 10'

# HANCOCK PLACE

(PRIVATE - VARIABLE WIDTH)

UP



I HEREBY CERTIFY THAT THE BUILDING IS LOCATED AS SHOWN.

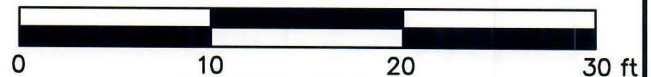
CLIFFORD E. ROBER, PLS      DATE

THIS PLAN MAY HAVE BEEN ALTERED IF THE SIGNATURE IS NOT SIGNED IN BLUE.

OWNER: 3 HANCOCK PLACE CONDOMINIUM

**PROPOSED PLOT PLAN  
#3 HANCOCK PLACE  
IN  
CAMBRIDGE, MA  
(MIDDLESEX COUNTY)**

SCALE: 1" = 10'      DATE: 1/18/2021



**ROBER SURVEY**  
1072A MASSACHUSETTS AVENUE  
ARLINGTON, MA 02476  
(781) 648-5533  
6361PP1.DWG





# 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: 3 Hancock Place, unit 1

Applicant: John Lodge

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:

Alter rear deck, not visible from public way.

Permit #202568

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 6623

Date of Certificate: December 5, 2022

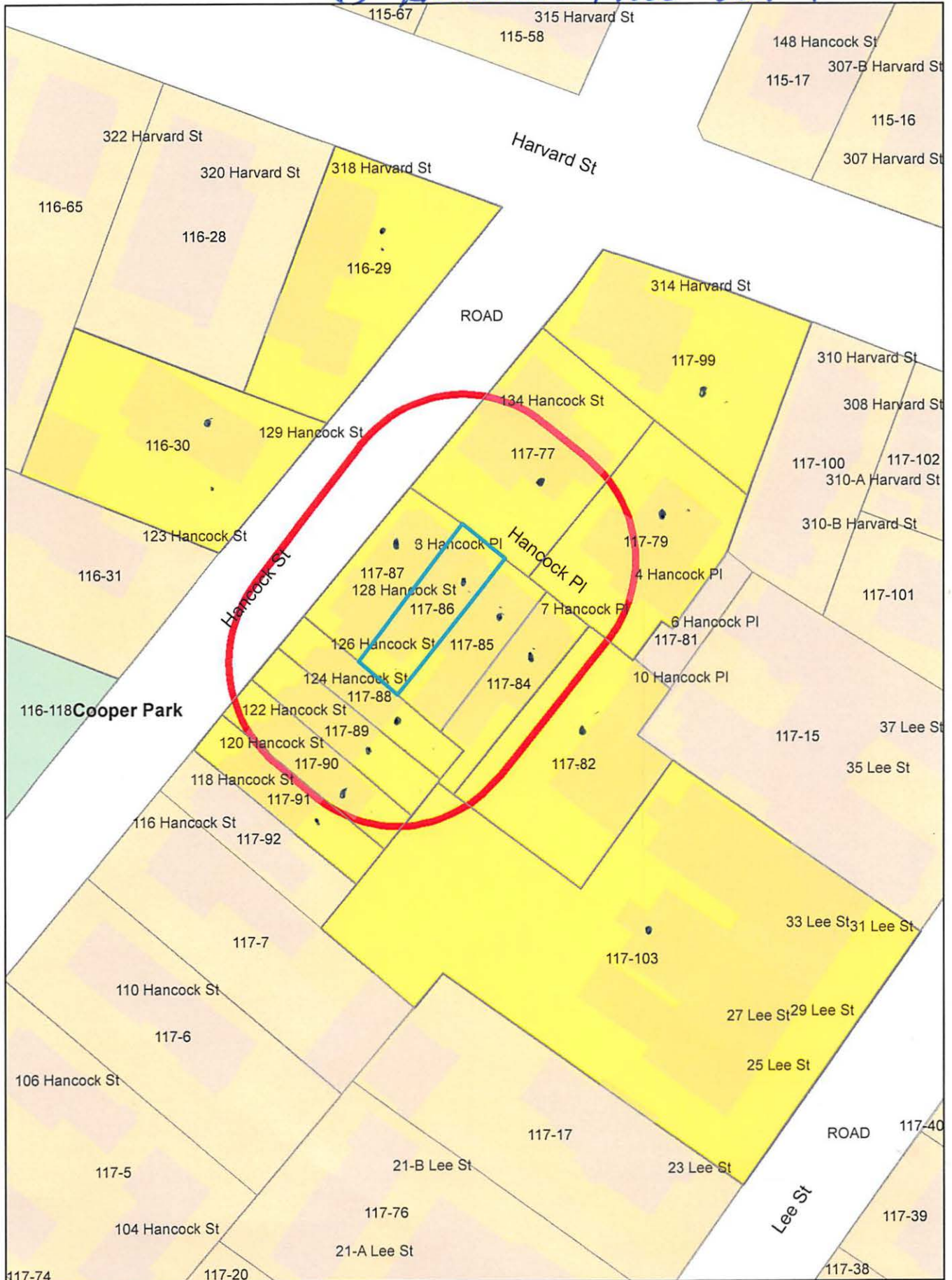
Attest: A true and correct copy of decision filed with the offices of the City Clerk and the Cambridge Historical Commission on December 5, 2022.

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:

# 3 Hancock Place Unit 1



3 Hancock pl.

Petitioner

117-79  
ZIEGLER, HERBERT O. & JUDITH F. ZIEGLER, TRS  
2 HANCOCK PL  
CAMBRIDGE, MA 02139

117-87  
KER, CYNTHIA Y.  
1 HANCOCK PL  
CAMBRIDGE, MA 02139

JOHN LODGE ARCHITECTS  
C/O JOHN LODGE  
56 ABERDEEN AVENUE  
CAMBRIDGE, MA 02138

117-103  
LEE STREET REALTY, INC.  
1259 BROADWAY  
SOMERVILLE, MA 02144-1723

117-82  
MUSSO, SIMONE  
10 HANCOCK PL, #3  
CAMBRIDGE, MA 02139

117-86  
MATHESON, DAVID H.  
3 HANCOCK PL UNIT #1  
CAMBRIDGE, MA 02139

117-99  
WALSH, REBECCA & NICHOLAS FUHRER  
314 HARAVARD ST  
CAMBRIDGE, MA 02139

117-82  
POSWOLSKY, JAY & SHEILA POSWOLSKY  
TRUSTEE, THE POSWOLSKY FAM REV TRS  
10 HANCOCK PL., #1  
CAMBRIDGE, MA 02139

117-84  
LAFERRIERI, MARTHA  
C/O MARTHA BIRNBAUM  
7 HANCOCK PLACE  
CAMBRIDGE, MA 02139

117-90  
MAZUR, DANIEL J. & SUSAN CHASEN  
122 HANCOCK ST  
CAMBRIDGE, MA 02139

116-30  
TENENBAUM, JOSHUA B. & MIRIAM BERNSTEIN  
129 HANCOCK ST  
CAMBRIDGE, MA 02139

116-29  
WILLIS, CHRISTOPHER B. &  
PAMELA DIEM WILLIS  
318 HARVARD ST  
CAMBRIDGE, MA 02139

117-85  
HUBBS, JED L.  
32 ANTRIM ST  
CAMBRIDGE, MA 02139

117-85  
COOPER, ROBERT PATRICK & JULIA YAO COOPER  
5 HANCOCK PL., UNIT #2  
CAMBRIDGE, MA 02139

117-86  
TRISUN LLC  
3 HANCOCK PL., #2  
CAMBRIDGE, MA 02139

117-88  
BIBBINS, M. WYLLIS, PATRICK O. BIBBINS  
EMILY I. SILAS, TRUSTEES  
126 HANCOCK ST  
CAMBRIDGE, MA 02139

117-77  
WALSH LILI  
7514 GERARD AVE  
LE JOLLA, CA 92037

117-89  
DIROT HANCOCK LLC  
130 MORTON ST  
NEWTON, MA 02459

117-91  
MANN, SUZANNE B.  
TR. OF 120 HANCOCK STREET TRUST  
120 HANCOCK STREET  
CAMBRIDGE, MA 02139-2206