



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

2019 NOV -8 AM 10:54

BZA APPLICATION FORM

GENERAL INFORMATION

OFFICE OF THE CITY CLERK  
CAMBRIDGE, MASSACHUSETTS  
Plan No: BZA-017212-2019

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

Special Permit : ✓ Variance : \_\_\_\_\_ Appeal : \_\_\_\_\_

PETITIONER : James Paul Robertson & Judith Robertson

PETITIONER'S ADDRESS : 45 Magoun St Cambridge, MA 02140

LOCATION OF PROPERTY : 45 Magoun St Cambridge, MA

TYPE OF OCCUPANCY : \_\_\_\_\_ ZONING DISTRICT : Residence B Zone

REASON FOR PETITION :

Parking

**DESCRIPTION OF PETITIONER'S PROPOSAL :**

Special permit application for mutual easement with 41-43 Magoun St for curb cut and driveway. We intend to file and record the easement with the Registry of Deeds once we receive permit approval.

**SECTIONS OF ZONING ORDINANCE CITED :**

Article 6.000 Section 6.43.6 (Common Driveway).

Article 10.000 Section 10.40 (Special Permit).

Original Signature(s) :

Judith M. Robertson James P. Robertson  
(Petitioner(s) / Owner)

Judith M. Robertson JAMES P. ROBERTSON  
(Print Name)

Address :

45 Magoun St  
Cambridge, MA 02140

Tel. No. :

617 953 2270

E-Mail Address :

judithrobertson829@gmail.com

Date :

11/8/19

**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 James Paul Robertson and Judith M. Robertson  
(OWNER)

Address: 45 Magoun St., Cambridge, MA 02140

State that I/We own the property located at 45 Magoun St. Cambridge, MA  
which is the subject of this zoning application.

The record title of this property is in the name of James Paul Robertson  
and Judith M. Robertson Co-Trustees of the 45 Magoun  
St. Cambridge Realty Trust.

\*Pursuant to a deed of duly recorded in the date 1/14/2014, Middlesex South  
County Registry of Deeds at Book 63352, Page 366; or

Middlesex Registry District of Land Court, Certificate No. \_\_\_\_\_

Book \_\_\_\_\_ Page \_\_\_\_\_

Judith M. Robertson  
James Paul Robertson  
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 James and Judith Roberson personally appeared before me,  
this 10 of Oct, 2019, and made oath that the above statement is true.

Kira Imprescia

Notary

My commission expires



KIRA IMPRESCIA  
Notary Public (Notary Seal).  
Commonwealth of Massachusetts  
My Commission Expires Sept. 03, 2021

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

BZA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: \_\_\_\_\_ PRESENT USE/OCCUPANCY: \_\_\_\_\_

LOCATION: \_\_\_\_\_ ZONE: \_\_\_\_\_

PHONE: \_\_\_\_\_ REQUESTED USE/OCCUPANCY: \_\_\_\_\_

	<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> <sup>1</sup>
TOTAL GROSS FLOOR AREA:	_____	_____	_____ (max.)
LOT AREA:	_____	_____	_____ (min.)
RATIO OF GROSS FLOOR AREA TO LOT AREA: <sup>2</sup>	_____	_____	_____ (max.)
LOT AREA FOR EACH DWELLING UNIT:	_____	_____	_____ (min.)
SIZE OF LOT:			
WIDTH	_____	_____	_____ (min.)
DEPTH	_____	_____	_____ (min.)
Setbacks in Feet:			
FRONT	_____	_____	_____ (min.)
REAR	_____	_____	_____ (min.)
LEFT SIDE	_____	_____	_____ (min.)
RIGHT SIDE	_____	_____	_____ (min.)
SIZE OF BLDG.:			
HEIGHT	_____	_____	_____ (max.)
LENGTH	_____	_____	_____ (min.)
WIDTH	_____	_____	_____ (min.)
RATIO OF USABLE OPEN SPACE TO LOT AREA: <sup>3</sup>	_____	_____	_____ (min.)
NO. OF DWELLING UNITS:	_____	_____	_____ (max.)
NO. OF PARKING SPACES:	_____	_____	_____ (min./max)
NO. OF LOADING AREAS:	_____	_____	_____ (min.)
DISTANCE TO NEAREST BLDG. ON SAME LOT:	_____	_____	_____ (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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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'.

## **BZA APPLICATION FORM**

### **SUPPORTING STATEMENT FOR A SPECIAL PERMIT**

Please describe in complete detail how you meet each of the following criteria referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits which have additional criteria, e.g.; fast food permits, comprehensive permits, etc., which must be met.

Granting the Special Permit requested for 45 Magoun St Cambridge, MA (location) would not be a detriment to the public interest because:

**A)** Requirements of the Ordinance can or will be met for the following reasons:

We are applying for a special permit as per 6.43.6 to establish a common driveway with our neighbors under mutual easement. We, the owners of each 41/43 and 45 Magoun St, intend to record the easement at the Registry of Deeds once we receive the special permit. We also intend to apply for a curb cut permit, whose ordinance requirements are met through our plan.

**B)** Traffic generated or patterns of access or egress would not cause congestion hazard, or substantial change in established neighborhood character for the following reasons:

The granting of the special permit, and eventually the curb cut permit, will allow for parking spaces on our own properties and off the street, thus improving the availability of street parking. Our proposal would remove more cars from the street than could park in the length of the curb cut, thus easing congestion. Moreover, we have already spoken with our abutters, and all we have heard from have provided their approval (see attachment). Lastly, almost all homes on Magoun Street have a curb cut and off-street parking; as such the neighborhood character would not change (see attachment with images).

**C)** The continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would not be adversely affected by the nature of the proposed use for the following reasons:

Creation of the parking from the driveway and the curb cut will not adversely affect the adjacent residential uses. In fact, we as applicants are each the adjacent neighbor that would be most impacted, and we are seeking to create this driveway together for each of our mutual benefits. Properties behind will not be affected as the driveway will not go into the backyard. Neighbors have provided approval for the project.

**D)** Nuisance or hazard would not be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City for the following reasons:

The welfare of the occupants of the proposed use will be improved as it will provide more safety. Magoun St is straight and flat, suffers from significant through-traffic at high speeds as commuters attempt to bypass the signal at Mass Ave and Alewife Brook Parkway. We at 41/43 Magoun St are parents of a young two-and-a-half year old daughter. When placing her in the back seat, we have almost been hit by oncoming traffic numerous times. We at 45 Magoun Street are seniors and would like easier access to our cars. Paul is deaf in one ear and has only 40% hearing in the other, making it difficult to hear the fast oncoming traffic when entering the car. In addition, our parked car on the street was recently banged on the side by someone driving down the street. It was extremely stressful to deal with the aftermath and resistance from the insurance company. The parking space will also enable better public health and clean air, as it will open up the opportunity for electric cars and less emissions. We do not see any detrimental effects from this change to the public generally.

**E)** For other reasons, the proposed use would not impair the integrity of the district or adjoining district or otherwise derogate from the intent or purpose of this ordinance for the following reasons:

Curb cuts, off-street driveways, and even mutual driveways are common in North Cambridge. We include here photos from our most proximate neighborhood (North Cambridge north of the linear bike path). As such, the proposed use would not impair the integrity of the district, but in fact improve the safety of both the occupants and provide more street parking to others. There is one small tree, about 4-5 inch caliper (less than the 6" noted in the ordinance), that would need to be removed for the curb cut; we include here in our design a plan to either move it to either side of the curb cut, or plant a new one, as per the City's advice.

**BZA APPLICATION FORM****DIMENSIONAL INFORMATION**

**APPLICANT:** self / Cambridge resident **PRESENT USE/OCCUPANCY:** None

**LOCATION:** 45 Magoun St Cambridge, MA **ZONE:** Residence B Zone

**PHONE:** \_\_\_\_\_ **REQUESTED USE/OCCUPANCY:** Parking

		<b><u>EXISTING CONDITIONS</u></b>	<b><u>REQUESTED CONDITIONS</u></b>	<b><u>ORDINANCE REQUIREMENTS</u></b> <sup>1</sup>
<u>TOTAL GROSS FLOOR AREA:</u>		<u>2457</u>	<u>no change</u>	<u>n/a</u> (max.)
<u>LOT AREA:</u>		<u>4000</u>	<u>no change</u>	<u>n/a</u> (min.)
<u>RATIO OF GROSS FLOOR AREA TO LOT AREA:</u> <sup>2</sup>		<u>61%</u>	<u>no change</u>	<u>n/a</u> (max.)
<u>LOT AREA FOR EACH DWELLING UNIT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u> (min.)
<u>SIZE OF LOT:</u>	<u>WIDTH</u>	<u>40</u>	<u>no change</u>	<u>n/a</u> (min.)
	<u>DEPTH</u>	<u>100</u>	<u>no change</u>	<u>n/a</u>
<u>SETBACKS IN FEET:</u>	<u>FRONT</u>	<u>15.1</u>	<u>no change</u>	<u>n/a</u> (min.)
	<u>REAR</u>	<u>40.1</u>	<u>no change</u>	<u>n/a</u> (min.)
	<u>LEFT SIDE</u>	<u>7.7</u>	<u>no change</u>	<u>n/a</u> (min.)
	<u>RIGHT SIDE</u>	<u>7.7</u>	<u>no change</u>	<u>n/a</u> (min.)
<u>SIZE OF BLDG.:</u>	<u>HEIGHT</u>	<u>24</u>	<u>no change</u>	<u>n/a</u> (max.)
	<u>LENGTH</u>	<u>n/a</u>	<u>no change</u>	<u>n/a</u>
	<u>WIDTH</u>	<u>n/a</u>	<u>no change</u>	<u>n/a</u>
<u>RATIO OF USABLE OPEN SPACE TO LOT AREA:</u>		<u>77%</u>	<u>no change</u>	<u>n/a</u> (min.)
<u>NO. OF DWELLING UNITS:</u>		<u>1</u>	<u>no change</u>	<u>n/a</u> (max.)
<u>NO. OF PARKING SPACES:</u>		<u>0</u>	<u>2</u>	<u>n/a</u> (min./max)
<u>NO. OF LOADING AREAS:</u>		<u>0</u>	<u>no change</u>	<u>n/a</u> (min.)
<u>DISTANCE TO NEAREST BLDG. ON SAME LOT:</u>		<u>n/a</u>	<u>n/a</u>	<u>n/a</u> (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.

Curb cut and driveway/parking (made of pervious material) for compact cars.

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'.



# 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.

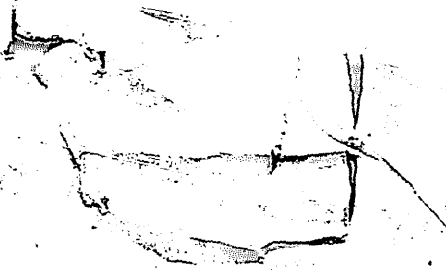
Name: Judith M. Robertson Date: 11/22/19  
(Print)

Address: 45 Wagon St.

Case No. <sup>BZA</sup> 017212-2019

Hearing Date: 12/12/19

Thank you,  
Bza Members



11/15/11

Thomas M. Brown



## Pacheco, Maria

---

**From:** N Trivedi <ntrivedi00@gmail.com>  
**Sent:** Tuesday, November 26, 2019 12:02 PM  
**To:** Pacheco, Maria  
**Subject:** Images of signs posted

Hi Maria,

Just for record keeping and your reference, here are two photos of the signs that have been posted at 41-43 and 45 Magoun St, more than the two weeks in advance of the hearing date. Thank you. Neheet





\* \* \* \* \*

(8:25 p.m.)

Sitting Members: Constantine Alexander, Brendan Sullivan,  
Janet Green, Andrea A. Hickey, and  
Jim Monteverde

CONSTANTINE ALEXANDER: The Chair will call Case  
Number 017212 -- 45 Magoun, I think I've got it right,  
Magoun Street. Anyone here wishing to be heard on this  
matter? And I see in the file -- I'm sorry, I'm jumping the  
gun. Please give your name and address to the stenographer.

JANET GREEN: And take this microphone.

CONSTANTINE ALEXANDER: Just take the microphone.

JUDITH ROBERTSON: Judith Robertson, 45 Magoun  
Street, Cambridge.

JAMES ROBERTSON: Good evening. James Robertson,  
45 Magoun Street, Cambridge. James, J-a-m-e-s R-o-b-e-r-t-  
s-o-n. Thank you.

CONSTANTINE ALEXANDER: Now this case, a problem  
was uncovered I guess, this Board is saying, with regard to  
the relief being sought -- and specifically you need more  
relief, because the driveway -- your proposed driveway --  
doesn't -- it's too narrow for the purposes of our

1 ordinance.

2 And I see in your files that we have a request to  
3 continue this case. So I gather you're planning -- which  
4 you should, I think -- readvertise this case with new -- the  
5 other relief you need to get.

6 And so, how quickly we hear that case depends upon  
7 how quickly you get a new application in. And we'll  
8 continue this case to a date farther down, on the assumption  
9 that we'll never hear the case. I mean, if we grant you the  
10 relief or deny it, with your new application this case will  
11 basically become moot.

12 So unless you have comments, I'm going to propose  
13 we continue this case until sometime in March, which should  
14 give you more than enough time to prepare a new application.  
15 Sisia, what time, what date?

16 SISIA DAGLIAN: We have the twelfth or the twenty-  
17 sixth of March. It's unheard, so --

18 CONSTANTINE ALEXANDER: Okay. It's not heard,  
19 yeah. Let's do the twenty-sixth just to -- both dates.

20 NEHEET TRIVEDI: Can I just make a comment or ask  
21 a question?

22 CONSTANTINE ALEXANDER: Okay, I'm sorry. Ask your

1 question.

2 NEHEET TREVEDI: Okay. My name is Neheet Trivedi,  
3 that's N-e-h-e-e-t. Last name is Trivedi, T-r-i-v-e-d-i.  
4 I'm the owner of the neighboring property for the next case,  
5 but we're applying together, as you know. So we can  
6 probably deal with this quickly right now together.

7 I just have a couple questions, because this is  
8 the first time we're --

9 CONSTANTINE ALEXANDER: Sure.

10 NEHEET TREVEDI: -- going through this. Just  
11 clarifying so we know what to do. So the first thing is my  
12 understanding -- I talked to Ranjit a couple days ago --  
13 and he mentioned we didn't apply for relief.

14 My understanding is -- please correct me if I'm  
15 wrong -- what we need to do is add relief for a variance --  
16 is this correct? -- because of the size of the... we need a  
17 variance relief from the -- because we have four compact  
18 spots.

19 And my understanding is typically we need five in  
20 order to get compact car in there. So we need to request  
21 from the size of the spaces. Is that right?

22 CONSTANTINE ALEXANDER: To be honest with you,

1 that's more the province of the Inspectional Services  
2 Department.

3 NEHEET TREVEDI: Okay.

4 CONSTANTINE ALEXANDER: Ranjit and us.

5 NEHEET TREVEDI: Okay.

6 CONSTANTINE ALEXANDER: We would pass on what you  
7 would -- you come to us and say, "This is what we need -- "

8 NEHEET TREVEDI: Okay.

9 CONSTANTINE ALEXANDER: -- and we say yes or no,  
10 depending upon our analysis of the legal requirements. So I  
11 can't really answer that question.

12 NEHEET TREVEDI: Okay, that's fine. I think he  
13 explained it, but we have specific questions we can cc on --

14 CONSTANTINE ALEXANDER: Oh yeah, cc -- that's  
15 right. There are -- that's -- you start with them.

16 NEHEET TREVEDI: Perfect. Okay.

17 CONSTANTINE ALEXANDER: And then you come to us.

18 NEHEET TREVEDI: The only reason we're here is  
19 because we Maria suggested that we still show up, and just  
20 ask for the waiver.

21 CONSTANTINE ALEXANDER: I think it's always a good  
22 idea to come in. And, as I said, we're going to do it in

1     October -- what was the date? Nineteenth? No twenty-sixth.

2             JANET GREEN: No, no, not October.

3             CONSTANTINE ALEXANDER: Not October. I meant  
4     March, I'm sorry.

5             JANET GREEN: That other date.

6             CONSTANTINE ALEXANDER: Yeah. March.

7             SISIA DAGLIAN: Well, I don't know what date  
8     they're going to get, based on --

9             CONSTANTINE ALEXANDER: The other case we  
10    continued is on one Cambridge Street to March what?

11            SISIA DAGLIAN: April 16.

12            CONSTANTINE ALEXANDER: April 19?

13            SISIA DAGLIAN: April 16.

14            CONSTANTINE ALEXANDER: Oh, 16, I'm sorry. And  
15    this one will continue to --

16            SISIA DAGLIAN: Can we do March 12 or 26?

17            CONSTANTINE ALEXANDER: Let's do the twenty-sixth  
18    of March.

19            NEHEET TREVEDI: But just so I understand what you  
20    said, and I think I understand -- let me chime in -- when we  
21    reapply, you said this case becomes moot, so --

22            CONSTANTINE ALEXANDER: It doesn't become moot,

1 it's suspended.

2 NEHEET TREVEDI: -- that date -- it's suspended.

3 So this date -- this doesn't mean we're necessarily  
4 presenting on March 26?

5 JANET GREEN: Correct.

6 NEHEET TREVEDI: We might present earlier, if we  
7 get our --

8 CONSTANTINE ALEXANDER: Yeah, presumably --

9 NEHEET TREVEDI: -- petition in earlier.

10 CONSTANTINE ALEXANDER: -- I assume this case will  
11 be decided much earlier.

12 NEHEET TREVEDI: Okay.

13 CONSTANTINE ALEXANDER: And how much earlier  
14 depends upon how quickly you get your new application in.

15 NEHEET TREVEDI: Okay.

16 CONSTANTINE ALEXANDER: And it gets advertised,  
17 you go through the same process you went through up for this  
18 case.

19 NEHEET TREVEDI: Right.

20 CONSTANTINE ALEXANDER: And then in the meanwhile,  
21 this case will stay in limbo until we hear that case.

22 NEHEET TREVEDI: Okay.



1           CONSTANTINE ALEXANDER: And then if you get the  
2 relief you want, for example, the new case, when the time  
3 comes for the continued case, you just would withdraw.

4           NEHEET TREVEDI: Oh, I see, okay.

5           CONSTANTINE ALEXANDER: You wouldn't even have to  
6 come down.

7           NEHEET TREVEDI: Okay.

8           CONSTANTINE ALEXANDER: If you want to withdraw.

9           JANET GREEN: So we're talking about just one of  
10 these two cases now?

11          CONSTANTINE ALEXANDER: Yeah, we're going to make  
12 the same speech.

13          JANET GREEN: And then we'll do the same thing.

14          CONSTANTINE ALEXANDER: Yeah, I'm going to  
15 incorporate it all by reference.

16          NEHEET TREVEDI: So is there anything -- once  
17 again, this is our first time going through this, but is  
18 there any other feedback that you have now, or that happened  
19 --

20          CONSTANTINE ALEXANDER: Well, we don't want to get  
21 into that.

22          NEHEET TREVEDI: Okay.

1           CONSTANTINE ALEXANDER: That will cause a lot of  
2 applications for us and for you --

3           NEHEET TREVEDI: Okay.

4           CONSTANTINE ALEXANDER: -- to get into that. So  
5 we just don't want to touch the case.

6           NEHEET TREVEDI: Okay.

7           CONSTANTINE ALEXANDER: -- whenever. We'd be  
8 happy to answer procedural questions.

9           NEHEET TREVEDI: Okay.

10          CONSTANTINE ALEXANDER: -- but I want to talk  
11 about the merits. You understand, you've applied for one  
12 form of relief, the common driveway. And you now know you  
13 need to get a second form of relief, regarding the width of  
14 the driveway.

15          NEHEET TREVEDI: Right, okay.

16          CONSTANTINE ALEXANDER: I guess that will be a  
17 variance -- I think it will be a variance, but I'm not sure.  
18 Those are the only two that I'm aware of. I don't -- and  
19 Ranjit in the Building Department will let you know if  
20 there's anything else.

21          NEHEET TREVEDI: Okay.

22          CONSTANTINE ALEXANDER: I would suggest you sit

1 down with them.

2 NEHEET TREVEDI: Yep.

3 CONSTANTINE ALEXANDER: -- to be sure there's  
4 nothing else.

5 NEHEET TREVEDI: Okay.

6 CONSTANTINE ALEXANDER: Rather than go through the  
7 same drill again, and you don't want -- you have better  
8 things to do on the evening than come down here. We don't  
9 have better things to do, but you do.

10 NEHEET TREVEDI: No, that's the only thing he  
11 mentioned, so we can double check.

12 CONSTANTINE ALEXANDER: Okay.

13 NEHEET TREVEDI: So I guess we're requesting a  
14 waiver?

15 CONSTANTINE ALEXANDER: Ready for a vote?

16 NEHEET TREVEDI: Yep.

17 CONSTANTINE ALEXANDER: The Chair moves that we  
18 continue this case as a case not heard, until 7:00 p.m. on  
19 -- what was the date, April 26?

20 JANET GREEN: What's the date that this got  
21 continued?

22 CONSTANTINE ALEXANDER: Oh no, March.

1           SISIA DAGLIAN:   March 26.

2           CONSTANTINE ALEXANDER:   Until March 20?

3           SISIA DAGLIAN:   26.

4           NEHEET TREVEDI:   26.

5           CONSTANTINE ALEXANDER:   26, subject to the  
6 following conditions:   You have to sign a waiver of time for  
7 decision.   Sisia has it right there, you can do it before  
8 you leave.   And you better do it before you leave.  
9 Otherwise, we'll have to dismiss the case.

10                  Second, you very nicely posted signs and  
11 advertisements in this case.   Take those signs and modify  
12 them, or you put new signs up, reflecting the new date and  
13 the new time.   And those signs have to be maintained for the  
14 14 days prior to the continued date.

15                  And then lastly, I don't think that will apply in  
16 this case, to the extent you have new plans with regard to  
17 this case, not the new one, those have to be in our files no  
18 later than 5:00 p.m. on the Monday before the continued  
19 hearing date.

20                  All those in favor of continuing the case on this  
21 basis, please say, "Aye."

22                  THE BOARD:   Aye.

1                   [ All vote YES ]

2                   COLLECTIVE: Thank you.

3                   CONSTANTINE ALEXANDER: And just please sign the  
4 -- someone sign the waiver of time on the way out.

5                   NEHEET TREVEDI: Thank you. In regard to 4143 --

6                   CONSTANTINE ALEXANDER: Yep.

7                   NEHEET TREVEDI: -- I have a question.

8                   CONSTANTINE ALEXANDER: Sure. All right, let me  
9 call the case first.

10                  NEHEET TREVEDI: Sure, sure.

11                  CONSTANTINE ALEXANDER: And then we can pretty  
12 much --

13                  NEHEET TREVEDI: It's fine.

14                  CONSTANTINE ALEXANDER: You can stick around or  
15 you can leave.

16                  NEHEET TREVEDI: Hold on one second.

17

18

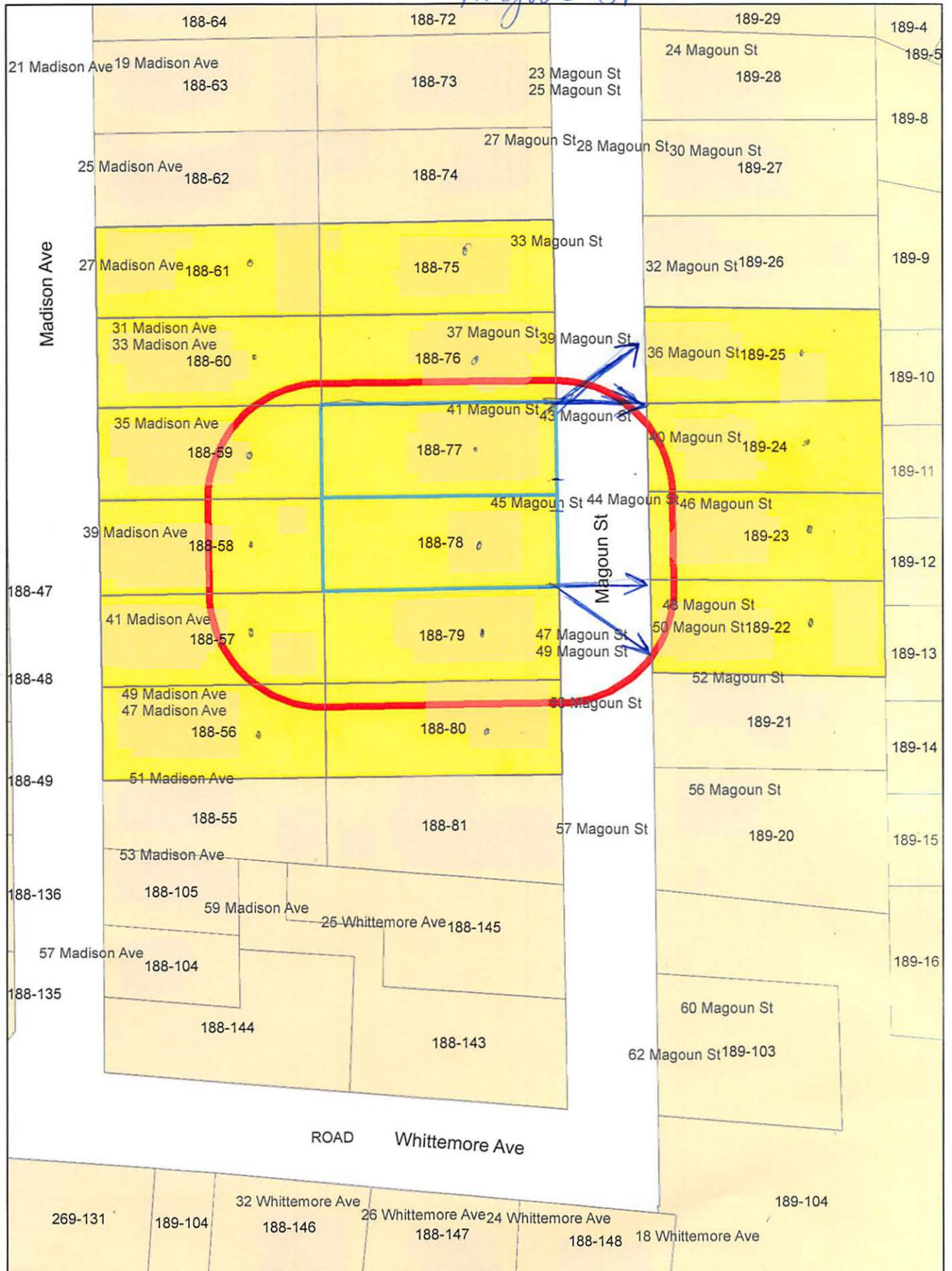
19

20

21

22

45 Magoun St.



45 magoun st.

Petitioner

188-79  
KOZACHUK, ALEXANDER M. &  
KEVIN PAUL KOZACHUK  
49 MAGOUN ST  
CAMBRIDGE, MA 02140

188-58  
MAHONEY, ELVIRA V.  
39 MADISON AVE  
CAMBRIDGE, MA 02140

JAMES PAUL ROBERTSON &  
JUDITH ROBERTSON  
45 MAGOUN STREET  
CAMBRIDGE, MA 02140

188-78  
ROBERTSON, JAMES P. & JUDITH M ROBERTSON  
TR. OF BOTH THE JAMES ROBERTSON REVOC TR.  
8 MAPLE ST  
WATERTOWN, MA 02472

189-25  
ALBERT, JULES J. & CLAIRE M ALBERT  
36 MAGOUN ST  
CAMBRIDGE, MA 02140-1617

189-24  
DAME, THOMAS M. &  
GERALDINE A. HEALEY-DAME  
40 MAGOUN ST.  
CAMBRIDGE, MA 02140-1617

188-56  
KING, EDWARD P. & JULIA A. KING  
ELLEN M. DENTE  
129 COLON ST  
BEVERLY, MA 01915

188-59  
DESROSIERS, LEO A. & THERESA I. DESROSIERS  
LIFE ESTATE  
P.O BX 410072  
CAMBRIDGE, MA 02140-1614

188-76  
37 MAGOUN ST LLC  
52 porter street #1  
SOMERVILLE, MA 02143

188-80  
FOLEY, JONATHAN & REBECCA TEITELBAUM  
53 MAGOUN ST. UNIT#2  
CAMBRIDGE, MA 02140

188-80  
DIEP, GEORGE  
53 MAGOUN ST. UNIT#1  
CAMBRIDGE, MA 02140

188-61  
BOUCHARD, ANNA K.,  
TRUSTEE THE ANNA K. BOUCHARD LIV TRUST  
27 MADISON AVE  
CAMBRIDGE, MA 02140

188-77  
TRIVEDI, NEHEET & KATE L. MCGOVERN  
41 MAGOUN ST  
CAMBRIDGE, MA 02140

188-60  
BAKSHI, RAY S.  
31-33 MADISON AVE. UNIT 2  
CAMBRIDGE, MA 02140

188-60  
JOHN, BINO & ELANE FISHLEVICH  
31-33 MADISON AVE. UNIT 3  
CAMBRIDGE, MA 02140

188-57  
DOUCETTE, FREDERICK  
41 MADISON AVE  
CAMBRIDGE, MA 02140

188-60  
VEROSKO, JESSICA  
31-33 MADISON AVENUE. UNIT 1  
CAMBRIDGE, MA 02140

189-23  
MOUSSA, YEHIA S. & LAILA MOUSSA  
46 MAGOUN ST  
CAMBRIDGE, MA 02139

189-22  
REYBURN HOLDINGS LLC  
2 WORCESTER ST  
CAMBRIDGE, MA 02139

188-75  
RULF, DAPHNE  
33 MAGOUN ST  
CAMBRIDGE, MA 02140



45 MAGOUN STREET  
TOTAL GROSS FLOOR AREA:  
2,457 S.F. (ASSESSOR)  
(NO CHANGES PROPOSED)

RATIO OF GROSS FLOOR AREA TO LOT AREA:  
2,457/4,000 S.F. = 61.4% (NO CHANGES PROPOSED)

LOT AREA:  
4,000 S.F.

WIDTH 40', DEPTH 100'

BUILDING HEIGHT:  
24'  
(NO CHANGE PROPOSED)

SETBACKS: (NO CHANGES PROPOSED)  
FRONT = 15.1'  
REAR = 40.1'  
LEFT SIDE = 7.7'  
RIGHT SIDE = 7.7'

USEABLE OPEN SPACE:  
3,072 S.F.

NUMBER OF DWELLING UNITS: 1  
NUMBER OF PARKING SPACES:  
(EXISTING = 0 PROPOSED = 2 COMPACT CAR)

N/F  
ALEXANDER M. &  
KEVIN PAUL KOZACHUK

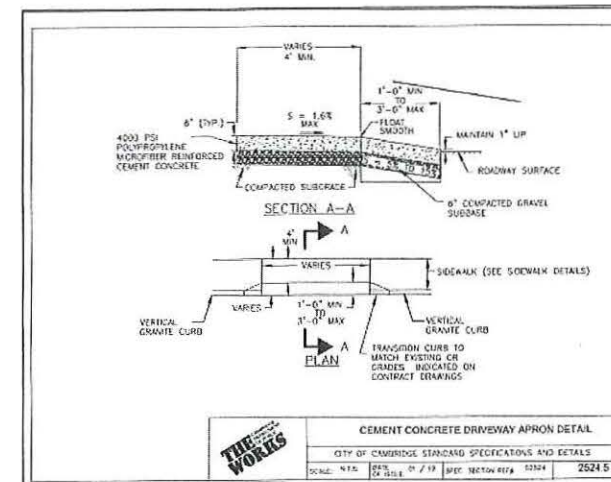
N/F  
ELVIRA V. MAHONEY  
N0°52'30"W  
40.00'

PARCEL ID  
188-78  
4,000 S.F.

N/F  
LEO A.  
DESROSIERS, &  
THERESA I. DESROSIERS  
LIFE ESTATE  
N0°52'30"W  
40.00'

PARCEL ID  
188-77  
4,000 S.F.

N/F  
37 MAGOUN ST LLC



NOTES:  
RECORD OWNERS:

#41-43 MAGOUN STREET (MAP 188 LOT 77)  
NEHEET TRIVEDI &  
KATE MCGOVERN  
RECORD DEED:  
BK 72014 PAGE 164

#45 MAGOUN STREET (MAP 188 LOT 78)  
JAMES & JUDITH ROBERTSON TR.  
RECORD DEED:  
BK 69176-45

REC. PLAN BK 22-14

LOCUS IS ZONED RB

PORTIONS OF THE LOCUS DO LIE IN A SPECIAL HAZARD  
ZONE AS SHOWN ON COMMUNITY PANEL 25017C0410E  
EFFECTIVE 06/04/2010

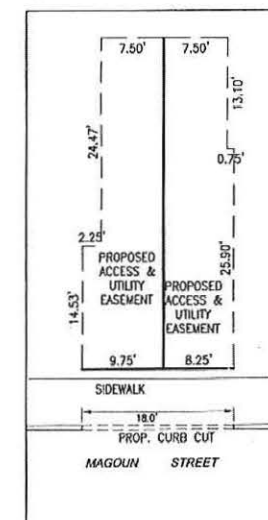
THERE ARE NO PROPOSED CHANGES TO GRADES OR EXISTING DRAINAGE PATTERNS  
SHOWN ON THIS PLAN

APPLICANTS ARE REQUESTING A SPECIAL PERMIT TO ALLOW FOR A  
COMMON DRIVEWAY WITH 4 TOTAL COMPACT CAR PARKING SPACES (2 ON EACH LOT)  
WITH ONE 18' CURB CUT.

APPLICANT WILL CREATE AND RECORD AN EASEMENT FOR DRIVEWAY UPON  
GRANTING OF SPECIAL PERMIT

GENERAL NOTES:  
1. BEFORE CONSTRUCTION BEGINS DIG-SAFE AND THE CITY OF  
CAMBRIDGE MUST BE NOTIFIED.  
2. ALL UTILITY LOCATIONS AND INVERTS SHOWN ON THIS PLAN ARE  
APPROXIMATE ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO  
VERIFY ALL INVERTS AND UTILITY LOCATIONS. FIELD ADJUSTMENTS  
ARE TO BE MADE AS NECESSARY.  
3. SUBSURFACE SOIL CONDITIONS AND SEASONAL HIGH  
GROUNDWATER ARE UNKNOWN

EASEMENT DETAIL  
1"=10'



41-43 MAGOUN STREET  
TOTAL GROSS FLOOR AREA:  
5,118 S.F. (ASSESSOR)  
(NO CHANGES PROPOSED)

RATIO OF GROSS FLOOR AREA TO LOT AREA:  
5,118/4,000 S.F. = 128% (NO CHANGES PROPOSED)

LOT AREA:  
4,000 S.F.

WIDTH 40', DEPTH 100'

SETBACKS: (NO CHANGES PROPOSED)  
FRONT = 7.1'  
REAR = 36.3'  
LEFT SIDE = 7.7'  
RIGHT SIDE = 4.9'

BUILDING HEIGHT:  
29'  
(NO CHANGE PROPOSED)

USEABLE OPEN SPACE:  
2,499 S.F.

NUMBER OF DWELLING UNITS: 2  
NUMBER OF PARKING SPACES:  
(EXISTING = 0 PROPOSED = 2 COMPACT CAR)

SPECIAL PERMIT  
PLAN OF LAND  
IN

CAMBRIDGE, MASS.

PREPARED FOR

NAHEET TRIVEDI & JAMES ROBERTSON

SCALE: 1"=10' OCTOBER 22, 2019

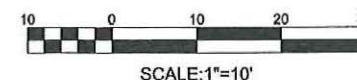
WEBBY ENGINEERING ASSOCIATES, INC.

ENGINEERS & LAND SURVEYORS

180 COUNTY ROAD - PLYMPTON, MA.

02367

TEL. 1-781-585-1164







## CITY OF CAMBRIDGE

### APPLICATION FOR DRIVEWAY CUTS AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of 36 Magoun St.

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-43 Magoun St.

Signed: Clavie Albert Date: 5/26/19

Address: 36 Magoun St  
Camb MA 02140

To Whom It May Concern:

As owner or agent of \_\_\_\_\_

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS  
AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of 37-39 Magoun Street

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-43 Magoun St., Cambridge

Signed: [Signature] Date: 10-29-19

Address: Sené Management

P.O. Box 380740, Cambridge, MA, 02238

To Whom It May Concern:

As owner or agent of \_\_\_\_\_

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS  
AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of 40 Magoun St

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-43 Magoun St

Signed:

Geri Healey-Dame  
Geri Healey-Dame

Date:

5/5/19

Address:

40 Magoun St  
Cambridge, MA 02140

To Whom It May Concern:

As owner or agent of \_\_\_\_\_

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS  
AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of 41-43 Magoun St.

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

45 Magoun St.

Signed: Nehru Sat Date: 10/1/19

Address: 43 Magoun St  
Cambridge, MA 02140

To Whom It May Concern:

As owner or agent of \_\_\_\_\_

Cambridge, Massachusetts, I do hereby declare



approval



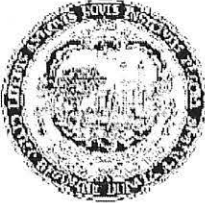
disapproval

of installment of Off-Street Parking Facility located at:

\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS  
AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of

45 Magoun St., Cambridge, MA

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-43 Magoun

Signed:

Judith M. Robertson

Date:

9/7/2019

Address:

45 Magoun St  
Cambridge, MA 02140

To Whom It May Concern:

As owner or agent of

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

\_\_\_\_\_

Signed:

\_\_\_\_\_

Date:

\_\_\_\_\_

Address:

\_\_\_\_\_

\_\_\_\_\_





## CITY OF CAMBRIDGE

### APPLICATION FOR DRIVEWAY CUTS AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of

46 MAGOUN ST

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-43 MAGOUN ST.

Signed:

[Signature]

Date:

5/5/19

Address:

YEHIA MOUSSA

46 MAGOUN ST. CAMBRIDGE, MA

To Whom It May Concern:

As owner or agent of

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

Signed:

Date:

Address:



CITY OF CAMBRIDGE

APPLICATION FOR DRIVEWAY CUTS  
AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the **assessor's plat** and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of

48 Magoun St. Cambridge, MA 02140

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

41-45 Magoun St, Cambridge, MA 02140

Signed:

Wilfredo Morales

Date:

8-20-19

Address:

48 Magoun St

To Whom It May Concern:

As owner or agent of

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

Signed:

Date:

Address:



## CITY OF CAMBRIDGE

### APPLICATION FOR DRIVEWAY CUTS AND OPENINGS ABUTTOR'S FORM

Applicants must submit a copy of the assessor's plat and signatures from all abutting property owners including property owners directly across the street (may be more than one). If the abutting buildings are condominiums then all condominium owners must sign.

To Whom It May Concern:

As owner or agent of

47 - 49 Magoun St. Cambridge, MA 02140

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

45 Magoun St. Cambridge, MA 02140

Signed:

Kevin P. Kyzachuk, Alex Kyzachuk

Date:

Sept. 14, 2019

Address:

49 Magoun St.

Cambridge MA

To Whom It May Concern:

As owner or agent of

Cambridge, Massachusetts, I do hereby declare



approval



disapproval

of installment of Off-Street Parking Facility located at:

Signed:

Date:

Address:



45 Magoun St.  
Cambridge, MA. 02140  
September 18, 2019

Ms. Alvira V. Mahoney  
39 Madison Ave.  
Cambridge, MA. 02140

Re: Curb break at #45 Magoun St.

Dear Ms. Mahoney,

My name is Judith Robertson, my husbands name is James Paul Robertson. We are your neighbors and abutters in the rear of your property on Madison Ave., Cambridge.

In order for us to begin the process of a request for a curb break, we would like your signature on the enclosed sheet for the City of Cambridge. The curb cut and driveway will be on the right of our house as you are facing our home. It will accommodate one small car.

We have owned our property at #45 for 20 years, but have rented it for most of that time. We moved here in July and within 3 weeks or less my car was sideswiped and totaled by my insurance company. We are seniors and would like to have some protection on a street that is very busy.

If you would like to speak with us, you are more than welcome to stop by our house and/or call us at 617 953 2270.

Thank you for your consideration. A self addressed stamped envelope is enclosed.

Sincerely,

Judith M. Robertson  
James Paul Robertson

7019 0700 0000 6713 4410

U.S. Postal Service<sup>TM</sup>  
**CERTIFIED MAIL<sup>®</sup> RECEIPT**  
*Domestic Mail Only*

For delivery information, visit our website at [www.usps.com](http://www.usps.com)<sup>®</sup>.

**CAMBRIDGE, MA 02140**

Certified Mail Fee \$3.50

Extra Services & Fees (check box, add fee as appropriate)

☒ Return Receipt (hardcopy)

☐ Return Receipt (electronic)

☐ Certified Mail Restricted Delivery

☐ Adult Signature Required

☐ Adult Signature Restricted Delivery

\$2.80

\$0.00

\$0.00

\$0.00

\$0.00

Postage \$0.55

Total Postage and Fees \$6.85

Sent to  
Street and Apt. No., or PO Box No.  
City, State, ZIP+4<sup>®</sup>

Ms. Alvin V. Mahoney

39 Madison Ave

Cambridge, MA 02140

02144 USPS

Postmark Here

09/19/2019

0144 33

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Kate McGovern and Neheet Trivedi

43 Magom St.

Cambridge MA 02140



1000



02140

U.S. POSTAGE PAID  
FCM LG ENV  
CAMBRIDGE, MA  
02140  
OCT 31, 19  
AMOUNT

**\$1.15**

R2305M149496-75

Desrosiers, Leo & Theresa I. Desrosiers  
Life Estate

Po Box 410072

Cambridge, MA 02140



**Certificate Of Mailing**

To pay fee, affix stamps or  
meter postage here.

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing.  
This form may be used for domestic and international mail.

From: Kate McGovern & Neheet Trivedi  
43 Magom St.  
Cambridge MA 02140

To: Desrosiers, Leo & Theresa I  
Desrosiers Life Estate  
Po Box 410072  
Cambridge, MA 02140



Kate McGovern and Neheet Trivedi  
43 Magoun St  
Cambridge, MA 02140

Desrosiers, Leo A & Theresa I. Desrosiers  
Life Estate  
P.O Box 410072  
Cambridge, MA 02140-1614

Re: Curb cut

Dear Neighbor:

We are your neighbors and abutters in the rear of your property, on Magoun St. in Cambridge. We recently moved in earlier this year. Kate was born and raised in Cambridge and Neheet was born and raised in Connecticut, and has been in Cambridge for the last decade.

We have a 2 1/2 year old daughter and, as we try to put her in the car, we – either she or us as parents – have almost been hit multiple times by cars coming down Magoun Street at a high rate of speed. We are worried about her safety.

We are seeking to install a small driveway so that we do not have to enter and exit the car with her on the road. The driveway would be on the front and left side of our house as you are facing our home. Our neighbors are seniors, and we would like to make a joint driveway with them between our homes. It would not go into the backyard. As such it would not impact you or the residents of your property.

In order for us to begin the process of a request for a curb cut we would like your signature on the enclosed sheet for the City of Cambridge.

If you would like to speak with us you are more than welcome to stop by our house and or call us at 415-967-1225. Thank you for your consideration. A self-addressed stamped envelope is enclosed.

Thank you,

Kate McGovern

Neheet Trivedi

## **Addendum to BZA Application Form, Supporting Statement for Special Permit, Question E**

Here we include several images of curb cuts and driveways in our neighborhood in North Cambridge. One can see here that:

- (1) curb cuts and driveways are very common on Magoun St; nearly all of our nearest neighbors have one,
- (2) there are numerous examples of curb cuts 17' or wider; here are just a couple close by, and
- (3) there are a number of driveways shared by two adjacent properties.



**(1) curb cuts and driveways are very common on Magoun St; nearly all of our nearest neighbors have one**

**Even number (across the street)**



**32 Magoun St**



**36 Magoun St**



**40 Magoun St**



**46 and 48/50 Magoun St**



**52 Magoun St**



**58 Magoun St**



**Odd number (same side of street)**



53 and 57 Magoun St



37-39 Magoun St



33 Magoun St

**(2) there are numerous examples of curb cuts 17' or wider in North Cambridge; here are just a couple close by**



46 and 48/50  
Magoun St –  
17 feet



31 - 33  
Magoun St –  
21 feet, 2 in



**(3) In the neighborhood, there are a number of shared/mutual curb cuts and/or driveways shared by adjacent properties.**



46 and 48/50 Magoun St



19 and 25 Madison Ave

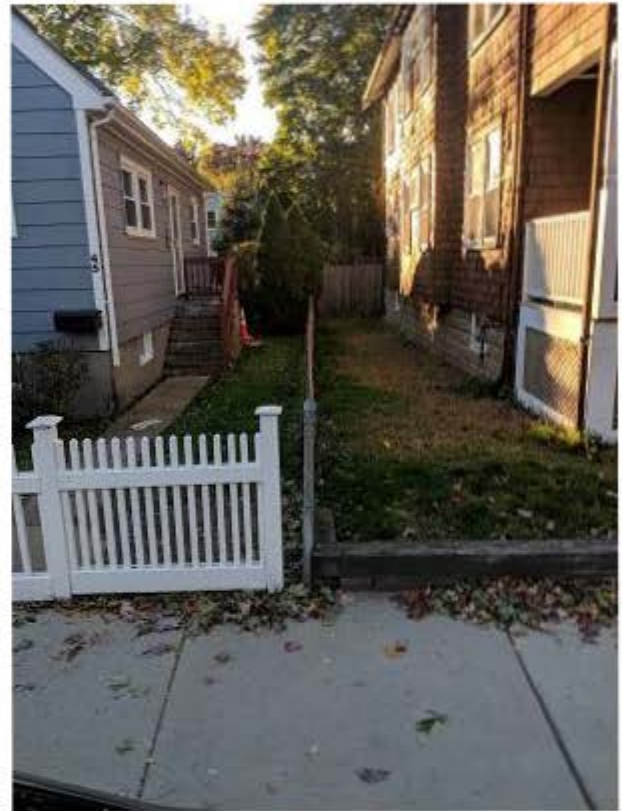


19-21 Kimball St with 2  
Seagrave Rd

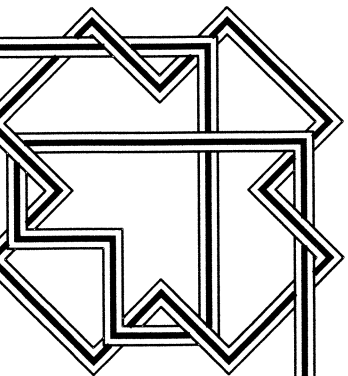
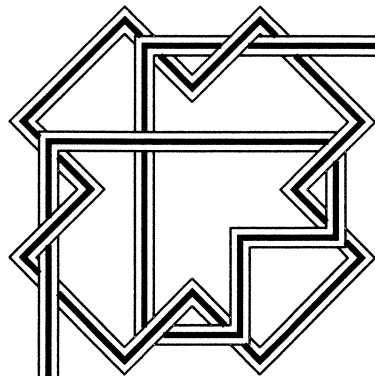


8-10 Columbus with 3  
Madison Ave

## Images of proposed driveway location







45 MAGOUN STREET  
TOTAL GROSS FLOOR AREA:  
2,457 S.F. (ASSESSOR)  
(NO CHANGES PROPOSED)

RATIO OF GROSS FLOOR AREA TO LOT AREA:  
2,457/4,000 S.F. = 61.4% (NO CHANGES PROPOSED)

LOT AREA :  
4,000 S.F.

WIDTH 40', DEPTH 100'

BUILDING HEIGHT:  
24'±  
(NO CHANGE PROPOSED)

SETBACKS: (NO CHANGES PROPOSED)  
FRONT = 15.1'  
REAR = 40.1'  
LEFT SIDE = 7.7'  
RIGHT SIDE = 7.7'

USEABLE OPEN SPACE:  
3,072 S.F.

NUMBER OF DWELLING UNITS:1  
NUMBER OF PARKING SPACES  
(EXISTING = 0 PROPOSED = 2 COMPACT CAR)

N/F  
ALEXANDER M. &  
KEVIN PAUL KOZACHUK

N/F  
ELVIRA V. MAHONEY

N/F  
LEO A.  
DESROSIER, &  
THERESA I. DESROSIER'S  
LIFE ESTATE

N/F  
37 MAGOUN ST LLC

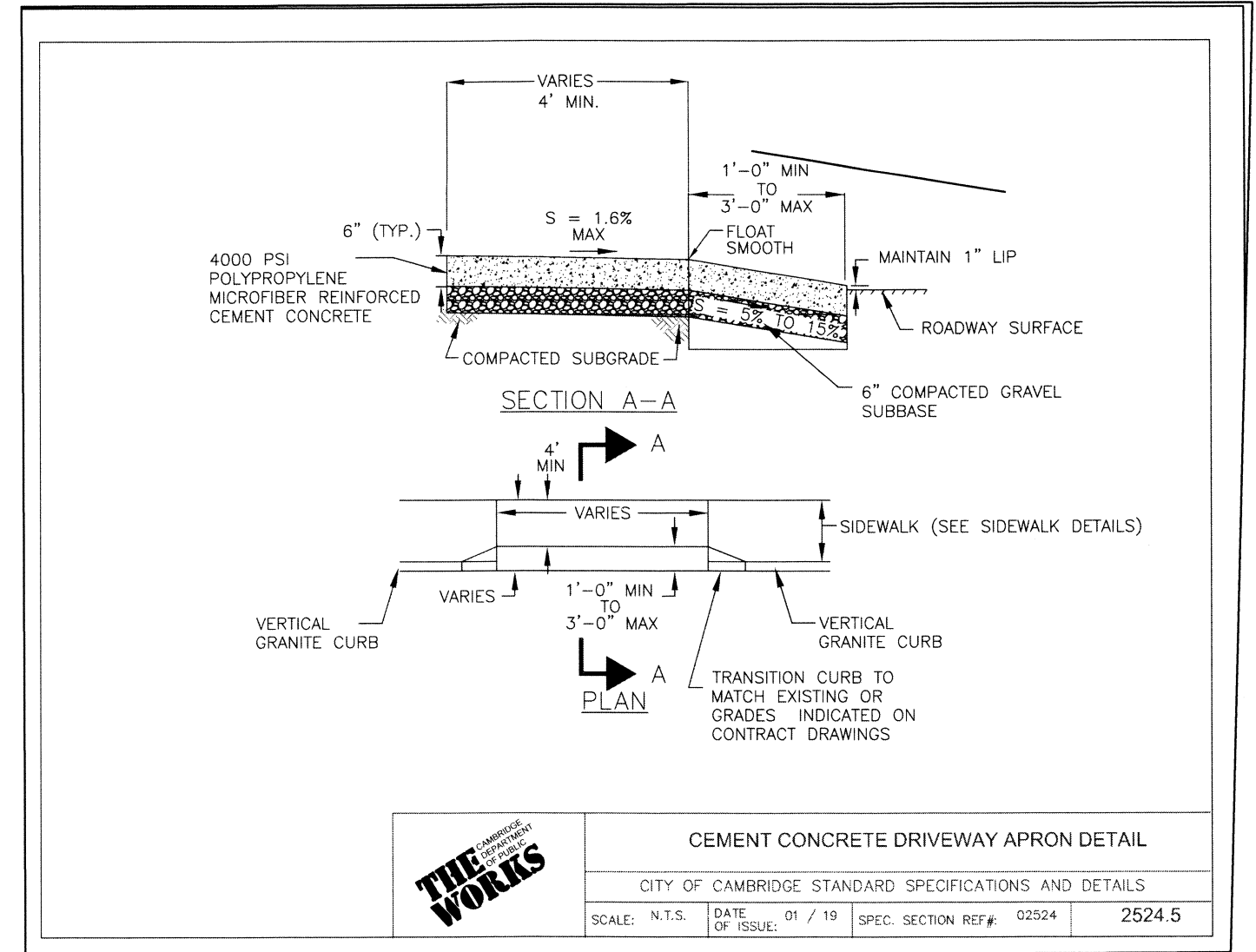
PARCEL ID  
188-78  
4,000 S.F.

PARCEL ID  
188-77  
4,000 S.F.

EXISTING  
DWELLING  
#45

EXISTING  
2 FAMILY  
DWELLING  
#41-43

MAGOUN STREET  
(PUBLIC 40' WIDE)



NOTES:  
RECORD OWNERS:

#41-43 MAGOUN STREET (MAP 188-LOT 77)  
NEHEET TRIVEDI &  
KATE MCGOVERN  
RECORD DEED:  
BK 72014 PAGE 164

#45 MAGOUN STREET (MAP 188 LOT 78)  
JAMES & JUDITH ROBERTSON TR.  
RECORD DEED:  
BK 69178-45

REC. PLAN BK 22-14

LOCUS IS ZONED RB

PORTIONS OF THE LOCUS DO LIE IN A SPECIAL FLOOD HAZARD  
ZONE AS SHOWN ON COMMUNITY PANEL 25017C0419E  
EFFECTIVE 06/04/2010

THERE ARE NO PROPOSED CHANGES TO GRADES OR EXISTING DRAINAGE PATTERNS  
SHOWN ON THIS PLAN

APPLICANTS ARE REQUESTING A SPECIAL PERMIT TO ALLOW FOR A  
COMMON DRIVEWAY WITH 4 TOTAL COMPACT CAR PARKING SPACES (2 ON EACH LOT)  
WITH ONE 18' CURB CUT.

APPLICANT WILL CREATE AND RECORD AN EASEMENT FOR DRIVEWAY UPON  
GRANTING OF SPECIAL PERMIT

41-43 MAGOUN STREET  
TOTAL GROSS FLOOR AREA:  
5,118 S.F. (ASSESSOR)  
(NO CHANGES PROPOSED)

RATIO OF GROSS FLOOR AREA TO LOT AREA:  
5,118/4,000 S.F. = 128% (NO CHANGES PROPOSED)

LOT AREA :  
4,000 S.F.

WIDTH 40', DEPTH 100'

SETBACKS: (NO CHANGES PROPOSED)  
FRONT = 71'  
REAR = 36.3'  
LEFT SIDE = 7.7'  
RIGHT SIDE = 4.9'

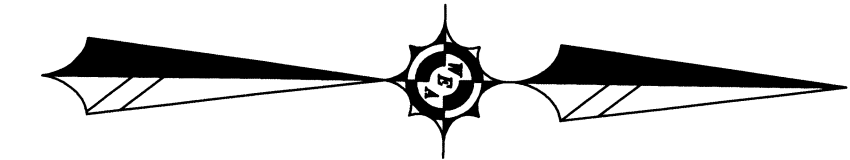
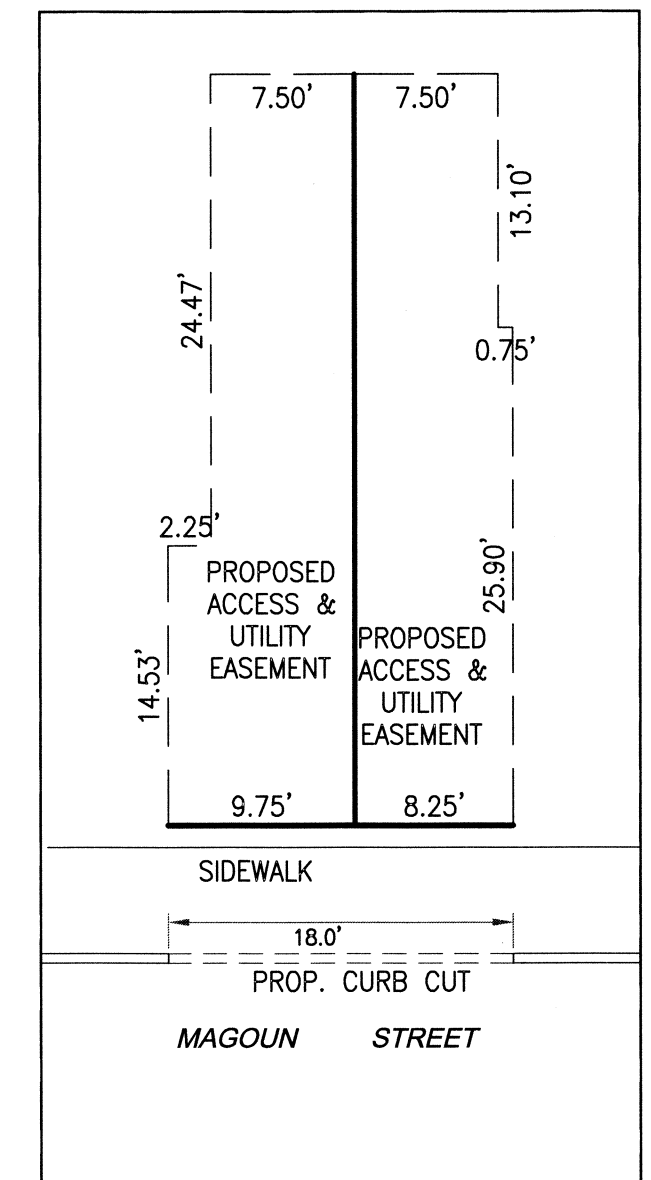
BUILDING HEIGHT:  
29'±  
(NO CHANGE PROPOSED)

USEABLE OPEN SPACE:  
2,499 S.F.

NUMBER OF DWELLING UNITS:2  
NUMBER OF PARKING SPACES  
(EXISTING = 0 PROPOSED = 2 COMPACT CAR)

GENERAL NOTES:  
1. BEFORE CONSTRUCTION BEGINS DIG-SAFE AND THE CITY OF  
CAMBRIDGE MUST BE NOTIFIED.  
2. ALL UTILITY LOCATIONS AND INVERTS SHOWN ON THIS PLAN ARE  
APPROXIMATE ONLY. IT IS THE CONTRACTORS RESPONSIBILITY TO  
VERIFY ALL INVERTS AND UTILITY LOCATIONS. FIELD ADJUSTMENTS  
ARE TO BE MADE AS NECESSARY.  
3. SUBSURFACE SOIL CONDITIONS AND SEASONAL HIGH  
GROUNDWATER ARE UNKNOWN

EASEMENT DETAIL  
1"=10'



SPECIAL PERMIT  
PLAN OF LAND  
IN

CAMBRIDGE, MASS.

PREPARED FOR

NAHEET TRIVEDI & JAMES ROBERTSON

SCALE: 1"=10' OCTOBER 22, 2019

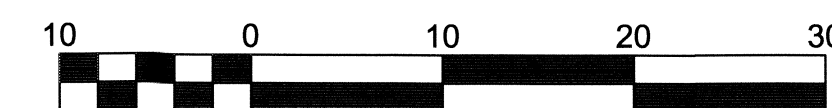
WEBBY ENGINEERING ASSOCIATES, INC.

ENGINEERS & LAND SURVEYORS

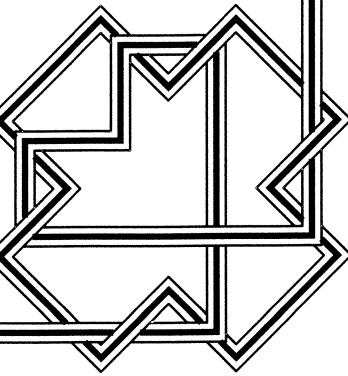
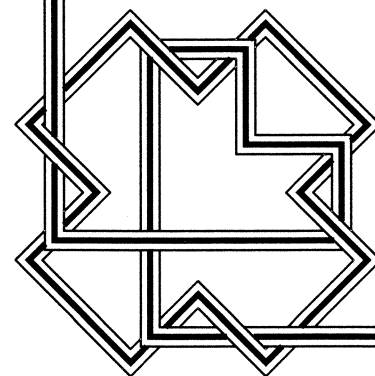
180 COUNTY ROAD - PLYMPTON, MA.

02367

TEL. 1-781-585-1164



SCALE: 1"=10'



# CITY OF CAMBRIDGE

Massachusetts  
BOARD OF ZONING APPEAL  
831 Mass Avenue, Cambridge, MA.  
617) 349-6100

April 15, 2020

James & Judith Robertson  
45 Magoun Street  
Cambridge, MA 02140

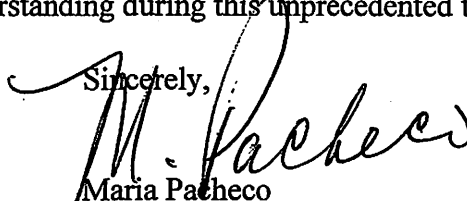
RE: 45 Magoun Street – BZA-017212-2019

Dear Mr. & Mrs. Robertson,

I am writing to you in regard to your above up-coming Board of Zoning Appeal Hearing.

At this time the City will not be holding any non-essential public meetings due to the COVID-19 Pandemic and the City Manager's closure of all City buildings to non-essential business. On April 3, 2020, the Governor signed into law Chapter 53 of the Acts of 2020 ("Act"), which extends all land use permitting deadlines until after the State of Emergency is lifted. In light of the extensions provided for in the Act and the closure of City buildings, at this time the Board of Zoning Appeal will be rescheduling all public hearings in accordance with the extensions permitted under the Act. You will receive notice of the new date, once the hearing is rescheduled.

Thank you for your patience and understanding during this unprecedented time.

Sincerely,  
  
Maria Pacheco  
Administrative Assistant

## P R O C E E D I N G S

\* \* \* \* \*

(7:00 p.m.)

Sitting Members: Constantine Alexander, Brendan  
Sullivan, Andrea A. Hickey, Jim Monteverde

CONSTANTINE ALEXANDER: It's 7:00, so I'm going to  
call this meeting of the Zoning Board of Appeals to order,  
and as is our custom, we're going to start with the  
continued cases.

We have three continued cases. The first case I'm  
going to call is Case Number 017212 -- 45 Magoun Street.

And we have -- this case is going to be continued given the  
current circumstances in our city and in the country at  
large, is going to be continued until April 23.

The petitioner is agreeable to that, and the  
petitioner also knows of the requirements for continued  
cases regarding reposting of the sign, and the time deadline  
for the submission of new plans or dimensional forms.

The Chair moves that we continue this case until  
7:00 p.m. on April 23. All those in favor, please say,  
"Aye."

BRENDAN SULLIVAN: Aye, Brendan Sullivan --



1                   ANDREA HICKEY: Aye.

2                   JIM MONTEVERDE: Jim Monteverde says, "Aye."

3                   [All vote YES]

4                   CONSTANTINE ALEXANDER: Okay. It's unanimous this  
5 case is continued until April 23.

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