

CITY OF CAMBRIDGE BOARD OF ZONING APPEAL 831 Massachusetts Avenue, Cambridge MA 02139

617-349-6100

BZA Application Form

BZA Number: 191571

General Information

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

The undersigned	nercby pennons	the Board of Zoriii	g Appeal loi	uic ioliowiii	9.	Y14) 1	
Special Permit: _		Variance:	<u> </u>		Appeal:	100	
PETITIONER: Y	ao Wu						
PETITIONER'S A	ADDRESS: 44 M	ay Street, Cambride	ge, MA 0213	38			
LOCATION OF F	ROPERTY: 44 N	<u> lay St , Cambridge</u>	<u>e, MA</u>				
TYPE OF OCCU	PANCY: 3-Unit C	<u>Condo</u>	ZONIN	G DISTRICT	ն: <u>Residence</u>	e C-1 Zone	
	ns as emotional s	support animals for		h autism/			
The ISD letter da Ordinance, livesto the city revoke the to bring them bac	ted June 15, 202 ock is not allowed e order issued in k, for they were ç	2 stated that "Pursu d in the city. Please the letter which pro gifts from a dear frie scuss conditions for	uant to Article cease and co hibits our keend of my au	desist this ac eeping of chi itistic son to	ctivity immed ckens in the	diately." I'm red backyard and a	uestin
		2 stated that "Pursu I in the city. Please					9_
SECTIONS OF Z	ONING ORDINA	NCE CITED:					
Article: 4.000 Article: 10.000	Section: 4.30 (7 Section: 10.30	「able of Use Regula (Variance).	ations)				
		Original Signature(s): Address:	 bux May	YAC Street.	titioner (s) / WU (Print Nam		_ <u>13</u> 8
		Tel. No.	20353542	18		/	

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 Yav Wu	
Address: 44 May Street, Cambridge	e MA
State that I/We own the property located at	
which is the subject of this zoning application	
The record title of this property is in the nam	e of YAO WU
*Pursuant to a deed of duly recorded in the dat County Registry of Deeds at Book 76317 , P	145 71 m
Middlesex Registry District of Land Court, Cert	tificate No
Book Page	JES ,
	BY LAND OWNER OR
AUTHORIZED	TRUSTEE, OFFICER OR AGENT*
*Written evidence of Agent's standing to repres	ent petitioner may be requested.
Commonwealth of Massachusetts, County of Mid	Alesex
	personally appeared before me,
The above-hame 14,5 00 x	personally appeared before me,
this John of July, 2022, and made oath t	Notary
My commission expires 10-13-2028	(Notary Sear)
 If ownership is not shown in recorded deed, deed, or inheritance, please include documen 	e.g. if by court order, recent tation.



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:

I am a single mother with a 8-year-old boy whose name is Andy. Andy was diagnosed with autism 4 years ago and has not seen his father for three years. The hens were gifted by a friend who is his father figure.

It has been an emotional hardship for Andy since I had to send the chickens away. He used to take the responsibility to feed them in the morning, play with them in the after noon and pick up eggs. He used to be very proud of them, showing his friends how to pet them and writing about them in his English class. Andy went through ABA therapy and still has IEP at school. These animals meant a lot to him and helped him build confidence, routine, and a sense of responsibility. His teachers at school noticed this and commented on his behavioral and academic improvement, which I quote here "the positive behaviors are indeed related to the responsibility but also a very real connection that he is making with the animals". Now with the coop empty, he is deeply saddened and literally asks me every day if I hear back from the City. He cannot understand why he was deprived of the animals by the City.

I chose to be a Cambridge resident and home owner precisely because the City's support and care for children with special needs. Therefore, I'm advocating that Andy has the right to accommodate his emotional support animals in our own property.

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:

Non applicable

. . . 7 %

B)

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:

I'm building a fence between my yard and my next door neighbor and setting rodent-proof feeder. I don't have neighbors at the side of my property where the chicken coop is located. There is no rooster. They only make noises comparable to the birds in our neighborhood. I'm sharing eggs with my neighboors from time to time and compost their excrement to enrich the soil.

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

The order was given based on the fact that raising chickens is not listed in table 4.30 (table of use regulations). If this holds, then for the same reason residents are not allowed to keep dogs/cats, because this is not listed in the table 4.30 either. In my opinion, keeping pets/emotional support animals is assumed to be included in residential uses (family dwelling). Therefore, my request does not nullify/derogate from the intent/purpose of this Ordinance.

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

E-Mail Address: debbywy@gmail.com

Date:		

BZA Application Form

DIMENSIONAL INFORMATION

Applicant: Yao Wu

Present Use/Occupancy: 3-Unit Condo

Location:

44 May St , Cambridge, MA

Zone: Residence C-1 Zone

Phone:

2035354218

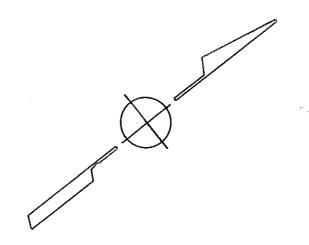
Requested Use/Occupancy: 3 Unit Condo

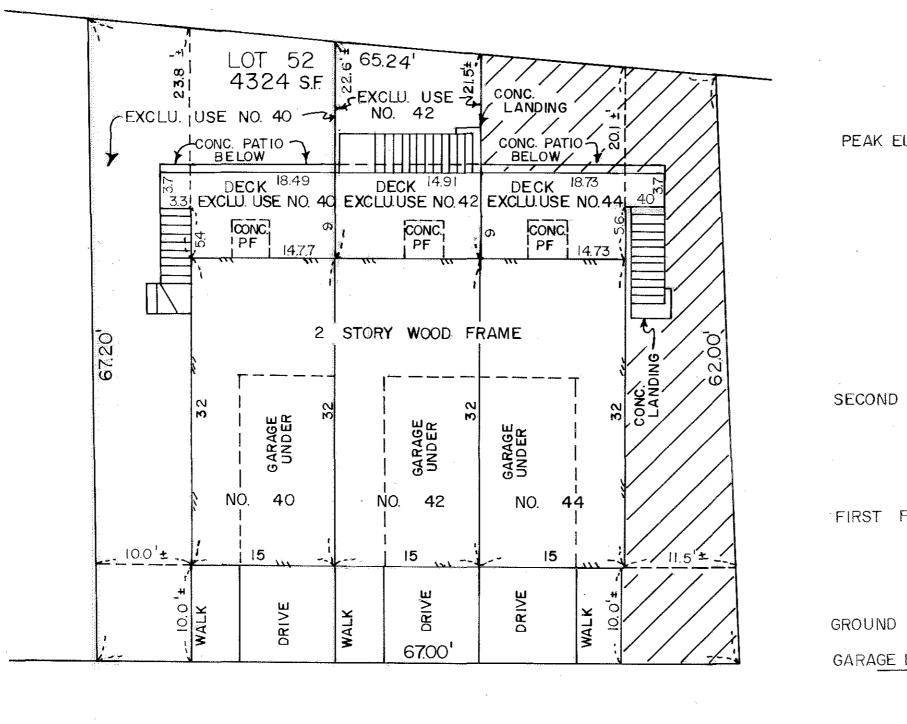
		Existing Conditions	Requested Conditions	Ordinance Requirements	
TOTAL GROSS FLOOR AREA:	1	NA	NA	NA	(max.)
LOT AREA:		NA	NA	NA	(min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: ²		NA	NA	NA	
LOT AREA OF EACH DWELLING UNIT		NA	NA	NA	
SIZE OF LOT:	WIDTH	NA	NA	NA	
	DEPTH	NA	NA	NA	
SETBACKS IN FEET:	FRONT	NA	NA	NA	
	REAR	NA	NA	NA	
	LEFT SIDE	NA	NA	NA	
	RIGHT SIDE	NA	NA	NA	
SIZE OF BUILDING:	HEIGHT	NA NA	NA	NA	
	WIDTH	NA	NA	NA	
	LENGTH	NA	NA	NA	
RATIO OF USABLE OPEN SPACE TO LOT AREA:		NA	NA	NA	
NO. OF DWELLING UNITS:		NA	NA	NA	
NO. OF PARKING SPACES:		NA	NA	NA	
NO. OF LOADING AREAS:		NA	NA	NA	
DISTANCE TO NEAREST BLDG, ON SAME LOT		NA	NA	NA	

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.:

NA

- 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'.





PEAK ELEV 8710 ELEV. 74.16 SECOND FLR ELEV. 65.26 FIRST FLR. ELEV. 56.35 GROUND FLR. GARAGE ELEV. 55.89

> **ELEVATION** (NTS)

MAY

(VARIABLE WIDTH) ST.

/// COMMON AREA WALKS AND DRIVES EXCLU. USE TO RESPECTIVE UNITS

SURVEY MADE FROM EXISTING BOUNDARIES (C.L.F.) WHICH CORRESPONDS TO THE DEED DESCRIPTION. ENGINEERING DATA NOT AVAILABLE

PLAN

OF DEEDS.

I CERTIFY THAT THIS PLAN CONFORMS TO

THE RULES AND REGULATIONS OF THE REG.

Middlesex Registry of Deeds, Southern District Cambridge, Masşachusetts Plan No 692 (1 of 2) of 1989 Rec'dJune 29 19 89 atilhizmAm Doc No.264 Rec'd, Bk/9909Page 452

Attest

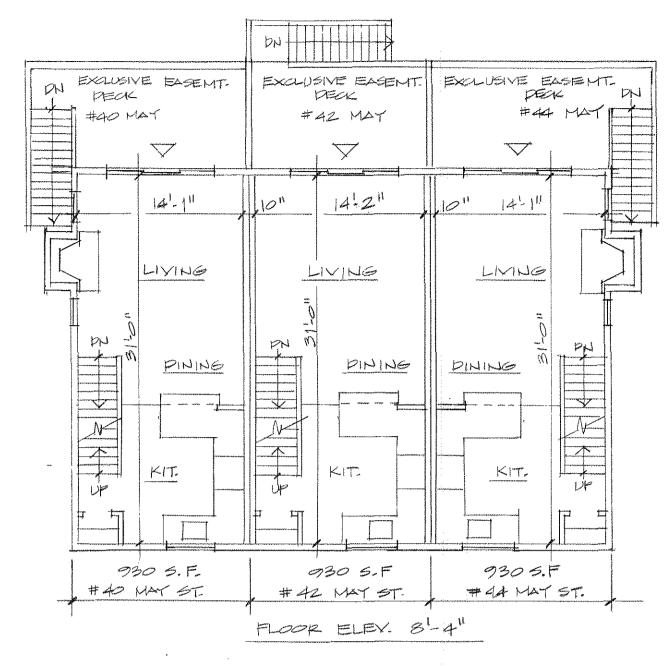
I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDINGS AS BUILT AND FULLY LIST THE UNITS CONTAINED THEREIN

I ALSO CERTIFY THAT THE LOCATION OF THE BUILDINGS SHOWN ON THIS PLAN COMPLIES WITH THE BUILDINGS ZONING LAWS APPLICABLE AT THE TIME OF CONSTRUCTION. THE PREMISES SHOWN ON THIS PLAN ARE NOT WITHIN THE FLOOD HAZARD ZONE AS DELINEATED ON MAPS OF THE COMMUNITY.

DATE

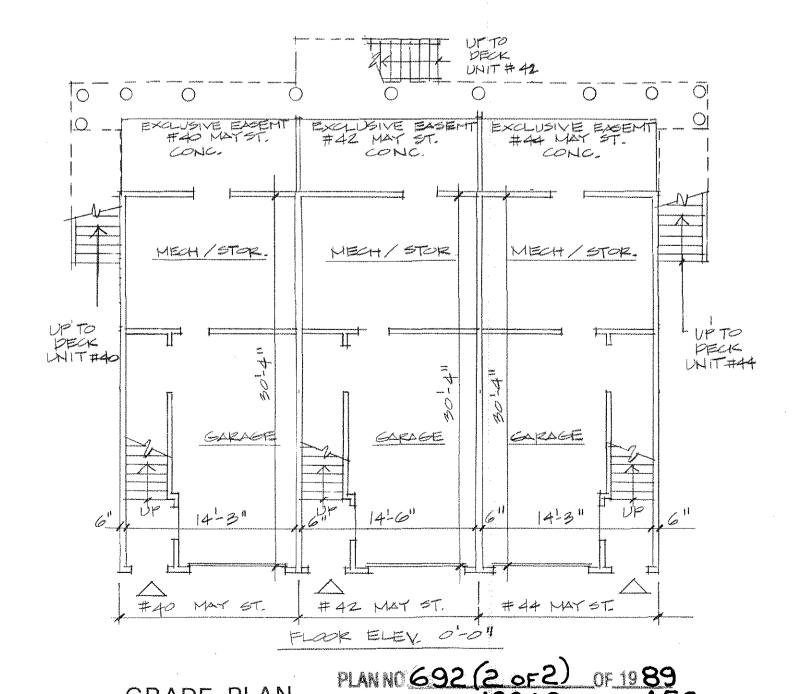
SITE PLAN OF MAY STREET CONDOMINIUM NO. 40, 42, & 44 MAY ST. CAMBRIDGE, MASS.

SCALE: |"=10" JUNE 28,989 ALBERT A. ROMANO - SURVEYOR



FIRST FLOOR PLAN

GRADE PLAN



HAD HAY ST. #44 MAY ST. #44 MAY ST.

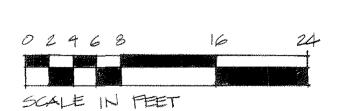
SECOND FLOOR PLAN

The building shown hereon is located at 40,42, and 44 May Street, Cambridge, Massachusetts, and the building has no name.

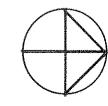
I hereby certify that this plan fully and accur ately depicts the layout, the location, unit designation and dimensions of the units as built.

I hereby certify that this plan conforms with the rules and regulations of the Register of Deeds of The Commonwealth of Massachusetts.





Manen A Daniel



FLOOR PLANS- SHEET 1 OF 1 CONDOMINIUMS AT 40, 42, AND 44 MAY STREET, CAMBRIDGE, MA



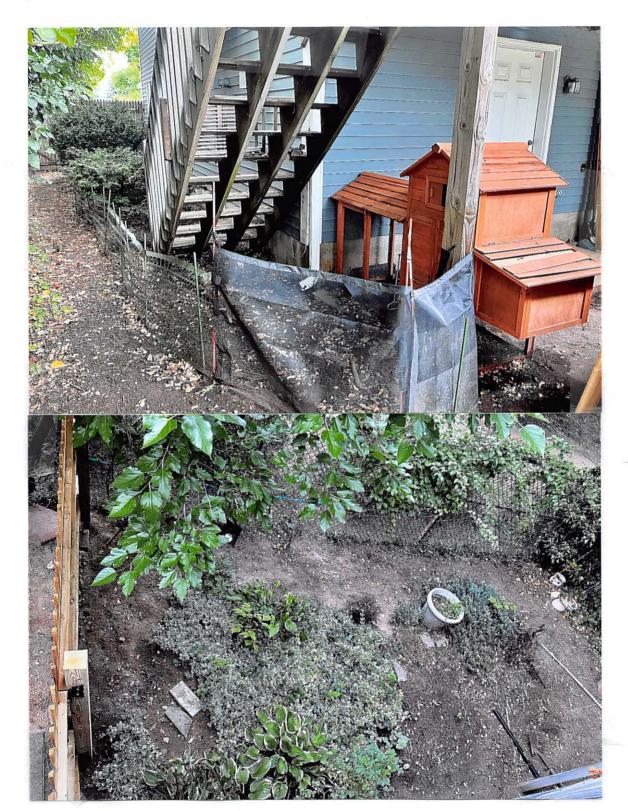
Andy holding Ms. Dummy.

Andy & Ms. Yellow

As a child with autism, Andy has not seen his dad for 3 years. A family friend, who is Andy's father figure, gave him 7 hears as a gift. Andy built the coop with him together, watched the chicks hatch, and found happiness and emotional support by assuming the responsibility to take care of the chickens. He gave each of them a name.







> Location has minimum impact: Belmont Cemetery to the back and

right side of our yard.

> Effort to reduce impact to I have built a 6-foot wood feace on the border of my yard.

The coop can be moved to the concrete ground and have rodent-proof & feeders, so rodents do not have access to food. 3 Any other compliance/measures necessary







CITY OF CAMBRIDGE

INSPECTIONAL SERVICES DEPARTMENT 831 MASS. AVE. CAMBRIDGE, MASSACHUSETTS 02139 (617) 349-6100

Ranjit Singanayagam Commissioner

June 15, 2021

BY REGULAR MAIL AND CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Wu Yao

44 May Street

Unit 44

Cambridge, MA 02138

RE: Chickens at 44 May Street, Cambridge, MA

Dear Wu Yao,

We are receiving complaints regarding the keeping of chickens at the property 44 May Street Unit 44 Cambridge, MA. Pursuant to Article 4, Section 4.30 of the Cambridge Zoning Ordinance, livestock is not allowed in the City. Please cease and desist this activity immediately. Failure to comply with this order will result in further action, including court action and/or fines of up to \$300 per day, pursuant to Article 9, Section 9.16 of the Cambridge Zoning Ordinance.

If you have questions, please call me at (617) 349-6110. Thank you for your attention to this matter

Sincerely,

Olivia Ratay

Zoning & Building Associate



Laura M. Gaugh, Psy.D. Cambridge Health Alliance Department of Child Psychiatry, Macht 3rd Floor 1493 Cambridge Street, Cambridge, MA 02139 Phone: 617-575-5642

August 11th, 2022

To Whom it May Concern;

I am Dr. Laura Gaugh, a pediatric neuropsychologist who has worked with Yuan-Kang (who goes by Andy) Li and his family since 2018, when he was 3 years old.

Andy is diagnosed with a (lifelong) disability as defined by the Americans with Disabilities Act, Fair Housing Act, and the Rehabilitation act of 1973. Related to his disability, Andy would benefit from being able to keep his chickens who serve as *Emotional Support Animals*. We realize that chickens are an unusual ESA, but Andy already has a special bond with his chickens, whom he has watched grow and develop from chicks. Andy is very attached to these animals and caring for them has provided him a sense of responsibility and purpose which is integral to his developing self-esteem, social thinking, independence, and problem-solving skills. Related to his disability, Andy has a difficult time navigating social relationships and handling change and transition; loss of these chickens would have a significant negative effect on his well-being.

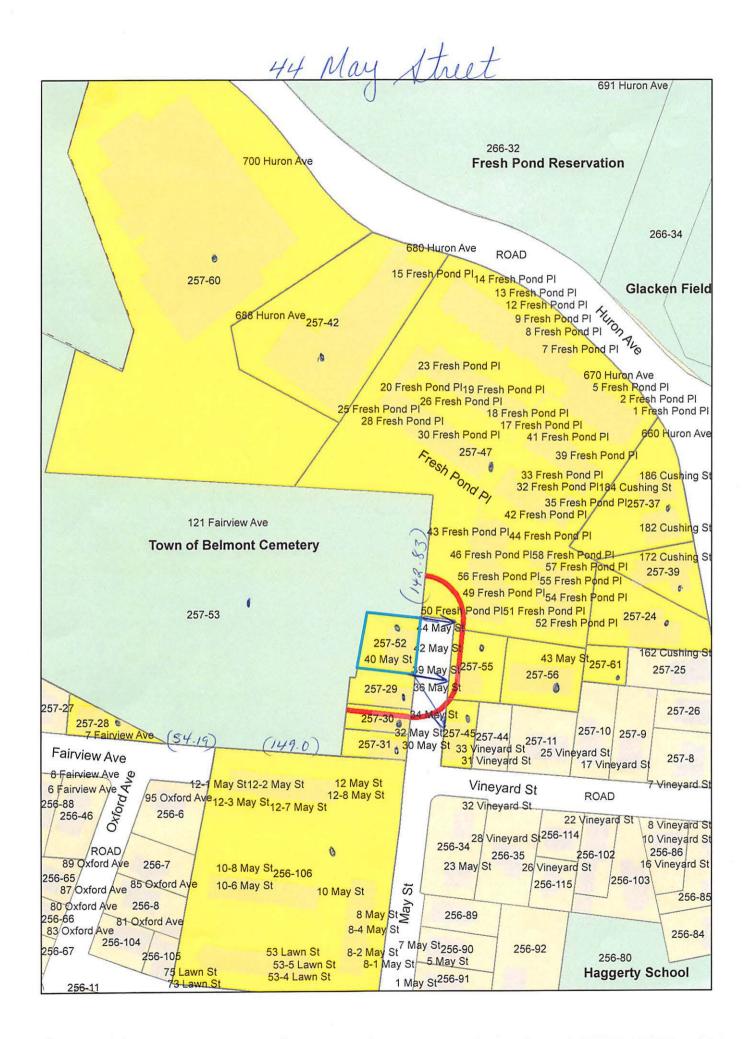
Thank you for your help and consideration of his family's request.

Sincerely,

Laura M. Gaugh, Psy.D. Licensed Clinical Psychologist

Autism and Developmental Disabilities

Pediatric Neuropsychology



44 May St.

257-24
MARCHIO, VINCENT E., MARIO C. MARCHIO &
MARIA A. MARCHIO
166 CUSHING ST
CAMBRIDGE, MA 02138-4582

257-29 WU, THOMAS JAMES & JAMES WU 36 MAY ST CAMBRIDGE, MA 02138 257-52 WU YAO 44 MAY ST 0 UNIT 44 CAMBRIDGE, MA 02138

257-45 MARDELL, BENJAMIN S. & ELIZABETH B. MERRILL 33 VINEYARD ST CAMBRIDGE, MA 02138 257-47 GOBLE, THEODORE N. & SHIRLEY E. MULFORD 15 FRESH POND PL. CAMBRIDGE, MA 02138 257-47 SUDARSHAN, RAGHUNATHAN & PADMAPRIYA SRINIVASAN 17 FRESHPOND PLACE CAMBRIDGE, MA 02138

257-47 SHAPIRO, JAY M. & RICHARD REINKRAUT 20 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 TOLEDO, ERIC & YUKIKO ISHII 22 FRESH POND PLACE. CAMBRIDGE, MA 02138 257-47 MILLER, ARNOLD R. & SHARON L. HERMAN 24 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 GILLASPIE, R. CRAIG & MARY L. ARRIGO 29 FRESH POND PL. CAMBRIDGE, MA 02138-4429 257-47 AYOUB, CATHERINE C. & JOHN E. AYOUB 33 FRESH POND PL CAMBRIDGE, MA 02138 257-47 HERBERT, ELIZABETH A. 38 FRESH POND PLACE UNIT #38 CAMBRIDGE, MA 02138

257-47 HUREL, PIERRE J.R. & NICOLE AGOIS 676 HURON AVE., #39 CAMBRIDGE, MA 02138

257-47
FRESH POND PLACE PARTNERSHIP
C/O WILLIAM KAPLAN
48 FRESH POND PL
CAMBRIDGE, MA 02138

257-55 PRASAD, RAJIV & SALLY S. PRASAD 39 MAY ST CAMBRIDGE, MA 02138

257-60 HURON TOWERS COMPANY C/O FIRST REALTY MANAGEMENT CORP. 2001 ROSS AVE, 19TH FLR DALLAS, TX 75201 257-61 BORELLI, THERESA 158 CUSHING ST CAMBRIDGE, MA 02138 257-37 SARAO, NATALIE M., TRUSTEE OF CUSHING REALTY TRUST 46 IVY LN WALTHAM , MA 02452

257-39 MARCHIO, MARIO C. & MARIA A. MARCHIO 174 CUSHING ST CAMBRIDGE, MA 02138-4582 257-47 ESTEPAR, RAUL SAN JOSE 9 FRSH POND PL CAMBRIDGE, MA 02138 257-47 REINHOLD, ARNOLD G. 14 FRESH POND PLACE CAMBRIDGE, MA 02138-4430

257-47 DANNER, PATRICIA 16 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 HOUSTON, ERIC & RANKO HOUSTON 18 FRESH POND PL. CAMBRIDGE, MA 02138-4430 257-47 KIRSANOV, DANIL 676 HURON AVE. UNIT#19 CAMBRIDGE, MA 02138

257-47 WEISSMAN, LARRY 26 FRESH POND PLACE CAMBRIDGE, MA 02138-4430 257-47 KOHLER, VICTORIA G. TRUSTEE OF THE VICTORIA G. KOHLER TRUST P.O BOX 231 BONDVILLE, VT 05340 257-47 VOGMAN, TATYANA L. 676 HURON AVE. UNIT 30 CAMBRIDGE, MA 02138

257-47 LUEDERS, PENELOPE K. TRUSTEE, 34 FRESH POND PL CAMBRIDGE, MA 02138 257-47 ZHAI, QI 676 HURON AVE., #37 CAMBRIDGE, MA 02138

257-47 AMENECHI, ONA DIKE 54 FRESH POND PLACE CAMBRIDGE, MA 02138 44 May St.

257-28 KUTA, CHRISTINE M. 7 FAIRVIEW AVE. CAMBRIDGE, MA 02138 257-30 GAINES, LAURIE B 34 MAY ST CAMBRIDGE, MA 02138 257-47 CLARK, BENJAMIN B. & CLARISSA R. QUINTANILLA 3 FRESH POND PL. CAMBRIDGE, MA 02138

257-47 VISWANANTHAN, SUBASHREE 7 FRESH POND PLACE CAMBRIDGE, MA 02138-4429 257-47
GAMBLE, LINCOLN BRADLEY
C/O WOLCOTT LORING & COOLIDGE OFFICE
230 CONGRESS ST
BOSTON, MA 02110-2437

257-47 WEXLER, RUTH M. 23 FRESH POND PL CAMBRIDGE, MA 02138

257-47 PURVIS, KIRK S. 676 HURON AVE., #27 CAMBRIDGE, MA 02138 257-47 SHAMIM, ANNE 42 FRESH POND PLACE CAMBRIDGE, MA 02138

257-47 ROBINSON, TRINA 91 FRANCIS STREET WORCESTER, MA 01606

257-47

257-47 LEWONTIN, TIMOTHY A. & AMY LEWONTIN 47 FRESH POND PL. CAMBRIDGE, MA 02138 257-47 WANG, YOUBIN & YAN QU 51 FRESH POND PLACE CAMBRIDGE, MA 02138

GOODSON, JO MAX & STEVANKA V. GOODSON TRUSTEES, THE GOODSON LIV TRUST 676 HURON AVE., #56 CAMBRIDGE, MA 02138

257-47
BELANGER, MONICA L.& MICHAEL RUDOLPH WEST
TR THE RUDOLPH AND LINDA WEST IRREV TRUST
C/O LINDA WEST
57 FRESH POND PLACE #57
CAMBRIDGE, MA 02138-4429

257-47 ABBENSETTS, MAXWELL KOFI JOHN 676 HURON AVE., #58 CAMBRIDGE, MA 02138 257-31 BARBER, COLLEEN 91 DALBY STREET NEWTON, MA 02458

257-47 MARQUEDAUNT, JAYNE TR. OF THE MARQUEDAUNT TRUST OF 2016 676 HURON AVE 1 CAMBRIDGE, MA 02138 257-47 GOLOSKIE, STEVEN D. 2 FRESH POND PL. CAMBRIDGE, MA 02138 257-47
DESIMINI, SABINO N. & CATHERINE A. DESIMINI
92 CONSTITUTION RD
CHARLESTOWN, MA 02129

257-47 TANG, JIMMY X. & PAMELA G. YANG 11 FRESH POND PLACE,. UNIT 11 CAMBRIDGE, MA 02138 257-47 PINTUS, PAUL & SUSAN PINTUS 676 HURON AVE., UNIT #12 CAMBRIDGE, MA 02138-4430 257-47 LYUBASHEVSKIY, IGOR B. & LYUDMILA LUBASHEV 21 FRESH POND PL., #21 CAMBRIDGE, MA 02138

257-47 STEARNS, ANTONIA R. 25 FRESH POND PL CAMBRIDGE, MA 02138 257-47 CRUTHIRDS, DANIEL R. 35 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 BOTCHWEY, KWESI CITY OF CAMBRIDGE TAX TITLE 40 FRESH POND PL CAMBRIDGE, MA 02138

257-47 TIPPER, DONALD J. & KAREN S. TIPPER 44 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47 LINER, ELLEN F. & ERIC M. LISKIN 45 FRESH POND PL. CAMBRIDGE, MA 02138 257-47 UEBELHOER, DAMIAN 676 HURON AVE, #52 CAMBRIDGE, MA 02138

257-47 HARRIS, ANITA M. TR. OF THE HARRIS FAMILY REALTY TRUST 53 FRESH POND PL #53 CAMBRIDGE, MA 02138 257-47 WEINBERGER, GEORGE M. 55 FRESH POND PLACE CAMBRIDGE, MA 02138 257-47
BARTON MELVIN I
TRS THE MELVIN I BARTON REVOCABLE TR
5 FRESH POND PL
CAMBRIDGE, MA 02138

44 May St

256-106
CAMBRIDGE HOUSING AUTHORITY
675 MASSACHUSETTS AVE
CAMBRIDGE, MA 02139

257-47
DELANEY, ARLENE TRUSTEE
DELANEY REVOC TRUST
49 FRESH POND PL UNIT #49
CAMBRIDGE, MA 02138

257-47 YUM HYONG-KON RHEE KYUNG-JIN 676 HURON AVE - UNIT 50 CAMBRIDGE, MA 02138

257-52 MENARD, DANIEL 40 MAY ST - UNIT 40 CAMBRIDGE, MA 02138

257-47
FOX-WARREN MAURIE MARGRET LOUISE TRS
46 FRESH POND PL
CAMBRIDGE, MA 02138

BELMONT CEMETERY 121 GROVE STREET BELMONT, MA 02478 257-47
SELVA, MICHEL G. DEBORAH J. JANCOURTZ, TRS
676 HURON AVE UNIT 41

CAMBRIDGE, MA 02138

257-47
ELLENZWEIG, JUDITH S.,
TRS THE KLAPPER NOM TRST
C/O WINSTON LAW GROUP / DONA O'DONNELL
2 MAIN ST

STONEHAM, MA 02180

257-52 BLAIS, CAROLYN 3 MINER ST - UNIT 3 SOMERVILLE, MA 02145

257-47 ALPERT, GARY D. TRS THE GARY D. ALPERT REVOCTR 31 FRESH POND PL CAMBRIDGE, MA 02138

257-53 /257-42 CITY OF CAMBRIDGE C/O NANCY GLOWA CITY SOLICITOR 257-47
WALSH, DALE M.
TR. OF THE DALE M.WALSH REVOC TR.
13 FRESH POND PLACE
CAMBRIDGE, MA 02138

257-47 TEEBAGY, ANDREA 9 HARDING STREET #1 CAMBRIDGE, MA 02141

257-56 GREENOUGH AVENUE LLC 1770 MASSACHUSETTS AVE CAMBRIDGE, MA 02140

257-47 SATTERSTROM PATRICIA & FREDERICK K SATTE 32 FRESH POND PL CAMBRIDGE, MA 02138

257-53 /257-42 CITY OF CAMBRIDGE C/O CITY MANAGER