



# 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:

56 Aberdeen Ave., Cambridge, MA

Tel. No.

617-308-3037

E-Mail Address:

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\*

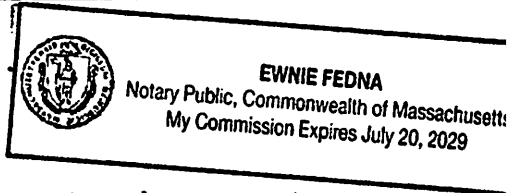
\*Written evidence of Agent's standing to represent petitioner may be requested.

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.

STATE OF TEXAS - DEPARTMENT OF HEALTH

THE BOARD OF HEALTH OF THE COUNTY OF ...

DO HEREBY CERTIFY THAT ...

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STATE OF TEXAS  
DEPARTMENT OF HEALTH  
COUNTY OF ...



... OF THE ...

## **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 1B.

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'.



3 Hancock Place Condominium Trust has only two units, unit 1 owned by David Matheson (who is applying for the permit) and Unit 2 which is owned by trisun llc, for whom I am the legal agent and representative. We in unit 2 are aware of the Mathesons' plan for the works and give our consent to them.

Siyin Qu   
Property manager for 3 HANCOCK U2





# City of Cambridge

MASSACHUSETTS

## BOARD OF ZONING APPEAL

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

### Board of Zoning Appeal Waiver Form

The Board of Zoning Appeal  
831 Mass Avenue  
Cambridge, MA 02139

RE: Case # BZA-202568

Address: 3 Hancock Place #1

Owner,  Petitioner, or  Representative:

John Lodge, Architect  
(Print Name)

2023 JAN 18 PM 3:29  
OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS

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:

1/13/23

Signature

[Signature]

1/18/23

1 \* \* \* \* \*

2 (9:35 p.m.)

3 Sitting Members: Brendan Sullivan, Jim Monteverde, Laura  
4 Wernick, Slater Anderson, and Wendy  
5 Leiserson

6 BRENDAN SULLIVAN: The Board will hear Case No.  
7 202568 -- 3 Hancock Place. Mr. Lodge?

8 [Pause]

9 BRENDAN SULLIVAN: John?

10 JOHN LODGE: Can you hear me?

11 BRENDAN SULLIVAN: Yes.

12 JOHN LODGE: Oh, great. Hi. My name is John  
13 Lodge, and I live at 56 Aberdeen Avenue. And I'm here  
14 representing Alex and Ellen and Dave Matheson, the owners of  
15 the ground-floor condominium at 3 Hancock Place.

16 We are coming before the Board tonight to request  
17 a variance to replace and increase the size of an existing  
18 rear deck. ISD would allow us to have the increased -- the  
19 larger deck -- as-of-right if we were to put the door out  
20 onto the deck on the rear façade of the building.

21 But what we'd like to do is to maintain the  
22 existing door, if you go to Z2 I think. Yeah. So if you --

1 so right now there's an existing door out onto the deck,  
2 which is off of this small hallway between the bedroom and  
3 the kitchen.

4 The problem with putting the door off the kitchen  
5 is that it takes out a lot of -- a lot of counter space in  
6 the existing kitchen, turning what could be sort of valuable  
7 kitchen space basically into circulation.

8 So what we'd like to do is to basically keep the  
9 door, replace the existing door out onto the existing  
10 landing and stairs, with a new door out onto the -- to the  
11 larger deck.

12 BRENDAN SULLIVAN: And the reason for the --  
13 probably obvious, but for the proposed deck?

14 JOHN LODGE: The reason for the proposed deck is  
15 to provide sort of more and better access to sunlight, fresh  
16 air, get the -- get some living -- some outdoor living space  
17 up off the ground and a little closer to the sky.

18 BRENDAN SULLIVAN: Okay. What is the -- I'm just  
19 looking at the drawing, John, Z3?

20 JOHN LODGE: Yeah.

21 BRENDAN SULLIVAN: The -- what is, oh we're  
22 talking -- okay, I'm sorry. I see it on Z2, actually. So

1 the proposed deck is 7'2" by 10'?

2 JOHN LODGE: Correct.

3 BRENDAN SULLIVAN: Okay.

4 JOHN LODGE: So I think it meets the criteria in  
5 the exception for setbacks, given that it's less than four  
6 feet off the ground and less than 10 feet from the  
7 foundation.

8 BRENDAN SULLIVAN: Okay. And what are you  
9 triggering that requires a variance?

10 JOHN LODGE: I think Olivia's point was that  
11 because we wanted the door off of the side elevation, it  
12 wasn't a rear deck anymore, it was a side deck.

13 BRENDAN SULLIVAN: Okay. They may be correct.  
14 They probably are. Okay. Let me open it to the members of  
15 the Board. Jim, any questions? Concerns?

16 JIM MONTEVERDE: Sorry. I was muted. I see on  
17 the survey it -- it says the owner is 3 Hancock Place  
18 Condominium?

19 JOHN LODGE: Correct.

20 JIM MONTEVERDE: Is your neighbor part of that  
21 condominium, No. 8 Hancock?

22 JOHN LODGE: No, the -- it's a two-unit

1 condominium --

2 JIM MONTEVERDE: Oh, okay.

3 JOHN LODGE: -- all in 3 Hancock Place, so --

4 JIM MONTEVERDE: Okay. And does your neighbor at  
5 No. 5 approve? Have they written in favor of what you're  
6 proposing?

7 JOHN LODGE: I believe -- so I believe there  
8 should be two letters to the file in favor.

9 BRENDAN SULLIVAN: There is.

10 JOHN LODGE: Okay.

11 JIM MONTEVERDE: Yeah, this isn't -- it's not in  
12 the electronic file, at least the one I'm looking at, but --

13 BRENDAN SULLIVAN: Yeah. It just came in this  
14 afternoon, actually.

15 JIM MONTEVERDE: That's okay. So if there is,  
16 that's fine. No. No further questions. Thank you.

17 BRENDAN SULLIVAN: Laura? Any questions,  
18 comments?

19 LAURA WERNICK: No questions. No questions.

20 BRENDAN SULLIVAN: Wendy, any comments?

21 WENDY LEISERSON: No questions.

22 BRENDAN SULLIVAN: Slater?

1 SLATER ANDERSON: No questions.

2 BRENDAN SULLIVAN: And I have no questions either.  
3 Let me open it to public comment. Any members of the public  
4 who wish to speak should now click the button that says,  
5 "Participants," and then click the button that says, "Raise  
6 hand."

7 If you are calling in by phone, you can raise your  
8 hand by pressing \*9 and unmute or mute by pressing \*6.

9 ROBERT COOPER: Hello?

10 BRENDAN SULLIVAN: Yes.

11 ROBERT COOPER: Yes. We are the abutters, the  
12 neighbors at 5 Hancock Place. We certainly didn't --

13 THE REPORTER: Could you give your name for the --

14 ROBERT COOPER: Oh, yes, I'm sorry. My name is  
15 Robert Cooper.

16 JULIA COOPER: And my name is Julia Cooper.

17 ROBERT COOPER: And we are the neighbors at 5  
18 Hancock Place. And we certainly didn't --

19 JULIA COOPER: Send in a letter of approval.

20 ROBERT COOPER: -- send in a letter. So, you  
21 know, we read the supporting statement and really were  
22 looking for some clarity, kind of I guess this goes back to

1 the size of the proposed deck is what our original, you  
2 know, question was around sort of its footprint, to make  
3 sure really that it doesn't impede access to our back door  
4 and our basement doors.

5           Again, it is a very narrow sort of way. And it's  
6 -- you know, in our -- in this sort of back area, it's the  
7 only door where we can sort of, you know, bring  
8 refrigerators and the like where the -- you know, the  
9 stairway, you know, going up is very direct.

10           But we want to -- but I guess, again, the concern,  
11 if you will, would be -- you know, what is the size of the  
12 proposed deck. Again, we read it. It said it would, you  
13 know, be enlarged.

14           We weren't so familiar with how they were going to  
15 do it. Just kind of learned about that tonight. But what  
16 -- you know, if it's -- you know, the size of what the deck  
17 is now, that's one thing. But --

18           JULIA COOPER: And also, the -- I don't know if  
19 Jed Hubbs is here; he is also the other condo owner in 5  
20 Hancock Place. But he did not tell me that he had sent a  
21 letter of approval on this. And I'd like to make sure that  
22 --

1           BRENDAN SULLIVAN: Yeah. Are there different  
2 condominium trusts in the building?

3           JULIA COOPER: No. 5 Hancock Place, we are one  
4 condominium trust. We're both -- one person from each unit  
5 is a trustee, and we're not allowed to do anything or, you  
6 know --

7           BRENDAN SULLIVAN: Okay. We have -- we have a  
8 letter, well I'll read the letter.

9           "3 Hancock Place Condominium Trust has only two  
10 units; Unit 1, owned by David Matheson, who is applying for  
11 the permit; and Unit 2, which is owned by Trisun LLC," T-r-  
12 i-s-u-n is it -- oh, LLC --

13          ROBERT COOPER: Brendan? Brendan?

14          BRENDAN SULLIVAN: -- sorry. "For whom I am the  
15 legal agent and representative. We in Unit 2 are aware of  
16 the Matheson plans for the works and give our consent to  
17 them."

18          So what the City requires is, if it's a  
19 condominium association, that the other owners of that  
20 association give their permission or comment.

21          JULIA COOPER: I see.

22          BRENDAN SULLIVAN: But I think what I'm hearing is



1 that you have a different condominium association for your  
2 particular two units?

3 ROBERT COOPER: That --

4 BRENDAN SULLIVAN: Is that?

5 ROBERT COOPER: Yes. Yes.

6 JULIA COOPER: Yeah.

7 ROBERT COOPER: I think the question was whether  
8 or not the neighbors, of which we were a neighbor -- I was  
9 addressing that we're at 5 Hancock Place. So.

10 JULIA COOPER: As a matter of fact, we have more  
11 impact because for 3 Hancock Place, I believe the upstairs  
12 doesn't really have many exclusive rights in the back.

13 BRENDAN SULLIVAN: All right. So --

14 JULIA COOPER: Whereas 5 --

15 BRENDAN SULLIVAN: -- so I guess what I'm also  
16 hearing is that you had no conversation prior regarding  
17 their proposal?

18 JULIA COOPER: No. Two years ago, we were told  
19 about many different things that they would like to do. And  
20 that was it.

21 BRENDAN SULLIVAN: All right. Well, this is --

22 John --

1 JOHN LODGE: I'm sorry, so --

2 BRENDAN SULLIVAN: Well, let me answer you. You  
3 had raised a question. So let me answer the question and  
4 John, you can correct me if I'm wrong.

5 ROBERT COOPER: Sure.

6 BRENDAN SULLIVAN: The existing deck comes off the  
7 house at 10'5.5". And it is 3'10" wide. So it's "46' wide.

8 JULIA COOPER: Mm-hm.

9 BRENDAN SULLIVAN: -- by 10'5" coming off the  
10 house. The existing deck will come off the house --

11 ROBERT COOPER: The new deck, the new deck.

12 BRENDAN SULLIVAN: At 10'. So it's 5.5" shorter

13 --

14 JULIA COOPER: Mm-hm.

15 BRENDAN SULLIVAN: -- but it is 7'2" wide.

16 ROBERT COOPER: Mm-hm.

17 BRENDAN SULLIVAN: So what is there now is 3'10".  
18 What is proposed is 7'2".

19 JULIA COOPER: So at least by the drawing, we  
20 would have a much-diminished access to our bulkhead door to  
21 the basement. And when I say "we" we're talking about both  
22 condominiums. We share.

1           BRENDAN SULLIVAN: Yeah, let me -- let me have  
2 Stephen pull up sheet Z2. Okay. So there if you can see  
3 the existing, if you would just -- and that, that is you at  
4 the top of that sheet?

5           JULIA COOPER: Exactly. And we don't -- it's a  
6 regular bulkhead. It's a --

7           BRENDAN SULLIVAN: Right.

8           JULIA COOPER: -- two-door, not a one-door. So  
9 I'm not quite sure --

10          BETTY SACCOCCIO: Right.

11          JULIA COOPER: -- the proportions of that.

12          BRENDAN SULLIVAN: Yep. And if you can scroll  
13 down a little, Steve, to what the existing deck is going to  
14 be? What their proposal is?

15          JULIA COOPER: Mm-hm.

16          ROBERT COOPER: So one thing to keep in mind is  
17 that it's the -- the stairs are on that side where the  
18 bulkhead is. So it's not -- the deck's not sort of full  
19 height there.

20          JULIA COOPER: Mm-hm. I understand, but it's more  
21 of -- it's more of the access.

22          As you know, with old houses, we have a lot of

1 windy stairs, it's very hard to get -- one anecdote was that  
2 we had to buy five refrigerators, we couldn't figure out how  
3 to get one up. And the bulkhead door to the basement is the  
4 only entrance and exit to all the condos that is actually  
5 eas -- we can get, like, larger furniture and things through  
6 that.

7 BRENDAN SULLIVAN: You know, I'm going to make a  
8 suggestion, and I'll let the other members of the Board  
9 chime in. But I think that I don't want Julia to feel  
10 pressured to make a, you know, either you agree or disagree  
11 tonight.

12 I think that you really need to review this a  
13 little bit more in depth. I think that John or the  
14 petitioner needs to possibly walk you through exactly what  
15 they are proposing.

16 And I don't want to do it tonight, because I think  
17 it needs to be done in a more relaxed fashion than, you  
18 know, within the next 15-20 minutes, because it's going to  
19 dramatically, potentially, affect you or not. But I think  
20 you should be at ease about that.

21 So I would suggest that we continue this matter so  
22 that you have discussions with, you know, Mr. Matheson and

1 whomever, and show you exactly what they're doing and how it  
2 may or may not affected you.

3 Other members of the Board, does that sound  
4 prudent?

5 WENDY LEISERSON: Yes.

6 JIM MONTEVERDE: Yeah. I agree.

7 BRENDAN SULLIVAN: Okay. So --

8 LAURA WERNICK: Yes.

9 BRENDAN SULLIVAN: So what I'm saying is I would  
10 continue this matter until February 23. And Jim, are you  
11 available February?

12 JIM MONTEVERDE: Yes.

13 BRENDAN SULLIVAN: I'm going to ask all members of  
14 the Board. Who is not available on February 23?

15 WENDY LEISERSON: This is Wendy --

16 JIM MONTEVERDE: Wendy.

17 BRENDAN SULLIVAN: Wendy, you're away on vacation.  
18 You have school vacation.

19 WENDY LEISERSON: Well, I am parenting, anyway.

20 BRENDAN SULLIVAN: Well, that's okay. That's all  
21 right. So March 9? We're here for that -- for Eighth  
22 Street, anyhow. So is everybody available, Board members,

1 for March 9?

2 JIM MONTEVERDE: Yes.

3 BRENDAN SULLIVAN: Okay. So I throw it back now  
4 to John or Mr. Matheson. Are you available on March 9?

5 JOHN LODGE: I'm available.

6 BRENDAN SULLIVAN: Okay. and you can speak for  
7 Mr. Matheson? Well --

8 JOHN LODGE: I think so, yeah.

9 BRENDAN SULLIVAN: Okay. And Julia, are you  
10 available then on the ninth?

11 JULIA COOPER: Oh, yes.

12 ROBERT COOPER: Yes.

13 JULIA COOPER: Yes.

14 ROBERT COOPER: Thank you.

15 JULIA COOPER: We would be.

16 BRENDAN SULLIVAN: Okay. And does what I'm  
17 proposing sort of make sense to you?

18 JULIA COOPER: Yes. I think what we wanted was  
19 clarification and to make sure. We're not saying "Don't  
20 build a porch. It's --"

21 BRENDAN SULLIVAN: Okay. Right. All right. And  
22 I think that we step aside from tonight, you have a chance

1 to review it and think about it, and then you can make your  
2 feelings known to the Board at that time.

3 JULIA COOPER: Okay.

4 BRENDAN SULLIVAN: So let me make a motion, then,  
5 to continue this matter to 03/09/2023 at 6:00 p.m. on the  
6 condition that the petitioner sign a waiver to the statutory  
7 requirement of a hearing and a decision to be rendered  
8 thereof, and that such waiver be in the file by one week  
9 from tonight, 5:00 p.m. one week from tonight. And we would  
10 ask John to submit that to Maria? And you can get a --

11 JOHN LODGE: Sure, sure.

12 BRENDAN SULLIVAN: -- copy and send it back and  
13 forth. And that the posting sign be changed to reflect the  
14 new date of 03/09/2023, and the time of 6:00 p.m., and that  
15 such signage be maintained at least 14 days prior to the  
16 03/09 hearing.

17 Any new submittals in the file, drawings,  
18 supporting statements or dimensional form be in the file by  
19 5:00 p.m. on the Monday prior to the 03/09/2023 hearing.

20 On the motion, then, to continue this matter, Jim  
21 Monteverde?

22 JIM MONTEVERDE: In favor.

1 BRENDAN SULLIVAN: Laura Wernick?

2 LAURA WERNICK: In favor.

3 BRENDAN SULLIVAN: Wendy Leiserson?

4 WENDY LEISERSON: In favor.

5 BRENDAN SULLIVAN: Slater Anderson?

6 SLATER ANDERSON: In favor.

7 BRENDAN SULLIVAN: And Brendan Sullivan yes.

8 [All vote YES]

9 BRENDAN SULLIVAN: Five affirmative votes; this  
10 matter is continued to 03/09/2023. Okay. See you all then.

11 JIM MONTEVERDE: Thank you. Goodnight.

12 JOHN LODGE: Thank you.

13 SLATER ANDERSON: No goodnight.

14 LAURA WERNICK: Goodnight.

15 WENDY LEISERSON: Goodnight.

16 BRENDAN SULLIVAN: Goodnight. And I think that  
17 concludes tonight.

18 WENDY LEISERSON: Thank you, Mr. Chair.

19 JIM MONTEVERDE: Yep. Thank you.

20 BRENDAN SULLIVAN: All right.

21 WENDY LEISERSON: Jim, I hope you feel better.

22 BRENDAN SULLIVAN: Yes.





John Lodge <john@johnlodgearchitects.com>

---

## Meeting minutes January 21 (apologies if this is a re-send, I thought I had sent it several days ago)

---

Matheson, Dave <matheson.dave@advisor.bcg.com>

Mon, Jan 30, 2023 at 11:29 AM

To: Julie Cooper <jyaocooper@gmail.com>, "jedhubbs@gmail.com" <jedhubbs@gmail.com>, Sisy Qu <anxinmngt@gmail.com>, Alexander Matheson <alexandermatheson@gmail.com>, "Ellen Purple Bus (mathesonek@gmail.com)" <mathesonek@gmail.com>, John Lodge <john@johnlodgearchitects.com>

The owners of 5 Hancock Place, Julie Yao/ Robert Cooper (Unit 2) and Jed Hubbs (unit 1) met with David Ellen and Alex Matheson and their architect John Lodge to discuss the plans for the courtyard associated with the Matheson's renovation of unit 1 of 3 Hancock Place. The representative of the owner of unit 2 of #3, Sisy Qu, had indicated that she would be agreeable to the outcome of the meeting of the other three.

This meeting followed the January 12 hearing of the Cambridge Zoning Board of Appeals at which Julie and Robert had expressed concern about the impact of the proposed deck on their ability to use their bulkhead entrance to move large items such as refrigerators into their unit.

Dave noted the legal context which was that there was an approved plan for the deck, to which he had requested a variance from the ZBA so as to obtain approval to move the door location to the side entrance. However recognizing the potential inconvenience for ready access to the bulkhead, the Mathesons presented a plan that reduced the size of the deck by about 12 sq ft and moved the stairs to the side away from the bulkhead, allowing much easier access. Attached please find four versions of the plan for the deck, including the original approved, the version submitted to the ZBA with the variance request, and this version.

The parties then looked at how this plan would work out on the ground, measuring the distances and placing items to represent the edges of the deck. This addressed the great bulk of the access issue, however was not fully satisfactory to Julie and Robert. After some further dialog Matheson proposed moving the deck back a further 3 inches so that the front line of the deck would align directly with the inner edge of the bulkhead entry.

This is represented in the fourth version of the plan. Julie and Robert stated that they wanted to discuss this further among themselves and get back to the other parties.

The parties also discussed the grading plan for drainage. Dave described this as adding 2-3" to the height of the inner edge of the courtyard and replacing the current impermeable asphalt surface with permeable pea stone or gravel and pavers under the deck. To be paid for on a shared basis by the Unit 1 owners.

They further discussed the repair of the access stairs, gutter work and clapboarding on the #5 side of the courtyard. All agreed this repair was necessary prior to repainting.

Matheson repeated his offer to pay for the repainting of the entire area, if #5 was able to complete the repair timely for that work to be done when the #3 work was completed.

(Likely late spring.)

Sent from my iPad

---

The Boston Consulting Group, Inc.

This e-mail message may contain confidential and/or privileged information. If you are not an addressee or otherwise

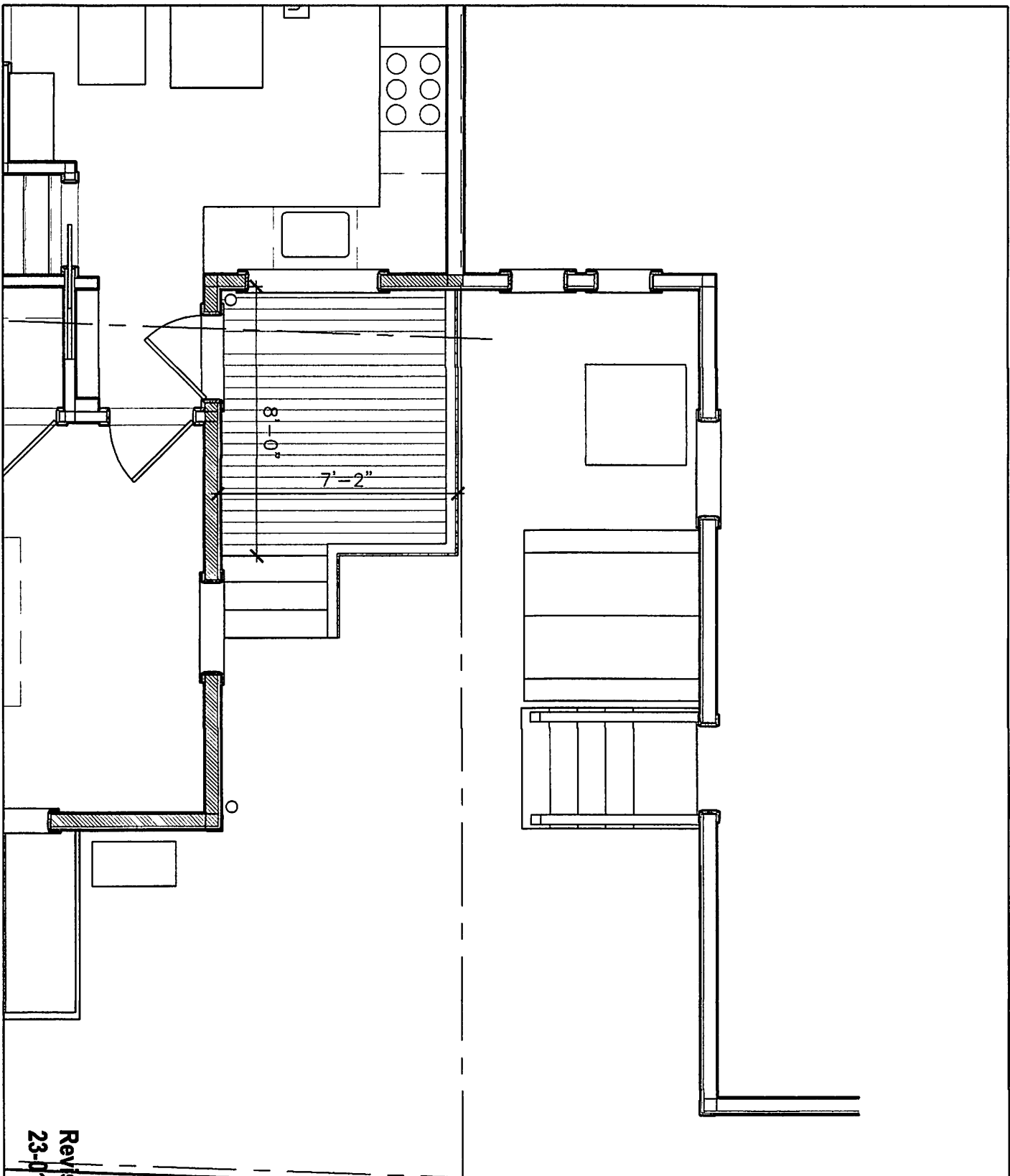
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Thank you.

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 **Deck Redesign.pdf**  
201K



Revisions Based on  
23-01-21 Site Visit

3 Hancock Pl.  
Cambridge, MA

| No. | Date | Revisions |
|-----|------|-----------|
| 1   |      |           |
| 2   |      |           |
| 3   |      |           |
| 4   |      |           |
| 5   |      |           |
| 6   |      |           |

Project No.: 1906.01  
Date: 23-01-21  
Scale: 1/4" = 1'-0"

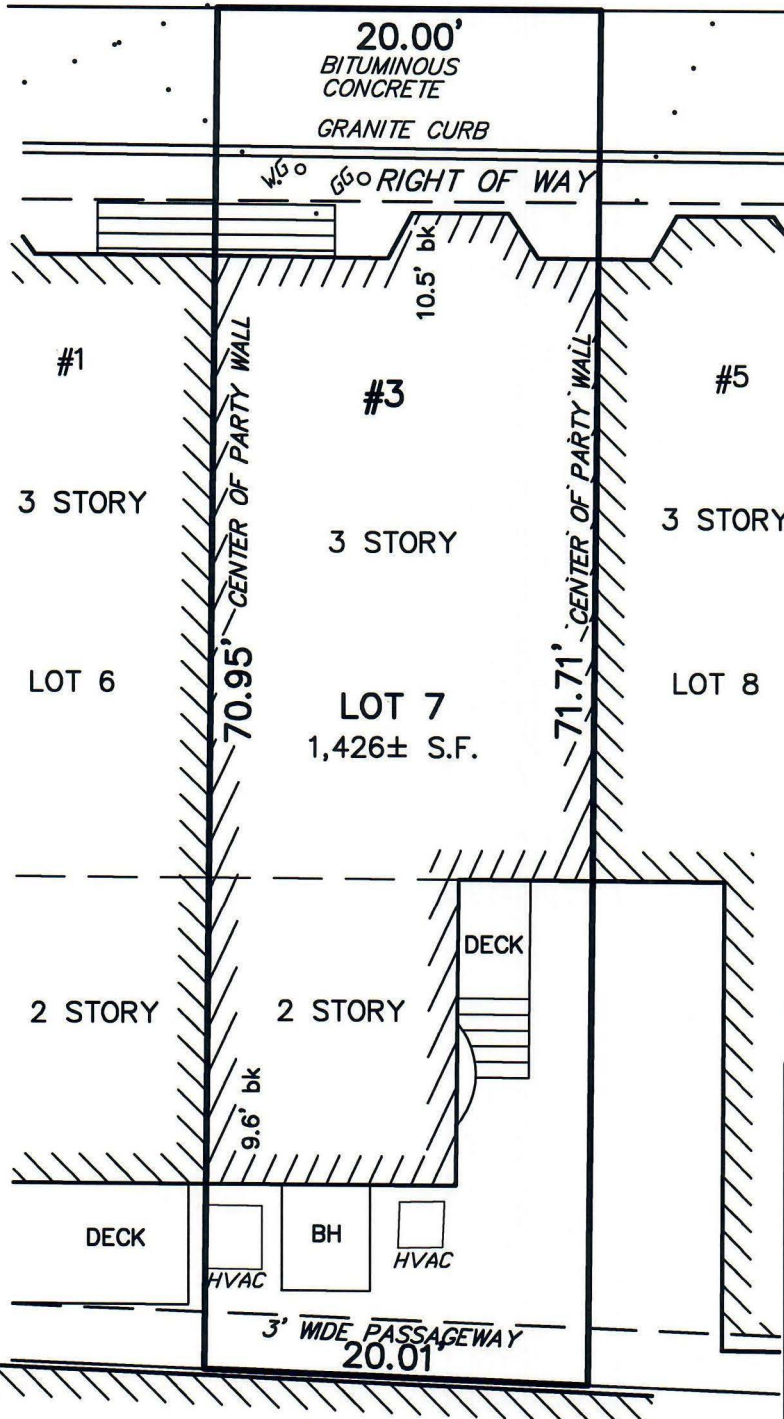
**Revised Deck Plan**

**John Lodge Architects**  
56 Aberdeen Ave. Cambridge, MA 02138  
T: 617.308.3037  
E: John@JohnLodgeArchitects.com

# 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.

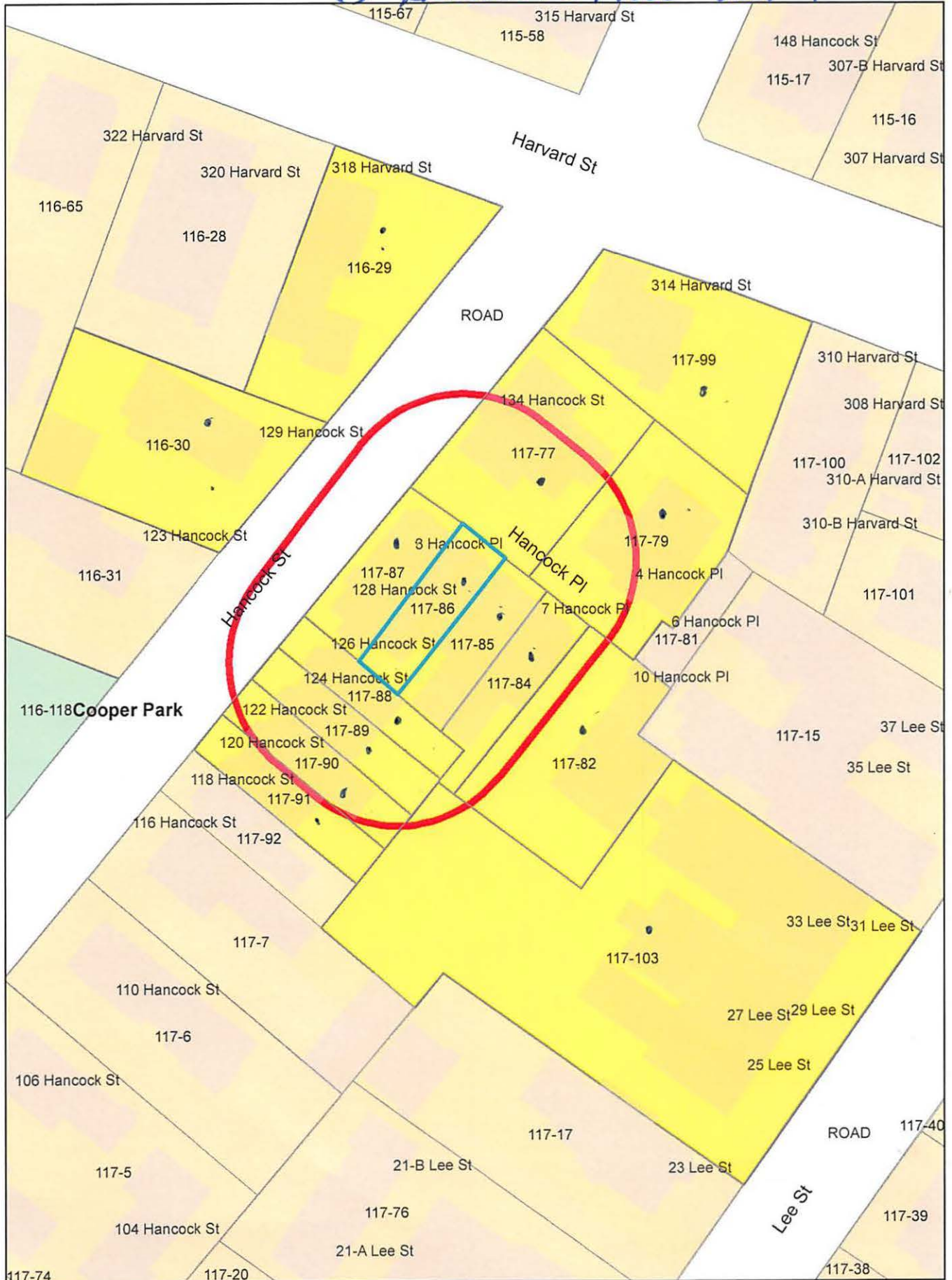
By Tony Hsiao/aac, Chair

\*\*\*\*\*

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

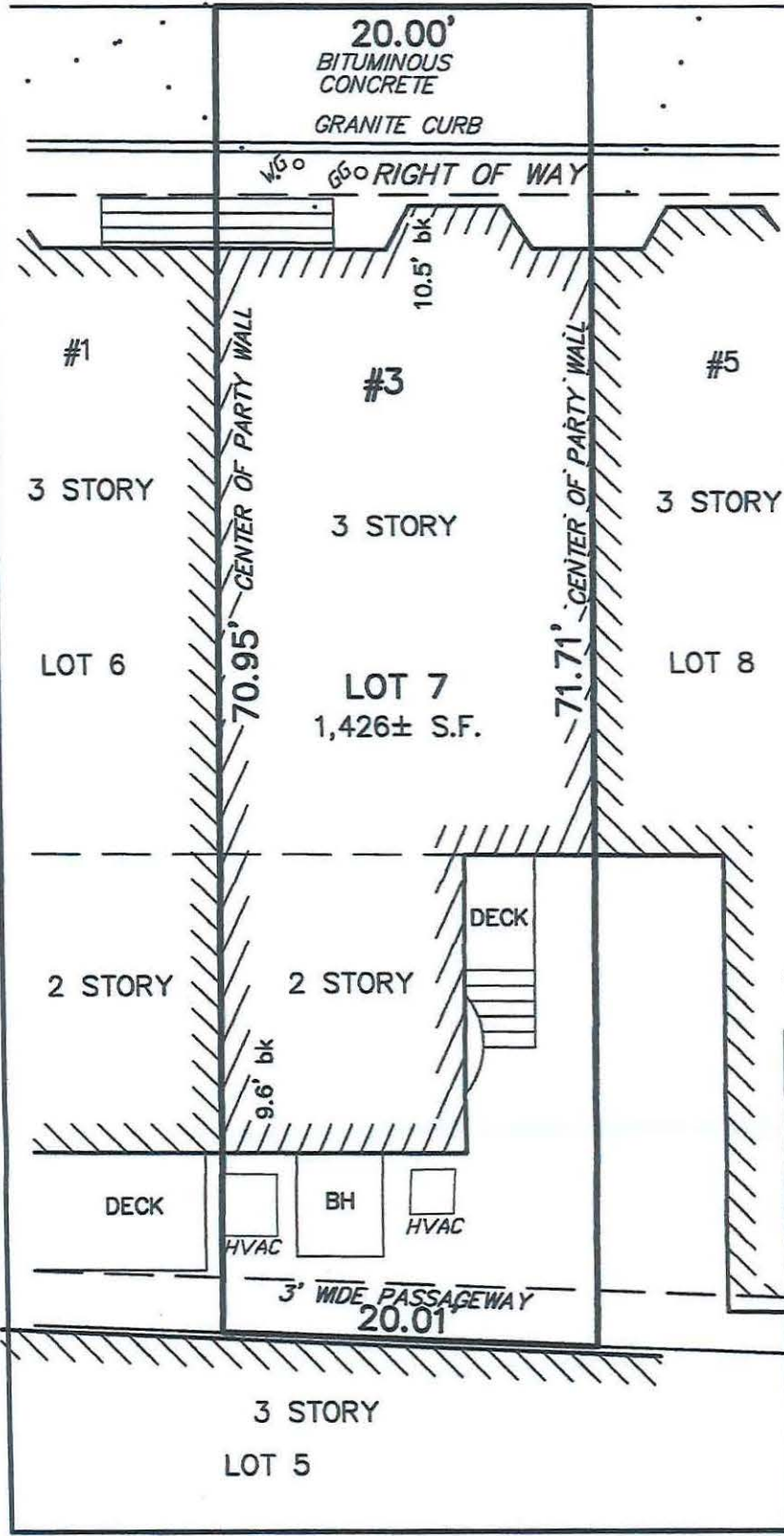
117-89  
DIROT HANCOCK LLC  
130 MORTON ST  
NEWTON, MA 02459

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



# HANCOCK PLACE

(PRIVATE - VARIABLE WIDTH)



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

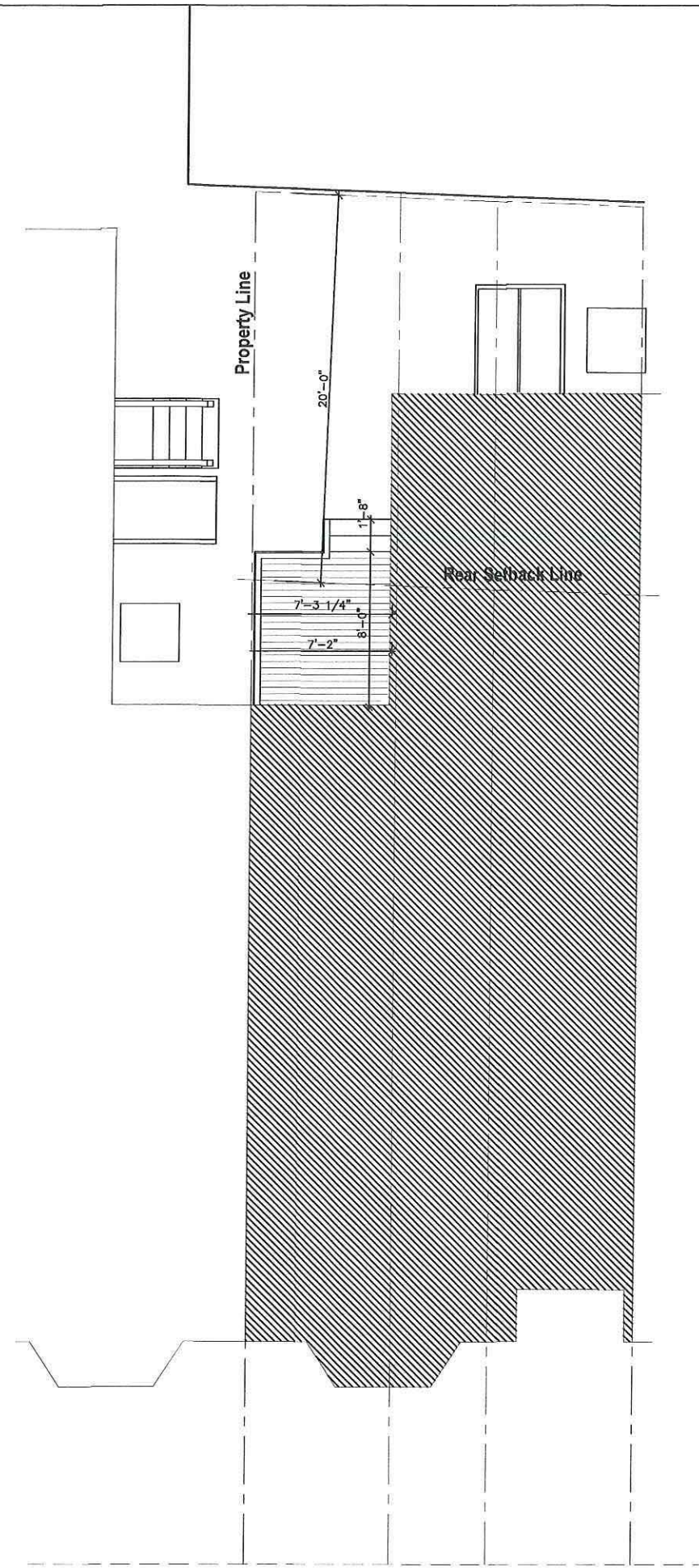
CITY OF CAMBRIDGE  
INSPECTIONAL SERVICES  
2023 MAR - 6 P 1:11



**Zoning Requirements**

|                                                     |                          |
|-----------------------------------------------------|--------------------------|
| District                                            | C-1                      |
| Max. FAR (j)                                        | .75                      |
| Min. Lot Size                                       | 5,000 S.F.               |
| Min. Lot Area / D.U.                                | 1,500 S.F.               |
| Min. Lot Width                                      | 50 Ft.                   |
| Min. Front Yard (a)                                 | H+L / 4 = 18'            |
| Min. Side Yard (n)                                  | H+L / 5 = 15'            |
| Min. Rear Yd. (c)                                   | H+L / 4 = 18' (20' Min.) |
| Max. Hgt.                                           | 35 Ft.                   |
| Min. Open Space                                     | 30%                      |
| (a) Measured from centerline of street              |                          |
| (c) 20' + 1' per 4' of depth over 100', Max. of 30' |                          |

| 3 Hancock Place        | Existing       | Proposed         |
|------------------------|----------------|------------------|
| Total Lot Area         | 1,426 SF       | No Change        |
| GSF                    | 2,154 SF       | No Change        |
| Allowable @ .75 FAR    | 1,070 SF       |                  |
| Open Space             | 320 SF - 22.5% | No Change        |
| Open Space - Permeable | 0 SF - 22.5%   | 320 S.F. - 22.5% |
| No. of Units           | 2 Units        | No Change        |
| Parking Spaces         | 0              | No Change        |
| 1st Floor              | 865 SF         | No Change        |
| 2nd Floor              | 865 SF         | No Change        |
| 3rd Floor              | 424 SF         | No Change        |



**John Lodge Architects**  
 56 Aberdeen Ave.  
 Cambridge, MA 02138  
 T: 617.308.3037  
 E: John@JohnLodgeArchitects.com

**Zoning Worksheet /  
 Site Plan  
 03-06-23**

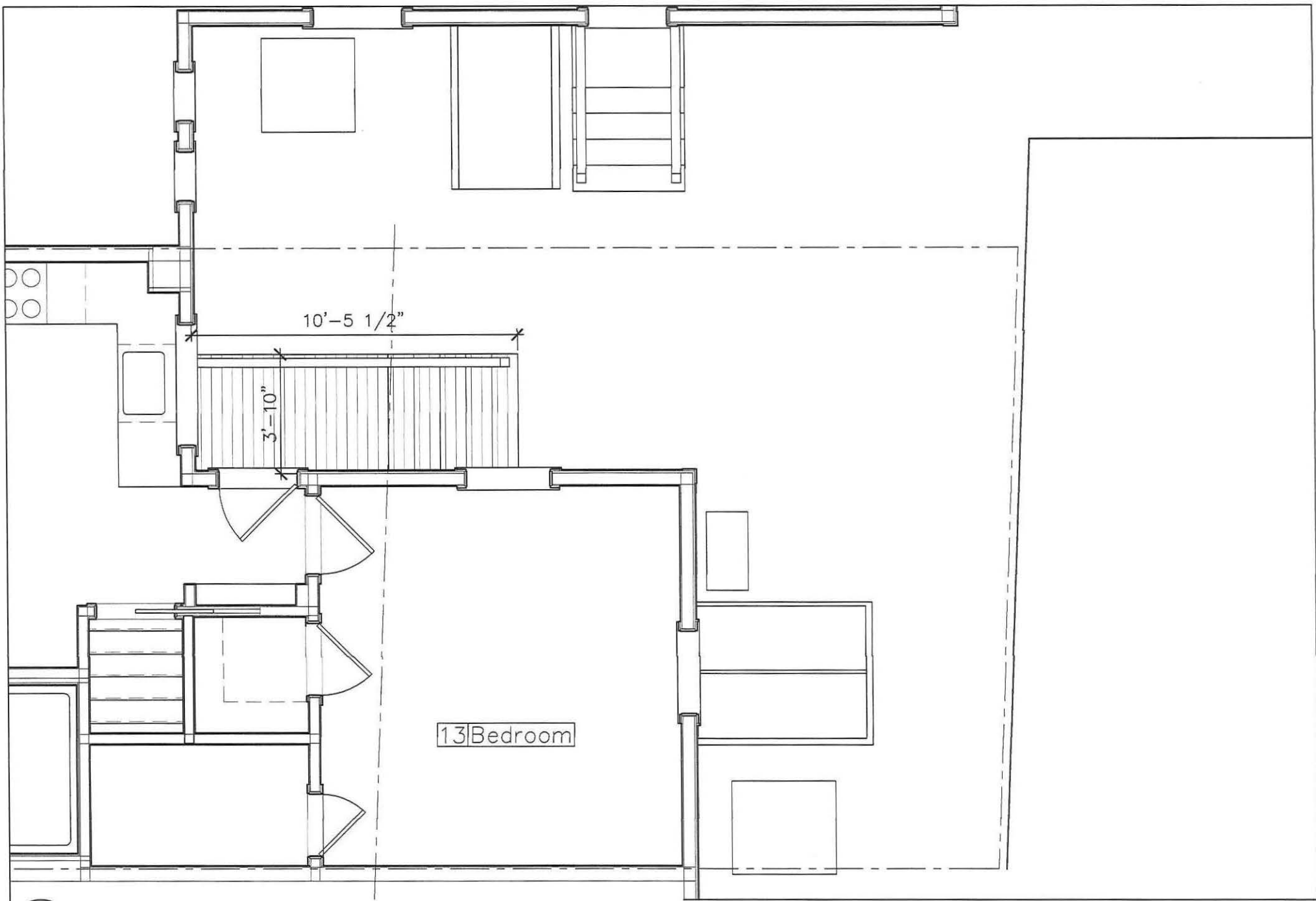
Project No.: 1906.01  
 Date: 12-07-22  
 Scale:

| Revisions |      |
|-----------|------|
| No.       | Date |
| 1         |      |
| 2         |      |
| 3         |      |
| 4         |      |
| 5         |      |
| 6         |      |

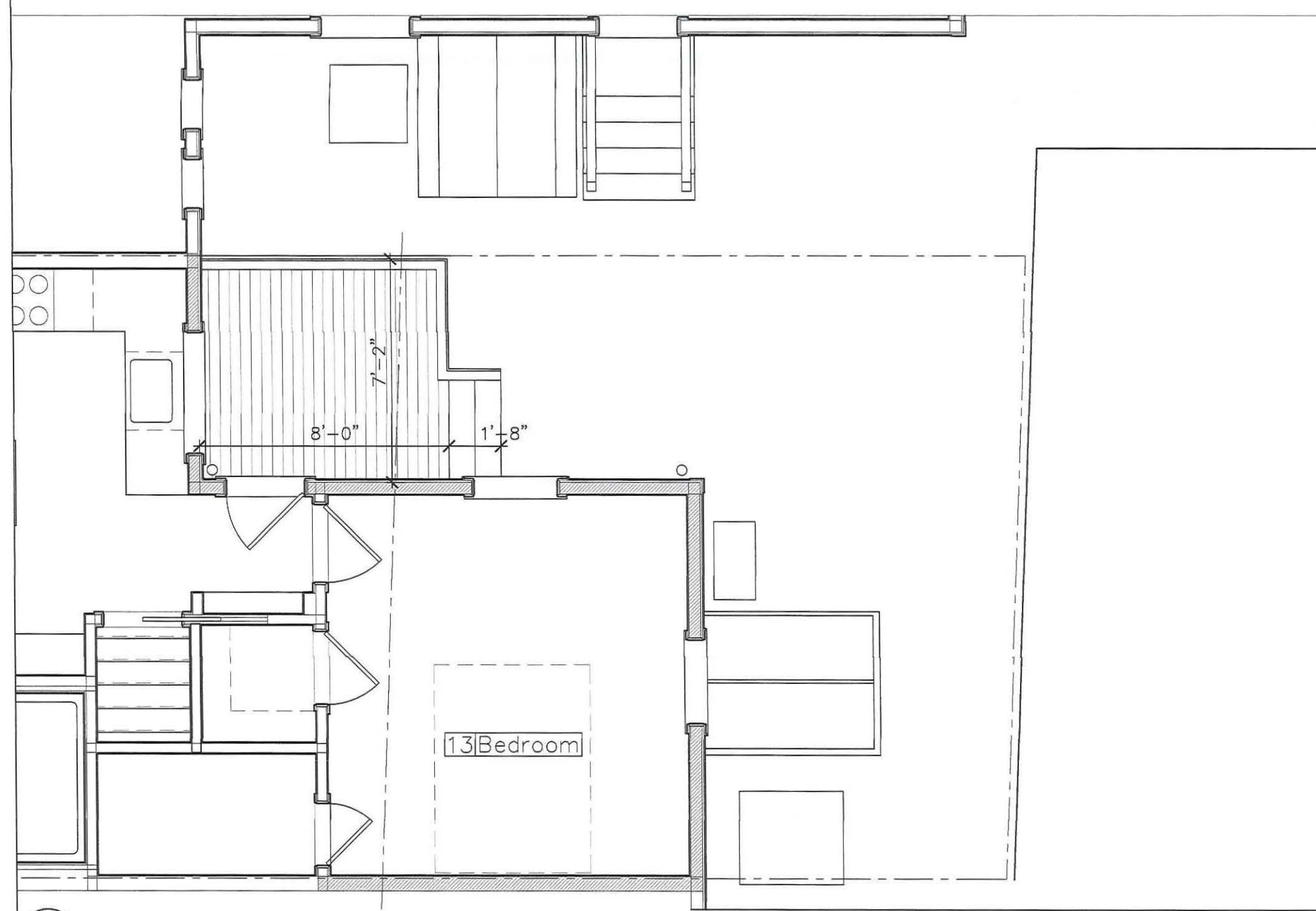
**3 Hancock Pl.  
 Cambridge, MA**

**Z-1**





Existing Deck



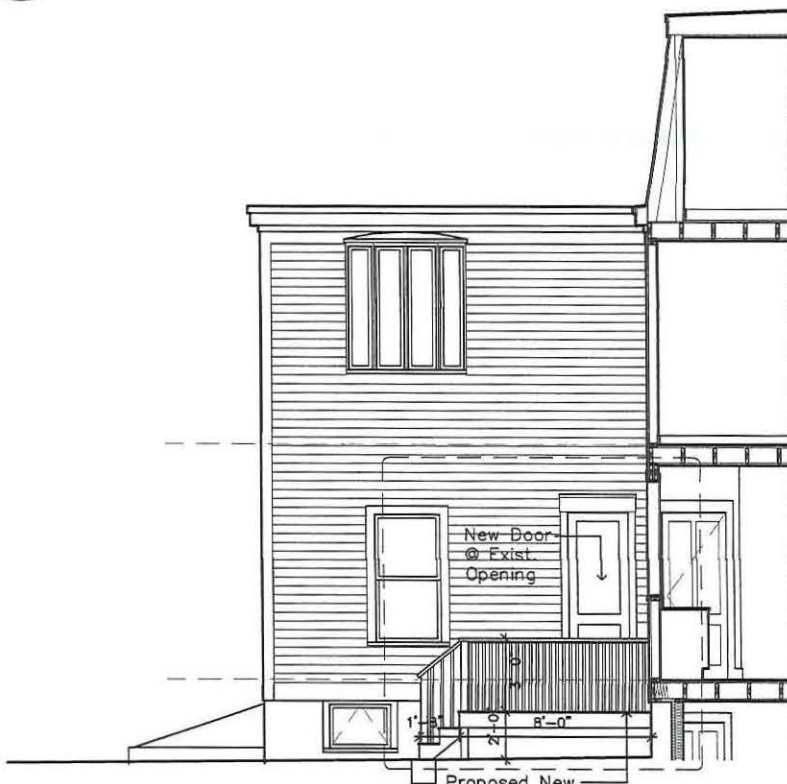
Proposed Deck



Existing Side Elevation



Existing Rear Elevation



Proposed Side Elevation



Proposed Rear Elevation

Z-3

3 Hancock Pl.  
 Cambridge, MA

| No. | Date | Revisions |
|-----|------|-----------|
| 6   |      |           |
| 5   |      |           |
| 4   |      |           |
| 3   |      |           |
| 2   |      |           |
| 1   |      |           |

Project No.: 1906.01  
 Date: 12-07-22  
 Scale:

Zoning - Ex. Elevations  
 Proposed Elevations  
 03-06-23

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# 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: John Lodge Date: 12/21/22  
(Print)

Address: 3 Hancock place #1

Case No. BZA-202568

Hearing Date: 1/12/23

Thank you,  
Bza Members